



## CITY COUNCIL AGENDA

Notice is hereby given that the Draper City Council will hold a **Business Meeting** beginning at **6:00 p.m.** on **Tuesday, January 21, 2014**, in the City Council Chambers at 1020 East Pioneer Road, Draper, Utah.

*(Timings listed for each item on the agenda are approximate and may be accelerated or delayed)*

The Agenda will be as follows:

### STUDY MEETING

- 6:00 p.m. 1.0 Dinner**
- 6:30 p.m. 2.0 Council/Manager Reports**

### BUSINESS MEETING

- 7:00 p.m. 1.0 Call to Order: Mayor Troy Walker**
- 7:00 p.m. 2.0 Comment/Prayer and Pledge of Allegiance**
- 7:05 p.m. 3.0 Citizen Comments:** To be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be restricted to items not listed on the agenda and limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. 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.
- 7:15 p.m. 4.0 Consent Items:**
- a. Approval of January 7, 2014, Minutes
  - b. **Agreement #14-10**, Interlocal with Salt Lake County for Storm Water Permit
  - c. **Resolution #14-07**, Amending Section 4030 – Hiring of Relatives of the Personnel Policies and Procedures Manual
- 7:20 p.m. 5.0 Action Item: Ordinance #1080**, For Approval of a Rezone of 6.12 Acres from RA2 to RM1, Located at Approximately 1375 E. Country Oak Lane. Staff report by Dennis Workman.
- 7:30 p.m. 6.0 Public Hearing:** For Approval of Centennial Heights B Plat Amendment. Staff report by Dennis Workman.

#### PUBLIC HEARING PROCEDURE AND ORDER OF BUSINESS

*In compliance with the American with Disabilities Act, any individuals needing special accommodations including auxiliary communicative aides and services during this meeting shall notify Rachele Conner, MMC, City Recorder at (801) 576-6502 or [rachele.conner@draper.ut.us](mailto:rachele.conner@draper.ut.us), at least 24 hours prior to the meeting. Meetings of the Draper City Council may be conducted by electronic means pursuant to Utah Code Annotated Section 52-4-207. In such circumstances, contact will be established and maintained by telephone and the meeting will be conducted pursuant to Draper City Municipal Code 2-1-040(e) regarding electronic meetings.*

- 7:40 p.m. 7.0 Action Item: Resolution #14-05 and 14-06**, Declaring a 20-Acre SunCrest Parcel and a 100-Acre Parcel Located Generally at 2400 East 16000 South as Surplus. Staff report by Russ Fox.
- 7:50 p.m. 8.0 Action Item: Agreement #14-06**, For Approval of Contract with the State of Utah for the 11950 South Widening Project. Staff report by David Dobbins.
- 8:00 p.m. 9.0 Action Item: Resolution #14-10**, City Council Applicant Interviews and Appointment of New Council Member.
- 10.0 Adjournment**

SALT LAKE COUNTY/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 the **21<sup>st</sup> day of January, 2014**, were posted on the Draper City Bulletin Board, Draper City website [www.draper.ut.us](http://www.draper.ut.us), the Utah Public Meeting Notice website at [www.utah.gov/pmn](http://www.utah.gov/pmn), and sent by facsimile to The Salt Lake Tribune, and The Deseret News.

Date Posted:  
City Seal

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Rachelle Conner, MMC, City Recorder  
Draper City, State of Utah

Return to Agenda

CONSENT  
ITEM #A

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, January 7, 2014, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH**

*“This document, along with the digital recording, shall constitute the complete meeting minutes for this City Council meeting.”*

PRESENT: Mayor Troy Walker, and Councilmembers Bill Rappleye, Jeff Stenquist, and Alan Summerhays

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; Bryan Roberts, Chief of Police; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

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**Study Meeting**

**1.0 Dinner**

**2.0 Presentation: CDBG Study – Affordable Housing**

[5:47:27 PM](#)

2.1 Nora Lake-Brown, David Paul Rosen & Associates, presented the results of the affordable housing study that was conducted for the City. She also reviewed recommendations for the City in order to utilize more CDBG funds.

[6:30:29 PM](#)

**3.0 Adjourn to Closed Meeting** to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual.

**Business Meeting**

**1.0 Call to Order**

[7:01:22 PM](#)

1.1 Mayor Walker called the meeting to order and welcomed those in attendance. He excused Councilmember Bill Colbert from the meeting this evening.

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

[7:04:29 PM](#)

2.1 Rhett Ogden offered the prayer and led the Pledge of Allegiance.

**3.0 Citizen Comments**

[7:06:54 PM](#)

- 3.1 Dan Shoell, 1201 East Pioneer Road, noted there is a yield sign on the 1300 East roundabout that is on the right side of the road where it is difficult to see. He would like to have that moved to the center of the island so the vehicles can see it better. The vehicles going south on 1300 East do not yield very well, and he would like to make it safer.

[7:08:06 PM](#)

**4.0 Consent Items**

- a. Approval of December 17, 2013, Minutes
- b. **Resolution #14-01**, Reappointing Statutory Officers—Chief of Police, City Engineer, and City Recorder
- c. **Resolution #14-02**, Appointing David Dobbins to VECC Board of Trustees
- d. **Agreement #14-02**, Point of the Mountain Trail Project with UTA
- e. **Agreement #14-03**, LiDAR Data Acquisition with Salt Lake County
- f. Approving Surplus Property for Auction
- g. **Agreement #13-13**, Amendment – Curtis Consulting

[7:08:18 PM](#)

- 4.1 **Councilmember Stenquist moved to approve the consent calendar as listed. Councilmember Summerhays seconded the motion.**

[7:08:34 PM](#)

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

**5.0 Public Hearing: Ordinance #1080, For Approval of a Rezone of 6.12 Acres from RA2 to RM1, Located at Approximately 1375 East Country Oak Lane.**

[7:09:12 PM](#)

- 5.1 Dennis Workman, planner, indicated this is a request for a rezone from RA2 to RM1 on approximately six acres located on the east side of 1300 East across from Draper Park. The proposed rezone anticipates a townhouse development with a density of up to eight units per acre. They could also have single-family lots of 10,000 square feet in size. The property, with the exception of the southernmost parcel, was rezoned from RA1 to RA2 last September. The Planning Commission and staff felt that putting a higher density project near the Town Center zone and the Trax station made sense. There is a demand for high-end homes on smaller lots. He added that the applicant has seriously considered developing according to a development agreement similar to the Wheadon Preserve project. That would take a lot of the guesswork out of what the end product would be. Mr. Workman then displayed photos of the area.

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- 5.2 Councilmember Stenquist noted the zoning that is being requested does not conform with the land use. He asked whether there was a reason staff did not propose a land use change

in conjunction with this. Mr. Workman replied State law does not require them to do a land use change. The applicants had questioned the need to spend the \$2,000 to amend the Master Plan.

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5.3 Councilmember Summerhays asked which homes they were planning to tear down. Mr. Workman explained that is a question for the applicants; however, he is not sure even they know the answer to that at this point.

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5.4 Councilmember Summerhays then questioned whether there were any people opposed to this request. Mr. Workman stated there are, and the Council will be hearing from them during the public hearing.

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5.5 Mayor Walker opened the public hearing.

[7:15:04 PM](#)

5.6 Dave Jensen, 1405 East Country Oak Lane, advised his property is not included in the rezone request; however, he is an adjacent homeowner. He noted the adjacent area has one-acre lots. If the landowners do not know what they are going to do on the property, this action is a little premature. They are talking about tearing down four homes, which seems to be a redevelopment of that area. He noted he is not in favor of this application.

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5.7 Dave Simister, 1285 Manfield Way, noted he has lived in this area for seventeen years. The property owners have the right to develop their property, and he is sure they will do a good job. However, he is not in favor of them bringing in eight units per acre when the homes in the area have one-acre lots. He has spoken with the applicant who says they are not planning to develop it at eight-units per acre, but once the zoning is changed, they can sell it to someone that wants to put in that density. This is a pristine area in Draper, and he would like it to remain that way. Now is not the proper time for these changes to be made.

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5.8 Mike Dowland, 12747 South 1370 East, said when he first heard about this issue, he was told to go look at the Wheadon Project. That is a nice project, and it is very close to I-15, Bangerter Highway, and Traverse Mountain Road, which are all major corridors. The proposed area only has access to the west onto 1300 East, which is a two-lane road. The applicants are proposing forty homes on those six acres. Most homes have two cars and some have more. That would be at least eighty more vehicles in that area, and there are already traffic issues. He said he does not think this project will work in this area.

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5.9 William Wagner, 4113 South 3305 East Salt Lake City, said his wife Sue was born and raised near this area. Sue is the trustee for the Crosgrove Property Trust. He read a statement from eight of the living heirs to this trust. The statement opposed the rezoning of the B&B property. Their opposition is based on three areas:

- The proposal is not in compliance with the Master Plan
- The negative impact that high density would have on the integrity, aesthetics, and value of the surrounding neighborhood and property values
- The added traffic pressure a high-density development would have on the area

Mr. Wagner stated they are in favor of moderate controlled growth, planning that maintains and improves the integrity of the existing neighborhood, and development projects that fit smoothly into the infrastructure of an established neighborhood.

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5.10 Boyd Brown, 12278 South Fort Street, noted he is in favor of this rezone. He has heard a lot of reasons to oppose this request. It is a great area and has been for many years. Since the Master Plan was adopted, there have been many changes to this area, such as the location of the Draper City Hall, the City Library, Senior Center, Trax Station, and great commercial development along 12300 South. The community has changed, and there are a lot more diverse groups with needs for different housing types. This zoning allows the flexibility for empty nesters to have really nice high-quality homes without a large yard. He has been in the business for a long time, and the response they received on the Fort Street project was very favorable. People want to stay in this area, and this rezone would allow for that. He has spoken with the applicants, and their intent is to have a high-class, high-quality project.

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5.11 Mayor Walker closed the public hearing.

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5.12 Brent Pollard and Bret Hilton, applicants, introduced themselves. Mr. Pollard indicated there has been so much misinformation going around in reference to this proposal. His intention is to have a place available for people who are tired of taking care of their yards. This is a very unique parcel due to the close proximity of the Draper City Park, Library, Senior Center, and the Trax station. This property is the best location for this type of development, and he intends to stay in this area. He lives in a nice home right now, and he plans to build a nice high-end development for a retired type person that does not want to maintain a one-acre lot. The Wheadon Project is a very unique project, and there is a need for that kind of home. He intends to build an even nicer home than that.

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5.13 Mr. Hilton said there is a lot of confusion about what this proposal is and what it is not. There is a collector street right next to this property, and to the east is the railroad track.

They applied for the RM1 zone, even though their intent is not to do eight units per acre, because there is a lack of any other zoning between a single-family zone and a multi-family zone. The RM1 zone is the only option they had for their development. The applicants are open to anything the City wants to do to protect themselves. A development agreement would provide more comfort. The applicants are not looking to see how many homes they can jam into this area. Land is disappearing, and the City is losing opportunities to provide this type of housing.

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5.14 Mr. Pollard indicated he would like to have a development agreement similar to the Wheadon development. It is almost identical to what he and Mr. Hilton would like to do. There are a few changes, but it is close.

[7:38:56 PM](#)

5.15 Councilmember Summerhays said the applicant mentioned he would like to build this development for empty nesters. He asked whether they planned to have two or three-story homes or just ramblers. Mr. Hilton indicated he has been approached by people that want ramblers and others that want two or three stories. The applicants are planning to have a mix. People do not want to put money into the land. They want to put their money into the house.

[7:39:47 PM](#)

5.16 Councilmember Rappleye said he did some quick numbers, and he thinks the R3 zone would allow ten to thirteen lots. Mr. Hilton noted the RM1 zone limits the lot size to 10,000 square feet. They cannot go any smaller than that. Some kind of development agreement that allows only single-family would be great.

[7:41:53 PM](#)

5.17 Councilmember Stenquist said the applicant brought up a good point that the City does not have a zone that would fit what he is envisioning. The RM1 zone does not fit with the Land Use Plan. He said he would like to allow this application to follow the usual course, and they could continue this to the next meeting in order to see if staff can work on a development agreement with the applicant.

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5.18 Councilmember Summerhays noted Councilmember Stenquist is absolutely correct in saying that there is a big gap in zoning options. He agreed to allow this item to run the normal course.

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5.19 Councilmember Rappleye stated it would be prudent for the Council to look at a development agreement so the City Council and residents know what they will be getting. When he moved into his home, he was at a dead end street; now there is a high school

there. He did not envision that when he purchased his home. He said he is in favor of allowing this item to run the normal course.

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5.20 Mayor Walker asked what the schedule is for the widening of 1300 East through that area. Glade Robbins, Public Works Director, indicated it is under design right now, and they are hoping to have it done this summer.

**6.0 Public Hearing: For Approval of a Minor Three-Lot Subdivision, Also Known as Dana Subdivision, Located Generally at 13105 South Boulter Street in the RA2 Zone.**

[7:45:27 PM](#)

6.1 Jennifer Jastremsky, Planner, stated this item was scheduled to be heard by the zoning administrator on December 6, 2013; however, due to the level of neighborhood involvement, staff felt it would be better heard through the normal subdivision review process by going to the Planning Commission and City Council. The application is for a three-lot subdivision. There is one existing home on the property. The land use is Residential Low/Medium Density, which allows one-acre and half-acre lots. The zoning is RA2, which has a minimum lot size of 20,000 feet. Lot one will retain the existing home with access on Boulter Street. Lots two and three will be placed behind and their access will be from a private lane. The driveway will be twenty feet in width, and the maintenance will be shared by the owners of lots two and three. The Planning Commission added a condition of approval that a note be added to the subdivision plat referencing the separate access easement and maintenance agreement documents. The applicant has obtained all of the necessary agreements and easements for this development, including temporary construction easements with neighboring property owners for that road. She displayed photos of the property. The Planning Commission forwarded a positive recommendation, and staff is also recommending approval.

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6.2 Councilmember Summerhays said it looks like all of these lots are over 20,000 square feet. He asked whether this area requires curb, gutter, and sidewalk. Ms. Jastremsky replied it does not. It will be twenty feet wide with sixteen feet of pavement and two feet of curb on either side.

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6.3 Mayor Walker opened the public hearing.

[7:49:41 PM](#)

6.4 Carl Patterson, 13103 South Boulter Street, said he does not have any real concerns with what is being proposed; however, his property is much lower than the property in question. They have a grading plan that should address any grade issues, and it shows a solution on the front lot; however, it is physically impossible to do that. He said there is an out-building on the front lot that is proposed to stay, and the runoff from the roof is

supposed to be maintained on that property. However, it drains to his property so he is driving in mud all the time. It has been this way for years, but the property used to be an irrigation ditch and pasture. He said where they are planning to develop and improve the property; he would like the developer to provide a solution to the runoff problem. Mr. Patterson advised the City staff should be commended. They have been very kind and polite as he has dealt with them about this.

[7:52:09 PM](#)

6.5 Councilmember Summerhays questioned whether it would solve the problem if they fix the runoff from the out-building. Mr. Patterson indicated he has spoken with the developer, and they have discussed options but he has not heard anything concrete about what they could do. They could put a rain gutter on the shed and allow it to drain down, but they would have to provide some kind of drainage from the shed to Boulter Street. It can be done; they would just have to be willing to do it.

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6.6 Troy Dana, 1516 Cherry Creek Lane, said he appreciates everything Jennifer and the staff has done. They have been very helpful. He said he was not at the Planning Commission meeting, so he was not aware of the water runoff issue. He does not have a problem with addressing the runoff concerns. They do have drainage on the engineering plans. He will make sure they do it the right way. They can rip out the trees, so there is no need to water that area.

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6.7 Mayor Walker closed the public hearing.

[7:54:59 PM](#)

**6.8 Councilmember Rappleye moved to suspend the rules. Councilmember Summerhays seconded the motion.**

[7:55:07 PM](#)

**6.9 A vote was taken with Councilmembers Rappleye, Stenquist, and Summerhays voting in favor. The motion passed unanimously.**

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**6.10 Councilmember Rappleye moved to approve a minor three-lot subdivision located generally at 13105 South Boulter Street in the RA2 zone with the provision that the approval be granted after all of the runoff issues are handled with Engineering approval. The motion was seconded by Councilmember Summerhays.**

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6.11 Councilmember Rappleye stated this makes sense. It is a nice area, and the way the lane is already provided for, it will be very low impact for the surrounding area.

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

**7.0 Public Hearing: Resolution #14-3, Declaring Lots B, C, and Part of Lot A of Centennial Heights Plat "B" as Surplus Property and Authorizing Their Sale**

[7:57:14 PM](#)

7.1 Doug Ahlstrom, City Attorney, gave a brief history of this property. The LDS Church desires to build a chapel on these lots. The City Council held a public hearing, and the Council approved the surplus and sale of this property. The legal description needs to be changed in terms of the open space designation. They also have to have a formal legal description so the resolution can be recorded. The action tonight is to include those items. He reviewed the changes with the City Council.

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7.2 Councilmember Summerhays asked whether this changes the price at all. Mr. Dobbins noted it does not.

[8:02:03 PM](#)

7.3 Mike Davey, LDS Church representative, indicated he is not the applicant, but he would be happy to answer any questions.

[8:02:28 PM](#)

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

[8:02:39 PM](#)

7.5 Mr. Ahlstrom indicated the legal description is very long and sometimes requires small tweaks. He asked the City Council to approve this resolution and add in that this is subject to any minor changes in the legal description.

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**7.6 Councilmember Stenquist moved to suspend the rules. Councilmember Summerhays seconded the motion.**

[8:03:09 PM](#)

**7.7 A vote was taken with Councilmembers Rappleye, Stenquist, and Summerhays voting in favor. The motion passed unanimously.**

[8:03:14 PM](#)

**7.8 Councilmember Stenquist moved to approve Resolution 14-3, declaring lots B, C, and part of lot A of Centennial Heights Plat "B" as surplus and authorizing their sale with the understanding that there might be some minor changes to the legal description. Councilmember Summerhays seconded the motion.**

[8:03:41 PM](#)

7.9 Councilmember Summerhays noted the Church is going to improve the much needed water detention area down there and several other things that make this very desirable.

[8:04:10 PM](#)

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

**8.0 Public Hearing: Ordinance #1083, For Approval of a Text Amendment to Allow a Single Drive Through Lane in the Town Center Zone**

[8:04:41 PM](#)

8.1 Dan Boles, planner, indicated this request is for a text amendment that would allow a single drive through lane in the Town Center zone. He displayed maps of the areas that would be affected. Restaurants in this zone are currently not allowed to have a drive through. The Planning Commission had some concerns with this request due to the fact that a drive through could have noise impacts. The Planning Commission forwarded a negative recommendation to the City Council with the understanding that they are not really opposed to them if it was a conditional use they could look at on a case-by-case basis. Banks are allowed to have a drive through in the Town Center, and this would make all things equal.

[8:07:59 PM](#)

8.2 Councilmember Summerhays asked whether this is pertaining to Sacred Grounds that Mr. Dipo would like to reopen. Mr. Boles said it is.

Councilmember Summerhays then questioned whether there are any other businesses that have expressed interest in having a drive through. Mr. Boles noted Food for Thought might like to have one as well.

[8:08:39 PM](#)

8.3 Councilmember Stenquist said Sacred Grounds would be mainly for coffee in the mornings. The City does not necessarily want to open the door to fast food restaurants in this area; however, he is okay with the intended uses of Sacred Grounds and Food for Thought. He asked what type of conditions they would apply to a conditional use that would help control the type of business that goes in there. Mr. Boles stated they could add buffer requirements such as a wall, and those would have to be put in the Code.

Mr. Fox noted they could also put in design conditions such as the drive through lane has to be in the back.

Councilmember Stenquist noted he would like the conditions to prevent a fast food restaurant from locating there, as well as other uses that would have the same affect.

[8:11:09 PM](#)

8.4 Councilmember Summerhays said a case-by-case would be his choice. Mr. Dipo had Sacred Grounds there for a few years but the down turn in the economy caused him to close. Councilmember Summerhays noted he understands the concern about other uses coming in.

[8:12:14 PM](#)

8.5 Councilmember Stenquist stated if it is a conditional use, it gives the Planning Commission some ability to make sure it is an appropriate use for the Town Center area.

[8:12:39 PM](#)

8.6 Councilmember Rappleye noted there is a Town Center overlay and other things that take care of the overall development. That will handle some of the concerns. One of the issues with this thing is the screening. It is a small scale area, so the conditional use would take care of that. It is also a fairness thing. The conditional use process is a good idea and can handle some of the negative effects that can occur with a drive through.

[8:13:48 PM](#)

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

[8:14:07 PM](#)

**8.8 Councilmember Rappleye moved to suspend the rules. Councilmember Stenquist seconded the motion.**

[8:14:17 PM](#)

**8.9 A vote was taken with Councilmembers Rappleye, Stenquist, and Summerhays voting in favor. The motion passed unanimously.**

[8:14:33 PM](#)

**8.10 Councilmember Rappleye moved to approve Ordinance #1083, to allow a single drive through lane in the Town Center zone as a conditional use permit. Councilmember Stenquist seconded the motion.**

[8:15:18 PM](#)

8.11 Councilmember Summerhays noted this would allow the Planning Commission to set conditions for allowing the drive through. Councilmember Rappleye indicated that is correct; however, they have to meet certain conditions in order to meet the requirements.

Councilmember Summerhays said he is just going to have to have faith in the Planning Commission that they will take care of this. He does not have a problem with Mr. Dipo trying to make a go of this again; he is just concerned with opening this up for other uses.

[8:17:08 PM](#)

**8.12 A roll call vote was taken with Councilmembers Rapple, Stenquist, and Summerhays voting in favor. The motion passed unanimously.**

**9.0 Public Hearing: Resolutions #14-05 and 14-06, Declaring a 20-Acre SunCrest Parcel and a 100-Acre Parcel Located Generally at 2400 East 16000 South as Surplus**

[8:18:04 PM](#)

9.1 Russ Fox, Assistant City Manager, indicated this item would declare specific parcels in SunCrest as surplus. He displayed a map showing the areas in question. When the City purchased SunCrest in 2012, they had looked at areas to sell off for development areas or for other uses such as the Highland water tank area. The current zone on the properties is RR-22 zone, which is half-acre rural residential zoning. The SunCrest area Master Development shows both of these areas as development areas. The issue before the City Council tonight is for them to decide what they want to do with these properties. They have to declare both properties as surplus before they can consider the sale of the properties.

[8:21:29 PM](#)

9.2 Councilmember Summerhays advised these parcels are master planned to be developed residential. Mr. Fox noted that is correct. The City did not change the Master Plan for this area.

[8:22:33 PM](#)

9.3 Councilmember Stenquist said these are properties that are currently within the city limits, but there would need to be access and utilities provided. He asked what obligation the City would be under to provide services to that property if it were to develop. He said the property owner would most likely petition to be annexed into Highland City; however, he is not sure Highland would be willing to do that. He said he does not think the smaller parcel is the one in dispute because it is adjacent to SunCrest Drive and pretty easy to provide services to.

Mr. Fox indicated that is correct. The 100-acre property is the issue. Draper would not be able to provide services at this point. The original Master Plan had a road system that would go over and tie into the 100-acre property and would go into what they considered as Phase 7 over by Corner Canyon. The utility lines would have followed along in that area. The Highland piece would have to have several steps completed before the development could occur. They would have to look at a boundary line adjustment, because Highland would most probably be the only community that would be able to provide services. They have a water tank in that area that could service part of this property, and there is a road network proposed for access.

Councilmember Stenquist stated as long as this parcel is in Draper City, it is a part of the Traverse Ridge Special Service District (TRSSD). Mr. Fox stated that is correct.

[8:26:35 PM](#)

9.4 Mayor Walker clarified that tonight the City Council is just considering declaring this property as surplus as the first step in the process towards selling it. Mr. Fox stated yes. This is one of the areas the City had determined they wanted to sell. A group may want to purchase it for open space and preservation. Even if the City were to go through that process, they still need to declare it as surplus.

[8:27:23 PM](#)

9.5 Councilmember Stenquist stated if they went through the process and declared it surplus, they would still have the ability to dictate density and the type of development they want to see there. Mr. Fox noted that is correct. That is why they would go through an RFP process. The City would be able to evaluate the proposals to see which one they like the best.

[8:28:36 PM](#)

9.6 Mayor Walker opened the public hearing.

[8:30:06 PM](#)

9.7 Heather Groom, 5886 West Timber Ridge Lane Highland, said she is speaking on behalf of several people. She distributed a petition with over 120 signatures of Highland residents that are opposed to the City declaring this area as surplus. She noted many of the residents paid a premium for their lot because it backed up to open space; however she realizes that developers will tell people inaccurate information. If this area were to develop, it would block the current residents' access to the trails. On the back side of Highland, they have a trail system that goes up and meets in at Alpine at the Hog Hollow Road. The topography of this area is difficult. The ravine is very deep, and it is also a very important area for wildlife. The trail system is very important to the residents. There is a conservation group that is interested in this parcel of property. She asked the City Council to allow for more time for the residents to come up with a good plan that would benefit the City of Draper as well as the residents. There is a great concern for this area.

Mayor Walker asked, for the record, whether the residents are concerned about the 20-acre parcel. Ms. Groom indicated they are not. Their concern is for the 100-acre parcel.

[8:37:21 PM](#)

9.8 Fraser Bullock, 5937 West Chatham Circle Highland, observed that access to this area is very difficult due to the ravine. There are access issues and other issues with what Draper is going to do and what Highland is going to do. All of the Highland residents will show up at the Highland Council meeting and tell them they do not want the City to do this. The residents are asking the Draper City Council to give the residents a little time. They are working on a proposal for the City Council that could work for Draper as well as the Highland residents.

[8:38:54 PM](#)

9.9 Rob Clawson, 11511 North Low River Circle Highland, said he did the development just below this area. He looked at developing the proposed area; however, there are many issues with the earthquake fault lines, water tanks, and there was a problem with providing utilities due to the Federal canal. The City of Alpine has a moratorium with any building with height, so that property would loop in and be cut off. As a developer, he sees a lot of problems with it. Surplussing it would be something they could do to give someone a tax credit. They could sell it for open lands. The Federal government gives great tax credits for that. Micron is in the process of developing the land across the street, and they will have a water tank for that area.

[8:41:47 PM](#)

9.10 Paul Tonks, 15381 South Eagle Crest Drive, noted this area falls under the SunCrest Owners Association. If this area were to become a residential area, they would have to include them as part of the owners association or to segment them off. His concern is that if they segment them off, there will be other residents in SunCrest that would want the same thing. There is no way they would want to go all the way up the hill to access the clubhouse because there is no real good access to them. The TRSSD would also be a problem in this area. Keeping this area as open space might be the best solution. Allowing residential development would be a problem.

[8:43:24 PM](#)

9.11 Nate Shipp, 13658 Kennington Court, noted he thinks this a great idea. He would like to hear a discussion about where the proceeds from the sale would go.

[8:43:55 PM](#)

9.12 Carolyn Lambert, 5934 West Timber Ridge Lane Highland, said a year ago she was searching for the perfect place to call home. The two towns they explored extensively were Highland and Draper. They wanted a community with beauty, history, open space, and an eye towards preserving that which is lovely. They settled in Highland with the mountain in their backyard. She read a passage from her journal regarding the need for open space and less development.

[8:47:15 PM](#)

9.13 Richard Rozier, 677 Lakeview Drive Alpine, encouraged the City Council to allow more time for the neighbors to come up with a proposal for the City Council that might resolve some of the issues while putting some money in the coffers of Draper City and allowing a conservation easement to be created.

[8:48:29 PM](#)

9.14 Shawn Benjamin, 360 West 13165 South, noted there is a Master Plan, and this area was slated for residential development. He said he would like to hear if there are other areas that might be in the works for surplus and whether this is just moving forward right now because it is low-hanging fruit.

[8:49:49 PM](#)

9.15 Mayor Walker closed the public hearing.

[8:50:01 PM](#)

9.16 Councilmember Summerhays said he would like to answer some of the questions. Over the last ten to twelve years, the City has spent millions of dollars on open space. The City has over 80 miles of trail, and they did that at quite an expense to the residents of Draper. The City purchased this property because they got a very good deal from Zion's Bank. The open space is great, but there is a large cost to maintain it. Mr. Dobbins told them a few months ago that they need three full-time employees to help maintain the open space in the city. The City Council does not know if they will even be able to sell the 100-acre piece, but they need to declare it surplus before they can even try. The money from the sale would probably go in the Parks Fund, but that would be determined in the future.

[8:52:58 PM](#)

9.17 Councilmember Stenquist said the City went through quite a process to obtain open space. He gave a brief history of the acquisition of open space in the city. By the City purchasing the SunCrest property, they saved the area from being developed into 3,000 homes. The purchase was done with the intention of allowing a lot of open space; however, the City indentified specific parcels that they would consider selling off for development. Part of the issue they struggle with as a City is that a great number of people that use this open space are not Draper residents and do not contribute to the maintenance of the open space with taxes. The City has looked at ways to capture some of the revenue from outside the city for the non residents that utilize the open space. They do not want to put toll booths at the trailheads or fences around the open space and require people to pay to play. They want it to be available to everyone. He understands that people bought their property with assumptions that were not correct, because there was never a promise that this area would be open space. It has never been designated for that. It has always been slated for development. The City is looking at ways to recoup their money from the SunCrest investment. That was their intention by going through with this tonight. With that being said, the City is open to options. If a conservation group is willing to purchase that land, the City would look at that. Most of the concerns he has heard tonight are valid in terms of this being a challenging piece to develop. The Councilmember Stenquist asked staff if declaring this surplus this evening obligates the City to sell it. Mr. Fox said it does not. This is just the first step in the process. Even if it is an outside conservation group that wants to purchase the property, they still need to go through this process.

[9:00:00 PM](#)

9.18 Councilmember Rappleye said he appreciates the comments that have been spoken tonight. Councilmember Stenquist was correct in saying the City Council did spend a lot of time studying this issue. These particular parcels were not chosen randomly. They were chosen because these were the best possibility. They are not the best in all cases, because there are a lot of issues with hillside development. Draper City has struggled with that. These were the two best possibilities to surplus off. Whether they get purchased

for open space or something else remains to be seen or whether they are declared surplus at all. The City has spent a lot of money on open space, and the City needs some reimbursement. It is critical to the City's financial success of making this thing work. It is great to have City parks, but they are expensive to maintain. Draper wants to be a good neighbor to Highland and Alpine. He has met with residents there, but they have to find a way to make this financially feasible for the City. That is what the City is trying to do tonight. He appreciates the Highland residents' suggestion to give them time to see what they can come up with. He is in favor of doing that.

[9:02:46 PM](#)

9.19 Mayor Walker noted when the City purchased the first section of Corner Canyon they had the residents vote on a bond. When they bought this property, the City did not do that. They were in litigation with this property, and this purchase solved a huge part of that problem. The City had to make a decision quickly and had to do that without a vote of the people. In the discussion when they decided to make this deal, they knew there were parcels they were going to sell. They spent \$5.6 million to purchase this area, and that is a lot of money for a City of this size. Draper is the only city that straddles two counties. Salt Lake County has stepped up to help preserve open space, but Utah County has not done anything nor has Highland or Alpine. He noted the mood of the Council at the time is that these parcels would be sold. He does not care who they sell them to. If a conservation group wants to pay for the property and preserve it, he is fine with that. However, the City intends to recover some of their \$5.6 million. They need to spend money on water infrastructure and repaying the taxpayers back for the money that was spent. He expressed appreciation for the comments that have been made this evening.

[9:05:49 PM](#)

9.20 Councilmember Summerhays said someone mentioned that they had contacted someone in reference to a conservation easement. He asked who was contacted.

Ms. Groom said she has spoken with Wendy Fisher with Utah Open Lands and Ms. Fisher had noted she has spoken with Larry Ellertson from the Utah County Commission in reference to this piece. The County does not have conservation easements right now, but they are kind of looking into this.

[9:06:45 PM](#)

9.21 Mayor Walker clarified that this is not a situation where Draper is just going to give this property away with a conservation easement. The City wants to recover a significant amount of the money spent on SunCrest.

Ms. Groom stated she is aware of that. That is why they are asking for more time. They would like to have a fundraiser and work with the conservation group. They believe this is possible and so does she. They feel they have a really great solution to present to the City Council, but they need a little more time. She understands this does come down to money to some degree.

[9:08:57 PM](#)

9.22 Councilmember Stenquist said Mr. Benjamin had asked whether there are other parcels to sell. Councilmember Stenquist advised that is not really the case. There were these two parcels, and they have looked at a few more parcels that could be sold. Councilmember Stenquist then said he feels like if they go ahead and declare the property surplus they could entertain bids. That does not necessarily mean it would sell at a particular time. That would give these groups time to go through their process and raise funds. The City is perfectly willing to give them time. This action is just a formality for the City to declare this surplus property and entertain bids to see what interest is out there.

[9:10:12 PM](#)

**9.23 Councilmember Stenquist moved to suspend the rules. Councilmember Summerhays seconded the motion.**

[9:11:18 PM](#)

**9.24 A vote was taken with Councilmembers Stenquist and Summerhays voting in favor and Councilmember Rappleye voting no. The motion failed for lack of a majority vote.**

[9:11:56 PM](#)

9.25 Councilmember Rappleye expressed his opinion that the neighbors made a good case, and he is not in a great rush. He understands there is not a problem with the upper parcels, and they could have split it out; however, he is fine with this item just running the normal course. This will come back to the Council fairly soon. It sounds like the neighbors are really close to having something to present, so in all fairness he is willing to wait.

[9:14:10 PM](#)

9.25 Mr. Dobbins clarified for those in attendance that the next meeting would be held on Tuesday, January 21, 2014.

## **10.0 Council/Manager Reports**

[9:15:50 PM](#)

10.1 Councilmember Rappleye indicated Healthy Draper has secured funds for a trail project. The project is in the early stages, and it will be in the Little Valley area. The intent is to provide a low-end child's bike park. The details have not been worked out and the funding, which will be about \$80,000, will come in two different phases. The County is planning to participate, and he wanted the City Council to be aware of what is going on. At some point, the City Council will have to approve the use on this parcel.

[9:17:40 PM](#)

10.2 Councilmember Summerhays noted that some time ago someone had asked staff to have a storage facility next to the Day Barn. The cost came in at approximately \$50,000. The

City could purchase an 8-foot round granary for about \$5,000, and it would match the aesthetics of the barn. This is a low-cost way to store the chairs.

[9:19:16 PM](#)

10.3 Mayor Walker stated there is a traffic issue on 700 East by Harmons. The trucks park along there and block the line-of-site for the people living in the condominium community. His father has almost been hit a couple of times, and Mayor Walker said he had another resident complain about a neighbor almost getting hit. There was a serious accident there recently because of the same problem. He asked whether they can prohibit the parking of the trucks along that street. Mayor Walker noted his father had spoken with one of the truck drivers who said they park there because Sandy City will not let them.

Chief Roberts indicated the accident investigation is still ongoing, and it is definitely an initiative they are looking at.

[9:21:03 PM](#)

10.4 Mayor Walker indicated they need to talk about filling the vacancy they have on the Council now. He noted for the public that on the Draper City website there is a link with information about filling the City Council vacancy. The deadline to submit a name or letter of interest to the City Recorder is Tuesday, January 14, 2014, at 5:00 p.m. A person can submit a letter with their name, address, telephone number, and the list of qualifications. The requirements are that the person is a registered voter and a resident of the City of Draper for at least one year.

The Council and staff then discussed the process going forward. The Council will interview all of the applicants on Tuesday, January 21, 2014, and will vote to appoint the new Council Member that evening.

[9:35:26 PM](#)

10.5 Mr. Fox advised he has had a request from a group that would like to do a cell tower at Galena Park. The lease rate is \$1,500 per month. The consensus of the Council was to pursue this.

[9:37:23 PM](#)

10.6 Mr. Ogden briefed the Council on the recreation activities that are going on right now. They have approximately 1,100 students participating in basketball right now, and youth fishing registration also opened that day.

**11.0 Adjournment**

[9:40:50 PM](#)

**11.1 A motion to adjourn was made by Councilmember Rappleye and seconded by Councilmember Summerhays. The motion passed unanimously.**

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# CONSENT

## ITEM #B

**INTERLOCAL COOPERATION AGREEMENT**

**between**

**SALT LAKE COUNTY**

**and**

**DRAPER CITY**

**for**

**Participation as Co-Permittees under  
UPDES Permit No. UTS000001  
(Jordan Valley Municipalities)**

**\*\*\***

THIS AGREEMENT is entered into this \_\_\_\_ day of \_\_\_\_\_ 2013, by and between SALT LAKE COUNTY (the "COUNTY"), a body corporate and politic of the State of Utah; and Draper City (the "CITY"), a municipal corporation of the State of Utah;

**W I T N E S S E T H :**

WHEREAS, the parties are public agencies and are therefore authorized by the Utah Interlocal Cooperation Act, Section 11-13-1, et seq., UTAH CODE ANN., to enter into agreements with each other for joint or cooperative action; and

WHEREAS, the Environmental Protection Agency has published its "Final Rule" setting forth the National Pollutant Discharge Elimination Systems permit application rules and regulations for stormwater discharges to municipal separate storm sewer systems; and

WHEREAS, the State of Utah, through its Department of Environmental Quality, Division of Water Quality, has statutory rulemaking authority and authority to issue pollutant discharge elimination system permits within the State of Utah pursuant to the rules and regulations of the Utah Pollutant Discharge Elimination System ("UPDES"); and

WHEREAS, the rules and regulations provide that where more than one public entity owns or operates a municipal separate storm sewer within a geographic area (including adjacent

or interconnected municipal separate storm sewer systems), such entities may be co-applicants to the same application and permit renewal; and

WHEREAS, the State of Utah has issued a UPDES permit (Permit No. UTS000001, the "Permit") to the Jordan Valley Municipalities, including the COUNTY and the CITY. A copy of the Permit is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, Section 1.5.1.2 of the Permit provides, in addition to the Jordan Valley Municipalities including the COUNTY and the CITY, additional operators of small municipal separate storm sewers within the boundaries of Salt Lake County which sign on during the course of the permit cycle may also be co-permittees under the Permit; and

WHEREAS, the COUNTY and the CITY desire to sign on as co-permittees under the Permit and participate in the Jordan Valley Municipalities UPDES municipal storm water permit program under the terms and conditions set forth in the Permit and in this Agreement; and

WHEREAS, the parties now desire to enter into this Agreement setting forth their present understanding as to their respective responsibilities with regard to their participation as co-permittees under the Permit;

NOW, THEREFORE, in consideration of the mutual promises set forth herein, the parties agree as follows:

## **A G R E E M E N T**

1. The COUNTY and the CITY agree to be co-permittees under the existing Permit for the geographic area, which includes all of the municipal separate storm water systems belonging to and operated by the parties to this Agreement as described in Section 1.2.1 of the Permit and in "Exhibit B."

2. As co-permittees, each party agrees to implement and enforce within its own jurisdiction its own responsibilities for complying with the Permit requirements including, but not limited to, those responsibilities and requirements listed in the Co-Permittee Accountability statement. The Co-Permittee Accountability statement is attached hereto as Exhibit “C” and incorporated herein.

3. Each party shall be responsible to pay the costs relating to its own stormwater systems. The parties shall reimburse each other for expenses incurred in providing services for each other as may be agreed by the parties concerning the various tasks and responsibilities required under the Permit. Detailed services to be provided and reimbursement thereof is set forth in the interlocal media agreement, already in place, which is attached hereto as Exhibit “D” and incorporated herein.

4. To the maximum extent possible, the parties agree to assist each other in providing and sharing information, maps, data, drawings, plans and other resources necessary to comply with the Permit requirements. Co-permittees may also collaborate on projects, programs and control measures as may be required in Sections 1.6.1.2, 1.6.1.3 and 4.4 of the Permit. Exhibit “C” will be amended as necessary to include specific assignments.

5. The parties agree the duration of this Agreement shall commence upon entry and shall run concurrent with the duration of the Permit, which expires at midnight on September 4, 2018. The parties agree that this Agreement shall not apply to any subsequent permits or co-permits unless the parties agree in writing to extend this Agreement.

6. No separate entity is created by this Agreement; however, to the extent that any administration of this Agreement becomes necessary, then the Public Works Director or City Engineer of each party, or their designees, shall constitute a joint board for such purpose.

7. In the event any property is jointly acquired and paid for by the parties for this undertaking, then it shall be divided as the parties' representatives shall agree; or, if no agreement is reached, then it shall be divided according to their respective payments for property; or, if it cannot be practically divided, then the property shall be sold and the proceeds divided according to the parties' proportionate share of the purchase of the item of property. If property is purchased at one party's sole expense in connection with this agreement, then the property so purchased shall be and remain the property of the party which purchased it.

8. This Agreement embodies the entire agreement between the parties hereto and cannot be altered except in a written amendment signed by the parties.

IN WITNESS WHEREOF, the parties hereto execute this Agreement effective as of the day and year first written above.

9. Liability and Indemnification. The Parties are governmental entities under the Utah Governmental Immunity Act, UTAH CODE ANN. Section 63G-7, as amended (the "Immunity Act"). There are no indemnity obligations between these parties. Consistent with the terms of the Immunity Act, it is mutually agreed that each Party is responsible and liable for its own wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. Neither Party waives any defenses or limits of liability available under the Immunity Act and other applicable law. Both parties maintain all privileges, immunities, and other rights granted by the Immunity Act and all other applicable law.

**SALT LAKE COUNTY**

By: \_\_\_\_\_  
Mayor or Designee

Approved as to form:

\_\_\_\_\_  
Date: \_\_\_\_\_

**DRAPER CITY**

By: \_\_\_\_\_  
Title: \_\_\_\_\_

Approved as to form:

  
\_\_\_\_\_  
Date: 1-15-2014

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CONSENT  
ITEM #C

# REQUEST FOR COUNCIL ACTION

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<b>To:</b>	<u>Mayor &amp; City Council</u>
<b>From:</b>	<u>Garth Smith</u>
<b>Date:</b>	<u>January 21, 2014</u>
<b>Subject:</b>	<u>Amending Personnel Policies and Procedures Manual Regarding Hiring of Relatives</u>
<b>Applicant Presentation:</b>	<u>N/A</u>
<b>Staff Presentation:</b>	<u>David Dobbins, City Manager</u>
<b>RECOMMENDATION:</b> Discuss and consider adoption of Resolution No. 14-07, which amends Section 4030 of the Personnel Policies and Procedures Manual regarding hiring of relatives.	
<b>BACKGROUND AND FINDINGS:</b> This proposed change to the City's Hiring of Relatives Policy makes an exception for an employee's immediate relative to be hired or to work in the Recreation Department and the Police Department. Police Department employees would be required to comply with the Police Department's policy that addresses nepotism and conflicting relationships and with Title 52, Chapter 3 of the Utah Code Annotated, as amended, which forbids direct supervision.	
<b>PREVIOUS LEGISLATIVE ACTION:</b>  N/A	
<b>FISCAL IMPACT: Finance Review:</b> _____  • None	
<b>SUPPORTING DOCUMENTS:</b> <ul style="list-style-type: none"><li>• Proposed Resolution No. 14-07.</li><li>• Section 1050 of the Draper City Police Department Policy Manual.</li><li>• Title 52, Chapter 3 of the Utah Code Annotated, as amended.</li><li>• Section 1010 of the Personnel Policies and Procedures Manual.</li></ul>	

**RESOLUTION NUMBER 14-07**

**A RESOLUTION OF THE DRAPER CITY COUNCIL AMENDING SECTION  
4030 – HIRING OF RELATIVES OF THE PERSONNEL POLICIES AND  
PROCEDURES MANUAL**

**WHEREAS,** The City Council from time to time reviews, amends and adopts personnel policies and procedures to assist in the efficient utilization of scarce City resources and the fair and uniform application of requirements regarding City operations and City employees; and

**WHEREAS,** the City Council has reviewed Section 4030 and has determined a need to amend the Hiring of Relatives Policy; and

**WHEREAS,** the City Council finds the amendment of this policy is in the best interest of Draper City and the employees of Draper City.

**NOW, THEREFORE,** be it resolved by the City Council of Draper City, State of Utah as follows:

**Section 1. Amendment.** The Draper City Council hereby amends and adopts Section 4030 of the Personnel Policies and Procedures Manual to read as attached hereto as Exhibit “A.”

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

**Section 3. Effective Date.** This resolution shall become effective immediately upon passage by the City Council.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, THIS 21st DAY OF JANUARY 2014.**

**DRAPER CITY**

BY: \_\_\_\_\_  
Draper City Mayor

**ATTEST:**

\_\_\_\_\_  
Draper City Recorder

## EXHIBIT "A"

### Section 4030 - HIRING OF RELATIVES

#### General Policy Statement:

The following **guidelines policies** have been established to avoid potential morale, security, productivity, and supervision problems or personal issues brought into the workplace. Relatives of current employees, elected, and appointed officials of the City do not receive special consideration or favoritism in the hiring process. It is the intent and policy of the City to comply with all provisions of Title 52, Chapter 3 of the Utah Code Annotated, as amended, regarding the prohibition of and restrictions regarding the employment of relatives.

#### Guidelines: Policy:

1. **Conditions.** An employee's immediate relative may be hired provided the applicant can perform essential job functions. However, any such employment may not establish a direct or indirect managerial relationship, a real or apparent conflict of interest, a potentially adverse work situation, or be in the same department. **The only exception to an employee's immediate relative being hired into or working in the same department is if they work in the Recreation Department or the Police Department. All Police Department employees shall abide by their adopted department policy that addresses nepotism and conflicting relationships and with Title 52, Chapter 3 of the Utah Code Annotated, as amended. All other requirements of this section still apply.**
2. **Relationships Prohibited.** Relationships are prohibited which involve:
  - A) Performance evaluation (including supervision, discipline, and appraisal functions);
  - B) Legislative, budgetary, financial or records control; or
  - C) Physical control (including quality control, reviewing or auditing the other's work, theft prevention, etc.); or
  - D) Working relationships which may hamper performance or productivity.
3. **Immediate Relative Defined.** For purposes of this policy, "immediate relative" refers to the employee's father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first-cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandfather, grandmother, or step-children living in the household.
4. **Transfers and Promotions.** The above policies also apply to transfers, promotions, or similar employment actions.

## **Nepotism and Conflicting Relationships**

### **1050.1 PURPOSE AND SCOPE**

The purpose of this policy is to ensure equal opportunity and effective employment practices by avoiding actual or perceived favoritism, discrimination or other actual or potential conflicts of interest by or between members of the Department. These employment practices include: recruiting, testing, hiring, compensation, assignment, use of facilities, access to training opportunities, supervision, performance appraisal, discipline and workplace safety and security.

#### **1050.1.1 DEFINITIONS**

**Business relationship** - Serving as an employee, independent contractor, compensated consultant, owner, board member, shareholder or investor in an outside business, company, partnership, corporation, venture or other transaction where the Department employee's annual interest, compensation, investment or obligation is greater than \$250.

**Conflict of interest** - Any actual, perceived or potential conflict of interest in which it reasonably appears that a Department employee's action, inaction or decisions are or may be influenced by the employee's personal or business relationship.

**Nepotism** - The practice of showing favoritism to relatives in appointment, employment, promotion or advancement by any public official in a position to influence these personnel decisions.

**Personal relationship** - Includes marriage, cohabitation, dating or any other intimate relationship beyond mere friendship.

**Public official** - A supervisor, officer or employee who is vested with authority by law, rule or regulation, or to whom authority has been delegated.

**Relative** - An employee's parent, stepparent, spouse, domestic partner, significant other, child (natural, adopted or step), sibling or grandparent.

**Subordinate** - An employee who is subject to the temporary or ongoing direct or indirect authority of a supervisor.

**Supervisor** - An employee who has temporary or ongoing direct or indirect authority over the actions, decisions, evaluation and/or performance of a subordinate employee.

### **1050.2 RESTRICTED DUTIES AND ASSIGNMENTS**

The Department will not prohibit all personal or business relationships between employees. However, in order to avoid nepotism or other inappropriate conflicts, the following reasonable restrictions shall apply.

- (a) Employees are prohibited from directly supervising, occupying a position in the line of supervision or being directly supervised by any other employee who is a relative or with whom they are involved in a personal or business relationship.
  1. If circumstances require that such a supervisor/subordinate relationship exists temporarily, the supervisor shall make every reasonable effort to defer matters pertaining to the involved employee to an uninvolved supervisor.

# Draper City Police Department

## Policy Manual

### *Nepotism and Conflicting Relationships*

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2. When personnel and circumstances permit, the Department will attempt to make every reasonable effort to avoid placing employees in such supervisor/subordinate situations. The Department, however, reserves the right to transfer or reassign any employee to another position within the same classification in order to avoid conflicts with any provision of this policy.
- (b) Employees are prohibited from participating in, contributing to or recommending promotions, assignments, performance evaluations, transfers or other personnel decisions affecting an employee who is a relative or with whom they are involved in a personal or business relationship.
- (c) Whenever possible, FTOs and other trainers will not be assigned to train relatives. FTOs and other trainers are prohibited from entering into or maintaining personal or business relationships with any employee they are assigned to train until such time as the training has been successfully completed and the employee is off probation.
- (d) To avoid actual or perceived conflicts of interest, members of the Department shall refrain from developing or maintaining personal or financial relationships with victims, witnesses or other individuals during the course of, or as a direct result of, any official contact.
- (e) Except as required in the performance of official duties or in the case of immediate relatives, employees shall not develop or maintain personal or financial relationships with any individuals they know or reasonably should know are under criminal investigation, are convicted felons, parolees, fugitives or registered sex offenders, or anyone who engages in serious violations of state or federal laws.

#### **1050.2.1 EMPLOYEE RESPONSIBILITY**

Prior to entering into any personal or business relationship or other circumstance which the employee knows or reasonably should know could create a conflict of interest or other violation of this policy, the employee shall promptly notify his/her uninformed, next highest level of supervisor.

Whenever any employee is placed in circumstances that would require the employee to take enforcement action or provide official information or services to any relative or individual with whom the employee is involved in a personal or business relationship, the employee shall promptly notify his/her uninformed, immediate supervisor.

In the event that no uninformed supervisor is immediately available, the employee shall promptly notify dispatch to have another uninformed employee either relieve the involved employee or minimally remain present to witness the action.

#### **1050.2.2 SUPERVISOR'S RESPONSIBILITY**

Upon being notified of, or otherwise becoming aware of any circumstance that could result in or constitute an actual or potential violation of this policy, a supervisor shall take all reasonable steps to promptly mitigate or avoid such violations whenever possible. Supervisors shall also promptly notify the Chief of Police of such actual or potential violations, through the chain of command.

**Utah Code 52-3-1. Employment of relatives prohibited -- Exceptions.**

(1) For purposes of this section:

(a) "Appointee" means an employee whose salary, wages, pay, or compensation is paid from public funds.

(b) "Chief administrative officer" means the person who has ultimate responsibility for the operation of the department or agency of the state or a political subdivision.

(c) "Public officer" means a person who holds a position that is compensated by public funds.

(d) "Relative" means a father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, or daughter-in-law.

(2) (a) No public officer may employ, appoint, or vote for or recommend the appointment of a relative in or to any position or employment, when the salary, wages, pay, or compensation of the appointee will be paid from public funds and the appointee will be directly supervised by a relative, except as follows:

(i) the appointee is eligible or qualified to be employed by a department or agency of the state or a political subdivision of the state as a result of his compliance with civil service laws or regulations, or merit system laws or regulations;

(ii) the appointee will be compensated from funds designated for vocational training;

(iii) the appointee will be employed for a period of 12 weeks or less;

(iv) the appointee is a volunteer as defined by the employing entity;

(v) the appointee is the only person available, qualified, or eligible for the position; or

(vi) the chief administrative officer determines that the public officer is the only person available or best qualified to perform supervisory functions for the appointee.

(b) No public officer may directly supervise an appointee who is a relative when the salary, wages, pay, or compensation of the relative will be paid from public funds, except as follows:

(i) the relative was appointed or employed before the public officer assumed his position, if the relative's appointment did not violate the provisions of this chapter in effect at the time of his appointment;

(ii) the appointee is eligible or qualified to be employed by a department or agency of the state or a political subdivision of the state as a result of his compliance with civil service laws or regulations, or merit system laws or regulations;

(iii) the appointee will be compensated from funds designated for vocational training;

(iv) the appointee will be employed for a period of 12 weeks or less;

(v) the appointee is a volunteer as defined by the employing entity;

(vi) the appointee is the only person available, qualified, or eligible for the position; or

(vii) the chief administrative officer determines that the public officer is the only person available or best qualified to perform supervisory functions for the appointee.

(c) When a public officer supervises a relative under Subsection (2)(b):

(i) the public officer shall make a complete written disclosure of the relationship to the chief administrative officer of the agency or institution; and

(ii) the public officer who exercises authority over a relative may not evaluate the relative's job performance or recommend salary increases for the relative.

(3) No appointee may accept or retain employment if he is paid from public funds, and he is under the direct supervision of a relative, except as follows:

(a) the relative was appointed or employed before the public officer assumed his position, if the relative's appointment did not violate the provisions of this chapter in effect at the time of his appointment;

(b) the appointee was or is eligible or qualified to be employed by a department or agency of the state or a political subdivision of the state as a result of his compliance with civil service laws or regulations, or merit system laws or regulations;

(c) the appointee is the only person available, qualified, or eligible for the position;

(d) the appointee is compensated from funds designated for vocational training;

(e) the appointee is employed for a period of 12 weeks or less;

(f) the appointee is a volunteer as defined by the employing entity; or

(g) the chief administrative officer has determined that the appointee's relative is the only person available or qualified to supervise the appointee.

Amended by Chapter 324, 2010 General Session

## CHAPTER 1000 INTRODUCTION

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### Section 1010 – INTRODUCTION TO THE PERSONNEL POLICIES AND PROCEDURES MANUAL

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#### General Policy Statement:

Our employees are our most valuable resource. The City of Draper is committed to providing exceptional service to the citizens, businesses and other organizations that are a part of our community. The City is committed to fostering a work environment committed to respect, contribution and professionalism. Through the personnel policies and procedures contained in this manual, the City desires to promote consistency and fairness in employee/employer relationships, enhance employee performance, and protect the City's legal interests.

#### Statement of Purposes:

1. **Summary.** The Personnel Policies and Procedures Manual is the City's compilation of Human Resource policies. Through the manual the City identifies the City's philosophy and interests, promotes consistency and fairness in employee/employer relationships, enhances employee performance, and protects the City's legal interests.
2. **City's Right to Modify or Discontinue Policies.** The City's business environment changes frequently and quickly. The City reserves the right to unilaterally alter, amend, except or revoke any policy, practice or procedure set forth herein in its sole discretion. All amendments shall be adopted by resolution of the City Council.
3. **Department Head Responsibilities.** It is important that Department Heads review the manual, become familiar with its policies, ask questions, and utilize it as may be appropriate. Our goal is that these policies will promote sound management practices and the success of each member of our organization. This manual is Draper City property and is intended for use inside the City's organization.
4. **Employees' Acknowledgment.** All City employees shall be aware of and adhere to all the provisions of this manual and the policies and procedures set forth herein and any amendments hereto. Each employee shall sign at the time of hire and submit to the City an Acknowledgment Form, as provided by the City, attesting to the fact that he or she has had an opportunity to read and understand the provisions set forth herein. The manual shall be available to employees, Department Heads and supervisors to access on the City's Network System, in the Human Resources Department and within their department.
5. **No Contract.** The information contained herein and any amendments or alterations hereto do not constitute a contract or agreement of any kind between the City and its employees or any third party. No person other than the City Manager, with the advice and consent of the City Council, shall enter into an employment agreement with any person inconsistent with the provisions herein. The information and policies contained herein shall not constitute or create any rights in or obligations to any persons or parties other than to the City and its employees. Nothing herein shall be construed to limit the City's right to discharge an employee or to create any other obligation or liability on the City. **If any department policies, procedures or directives whether written or verbal, are in conflict with or are inconsistent with this manual, such department policies, procedures or directives to the extent of such conflict or inconsistency are superseded by this manual.**
6. **City Manager Delegation Authority.** Except as otherwise required by law or as directed by the City Council, the City Manager shall perform the administrative duties and responsibilities of the City regarding personnel matters and the administration of the policies contained herein. The City Manager may delegate such administrative duties and responsibilities to the Human Resources Director, Department Heads or other designees as deemed appropriate and permitted by law, City policies, or ordinances.
7. **Saving Clause.** Invalidation of any part, portion or section of the policies and procedures contained in this manual shall not affect the validity of the other parts, portions or sections.

#### ADOPTION – AMENDMENTS – REVISIONS

Adoption 03/05/2013

Resolution No. 13-11

Return to Agenda

# ITEM #5

# REQUEST FOR COUNCIL ACTION

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<b>To:</b>	<b>Mayor &amp; City Council</b>
<b>From:</b>	<b>Dennis Workman</b>
<b>Date:</b>	<b>01-21-2014 City Council Meeting</b>
<b>Subject:</b>	<b>B&amp;B Zone Change</b>
<b>Applicant Presentation:</b>	<b>Brent Pollard</b>
<b>Staff Presentation:</b>	<b>Dennis Workman</b>
<b>RECOMMENDATION:</b> To approve Ordinance 1080, as recommended by the Planning Commission	
<b>BACKGROUND AND FINDINGS:</b> This is a request for a rezone from RA2 to RM1 on approximately six acres located on the east side of 1300 East, directly east of the park. The proposed rezone anticipates a townhouse development with a density of eight units per acre. The property (with the exception of the southernmost parcel) was rezoned from RA1 to RA2 on September 17, 2013. On a 4-1 vote, the Planning Commission recommended approval of the rezone based on the following findings: <ol style="list-style-type: none"><li>1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.</li><li>2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.</li><li>3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.</li><li>4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.</li><li>5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.</li><li>6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.</li><li>7. That the proposed rezone would support the goals of the TC zone and help provide ridership for TRAX.</li></ol>	
<b>PREVIOUS LEGISLATIVE ACTION:</b> December 5, 2013: Planning Commission reviewed and recommended approval of the rezone request.	
<b>FISCAL IMPACT: Finance Review:</b> _____ <ul style="list-style-type: none"><li>• This rezone anticipates the development of a townhouse project with a density of eight units per acre.</li></ul>	
<b>SUPPORTING DOCUMENTS:</b> <ul style="list-style-type: none"><li>• Ordinance 1080</li><li>• Staff Report to Planning Commission, with maps</li><li>• Minutes from Planning Commission hearing of December 5, 2013</li></ul>	

**ORDINANCE NO. 1080**

**AN ORDINANCE AMENDING THE DRAPER CITY ZONING MAP CHANGING THE ZONING OF 6.12 ACRES OF PROPERTY LOCATED WITHIN DRAPER CITY, STATE OF UTAH, FROM RA2 to RM1, OTHERWISE KNOWN AS THE B&B ZONE CHANGE**

**WHEREAS**, the City has received a request submitted by the authorized agent of the subject parcel requesting certain described real property in Draper City, Salt Lake County, State of Utah, be rezoned; and

**WHEREAS**, the Planning Commission has reviewed and made a recommendation to the City Council concerning the proposed zoning change and amendment to the Official Zone District Map of Draper City, and the City Council has found the proposed zoning change to be consistent with the City's General Plan; and

**WHEREAS**, all appropriate public hearings have been held in accordance with Utah law to obtain public input regarding the proposed revisions to the Zone District Map.

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

**Section 1. Zoning Map Amendment.** The following described real property located at approximately 1375 E. Country Oak Lane within Draper City, Salt Lake County, State of Utah, previously zoned RA2 as shown on the Draper City zone district map, hereinafter referred to as the "property," is hereby changed and rezoned to RM1:

**Parcel 28-28-353-002**

COM 305 FT N FR SW COR SEC 28 T 3S R 1E SL MER E 23.6 RDS N 22 FT NW'LY ALG RAILROAD 141 FT W 285 FT S 100 FT TO BEG

**Parcel 28-28-353-003**

COM 242 FT N OF SW COR SEC 28, T 3S, R 1E, SL MER, E 23.6 RDS; N 63 FT; W 23.6 RDS; S 63 FT TO BEG. 0.56 AC.

**Parcel 28-28-353-004**

BEG AT SW COR SEC 28, T 3S, R 1E, S L M; E 23.6 RDS; N 242 FT; W 23.6 RDS; S 242 FT TO BEG. 2.17 AC.

**Parcel 28-33-101-009**

BEG 23.6 RDS E & 139.85 FT S FR NW COR OF SEC 33, T 3S, R 1E, S L M; E 122.18 FT; N 16 FT; S 89-51'15" E 49 FT; N 283.34 FT TO SW'LY LINE OF UNION PACIFIC R OF W; N 46-19'26" W 229.78 FT M OR L ALG SD R OF W TO FENCE; S'LY ALG FENCE TO BEG. 1.45 AC M OR L.

**Parcel 28-33-101-001**

389.4 FT; S 0-21'19" W 139.85 FT; N 89-38'21" W 389.4 FT; N 0-21'19" E 139.85 FT TO BEG. 1.15 AC M OR L

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

**Section 3. Effective Date.** This Ordinance shall become effective immediately upon publication or posting or thirty (30) days after final passage, whichever is closer to the date of final passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH,  
ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

**ATTEST: DRAPER CITY**

By: \_\_\_\_\_ By: \_\_\_\_\_  
City Recorder Mayor



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## Development Review Committee

1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6539

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### STAFF REPORT

November 22, 2103

**To:** Planning Commission  
Business Date: December 5, 2013

**From:** Development Review Committee  
Prepared by Dennis Workman, Planner II

**Re:** **B & B Zone Change**  
**Application No.:** 131025-1375E  
**Applicant:** Bret Hilton and Brent Pollard  
**Location:** Approximately 1375 E. Country Oak Lane  
**Zoning:** RA2  
**Parcel Size:** 6.12 acres  
**Request:** Zone change from RA2 to RM1

#### **BACKGROUND**

This is a request for a rezone from RA2 to RM1 on approximately six acres located on the east side of 1300 East, directly east of the park. The proposed rezone anticipates a townhouse development with a density of eight units per acre. The property (with the exception of the southernmost parcel) was rezoned from RA1 to RA2 on September 17, 2013.

#### **ANALYSIS**

**General Plan.** The land use plan designates this property Low Density Residential, which has a density range of 0-2 units per acre. As such, the land use plan does not support a rezone to RM1, which carries a density of up to eight units per acre.

**Criteria For Approval.** The criteria for review and potential approval of a Zoning Map Amendment request is found in Section 9-5-060(e) of the Draper City Municipal Code. This section depicts the standard of review for such requests as:

- (e) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter committed to the legislative discretion of the City Council and is not controlled by any one standard. However, in making an amendment, the City Council should consider the following factors:
  - (1) Whether the proposed amendment is consistent with goals, objectives and policies of the City's General Plan;
  - (2) Whether the proposed amendment is harmonious with the overall character of existing development in the vicinity of the subject property;
  - (3) Whether the proposed amendment is consistent with the standards of any applicable overlay zone.



- (4) The extent to which the proposed amendment may adversely affect adjacent property; and
- (5) 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, storm water drainage systems, water supplies, and waste water and refuse collection.

Planning Staff. Rezoning the subject property to RM1 does not comply with the city's general plan; RM1 carries a density of up to eight units per acre, and the general plan designation of Residential Low Density contemplates a density of up to two units per acre. That said, staff is forwarding a positive recommendation on this request for RM1 density, based largely on the following factors:

- Though the subject property abuts RA1 and RA2 zoning on the south, it is hemmed in by the UTA rail corridor on the east and a high traffic collector street on the west (1300 East).
- The property abuts the Town Center (TC) zone. Though the TC zone itself only allows residential as part of a mixed use development, high density in the vicinity of the Town Center zone is desirable and even necessary if the envisioned commercial development in the zone is to be realized.
- The IFA TRAX station is approximately a half-mile from the proposed development. In the planning profession it is widely understood that residents are willing to walk between a quarter- and a half mile to get to mass transit. The distance between TRAX and the subject site is about one-third mile, considering that there is a convenient shortcut through the park, which residents would undoubtedly take.
- There are other high density developments in the area, such as Parkstone Estates with a density of six units per acre and Willow Bend Estates with a density of four units per acre. These developments are appropriate for this area as they support the goals of the TC zone and help provide ridership for TRAX.

The planning staff has reviewed this request with respect to the above factors and against the standards of Sub. 9-5-060(e) and feels that RM1 zoning at this location is appropriate. Staff's opinion is that RM1 zoning on the subject site is in harmony with the character of existing development in the vicinity, that it would have no adverse affect on adjacent property, and that it would help support mass transit and the goals of the TC zone.

City Engineer. In a memo dated November 7, 2013, Brien Maxfield with the Engineering Division states:

We have reviewed the subject zone map amendment application and recommend approval. In accordance with the provisions of Section 9-5-060(e) of the Draper City Municipal Code (DCMC), we speak primarily to the adequacy of facilities and services intended to serve the subject property. In making an amendment, the City Council should consider the following factors. Accordingly, the following comments are recommended for your consideration:

1. *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, storm water drainage systems, water supplies, and waste water and refuse collection;*

Other than noted below, we are not aware of any inadequacies of the facilities intended to serve this property.

- a. Connectivity with these parcels is not an issue, as a block. It has fronting access to 1300 East for three of the four included parcels. The last remaining parcel accesses 1300 East through a private lane that would require improvements to become a public street.



However, if the block of parcels becomes a single site, then access is not an issue. 1300 East is currently scheduled to be improved in the area, providing sufficient capacity for any potential use of the proposed zoning and land use amendment.

- b. Willow Creek crosses this block of parcels and will function as the discharge point for storm drainage runoff from the site. Any discharge must still comply with onsite detention required in accordance with the provisions of the site plan requirements within the Draper City Municipal Code. Willow Creek is regulated by Salt Lake County Flood Control.
- c. Sanitary sewer facilities will be provided by South Valley Sewer District. Any site plan application will require a commitment to serve from the Sewer District that facilities are adequate to provide service for the proposed uses.
- d. Culinary water service is provided by WaterPro. Any site plan application will require a commitment to serve from WaterPro that facilities are adequate to provide service for the proposed uses.

*Fire Marshal.* Don Buckley with the Unified Fire Authority has no concerns at this time, but will want to review at subdivision and building permit stages.

#### **STAFF RECOMMENDATION**

Staff recommends that the Planning Commission send a positive recommendation to the City Council regarding the B & B Zone Change, application 131025-1375, based on the following findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.
7. That the proposed rezone would support the goals of the TC zone and help provide ridership for TRAX.

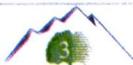
#### **MODEL MOTION**

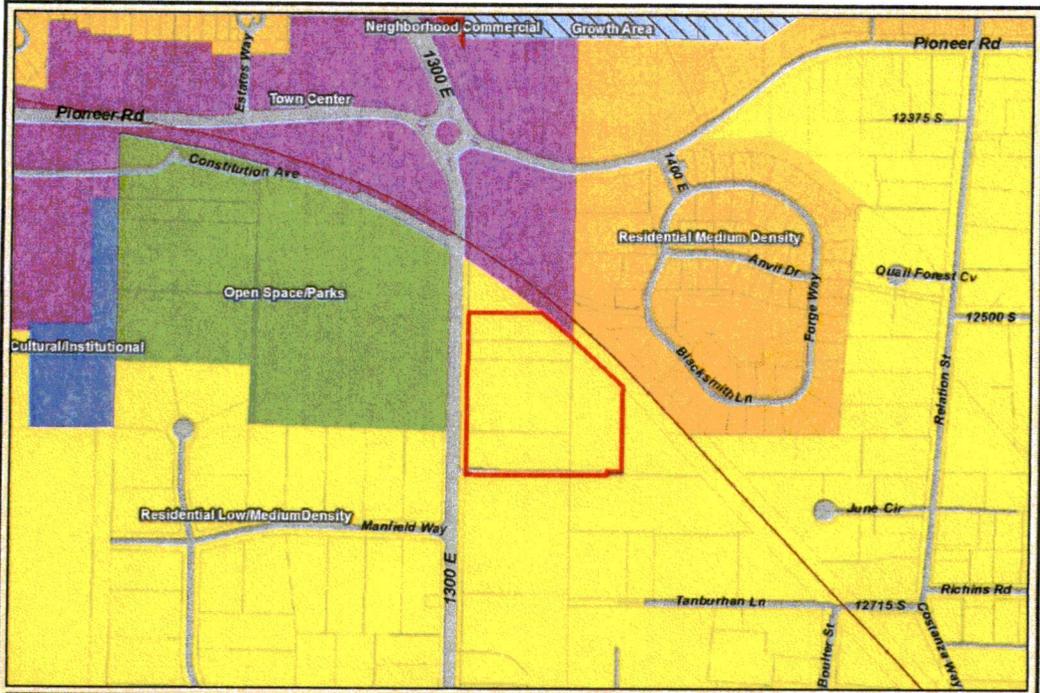
*Sample Motion for Positive Recommendation.* "I move we forward a positive recommendation to the City Council regarding the B & B Zone Change by Bret Hilton and Brent Pollard, application 131025-1375E, based on the findings listed in the staff report dated November 22, 2013, and the following additional findings:"

1. List additional findings, if any.

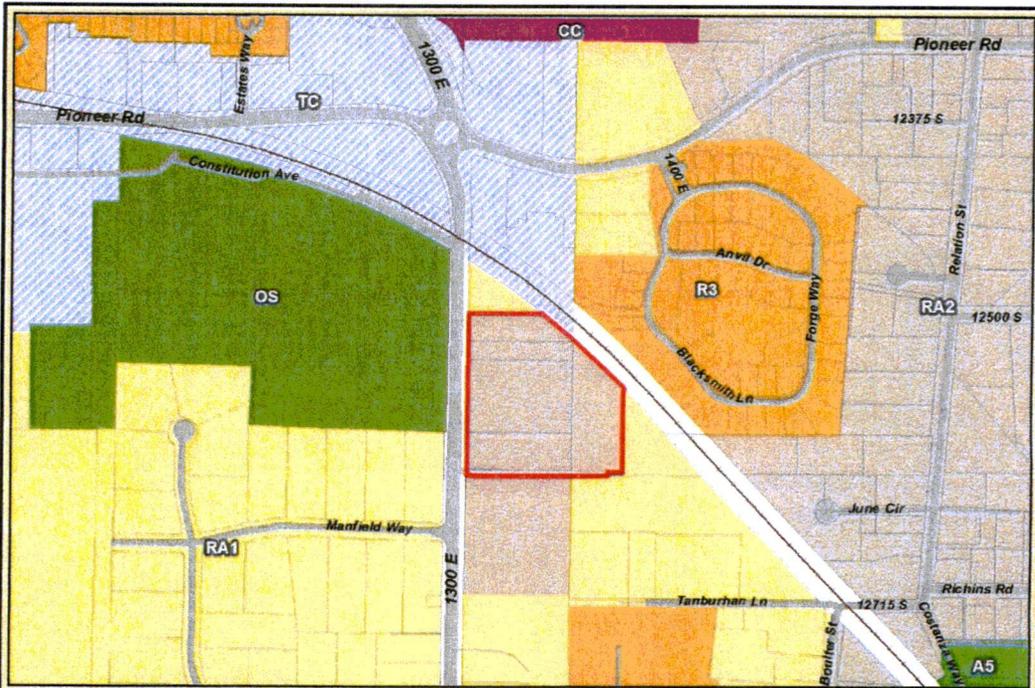
*Sample Motion for Negative Recommendation.* "I move we forward a negative recommendation to the City Council regarding the B & B Zone Change, application 131025-1375E, based on the following findings:"

1. List findings.



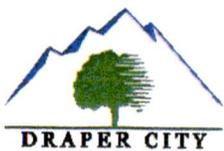


Land Use Map for B & B Zone Change

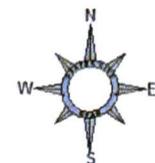


Zoning Map for B & B Zone Change





**Aerial Map for B & B Zone Change**



**MINUTES OF THE DRAPER CITY PLANNING COMMISSION MEETING HELD ON THURSDAY, DECEMBER 5, 2013 IN THE DRAPER CITY COUNCIL CHAMBERS**

*"This document, along with the digital recording, shall constitute the complete minutes for this Planning Commission meeting."*

PRESENT: Chairperson Drew Gilliland; Planning Commissioners Andrew Adams, Jeff Head, Leslie Johnson, Kent Player and Marsha Vawdrey. Alternate Members Traci Gundersen and Craig Hawker.

STAFF PRESENT: Keith Morey, Doug Ahlstrom, Dan Boles, Dennis Workman, Jennifer Jastremsky and Angie Olsen.

ALSO PRESENT: Roll on File

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**Study Meeting:**

6:14:19 PM

**Study Business Items:** The commissioners reviewed the applications for the business meeting and addressed questions to staff members.

**Business Meeting:**

Chairperson Gilliland explained the rules of public hearings and called the meeting to order at 6:31:05 PM.

6:31:48 PM

1.0 **Public Hearing: On the request of Bret Hilton and Brent Pollard for approval of a Zoning Map Amendment of 6.12 acres at approximately 1375 E. Country Oak Lane from the RA2 Residential Agriculture to RM1 Residential Multi-Family zone. This application is otherwise known as the B & B Zone Change Request, Application #131025-1375E.**

6:32:12 PM

1.1 **Staff Report:** Using the aid of a PowerPoint presentation and his staff report dated November 22, 2013, Planner Dennis Workman reviewed the details of the proposed application. He noted this is a request for a rezone from RA2 to RM1 on approximately six acres located on the east side of 1300 East, directly east of Draper Park. He explained the proposed rezone anticipates a townhouse development with a density of eight units per acre; the property (with the exception of the southernmost parcel) was rezoned from RA1 to RA2 on September 17, 2013. He reviewed the land use plan for the subject property, which calls for two units per acre and he clarified that the application is not in keeping with the land use plan. He added, however, that staff is recommending approval of the request and he proceeded to explain the reasons for the staff recommendation. He explained the subject property is very close

to the town center and staff prefers high density zoning in the vicinity of the town center zone because it is desirable and necessary in order for the commercial vision for the town center zone to be realized. He added the Trax station is a half-mile away from the subject property and planning literature traditionally expresses that residents are willing to walk between a quarter and half-mile in order to get to mass transit. He noted there are other high density developments in the area and he highlighted a couple of those developments and mentioned their density; those kinds of developments are appropriate for the area because they help to support the town center zone and they provide ridership for Trax. He stated there are some that do not agree with staff's assessment and one concern he has heard is that the existing infrastructure will not be able to handle the increased traffic that will be generated by this project. He stated, however, that the engineering memo that accompanies the application states that 1300 East is scheduled to be improved in the area to provide sufficient capacity for any potential use of the proposed zoning and land use amendment. He concluded his report by noting staff recommends approval of the application based on the findings listed in the staff report.

6:36:58 PM

- 1.2 Applicant Presentation: Bret Hilton, 1375 Country Oak Lane, and Brent Pollard, 12543 South 1300 East, approached. Mr. Hilton stated that when he applied for the RA2 zoning he had a conversation with the City Council regarding potential other uses for the property. He noted Council Member Summerhays made a comment about the subject property being right next to the town center and that it may be possible for the applicants to secure light commercial zoning for the property. He stated he and Mr. Pollard discussed the recommendation and noted that with the combination of their two properties, this is one of the last large parcels of ground in the area that could be developed for a higher density residential use. He stated the Federal Transit Authority (FTA) provided funding to Utah Transit Authority (UTA) and one of the requirements associated with that funding was for there to be some higher density housing in the area that would qualify as commuter style living. He reiterated that 1300 East is scheduled to be widened in the future and the subject property has a lot of frontage on 1300 East. He added that the property is also bordered by rail road tracks. He stated he realizes this may not be a desirable development for the area, but the property is sandwiched between a major collector street and railroad tracks and he does not think there is a more suitable property for this type of development.

Mr. Pollard added that he feels this is a very unique piece of property because of its location and its surroundings. He stated he has thought about what would be the best use of the property and he has found that as people age they no longer want to live on large parcels of property that they have to maintain; they want a very nice home, but they do not want to have to deal with landscape maintenance or snow removal. He stated that this is the perfect place to accommodate housing for people that are 55 to 60 years of age; the property is across the street from Draper Park and the senior center, library, and Trax are very close by. He stated he honestly feels this would be a very good use for the property.

6:41:27 PM

1.3 Chairperson Gilliland opened the public hearing.

6:41:37 PM

1.4 William Wagner stated his wife is Susan Crossgrove Wagner who is the trustee of the trust that owns the land immediately south of the subject property; they are invested in the Crossgrove property and it is presently under contract to be developed for six one-half acre lots. He stated he is representing the seven heirs of the trust that owns the property. He stated he appreciates the opportunity to present his concerns regarding the rezone request; they are here this evening to oppose the proposed rezone, which is high density, multiple family residential allowing up to eight units per acre. He stated he has three primary concerns: the first is the rezone is not in keeping with the previous master land use plan, which adopted the public recommendation that future lot development east of 1300 East would be no less than one-half acre in size. He stated his contractor respected this provision when his property was designed for development and requested the approval of a cul-de-sac development containing six one-half acre lots. He stated his second concern is related to the first and it is that the high density zone would have a negative impact on the integrity, aesthetics, quality, and value of the surrounding neighborhood and it would have a negative impact on property values. He stated that according to his rough calculation, RM1 zoning could provide as many as 40 homes on the 6.12 acres of the subject property, and that calculation takes into consideration the deduction of 20 percent of the property for roads and other infrastructure. He stated that during the public hearing that was held for the approval of his cul-de-sac design, Mr. Pollard expressed his concern about the quality of homes that would be built on the Crossgrove property; he wanted to be assured that the quality of the neighborhood would be maintained and he did not want to see any cheap or small houses built on the property. He stated his contractor assured Mr. Pollard that based on the going price of one-half acre lots, a buyer would not build a small or cheap house and that the quality of the neighborhood would be maintained. He stated he does not believe the same thing can be said of the current rezone proposal. He stated that just as Mr. Pollard was concerned about the value of his property, so are the owners of the abutting property. He stated his third concern relates to the added traffic pressure and burden a high density development would impose on the north/south traffic of 1300 East and the east/west traffic of Pioneer Street; the widening of 1300 East will only provide a median turning lane and will not provide an additional thru traffic lane. He added Pioneer Street is a narrow street and high density development in the area can only add to and negatively impact the already high traffic pressure and related congestion. He concluded that he is reminded of an article that appeared in a recent edition of the Deseret News entitled "It's what you are for, not what you are against that matters". He stated that he is for moderate, well controlled growth that brings stability and pride to a community; planning that maintains or improves the integrity, quality, and value of an established neighborhood through development of projects that respect and reinforce that integrity, quality, and value; and they are for the development of projects that fit

smoothly into the infrastructure of an established neighborhood, roads, traffic, and utility capacity. He stated he believes rezoning for high density, multiple family development would not satisfy any of his stated concerns.

6:47:54 PM

- 1.5 Chairperson Gilliland addressed the remaining citizens that wished to speak regarding the application. He stated he assumes the concerns they will express are relative to traffic and whether the development would fit in the surrounding area. He stated it is not necessary for each individual to restate those same concerns.

6:48:32 PM

- 1.6 Dave Simister, 1285 East Manfield Way, stated he was shocked to find out that someone wants to build high density housing in this area. He noted he has a perfect view of what happens in Draper Park every day and night and the applicant is suggesting adding 30 to 40 more families to the area and that will draw more people to the Park. He stated there is currently insufficient parking and facilities at the Park to handle the current demand. He stated people park all around his property in order to visit the Park; this development would further overwhelm an already overwhelmed facility. He stated Draper Park has problems that are not being addressed. He then stated he has animals on his property and he does not want any more pressure on the animals; every time more people are added to the area, it creates more issues for his animals. He stated he has lived in his home for 17 years and he does not want his lifestyle negatively impacted any further. He stated his property will be impacted by the changes to be made to 1300 East; he cannot get out of his property onto 1300 East during certain times of the day. He concluded that he feels the development should consist of half-acre lots, but he is not in favor of trying to jam as many people as possible into a tight spot.

6:50:42 PM

- 1.7 Dave Burns stated he wanted to reiterate some of the things that have been said to this point; the high density housing is a totally different produce than the homes built on adjacent properties. He added that though there are good areas for high density housing, the subject property was not set up to be used for that use and it is not appropriate. He stated he also has animals on his property and he has the same concerns that were expressed by Mr. Simister.

6:51:56 PM

- 1.8 Boyd Brown stated he has property on Fort Street, just west of the subject property and he recently developed it for half-acre lots; he has had a for sale sign on the property for approximately nine months and most of the calls that he gets regarding the property are from people that currently live in Draper that want to stay in Draper, but want to live on a smaller lot. He stated they are all disappointed to know that the smallest lot size in his development is half-acre and they express frustration that they may be forced to move to another City to find a smaller lot size after living in Draper for so long. He stated he thinks the subject property is a

terrific location for the proposed development; he has talked to Mr. Pollard about eh development and his vision is not for traditional high density housing, but more for senior-type housing and he cannot think of a better area for that relative to the amenities available to the potential residents. He stated there is open space, a senior center, and access to commuter options. He stated it would be wasteful to add more half-acre lots when the demand at this point in time is for smaller lots.

6:53:20 PM

- 1.9 Mike Dallin, 12747 South 1370 East, stated that he is favorable of medium density and he feels eight units to the acre is too many for the area. He stated he wondered if the appropriate procedure is being followed and he asked if it would be more appropriate to consider a change to the master plan to give more people the opportunity to see where high density housing should be located.

6:54:39 PM

- 1.10 Cody Burns, 1379 East Tanberhan Lane, stated he has lived in Draper his entire life and he now wants his child to grow up in the same atmosphere that he had the opportunity to grow up in. He stated developments in the area have always consisted of half-acre and one acre lots; if someone wants high density housing there are many other places that would be suitable for it.

6:55:39 PM

- 1.11 Will Hansen, 1355 East 12715 South, stated he moved to Draper for a bigger lot; he built his house in 2006 and he lives on 1.1 acres. He stated he is worried about the impact this proposed development would have on the investment he has put into his property. He stated he agrees there are other appropriate places for high density housing in the City, but he would hate to have his property value and the property value of other surrounding homes damaged by the development.

6:56:48 PM

- 1.12 Carol Sue Johnson stated she lives west of 1300 East and she has been there for 27 years; she also moved to Draper because of the size of property that was available. She added she feels the proposed zoning is too dense and she would like to see it reduced. She stated if the property is master planned for half-acre lots, it would be great to see the master plan 'stick'. She stated she has been here long enough to see many master plans come and go and she wondered why the City cannot stick to one.

6:58:04 PM

- 1.13 Suzanne Peterson stated she is considering purchasing a lot in the development just south of the subject property; she has lived in Draper for 16 years on a third-acre parcel and she now wants to have a larger lot. She stated she agrees there is a need for some high density housing in the City, but she does not feel this is the appropriate area for it. She suggested moving this type of development closer to the freeway.

6:58:57 PM

- 1.14 There being no additional persons appearing to be heard, Chairperson Gilliland closed the public hearing.

6:59:06 PM

- 1.15 Mr. Pollard responded to some of the comments made; he is very protective of the area of the subject property and someone suggested that he is going to construct small, cheap homes on the property, but that is not what he is considering whatsoever for his project. He stated that what he envisions for the project is something similar to Wheadon Preserve; he does not plan to construct multi-level housing units. He stated it is possible to build a very nice, high end home without having a large parcel for it to sit upon.

7:00:58 PM

- 1.16 Commissioner Player stated the zoning that the applicant is requesting would allow up to eight units per acre, but that does not necessarily mean that there will be eight units per acre. Mr. Pollard agreed. Mr. Hilton added that he envisions a private, gated community that may have a swimming pool and fitness center. He added there have also been discussions about limiting residents to those aged 55 and older, but that decision has not been finalized. Mr. Pollard added there is a creek that flows into Draper Park that runs through the property and it as well as the land around it is protected and cannot be built upon. He stated the amount of land that is actually developable will not accommodate 40 new housing units.

7:02:35 PM

- 1.17 Chairperson Gilliland noted that even though the applicant may not intent to build eight units per acre on the property, the Planning Commission must consider that type of density since it is allowed in the zoning being requested. He added that the Planning Commission is simply a recommending body that will make a final recommendation to the City Council for them to use when making the final determination.

7:02:59 PM

- 1.18 Commissioner Player stated the issues that were raised dealt with property values, but Mr. Pollard is planning to construct high value homes. Mr. Pollard stated that he has no plans to build a product that will devalue anything in the area; he actually feels that his development will increase the values of the surrounding properties. Mr. Hilton added that the Trax line has devalued the properties in the area and the development that is being proposed is not the type of use that will further devalue properties.

7:03:57 PM

- 1.19 Commissioner Johnson asked staff to address the question raised regarding the appropriate process to follow when requesting a land use or zoning change. City Attorney Ahlstrom stated that all public comments are very worthwhile and the

Commission will consider them; however, the Commission must make findings to support the recommendation they choose to make to the City Council. He stated the City Council may choose to follow or go against the recommendation made by the Commission. He stated someone asked if the applicant should be required to apply for an amendment to the general plan and he answered by explaining the Draper City Municipal Code (DCMC) states that the Planning Commission may follow the general plan, not that they shall follow it. He stated there is latitude and discretion available for the Planning Commission.

7:05:37 PM

1.20 Commissioner Johnson stated one resident suggested that all property owners in the area of 1300 East be gathered to determine where high density housing should be placed, but she noted that the City Council is responsible for making those types of legislative decisions. She stated the public is always welcome to attend Planning Commission and City Council meetings to voice their opinion, but the City Council makes a final decision regarding land use.

7:06:33 PM

1.21 Commissioner Adams stated that any time an applicant is requesting a zone change the Planning Commission must consider the highest density possible as allowed by the zoning being requested. Mr. Workman stated that is correct. Commissioner Adams asked what the zoning level just below RM1 is. Mr. Workman stated the next lowest zoning level is R3 and allows four units to acre, but R3 developments typically have three units per acre, or 13,000 square foot lots. He added that a multi-family project would require 30 percent open space

7:07:33 PM

1.22 Commissioner Johnson asked if there are properties in the TC zone that are available for multi-family housing. Mr. Workman stated multi-family housing is not encouraged in the TC zone; staff would prefer commercial developments and the only time commercial development is allowed in the TC zone is if it is part of a mixed-use development. He added staff would like to see residential, and even high density residential, developments around the TC zone in order to support the town center itself and to support Trax.

7:08:34 PM

1.23 **Motion:** Commissioner Player moved to forward a positive recommendation to the City Council regarding the B & B Zone Change by Bret Hilton and Brent Pollard, application 131025-1375E, based on the findings listed in the staff report dated November 22, 2013. Commissioner Vawdrey seconded the motion.

Findings are referenced on the next page.

Findings:

1. That Section 9-5-060 of the Draper City Code allows for the amendment of the City's zoning map.
2. That the proposed amendment is consistent with the goals, objectives and policies of the City's General Plan.
3. That all five findings for a zone change, as contained in 9-5-060(e), are satisfied.
4. That adequate facilities and services exist to serve the subject property, including but not limited to roadways, parks and recreation facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.
5. That the proposed zone change is harmonious with the overall character of existing development in the vicinity of the subject property.
6. That the proposed amendment would not adversely affect adjacent property or the character of the neighborhood.
7. That the proposed rezone would support the goals of the TC zone and help provide ridership for TRAX.

7:09:12 PM

- 1.24 Commissioner Player stated he has used the trail along the railroad tracks for several years and he has enjoyed seeing the large properties and the fine homes in the area. He added that Draper is not the same as it was 40 years ago and he feels a nice development adjacent to the town center that will provide easy access to City facilities as well as mass transit will benefit everyone.

7:10:03 PM

- 1.25 Commissioner Johnson stated that in looking at the area she can see a need for multi-family housing and if the proposed development is approved and the developer constructs less than eight units per acre on the property, that could be ideal. She stated there have been discussions regarding changing zoning of several properties in the City to provide opportunities for different types of developments and something like that would provide more flexibility. She added, however that the land use being requested is fairly intense when located adjacent to RA1 zoning and Draper Park. She stated she is not sure she can support the motion when considering the intensity of the proposed zone.

7:11:30 PM

- 1.26 Commissioner Vawdrey stated that over the past several years the City has conducted much study regarding transit-oriented development and higher density development is needed near the commuter rail. She stated she knows change is hard and it is difficult to adjust when one's neighborhood is being impacted, but she does not feel the proposed density is too high when considering it will be transit oriented development. She noted she feels it could be a very nice project for the area.

7:12:07 PM

1.27 Commissioner Head stated he is also torn on this issue; the area is very nice and the roads in the area are already very crowded. He stated he feels the planned improvements to 1300 East will help to ease some of the congestion in the area and given that the subject property is located right next to the town center, there is a strong case to be made for the high density land use. He stated he feels this type of project is necessary in order to support the commercial development of the town center. He stated in some respects he hates to see this type of development, but he has come to the realization that it will eventually happen and the subject property is actually a good location for it.

7:13:06 PM

1.28 Commissioner Johnson stated she appreciates Commissioner Vawdrey's comments; she is correct that is not a very high density when considering the transit factor. She stated there are developments with very high density being constructed on the west side of the transit corridor, namely the proposed density for the development around the eBay campus. She stated there are large homes in that area that sit on acre lots as well and they will be impacted.

7:13:42 PM

1.29 Commissioner Adams stated that though the applicant is requesting the RM1 zone, which allows up to eight units per acre, there are some factors associated with the subject property that may actually prevent that kind of density. He then stated he needed to disclose that he works with Boyd Brown who addressed the Planning Commission during the public comment portion of the public hearing. He stated Mr. Brown made the point that people that have lived in Draper for their entire lives want to stay here and some of them want to move to a smaller lot as they age. He stated the more diverse the City's master plan, the more people can be accommodated. He stated the question is how everyone wants Draper to look in the future and those recommendations are left to staff and they are asked to ensure that the potential developments that could take place are well thought out and provide a great fit for the City. He agreed that smaller lots are in demand in the City and he would hate to see people move out of the City because they cannot find what they are looking for. He stated he understands the concerns raised about the traffic and he would like to encourage the City to consider projects that will alleviate those issues in the future.

7:15:41 PM

1.30 Chairperson Gilliland stated he does not like the proposal and he does not think it fits in the area. He stated the City has approved so many multi-family housing developments and he is not certain why it should be approved for the subject property. He stated there will be a domino effect. He stated he understands the argument that Draper is no longer the same City it used to be, but that argument is typically made when considering rezoning from acre lots to half-acre lots, not when going from acre lots to multi-family opportunities. He stated there are other options

for the property and if he had the opportunity to vote on the issue he would vote to deny the application. He stated he is more concerned about aesthetics that property values and he does not feel that a multi-family development would be appropriate for the neighborhood in which the subject property is located. Commissioner Head stated that is why is torn on the issue and he reiterated the neighborhood is very nice. Chairperson Gilliland reiterated there are so many other options for multi-family housing in the City. Commissioner Johnson stated there are not many options for multi-family housing near mass transit opportunities and there is a need for that. She stated the neighborhood of the subject property is an amazing area and she hopes the developer will have great integrity when developing the property. She stated she feels a gated senior community would be great for the subject property, but she understands something different and more dense could be constructed there. She stated she would like to maintain the aesthetic qualities and character of the neighborhood.

7:18:57 PM

- 1.31 Commissioner Player stated it may be a good idea for the developer to draft a site plan for his project that could be shared with the City Council when they consider the application.

7:19:22 PM

- 1.32 **Vote:** A roll call vote was taken with Commissioners Player, Johnson, Vawdrey, and Head voting in favor of forwarding a positive recommendation to the City Council. Commissioner Adams voted in opposition and the motion carried on a four to one vote.

7:19:58 PM

- 2.0 **Public Hearing: On the request of Brent Kendall, representing The Rock Church for approval of a Site Plan on 2.8 acres in the CN, RM2, and RA1 zones at 11630 South 700 East to allow a church to locate on and develop the property. This application is otherwise known as The Rock Church Site Plan Request, Application #130812-11630S.**

7:21:28 PM

- 2.1 **Staff Report:** Using the aid of a PowerPoint presentation and her staff report dated November 22, 2013, Planner Jennifer Jastremsky reviewed the details of the proposed application. She explained this application is a request for approval of a Site Plan for approximately 2.8 acres located on the west side of 700 East, at approximately 11630 South 700 East. She explained the property contains two lots – one is vacant and other contains an old home. She noted both lots are within the community neighborhood commercial land use designation, but the northern vacant property is currently zoned CN (Neighborhood Commercial) and the southern property is zoned RM2 (Multiple-family Residential), and RA1 (Residential Agricultural). She explained the applicant is seeking approval for a phased

## **B&B DEVELOPMENT AGREEMENT**

This Development Agreement ("Agreement") is made and entered into as of this 15th day of January, by and between Hilton Development, LLC, a Utah limited liability company, and Tammrk, LLC a Utah limited liability company, (hereinafter collectively referred to as "Developer"), and Draper City, a municipal corporation of the State of Utah (hereinafter referred to as the "City").

### **RECITALS**

A. Developer is developing approximately 6.15 acres of real property as more particularly described in Exhibit C, attached hereto, and by this reference made a part hereof (the "Property"), on which it proposes the development of Park Place Estates (Tammrk single-family residences) and the Cottages at Country Oaks.

B. Developer desires to have the City approve the Project, notwithstanding the fact that the Project, as currently designed, may not completely satisfy all of the rules and regulations of the applicable land-use ordinances of the City. The Property is zoned RM 1, and the Project would result in 24 new units being built. Developer believes that the City has more of a need for smaller lots with nice homes in a desirable area. Developer also believes that the new units will provide a needed and desirable product in the general area. Developer must obtain some flexibility from some of the current applicable standards to construct these Units.

C. To obtain the flexibility needed to construct 24 Units, Developer is willing to 1) grant certain real property to the City needed by the City for the expansion of 1300 East, and 2) design the Project subject to certain conditions and standards to address any concerns of the City as more fully set forth below.

D. The City, acting pursuant to its authority under Utah Code Annotated, Sections 10-1-202 and 10-9a-101, et seq., and its land use policies, ordinances and regulations has made certain determinations with respect to the Project and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Developer hereby agree as follows:

### **AGREEMENT**

**1. Definitions.** When used in this Agreement, each term shall have the meaning set forth below or elsewhere in this Agreement unless such meaning is clearly

precluded by the context in which the term is used.

1.1 "Development" means any construction, renovation or expansion of the building structure, roadway, utility, or other improvement.

1.2 "Developer" means Hilton Development, LLC, a Utah limited liability company, Tammrk, LLC a Utah limited company and/or as applicable any Successor Developer and their respective assigns and successors-in-interest.

1.3 "Existing Land Use Regulations" means those certain land use regulations in effect as of the date of this Agreement, including any modifications thereto contained herein. This term does not include fees that are applicable to future development approvals, which will be those in effect at the time the application for any such development is submitted.

1.4 "Land Use Regulations" means laws, statutes, ordinances, codes, resolutions, rules, regulations, approvals, permits of every kind and character, programs and official policies and actions of City governing the permitted uses of land, density and intensity of use and the density, improvement and Construction standards and specifications applicable to development of the Project Land use regulations include, but are not limited to, development approvals granted by the City and the terms and conditions contained in such approvals, the Draper City Subdivision Ordinance, the City's development standards and public improvement specifications, hillside and/or land disturbance regulations, the sensitive lands overlay regulations and geologic hazards regulations.

1.5 "Property" means the parcel of approximately 6.15 acres of real property as more particularly described in Exhibit C attached hereto, and by this reference made a part hereof.

1.6 "ROW Parcel" means a 20,159.45 sq. ft. parcel of land approximately 37 feet wide by 544.85 long measured from the center of 1300 East as shown on Exhibit A & B plat maps required by city to expand 1300 East. ROW land is the west side of the Property, adjacent to 1300 East. ROW Parcel shall be granted and conveyed to the City to allow the City a right-of-way for the improvement of 1300 East.

1.7 "Successor Developer" means any person or entity developing one or more phases of the Project.

**2. Conveyance of ROW Parcel to City.** In consideration of the mutual covenants herein, Developer shall grant and convey to the City by special warranty deed in a form approved by the City, which approval shall not be unreasonably conditioned or withheld, the ROW Parcel. The ROW Parcel shall be conveyed to the City within thirty (30) days of the execution of this Agreement. This grant of property shall be made at no additional cost to the City or

expectation of reimbursement of impact fees, either in cash or by credit, inasmuch as the cost of such property and any improvements required thereon have already been included in the consideration for this agreement.

### **3. Project Build-out Plan.**

3.1 Property Affected by this Agreement. The legal description of the property contained within the Project boundaries is attached and specifically described in Exhibit C. No additional property may be added to this description for purposes of this Agreement except by written amendment to this Agreement executed and approved by the parties hereto.

3.2 Approval of Project Buildout Plan. An overall Project Buildout Plan for the Project is depicted on Exhibit A and B, which is attached hereto and incorporated herein by this reference. The Project has been designed and approved for the use and density not to exceed a maximum of twenty-four (24) new and two (2) existing single-family residential dwelling units, subject to compliance with the terms and conditions of this Agreement. The City agrees and acknowledges that notice of the public meeting for the City's review of the Project Buildout Plan was contemporaneous with the review of this Agreement and was made pursuant to section 17-1-085 of the Draper City Subdivision Ordinance such that approval of this Agreement and the attached Project Buildout Plan by the City Council shall be deemed to be final approval of the concept plan pursuant to Draper City Subdivision Ordinance section 17-2-050(a).

3.3 Compliance with Project Buildout Plan. The location and specific layout of the Project as depicted on Exhibit A and B is conceptual in nature and shown for the purpose of illustrating a potential development configuration that is consistent with the transportation and infrastructure needs of the Project in compliance with the requirements of the City. Both the City and Developer intend to preserve some flexibility to modify the layout of the Project to respond to the more detailed design and engineering information, which will be provided as part of the subdivision plat approval process. Developer or a Successor Developer may submit applications for preliminary and final plat approval that reflect some limited modifications to the Project Buildout Plan, such as minor relocation of lots and streets in order to improve layout or safety standards, minimize the amount of grading, improve design efficiency for utilities, reduce cuts and fills, or achieve other similar goals and objectives as proposed by the Developer and approved by the City consistent with the other terms and conditions of this Agreement. Accordingly, the City will not reject any preliminary or final plat applications submitted by Developer, which is generally consistent with the approved Project Buildout Plan. The City agrees and acknowledges that open space is not required or desirable for the Project.

3.4 Unit Variety. To avoid an undesirable aesthetic impression that may be created by building neighboring uniform models, developer shall provide for a

variety of models with different building elevations and finishes for the units in the Project by adhering to the following requirements: (A) at least three different models must exist on each street between any model with the same building elevations, and (B) each model with the same building elevations in the project must have different exterior finishes or color schemes such that no two models in the Project are exactly the same.

#### **4. Vested Rights and Reserved Legislative Powers.**

4.1 Vested Rights. Developer shall have the vested right to have preliminary and final subdivision plats approved and to develop and construct the Project for the use, density, and configuration for a maximum of not to exceed twenty-four (24) new and two (2) existing single family residential dwelling units generally depicted on exhibit A and B . As referenced in paragraph 3.3 above, Developer may submit applications for preliminary and final plat approval that reflect some limited modifications to the Project Buildout Plan represented in exhibit A and B and still achieve the lot yield of (24) new and (2) existing single-family residential dwelling units, subject to compliance with the Supplemental Development Standards, the Existing Land Use Regulations and the other terms and conditions of this Agreement. Notwithstanding any provision to the contrary, Developer shall be entitled to develop 24 new and 2 existing dwelling units pursuant to the Project Buildout Plan or future modifications thereof, and such right shall be deemed to supersede or control any contrary interpretation of existing ordinances of the City. Nevertheless, Developer shall comply with all Supplemental Development Standards and Existing Land Use Regulations of the City to the extent such are consistent with Developer's vested rights to build 24 new units (with two existing single family residential dwelling units).

4.2 Reserved Legislative Powers. Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the Existing Land Use Regulations and Supplemental Development Standards which are applicable to the Project under the terms of this Agreement based upon the policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Land Use Regulations, Supplemental Development Standards and terms and conditions of this Agreement applicable to the Project shall be of general application to all development activity in the City; and, unless the City declares an emergency, Developer shall be entitled to prior written notice and an opportunity to be heard with respect any proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

**5. Preliminary and Final Subdivision Plat Approval.** Developer expressly acknowledges and agrees that nothing in this Agreement shall be deemed to relieve it from the obligation to comply with all of the applicable requirements for the approval of preliminary and final subdivision plats for all proposed development within the Project consistent with the Existing Land Use Regulations and Supplemental Development Standards which are applicable to the Project under the terms and conditions of this Agreement. Approval by the City of the Project Buildout Plan shall be deemed to have satisfied the requirements of the Existing Land Use Regulations for review of a concept plan by the City for purposes of the Project. Developer shall prepare and submit for review, comment and approval by the City, architectural and design standards for the Project at the time of preliminary subdivision plat approval.

**6. Development Standards.** Except as otherwise set forth in the Project Buildout Plan attached hereto as Exhibit A and B or in this Agreement, Developer shall adhere to the applicable provisions of the Draper City Municipal Code, including without limitation the Supplementary Development Standards of the City set forth at Chapter 9-27. Notwithstanding the foregoing, the City agrees and acknowledges that the following requirements have been modified pursuant to this Agreement and are not to be applicable to the Project:

6.1 Any requirement regarding the amount or percentage of masonry that must be included on the Units as found in section 9-32-030(b)(3) of the Draper City Municipal Code and as depicted in any provision of such code or any exhibit thereto;

6.2 Any requirement regarding the minimum amount of open space required under section 9-32-030(e) of the Draper City Municipal Code.

6.3 Any setback or lot size requirement that conflicts with the Project Buildout Plan attached hereto as Exhibits A and B.

**7. Successors and Assigns.**

7.1 Binding Effect. This Agreement shall be binding upon the successors and assigns of Developer in the ownership or development of any portion of the Project.

7.2 Assignment. Neither this Agreement nor any of its provisions, terms or conditions may be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld. Any such request for assignment may be made by letter addressed to the City, and the prior written consent of the City may also be evidenced by letter from the City to Developer or its successors or assigns.

**8. Default.** In the event either party fails to perform its obligations hereunder or to comply with the terms hereof, within thirty (30) days after giving written notice of default, the non-defaulting party may, at its election, have the following remedies:

8.1 All rights and remedies available at law and in equity, including injunctive relief specific to performance and/or damages;

8.2 The right to withhold all further approvals, licenses, permits, or other rights associated with any activity or development described in this Agreement until such default has been cured; and

8.3 The rights and remedies set forth herein shall be cumulative.

**9. Notices.** Any notices, requests and demands required or desired to be given hereunder shall be in writing and shall be served personally upon the party for whom intended, or if mailed, be by certified mail, return receipt requested, postage prepaid, to such party at its address shown below.

To Developers:

Hilton Development, LLC.  
1375 Country Oak Lane  
Draper, Utah 84020

Tammrk, LLC  
12543 South 1300 East  
Draper, Utah 84020

To the City:

Draper City

Attention: Draper City Manager

1020 E. Pioneer Road  
Draper, UT 84020

Any party may change its address or notice by giving written notice to the other party in accordance with the provisions of this section.

## **10. General Terms and Conditions**

10.1 Term of Agreement. The term of this Agreement shall be for a period of five (5) years following the date of its adoption.

10.2 Agreement to Run with the Land. This Agreement shall be recorded in the office of the Salt Lake County Recorder against the Property and is intended to and shall be deemed to run with the land and shall be binding on all successors in the ownership of any portion of the Property.

10.3 Entire Agreement. This Agreement, together with the exhibits hereto, integrates all of the terms and conditions pertaining to the subject matter hereof and supersedes all prior negotiations, representations, promises, inducements, or previous agreements between the parties hereto with respect to the subject matter hereof. Any amendments hereto must be in writing and signed by the respective parties hereto.

10.4 Headings. The headings contained in this Agreement are intended for convenience only and are in no way to be used to construe or limit the text herein.

10.5 Non-liability of City Officials or Employees. No officer, representative, agent, or employee of the City shall be personally liable to Developer, in the event of any default or breach by the City or for any amount which may become due, or its successors or assignees, for any obligation arising out of the terms of this Agreement.

10.6 No Third-Party Rights. The obligations of the parties set forth in this Agreement shall not create any rights in or obligations to any persons or parties other than to the City and Developer. The City and Developer alone shall be entitled to enforce or waive any provisions of this Agreement to the extent that such provisions are for their benefit.

10.7 Severability. Should any portion of this Agreement for any reason be declared invalid or unenforceable, the invalidity or unenforceability of such portion shall not affect the validity of any of the remaining portions, and the same shall be deemed in full force and effect as if this Agreement had been executed with the invalid portions eliminated.

10.8 Waiver. No waiver of any of the provisions of this Agreement shall Operate as a waiver of any other provision regardless of any similarity that may exist between such provisions nor shall a waiver in one instance operate as a waiver in any future event. No waiver shall be binding unless executed in writing by the

waiving party.

10.9 Governing Law. This Agreement and the performance hereunder shall be governed by the laws of the State of Utah.

10.10 Exhibits. Any exhibit to this Agreement is incorporated herein by this reference, and failure to attach any such exhibit shall not affect the validity of this Agreement or of such exhibit. An unattached exhibit is available from the records of the parties.

10.11 Homeowner's Association. A Homeowner's Association shall be created to govern its internal affairs including, but not limited to, providing maintenance of any required common areas or specified park strip areas. Developer shall prepare and submit for review, comment and approval by the City, which approval shall not be unreasonably withheld or delayed, proposed conditions, covenants and restrictions ("CC&Rs"), as may be amended from time to time, for the Homeowner's Association. The CC&Rs shall incorporate by reference the Supplementary Development Standards of the City set forth at Chapter 9-27 of the Draper City Municipal Code. The CC&Rs shall provide that all roads within the Project are private roads to be maintained by the Homeowner's Association and that the City shall have no responsibility for such roads.

10.12 Attorneys Fees. In the event a dispute arises between the parties hereto, with respect to this Agreement, the prevailing party to any action, brought to enforce the terms of this Agreement shall be entitled to recover against the other party the costs, expenses and attorney's fees incurred in such action.

[signatures on following page]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their respective duly authorized representatives as of the day and year first written above.

STATE OF UTAH )

: ss  
COUNTY OF SALT LAKE )

On this \_\_\_\_ day of January, 2014, personally appeared before me \_\_\_\_\_ who being duly sworn did confirm that he/she is a authorized signer of Hilton Development, LLC, a Utah limited liability company, and that the foregoing instrument was signed on behalf of said company by authority of its operating agreement, and acknowledged to me that said company is bound by the same.

On this \_\_\_\_ day of January, 2014, personally appeared before me \_\_\_\_\_ who being duly sworn did confirm that he/she is a authorized signer of Tammrk, LLC, a Utah limited liability company, and that the foregoing instrument was signed on behalf of said company by authority of its operating agreement, and acknowledged to me that said company is bound by the same.

STATE OF UTAH )

: ss  
COUNTY OF SALT LAKE )

On this \_\_\_\_ day of January, 2014, personally appeared before me Troy Walker, who being duly sworn did confirm that he is the duly elected Mayor of Draper City and that the foregoing instrument was signed on behalf of Draper City.

## Addendum to Exhibit A

- 1) Exhibit A pertains to the portion of the Project identified by the concept plan attached titled "Brent Pollard" and will be known as **Park Place Estates**. This concept plan is labeled with an approximate location of 12543 South 1300 East, Draper, UT. The following describes the subdivision details:
  - a. Maximum total lots: 18
  - b. Phases: The subdivision will be completed in 2 phases with the north parcels to be developed first. The phasing will allow for the existing home on the property to remain in place during Phase 1, which will be demolished after completion of Phase 1. Development of Park Place Estates will be independent with respect to both timing and ownership.
  - c. Subdivision layout:
    - i. Street layout: The subdivision will be designed in a "horseshoe" pattern that will allow two ingress/egress points adjacent to 1300 East.
    - ii. Fire access: The right of way will comply with Fire Department requirements including paved surface width and turn radius minimum.
    - iii. Right of way: The right-of-way width from top back of curb to top back of curb will be 32 feet. This right of way will include 30 inches of curb/gutter on each side to bring the hard surface of the right of way to 27 feet.
  - d. Subdivision landscape requirements:
    - i. Street trees: A minimum of two street trees will be required for each single family residential lot located in the subdivision. These street trees will comply with Draper City's street tree ordinance for type and location.
    - ii. Perimeter buffer: The perimeter will be planted with shade trees that provide privacy buffering for the neighbors along the north, east, and south perimeters.
  - e. Subdivision type:

- i. This will be a private subdivision with private streets and common areas maintained by the Home Owners Association (HOA).
- ii. The HOA will be governed by bylaws recorded against the property.
- iii. The HOA will be responsible for the upkeep and repairs of the private street and will be required to keep the streets in a condition that will be accessible to the Fire Department at all times.

### **Addendum to Exhibit B**

1) This part of the development agreement addresses the manner in which the two parcels known as 12607 South 1300 East and 1375 Country Oak Lane are to be developed as shown on Exhibit B. The name of this portion of the development is **The Cottages at Country Oaks**. The Developer is sensitive to the existing homes in the area and the soon to be developed half-acre lots directly south (Crossgrove Subdivision). At 3.2 upa, this portion of the Project will serve as a buffer between Crossgrove Subdivision (2.0 upa) and Park Place Estates (5.14 upa). This will allow the area to transition from low, to medium, then high density single family use. Lots to be created on Country Oak Lane, east of the existing house at 12607 S. 1300 E., will be single family and not less than a net 10,000 square feet, excluding right-of-way. Lots created to the north of the existing house at 1375 Country Oak Lane, to be accessed by a cul-de-sac, will be single family and not less than 6200 square feet, excluding right-of-way. By so doing a buffer zone is established which should eliminate any concerns of abrupt land use change.

To accommodate this action the Developer needs flexibility to construct said buffer zone. The following list addresses those considerations,

a) Country Oak Lane (private right of way) and the cul-de-sac (private right of way), to be added, will be 26' wide with 21' of roadway and 2.5' of approved curbing on each side with the exception of the far east end of Country Oak Lane. That portion of the lane serves the existing houses at 1375 E. Country Oak Lane and 1405 Country Oak Lane; it is approximately 96' total length and is currently 16' wide paved. Due to the existing landscape and grade of the driveway accessing the home at 1375, any widening would burden rather than benefit an area already existing and fully functional. Developer will end widening and curbing of Country Oak Lane just west of the cul-de-sac roadway to be added (see exhibit B).

b) Both existing homes at 1375 Country Oak Lane and 12607 S. 1300 E. remain in place—neither will be demolished or altered.

c) Establish a separate HOA from development taking place on Exhibit A

d) Development of **The Cottages at Country Oaks (Exhibit B)** will be independent of the development at 12543 South 1300 East (Exhibit A), in both timing and ownership.

e) Setback standards for new Lots #5, 6, 7 and 8 on Exhibit B are as follows;

- 1) Side yard 8'
- 2) Front yard 20' from garage and 15' for house
- 3) Rear Yard 10'

f) Setback standards for lots # 2 and 3 on Exhibit B are as follows;

- 1) Side yard 12'
- 2) Front yard 25'
- 3) Rear yard 20'

g) Setback standards for lots 1 and 4 on Exhibit B will not be addressed since the houses already exist and are to remain in place in the new subdivision development, with the exception of the new lot lines as shown on Exhibit B as line "y" (20') and line "z" (20')

- 2) Developer desires to work with the city and neighbors to create a superior development that will be aesthetically pleasing, desirable, and marketable to residents wishing to live in a nice area, without the maintenance obligations of a large lot. As such,
  - a) Trees in the buffer zone (Exhibit B) will be left in place, to the extent said development will allow.
  - b) In the center of the cul-de-sac circle, Developer will construct a landscaped area similar to what was done in the Bent Pine Cove Subdivision located in Draper at approximately 13500 South 1300 East.
  - c) Developer will install a vinyl fence along the northeast end of the property known as 1375 Country Oak Lane, which borders the Porter Rockwell Trail for approximately 236.78'. This would replace an old chain link fence that currently exists.

LOCATED IN THE SW CORNER OF SECTION 28,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST  
SALT LAKE BASE AND MERIDIAN

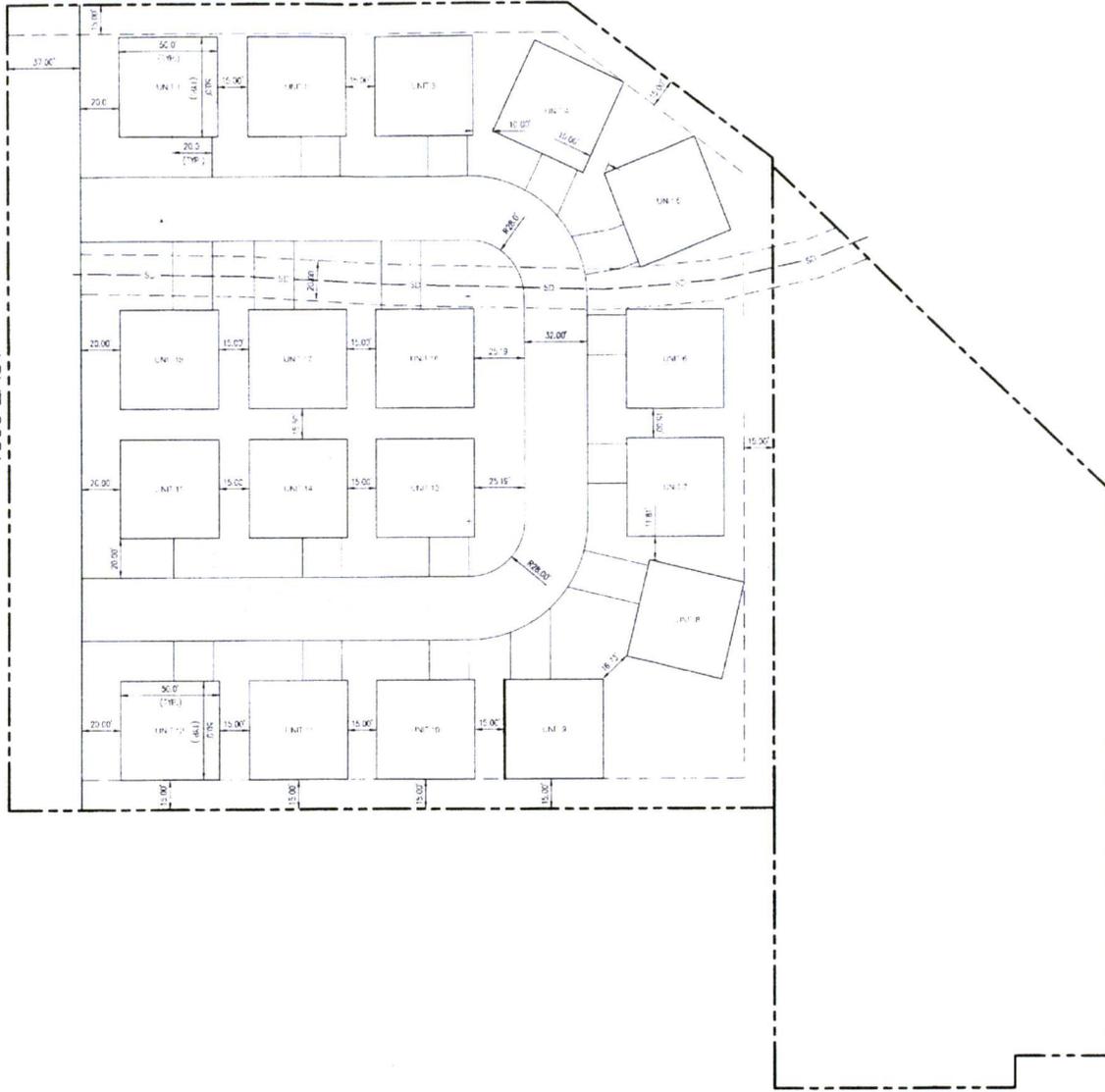


GRAPHIC SCALE



EXHIBIT A

1300 EAST



LEGEND AND ABBREVIATIONS:

- PROPERTY LINE
- ADJACENT PLAT LINES
- EDGE OF EXISTING ASPHALT
- STANDARD WHEEL FLOOR LINE

NO.	DATE	DESCRIPTION
1	08/13/13	PROPOSAL
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		

PROJECT: 12543 SOUTH 1300 EAST  
 SHEET: 1 OF 1  
 DATE: 08/13/13  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]

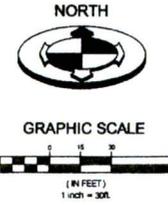
**BENCHMARK ENGINEERING & LAND SURVEYING**  
 12543 SOUTH 1300 EAST  
 DRAPER, UTAH 84040  
 WWW.BENCHMARKCIVIL.COM

**BRENT POLLARD**  
 APPROX. 12543 SOUTH 1300 EAST  
 Draper, Utah

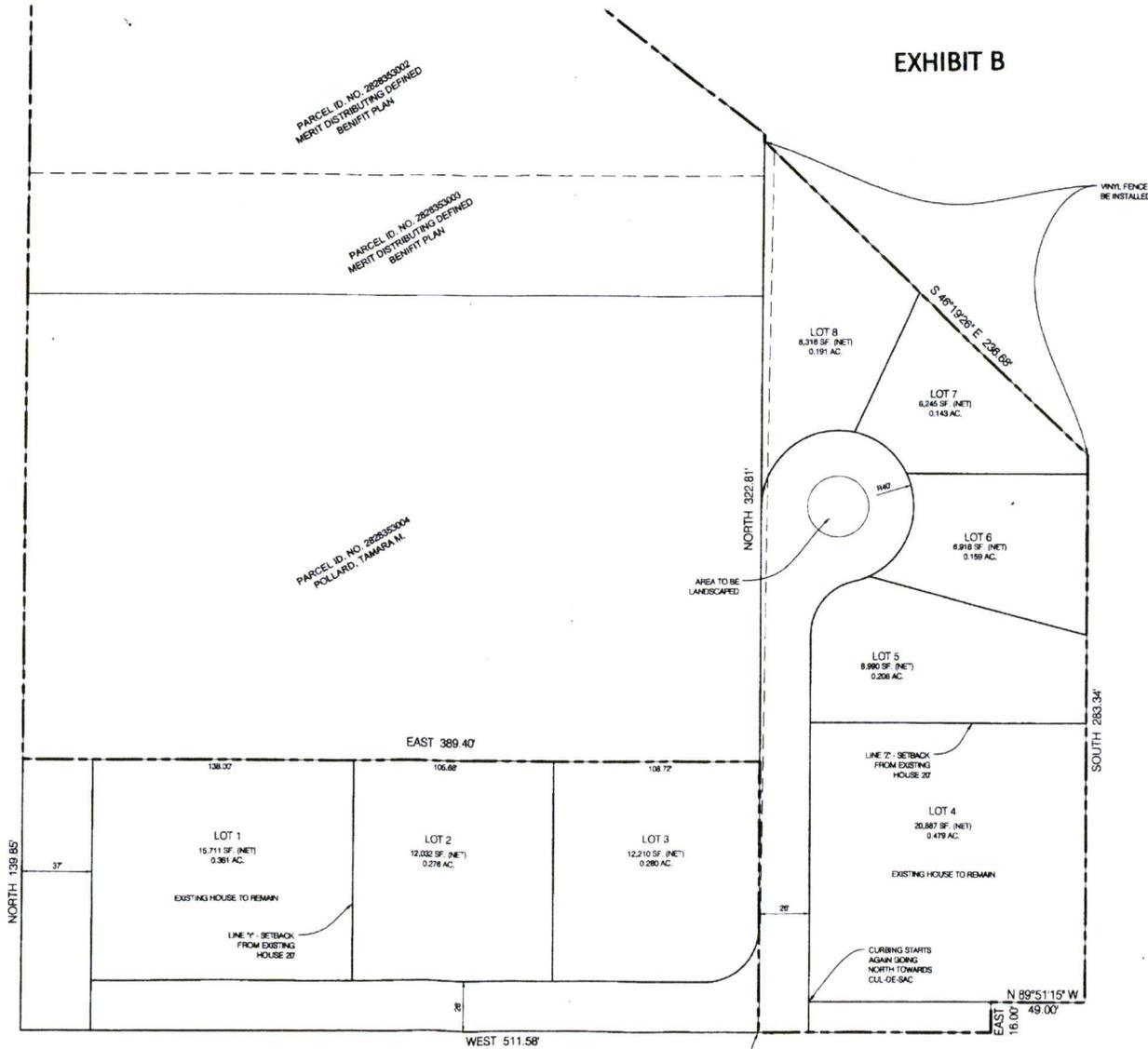
PROJECT: CONCEPT  
 CONCEPT OPTION 1  
 SVC.01  
 1 OF 1

# THE COTTAGES AT COUNTRY OAKS

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 28,  
TOWNSHIP 3 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE & MERIDIAN



## EXHIBIT B



### LEGEND AND ABBREVIATIONS:

- |                                |                                 |
|--------------------------------|---------------------------------|
| SECTION CORNER & LINE FOUND    | CATCH BASIN                     |
| STREET MOK (BOUND)             | MANHOLE & CULINARY PIPE LINE    |
| PROPERTY LINE                  | WATER VALVE & WATER METER       |
| FOUND P.L. MARKER (PLAT NOTES) | EXISTING FIRE HYDRANT           |
| DEFINITION POINT               | GAS LINE & MANHOLE - LOWEST LEG |
| ADJACENT PL. or LOT LINES      | LEAKY POLE                      |
| CENTERLINE of ROAD             | UNDERGROUND TELEPHONE           |
| CURB & GUTTER                  | IRRIGATION MANHOLES BOXES       |
| EDGE OF EXISTING ASPHALT       |                                 |
| INDEX CONTROL LINE             | CB CATCH BASIN                  |
| INTERMEDIATE CONTROL LINE      | COA EDGE OF ASPHALT             |
| SEMI-ANNUAL MANHOLE & PIPE     | EA EDGE OF ASPHALT              |
| STORM DRAIN MANHOLE & PIPE     | EL ELEVATION                    |
|                                | FL FLOW LINE                    |
|                                | MA MANHOLE                      |
|                                | SMH SEWER MANHOLE               |
|                                | SD STORM DRAIN                  |
|                                | TIC TOP BACK OF CURB            |
|                                | TOL TOP OF ASPHALT              |
|                                | TOT TOP OF GRADE                |

CALL BEFORE YOU DIG  
IT'S FREE & IT'S THE LAW  
BLUE STAKES OF UTAH  
UTILITY NOTIFICATION CENTER

PROJECT	THE COTTAGES AT COUNTRY OAKS
DATE	07/14/2014
DRAWN BY	DRAPER, UTAH
CHECKED BY	DRAPER, UTAH
SCALE	AS SHOWN
PROJECT NO.	07142014
DRAWING NO.	PROPOSAL

**BENCHMARK ENGINEERING & LAND SURVEYING**  
1128 SOUTH STATE STREET SUITE 1100  
SALT LAKE CITY, UTAH 84111-3427  
www.benchmarkcivil.com

**BENCHMARK CIVIL**

THE COTTAGES AT COUNTRY OAKS

DRAPER, UTAH

PROPOSAL

## EXHIBIT C

DESCRIPTION OF PROPERTY TO BE REZONED TO *Rm-1*

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 28, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE BASE AND MERIDIAN, AND RUNNING THENCE NORTH ALONG THE SECTION LINE 405 FEET ; THENCE EAST ALONG THE NORTHERLY SIDE OF THE PROPERTY CONVEYED TO MERIT DISTRIBUTING DEFINED BENEFIT PLAN 285 FEET, MORE OR LESS TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF THE UTA PROPERTY; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY 370 FEET, MORE OR LESS TO THE NORTHEAST CORNER OF THE PROPERTY CONVEYED TO BRET S. HILTON AND TAMRA D. HILTON; THENCE SOUTH 283.34 FEET, MORE OR LESS TO THE SOUTHEAST CORNER OF SAID PROPERTY CONVEYED TO BRET S. HILTON AND TAMRA D. HILTON; THENCE NORTH  $89^{\circ}51'15''$  EAST 49.0 FEET; THENCE SOUTH 16.0 FEET; THENCE WEST ~~511.58~~ FEET; THENCE NORTH 139.85 FEET; TO THE POINT OF BEGINNING.

CONTAINS ~~6.1~~ ACRES, MORE OR LESS.

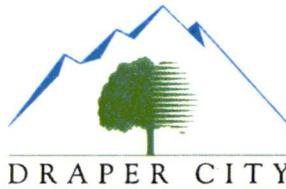
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Return to Agenda

# ITEM #6

# REQUEST FOR COUNCIL ACTION

<b>To:</b>	<b>Mayor &amp; City Council</b>
<b>From:</b>	<b>Dennis Workman</b>
<b>Date:</b>	<b>1-14-14 for 1-21-14 CC Hearing</b>
<b>Subject:</b>	<b>Centennial Heights B Plat Amendment</b>
<b>Applicant Presentation:</b>	<b>The applicant is Draper City</b>
<b>Staff Presentation:</b>	<b>Dennis Workman</b>
<b>RECOMMENDATION:</b> To approve the plat amendment for Centennial Heights B, as recommended by the Planning Commission.	
<b>BACKGROUND AND FINDINGS:</b> On November 12, 2013, the City Council approved a zone change on 2.34 acres of City-owned property located on the north side of Steep Mountain Park. The zone change, which was from OS to R3, was done to facilitate development on the site for a new LDS Church meeting house. The next step in the process is to amend the plat in which the property is located; the name of the plat is Centennial Heights B. The application at hand is a city-initiated request to amend the Centennial Heights B plat by reconfiguring the boundary lines of Lots A, B and C so that the entire church site can be accommodated on a single parcel. The Planning Commission recommended approval with the following findings: <ol style="list-style-type: none"><li>1. That the proposed plat amendment will not be detrimental to the health, safety, or general welfare of persons or property within the area.</li><li>2. That there is good cause for the plat amendment, and that it will cause no material harm to the public or any person.</li><li>3. That the proposed plat amendment is amending a plat that has previously been approved by Draper City and properly recorded at Salt Lake County.</li><li>4. That the proposed plat amendment is in accordance with both the General Plan and the Zoning Ordinance of Draper City.</li></ol>	
<b>PREVIOUS LEGISLATIVE ACTION:</b> January 7, 2014: Planning Commission reviewed and recommended approval of the plat amendment.	
<b>FISCAL IMPACT: Finance Review:</b> <u>DW</u> <ul style="list-style-type: none"><li>• This plat amendment will help to facilitate the development of an LDS meeting house on the subject property.</li></ul>	
<b>SUPPORTING DOCUMENTS:</b> <ul style="list-style-type: none"><li>• Current and Amended Plats</li><li>• Staff Report to Planning Commission, with maps</li><li>• Minutes from Planning Commission hearing of January 7, 2014</li></ul>	



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## Development Review Committee

1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6539

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### STAFF REPORT

December 27, 2013

**To:** Planning Commission  
Business Date: January 9, 2014

**From:** Development Review Committee  
Prepared by Dennis Workman, Planner II

**Re:** Centennial Heights B Plat Amendment

**Application No.:** 131227-365E

**Applicant:** Draper City

**Location:** 365 E. Steep Mountain Dr.

**Zoning:** R3

**Request:** To reconfigure the boundary lines of Lots A, B and C so that an LDS Church meeting house can be accommodated on a single parcel

### BACKGROUND

On November 12, 2013, the City Council approved a zone change on 2.34 acres of City-owned property located on the north side of Steep Mountain Park. The zone change, which was from OS to R3, was done to accommodate development on the site for a new LDS Church meeting house. The next step in the process is to amend the plat in which the property is located; the name of the plat is Centennial Heights B. The application at hand is a city-initiated request to amend the Centennial Heights B plat by reconfiguring the boundary lines of Lots A, B and C so that the entire church site can be accommodated on a single parcel.

### ANALYSIS

Utah Code. State law outlines the criteria for review and approval of plat amendments. In order to approve a plat amendment, the legislative body must make two findings:

1. That there is good cause to amend the plat; and
2. That the amendment will not cause material harm to other owners in the plat.

General Plan and Zoning. The land use element of the general plan designates the 46-acre plat as both Open Space/Parks and Residential Hillside Low Density. Zoning within the plat is dual as well, with much of the ground zoned R3 and some of it OS. The church will be built on the R3 portion that is north of the tennis courts on Steep Mountain Park. The use category *Church or Place of Worship* requires a conditional use permit in the R3 zone. Upon approval and recordation of the plat amendment, the LDS Church will apply for conditional use permit and site plan, which will run concurrently at the Planning Commission.

City Engineer. In a memo dated January 2, 2014, Troy Wolverton states:

We have reviewed the proposed subdivision plat amendment and recommend approval subject to the following:



1. The proposed plat shall indicate the top of the drawing to face north or west in accordance with Section 17-4-030(a) of the Draper City Municipal Code(DCMC).
2. The existing Centennial Heights Plat B parcel dimensions along the north boundary shall be removed. Interior lot dimensioning for the proposed lots shall be provided to avoid confusion between the proposed lots and the existing lots. For consistency, the removal of the existing lot dimensions is preferred over adding existing dimensions throughout.
3. For consistency, street names shall be spelled out entirely and not abbreviated.
4. The title of the proposed plat shall be revised. We recommend the plat be titled, "CENTENNIAL HEIGHTS PLAT "B" 2<sup>nd</sup> AMENDED (AMENDING LOT A, B, AND C)."
5. The proposed plat shall indicate the existing ten foot fronting easement along the existing streets currently depicted on the subject properties within the existing Centennial Heights Plat "B" for consistency. The existing easements are not being vacated.
6. The plat shall indicate the month and year of the proposed plat under the title at the top of the sheet per Section 17-4-030(c) of the DCMC.
7. Please correct the spelling of the word "verifies" in the last line of the Surveyor's Certificate. It should read "verified."
8. Please spell out Salt Lake County in the legal description and avoid the less formal use of SLCO.
9. The title of the plat shall be indicated within the Owner's Dedication.
10. All year references in the plat shall be corrected to 2014.
11. The signature line for the Draper City Mayor and the associated Acknowledgement in the Owner's Dedication shall be provided. The correct wording was previously provided via email. Please contact our office if the wording and format was not received.
12. The spelling for Parowon Way shall be corrected. The proposed plat depicts Parawon Drive.
13. All existing lines outside the subdivision boundary shall be depicted as dashed to represent the existing condition of the right-of-ways outside the amended lots in accordance with Section 17-4-030(i) of the DCMC.
14. Lot numbering shall be revised to provide numbered rather than lettered lots. Proposed Lot D shall be numbered Lot 202 and proposed Lot E shall be numbered Lot 203. Lettering of lots is not permitted per Section 17-4-030(j) of the DCMC.
15. Lot addressing shall be indicated. Lot 201 shall depict 368 East Manti Drive; Lot 202 shall depict 310 East Manti Drive; and Lot 203 shall depict 351 East Steep Mountain Drive.
16. Dimensioning shall be provided for the proposed Retaining Wall Reinforcement and Slope Easement to facilitate the future location and establishment on the ground.
17. Terms and Conditions associated with the proposed Retaining Wall Reinforcement and Slope Easement shall be noted upon the plat or established by separate agreement to be referenced on the plat. An agreement for a temporary construction easement will also require approval by the City Council for the completion of the proposed slope modifications.



18. A signature block shall be provided for Questar Gas.
19. The signature block for WaterPro is not necessary. We recommend this block be modified to provide a signature block for Rocky Mountain Power.
20. The signature line for the Board of Health shall be corrected to read, "Salt Lake County Health Department."
21. The signature block for the Planning Commission shall be corrected to reference the Planning Commission and not the Zoning Administrator. The signature line shall read "Chairman, Draper City Planning Commission.
22. The signature block for the City Engineer shall be corrected to read, "I hereby certify that this office has examined this plat and it is correct in accordance with information on file in this office. Approved this . . ."
23. The signature block for Qwest shall be corrected to refer to CenturyLink.
24. The title of the signature block for the City Attorney shall be corrected to read, "Approval as to Form."

*Fire Marshal.* Don Buckley with the Unified Fire Authority has no concerns at this time, but will want to review at building permit stage.

*Building Official.* Keith Collier states that he has no concerns at this stage of development.

#### **STAFF RECOMMENDATION**

Staff recommends approval of the request to amend the Centennial Heights Plat B subdivision plat, as outlined under application 131227-365E, subject to the following conditions:

1. That all requirements of the Draper City Engineering Division are satisfied throughout development of the site, particularly those contained in this staff report.
2. That all requirements of the Unified Fire Authority are met throughout development of the site.
3. That the amended plat is prepared and recorded in accordance with the standards outlined in Title 17 of the Draper City Municipal Code.

This recommendation is based on the following findings:

1. That the proposed plat amendment will not be detrimental to the health, safety, or general welfare of persons or property within the area.
2. That there is good cause for the plat amendment, and that it will cause no material harm to the public or any person.
3. That the proposed plat amendment is amending a plat that has previously been approved by Draper City and properly recorded at Salt Lake County.
4. That the proposed plat amendment is in accordance with both the General Plan and the Zoning Ordinance of Draper City.

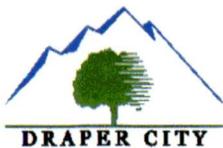
#### **MODEL MOTION**

*Sample Motion to Approve.* "I move we recommend that the City Council approve the request to amend the Centennial Heights B subdivision plat, as outlined under application 131227-365E, based on the findings and conditions listed in the staff report dated December 27, 2013 and as modified by the conditions below:"

1. List additional findings and conditions, if any.

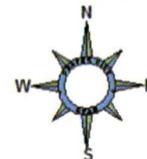
Sample Motion to Deny. “I move we recommend that the City Council deny the request to amend the Centennial Heights B subdivision plat, as outlined under application 131227-365E, based on the following findings:”

1. List all findings.



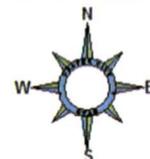
DRAPER CITY

## Aerial Map for Centennial Heights B Plat Amendment





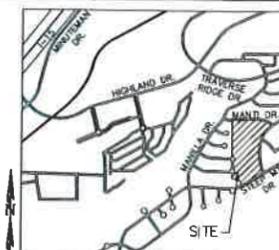
### Zoning Map for Centennial Heights B Plat Amendment



**CENTENNIAL HEIGHTS PLAT "B" 2ND AMENDED  
(AMENDING LOTS A, B AND C)**

LOCATED IN THE SOUTH HALF  
OF SECTION 7,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE & MERIDIAN  
JANUARY 2014

**AMENDED PLAT**



VICINITY MAP  
NO SCALE

**SURVEYOR'S CERTIFICATE**

In accordance with Section 10-9A-603 of the Utah Code, I, Nathan B. Weber, do hereby certify that I am a Professional Land Surveyor holding license number 5152762 in accordance with Title 58, Chapter 22 of the Professional Engineers and Professional Land Surveyors Licensing Act.  
I further certify that on behalf of Diamond Land Surveying, LLC, I have completed a survey of the property described on the plat in accordance with Section 17-23-17 of Utah Code, and have verified all measurements, and have placed monuments as represented on the plat.

**BOUNDARY DESCRIPTION**

A parcel of land located in the South half of Section 7, Township 4 South, Range 1 East, Salt Lake Base and Meridian described as follows:  
Beginning at the South Quarter corner of Section 7, Township 4 South, Range 1 East, Salt Lake Base and Meridian and on the West line of Highlands at South Point Subdivision as recorded in the Office of the Salt Lake County Recorder as entry 8466173, book 2002P, page 367 description as follows:  
thence North 1°53'41" East 106.51 feet along the West line of Lot A, Centennial Heights Plat B to a point of curvature;  
thence 0.45 feet along the arc of a 25.00 foot radius curve to the right through a central angle of 1°02'21" (Long Chord Bears South 50°35'59" East 0.45 feet);  
thence 117.10 feet along the arc of a 40.00 foot radius curve to the left through a central angle of 167°44'25" (Long Chord Bears North 46°02'59" East 79.54 feet) to a point of reverse curvature;  
thence 17.33 feet along the arc of a 25.00 foot radius curve to the right through a central angle of 39°42'54" (Long Chord Bears North 17°57'46" West 16.98 feet) to a point of tangency on the North right-of-way of Red Leaf Dr.;  
thence North 1°53'41" East 169.23 feet to a point of curvature;  
thence 17.33 feet along the arc of a 25.00 foot radius curve to the right through a central angle of 39°42'54" (Long Chord Bears North 21°45'08" East 16.98 feet) to a point of reverse curvature;  
thence 117.56 feet along the arc of a 40.00 foot radius curve to the left through a central angle of 168°23'50" (Long Chord Bears North 42°35'20" West 79.59 feet);  
thence North 1°53'41" East 718.36 feet along the West line of Lot A, Centennial Heights Plat B;  
thence North 89°23'32" East 549.27 feet on the South right-of-way of Manti Dr. to a point of curvature;  
thence 204.83 feet along the arc of a 275.00 foot radius curve to the right through a central angle of 42°40'34" (Long Chord Bears South 69°16'11" East 200.13 feet) to a point of compound curvature;  
thence 24.92 feet along the arc of a 15.00 foot radius curve to the right through the central angle of 95°10'41" (Long Chord Bears South 0°20'34" East 22.15 feet) to a point of reverse curvature;  
thence 32.54 feet along the arc of a 580.00 foot radius curve to the left through a central angle 312°52" (Long Chord Bears South 45°38'20" West 32.54 feet) on the West right-of-way of Parowan Way to a point of tangency;  
thence South 44°01'52" West 103.39 feet to a point of curvature; thence 439.30 feet along the arc of a 528.39 foot radius curve to the left through a central angle of 47°38'07" (Long Chord Bears South 20°12'48" West 426.76 feet) on the West right-of-way of Parowan Way to a point of tangency;  
thence South 3°36'14" East 281.64 feet to a point of curvature; thence 135.55 feet along the arc of a 330.00 foot radius curve to the left through the central angle of 23°32'05" (Long Chord Bears South 15°22'16" East 154.60 feet) to a point of reverse curvature;  
thence 22.73 feet along the arc of a 15.00 foot radius curve to the right through a central angle of 86°49'13" (Long Chord Bears South 16°16'10" West 20.62 feet) on the North right-of-way to a point of tangency;  
thence South 59°40'55" West 461.86 feet along the westerly line of Lot A, Centennial Heights Plat B;  
thence North 30°19'55" West 127.32 feet along the westerly line of Lot A, Centennial Heights Plat B;  
thence South 89°48'53" West 116.26 feet to the point of beginning.

**OWNER'S DEDICATION**

Know all men by these presents that we, the undersigned owners of the herein described tract of land, hereby set apart and subdivide the same into lots and streets as shown on this plat and name said plat

**CENTENNIAL HEIGHTS PLAT "B" 2ND AMENDED  
(AMENDING LOTS A, B AND C)**

and do hereby dedicate, grant and convey to Draper City, Utah: (1) all those parts or portions of said tract of land designated as streets, the same to be used as public thoroughfares forever; (2) those certain public utility and drainage easements as shown hereon, the same to be used for the installation, maintenance, and operation of public utility service lines and drainage; and (3) those parcels designated as public open space, parks, trail or easements, or of similar designation. In witness whereof, we have hereunto set our hands this \_\_\_\_ day of \_\_\_\_\_, 2014.

MAYOR TROY K. WALKER  
DRAPER CITY

**ACKNOWLEDGMENT**

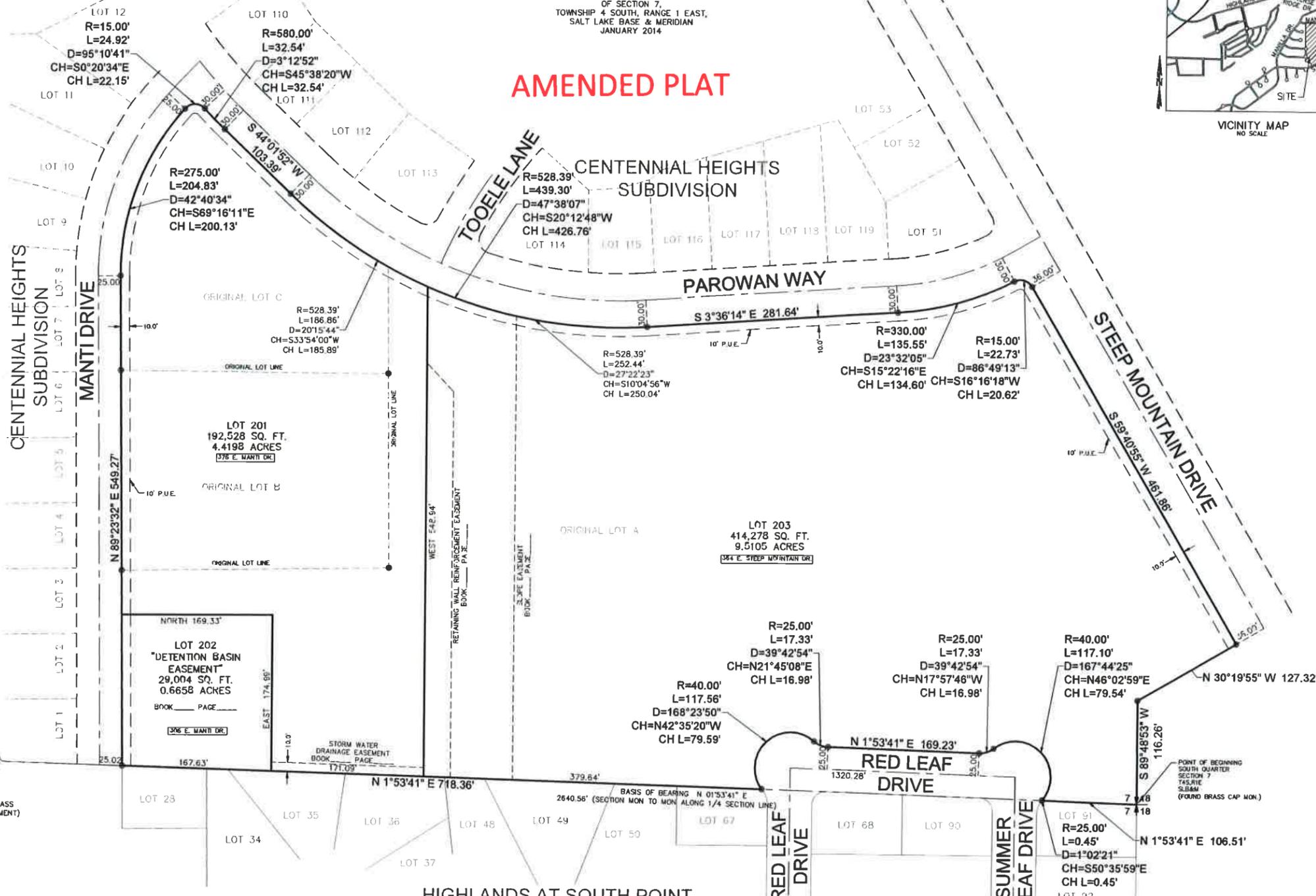
STATE OF UTAH )  
COUNTY OF SALT LAKE ) S.S.  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ A.D. 2014, PERSONALLY APPEARED BEFORE ME, TROY K. WALKER, WHO DULY ACKNOWLEDGED TO ME THAT HE IS THE MAYOR OF DRAPER CITY, A MUNICIPAL CORPORATION OF THE STATE OF UTAH, AND THE FOREGOING INSTRUMENT WAS SIGNED IN BEHALF OF THE CITY BY THE AUTHORITY OF ITS GOVERNING BODY AND SAID TROY K. WALKER ACKNOWLEDGED TO ME THAT THE CITY EXECUTED THE SAME.

MY COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC \_\_\_\_\_

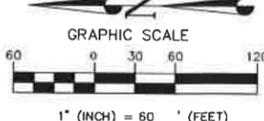
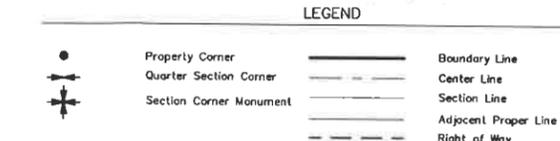
**CENTENNIAL HEIGHTS PLAT "B" 2ND AMENDED  
(AMENDING LOTS A, B AND C)**

LOCATED IN THE SOUTH EAST QUARTER  
OF SECTION 7 & THE NORTHEAST QUARTER CORNER OF  
SECTION 18,  
TOWNSHIP 4 SOUTH, RANGE 1 EAST,  
SALT LAKE BASE & MERIDIAN

RECORDED # \_\_\_\_\_  
STATE OF UTAH, COUNTY OF SALT LAKE RECORDED AND FILED AT  
THE REQUEST OF:  
DATE \_\_\_\_\_ TIME \_\_\_\_\_ BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
NO FEE  
FEE \$ \_\_\_\_\_  
SALT LAKE COUNTY RECORDER



7+7  
7+7  
CENTER OF SECTION 7,  
T4S, R1E,  
SLSBM  
(FOUND BRASS  
CAP MONUMENT)



<p>QUESTAR GAS</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>QUESTAR GAS</p>	<p>DRAPER CITY WATER</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>DRAPER CITY WATER</p>	<p>BOARD OF HEALTH</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>SALT LAKE COUNTY HEALTH DEPARTMENT</p>	<p>CENTURY LINK</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>CENTURY LINK</p>	<p>ROCKY MOUNTAIN POWER</p> <p>APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D. 20__</p> <p>ROCKY MOUNTAIN POWER</p>	<p>COMCAST</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>COMCAST</p>
<p>DIAMOND LAND SURVEYING, LLC</p> <p>5243 South Green Pine Drive Murray, Utah 84123 diamond@hdsurvey.com Phone (801) 266-5099 Fax 266-5032</p>	<p>SOUTH VALLEY SEWER DISTRICT</p> <p>APPROVAL AS TO FORM THIS _____ DAY OF _____ A.D. 20__</p> <p>SOUTH VALLEY SEWER DISTRICT</p>	<p>PLANNING COMMISSION</p> <p>APPROVED THIS _____ DAY OF _____ A.D. 20__ BY THE DRAPER CITY PLANNING COMMISSION.</p> <p>CHAIRMAN, DRAPER CITY PLANNING COMMISSION</p>	<p>DRAPER CITY ENGINEER</p> <p>I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE. APPROVED THIS _____ DAY OF _____ A.D. 20__</p> <p>DRAPER CITY ENGINEER</p>	<p>APPROVAL AS TO FORM</p> <p>APPROVED AS TO FORM THIS _____ DAY OF _____ A.D. 20__</p> <p>DRAPER CITY ATTORNEY</p>	<p>DRAPER CITY MAYOR</p> <p>PRESENTED TO THE DRAPER CITY MAYOR THIS _____ DAY OF _____ A.D. 20__ AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.</p> <p>MAYOR TROY K. WALKER ATTEST: CITY RECORDER</p>

# CURRENT PLAT

## CENTENNIAL HEIGHTS PLAT "B"

ADJACENT PROPERTY OWNER: BARTON  
10 ACRE LINE  
1326.427'

ADJACENT PROPERTY OWNER: BARTON  
BASIS OF BEARING:  $N07^{\circ}53'41"E$  (END)  
2643.56' (SECTION CORNER TO CORNER ALONG 1/4 SECTION LINE)  
EQUALS (BASE OF BEARING:  $N01^{\circ}14'37"E$  (TRANSVERSE POLE ROAD DEDICATION PLAT))  
1320.200' (ENDY COR TO ENDY COR.)

LOT A TO BE DEEDED DRAPER CITY  
LOT B 1.50 acres  
LOT C 1.50 acres

OPEN SPACE

POINT OF BEGINNING  
FUTURE DEVELOPMENT

NATURAL OPEN SPACE PLATS A AND B

LEGEND

GRAPHIC SCALE

UTAH POWER & LIGHT  
MOUNTAIN FULL  
US WEST

ECKHOFF WATSON AND PREATOR ENGINEERING  
1121 EAST 3900 SOUTH, SUITE 100-261-0070, SALT LAKE CITY, UT 84124

PLANNING COMMISSION  
CITY ENGINEER CERTIFICATE  
DRAPER CITY COUNCIL

APPROVAL AS TO FORM

RECORDED # 95-10P-277

### LINE DATA

LINE NO.	BEARING	DISTANCE
1	N 07° 53' 41" E	2643.56
2	S 82° 48' 53" W	116.280
3	N 07° 19' 01" W	323.663
4	S 82° 48' 53" W	116.280
5	N 07° 53' 41" E	1320.200
6	S 82° 48' 53" W	116.280
7	N 07° 19' 01" W	323.663
8	S 82° 48' 53" W	116.280
9	N 07° 53' 41" E	1320.200
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31	N 07° 19' 01" W	323.663
32	S 82° 48' 53" W	116.280
33	N 07° 53' 41" E	1320.200
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35	N 07° 19' 01" W	323.663
36	S 82° 48' 53" W	116.280
37	N 07° 53' 41" E	1320.200
38	S 82° 48' 53" W	116.280
39	N 07° 19' 01" W	323.663
40	S 82° 48' 53" W	116.280
41	N 07° 53' 41" E	1320.200
42	S 82° 48' 53" W	116.280
43	N 07° 19' 01" W	323.663
44	S 82° 48' 53" W	116.280
45	N 07° 53' 41" E	1320.200
46	S 82° 48' 53" W	116.280
47	N 07° 19' 01" W	323.663
48	S 82° 48' 53" W	116.280
49	N 07° 53' 41" E	1320.200
50	S 82° 48' 53" W	116.280
51	N 07° 19' 01" W	323.663
52	S 82° 48' 53" W	116.280
53	N 07° 53' 41" E	1320.200
54	S 82° 48' 53" W	116.280
55	N 07° 19' 01" W	323.663
56	S 82° 48' 53" W	116.280
57	N 07° 53' 41" E	1320.200
58	S 82° 48' 53" W	116.280
59	N 07° 19' 01" W	323.663
60	S 82° 48' 53" W	116.280
61	N 07° 53' 41" E	1320.200
62	S 82° 48' 53" W	116.280
63	N 07° 19' 01" W	323.663
64	S 82° 48' 53" W	116.280
65	N 07° 53' 41" E	1320.200
66	S 82° 48' 53" W	116.280
67	N 07° 19' 01" W	323.663
68	S 82° 48' 53" W	116.280
69	N 07° 53' 41" E	1320.200
70	S 82° 48' 53" W	116.280
71	N 07° 19' 01" W	323.663
72	S 82° 48' 53" W	116.280
73	N 07° 53' 41" E	1320.200
74	S 82° 48' 53" W	116.280
75	N 07° 19' 01" W	323.663
76	S 82° 48' 53" W	116.280
77	N 07° 53' 41" E	1320.200
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79	N 07° 19' 01" W	323.663
80	S 82° 48' 53" W	116.280
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93	N 07° 53' 41" E	1320.200
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95	N 07° 19' 01" W	323.663
96	S 82° 48' 53" W	116.280
97	N 07° 53' 41" E	1320.200
98	S 82° 48' 53" W	116.280
99	N 07° 19' 01" W	323.663
100	S 82° 48' 53" W	116.280

### CURVE DATA

LINE NO.	BEARING	DISTANCE	DELTA	R	T	L
1	N 07° 53' 41" E	2643.56	07° 53' 38"	598.134'	46.129'	92.123'
2	S 82° 48' 53" W	116.280	14° 33' 07"	568.814'	72.628'	144.475'
3	N 07° 19' 01" W	323.663	91° 24' 43"	15.000'	15.374'	21.932'
4	S 82° 48' 53" W	116.280	92° 36' 11"	15.000'	15.697'	21.243'
5	N 07° 53' 41" E	1320.200	16° 28' 09"	635.000'	92.041'	182.612'
6	S 82° 48' 53" W	116.280				
7	N 07° 19' 01" W	323.663				
8	S 82° 48' 53" W	116.280				
9	N 07° 53' 41" E	1320.200				
10	S 82° 48' 53" W	116.280				
11	N 07° 19' 01" W	323.663				
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98	S 82° 48' 53" W	116.280				
99	N 07° 19' 01" W	323.663				
100	S 82° 48' 53" W	116.280				

### SURVEYOR'S CERTIFICATE

I, Arvid A. Taylor, do hereby certify that I am a Registered Civil Engineer and Land Surveyor, and that I hold certificate No. 170433, as prescribed under the laws of the State of Utah. I further certify that by authority of the General, I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land into lots and blocks, hereafter to be known as CENTENNIAL HEIGHTS, PLAT "B" and that same was done lawfully surveyed and shown on the ground as it is shown on this plat.

LOCAL PROFESSIONAL PLAT NO. 95-10P-277

Arvid A. Taylor, P.E., REG. PROFESSIONAL ENGINEER (#170433) REG. PROFESSIONAL LAND SURVEYOR (#170433)

ACKNOWLEDGMENT

DATE: 10/19/95

OTHER'S DECLARATION

CENTENNIAL HEIGHTS PLAT B

RECORDED # 95-10P-277

DRAWING NUMBER: 95-10P-277

RECORDING NUMBER: 95-10P-277

Return to Agenda

# ITEM #7

**RESOLUTION NO. 14-05**

**A RESOLUTION OF THE DRAPER CITY COUNCIL DECLARING PARCELS 466450301, 466450302, 466450303, 466450304, 466450305, AND 466450306, AT APPROXIMATELY 2200 EAST 15500 SOUTH, AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF THE SAME.**

**WHEREAS**, Draper City owns approximately 20 acres located generally at 2200 east 15500 South in Draper, Utah County, Utah; and

**WHEREAS**, Draper City Municipal Code, Section 3-3-140 describes the procedures to be followed to surplus city-owned property; and

**WHEREAS**, the City has complied with Section 3-3-140 to properly authorize the sale of such property, including mailing notice to each owner of property owner within 300 feet and providing reasonable notice of the proposed disposition at least 14 days prior to the hearing; setting the matter for public comment; and receiving public comment; and

**WHEREAS**, Draper City desires to declare the approximate 20 acres of property as surplus and to authorize its sale to best serve the interests of City residents and produce a fair return.

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

**Section 1. Declaration of Surplus Property.** The property shown on Exhibit A is no longer needed by the City for a public purpose and can be declared surplus and its sale is authorized.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE \_\_\_\_ DAY OF JANUARY, 2014.**

ATTEST:

DRAPER CITY

\_\_\_\_\_  
City Recorder

By: \_\_\_\_\_  
Mayor Troy Walker

## EXHIBIT A

Surplus of Parcels 466450301, 466450302, 466450303, 466450304, 466450305, and 466450306

Beginning at a point on the Southwest Corner of Lot 1301 of Maple Hollow X, XI, & XIII thence running the following (29) Calls

- (1) N 73°57' E 555.98ft more or less thence
- (2) N 73°57' E 192.847ft more or less thence
- (3) N 73°55' E 88.568ft more or less thence
- (4) N 66°23' E 230.268ft more or less thence
- (5) N 66°23' E 134.487ft more or less thence
- (6) N 66°22' E 276.229ft more or less thence
- (7) N 66°29' E 906.472ft more or less thence
- (8) S 81°46' W 363.628ft more or less thence
- (9) Curve to the right with a radius of 693.921ft Cord Direction N 83°00' W 368.2ft more or less thence
- (10) N 76°18' W 96.722ft more or less thence
- (11) N 69°11' W 61.314ft more or less thence
- (12) N 69°08' W 38.838ft more or less thence
- (13) Curve to the left with a radius of 26.975ft Cord Direction S 65°50' W 42.401ft more or less thence
- (14) S 20°51' W 117.985ft more or less thence
- (15) N 69°10' W 41.988ft more or less thence
- (16) N 21°03' E 9.017ft more or less thence
- (17) Curve to the left with a radius of 27.067ft Cord Direction N 24°13' W 42.376ft more or less thence
- (18) N 69°10' W 11.365ft more or less thence
- (19) N 69°10' W 55.073ft more or less thence
- (20) Curve to the left with a radius of 475.734ft Cord Direction S 86°57' W 396.783ft more or less thence
- (21) Curve to the left with a radius of 474.926ft Cord Direction S 58°02' W 83.293ft more or less thence
- (22) S 53°01' W 214.148ft more or less thence
- (23) S 53°01' W 136.641ft more or less thence
- (24) Curve to the right with a radius of 856.943ft Cord Direction S 54°55' W 56.554ft more or less thence
- (25) Curve to the right with a radius of 856.732ft Cord Direction S 69°09' W 369.04ft more or less thence
- (26) S 81°29' W 55.803ft more or less thence
- (27) Curve to the right with a radius of 430.707ft Cord Direction S 83°38' W 31.939ft more or less thence
- (28) S 04°12' E 140.004ft more or less thence
- (29) S 16°03' E 277.85ft more or less to the point of beginning.

Contains approximately 19.37 Acres

**RESOLUTION NO. 14-06**

**A RESOLUTION OF THE DRAPER CITY COUNCIL DECLARING A PORTION OF PARCELS 110080004 AND 110080007, AT APPROXIMATELY 2900 EAST 16000 SOUTH, AS SURPLUS PROPERTY AND AUTHORIZING THE SALE OF THE SAME.**

**WHEREAS**, Draper City owns approximately 110 acres located generally at 2900 East 16000 South in Draper, Utah County, Utah; and

**WHEREAS**, Draper City Municipal Code, Section 3-3-140 describes the procedures to be followed to surplus city-owned property; and

**WHEREAS**, the City has complied with Section 3-3-140 to properly authorize the sale of such property, including mailing notice to each owner of property owner within 300 feet and providing reasonable notice of the proposed disposition at least 14 days prior to the hearing; setting the matter for public comment; and receiving public comment; and

**WHEREAS**, Draper City desires to declare the approximate 110 acres of property as surplus and to authorize its sale to best serve the interests of City residents and produce a fair return.

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

**Section 1. Declaration of Surplus Property.** The property shown on Exhibit A is no longer needed by the City for a public purpose and can be declared surplus and its sale is authorized.

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

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

**PASSED AND ADOPTED BY THE CITY COUNCIL OF DRAPER CITY, STATE OF UTAH, ON THE \_\_\_\_ DAY OF JANUARY, 2014.**

ATTEST:

DRAPER CITY

\_\_\_\_\_  
City Recorder

By: \_\_\_\_\_  
Mayor Troy Walker

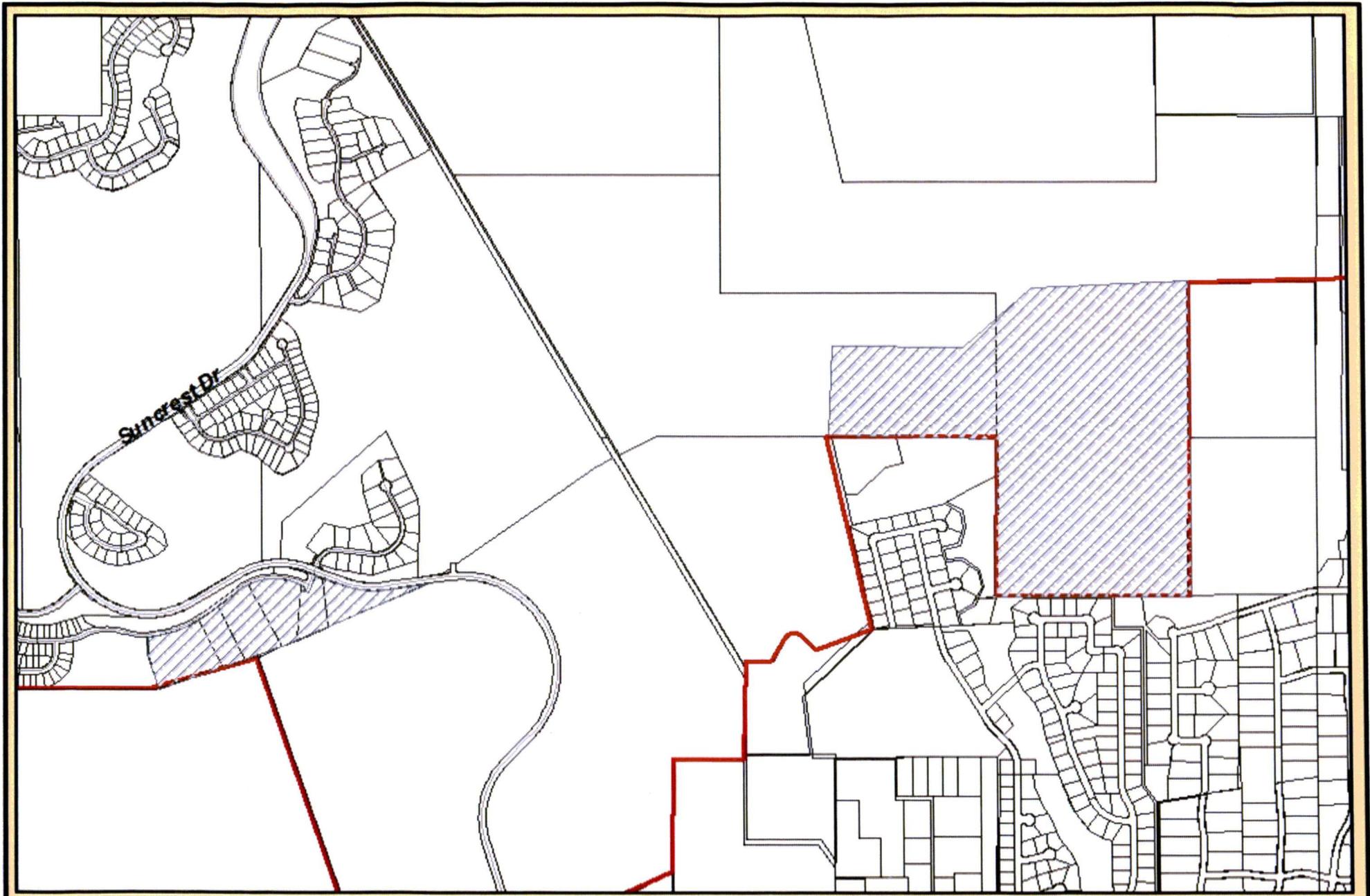
## EXHIBIT A

Surplus of a portion of Parcels 110080004 and 110080007

Starting point South Quarter Corner of Section 14 T4S R1E thence the following eight (8) calls

- (1) N89°59'W 1353.992FT more or less thence
- (2) N00°00'E 522.844FT more or less thence
- (3) N90°00'E 1017.897FT more or less thence
- (4) N47.08'E 1111.057FT more or less thence
- (5) N90°00'E 1120.398FT more or less thence
- (6) S00°00'W 2595.61FT more or less thence
- (7) S89°47'W 1603.896FT more or less thence
- (8) N00°14'E 1322.227FT more or less to the point of beginning

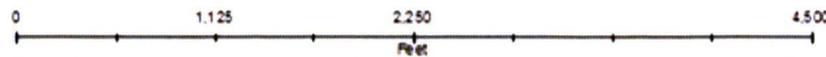
Contains approximately 110.47 Acres



**Areas to be Declared Surplus**



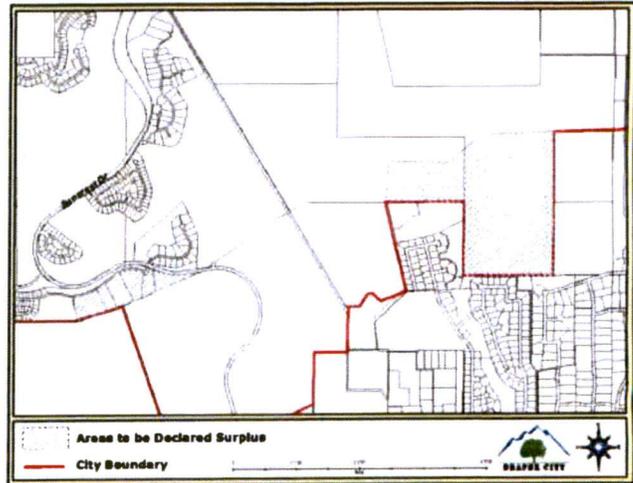
**City Boundary**





DRAPER CITY

ADMINISTRATION DEPARTMENT  
1020 East Pioneer Road  
Draper, UT 84020  
(801) 576-6500 Fax (801) 576-6526



December 19, 2013

PROPERTY OWNER

Re: NOTICE OF PUBLIC HEARING:

Dear Property Owner:

The Draper City Council hereby gives notice that it will hold a public hearing at Draper City Hall in the City Council Chambers, 1020 East Pioneer Road, Draper, Utah, on January 7, 2014 at approximately 7:00 p.m. to receive public comment on behalf of Draper City to declare the city-owned properties shown on the attached maps as surplus and to authorize the sale of the property. You are receiving this notice because you own property within the required notice area of the property that is proposed to be declared surplus. You are invited to attend the public hearing and make comment.

Inquiries may contact me at the Draper City offices at 801-576-6516 or email me at [Russell.Fox@draper.ut.us](mailto:Russell.Fox@draper.ut.us).

Sincerely,

Russell Fox  
Assistant City Manager

[Return to Agenda](#)

# ITEM #8



Contract # 14-06

# STATE OF UTAH CONTRACT

1. CONTRACTING PARTIES: This contract is between the following agency of the State of Utah:  
Department Name: Governor's Office of Economic Development Agency Code: 060 Division Name: GOED  
, referred to as (STATE), and the following CONTRACTOR:

Draper City \_\_\_\_\_  
Name  
1020 East Pioneer Road  
Address  
Draper UT 84020  
City State Zip

LEGAL STATUS OF CONTRACTOR  
 Sole Proprietor  
 Non-Profit Corporation  
 For-Profit Corporation  
 Partnership  
 Government Agency

Contact Person David Dobbins Phone # (801)-576-6513 Email: david.dobbins@draper.ut.us  
Vendor # \_\_\_\_\_ Commodity Code # \_\_\_\_\_

- 2. GENERAL PURPOSE OF CONTRACT: The general purpose of this contract is to provide: road expansion
- 3. PROCUREMENT: This contract is entered into as a result of the procurement process on RX#, \_\_\_\_\_, FY \_\_\_\_\_  
Bid# \_\_\_\_\_ or a pre-approved sole source authorization (from the Division of Purchasing) # SS \_\_\_\_\_.
- 4. CONTRACT PERIOD: Effective Date 7/1/13 Termination Date 6/30/14 unless terminated early or extended  
in accordance with the terms and conditions of this contract. Renewal options (if any) \_\_\_\_\_.  
All payments under this contract will be completed within 90 days after the Termination Date.
- 5. CONTRACT COSTS: CONTRACTOR will be paid a maximum of \$ 1,377,720 for costs authorized by this contract. Additional  
information regarding costs: See Attachments A-D
- 6. ATTACHMENT A: Interlocal Agreement Terms and Conditions  
ATTACHMENT B: Project Expenditure Report  
ATTACHMENT C: HB 377 Transportation Funding Modifications  
ATTACHMENT D: Division of Purchasing's Standard Terms and Conditions  
**Any conflicts between Attachment D and other Attachments will be resolved in favor of Attachment D.**
- 7. DOCUMENTS INCORPORATED INTO THIS CONTRACT BY REFERENCE BUT NOT ATTACHED:
  - a. All other governmental laws, regulations, or actions applicable to the goods and/or services authorized by this contract.
  - b. Utah State Procurement Code, Procurement Rules, and CONTRACTOR'S response to Bid # \_\_\_\_\_  
dated \_\_\_\_\_.

IN WITNESS WHEREOF, the parties sign and cause this contract to be executed.  
**CONTRACTOR** **STATE**

\_\_\_\_\_  
Contractor's signature Date  
\_\_\_\_\_  
Type or Print Name and Title

\_\_\_\_\_  
Agency's signature Date  
\_\_\_\_\_  
Director, Division of Purchasing Date  
\_\_\_\_\_  
Director, Division of Finance Date

<u>Jeffrey Van Hulten</u> Agency Contact Person	<u>801-538-8694</u> Telephone Number	<u>801-538-8888</u> Fax Number	<u>jeffreyvan@utah.gov</u> Email
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(Revision 3/1709)

## ATTACHMENT A

### AGREEMENT BETWEEN THE STATE OF UTAH

And

### THE MUNICIPALITY OF DRAPER CITY

This Interlocal Cooperation Agreement (“Agreement”) is made and entered into \_\_\_\_\_ by and between the municipality Draper City (the “City”), and the State of Utah, acting through the Governor’s Office of Economic Development (hereinafter referred to as the “State”). The City and the State may from time to time hereinafter be referred to individually as a “Party” or collectively as the “Parties.”

#### RECITALS

This Agreement was entered into pursuant to the passing of HB377, *Transportation Funding Modifications (Dee, B.)*, during the 2013 General Legislative Session. Pursuant to the passage of HB 377, line 188, the State, via the enactment of Utah Code §63B-18-401(3)(b)(xiv), has been appropriated \$4,500,000 to the Governor’s Office of Economic Development for transportation infrastructure acquisitions and improvements that have a significant economic development impact within the state. The passage of the legislation mentioned above and the Parties’ mutual understanding of the intent of the legislature allows an allocation of money from this appropriated amount to be used. More specifically, the State will allocate to Draper City one million three hundred and seventy seven thousand seven hundred and twenty dollars (\$1,377,720) as reimbursement to City for funds used for: widening the existing 11950 South Street (public section), extending 11950 South Street to the west, American Preparatory Academy reimbursement, and expenses for a traffic light. The one million three hundred and seventy seven thousand seven hundred and twenty dollars (\$1,377,720) allocated to the City in this agreement reflects the Parties’ agreed upon reimbursement for the above mentioned projects and the Parties understanding of the legislative intent for said reimbursement.

#### AGREEMENT

The City and State agree as follows:

1. TERM. The Agreement shall be effective July 1, 2013 and expire on June 30, 2014, unless extended for additional years as agreed to by both parties within sixty (60) days of the expiration of the term.
2. PAYMENT. The State shall allocate to City one million three hundred and seventy seven thousand seven hundred and twenty dollars (\$1,377,720) as reimbursement to City for funds used for: widening the existing 11950 South Street (public section), extending 11950 South Street to the west, American Preparatory Academy reimbursement, and expenses for a traffic light. This is done pursuant to both Parties’ understanding of the legislative intent of HB 377, lines 188-190, enacting §63B-18-401(3)(b)(xiv), with City being the intended recipient; and because this project is a transportation infrastructure acquisition and improvement that has a significant economic development impact within the state.
3. DOCUMENTATION. City must provide State with invoices, including proof of payment, for all expenditures highlighted in Attachment B as backup documentation and evidence that expenditures were within the parameters set forth by HB 377, lines 188-190 (transportation infrastructure acquisitions and improvements that have a significant economic development impact within the state). All invoices and expenditures being submitted for reimbursement must occur after the effective date of this contract; City cannot receive reimbursement for any invoiced expenditures preceding the commencement of this contract, July 1, 2013.

4. DEFAULT. If said expenditures are found to not meet the parameters set forth by HB 377, lines 188-190, State shall be reinstated by City the amount of funds allocated to the unqualified expenditures. City may receive the reinstated funds once City has utilized its resources for qualified expenditures fitting within the parameters of HB 377, lines 188-190.
5. SCOPE OF WORK. The funds shall be reimbursed to the City for: widening the existing 11950 South Street (public section), extending 11950 South Street to the west, American Preparatory Academy reimbursement, and expenses for a traffic light. The funds are to be used for reimbursement for expenses as outlined in Attachment B and within the parameters of HB 377, lines 188-190.
6. ADMINISTRATION AND OVERSIGHT. GOED will provide administrative oversight of the construction and progress and maintain decision authority and act as the fiscal agent.
7. CONTACT PERSONS. Christopher M. Conabee of GOED's Office of Economic Development ([cconabee@utah.gov](mailto:cconabee@utah.gov) or 801.538.8850) will be the contact person to consult with the contractor on a regular basis. David Dobbins ([david.dobbins@draper.ut.us](mailto:david.dobbins@draper.ut.us) or 801.576.6513) from the City of Draper will be the contact person to consult with the state on a regular basis.

# ATTACHMENT B: CITY OF DRAPER EXPENDITURE OUTLINE

<b>Priority #1 - Widen and Extend 11950 South Street</b>			
<b>Estimated Start 4/2013 Finish 8/2013</b>			
Widen Existing 11950 South (public section)			<u>\$240,000.00</u>
Extend 11950 South to West	1,070 lf	\$596.00	<u>\$637,720.00</u>
APA Reimbursement			<u>\$250,000.00</u>
Relocate Ebay Driveway			<u>\$200,000.00</u>
Traffic Light			<u>\$250,000.00</u>
			\$1,577,720.00
<b>Priority #2 - Connect 12200 South Street to 12300 South Street</b>			
<b>Estimated Start TBD</b>			
Road Connection from 12200 S. to 12300 S.	1,200 lf	\$596.00	\$715,200.00
Traffic Light			<u>\$250,000.00</u>
			\$965,200.00
<b>Priority #3 - Construct 12200 South Street</b>			
<b>Estimated Start 2/2014 Finish 6/2014</b>			
Build 12200 S. and Realign East of Lone Peak	1,200 lf	\$596.00	<u>\$715,200.00</u>
			\$715,200.00
<b>Priority #4 Connect 12200 South Street to 11950 South Street</b>			
<b>Estimated Start 2/2014 Finish 6/2014</b>			
Road Connection from 12200 S. to 11950 S.	2,400 lf	\$596.00	<u>\$1,430,400.00</u>
			\$1,430,400.00
<b>Contengency</b>			
Contengency			<u>\$311,480.00</u>
			<u>\$311,480.00</u>
		<b>Subtotal</b>	<b>\$5,000,000.00</b>
Traffic Lights by Draper City	-2 ea	\$250,000.00	<u>-\$500,000.00</u>
		<b>Grand Total</b>	<b>\$4,500,000.00</b>

**HIGHLIGHTED BUDGET ITEMS:**

To widen and extend 11950 South Street from 4/20/13 to 8/20/13	\$240,000.00
Extend 11950 South to West	\$637,720.00
American Preparatory Academy Reimbursement	\$200,000.00
Traffic Light	<u>\$250,000.00</u>
<b>TOTAL</b>	<b>\$1,377,720.00</b>

[Return to Agenda](#)

# ITEM #9

## **2014 Council Vacancy Candidates**

- 1. Cortlund Ashton**
- 2. S. Craig Bonham**
- 3. Joey Bryant**
- 4. J. Michael Burrows**
- 5. Beth Colosimo**
- 6. John Dismuke**
- 7. Karl Farnsworth**
- 8. Michael Green**
- 9. Jordan Guernsey**
- 10. Leslie Johnson**
- 11. Scott McDonald**
- 12. Kristy Philippi**
- 13. Paul Tonks**
- 14. Marsha Vawdrey**
- 15. Michele Weeks**
- 16. Jason Young**

**\*Hugh Hadsock withdrew his name for consideration.**

**\* Max Starkie withdrew his name for consideration.**

**Rachelle Conner**

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, January 07, 2014 2:30 PM  
**To:** Rachelle Conner; Maridene Hancock  
**Subject:** Online Form Submittal: City Council Vacancy Form - City of Draper

If you are having problems viewing this HTML email, click to view a [Text version](#).

**City Council Vacancy Form - City of Draper**

**Applicant First Name**      **Applicant Last Name**  
Cortlund                      Ashton

**Address1**  
622 Camden Park Ln

**City**                              **State**                              **Zip**  
Draper                              UT                                      84020

**Email Address**  
[cort@cottonwoodtitle.com](mailto:cort@cottonwoodtitle.com)

**Phone Number (Home)**  
801-572-1685

**Phone Number (Cell)**  
801-750-7650

**Have you lived in Draper for twelve consecutive months?**

Yes

No

**Qualifications: This text box will expand as needed.**

I have been a Draper resident since 1998. I have represented our city well in many capacities over the last several years. I am no stranger to the public process, and have served in many volunteer and elected positions. Some of those include: -2002-2006 Salt Lake County Council representing District 5 -Chairman Salt Lake County Council - 2005 -Member Salt Lake County Redistricting Board 2011 -Member and Chairman Salt Lake County Open Space Advisory Board - 2009 to Present -Member and Chairman Utah State Title and Escrow Commission 2009-2013 -Chairman Utah Land Title Association 2010 -Sponsor of the successful county wide open space initiative raising \$48,000,000 while serving on the Salt Lake County Council. I have sunk deep roots here, and plan to stay. Thank you for your consideration. Cort Ashton

**Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle.**

**Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

The following form was submitted via your website: City Council Vacancy Form - City of Draper

Applicant First Name: Cortlund

Applicant Last Name: Ashton

Address1: 622 Camden Park Ln

City: Draper

State: UT

Zip: 84020

Email Address: [cort@cottonwoodtitle.com](mailto:cort@cottonwoodtitle.com)

Phone Number (Home): 801-572-1685

Phone Number (Cell): 801-750-7650

Have you lived in Draper for twelve consecutive months?: Yes

Qualifications: This text box will expand as needed.: I have been a Draper resident since 1998. I have represented our city well in many capacities over the last several years. I am no stranger to the public process, and have served in many volunteer and elected positions. Some of those include:

- 2002-2006 Salt Lake County Council representing District 5
- Chairman Salt Lake County Council - 2005
- Member Salt Lake County Redistricting Board 2011
- Member and Chairman Salt Lake County Open Space Advisory Board - 2009 to Present
- Member and Chairman Utah State Title and Escrow Commission 2009-2013
- Chairman Utah Land Title Association 2010
- Sponsor of the successful county wide open space initiative raising \$48,000,000 while serving on the Salt Lake County Council.

I have sunk deep roots here, and plan to stay.

Thank you for your consideration.

Cort Ashton

Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle. :

Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.:

Additional Information:

Form Submitted on: 1/7/2014 2:30:01 PM

Submitted from IP Address: 173.10.23.117

Referrer Page: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-VacancyCity-of-Draper-93>

Form Address: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-Vacancy-FormCity-of-Draper-93>

## COUNCIL VACANCY QUESTIONS

1. What is your vision for Draper?

**What is one major characteristic that sets Manhattan, New York apart from Newark, New Jersey? Central Park. As Salt Lake County continues to grow, I see Draper's ability to attract quality citizens and quality businesses grow because of our version of "Central Park", Corner Canyon. No other city in the County has the anything like it. I see a Draper city who will continue to attract active, involved citizens and quality businesses because of our managed growth and thoughtful government policies.**

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

**Draper needs to grow our commercial tax base. We haven't had the best reputation as a business or developer friendly city. That needs to change. We're strained by the predominance of residential tax base. We need to be more developer friendly and commercial business friendly.**

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

**Draper has a tremendous jewel in our corner canyon recreational facilities. I actually sponsored the motion in the Salt Lake County Council as a county councilman to partner with Draper in the conservation easement for Corner Canyon. I have been passionate about open space and trails for many years. In 2006, I was the sponsor of the county-wide bond election that successfully created \$48,000,000 in funds to use for open space, parks, and trails in Salt Lake County. Since then, I have served (and am still serving) on the Salt Lake County Open Space Advisory Board as its chair. I am passionate about preserving and providing recreational opportunities for our citizens.**

**I am well connected in State politics and municipal politics as well. I have worked extensively at the legislature to forward the interests of Salt Lake County, and well as helping to solve problems in the industry pertaining to my day job (Title Insurance and Real Estate). I will continue to use those relationships to further the interests of the city in all aspects.**

4. Did you vote in last two elections?

**Yes.**

5. How would you balance future growth with personal property rights?

**I respect personal property rights, while at the same time acknowledge that the public good sometimes can outweigh those personal property rights. My family's home was actually**

**taken by UDOT to allow for I-215 near Wasatch boulevard. I understand that the power of condemnation must be used carefully and thoughtfully.**

6. Tell us what your vision is for working with the current City Council Members?

**I have a proven track record at the Salt Lake County Council of being able to bring people together to accomplish great things. I had broad bipartisan support for the 2006 open space bond. I was respected and selected by my peers to be the chairman of the council and know how to get things done in government.**

7. Please list your community service endeavors in Draper?

**My most significant contributions to Draper City were: 1) representing Draper on the Salt Lake County Council, 2) 2006 Open Space Bond allowed for the purchase and development of recreational opportunities in Draper, and 3) Bringing a new library to Draper City.**

**Rachelle Conner**

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, January 14, 2014 3:46 PM  
**To:** Rachelle Conner; Maridene Hancock  
**Subject:** Online Form Submittal: City Council Vacancy Form - City of Draper

If you are having problems viewing this HTML email, click to view a [Text version](#).

**City Council Vacancy Form - City of Draper**

**Applicant First Name**      **Applicant Last Name**  
S. Craig                      Bonham

**Address1**  
1003 E. 13400 S.

**City**                              **State**                              **Zip**  
Draper                              Utah                                      84020

**Email Address**  
[craigbonhambuilder@hotmail.com](mailto:craigbonhambuilder@hotmail.com)

**Phone Number (Cell)**  
801-608-9454

**Have you lived in Draper for twelve consecutive months?**  
Yes  
No

**Qualifications: This text box will expand as needed.**  
1. Citizen of Draper for 19 years 2. Married for 40 years and raised eight children 3. General contractor since 1973 (40 yrs.) 4. Led a citizens group to change the proposed route of the Bangerter highway. (Saved 95 homes). 5. Served on the Draper City Tree committee for 3 yrs.

**Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle.**

**Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

The following form was submitted via your website: City Council Vacancy Form - City of Draper

Applicant First Name: S. Craig

Applicant Last Name: Bonham

Address1: 1003 E. 13400 S.

City: Draper

State: Utah

Zip: 84020

Email Address: [craigbonhambuilder@hotmail.com](mailto:craigbonhambuilder@hotmail.com)

Phone Number (Cell): 801-608-9454

Have you lived in Draper for twelve consecutive months?: Yes

Qualifications: This text box will expand as needed.: 1. Citizen of Draper for 19 years  
2. Married for 40 years and raised eight children  
3. General contractor since 1973 (40 yrs.)  
4. Led a citizens group to change the proposed route of the Bangerter highway. (Saved 95 homes).  
5. Served on the Draper City Tree committee for 3 yrs.

Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle. :

Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.:

Additional Information:

Form Submitted on: 1/14/2014 3:46:28 PM

Submitted from IP Address: 67.2.218.144

Referrer Page: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-VacancyCity-of-Draper-93>

Form Address: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-Vacancy-FormCity-of-Draper-93>

S. Craig Bonham

## COUNCIL VACANCY QUESTIONS

1. What is your vision for Draper?

Answer: I have lived here in Draper since it was a small farming community and I am very pleased at where our community is today. I feel it has a pleasant mix of residential/commercial development yet has kept its rural feel with trails and undisturbed open space.

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

Answer: There could be incentives available to businesses that locate here. Let potential businesses know of our quality of life here. Have the business licensing procedure be more consumer friendly. Periodically review the master plan. Look at potential business in a TOD zoning. All decisions made by the city council can affect the feeling of our community for welcoming business here.

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

Answer: Continue to develop our open space. Have a trail head with parking for horse users. Develop another large sports complex on the East side of I 15.

4. Did you vote in last two elections?

Answer: I have voted in four of the last five elections. One year found me in South Dakota pheasant hunting when I forgot to vote early.

5. How would you balance future growth with personal property rights?

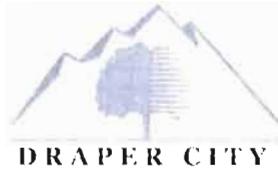
Answer: All property in Draper has the potential to be developed. We should encourage property owners to use their property in a way that would benefit the neighborhood, the city and themselves.

6. Tell us what your vision is for working with the current City Council Members .

Answer: I would hope that my background as a General Contractor/Developer for 40 years would provide helpful insight and compliment the other council members views and goals.

7. Please list your community service endeavors in Draper?

Answer: I have served on a Variance Committee and the Tree Committee. I led a citizens group to work with the Wasatch Front Regional Council to change the predetermined route of the Bangerter highway. We saved 95 homes. I have had leadership positions in my local church organization. I was a County delegate for the republican convention one year.



**CITY OF DRAPER  
CITY COUNCIL VACANCY**

**Applicant Full Name:** Joey W Bryant

**Address:** 13004 South Fort Street, Draper UT 84020

**Email Address:** j\_bryant1@hotmail.com

**Phone Number (H):** 801-558-3644 **(C):** 801-558-3644

**Have you lived in Draper for twelve consecutive months?** Yes

**Qualifications:** As a current resident and former City Treasurer of Draper City I believe that I am a uniquely qualified applicant that can seamlessly integrate into your vacated City Council position due to my multilevel governmental, industrial and retail experience. Being a proud resident of the city I have volunteered at events that have promoted unity among our great community. I am excited about this city and the many opportunities that the city has too grow and bring new communities and businesses into our great city. As a former employee. I know the challenges of balancing the wants and needs of the citizens while being fiscally responsible with each and every taxpayer dollar. As a citizen and hopefully your next member of the Council, I am looking forward to future opportunities to serve the great people of our city.

**\*\*Deadline for submittal is Tuesday, January 14, 2014, at 5:00 p.m. Please submit to Rachelle Conner, City Recorder, 1020 East Pioneer Road, Draper, Utah.**

**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

## COUNCIL VACANCY QUESTIONS

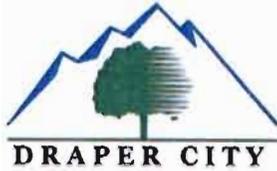
1. What is your vision for Draper? My vision for Draper City is to continue to promote economic growth through business and residential growth. I would advocate for growth at a rate that the city could reasonably provide essential services. Draper City is one of the best cities in the country and I believe we can continue to grow by adding new businesses, recreational venues and residential growth.
2. What would you do as a City Council Member to improve the business climate and opportunities in Draper? I would foster relationships with the business and would want to be involved in the area Chamber of Commerce. I believe it is important to listen and understand the challenges that our business partners face. We want our business community to grow and be successful and I believe that as a council member it would be my responsibility to help them do so.
3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper? As a collaborative effort with the other council members I would look to enhance our recreation opportunities by working in partnership with area business to bring new and exciting recreational venues to the city. I would also like to see an "all area" recreation pass that would be available to Draper Residents, businesses and their employees. In partnership with the business community this annual pass would allow them access to the venues that we have and will bring to the city.
4. Did you vote in last two elections? Yes I believe it is my civic duty to vote and believe in electing officials who have the ability to lead our cities, state and nation into the future.
5. How would you balance future growth with personal property rights? I understand the dynamic and challenges that our city faces. We have residents that have larger parcels of property that they enjoy and want to maintain. While others have property that they wish to subdivide and make available for future development. I believe that moderation is the key and that with reasonable and proactive leadership we can successfully blend our communities together. It is our jobs to communicate to our residents that as the city grows the need additional land to accommodate for growth also increases.
6. Tell us what your vision is for working with the current City Council Members? I have worked with the members of the council for the past two years and I believe that as a member of the council I can add value to the Council. Through effective communication and teamwork I believe that we can work together to provide service and value to our citizens and business leaders.

7. Please list your community service endeavors in Draper? Over the past two years I have volunteered at the Easter Egg Hunt and Safety Days events. I have enjoyed serving our community and look forward to being able to serve during other events.

Thank you for this opportunity,

*Joe Bryant*

Joe Bryant



CITY OF DRAPER  
CITY COUNCIL VACANCY

Applicant Full Name: J. MICHAEL BURROWS

Address: 1192 E 13200 SO

Email Address: JMIBURROWS@HSN.COM

Phone Number (H): \_\_\_\_\_ (C): 801-301-2522

Have you lived in Draper for twelve consecutive months? YES

Qualifications: \_\_\_\_\_

- LOCAL BUSINESS OWNER
- MEMBER DRAPER CITY EMERGENCY PREPAREDNESS COMMITTEE
- 25 YEARS AS A LOCAL FIREFIGHTER AND 20+ YEARS WITH UNIFIED FIRE AUTHORITY.
- ASSOCIATES DEGREE IN FIRE SCIENCE

**\*\*Deadline for submittal is Tuesday, January 14, 2014, at 5:00 p.m. Please submit to Rachelle Conner, City Recorder, 1020 East Pioneer Road, Draper, Utah.**

**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

## J Michael Burrows

1. What is your vision for Draper?  
To make it a place where family and business are a part of the community. Also I want the citizens to feel like they are part of Draper not west Draper or Suncrest. Draper should feel like a small farming community with all the amenities of a modern city. It is my goal to have others cities look at Draper and say “How do we do it as good them?”
2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?  
The council is already doing a great job with the uprising of many of the new businesses. It is my goal to enhance this with my ability to mesh with the citizens. As a business owner myself with over 30 years experience I understand the major concern for every business to have store front visibility and the ease of public access. It is vital that each and every business feel that they have the support of the city. It is important to increase public safety which lowers the ISO rating on the city and thus lowers business and home owner insurance rates, which will entice them to our city.
3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?  
Recreational opportunities/facilities/programs are only as good as the funding that supports them. As a former football/soccer coach and referee I understand the commitment it takes for these programs. I would like to create award incentives for individuals who rise above and beyond. It is my goal to pursue Salt Lake County and reap some of the benefits that we as a city pay into. Also additional educational programs for coaches and referees that focus on the positive growth of our youth.
4. Did you vote in last two elections?  
Yes. I believe it is a citizens responsibility to Vote. In my most recent campaign my logo was “Your Vote Counts”
5. How would you balance future growth with personal property rights?  
I believe the way to balance growth with personal property right is to help each and every citizen and business owner feel like the have something to gain from it. Most people view this as negative therefore they are unhappy. It is my goal to validate their concerns and educate them on how growth will benefit them personally.
6. Tell us what your vision is for working with the current City Council Members?  
I believe a team is only as good as the versatility of each person on that team. Therefore with my small business, public involvement and public safety background I would bring a well roundedness to this current council. I have taken time to meet and spend time with several of the council members and understand their different styles. It look forward to the opportunity to help shoulder the responsibilities of the councils decisions .
7. Please list your community service endeavors in Draper?
  - Volunteer Firefighter for the City of Draper
  - Firefighter Training Officer for the City of Draper
  - Board Member for Draper Historic Theater
  - Chairman of the Board for the Draper Historic Theater
  - Primary Teacher for Local Church Group
  - Little league football coach
  - Draper City Emergency Preparedness Board Member
  - Member Corner Canyon Citizens Group
  - Raising Chickens



**CITY OF DRAPER  
CITY COUNCIL VACANCY**

**Applicant Full Name:** \_\_\_\_\_ Beth Colosimo \_\_\_\_\_

**Address:** \_\_\_\_\_ 388 Draper Downs Drive, Draper 84020 \_\_\_\_\_

**Email Address:** \_\_\_\_\_ bcolosimo@edcutah.org \_\_\_\_\_

**Phone Number (H):** \_\_\_ 801-209-8922 \_\_\_ **(C):** \_\_\_ 801-209-8922 \_\_\_\_\_

**Have you lived in Draper for twelve consecutive months?** \_\_\_ Yes (7 years) \_\_\_\_\_

**Qualifications:** As a 7-year Draper resident and lifelong Utah resident, I've witnessed immense change in Utah. I've witnessed and participated in development in the state as both a private investor and small business owner.

I was educated in Utah with an undergraduate degree from the University of Utah, and a Master's Degree in Business from Westminster College. My education and career have provided many opportunities in business to understand the opportunities and challenges growth and development can bring. My background has afforded me the knowledge of how cities and communities must be diligent stewards of their resources and measure each decision regarding growth and development by considering both short and long term risks and benefits.

After a 20+ year career in sales and project management for large corporations such as Blue Cross Blue Shield, MCI Worldcom, and Eli Lilly, I made the decision to create, develop, finance and open my own small business in Draper. From 2004-2010, I owned and operated Wasatch Home Furnishings in the Draper Peaks Shopping Center. I was one of the center's first tenants and worked closely with the developers on every aspect of my building and was consulted on the center's ultimate design. I relocated my store within the center to Phase II and was the first tenant. Again, I worked with the developer and Draper City to help create Phase II. Throughout this process I learned and studied how city development takes place and the many factors that must be considered.

While owning and operating Wasatch Home, I worked with the city on permits, signage, design, and other items related to business ownership. I also joined and participated in activities with the Chamber of Commerce. I chose to put my company in Draper after considering many communities because I believed the city was well managed, receptive to growth and a business friendly community. This proved



to be true. I was well supported by Draper City, its residents, and my business growth exceeded my expectations. I was a well-respected business that brought tremendous tax revenue to the city.

I was also heavily involved in one of Draper's largest developments, beginning in 1996, with the conception and creation of the 57-acre campus known as the Skaggs Catholic Center. This development at the time was unprecedented not only for Draper, but for the entire country, and is recognized as one of the flagship parochial school campuses in the country. My husband, Dr. Galey Colosimo, was one of two primary developers for the project and together we spent countless hours pouring every detail, challenge and opportunity to create one of the finest campuses in the intermountain West. From this experience I learned about roads, streetlights, ordinances, building codes, permitting, construction, the public notification and meeting process, and the details associated with such a large project that involve city and county leadership, local residents, and those that are being served by the campus and how to ensure each party is considered during the decision-making process.

In 2011, I shifted my career into economic development, and currently hold the position of Sr. Business Development Manager for the Economic Development Corporation of Utah. In this role I coordinate with city, county, and state leaders to coordinate opportunities for growth and development for companies looking to expand or relocate to Utah. I have worked with city leadership from St. George to Logan and have coordinated numerous projects with Draper including the MountainStar Hospital expansion, 1-800Contacts, FireEye, and Health Equity to name a few. I worked with Boulder Ventures and Coldwell Commercial on the marketing and naming of Vista Station. I bring new projects to Draper on a regular basis who are considering expansion in this community. I'm knowledgeable of the resources available in Draper to companies that could bring jobs and economic development, and have a strong working relationship with Mayor Smith, David Dobbins and the Economic Development team. I'm an advocate for the community and have first-hand knowledge of what it's like to own a business and do business in Draper. I participate in numerous committees, panels and professional associations related to business development and economic growth to further my understanding and education about economic issues from air quality to education, water resources to tax incentives.

Finally, I'm a proud resident of Draper who regularly enjoys the recreational activities the trail system offers. I participate in community activities from tree-lighting at Christmas to Draper Days in the summer. I enjoy living here and want to ensure the community maintains its' charm and heritage. As a member of the city council, I believe I can bring valuable expertise and thoughtful consideration to the issues facing the community. I appreciate your consideration and look forward to further discussion.

**\*\*Deadline for submittal is Tuesday, January 14, 2014, at 5:00 p.m. Please submit to Rachelle Conner, City Recorder, 1020 East Pioneer Road, Draper, Utah.**

**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

## COUNCIL VACANCY QUESTIONS

### 1. What is your vision for Draper?

Draper has a strong pioneering history that is a big part of the fabric of this community and should be incorporated (as it has been) into the ongoing strategic vision. The charm of Draper continues to be the sprinkling of its heritage throughout the community and should be considered when evaluating growth and development. I believe Draper has the opportunity to capitalize on its outdoor assets and trail systems. I would like to see Draper continue to develop its trail systems further into to the city to connect to biking paths and walking routes throughout Draper, connecting residents to the commercial shopping areas, to encourage walk and bike friendly shopping. For example, 300 East is a major residential connector, but does not offer a bike path or consistent sidewalks to easily and safely access the 12300 South shopping district. I would like to see infrastructure master planning to reduce car traffic and give residents a more viable walk/bike option to access commerce.

I would like to see Draper become one of the premier, progressive and well-designed cities in Salt Lake County. I would like other communities to look at Draper as an innovator in design, planning and how to develop a community that others want to emulate. My vision of Draper is one of smart planning, attractiveness, and environmentally conscious in its approach to growth and development. I envision Draper as a community that puts it's people's concerns first and works to provide an ideal city in which to work, live, and play.

### 2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

I would like to see Draper continue to develop its trail systems further into to the city to connect to biking paths and walking routes throughout Draper, connecting residents to the commercial shopping areas, to encourage walk and bike friendly shopping. For example, 300 East is a major residential connector, but does not offer a bike path or consistent sidewalks to easily and safely access the 12300 South shopping district. I would like to see infrastructure master planning to eventually take cars off the roads and give residents a more viable walk/bike option to access commerce.

I would suggest a 3-5 year plan for evaluating business ordinances to ensure Draper remains business friendly with appropriate permitting rules and regulations as the business community grows and shifts. I would also suggest a city-wide business survey to ask our business customers to weigh in on what works and what could be improved upon. I would also encourage a councilman-to-business relationship so that each business has a direct connection to the council and feels represented.

I would work closely with the major developers who hold land in the city to understand what their objectives are for potential use and ensure the city is in a position to attract the right type of companies

who might be interested in locating in Draper. Understanding zoning and possible tax increment opportunities could help Draper proactively attract businesses to the area.

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

Based on the extensive Parks, Recreation and Trails Master Planning Document prepared in 2008, the opportunities have been identified. I believe the city and council are already committed and have a long-term strategic vision for continued investment into the entire recreation infrastructure, and I would support using the findings in this document as a guide for continued development and funding ideas.

Where the city is bifurcated by a major highway, I would like to study the options to connect the West side of Draper to the trail systems on the East. I believe connecting the community to the Jordan River Parkway and in reverse, connecting citizens West of I-15 to the East side, could provide numerous business and recreational opportunity to both east and west. Given the numerous priorities and associated costs, this would need additional study to determine the feasibility.

I would like to see Draper work to attract or create a Mountain Bike Trail Ride competition that could bring mountain bikers to our community and create, over time, a premier mountain bike destination for racers and recreational enthusiasts alike. With the assistance of the Utah Sports Commission, Draper could market the competition nationally and become a regular destination on the mountain bike circuit.

4. Did you vote in last two elections?

Only one of the last two as I was out of town unexpectedly for the recent election. I do however, view voting as a privilege and obligation, and make every effort to vote in each election.

5. How would you balance future growth with personal property rights?

A healthy balance must exist between community development and economic development. Each opportunity must be evaluated for the greater good of the entire community, not just the opportunity that presents potential short term attractiveness but is detrimental in the long run. Together with the city managers, city planners, and engineers, I see my role as another voice to evaluate the best way to manage growth yet serve the citizens of Draper. Based on established city code, zoning and permitting guidelines, I believe a good system exists for determining appropriate growth and locations as each opportunity is presented to the city. I would look to better understand this process and act as a steward to protect Draper from misplaced and undesirable growth.

6. Tell us what your vision is for working with the current City Council Members?

There exists a wealth of knowledge on the current council. I would look to the current council members and possibly past council members for guidance and training. I would schedule meetings with each member one-on-one for training and a history lesson on past and present issues. I would meet with Mayor Smith as well given his length of time in office and knowledge about Draper. More importantly I envision having a professional and respectful relationship with fellow council members. While council members may not always agree, I strongly believe that this professional relationship must always be managed with high integrity, transparency, and utmost professionalism.

7. Please list your community service endeavors in Draper?

As a parent of two high school students who attend private school in Draper and participate in numerous high school sports and student government activities, I volunteer on numerous school committees and put in countless volunteer hours related to fundraising, Booster Club, team dinners, and currently act as parent coordinator for the boys' basketball program. I participated in the football teams' community metals recycling program and collected scrap metal from all over the city and county. I was involved with the student body's participation in the procession for Sergeant Derrick Johnson's funeral. I'm currently assisting with the Souper Bowl of Caring Fundraiser to benefit the underserved.

When I had my business, I participated with the Draper Chamber and attended Ribbon Cutting ceremonies and events related to Chamber activities.



CITY OF DRAPER  
CITY COUNCIL VACANCY

Applicant Full Name: JOHN R. DISMUKE

Address: 12788 S. HICKORY RIDGE LN. DRAPER

Email Address: \_\_\_\_\_

Phone Number (H): 801-572-7428 (C): 801-599-4789

Have you lived in Draper for twelve consecutive months? YES

Qualifications: \_\_\_\_\_

- Managing Member of Shaw Group LLC - Investment Advisory firm located in Sandy concentrating on Portfolio Management for individuals and trusts.
  - 21 years experience in Capital Markets, Investments, Municipal Finance, Economic and Statistical Analysis.
  - 18 year resident of Draper
- See attached Resume

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**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

# John R. Dismuke

12788 South Hickory Ridge Lane  
Draper, Utah 84020

T 801.572.7428  
F 801.572.3301

[johnndismuke@comcast.net](mailto:johnndismuke@comcast.net)

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## Objective:

A challenging career position where my business, communication, and analytical skills can be fully utilized.

## Professional Experience:

2000-Present Shaw Group, LLC. Sandy, UT

### Portfolio Manager

- *Developed and directed all aspects of Investment Management/Asset Allocation Principles.* Manage all macro and micro economic analysis. Research, review, and implement a globalized diversified investment portfolio for clientele.
- *Responsible for all Equity and Fixed Income analysis.* Perform all due-diligence and research on portfolio holdings. Participated on quarterly conference calls with management. Updated, as needed, all DCF (Discounted Cash-Flow) modeling.
- *Monetize all U.S. and Foreign assets.* Directed all trading aspects for securities held by clients. Duties have included negotiating with attorneys as to the proper liquidation of assets and follow-up for transfer of funds to and from domestic and international banking institutions. Responsible for saving over \$30,000,000 during a nine-year time period by prudently navigating the market correction of 2000.
- *Oversee all Federal and State legal filings.* Responsible for submitting and maintaining all ADV and U4 forms to the State of Utah and the SEC (Securities and Exchange Commission).

1997-2000 First Security Corp. Salt Lake City, UT

### Municipal Bond Trader

- *Underwrite, Price, Bid and Offer Municipal Securities.* In this capacity we provided regional municipalities with a broad range of financial services from underwriting, secondary market trading, and distribution of bond transactions. During this time period our desk was involved in over 40 transactions totaling \$1 billion.
- *Maintain and establish extensive network of Broker/Dealers throughout the country.* Managed relationship with over 100 Institutional trading desks.
- *Provide and recommend Municipal Bond and Short-Term Money Market instruments for sales force.* Supervised and assisted branch sales force in structuring Fixed-Income portfolio recommendations and Money-Market transactions.
- *Fixed Income analysis.* Assisted in maintaining a thorough library of all Municipal Bond activity.
- *Head Commercial Paper Trader.* Responsible for daily trading to retail and institutional clients. Reviewed credit support as well as ratings levels for all sponsored issuers.

1995-1997

### Treasury Trader

- *Repurchase Agreement (Repo) Trader.* On a daily basis, duties included the executing of over \$1.5 billion of daily Repo transactions for a specific focus of clients. Clientele ranged from State, City, as well as publicly traded corporations. Funding transactions via Wall Street Brokerage firms was done by 6:00 a.m. each morning followed by proper transfer and collateralization of funds.
- *Maintain portfolios for pledged and un-pledged status.* Monitored extensive list of fixed income securities to pledge via Repurchase Agreement trades.
- *Updated portfolios for monthly pay-downs (maintain amortization schedules for M.B.S. portfolios).*
- *Prepare and report quarterly financial statements to the Federal Reserve.*

1994-1995

### Fed Funds Trader

- *Fed Funds Trader.* Responsible for developing and maintaining inter bank relations with our New Mexico Correspondent Banks. Daily sales of Fed Funds to over forty-five banks resulted in solidifying our banking franchise and profitability.

- *Responsible for daily pricing of Cash Management portfolios to determine borrowing capacity.* Worked with our internal Treasury Department under daily deadlines to effectively price and pledge bank portfolio holdings to establish proper reserve ratios.
- *Prepared regular reports for management.* Submitted quarterly profitability data to senior management.

1992-1994

Smith Barney

Washington, D.C.

**Assistant to V.P. Investments**

- *Specialized in 144 Sale of Controlled and Restricted Securities.*

**E d u c a t i o n :**

1994

University of Maryland

College Park, MD

- B.S. Investment Management

**S k i l l s :**

- Security Licenses: 52,63,65.
- Technically proficient in Word, Excel, and Bloomberg programs.
- Extensive knowledge of Cash Flow analysis.
- Banking compliance and Lines of Credit.
- Economic / Statistical Analysis

## COUNCIL VACANCY QUESTIONS

From John Dismuke

1. What is your vision for Draper?

Draper has a unique and beautiful history. Currently it is the premier city in the Salt Lake Valley. Past leadership has devoted their time and energy into seeing our city blossom in this way. The future of Draper is that of a properly balanced community - engaged in family, work, service, and continued prosperity.

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

Our past leadership has done an exceptional job in developing and maintaining a fair balance between business growth and residential growth. Our city has a bright future on this front. As Council Member's, we need to constantly maintain an "open door" policy so our residents and business partners are welcome and free to discuss any and all issues. By doing so, we promote a fair and open form of communication with all.

1. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

Our outdoor and recreational facilities are some of the best in the Salt Lake Valley. This is one of the reasons why Draper is viewed as a premier destination to live. It would be our responsibility to be receptive to our citizens and constantly review our long-term strategies and goals coupled with our financial resources. Holding town meetings with these in mind would serve our community well.

1. Did you vote in last two elections?      YES

2. How would you balance future growth with personal property rights?

This is a challenge that all democratic governments face. Personal property rights are some of the main foundations of a free and democratic society. Managing these along with the wants and needs of society can be complex but are essential. I believe that properly balancing those needs with clear and effective communication are the best approach within Draper.

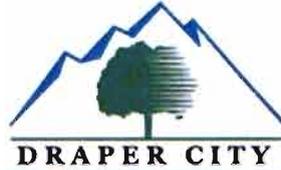
3. Tell us what your vision is for working with the current City Council Members?

As with any relationship, proper communication is paramount. As a new Council

Member, I would take this challenge by meeting each member individually to personally understand their visions, goals, and past service. Our duty is to uphold the stewardship that is entrusted to us as Council Members and to act as a representative for the people.

4. Please list your community service endeavors in Draper?

I am a strong believer that our children need to be engaged in service-oriented projects. As a Council Member I would plan on developing these possibilities that are embedded within our community.



**CITY OF DRAPER  
CITY COUNCIL VACANCY**

**Applicant Full Name:** William Karl Farnsworth

**Address:** 1753 E. Sage Hollow Drive

**Email**

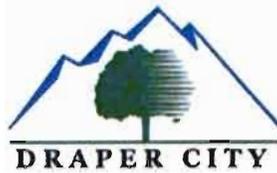
**Address:** kfarns@gmail.com

**Phone Number (H):** 801-987-8050 **(C):** 801-824-1417

**Have you lived in Draper for twelve consecutive months?** Yes

**Qualifications:**

I love Draper and want to make a positive impact in our community. I've had a successful career in financial management growing businesses, and I would like to give back to my community by serving as City Councilman. I am a fiscally conservative, registered Republican. Personally, I have no debt and could retire. I've been married to Hege Ingeborg for over 30 years and we've been blessed with five children and two grandchildren. I have a teenage



son at Draper Park Middle School, who's active in Corner Canyons Football, Baseball and Junior Jazz Basketball. Another son, who just returned from an LDS mission in Peru, is attending BYU in Provo. Additionally, my other three children have already graduated from college (two from BYU) in their chosen fields.

After a long career outside of Utah, I was recruited by EnergySolutions, Inc. to become its Senior Vice President and Treasurer and relocated our family from Atlanta, Georgia to Salt Lake City. Currently, I am a small business owner and Founder of CFO International, P.C., a management consulting firm, located here in Draper. For me, cash is king and managing it well is important. I have skillfully managed working capital to maximize efficiencies in cash generation throughout my career. At one company, for example, I was recognized with an Outstanding Achievement Award for generating over \$200 million of sustainable cash from tied up working capital. I have also successfully managed a billion dollar debt portfolio for a NASDAQ listed company. I have been Chief Financial Officer of various public and private companies, including a \$900 million entity within the Rio Tinto Group of companies.

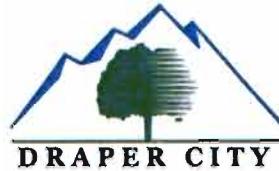
Certified in lean/six-sigma, I'm an expert on eliminating waste in organizations through continuous improvement methods. I understand and am proficient in budgeting, forecasting, financial analysis, raising private and corporate capital, setting and meeting goals, establishing tight internal controls, complying with the law and overseeing corporate governance matters. Importantly, I know the benefits that come to communities when businesses work cooperatively together with governments and vice versa. The fruits, thereof, are vibrant, economically-charged communities that are beautiful places in which to live and raise families and where property values escalate.



Throughout my career, I've stayed abreast with changes in accounting and legal regulations by taking numerous continuing professional education courses. I'm a licensed Certified Public Accountant in Utah and have been a CPA since 1985. I graduated from BYU's Marriott School of Accountancy. Additionally, I graduated with an MBA degree from The Ohio State University in Finance and Operations Management. I have served on numerous Boards as Director and have extensive experience in growing businesses while working closely with government authorities to expand manufacturing, marketing and operational footprints both domestically and overseas. I am bi-lingual and am sensitive to divergent cultures.

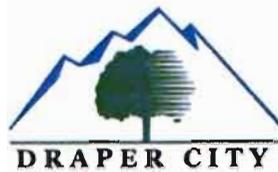
I grew up in Fairfax County, Virginia, a suburb of Washington, D.C., where my father, a BYU graduate, a George Washington University law school graduate and WWII veteran, worked as a public servant for the U.S. Department of Agriculture and later in his post retirement years served 12 years in the Judicial Department of the Commonwealth of Virginia as Magistrate for the City of Alexandria. He currently resides in Springville, Utah.

I have extensive roots in Utah. My mother was born in American Fork, and she grew up on a farm in Highland, which is now prime residential property. Even though I grew up in the East, as a teenager, I was often privileged to spend a lot of my summer months on my grandfather's farm in Highland to learn the values and principles of hard work by herding cattle, milking cows, repairing fences, stacking hay, feeding pigs, irrigating, sowing fields, picking apples from their orchard, harvesting wheat and delivering it to the Lehi Roller Mills for milling. During the weekends, I'd often hang out with my many cousins in Orem and have a blast experiencing horseback riding, Lagoon, exploring canyons, etc. I enjoy hiking and have summited Lone Peak, Timpanogas and Olympus many times. One of those cousins, Mark



Seastrand, serves today as City Councilman for the City of Orem. His father, Garth Seastrand, served for many years before him in the same capacity. Two of my cousins, Doctors James and Kay Stice, are both renowned professors at the Marriott School of Accountancy at BYU. On the Farnsworth side, Philo Taylor Farnsworth, the inventor of modern television, and who's statue is displayed prominently in both our nation's capitol (representing Utah) and our state's capitol, was a close cousin to my grandfather, who owned stock in the Farnsworth Television Corporation, but who chose to sell the stock to buy a home to raise his family during the Great Depression. On my maternal side, my great grandfather, Shadrack Roundy, was a close friend of Draper's own Porter Rockwell, for he too was a bodyguard of Joseph Smith and subsequently went west with the pioneers. In fact, Shadrack, the second oldest member of Brigham Young's famous advanced-pioneer party of 1847, is recognized as the first pioneer to plow a field in the Great [Salt Lake] Basin. He was also on the first Stake High Council of the Salt Lake City and an original Founder of ZCMI. I'm proud of my Utah roots.

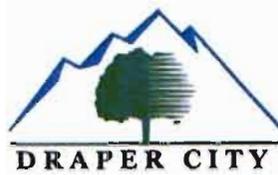
More recently my Norwegian mother-in-law and my two married daughters have all experienced the joys of hang gliding at the North Flight Park here in Draper, which I like to call the "Chamonix of hang gliding". You should know that my family holds season passes to Snowbird Ski Resort, the closest and best ski resort to Draper, and we're all avid skiers. Further, our family has an annual tradition of hiking up to the top of The Point of the Mountain on Christmas Day after the presents are unwrapped, as we've discovered the views there are some of the best around, although Potato Hill off of Traverse Ridge probably gives you the best bang for your hiking step.



Since moving to Utah, I have grown to love mountain biking, despite the fact that I learned the hard way when debuting down Rush Trail in Corner Canyons breaking both my clavicle and rib! Now whenever I go past that point of my accident on the trail, it is a great feeling of accomplishment. Last summer, after being recruited by Amedica Corporation to be a member of their sponsored road bike-racing team, I participated in the Saints to Sinners 513 mile bike race from Salt Lake City to Las Vegas. It was especially amazing riding next to the Mountain Meadows Historical Site alone in the dark at three in the morning, in the cold, pouring rain and later that same day riding in the blazing hot sun of the dry Mohave Desert of Nevada. I look forward to accepting Mayor Walker's invitation to ride with him on our beautiful, recreational Corner Canyon's biking trails as soon as the snow melts. I'm confident that Mayor Walker and I are well aligned in our thoughts on numerous issues including: expanding the trail systems, relocating the prison, re-vitalizing the historic town center, working with the county to develop a recreation center, etc. I believe that this City Council can get the results that the good people of Draper want, and I look forward to being a part of it.

I've always had a penchant for community service. In scouting, for example, I've served on numerous Scout Troop Committees and been very active as an Assistant Scoutmaster. I have two sons, who are Eagle Scouts and one more, a Life Scout, who is well on the way to becoming an Eagle. I've also served numerous callings in the LDS Church, including Counselor in two Stake Presidencies in two different states, and I'm currently serving as High Councilor in the Draper Utah South Mountain Stake.

I hope this short overview helps to provide an awareness of my qualifications, values and passion for serving in our community. I have a track record of success in my career, a high



energy level to get things done, a propensity to work well with others, as well as a deep love for our amazing community.

I sincerely hope you'll entrust me with the honor to be an active member of the Draper City Council to help continue to move our outstanding community in a positive direction. I look forward to being anxiously engaged in worthy causes for a successful 2014 and beyond. Thank you for your consideration.

Best regards,

Karl Farnsworth, CPA

801-824-1417

1753 E. Sage Hollow Drive, Draper, Utah 84020

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**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

# KARL FARNSWORTH, CPA, MBA

<http://www.linkedin.com/in/karlfarnsworth>

1753 East Sage Hollow Drive, Draper, Utah 84020

801-824-1417

[kfarns@gmail.com](mailto:kfarns@gmail.com)

Salt Lake City Metro

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## INTERNATIONAL FINANCE / TREASURY / ACCOUNTING EXECUTIVE

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### EXECUTIVE SUMMARY:

Value-creating business partner with proven track record in cash generation, profitability, turnarounds and business growth. Strong technical skills in IFRS & GAAP, mergers & acquisitions, SEC consolidation & reporting, planning & forecasting. Certified in Lean Six Sigma and Continuous Improvement. Converts difficult processes into valued results. Adaptive to emerging issues and opportunities. Objective, bilingual, culturally sensitive. High energy, team-focused leader & facilitator.

### PROFESSIONAL EXPERIENCE:

#### **AMEDICA CORPORATION**

SALT LAKE CITY, UT

*Private-equity backed, bio material technology company, focused on innovative spine and orthopaedic implant and device marketing, manufacturing and distribution. Amedica's silicon nitride ceramic technology platform represents a new standard based on superior performance, safety and efficacy. Founded in 1996, it is ISO 13485 certified, FDA cleared and CE marked.*

#### **Chief Financial Officer & Treasurer**

Feb. 2013 – Nov. 2013

- Improved working capital utilization significantly by reducing AR DSOs by 30 days
- Generated private placement memorandum resulting in a cash raise of \$10 million
- Filed an S-1 registration with the SEC under the JOBS Act for emerging growth companies
- Developed strong relationships with bankers, investors, analysts, auditors and tax advisors

#### **ENERGY SOLUTIONS, INC.**

SALT LAKE CITY, UT

*A \$3 billion, New York Stock Exchange-listed Environmental Services company, headquartered in Salt Lake City, providing hazardous waste decommissioning, transport & disposal services internationally, for a healthier, cleaner world. Major operations in North America, Europe and Asia, including Fukushima, Japan.*

#### **Senior Vice President & Treasurer**

June 2011 – Oct. 2012

- Oversaw global treasury strategy & functions including \$1 billion debt portfolio, covenant compliance, credit & collections, mergers & acquisitions, insurance & risk management
- Directed cash forecasting, hedging, performance bonding, parent company guarantees, letters of credit, facility leases, levels of authority, capital expenditure justification
- Managed banking, trustee, debt holder and rating agency relationships
- Generated over \$30 million by improving working capital management & DSO efficiencies

#### **RIO TINTO GROUP / Alcan Products Corporation**

ATLANTA, GA

*In 2007, Rio Tinto acquired Alcan Inc. for \$38 billion. Alcan Products Corporation, a subsidiary, was a leading manufacturer of aluminum-alloy cable, rod and strip products and recognized as the only fully integrated aluminum-alloy cable supplier in North America.*

#### **Chief Financial Officer**

May 2005 – Nov. 2010

Directed a team of over 35 financial professionals during a period of record breaking profits and the Great Recession. Annual sales ranged from \$0.5 to \$0.9 billion with seven manufacturing plants located in the USA, Canada and China. Presented financial updates at all quarterly board meetings in Paris, France over a six year period.

- Secured and justified the \$100 million of funding for Rio Tinto Alcan - Cable's strategic China initiative and established a Greenfield rod mill and cable plant in Tianjin, China (PRC)
- Led Parent Group's (Engineered Products) Paris-based successful CASH initiative, which generated over \$200 million through a sustained improved Working Capital DSO of 25%

- Improved Overdues to 5% or \$35 million of cash generation in first 3 months of CASH project
- Generated over \$310 million of EBITDA during five year period, which included the worst US recession in the industry's history and ramp up of China Greenfield operations
- Provided the financial leadership/negotiation for Alcan Cable's 2005 adjacency acquisition of PWS, later MODEX®. Smooth transition led to 4x revenue for product group
- Negotiated land site, price and encouraged tax treatment with local, provincial and national government officials in The Peoples' Republic of China
- Successfully implemented and maintained SOX compliance with no material weaknesses
- Achieved significantly more than 100% bonus opportunity in each of five consecutive years, on average, through consistently exceeding expectations
- Recognized with Alcan's "Exceptional Achievement Award" in leadership associated with the CASH project mentioned above

## **KERR-McGEE CORPORATION**

OKLAHOMA CITY, OK

*Before being acquired by Anadarko in 2006 for \$19 billion, Kerr-McGee was already a recognized leader in energy exploration and production for over 75 years. Its Chemical Sector was also a world leader in the fully integrated production of titanium dioxide pigment.*

### **Financial Controller & Chief Accountant**

2003–2005

Managed a team of 11 CPAs to ensure accurate and timely consolidations for SEC, GAAP 10k reporting and statutory statements for the Chemical Sector located in Asia/Pacific, America and Europe, which for example in 2005, generated \$1.4 billion in Sales with \$232 million in EBITDA.

- Identified revenue recognition enhancements that resulted in tighter controls with improved terms and conditions and processes
- Managed successful implementation of Sarbanes Oxley compliance with zero material weaknesses
- Negotiated and directed services with Bearing Point and Deloitte Consulting associated with successful Global Chart of Account re-design project
- Managed 25 people globally as Project Sponsor for Chemical Oracle re-engineering
- Led shutdown of major production facility saving over \$15 million net cash annually

## **SYGEN INTERNATIONAL PLC**

LONDON, UK

*Sygen's biotechnology business had operations in 30 countries on five continents and was acquired by Genus plc in 2005 to become the largest animal genetics company in the world.*

### **Vice President - Finance, Treasury & Legal**

2001-2003

North American Regional Headquarters

FRANKLIN, KY

- Developed and introduced the Sygen business model to key customers' CFOs
- Collaborated with Kiel University in Germany for joint technology initiatives
- Led implementation of Oracle financial applications to North American region
- Regionalized Sygen's Canadian operations, saving millions of dollars per annum while improving operational efficiencies

## **THE SÜD-CHEMIE GROUP**

MUNICH, GERMANY

*Süd-Chemie is a world leader in producing catalysts, adsorbents and additives in the specialty chemical industry. Its US-based subsidiary, with five manufacturing facilities in four states, generated \$240 million in sales with 1,100 employees.*

### **Vice President & Chief Financial Officer**

1999-2001

Süd-Chemie Inc. - North American Corporate Headquarters

LOUISVILLE, KY

Directed all financial activities through a major turnaround process for Süd-Chemie's North American Operations. Served three-month preparatory assignment at European corporate headquarters.

Select Turnaround Achievements:

- Sold over \$34 million of operational, loss-leading assets and improved capital structure through aggressive debt reduction
- Consolidated various debt instruments into a syndicated loan facility, saving over \$400k in annual interest
- Captured \$12.5 million of business interruption insurance proceeds, previously unattainable
- Established a group-wide procurement network, saving over \$3 million annually
- Oversaw the successful installation of SAP in five business units at three different sites
- Introduced a successful group-wide 15% cost reduction program

## **THE RHEINMETALL GROUP**

DÜSSELDORF, GERMANY

*Rheinmetall AG (MDAX) is a financially strong automotive, machinery and defense technology company, headquartered in Düsseldorf, Germany with sales of \$5 billion and 20,000 employees.*

### **Chief Financial Officer & Treasurer**

1989-1999

Rheinmetall Machinery – Americas Headquarters

ENFIELD, CT

Presented financial updates at all quarterly business reviews in Düsseldorf, Germany to Board of Directors over a ten year period.

- Managed foreign-exchange risk of importing and exporting activities.
- Developed business justification and secured funding for two successive capital projects in 1995 and 1997 resulting in a three-fold increase of formally existing production capacity
- Led successful acquisition of Kampf Machinery Corp. and Krieger Corp. including financial consolidation and physical relocation
- Successfully negotiated significant property tax abatements prior to major plant expansions
- Initiated and implemented Product Group / Origin Income Statements by divisions which led to enhanced margin visibility and profitability
- Directed investment decisions for defined contribution retirement plan
- Performed negotiations and due diligence work which staved-off a hostile takeover attempt by Harnischfeger Industries Inc.
- Negotiated license fee for direct access to European vendors of parent company saving hundreds of thousands of dollars while improving customer service and relations

### **Controller & Assistant to CFO**

1987-1989

Rheinmetall AG - Global Headquarters

DÜSSELDORF, GERMANY

- Performed due diligence work for mergers and acquisitions
- Laid financial groundwork for buyout of Automation and Fördertechnik GmbH in Kirchlegern, Germany with subsequent sales quadrupling first year
- Directed financial reporting activities and provided on-site controlling for foreign subsidiaries in North America and Western Europe

## **MARATHON OIL COMPANY**

### **Accounting & International Audit Supervisor**

1981-1987

Corporate Headquarters

FINDLAY, OH

Marathon Petroleum, GmbH

MUNICH, GERMANY

### **EDUCATION:**

MBA in Finance and Operations Management, The Ohio State University, 1987

BS in Accountancy with minor in German, Brigham Young University, 1981

### **FORMER MEMBER of CORPORATE BOARD of DIRECTORS:**

Alcan Cable (Canada) Inc. / Stabiloy De Mexico / EPA Holdings Ltd., Hong Kong /

APC Holding Corporation, USA / Alcan (Tianjin) Alloy Products Corporation, China

### **PROFESSIONAL CERTIFICATIONS & ASSOCIATIONS:**

Certified Public Accountant (Active CPA License), Certified in Lean Six Sigma,

Financial Executive Networking Group (FENG), The Ohio Society of CPAs



Karl Farnsworth, CPA

1753 E. Sage Hollow Drive

Draper, Utah 84020

801-824-1417

#### COUNCIL VACANCY QUESTIONS

Please review my six page attached application to get an understanding of my qualifications, values and passion for serving our community and making it a better place for our citizens.

1. What is your vision for Draper?

My vision for Draper is that it will continue to grow and prosper economically while at the same time improve the quality of life and recreational opportunities for its citizens. Draper could benefit by getting its own recreational center, more tennis courts, and expanding our trail systems. Long-term we need to find a way to relocate the prison, but we must do so carefully and prudently from an economic benefit perspective. We should do more to promote our amazing public transportation systems and thereby positively impact the quality of air.

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

I would be a powerful advocate for the city of Draper in our business community, emphasizing the many benefits that Draper offers. As a private business owner, a CPA and member of the SLC Angles investment community, I would leverage my networking voice to promote the benefits of Draper compared to other competing communities.

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

I would promote and work hard to bring into our community a recreation center, and more tennis courts and continue to expanding our mountain biking, horse and hiking trail systems,

which is already major “stand out” benefit for Draper, but which we could capitalize even more on.

4. Did you vote in last two elections?

I always vote. Unfortunately, I missed a recent election, as I was suddenly and unexpectedly out of town on business.

5. How would you balance future growth with personal property rights?

Collaboratively, I would work hard to find the most viable solution to this very delicate and emotional on-going challenge that governments and its citizens have. Respectful discussions, debates with sensitivity and sound arguments would my tactic, always looking for what is best for the City of Draper’s citizens in the long run.

6. Tell us what your vision is for working with the current City Council Members?

My vision in working with the City Council Members is that we’ll have open, constructive debates and then once a decision is made, we’ll be as supportive as possible in executing the outcome of the decision to be a results oriented City Council and actually get many things done to move our great city forward.

7. Please list your community service endeavors in Draper?

I’ve always had a penchant for community service. As an Assistant Scoutmaster and a member of a very active Scout Troop Committee, I’ve spent many hours leading or participating in worthwhile activities to help our community from food and blood drives, soup kitchens, book drives for the prison, street trash cleanup activities, neighborhood USA flag postings on holidays, scout camps, Eagle projects, etc. I’m currently serving in the LDS Church as a High Councilor of the Draper Utah South Mountain Stake with the responsibility overseeing and promoting the benefits of family history research and temple work. This week I organized a team of 125 volunteers to physically clean the Draper temple on multiple sometimes very late night shifts.

# Michael Kelvin Green

1245 Delacroix Drive ▪ Draper, UT 84020 ▪ (801) 865-8183 ▪ mike.k.green@gmail.com

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January 6<sup>th</sup>, 2013

Draper City Recorder  
Rachelle Conner  
1020 E. Pioneer Road  
Draper, UT 84020

Dear Mrs. Conner:

I would like to formally submit my name for the vacancy on the Draper City Council. I have attached my resume for review.

I believe that I have many skills and experiences that would positively contribute to the City of Draper. I have dedicated my life to serve the public and seek the public good. I have both the academic and professional experience to not only serve but continue to make the City of Draper an example of good government.

I not only have the educational training but I have professional experience as an Assistant Attorney General and a small business owner. I can bring a balanced approach where academic theory, actual public application of the law, and practical business skills are weighed to create positive outcomes.

As a government attorney, I advise and counsel a state agency (Utah Office of Inspector General of Medicaid Services) on pursuing fair and equitable outcomes within budget, and seek recovery and elimination of fraud, waste and abuse in the Medicaid program. I can balance the need for government success with business savvy. I am a small business owner, my partner and I have created a successful retail operation (Go Water Store) where customer service is a priority. These skills make me an excellent candidate.

I am believer in government: I am believer in the American way of life and dream. I have dedicated my life to serving these ideals and the people of Utah. I served overseas in Afghanistan with the U.S. Army and now serve the same people protecting tax payer assets. I believe my skills meet what you are asking for in this vacancy.

I appreciate your willingness to review my credentials and opportunity to be considered for this vacancy.

Sincerely,

//S//

Michael Green

# Michael Kelvin Green

1245 Delacroix Drive ▪ Draper, UT 84020 ▪ (801) 865-8183 ▪ mike.k.green@gmail.com

---

## PROFESSIONAL AND LEGAL

### **State of Utah, Office of the Attorney General**

(Present Employer)

*Assistant Attorney General* (Utah Bar no. 13989)

- Represented the OIG in over 225 Medicaid administrative and district court matters; the dollar amount in dispute in these cases range from \$58.00 to \$3.4 million. These matters were to enforce commercial contracts, fraud, insurance payments and other civil statutory remedies.
- Drafted and reviewed numerous contracts ranging in the sums of \$25k to \$250 million
- Review and advised the Inspector General on updates in state and federal law; reviewing and lobbying on proposed policies and state law
- Prepared and drafted employment administrative rules for the OIG

### **Law Office of Michael Green**

(May 2012 through July 2013)

*Attorney at Law*

- Litigated civil matters from complaint to judgment on landlord-tenant, contract, employment, sale of good, personal injury and other commercial tort matters in Utah Courts.
- Represented family law matters to include divorces, child support, and custody issue
- Assisted clients in business entity set-up and compliance with related regulatory issues

### **Stilwell and Associates, Inc**

(August 2011 through December 2011)

*Law Clerk*

### **San Diego County Public Defender's Office**

(June 2010 through August 2011)

*Law Clerk*

### **Jordan Water, LLC DbA Go Purified Water and Ice (Retail Store)**

(June 2010 through Present)

Owner and Member

- Implemented an inventory control system to track products and streamline ordering
- Instituted a point of sale system, resulting in broad savings and better customer service
- Revenues \$100,000 in first 12 months of business and growing by 6 percent annually over the past two years

### **Utah Army National Guard**

(Reservist July 2001 through present)

*Senior Intelligence Sergeant (SSG/E-6)*

- Served in Afghanistan from 2003-2004 with 19<sup>th</sup> Special Forces Group (Airborne)
- Awards include the Meritorious Service Medal, Good Conduct Medal, and Parachutist Badge
- Top Secret SCI Security Clearance

## EDUCATION

### **Thomas Jefferson School of Law JD, 2011**

- Alternative Dispute Resolution Team, Pro Bono Honors Society, Maritime Law Society Vice President
- Property law expertise to include zoning and easements.

### **Utah State University MS – Political Science, 2009**

- Three-time recipient of the Whiteside's Scholar Athlete Award (Varsity Football)
- Master's Thesis and research specialized in economic impact of government regulation

### **University of Utah BS – Political Science, 2006**

- Hinckley Public Policy Intern for the U.S. Conference of Mayors

# Michael Kelvin Green

1245 Delacroix Drive ▪ Draper, UT 84020 ▪ (801) 865-8183 ▪ mike.k.green@gmail.com

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## SKILLS AND INTERESTS

- Intermediate Spanish
- Private Pilot License (107 hours of flight experience)
- Sigma Chi Fraternity Member
- Boy Scouts of America Eagle Scout

## REFERENCES

- Available upon request

## COUNCIL VACANCY QUESTIONS

(Michael Green)

### **1. What is your vision for Draper?**

My vision for Draper is to create a community where the residents and businesses are placed in a position to succeed. Continue to provide and improve on a culture of hospitality, growth, economic, and social prosperity; while maintaining and building upon the traditions and foundations that have currently made Draper the place it is today.

### **2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?**

Presently, I am a small business owner in West Jordan. I own and operate a small retail store; I have interaction with several government entities and understand what small business owners go through to keep their businesses running, especially during hard economic conditions.

In order to improve and create more opportunities, a culture of balanced business must be created. I will strive to establish a culture where interaction between business and government can be efficient and collaborative- not adversarial. I would seek input from the local business owners and listen to their issues. Government can be a tool that assists and brings economic prosperity to a region by creating appropriate incentives. I will evaluate resources and cost-benefit those resources to assisting and placing those appropriate incentives in places, these would include reasonable zoning and partnerships.

### **3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?**

Establishing and creating new facilities would be a priority in my agenda- adding new facilities and programs are an integral part of a community.

I would continue to and expand on, and seek new partnerships and relationships with other state and local government entities,. I would leverage Salt Lake County and seek their resources, partner with and to build and or cost-share on new facilities. Moreover seeking and making sure that budget funds are set aside for recreational purposes. I want Draper to continue to lead the State in community activities, recreational trails, and parks. Appropriations for new parks and continued maintenance would be a priority. We want these places and activities to be safe for children, to protect our future by giving them safe and stable places to enjoy all activities.

#### **4. Did you vote in last two elections?**

Yes and always will- as a Veteran of Operation Enduring Freedom, I understand and have a special sense of duty to vote in every election. That opportunity is why I joined the military and served.

#### **5. How would you balance future growth with personal property rights?**

I have found through my experiences that when balance needs to be made, listening is the most effective tool. As an attorney, I resolve problems on a daily basis. My approach to this is a little unique, I "peel the orange."

A mother came into the kitchen and found her two children fighting over an orange. Instinctually she reached for a knife to cut the orange in half. However, in her wisdom she stopped, asked the children each what they wanted and listened. One child said, I am hungry and want to eat the orange. The other child asked for the peels to use in a science project. By listening, the wise mother learned and discovered the root of the issue- then could take appropriate action. Simply peeling the orange- made both children happy and solved the problem. I bring this attitude, willingness to listen, and creativity to balance the need for future growth and the personal property rights. I believe that by listening, evaluating courses of actions, and collaborative efforts- balances can be met and all parties can have positive outcomes.

When this approach is not effective, I would institute a policy of where the character of the community comes first. The citizens of Draper live here for a reason, they enjoy the safe and community based environment. The current culture cannot be sacrificed for growth, while growth is important- there are times when hard decisions must be made, and I will protect the interests of the community before sacrificing for economic growth and expansion. My goal is to make sure that our community remains a safe, positive, and friendly for our citizens and businesses.

#### **6. Tell us what your vision is for working with the current City Council Members?**

My vision would be to listen, learn from my peers, and establish a relationship of trust through humility and communication. I am a team player. I have always placed the goals of the "whole" ahead of my own desires. I have demonstrated this through several experiences, I served in the U.S. Army Special Forces in Afghanistan- there the whole concept revolves around a team, and working for a common goal regardless of who gets credit. Similarly, I played college football at Utah State University. I continued to use my team working abilities from the military to advance the team goals. Lastly, I work as the legal counsel for a team of professionals that seek to reduce and eliminate fraud, waste, and abuse in the Utah Medicaid program. I thrive in team environments and am a team player.

I consider myself a people person and love my relationships with my peers and colleagues. I make effort to maintain all relationships and develop relationships of trust so that I can help those within my

circle when need be. I would strive to communicate effectively, listen and find workable solutions – for the common good as a team player.

**7. Please list your community service endeavors in Draper?**

I have served and presently serve in the Utah Army National Guard, the headquarters and location where I drill is located in Draper.

I present am an active member of my church (LDS); I serve in a number of capacities to better my local neighborhood and peers.

I coached for Corner Canyon Little League Football; there have been many good people who have helped me and raised me. I was able to play at a high level of football because coaches took the time to help me as a young boy. I felt the need to give back. I did not have a son or nephew on the team; I simply volunteered and coached the Corner Canyon Mighty Mite Blue team (age 11-12) to teach young men how to be a better football player and citizen. This was 16-20 hours a week outside of work from mid-August to November. I want to continue to have an impact on these young men in the hopes of creating a better future. I will continue to coach and help in this program next season.

**Rachelle Conner**

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, January 07, 2014 4:55 PM  
**To:** Rachelle Conner; Maridene Hancock  
**Subject:** Online Form Submittal: City Council Vacancy Form - City of Draper

If you are having problems viewing this HTML email, click to view a [Text version](#).

## City Council Vacancy Form - City of Draper

**Applicant First Name**      **Applicant Last Name**  
Jordan                              Guernsey

**Address1**  
14273 Belmont Ridge Circle

**City**                              **State**                              **Zip**  
Draper                              UT                                      84020

**Email Address**  
[jordangurnzz@gmail.com](mailto:jordangurnzz@gmail.com)

**Phone Number (Home)**  
801-808-4858

**Phone Number (Cell)**  
801-808-4858

**Have you lived in Draper for twelve consecutive months?**

Yes  
 No

**Qualifications: This text box will expand as needed.**  
Run multiple companies and have retired. Great at team management and collaboration efforts.

**Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle.**

**Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

The following form was submitted via your website: City Council Vacancy Form - City of Draper

Applicant First Name: Jordan  
Applicant Last Name: Guernsey  
Address1: 14273 Belmont Ridge Circle

City: Draper

State: UT

Zip: 84020

Email Address: [jordangurnzz@gmail.com](mailto:jordangurnzz@gmail.com)

Phone Number (Home): 801-808-4858

Phone Number (Cell): 801-808-4858

Have you lived in Draper for twelve consecutive months?: Yes

Qualifications: This text box will expand as needed.: Run multiple companies and have retired. Great at team management and collaboration efforts.

Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle. :

Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.:

Additional Information:

Form Submitted on: 1/7/2014 4:55:04 PM

Submitted from IP Address: 71.219.144.150

Referrer Page: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-VacancyCity-of-Draper-93>

Form Address: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-Vacancy-FormCity-of-Draper-93>

## COUNCIL VACANCY QUESTIONS

1. What is your vision for Draper? A place for family, Love and Unity to grow.
2. What would you do as a City Council Member to improve the business climate and opportunities in Draper? – Talk with the businesses in the area and ask them what they need. From that connect them with the other businesses in the area to facilitate those needs. If trying to attract more businesses to Draper I would take the same approach and ask the potential business what their wants are and try and work a solution to meet those needs. I don't believe there is a cookie cutter solution that is going to work for every business but by being willing to listen and act we can create any climate we want.
3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper? – Determine what we have then again ask the public what they would want. Based off of that work with the other council members to determine the top priority and work on that until it is done.
4. Did you vote in last two elections? - Yes
5. How would you balance future growth with personal property rights? – I don't think there is ever a way to be in perfect balance but rather it is a balancing act. I think that by being flexible and transparent with the community we can set realistic goals and get everyone on board to reach those goals.
6. Tell us what your vision is for working with the current City Council Members? – To be a collaborator and student of the current members then to add to what is already there
7. Please list your community service endeavors in Draper? - None in Draper currently but am always willing to support. I currently support the road home, the rescue mission, Utah dream academy, Utah food bank, and Stop Hunger Now.

January 7, 2014

Dear members of the Draper City Council,

My name is Leslie Johnson, and I am applying for the vacant Draper City Council position. I will express my reasons for my interest and my qualifications, showing why I would be a good fit for the position.

The Draper City Council has worked diligently to create a balance between preserving Draper City's history and encouraging strong economic growth and development. This will be an ongoing process, and I look forward to being involved in it as Draper moves into the next two to three decades. There are many decisions to be made regarding the general plan land use studies and amendments, zoning opportunities, and future development issues. While transit-oriented development offers great opportunities, it will require much study and effort. We will have to be innovative in commercial development involving well-planned retail and high-density, mixed-use developments. The inevitable relocation of the prison will provoke much study and decision-making, as well. The high quality of living Draper City offers stems from well-planned business and community development, coupled with priceless parks, trails, recreation and the arts. With wise decision-making on the part of the city council as they continue caring about the residents of Draper, this high quality of life can be preserved. The council will continue to rely on the input from the community and various recommending bodies that strive to bring the right growth to Draper.

For the past eleven years I have served the citizens of Draper in various capacities:

- My experience on the Planning Commission has given me much knowledge and understanding of both the administrative and legislative process;
- I believe that I consistently demonstrate an ability to provide clear, specific, defensible findings when making sensitive motions;
- I have spent countless hours studying and attending meetings, and truly striving to help make decisions and recommendations that will best serve the community;
- My involvement on the Draper Arts Council has allowed me to be part of improving the opportunities for the arts in Draper;
- I worked extensively on formulating rules and regulations for the Draper Community Foundation and its related and subsidiary organizations to ensure appropriate use of taxpayer money allocated by Draper City to provide innumerable civic opportunities;
- I understand the budget process from my attendance at numerous budget meetings in past years.

I am sincere, open and honest which helps me relate well to others. I am level-headed and able to maintain objectivity, even amid the emotion of public clamor and strong opinions. On the Planning Commission, I vote my conscience and genuinely care about being part of the process of making the best decisions for the entire community. I don't just have opinions; I have opinions based on education and experience, and my opinions are open to change with new information and knowledge. These qualities are necessary when working with residents and the business and development communities. I believe in the process of giving due attention and diligence to all decisions. The goal to keep taxes low can only be achieved if the staff and City Council work together to continue with the great strides Draper City has already made.

I am truly grateful for the opportunities of service I have had so far. I am ready and prepared to move forward into the next chapter with Draper City. I plan to continue serving Draper City for many years to come, and with the experience and knowledge I have gained the last several years, it makes sense to pursue a position on the Draper City Council.

I ask for your favorable consideration of my candidacy. You will find no one more willing to put in the time and effort to make our city a success.

Sincerely,

  
Leslie Johnson

## **Leslie R. Johnson**

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- Municipal Service**
- Draper City Planning Commission**; April 2003-present; Draper, Utah
  - Planning Commission Vice-Chair**; August 2007-present
  - Planning Commissioner**; January 2006-present
  - Alternate Planning Commissioner**; March 2003-December 2005
  - Attended National APA Conference**; April 2013; Chicago, Illinois
  - Other Conferences**; sponsored by local APA, League of Cities and Towns, and other city workshops within Salt Lake County; 2003-2013
  - Draper Community Foundation**; 2004-present; Draper, Utah
  - President**; January 2009-January 2010
  - Vice-President** January 2006-January 2009
  - Draper Arts Council**; October 2003-present; Draper, Utah
  - President**; January 2004-January 2009
  - Grant Writer**, 2004-2009 Wrote several grants for the Draper Arts Council and Draper Community Foundation seeking additional funding
  - Art in Transit Committee**; July 2013-present
  - Draper Days Committee**; July 2007-present
  - Draper Idol Competition Founder and Chair**; July 2007-present
- Education**
- Master of Arts in Education/ Educational Counseling**; Fall 1995-Summer 1997; University of Phoenix; Murray, Utah
  - Bachelor of Science in Music Therapy**; Minor in Family and Human Development; **Bachelor of Music in Performance**; emphasis on Vocal Performance; Fall 1990-Spring 1994; Utah State University; Logan, Utah
- Professional Experience**
- Music Therapist**; October 2013-present; Center For Change; Orem
    - Utilize music therapy interventions with clients ages 12 and up suffering from eating disorders
  - Music/Movement Instructor**; April 2003-present; Dimple Dell Fitness and Recreation Center; Sandy, Utah
    - Facilitate parent/child interactive music experiences
  - Center Director/Registered Music Together Teacher**  
August 2005-June 2009; South Mountain Music Together; Draper, Utah
    - Facilitate parent/child interactive music experiences through activities that build on children's natural enthusiasm for music
  - Private Vocal Instructor**; 1993-present
  - Music Therapist**; August 1994-June 1997; Hartvigsen School
    - Utilized music therapy to implement non-musical goals and to support the Individual Education Plan for multiply disabled students
    - Represented Hartvigsen School in Granite School District as the Diversity Specialist and as the Adopt-a-School Coordinator
  - Music Therapy Clinical Training Director**; August 1996-June 1997
    - Worked with the National Association for Music Therapy as a Clinical Training Director and supervisor for music therapy interns
  - Presentations**: February 2006; Draper/Riverton Rotary Club
  - An Overview of Music Therapy/Music-Based Relaxation**  
April 1995; Council for Exceptional Children National Conference; Orlando, Florida; **Music Therapy Educates and Captivates Students with Severe Multiple Disabilities**



LOWRY & ASSOCIATES, INC.

January 11, 2014

Draper City Council  
Pioneer Road  
Draper, UT 84020

Dear City Council,

It is a privilege to offer a letter of recommendation for Leslie Johnson to serve as member of the Draper City Council.

Leslie Johnson has served the city of Draper in many capacities and volunteered countless hours to the benefit of our citizens and community. I had the privilege of serving with Leslie on the Draper City Planning Commission for approximately 3 years where I became closely acquainted with her talents and skills in a committee-type environment.

Leslie is very thoughtful and objective in her decision making. I was very impressed with her focus to deeply research any of the issues that came before the commission. She is very diligent in understanding the issues from all sides and she objectively considers how her decisions will impact the community and citizens of not only today but also for the future.

Her open-mind allows her to be approachable and creates a comfortable dialogue, while at the same time she is not afraid to stand up and make difficult decisions based on what she feels is in the best interest of the community. I appreciate her dedication, dependability and work ethic.

As a citizen and business owner in Draper, I am concerned we continue to have leaders who understand our community and have a proper vision to help further the positive development and preservation that you as a city council have followed. I feel Leslie is one of those candidates that will help with this great cause.

She will be a great asset to the Draper City Council because of the fresh insight she will provide coupled with her past experience, dedication and service.

Sincerely,

A handwritten signature in black ink that reads 'Fred Lowry Jr.' The signature is fluid and cursive, with the first and last names being more prominent.

Fred Lowry Jr.

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Michael J. Weaver

13146 Ptarmigan Gate Road  
Draper UT 84020  
801-913-2183  
michaeljweaver@mac.com

2014-01-10

Draper City Mayor and Draper City Council  
1020 East Pioneer Road  
Draper UT 84020

Dear Mayor and City Council,

I am writing this letter to recommend Leslie Johnson to fill the council seat left vacant by the recent elections. I have known Leslie for almost 7 years, mostly in connection with the Draper Arts Council and Draper Community Foundation. I know from working with her on these two organizations that she is passionate about making Draper a great place to live, work and play. Leslie has many qualities but I will focus briefly on three.

Willing to work. After an unanticipated resignation of its president, the Foundation was left without a leader. Although she was busy with many personal and public responsibilities, Leslie accepted the nomination of the board members and served as President. Her tenure was short but important: she kept the Foundation strong during a crucial period and oversaw the transition to a new succession of leadership.

Agreeably disagree. The members of the Arts Council and Foundation are spirited, opinionated, and seldom unanimous. Leslie has stood by her principles, weathered criticism, fought for her vision, brokered compromises, all of the above and more — while still remaining agreeable, respectful and supportive. She knows that even though we may disagree, we are still part of the same team striving to make our city better.

Remember the vision. It is easy to get caught up in the details of running an organization. There is a lot to do. I admire Leslie's ability to take a step back and remind everyone of our purpose and vision, which I have seen her do over the years whenever we might have started to drift off course.

Leslie will work hard for Draper City. She will stay focused and respectful. I wholeheartedly recommend Leslie to serve on Draper City Council.

Sincerely yours,



Michael J. Weaver

*From the Desk of LaMont Smith*

Date: January 8, 2014

RE: Letter of Recommendation for Leslie Johnson to fill Troy Walker's vacant position

I have been associated with Leslie for a number of years as she has served the community as member of the Planning Commission, President and member of the Board of Directors of the Draper Community Foundation.

While associated with the Draper Community Foundation she has championed causes related to the construction of a community arts center as other research and recommendation, which would enhance and improve the cultural arts in Draper. As President of the Draper Community Foundation she clearly proved herself in the area of providing management and leadership skills, which moved the Foundation forward as a viable part of cultural and historic programs for the community. She served endlessly time and talents during her tenure.

During the time I served on the Draper City Council she served on the Planning Commission as an alternate member and was later appointed as a full member of the Commission. On several occasion I had the opportunity to attend meetings with the Planning Commission and listen to her input and decision making abilities. She has always completed her homework on the issues and ready to participate in the process. She is well versed in Draper City ordinances and has is able to read and interpret them and apply them.

She is not a yes member of the Commission and/or the Draper Community Foundation. She is willing to take an adverse position when in her opinion the decision would improve City planning.

She is well organized and her ability to think through issues is sound. I have found that she communicates her thoughts and findings in a clear and concise manner. As President of the Draper Community Foundation and Chairwoman of the Arts Council she has been directly involved in the preparation of financial budgeting and involved in accomplishing the program goals set by the organization. She is able to clearly put forth her position and support it with facts she has developed. She is of excellent character and a very valuable asset for the citizens of the community.

Having been a small business owner she has a good understanding of the problems associated with running a small business. She recognizes the need of small businesses, which contribute, to the economic growth of the community.

In my opinion she is an excellent candidate for the City Council vacant position.

A handwritten signature in black ink that reads "LaMont Smith". The signature is written in a cursive style with a large, prominent initial "L".

## COUNCIL VACANCY QUESTIONS

### **1. What is your vision for Draper?**

My vision for Draper is to: (1) maintain and further the high quality of living in Draper City by continuing to plan and provide for well-designed business and community development, and to provide further opportunities for development of parks, trails, recreation and arts; (2) promote a balance between preserving Draper City's history and encouraging strong economic growth and development; (3) provide a government framework that is responsive and concerned with Draper City residents' views while working with the business and development communities to move forward with visions and goals that will keep taxes low and quality of life high; and (4) implement innovative planning tools to provide for mixed use projects and transit-oriented development in appropriate locations.

### **2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?**

As a member of the Draper City Council, I would: (1) be proactive in working with the other council members, staff and community members to reach out to potential businesses that bring different retail and services to our community; (2) attend conferences related to seeking and drawing in new business opportunities to our community; and (3) be willing to take time to meet with business representatives and developers to discuss their business interests in Draper and to implement additional planning tools or zoning that would encourage business development in appropriate areas of the City. The town center has many possibilities with the decision regarding the property of the Old Park School. There is opportunity to move forward with a plan to stimulate and promote business growth within this area and provide desirable retail and services to the community. It is necessary to continue moving forward with the vibrant existing business community and listen to business owner's input and to seek out new business opportunities for Draper to keep the economic growth moving forward in the right direction.

### **3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?**

Draper City has wonderful recreational amenities and opportunities, but there is always room for improvement. The opportunity to have a Salt Lake County Recreation Center in our community is invaluable for our community. I would be assertive in meeting with the Salt Lake County Council Members and staff to pursue this great opportunity to have such a facility located within our community. There is a need for creative thinking and careful planning and the need for the adequate funding to maintain the current parks and trails. One such plan to increase revenues involves having programs in which volunteers could orient Draper residents to various walking and biking trails in the area, and the interested residents would pay a fee to participate in this specific recreational program. There could be fundraising events held for the purpose of providing new parks and obtaining the required funds to maintain them. I believe the private sector is willing to help in these causes, but a well-planned approach is necessary in seeking these funds. The volunteer programs within our community are vital to many of the recreation opportunities available. City Council Members are in a

position as community leaders to invite, encourage and express appreciation to these individuals. Our sports programs could not exist without the willing residents who have stepped up to participate as coaches. There are innumerable opportunities and ways to improve the recreational opportunities of Draper, and I desire to be part of executing plans to move forward in this endeavor.

**4. Did you vote in last two elections?**

Yes, and I encouraged many others to vote. I consider our right to vote in this country and for our local communities and leaders a right and privilege of paramount importance. I respect this right and consider it my civic responsibility to participate in the process.

**5. How would you balance future growth with personal property rights?**

There is tremendous opportunity for growth in Draper City with the numerous undeveloped residential and commercial properties. This balance can be facilitated through the process of updating the General Plan and development code revisions. This guiding document can direct future growth, but there is much need for study and modifications within this document. There is a significant need for more zoning opportunities to be considered such as R4 and R5 zoning options. There are needs for land use studies throughout the entire community to allow the proper decision making process to take place. Much study and effort from staff, Planning Commission and residential and development community input will provide the City Council with the essential information necessary to make the best decisions for the community. Good decisions are made when property owners and residents give input, and the recommending bodies, staff and City Council give their due diligence to determine the best growth for all involved in the community. My experience on the Planning Commission the last 10 years has given me great insight into understanding the necessary balance of competing interests and the benefits and necessity of the public input in the planning process. When following this process of updating the General Plan, utilizing this document consistently and keeping the development code consistent with community needs, the future growth and property rights is better kept in balance.

**6. Tell us what your vision is for working with the current City Council Members?**

I am experienced and well-educated, and would be a good fit for serving on the Draper City Council. I have sincere motivation in serving Draper City, and I plan to serve for many years to come. I respect the current City Council Members and look forward to learning from each of them as I contribute my knowledge and experience as a council member. I am open-minded, sincere and approachable, and would work well with the council members, staff and residents of Draper. I have been willing for the past ten years to take on the leadership positions asked of me. I would continue being an effective leader as each City Council Member is a community leader. I would listen to the residents, business and development communities in moving forward with wise decision making. My assertive qualities will be advantageous in working with the business and development communities, County Council Members and others to help bring business and recreation opportunities to Draper. I am dedicated, committed and willing to put in whatever time and energy is necessary to be an asset and contribute effectively to the City Council. I will be a team player and take on the responsibilities delegated to me by the Mayor. I will go above and beyond what is required, and do so with enthusiasm and the motivation to advance the high quality of life we have in Draper City.

**7. Please list your community service endeavors in Draper?**

Draper City Planning Commission (April 2003-present)

Vice-Chairperson on Draper City Planning Commission (2007-present)

American Planning Association National Planning Conference (April 2013)

- Attendee on behalf of the Draper City Planning Commission

Draper Community Foundation (2004-present), President (2009), Vice-President (2006-2009)

Draper Arts Council (October 2003-present), President (January 2004-December 2008)

Grant Writer for Draper Arts Council and Draper Community Foundation (2004-2009)

Art in Transit Committee (July 2013 to present)

Draper Days Committee (2007-present)

Draper Idol Competition Chairperson (2007-present)

Draper City Amphitheater Committee (2004-2009)

River Park Estates Homeowners Association Board (2003-2005)

Conference attendee sponsored by local APA, Utah League of Cities and Towns, Utah Arts Council, and other city workshops sponsored within Salt Lake County

Presenter at the Draper/Riverton Rotary Club Meeting (February 2006)



**CITY OF DRAPER  
CITY COUNCIL VACANCY**

**Applicant Full Name:** Scott McDonald

**Address:** 443 Lana Court, Draper UT 84020

**Email Address:** slmcdonald@xmission.com

**Phone Number (H):** 801-572-9228      **(C):** 801-867-2771

**Have you lived in Draper for twelve consecutive months?** Yes

**Qualifications:**

Quality Computer Consulting, President & CEO (11 years)

Utah State House of Representatives District 51, Chief of Staff (5 years)

Draper Arts Council, Vice President (5 years)

Canyons School District, Joint Educator Evaluation Committee (5 months)

Canyons School District, Student Choice Committee (1 year)

**\*\*Deadline for submittal is Tuesday, January 14, 2014, at 5:00 p.m. Please submit to Rachelle Conner, City Recorder, 1020 East Pioneer Road, Draper, Utah.**

**\*\*Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

# COUNCIL VACANCY QUESTIONS

**Scott McDonald**

## **1) What is your vision for Draper?**

Draper is the beneficiary of excellent planning and policy making over the past several decades. The quality of life we enjoy here in our community is widely acclaimed. It is the natural result of sound policy decisions.

I am a pro-growth, low-tax, pro-property rights conservative with a proven track record of applying smart business principles to publicly funded entities. I have on many occasions turned around operations which were operating deeply in the red. I have an incredible respect for scarce tax-payer dollars, and believe in the principles of doing more with less, innovation, and creative problem solving.

Draper is on the right track. While it doesn't need a turn-around, it needs strong leadership to keep us on the course we are on. I would like to participate in promoting its growth in the future –and believe I have the skills, experience, and an understanding of the policies required for continued prosperity.

## **2) What would you do as a City Council Member to improve the business climate and opportunities in Draper?**

Economic development is key to Draper's future. Since raising taxes would be a mistake, we will need the additional property and sales tax increment revenue from growth to continue to fund required infrastructure improvements. As we near the conclusion of our build out phase, we are faced with a shrinking window of time to capitalize on these growth opportunities. We will forever be grateful for (or stuck with) what we do (or fail to do) in the next ten years.

There are "soft" elements to perusing a good business marketing strategy: Those things which promote our quality of life and make Draper a great place to live (i.e. excellent housing, good transportation, great schools, outstanding parks and trails) and there are "hard" elements which can be best described as overt marketing efforts and communication strategies which can put us in a position to negotiate with companies to come here.

The soft elements are already in place, and as long as we don't neglect them, they will continue to provide incentives to locate here. The hard elements require the continued efforts of city staff members, the mayor, and city councilmen dedicated to the process of business development. CDAs are an excellent tool for this, as are trips to retailer's conventions, and I support them both. Our economic development team should also maintain open channels of communication with GOED and EDCU to be aware of emerging opportunities.

I believe the two most critical opportunities to improve our business development (which should command the most focus and attention in the near term) are: 1) continued development of the TOD, and 2) the prison relocation project. In regard to the prison relocation, I feel that now is the

time for us to develop and share a vision of what that land use could look like. Although there will be opportunities for retail, the best strategy I've heard would be to maximize its potential as a regional job center. Its proximity to the TOD will eventually provide 90 miles of rail employment base, and promoting the project as such would generate buy-in from our neighboring communities, with representation on PRADA. More workers could be employed inside that 700 acres of land than we could ever accommodate in Draper. We would realize the additional tax revenue from those who do, but some would buy homes and shop in Bluffdale, Riverton, Lehi, etc. –and the rising economic tide would lift all boats.

As we pursue these strategies, we will most benefit from continued representation by leaders who can effectively articulate the benefits of doing business in Draper, and are capable negotiators. I can be one of those leaders.

**3) What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?**

One of the greatest things we have in Draper is a wonderful parks and recreation program. Our trail system and open space acquisition have made us the envy of the Wasatch Front. I support continued smart investments in these programs. I typically gravitate toward a lean model for government, providing for those statutorily required services like police, fire, and transportation needs –but because of the quality of life benefits, which good recreational opportunities provide, this might be my one exception. I specifically enjoy the youth sports programs and the trail system. My children have immensely benefited from these offerings.

I initially supported the rec center, but after attending the open house, changed my mind. I found it ironic and unfair that some of the businesses which would suffer from duplication of their commercial offerings would also bear (along with our other businesses) an onerous increase in taxes to fund the facility, during what I knew as a business owner to be one of the most difficult economic times in recent history.

**4) Did you vote in last two elections?**

Yes

**5) How would you balance future growth with personal property rights?**

I do not typically support the use of eminent domain for development projects (i.e. seizing a handful of homes to build a shopping mall). I have an immense respect for property rights. I do believe it is reasonable and appropriate however, to use eminent domain for road expansion when necessary, as we all use and benefit from the reduction in traffic congestion such projects afford. The best strategy is to plan right-of-ways wide enough to accommodate future growth along what will be main traffic corridors in the future.

Over the past few years I have become keenly aware of how interwoven economic prosperity and transportation provisioning are. One depends on the other.

Years ago, I supported UTA's exercise of their property rights to bring TRAX to Draper over the objections of some property owners who felt they would be adversely impacted. In my opinion,

governmental entities have property rights, as well as individuals –although I feel it behooves governments to make their best effort to mitigate the impacts of such exercises. UTA, in my opinion has done that in Draper.

I believe growth is a good thing. And while growth will always impact existing property owners, I feel that adequate public hearings, and a genuine desire from public officials to provide mitigation efforts (like smart buffer zones) can go a long way toward preserving trust among those of our citizens who are impacted.

**6) Tell us what your vision is for working with the current City Council Members?**

Over the years, I have had many opportunities to provide public service on committees or in groups. One thing I have learned for certain: good people can, and do disagree on occasion. In my opinion, the key is not to eliminate the disagreement, but to disagree agreeably. Almost any good thing I have ever accomplished while working on a team came as a result of respect, compromise, and patience.

I genuinely believe that each and every individual I serve with is worthy of dignity and respect. I have on occasion worked with others who felt that the outcome was worth more than following the legitimate process. Although they may have gotten what they wanted in the short term, it never turned out well for them in the long term.

I want to participate on our City Council in a principled and fair way. I have watched and admired our council over the past few years, as it has been unified on the major issues facing our community. I would like to serve and contribute to this unity moving forward.

**7) Please list your community service endeavors in Draper.**

Utah State House of Representatives District 51, Chief of Staff (5 years)

Draper Arts Council, Vice President (5 years)

United States Air Force Auxiliary, 2<sup>nd</sup> LT, Youth Character Development Officer (1 year)

Canyons School District, Joint Educator Evaluation Committee (5 months)

Canyons School District, Student Choice Committee (1 year)

## Kristy H. Philippi, Ph.D.

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January 14, 2014

Rachelle Conner  
City Recorder  
1020 Pioneer Road  
Draper, UT 84020

Dear Ms. Conner:

Please accept this letter as my letter of interest for the vacant Draper City Council seat.

I am a registered voter in Utah and have lived in Draper with my husband for the past four and half years. Prior to moving to Draper I was employed by the Jefferson Parish Public School System, a large public school district outside of New Orleans. The positions I held included founding principal of a math, science and technology school that gained national recognition for innovation in education. Currently, I am a visiting assistant professor of physics at Westminster College and a consultant with the Utah-based, Internet KeepSafe Coalition assisting local schools in developing sound practices and building a positive culture around the use of technology.

I have a proven track record of successfully working with elected officials on the state and county level along with regional economic development commissions and religious organizations to design an innovative educational environment that served as a model for other schools in the state of Louisiana and across the nation. In addition, I have worked with policy makers to adapt educational policy to fit the growth of technology as a tool for teaching and learning. As a public school principal, my ability to make decisions that made the most effective use of limited resources especially during the post-hurricane Katrina disaster recovery period will serve me well as a council member.

A summary of my qualifications and accomplishments is listed below:

- **Built School-Community-Business-University Partnerships.** In conjunction with the University of New Orleans, developed and participated in the state's 1<sup>st</sup> School-wide Dual Enrollment Partnership with a University resulting in student dual credits and learning enhanced through internships with local businesses.
- **Created & managed a technology-rich learning/working environment.** Led the 1<sup>st</sup> public school in Louisiana where students were issued laptops to work in a business-like environment both at home and at school.
- **Fundraising.** Participation in a facilities capital campaign as well as organizing events with live and silent auctions and grant writing.
- **Human Relations/Personnel Management.** Responsible for the full employment cycle from job design to posting and from interviewing to selection; progressive discipline; peer to peer counseling and continuing education.

## Kristy H. Philippi, Ph.D.

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- **Executive Management.** Managed staff and teachers, programs, budgets, facilities design and maintenance, IT network and security, transportation management and professional development.
- **Project Management.** Planned and implemented a new school from conception to reality including searching for and implementing best practices in a variety of fields including leading edge science, technology, engineering and mathematics (STEM), instruction and learning methods.
- **Systems Performance Improvement for Staff.** Direct responsibility for grades 8-12 and supervisory responsibility for grades K-7 at 87 district school locations. Implemented needs identification, planning and intervention, observation of field practices, 1-on-1 counseling, feedback reports to leadership and continual performance improvement.
- **Miscellaneous:** National Incident Management System (NIMS) Certified (IS-00100, IS-00200, IS-00700, IS-00800.A), designed and managed student research program, made data driven decisions for program refinement.
- **Recognized by:** Cable's Leaders in Learning General Excellence Category in Washington, D.C. • Louisiana Technology Council Administrator of the Year • New Orleans Gambit's 40 under 40 • Northshore Excellence in Teaching with Technology Administrator of the Year • Louisiana Computer Using Educators Regional & State Administrator of the Year • Greater New Orleans Teachers of Mathematics Teacher of the Year • East Jefferson High Teacher of the Year • Technology & Learning, Careers in the Digital Age

I look forward to discussing my credentials and how I can contribute to the continued growth of Draper City in further detail.

Sincerely,



Kristy H. Philippi, Ph.D.

## **ANSWERS TO COUNCIL VACANCY QUESTIONS – Kristy Philippi**

### **1. What is your vision for Draper?**

*My vision for the city of Draper is a clean, safe, secure city with a high quality of life. Well-maintained property, good schools, convenient access to a wide-variety of businesses, high-quality job opportunities for our citizens, well-respected and well-funded fire and police departments, a feeling of safety in our homes, on our trails, in our parks and on our streets are all critical factors in how we view our quality of life. We are doing things right in Draper but we cannot rest. With development, comes an increase in traffic and congestion. I see Draper as a city where it is safe to walk to school and work or ride our bikes on the roads. I see it as a place where the roads are well-maintained, neglected property is repaired quickly, and litter in our open spaces does not exist.*

### **2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?**

*The existing regulations and codes for the most part make sense and have made Draper a great city to live, do business and build a future for the current and next generation. As an elected official representing the residents of Draper, it is important that I am visible when existing and new businesses seek opportunities to locate in and/or expand in Draper. So, I will always make myself available to meet prospects, talk with existing businesses about expansion, or be a listening post for making improvements to how we serve the businesses that are the economic backbone of our community. In addition, I will be responsive to our city manager, David Dobbin's initiatives to provide a higher level of service and do so economically. I support automation and a quality assurance system as well as a five-year survey of residents/business owner satisfaction to ensure that the city is aware of what is going on and has data to come to an informed opinion. With the survey results, the council and I can act on direct feedback from "owners of the issues" and evaluate cost-effective alternatives that business owners and executives identify as requiring attention.*

### **3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?**

*To improve recreational opportunities and facilities in Draper, I will work with the Parks, Recreation and Trails Committee to prioritize needs, maintain and expand the current trail system and work with the county to bring the recreational center closer to the growing population by 2016 as planned. In addition, the use of our roads by cyclists and runners is increasing regularly. As a council member, I will work with the transportation department to improve safety along popular routes and develop new routes to minimize the chance of accidents.*

## ANSWERS TO COUNCIL VACANCY QUESTIONS – Kristy Philippi

### 4. Did you vote in last two elections?

*I participate regularly in the electoral process as a voter and campaign volunteer. I have been a delegate and voted in one of the two previous elections. I missed the other due to a last-minute, unexpected trip out of town. In addition, I have supported in voter registration events including those sponsored by the League of Women Voters, American Association of University Women and other registration events on college and high school campuses.*

### 5. How would you balance future growth with personal property rights?

*As a representative of the people of Draper, I will always make myself available to listen to residents' ideas and concerns. It is my responsibility to hear the concerns of businesses and residents and stakeholders on all sides of a problem, gather data, and study the subject in order to make an informed decision that is in the long-term, best interest of the entire community. My careful analysis will include an examination of the impact of my decision on conservation/protection of open space, health and welfare of all the citizens, ability to conduct business, along with any legal and financial implications or contractual obligations already in place and consistency with the master plan for the city.*

### 6. Tell us what your vision is for working with the current City Council Members?

*Since my role as a council member is to make policy based on ideas from a wide variety of stakeholders, it is critical that I be available to listen and learn. I will be "the new member" on the council so I will ask questions and learn as much as I can from the other members. Knowing that the appointed position is for just over a year, I need to "get up to speed" quickly so having a good working relationship with the other council members, the mayor and the city staff will be critical. I am not going to propose drastic changes especially since the term of the appointment is short and I may not be around to see them through. We have "good things" going in Draper. I want to build on them, not overhaul them. I will first watch and learn, ask for advice and engage other members in discussions about relevant issues. I will take action to make a positive difference in the community but only by building consensus to do so. We will accomplish much more if we work together in an atmosphere of respect and cooperation.*

### 7. Please list your community service endeavors in Draper?

*Since moving to Draper a little over four years ago, I have been active in a wide variety of areas. At Westminster College, I voluntarily conduct physics workshops at a summer camp that encourages girls to pursue careers in math and science. The camp is open to middle school girls from across the area including Draper. I regularly work with the founders of the Skinny Tire*

## **ANSWERS TO COUNCIL VACANCY QUESTIONS – Kristy Philippi**

*Events in Moab raising money for cancer research, facilities, and survivorship programs. Some of that money makes its way into the Salt Lake area so Draper residents benefit from our fundraising. I am an officer for the American Association of University of Women (AAUW) Wasatch Branch, one of the branches that serve the Draper area. Currently, I am a co-vice president of Membership and previously was responsible for the newsletter each month. While I am a paid consultant for the Utah-based Internet Keep Safe Organization (iKeepSafe), I also do volunteer work for them. I have done school team training in downtown Salt Lake where the Canyons school district was invited and across the state in places such as Logan, Park City, Murray, Alpine, Provo, Gunnison and St. George. I participate in numerous events that support local charities and enjoy contributing to the Draper Days events. In addition, I have assisted with fundraising for the Utah Human Race held in Draper on Thanksgiving morning. Finally, I am the self-appointed “litter patrol” for the lot on the corner of Manilla Drive and Traverse Ridge Road. While it is an endless battle, it is always windy on recycle day; I work hard to keep the area free from too much visible trash. I am looking forward to the opportunity to serve my community in a more direct way as a council member.*

*If you have additional questions, please feel free to contact me by email at [kristyphilippi@gmail.com](mailto:kristyphilippi@gmail.com) or by phone at 504-427-5109.*

*Paul H. Tonks, Esq.*

*Phntonks@gmail.com*

15381 S. Eagle Crest Drive, Draper, Utah 84020

(801) 495-9559

January 9, 2014

Rachelle Conner  
Draper City Recorder  
1020 E. Pioneer Road  
Draper, Utah 84020

Re: Letter of Interest for Appointment to Draper City Council

Dear Ms. Conner,

I wish to be considered for appointment to Draper City Council, and present the following information concerning my qualifications for the Council. I have now been a resident of Draper City for the past 7 ½ years and I am very interested in serving the community through this position. My wife DeLaina and I have already been very active and involved in numerous ways within the community for many years. I have served as a board member for the SunCrest Owners' Association for the past four years. This homeowners' association is comprised of approximately 1,400 homes with almost 4,000 Draper residents, and has an annual budget of approximately \$1,600,000.00. Because of my work with the Association, I have become very familiar with the processes and procedures of Draper City as we have jointly worked on many complex issues involving our SunCrest community. I believe that during this important time of transition from land ownership by Zion's Bank to Draper City of areas in the SunCrest area, I will be able to provide unique insights to Draper City Council regarding this portion of Draper as plans are made for its future development.

Additionally, I have a very diverse background regarding government because of my employment with the States of Utah and Ohio. I am currently serving as an Assistant Attorney General for the State of Utah, assigned as legal counsel to various state agencies. Because of my position, not only am I required to know how the law applies to these governmental entities, but I also need to have knowledge about how these governmental entities work. While it is important for a person serving on city council to have wholesome values, integrity, vision, and good sense, because of their position they should also have a firm understanding of how a city government functions including annual budgets, roads, utilities, zoning laws and procedures, parks and recreation, and how city government can be an overall benefit to the community. It is also essential that council members work together towards common goals. I appreciate the need for elected officials to effectively represent their constituents which includes listening, responding quickly and appropriately, and making decisions based upon the needs of the whole community. I am committed to these ideals, and I believe my past record working with Draper City, and my experience both in the community and as a government attorney, shows that I am qualified and ready to serve.

In our family's time here, we have come to love the City of Draper. Whether selected or not, I endeavor to continue serving the Draper community to the best of my ability because of my love for this city. Thank you for your consideration for this very important community position.

Sincerely,

s/Paul Tonks

## **Paul Tonks**

15381 S. Eagle Crest Drive  
Draper, Utah 84020  
(801) 495-9559, Cell (801) 809-0639

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### **Work Experience**

- **Licensed to practice law in State of Utah, October 2007**
- **State of Ohio, November 1996 (inactive)**

#### **Assistant Attorney General, State of Utah, State Agency Counsel Division**

May 2008 to Present

- Represent the Office of the Utah State Auditor and Utah State Agencies including the Departments of Administrative Services, Agriculture and Food, Technology Services, and the Divisions of Finance, Administrative Rules, Archives, and Fleet.
- Represent state boards and commissions including the State Records Committee, Judicial Performance Evaluation Commission, Transparency Board, and Indigent Defense Funds Board.
- Attorney of the Quarter 1<sup>st</sup> Quarter 2013, Chairman AG Office CLE Committee 2011-2012, and Vice Chairman AG Office CLE Committee 2009-2010.

#### **Associate Attorney, Perez & Morris LLC, Columbus, Ohio**

November 2004 to April 2006

- Specialized in Workers' Compensation Defense, Appellate Cases, and General Business Litigation with additional experience in property, family law, insurance law, trademarks, subrogation, and zoning.

#### **Assistant Attorney General, State of Ohio, Workers' Compensation Division**

October 2002 to November 2004

#### **Law Clerk, Ohio Courts of Appeals, Tenth & Twelfth Districts, Columbus &**

Middletown, Ohio. December 1996 to October 2002

- Drafted opinions for appellate judges, conducted legal research, reviewed and made recommendations on motions to the court, and reviewed and evaluated decisions by other appellate judges.
- Experience with many legal subjects including contracts, insurance, workers' compensation, the Ohio Court of Claims, real property, domestic relations, criminal, and Ohio administrative appeals. Also experience with procedural issues in the areas of civil, criminal, and appellate procedure.

#### **Attractions Host, Disneyland Anaheim, California**

Summers 1987, 1988, & 1991.

- Shot hippos and crashed trains with the Jungle Cruise and Big Thunder Mountain attractions.

### **Draper Community Experience**

#### **Board Member, SunCrest Owners' Association, Draper, Utah**

2010 to Present

- Homeowners' association with responsibilities over approximately 1,400 homes in the SunCrest subdivision. Elected by the voting delegates representing the subdivision's residents, and currently serving as OA Board President.

#### **Candidate for Draper City Council, Draper, Utah**

November 2007

- Received 2,391 votes during the General November 2007 Draper City Council Election.
- Knocked on doors and met numerous Draper residents in each of Draper City's 33 precincts.

## **Education**

**Capital University Law School**, Columbus, Ohio

Juris Doctorate. Graduated May 1996

Overall GPA: 3.22/4.0, Top 20 % of class

- Graduated Cum Laude and received the Order of Curia.

**Brigham Young University**, Provo, Utah

B.A. in History, Minor in Music. Graduated April 1992

Overall GPA: 3.50/4.0

**Resident of Draper City since July 2006.**

## COUNCIL VACANCY QUESTIONS

### Paul Tonks Answers

- 1. What is your vision for Draper?** Draper is a growing community that has changed dramatically over the past 20 years, and will continue to change during the next 20 years. I envision Draper continuing to improve on the great strides it has made as a community during the recent past including: (1) To continue to become more economically viable with the commercial areas growing and producing taxable revenue to help pay for vital city infrastructure; (2) Provide important city services within the city limits including fire and police service for the protection of residents and visitors; (3) Support recreational activities through our parks, trails, and sports facilities to promote outdoor activities; and (4) Maintain and improve the transportation options of cars, trucks, bicycles, and mass transit, within and without the city to support moving people and goods. It is important to accomplish these goals while also maintaining the uniqueness of what makes Draper the special place it is currently including its historic city center area and the "rural feel" of many areas, and also keeping the area economically viable through the wise use of tax funds.
- 2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?** Businesses operate in order to make a profit for the owners, otherwise they would not remain in business. As a small business owner myself, I understand the many difficulties that businesses have in order to try to remain viable as a business. A city can benefit businesses in a variety of ways including: (1) helping keep the costs down for businesses through lower taxes and/or tax incentives, (2) providing important infrastructure maintenance such as roads and utilities making it easy for customers to reach the places of business, and (3) the wise land use planning and zoning. From my own businesses experience, I believe we have an excellent Chamber of Commerce that works well with Draper businesses and city council should continue to help support the Chamber. Additionally, at the end of the day, it is best to sometimes simply step aside and let the businesses do what they do best, which is run their own businesses, and then listen to their suggestions on how we can help them. A strong business climate within the city limits is mutually beneficial between the businesses and the residents, and the city council can certainly help with this important function of city planning.
- 3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?** I am very interested in how the lands that have been purchased by the City of Draper from Zions Bank in the SunCrest area will be used. I believe much of this land will be a wonderful area for hikers and bikers to use in conjunction with the Corner Canyon area and the adjacent National Forest land. I believe this purchase and similar previous purchases have been a wise investment in the future and is part of what makes Draper unique in comparison to every other city on the Wasatch front. I am very supportive of the city's recreation program, having had children participate in the soccer leagues over the years. I believe having these sports activities is essential to the overall benefits residents have as part of this community, and we

should continue these activities in the future. My family is excited and simply can't wait until the new aquarium opens in Draper. Recreation facilities are an overall benefit to the community helping with our property values and our quality of life here in Draper.

4. **Did you vote in last two elections?** Yes, and the one before that, and the one before that, and the one before that...
5. **How would you balance future growth with personal property rights?** Very carefully. Property rights as I learned in law school is a very tricky thing. While some may say they can do anything they want on their property because it is their "right," history has taught us that what one does on their property could effect others. It is for this reason that we have governmental entities such as city governments that implement zoning laws to help provide structure and also protect the property rights of others. We should support people's "reasonable expectation" of how their land will be protected in the future, but at the same time weighing the property rights of adjacent land owners. The use of important entities like the zoning and planning commission and the great people that are city employees will help city council members to have the essential information for important decisions. And above all, listening to Draper residents who come before city council is a wonderful example of how city government works and will be a benefit to our decisions.
6. **Tell us what your vision is for working with the current City Council Members?** I have had the unique privilege of working with three of the city council members (Jeff Stenquist, Bill Rapple, and Bill Colbert) while they served on the SunCrest Owners' Association Board during the past year, and I still continue to serve with Bill Colbert on the Board. I believe that experience has taught me much about how these city council members think and work together as members of a board/council. My vision would be to have a similar relationship to what we have had on the SunCrest Owners' Association Board, where we work together amicably and with consideration of every person's opinion. When decisions are finally made by the council, we should support that ultimate decision. I don't believe residents want us to think exactly alike and understand that each council member brings their own unique experiences to the council. But I also believe that the residents want us to "pull in the same direction" similar to how horses would pull a wagon. Knowing who is currently on the city council, and having seen what they have done while serving on city council, I believe I have a similar vision for Draper and can help "pull in the same direction" with the rest of city council for the benefit of our city.
7. **Please list your community service endeavors in Draper?** Over the past four years, I have been a member of the SunCrest Owners' Association board of trustees. I was elected to this position by the residents of the SunCrest subdivision, and I have been the only elected resident from SunCrest during this time, having been elected two different times to a two year term. During my time on the board, I worked with Zions Bank while they were the "declarant" for SunCrest following the bankruptcy proceeding for SunCrest LLC. My work with them has included helping them to understand the needs of the residents in SunCrest eventually leading to a clubhouse for

the OA members and in part the eventual sale of their property to Draper City. I have in a way been a liaison between SunCrest residents and Draper City Council, monitoring any issues that could impact our local neighborhood, and helped with the transition from Zions' Bank to ownership by Draper City of the undeveloped land in SunCrest. I ran for city council in 2007 and I have continually been an advocate for SunCrest residents to become more involved with Draper City events in order to help bridge the gap between the two areas. For example, my wife DeLaina and other SunCrest residents have served on the Draper Youth Council. I believe my personal efforts have been instrumental in helping alleviate many of the concerns SunCrest residents have had towards Draper City and have improved relations between the two groups, allowing more SunCrest residents to feel like they are also an essential part of the City of Draper.

## Rachelle Conner

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**From:** noreply@civicplus.com  
**Sent:** Tuesday, January 07, 2014 4:46 PM  
**To:** Rachelle Conner; Maridene Hancock  
**Subject:** Online Form Submittal: City Council Vacancy Form - City of Draper

If you are having problems viewing this HTML email, click to view a [Text version](#).

## City Council Vacancy Form - City of Draper

**Applicant First Name**      **Applicant Last Name**  
Marsha                              Vawdrey

**Address1**  
12669 South 600 East

**City**                              **State**                              **Zip**  
Draper                              Utah                              84020

**Email Address**  
[mvawdrey@gmail.com](mailto:mvawdrey@gmail.com)

**Phone Number (Home)**  
None

**Phone Number (Cell)**  
801-706-4138

**Have you lived in Draper for twelve consecutive months?**

Yes

No

**Qualifications: This text box will expand as needed.**

COMMUNITY INVOLVEMENT: Draper Days Rodeo Chair; Secretary and VP of Draper Community Foundation; Member and Co-Chair of Draper Days Committee; Organizing member of "citizens group" for Corner Canyon Bond Election; Secretary of Historic Park Fund-raising Committee CURRENTLY: Appointed Member of the Draper City Planning Commission - 8 years Familiar with Draper City's current issues, city hall, and the political process Part-owner of Preferred Sales, Inc a Draper "small business" Fiscal conservative I Love Draper City and care about it's future!

**Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle.**

**Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

The following form was submitted via your website: City Council Vacancy Form - City of Draper

Applicant First Name: Marsha

Applicant Last Name: Vawdrey

Address1: 12669 South 600 East

City: Draper

State: Utah

Zip: 84020

Email Address: [mvawdrey@gmail.com](mailto:mvawdrey@gmail.com)

Phone Number (Home): None

Phone Number (Cell): 801-706-4138

Have you lived in Draper for twelve consecutive months?: Yes

Qualifications: This text box will expand as needed.: COMMUNITY INVOLVEMENT: Draper Days Rodeo Chair; Secretary and VP of Draper Community Foundation; Member and Co-Chair of Draper Days Committee; Organizing member of "citizens group" for Corner Canyon Bond Election; Secretary of Historic Park Fund-raising Committee

CURRENTLY: Appointed Member of the Draper City Planning Commission - 8 years

Familiar with Draper City's current issues, city hall, and the political process

Part-owner of Preferred Sales, Inc a Draper "small business"

Fiscal conservative

I Love Draper City and care about it's future!

Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle. :

Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.:

Additional Information:

Form Submitted on: 1/7/2014 4:45:39 PM

Submitted from IP Address: 71.219.147.253

Referrer Page: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-VacancyCity-of-Draper-93>

Form Address: <http://www.drapers.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-Vacancy-FormCity-of-Draper-93>

## COUNCIL VACANCY QUESTIONS

1. What is your vision for Draper? *We must continue to make Draper an economically sound and attractive place for citizens of all ages and diversity of interests. Draper should have a well thought out balance of open space/commercial/residential. A place where our historical past and new development live together well.*
2. What would you do as a City Council Member to improve the business climate and opportunities in Draper? *As a City Council Member I would desire to be involved with the opinions and needs of the business community. Opportunities for adequate advertising are vital. A good quality of life supports business – successful business fuels Draper City.*
3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper? *Our Recreation Department and our Parks and Trails Committee are amazing and we should continue to partner with our great network of volunteers. Our unique recreational opportunities contribute greatly to the exceptional quality of life here. Periodically assessing public desire and use is wise. Continuing to improve programs, adding playing fields and other possible recreational facilities as we are able is very important to me.*
4. Did you vote in last two elections? - *Yes I did!*
5. How would you balance future growth with personal property rights? *I try to consider the rights of the applicant as well as those of the adjacent property owners. Having an up-to-date General Plan and Land Use Map helps everyone in the process to be on the same page. It helps property owners, adjacent property owners, City staff and Commission/Council members to see the big picture for each area and helps us grow in the desired direction. When these things are not clear – it is difficult to make wise growth decisions for all involved.*
6. Tell us what your vision is for working with the current City Council Members? *Helping to shape Draper's future is an exciting prospect. I've had the opportunity of working with most of the Council in the past, on the Planning Commission, etc. I feel that we would work together well. I believe that most of the votes I have cast as a Planning Commissioner have agreed with the City Council's ultimate decisions. I cannot see that similar vision changing were I to serve on the Council. I believe that I would be a compatible and contributing member.*
7. Please list your community service endeavors in Draper?  
(Approximate dates)

1990's	Secretary of <b>Historic Park</b> Fund-raising Committee
Early 2000's	Member of the <b>Willow Neighborhood Group</b>
Early 2000's - 2011	Member of <b>Draper Community Foundation</b> (Secretary & Vice President)
2003 - 2009	Chair of <b>Draper Days Rodeo</b>
2004	Organizing member of Citizens group to <b>Save Corner Canyon</b>
2005 - Present	Member of the <b>Draper City Planning Commission</b>
2011	Co-Chair <b>Draper Days</b> Celebration

Michele Weeks  
1873 East New River Drive  
Draper, Utah 84020  
(801)501-7535 - home  
(646) 675 0001 - cell  
M. weeks400@yahoo.com  
January 12, 2014

14 Year Resident of Draper - Since 1999.

Dear Draper City Council,

I would like to be considered for the open Council position that has been created since Troy Walker was elected Draper City Mayor.

Why should I be considered? As you know, I was a candidate for the election. I was 4th in the Primary Election and 3rd In the General Election receiving 22.21% of the vote. I truly enjoyed the opportunity and I have a good perspective of what many citizens are expecting from the City Council. Picking me validates 22% of the people's choice. This is a large portion of the voting public and I would like to work with the City Council to embrace the many decisions that lie ahead in our growth. I have a very good understanding of the challenges that we face with water, schools, taxes, housing, business growth and roads. I decided to run for City Council, because I can make a difference for the citizens of Draper. I am hoping you will consider me for the City Council opening.

I have a BS Degree in Communications from Towson State University in Maryland. When attending college, I received national recognition for my debating and public speaking skills. When attending Towson University, I was selected to be an intern in Washington DC for Congressmen Joseph Kennedy. Upon graduation, I was a local news reporter for Carroll County Cable Station, where I was responsible for following the political news. I fell in love with politics and moved to Annapolis where I worked as an aid for the State Representative from Carroll County Maryland.

I was asked to move down to Atlanta and work on the Harkin's Presidential Campaign and was lobbying on his behalf, which was difficult, because they all loved the new comer Bill Clinton.

Since then, I became actively involved in humanitarian projects around the world. I have traveled to over 33 countries and 6 continents. These travels have given me a worldly view of the needs of many. I have helped build orphanages and organized humanitarian projects and many toy drives in third world countries. I have spoken to President Jimmy Carter on several occasions about his humanitarian projects and the tremendous impact he has had on millions of people. These travels and opportunities have given me a fresh perspective of how to find solutions to problems. I have personally experienced how good government decisions can help society's prosper and bad government decisions can have a lasting ripple effect that can become a problem.

I have slowed down on my political aspirations while I spent time raising my children. I feel it is important to be involved in my children's lives. I have been activity involved my children's education

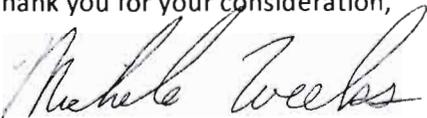
with the Charter and Public School systems. I have volunteered weekly at my children's school for many years. With a child with an IEP, I have witnessed first-hand what works and what doesn't work in the school systems. I come from a long line of teachers in my family and understand how they need resources and support from community to educate our youth. I am a spokesperson as Mrs. Utah for ADHD Statewide and continue to have events and speak about how to help educate children with ADHD.

I have been actively involved with the American Heart Association for the last several years and 5 years ago I was their media spokesperson for Utah. I helped lobby on their behalf at the State Capital and also nationally in Washington DC. I have also helped bridge the gap between LDS and non-LDS neighbors to help build more supporting and friendly neighborhoods in Draper. I have also volunteered or been involved on certain committees for the Arts, Miss Draper Pageant, Homeless Issues, Toy Drives, Individuals Dealing with Depression, as well as many other community projects for the past 10 years.

My two sons are 9 and 11 and I have also been involved in raising my 4 stepchildren here in Draper. I have 3 children left at home, but now old enough to allow me some free time. I feel like I can again be involved in the community on a larger scale.

I would like to be considered for the vacant position for Draper City Council, because I am one of the people's choices. I am willing to listening to what the committees suggest and learn from those of you that have been serving for a long time. You need to know that I'm a team player and I'm not afraid to put in the time necessary to do the research and find solutions to problems. I can also draw upon my experiences in helping you as a Council to be informed about issues that Draper will be facing in the future. My only goal in being part of the Council is to make Draper one of the finest communities in the State of Utah.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Michele Weeks". The signature is written in black ink and is positioned above the printed name.

Michele Weeks

Draper City Council Questions  
Michele Weeks

1. What is your vision for Draper?

My vision for Draper is a family-friendly community that will meet the current and future needs of Draper citizens. Every citizen should be represented on the City Council, whether from Sun Crest, the Westside of the freeway or East Bench. I envision a quaint, revitalized historic downtown with shops, restaurants, and a historic theater area making Pioneer Road a charming and unique destination spot. Draper needs to appeal to families looking to move to a community that will support the diversity of its people with a strong school system, good roads, recreation opportunities and a strong business infrastructure. My vision is to continue to make Draper the place to live in Utah.

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper?

Our Tax revenue is linked to economic growth, retail sales, new housing and construction. Past Council Members have done a great job clearing the path for economic development and business growth. In order to grow the economy, there needs to be a balance between large businesses and small businesses. As a Council Member I would ensure personal contact with corporations and business owners in listening, learning and seeking their input as well as solicit their advice. Attend the Council meetings and being active and participating with the community and business events. By being involved this will help to ensure that the small businesses located in Draper will have their best interests represented by the City Council.

We also need big corporations like EBay and other high-tech industries to choose Draper for their larger facilities. In order to entice big corporations, we need to make sure that Draper offers one of the best school systems in the State. Great education, roads, easy to use public transportation, recreation and the great life style is what will attract larger corporations to Draper. Ensuring these things is necessary for the future of Draper.

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper?

Families are what make up the core of our community. Providing safe, fun and appropriate recreational opportunities bring community involvement, volunteerism, and a feeling of pride to the area. My family always wanted to represent the cities they were from and took great pride in them. My mother was a national springboard diver and competed in the Olympic trials. My Uncle Jack was an Olympic track and field coach for 2 Olympics. My other Uncle Art was a ski jumper for several Olympics. Coming from a long-line of family members being involved in sports and recreation is very important to me. I understand how the population has grown rapidly in the last 10 years. It is understandable that there are not enough fields and recreational opportunities to meet this growth. I have ideas on how to make more fields available to after school programs and city programs. I understand the Salt Lake County is going to help pay for a Field-House in Draper. I believe this is great idea and very happy our City Council was able to make this happen. However, we also need pools and other faculties to meet recreational needs. There are so many great sports that need a pool such as swimming, diving, water polo and swimming classes. I have experiences with pools, managing pools and the best ways to filter

them. With my experience in sports and recreation, I feel I can be a very valuable member of the Council when these decisions need to be made.

4. Did you vote in last two elections?

a. Absolutely!

5. How would you balance future growth with personal property rights?

I am very frustrated with how our State codes restrict the authority that City Council has on making decisions about appropriate residential growth in our city. As a future Council Member I understand the restrictions to stay within the State laws and City ordinances when it comes to balancing future growth with personal property rights.

We have to look at our ordinances for Draper and truly take in consideration whether our roads and water can handle projected growth. I feel that Draper and other local Cities could work together to get some of the State Codes changed that force unaccepted and impractical growth upon certain areas that are already pushed beyond their capacity's. Preparing ourselves with knowledgeable information is a valuable asset as we discuss and seek the best solutions whether our city infrastructure can handle unnatural growth.

Our property tax will have to continue to rise and bonds will need to be discussed and voted on to pay for our schools in order to stay ahead of costs until our real-estate codes with impact fees are changed at a State level. I believe giving the City Council the power to determine what growth is beneficial or detrimental to Draper is important and should be one of our top priorities. Until the State codes are changed one thing that would serve us better is frequent communication between the City Council and The Board of Education. This way the schools can prepare somewhat better with information that is available when discussions start when land for residential housing is proposed.

6. Tell us what your vision is for working with the current City Council Members?

I believe the best ideas come from having a diverse group of people on the Council with different backgrounds. As a woman, I would bring an additional layer of diversity that is currently absent. Also as a woman and a mom, I bring a different point of view and different concerns that my fellow City Council members might find advantageous. My goals would be to add input so we could make the best decisions for Draper and its' residents. I am sure we will agree on many issues and probably disagree on others. I hope we will laugh at appropriate times, and feel camaraderie as we tackle the issues facing Draper. I am willing to listen to what the council suggests and also what the community suggests. I hope the Council will also value my opinion because I have lived in different States and Countries throughout my life. I have seen first-hand how good decisions can help communities and how bad ones can hurt communities. With experience in politics at State and National level including National and International humanitarian projects, along with extensive world travels, I believe I can bring a perspective to the Council that is unique and currently absent from Council proceedings. I would also validate the current City Council Members when facing subjects that are reoccurring and the best solution has already been found. I am willing to learn what it takes to be a member of a City Council so that we can be effective in making the hard decisions that come our way. It's my hope that an effective City Council would always have the best interests of our beloved City at heart and hope to be able to create a better future for our children.

7. Please list your community service endeavors in Draper?

Community service is very important to me. I have been very active in my 20's and 30's with humanitarian projects around the world. Since I have move to Draper 14 years ago I've been active in local and Statewide programs. Most of my projects have been Statewide. But I have been able to focus some of my time in Draper. Here is a list of projects I have been in charge of or have helped as a volunteer.

\*ADHD Awareness Day at the Draper Amphitheater. This day was held in Draper in October of 2013 during ADHD Awareness Week. The project was to celebrate the creative gift people with ADHD have. It was also an opportunity for parents and adult to find the resources they need to help overcome the challenges of ADHD. I organized every part of this program from Television interviews, Radio interviews, fundraisers and the entertainment etc.... I have also been invited to speak to several organizations about ADHD in the Draper area as Mrs. Utah.

\*Weekly LA volunteer at my son's school K through 3rd grade.

\*Involved in the School Fundraiser - Jagaoozpoa.

\*Making Teachers dinner for parent teacher's night at the school.

\*Involved in the Art programs and on the Board of Summit Academy Art Inspirations

\*Halloween Hallow volunteer

\*Miss. Draper Board Member, Mentor, Coach, Judges Chair

\*Miss Teen Draper

\*Clean up Park's Day with the Cub Scouts

\*Coordinator for Walk to School Day and coordinated Mayor Smiths involvement

\*Senior Center motivational speaker

\*T-ball Coach

\*Soccer Mom

\*Responsible for Monthly Bulletin Boards for Summit Academy

\*Volunteer for School Parties at least 6 to 8 parties a year

\*Volunteer to impersonate Mrs. Claus – Summit Academy

\*Love thy Neighbor Project- Bringing LDS and Non-LDS neighbors together to build a stronger community

\*Slideshow photographer for school assembly

\*Heart Association spokesperson and motivation speaker to different Draper Organizations

\*Depression Spokesperson to the Draper Rotary Club, Draper's Mom's Club and LDS and Non-LDS Church originations' about how to over-come depression

\*Volunteered and helped with Toy Drives and Coat Drives in Draper

I have been involved in many other things since I have moved to Draper and with my children getting older I am sure I will be involved in many more projects in Draper.

Thank you for your devoted time in finding the best candidate.

Michele Weeks

## Rachelle Conner

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**From:** noreply@civicplus.com  
**Sent:** Monday, January 06, 2014 10:14 PM  
**To:** Rachelle Conner; Maridene Hancock  
**Subject:** Online Form Submittal: City Council Vacancy Form - City of Draper

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## City Council Vacancy Form - City of Draper

**Applicant First Name**      **Applicant Last Name**  
Jason                              Young

**Address1**  
702 Stokes Ave

**City**                              **State**                              **Zip**  
Draper                              UT                                      84020

**Email Address**  
[jason\\_young99@yahoo.com](mailto:jason_young99@yahoo.com)

**Phone Number (Home)**  
801-898-8852

**Phone Number (Cell)**  
801-898-8852

**Have you lived in Draper for twelve consecutive months?**

Yes

No

**Qualifications: This text box will expand as needed.**

Draper resident since 2003. Military veteran serving in the Unites States Navy from 1994-1998. Specialized in avionics and electronic countermeasures. Degree from Vincennes University in Indiana and continued studies at the University of Utah. Vice President of Business Development for the last 15 years with a global business consulting firm based in Dallas. I have been a leader my whole life. I love to serve and I owe this great city my time and devotion for all it has given me, my wife, and our 5 children!

**Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle.**

**Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.**

The following form was submitted via your website: City Council Vacancy Form - City of Draper

Applicant First Name: Jason

Applicant Last Name: Young

Address1: 702 Stokes Ave

City: Draper

State: UT

Zip: 84020

Email Address: [jason\\_young99@yahoo.com](mailto:jason_young99@yahoo.com)

Phone Number (Home): 801-898-8852

Phone Number (Cell): 801-898-8852

Have you lived in Draper for twelve consecutive months?: Yes

Qualifications: This text box will expand as needed.: Draper resident since 2003. Military veteran serving in the Unites States Navy from 1994-1998. Specialized in avionics and electronic countermeasures. Degree from Vincennes University in Indiana and continued studies at the University of Utah. Vice President of Business Development for the last 15 years with a global business consulting firm based in Dallas. I have been a leader my whole life. I love to serve and I owe this great city my time and devotion for all it has given me, my wife, and our 5 children!

Deadline for submittal is Tuesday, January 14, 2014, at 5:00 pm. Please submit to Rachelle Conner, City Recorder. When you hit the submit button, this application will be sent to Rachelle. :

Applicants must be registered voters and must have resided in Draper for the past twelve consecutive months.:

Additional Information:

Form Submitted on: 1/6/2014 10:14:12 PM

Submitted from IP Address: 67.2.199.249

Referrer Page: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-VacancyCity-of-Draper-93>

Form Address: <http://www.draper.ut.us/FormCenter/City-RecorderCity-Council-Vacancy-28/City-Council-Vacancy-FormCity-of-Draper-93>

## COUNCIL VACANCY QUESTIONS

1. What is your vision for Draper?

Draper is the main corridor between Salt Lake City and Provo. Unlike other cities situated in both Utah and Salt Lake County, Draper is seen daily by commuters along I-15. We have the potential to continue our commercial development efforts bringing businesses and thousands of new jobs to our city. My vision is a Draper without a State Prison. In place of this prison would be world class business parks anchored by at least 2 Fortune 100 companies.

2. What would you do as a City Council Member to improve the business climate and opportunities in Draper? I am a business man and have traveled and done business in every major metropolitan city in America. I can think of no other city that has a visible state prison located directly beside a major daily commute interstate. I believe the growth we are seeing in Lehi at Thanksgiving Point should be our growth. As a City Council Member I would work with Mayor Walker to help prepare a plan to be presented to Governor Herbert's office. The plan would include an economic impact analysis of relocating the prison and using the land for new business opportunities.

3. What would you do as a City Council Member to improve recreational opportunities and facilities in Draper? Draper has some of the best outdoor recreational opportunities afforded in our land with miles of trails for hiking and biking. We also have one of the best hang gliding areas in the United States at Point of the Mountain. What we are lacking is indoor recreational facilities. Our city needs a recreation center. One that includes an Olympic size lap pool and children pool area. This center would also include basketball courts, racquetball courts, indoor running track, climbing wall, and an exercise/weight room.

4. Did you vote in last two elections?

Yes.

5. How would you balance future growth with personal property rights?

I assume the question is actually in reference to real property rights as it relates to growth of our city. If so, our city is "locked" in terms of boundaries with neighboring cities on all sides. The expansion into Suncrest represented the last area of geographic growth. As such, we are all limited to the space we currently occupy as a community and as individuals. The question is what can we do to best utilize the space that we have with the desire to grow as a community? I believe we have an opportunity to remain true to our rural heritage as is reflected in and around Pioneer and Fort Streets while creating a more urbanized living and working area closer to I-15. This would look more like the growth we are seeing at the Bangarter exit.

6. Tell us what your vision is for working with the current City Council Members?

Listen first, ask questions second, and be willing to make compromise for the betterment of our city. There isn't always a right or wrong answer. Indecision can lead to stagnation. I would

rather continue progressing knowing compromised was accomplished than holding firm and not seeing progression.

7. Please list your community service endeavors in Draper?

- 2010-current, volunteer as a Draper Block Captain in our neighborhood emergency preparedness efforts.
- Received the 2006 Draper City Youth Council Yard of the Year.
- 2005 PTA volunteer at Willow Springs Elementary.
- I have been a loyal voter in our local elections and have helped drive local campaign efforts for numerous offices including: US Congress District 4, Salt Lake County Council District 6, and Draper Mayoral.

**From:** Hugh.Hadsock@dot.gov  
**Sent:** Friday, January 17, 2014 9:02 AM  
**To:** Rachelle Conner  
**Cc:** Bill Colbert; Jeff Stenquist; William Rappleye; Alan Summerhays  
**Subject:** RE: Council Vacancy

Dear Rachelle and Council Members,

I am sending you notification to formally withdraw my name for consideration for the vacant council spot. Because of my job with the Federal Highway Administration I had to seek legal approval as it relates to the Hatch Act for this position. The legal opinion just came back today. Our legal council did approve my request, however they put a ton of restrictions on what action I could be involved in. So in light of this information provided by my legal counsel, I have determined my candidacy for is not a viable option at the present time.

I want to thank you and the council for this opportunity and look forward to working with you in the future.

Thank you,

Hugh Hadsock

**From:** Max Starkie [Max.Starkie@zionsbancorp.com]  
**Sent:** Friday, January 17, 2014 7:26 AM  
**To:** Rachelle Conner  
**Subject:** RE: Council Vacancy Process - Clarification

Rachelle,

Good morning! I am writing to request that my name be removed from the selection process for the vacant City Council position with Draper City. I was given a promotion at work this week and have had an additional 43 employees added to my staff. This change will require me to travel a lot over the next few months and require a lot more of my time during this transition phase and would not allow me to dedicate the time/resources I would need to do an excellent job on the City Council.

Thank you for all of your time and help with this.

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