

Approved 8.18.2015

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, AUGUST 4, 2015, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH.

PRESENT: Mayor Troy Walker, and Councilmembers Bill Colbert, Bill Rapple, Jeff Stenquist, Alan Summerhays, and Marsha Vawdrey

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Mike Barker, Deputy City Attorney; Rachelle Conner, City Recorder; Tracy Cowdell, City Attorney; Keith Morey, Community Development Director; Rhett Ogden, Recreation Director; Glade Robbins, Public Works Director; and Garth Smith, Human Resource Director

Study Meeting

[6:25:18 PM](#)

1.0 Presentation: Water Pro

1.1 Darrin Jensen-Peterson and David Gardner, Water Pro, updated the Council on the current status of Water Pro. They discussed water shares and various projects. They also advised they are interested in installing a pressurized irrigation system with meters in conjunction with new development on the west side of Draper.

Business Meeting

[7:00:54 PM](#)

1.0 Call to Order

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

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2.0 Comment/Prayer and Pledge of Allegiance

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2.1 The prayer was offered by Leslie Johnson.

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2.2 The pledge was led by Garth Smith.

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3.0 Recognition: Leslie Johnson for her Service on the Planning Commission

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3.1 Mayor Walker advised Leslie Johnson has just finished her tenth year as a Planning Commission member. He thanked Mrs. Johnson for her many years of service to the community and presented her with a plaque and a small token of appreciation.

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4.0 Public Comments

4.1 No one came forward to speak.

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5.0 Consent Items

- a. **Approval of July 21, 2015, City Council Minutes**
- b. **Approval of Resolution #15-43, Appointing Doug Vawdrey as the Draper Equestrian Center Advisory Board Chair**
- c. **Approval of Ordinance #1161, Amending Sections 2-5-030 and 2-6-060 of the Draper City Municipal Code Pertaining to the City Recorder's Duties and Bonds.**
- d. **Approval of Ordinance #1162, Amending Sections 3-1-066 and 3-1-067 of the Draper City Municipal Code Adding the Parks Department to the Recreation Department**

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5.1 Councilmember Stenquist moved to approve the consent items. Councilmember Summerhays seconded the motion.

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

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6.0 Public Hearing: Resolution #15-42, Draper City Council Acts as the Governing Authority for the Traverse Ridge Special Service District (TRSSD). The Administrative Control Board of the TRSSD Desires to Establish a Certified Tax Rate of 0.000652 for the 2015 Taxable Year

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6.1 David Dobbins, City Manager, noted the Traverse Ridge Special Service District Board sets the budget and under State law, any tax rate associated with the budget has to be approved by the Draper City Council. The current tax rate is zero, so any change has to be approved through a public hearing process.

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6.2 Mayor Walker indicated for most of the existence of the TRSSD, the City Council has been both the Advisory Board and the City Council. They changed that last year by forming an advisory board of residents who live within the TRSSD. The Board has been given the authority to come up with a budget and plan for the District.

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6.3 Amy Baird, Traverse Ridge Special Service Administrative Control Board Chair, advised the Administrative Control Board came up with this tax rate. They do have some reserves to use, but they wanted to come into compliance with State law by levying a tax. It is a

small amount because they plan to use the fund balance they have as well. This was the first budget the Board had to put together. They had a light snow year last year, so the snow removal costs were minimal. If they need more funds this year, they can amend the budget. They have road repair and maintenance costs of \$100,000 in the budget right now while they work out other issues with the City. They have also budgeted to replace some of the street lights. They adopted the budget in an open meeting and held a public hearing.

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6.4 Councilmember Colbert asked what the average homeowner will be paying. Ms. Baird noted it will be about one-quarter of the cost that they had been paying prior to the referendum.

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6.5 Councilmember Summerhays asked whether they plan to do any improvements on the roads.

Ms. Baird responded they have budgeted \$100,000 for road maintenance. The Board is trying to put together an Interlocal agreement to determine what the District is responsible for and what the City is responsible for. The Board feels they should do road repairs, but any major reconstruction should be done by the City.

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6.6 Mayor Walker opened the public hearing.

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6.7 Roy Moore, Little Valley Homeowners Association (HOA) Chair, indicated there are many items in the proposed budget that do not benefit his HOA. He questioned why his subdivision is a part of the Special Service District because they pay into it but do not receive any benefit. The HOA is responsible for all road repair and maintenance, snow removal, and street lights.

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6.8 Bill Walsh, Little Valley resident, objected to the Cove being a part of the Special Service District. He echoed what Mr. Moore had previously said in terms of services. He strongly opposes being a part of the TRSSD.

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6.9 Mike Meservy, resident, said it was his understanding that last November they voted to de-fund the TRSSD. He objected to having another tax added. There are many people, other than SunCrest residents, that use the roads and trails up there. He opposed the City Council keeping this tax as a separate item.

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6.10 Mayor Walker closed the public hearing.

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- 6.11 Councilmember Summerhays asked the approximate length from Traverse Ridge Road to Little Valley.

Mayor Walker noted it would be better for the Council to just vote on this budget tonight. There are questions and concerns that are valid, but none of the current Councilmembers were on the Council when this was originally approved. The issue is not to solve that problem right now.

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- 6.12 Councilmember Stenquist mentioned that in the past the City Council has set the budget and proposed the tax. It is a benefit to have members of the SunCrest Community set the budget. He expressed appreciation to the members of the Administrative Control Board for their work on behalf of the residents up there. This amount is dramatically less than what was proposed before. He expressed his opinion that he hopes this is enough if they have a heavy winter. He stated there are valid concerns from the Little Valley residents, but this is not the venue to address those concerns. As a matter of fairness, it is good that the TRSSD is in place. The City has gone a long way to strike a balance to be fair. They do not want to overcharge the residents for services, and this helps strike a good balance.

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- 6.13 Mayor Walker said the Traverse Ridge Special Service District was formed by a prior Council and the developer. The specific services provided by the District were set at that time. The residents are covered by Draper City taxes, but that does not even come close to taking care of the municipal services such as police, fire, parks, etc. The SunCrest development was approved contingent on this District. It might not be the best language or best District that was created, but the City has to live with what they have. With respect to the road repair, the District is in charge of the District roads. The City has some proposals to help offset some of those things. He noted he has some concerns for the Administrative Control Board. The budget they submitted has the snow removal included. He does not know if they intend to contract with the City for that snow removal. If so, the City needs to know soon so staff can make arrangements. He expressed appreciation to the members of the Board for stepping up to do this job. They have done a great job and have tackled hard issues. They have the residents' best interest at heart. The City is trying to strike a good balance for everyone involved. There are many people who would like to see the District go away, but that is probably not going to happen.

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- 6.14 **Councilmember Colbert moved to approve Resolution #15-42. Councilmember Rappleye seconded the motion.**

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- 6.15 Councilmember Colbert said the Mayor's and Councilmember Stenquist's comments were good. The Board has developed a budget for the year, and it is a good start. This is a learning process for everyone involved, and he supports their efforts.

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6.16 Councilmember Rappleye said the Board has spent a lot of hours to get here. A budget is always difficult because it is a best guess. This is a good step forward, and the Board has taken this task very seriously.

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6.17 Mayor Walker indicated the fund balance was built up by the City Council for another item, and there will come a day when the fund balance is gone. The Board will have to set an accurate tax rate at that time.

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

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7.0 Public Hearing: Ordinance #1163, Adjusting the Draper City Boundary with Bluffdale City Located at Approximately 14600 South and I-15

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7.1 Russ Fox, Assistant City Manager, reviewed the process the City has taken to do the boundary line adjustment with Bluffdale. There is currently no zoning on the proposed property because it is considered right-of-way. Staff has talked with the Utah Department of Transportation, and they are planning to use that property as additional water detention. There are some concerns about where the boundary ends. Draper would prefer to go to the center lane with the boundary line but Bluffdale wants to take the entire road. That has raised some concern with Draper staff. He recommended the City hold the public hearing tonight and continue the item until staff can work out the boundary line issue with Bluffdale.

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7.2 Councilmember Summerhays expressed his opinion that they should stick to the center line of the roadway. He also noted he is concerned about the freeway entrance maintenance on 11400 South. He said it looks terrible. He does not want to spend a lot of money on the landscaping and then not take care of it.

Mr. Fox indicated there is already a landscape plan that was presented to the Council previously. It is a xeriscape low-maintenance plan.

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

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7.4 No one made a motion, so this will be continued to the August 18, 2015, City Council meeting.

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8.0 Discussion: Questar Gas Line Easement

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8.1 Rick Hellstrom, Questar, spoke about a proposed pipeline Questar is installing in Salt Lake County and Utah County. The current pipeline is over thirty-seven miles of ten-inch high pressure steel pipeline that is being replaced with a twelve-inch high pressure pipe. The part they are here to talk about tonight is the area from Highland Drive near the golf course, up through Corner Canyon, and down into Hog Hollow on the Utah County side. That is approximately 4.2 miles of the pipeline. The existing easement for this pipeline is a sixteen-foot wide easement that sits on the hill, and it parallels the Wasatch Fault Line. It is possible to safely construct a gas line in the area of a fault, but it is safer to cross it rather than parallel it. Questar would feel better relocating the line. There are also some slide areas in the canyon they are trying to avoid. Mr. Hellstrom stated they have been working with the Park staff since August 2013 to find an alignment for this pipeline that would work well for both Draper City and Questar. He displayed a proposed alignment that has a twenty-foot wide easement that includes additional work space for construction. They have been working hard to keep a minimal footprint so they do not disturb too much of the canyon area. He said he hopes this alignment is the final alignment. He reviewed the mitigation options they are proposing. They would make a payment to Draper City of \$456,000 in consideration for the twenty-foot wide easement on all of the Draper City properties, including that owned by the Municipal Building Authority. The easement would need to include the temporary work space they have outlined and some limited motorized access for their pipeline patrols. Following the construction of the pipeline near Highland Drive, Questar would leave that area within twelve inches of final grade for the trail. Draper City would then take responsibility for the erosion control and reclamation of the easement in that area up to the dirt road. That would take place after the pipeline is set. They would need to have an easement agreement in place with Draper City by October 1, 2015. That includes the necessary approvals of Salt Lake County so the construction can commence. They are trying to get into the canyon during the winter months for fire safety reasons and to reduce the impact to the recreation in the canyon. He also asked that Draper City agree to cooperate and support Questar Gas in the acquisition of easements from Salt Lake County and a small parcel of land owned by Steeple Chase in the golf course area.

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9.0 Council/Manager Reports

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9.1 Councilmember Colbert indicated there has been a lot of crime up in the SunCrest area. He said the police have been helpful in working with the residents and giving them ideas for what they can do to decrease the opportunities for crime. There have been some subjects apprehended, which is good. He expressed appreciation to the Police Department for their efforts.

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- 9.2 Councilmember Rappleye stated that due to the poor maintenance the City had early in the season, clover has taken over the pocket park near his home. He expressed his hope that they can come up with a strategy to take care of it.

Councilmember Rappleye then said he would like to know what the City is doing in terms of the Prison Relocation public relations. He would like to see them get something going.

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- 9.3 Councilmember Vawdrey said she received a thank you from the residents down Red Berry Road where they got some directional signs. They appreciated that.

Councilmember Vawdrey then advised she has heard a lot of positive remarks about the light at Pioneer Road and 300 East. It appears to be working well.

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- 9.4 Councilmember Summerhays asked Mr. Robbins the length of roadway from Little Valley to Traverse Ridge Road.

Mr. Robbins noted he would have to research that. He said he will check and let him know.

Councilmember Summerhays then indicated he would like to see an aerial of the pipeline. When they go up passed the silica pit, there are some slopes so he would like to see their plans.

Mr. Dobbins indicated Questar has provided the entire alignment. He invited Councilmember Summerhays to come in and talk to him to go over the plans.

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- 9.5 Mr. Robbins indicated staff has put the request for bids out for the vegetation removal by goats. Those bids are due by the 13th of August. There are twenty-five acres Unified Fire has identified that they will put the goats on.

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- 9.6 Mr. Ogden updated the Council on the Brickerhaven Trail situation. He said he sent some employees out this week to cut down the vegetation, and it looks much better. The plans have changed a lot since the trail was first constructed. This trail does not get used, so it is a low priority on the maintenance schedule. The Parks Trails and Recreation Commission has been in favor of abandoning the trail. He asked the City Council whether they would like to keep the trail or surplus the property.

Mr. Dobbins indicated in order for the City to surplus the property, they would have to have 100 percent of the neighbors in favor of purchasing the portion of the trail adjacent to their property.

Councilmember Vawdrey stated she has spoken with many of the neighbors, and they want the trail to go away and would like the City to give them the property or only charge them \$100.00.

Councilmember Stenquist expressed his opinion that they do need to get this issue worked out soon. He then indicated there is no way to get from the east side of the freeway to the Jordan River Trail on the west side. At some point, they will need to figure out a way to get over I-15.

Mr. Ogden stated staff will research what they can legally do in terms of surplussing the property and will come up with a plan to reach out to the residents.

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9.7 Mr. Fox updated the Council on the construction of the Police Building. They are scheduled to finish in August. Staff is planning to hold an open house sometime in September, and they will send out invitations. Mr. Fox indicated the City will be applying for a water-wise landscape grant through Jordan Valley Water Conservancy District to finish the landscaping.

Mr. Fox then advised he has been talking with Amy Baird about the Interlocal agreement with the TRSSD. He is hoping to have it in front of the Council by the first of September.

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9.8 Scott Cooley indicated the 1300 East project has hit some setbacks, and they are about three weeks delayed. The road will be completely paved by the school; however, the west side is still being excavated, and they will have to flag. Right now they have two crews working. The contractor is doing a great job, but there were some unforeseen circumstances they are trying to work through. This is a federally funded project, so it has a strictly structured program.

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10.0 Adjourn to a Closed Meeting to Discuss Litigation, Property Acquisition, and/or the Character and Professional Competence or Physical or Mental Health of an Individual

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10.1 Councilmember Vawdrey moved to adjourn to a closed-door meeting to discuss litigation and personnel. Councilmember Rappleye seconded the motion.

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

10.3 The meeting adjourned at 8:19 p.m.