

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, OCTOBER 6, 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; Mike Barker, Deputy City Attorney; Rachelle Conner, City Recorder; Hazel Dunsmore, Human Resource Director; Keith Morey, Community Development Director; Glade Robbins, Public Works Director; and Bryan Roberts, Police Chief

Study Meeting

Dinner

[6:09:06 PM](#)

1.0 Presentation: Humane Society

1.1 Sundays Hunt, Utah State Director of the Humane Society of the United States, made a presentation to the City Council about using euthanasia by injection instead of gas chamber euthanasia.

[6:40:03 PM](#)

2.0 Discussion: Recreation Center

2.1 David Dobbins, City Manager, reviewed the information the City Council would be going over in the business meeting pertaining to the potential recreation center.

Business Meeting

[7:00:22 PM](#)

1.0 Call to Order: Mayor Troy K. Walker

[7:00:34 PM](#)

2.0 Thought/Prayer and Pledge of Allegiance

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2.1 The prayer was offered by Imam Shuaib of the Utah Islamic Center.

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2.2 The flag ceremony was presented by Cub Scout Troop #3931 and was by Jack Pugh.

[7:04:13 PM](#)

3.0 Public Comments: ZAP Application for a Recreational Facility in Draper

- 3.1 Mayor Walker explained the City is applying for ZAP Tax funding for some type of a recreational facility. This is a competitive process, and the funding is not guaranteed. The goal of the Council is to come up with a unified vision as to what they want, to clearly understand what it will look like, and to know what the costs will be in order to make the best application in going forward. There is a tight window on time with this application. It has to be filed with the County by December 1, 2015. The City has hired a consultant to assist with this process.

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- 3.2 Holli Adams, Architectural Nexus, gave a short presentation reviewing the site location and two options the Council has previously discussed. The location is near the current County pool. They are trying to keep the facility near the \$13 million budget. The options were as follows:

- Option 1
 - Leisure Pool
 - \$3,960,000/\$4,750,000
 - Party Room
 - \$136,500/\$154,000
 - Cardio (Machines)
 - \$1,440,000/\$2,340,000
 - Dance/Aerobic/Multi
 - \$432,000/\$520,000
 - Strength (Machines/Free Weights)
 - \$960,000/\$1,560,000
 - Dance/Aerobic/Multi
 - \$432,000/\$520,000
 - Single Gymnasium
 - \$2,079,000/\$2,268,000
 - Track
 - \$434,500/\$434,500
 - Total Net Square Feet
 - \$9,874,000/\$12,546,500
 - Grossing Factor (Circulation, Electric, Mechanical, Telecom, Lockers)
 - \$3,258,420/\$4,140,345
 - Total Gross Square Feet
 - \$13,132,420/\$16,686,845
- Option 2
 - Leisure Pool with Lazy River and Play Amenities
 - \$3,960,000/\$475,000
 - Competition Lap Pool with Diving Well
 - \$4,290,000/\$4,725,000
 - Spectator Seating
 - \$900,000/\$1,200,000
 - Party Room
 - \$136,500/\$154,000
 - Dance/Aerobic/Multi

- \$432,000/\$520,000
- Dance/Aerobic/Multi
 - \$432,000/\$520,000
- Total Net Square Feet
 - \$10,150,500/\$11,869,000
- Grossing Factor (Circulation, Electric, Mechanical, Telecom, Lockers)
 - \$3,349,665/\$3,916,770
- Total Gross Square Feet
 - \$13,500,165/\$15,785,770

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3.3 John Pickford, resident, encouraged the City Council to do a full aquatics center. Swimming is the number two sport in the United States. It is lifetime physical fitness, and it is great mental training for the kids who participate in this sport. A full aquatics center will encourage kids to participate in a team sport.

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3.4 Ted Danner, resident, noted he is part of the community council for Oak Hollow Elementary School, and they have talked about the potential recreation center. As individuals, they support the building of the recreation center; however, they are concerned about the traffic on Vestry. He questioned whether there could be an access off Highland Drive to help alleviate some of the traffic going onto Vestry. The school officials, community council, and possibly the South Mountain Homeowners Association would be grateful for the opportunity to provide input.

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3.5 Adam Crayk, resident, stated his daughter is on the Corner Canyon swim team. There are sixty kids on the Corner Canyon swim team, and they share the pool with Alta High School. When they go outside they have to go to Dimple Dell, which is a smaller pool. This is one of the wealthiest communities in the State of Utah, and there is nowhere to swim. An aquatics center is a great idea. Kids and the parents will be able to swim there. This will also provide an opportunity for triathlons right in this area. Draper has some of the coolest mountain trails, and this pool would give the City many opportunities. He stated he is willing to pay the taxes to make this happen. He said he is not too concerned about a recreation center because there are many gyms in the area.

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3.6 Bonnie Morey, resident, noted she is excited about this opportunity and the growth happening in Draper. She expressed concern about the traffic in the area. She asked what is being done to address the increase in traffic due to the development of the apartment building across from this land, the senior housing facility that just opened, and the new park in the area. There is limited access to this area, and she would like to know what is being done to mitigate the problems.

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3.7 Derek Anderson, resident, stated he is excited about the opportunity for a pool. He said if they do a pool, it has to be done right. They need to consult with USA swimming to make sure the size is regulation length. He plays water polo, so he would like that option as well. He noted if they do an Olympic size pool, they still want to have a twenty-five yard dimension.

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3.8 Stephanie Christensen, resident, said she only heard about this proposal five days ago. She is a crossing guard and has been for many years. She is concerned about the traffic impact this would cause to the area. The traffic is already bad, and it is a safety concern for the children. She said she is not trying to stop anything but she would like to see this built in another area.

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3.9 Mimi Sharkey, resident, asked whether any local residents are on the design board for this project. She said she would like to have green open space available in this area. She would also like to have a day care available as part of the project. She recommended having a parking garage to alleviate parking issues and said she is interested in having an outdoor splash pad. Her concerns included the impact on the property taxes, night lighting, security in the neighborhood, and the noise from pool.

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3.10 Mayor Walker noted part of the reason this site is being considered is that the County already owns the property. That allows more money to go into the facility rather than having to purchase land.

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3.11 Ms. Adams reiterated this property is owned by the County and is already zoned for recreation. It has been their intention to develop this for recreation for many years.

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3.12 Lester Laro, resident, said he loves the idea of a pool. His family would be able to use it for recreation; however, his children go to Jordan High School. He wondered whether that school would be allowed to use this facility as well.

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3.13 Dave Cook, resident, said he is excited about the option for a pool. He loves all of the amenities that Draper offers. He has small children, so he would like to have a kiddie pool and a splash pad. He brought his boy scout troop here this evening, and they would like to have a climbing wall, basketball courts, and they love the idea of a pool. He thanked the City Council for considering this.

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3.14 Will Schwarzenbach, resident, noted he lives in this area. He realizes this property is zoned for recreation, but he wants the Council to keep in mind that this is a residential

neighborhood. He is excited about a recreation center, but he does not want a facility to ruin his view. He would like the facility to be smaller. The traffic is already a concern for the neighborhood. The speeds in the area are too fast, and when there is an event, there is a lot of traffic. He is also concerned about the potential for light pollution from the parking lots.

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3.15 Alexander Wilson, resident, said he is in favor of the aquatics facility. He swims for the Corner Canyon swim team, and it is difficult to have to go from the high school to Dimple Dell for practice. It would be nicer to have the facility closer. The local pools are crowded, so he has to go to Cottonwood Heights a lot in order to practice.

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3.16 Ryan Mills, resident, said he lives across from the pool. He reiterated that this is a residential area, so he asked the City Council to be conscientious about the design of the facility, the lights in the parking lots, and the traffic. He asked the Council to allow for resident input on the design of the facility.

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3.17 Natalie Snow, resident, stated she is ecstatic about the recreation center. She has young children and currently has to go to recreation centers in other communities. She said her plug is for tennis courts. Courts are very limited in the area, and there are a lot of students who would like to play tennis.

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3.18 LaRae Dean, resident, said she has talked to the Mayor for the last year about tennis courts for the City of Draper. She is excited about the possibility of a rec center. There are only four tennis courts in Draper that are playable. There is a tennis league in the area, but they have to drive to other cities to play. She even had to drive her daughter to South Jordan to play tennis. Covered courts would be a great addition to the city, and they would be able to bring in leagues to play.

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3.19 Janae Shearer, resident, said she is also concerned about the traffic. Vestry is a 25 mph road that is being abused right now. Vehicles always speed on that road. She asked whether there are other sites being considered for this facility. She recommended the entrance be off Highland Drive if it has to be in this location.

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3.20 Mike Rickers, resident, said he is excited about a recreation center. The concern he has is the traffic with the location to the school. He said an access from Highland Drive would eliminate a lot of the problems. If this is a recreational center, it should benefit all ages.

Mayor Walker reiterated that this would be a County facility. It would be owned, operated, and maintained by Salt Lake County.

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3.21 Bob Clark, resident, said he is concerned about the tax growth by government. The residents are paying for these facilities with their property tax. He said he is not against these facilities, but they should be done by private enterprise. Private enterprise runs this type of facility better than the government does.

[7:45:00 PM](#)

3.22 Alan Smiley, resident stated he loves the idea of recreation and swimming. His biggest issue is the traffic. There is not a big gap between the roundabout and Highland Drive. He said he has a sixteen year old daughter, and he is concerned with her driving in the area. He asked how the City will pay for this facility in the long term.

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3.23 Michele Weeks, resident, indicated she would like to support the extension of both pools. Her kids all swim and play water polo, and she has to drive them to Cottonwood Heights and Dimple Dell for them to train. She expressed her opinion that the County will do a wonderful job operating this pool.

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3.24 Shawn Benjamin, resident, said this has been a topic on the City's and the public's mind for quite a while. Architectural Nexus is a great firm. He said there is a public concern with private enterprise, and the County will take that into consideration. They will also consider the impact this project will have on the residential and business community. There is a tax impact to this, but there are also many benefits. There have been some businesses that chose not to locate in Draper because there was no recreation center available. The opportunity to have this facility will potentially drive the City's ability to receive tax revenue from the businesses that locate here.

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3.25 John McMahan, resident, said he is against the recreation center in this location. He is concerned that they are losing the green space in Draper. The two parks in this area have fantastic views, and he is afraid this will take some of that away. This is a residential area, and he worries about the resale value if they lose their view to a rec center that increases traffic.

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3.26 Mayor Walker thanked the residents for their comments.

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3.27 Councilmember Colbert indicated there were some concerns expressed about taxes. He asked Ms. Adams to address that.

Ms. Adams explained the money for this is not a property tax. It is a sales tax that was approved by the voters in Salt Lake County to be used for Zoos, Arts, Parks, and Recreation (ZAP Tax). The impact locally is felt by anyone who shops in Salt Lake

County. The residents are paying for it, but a good question to ask is whether they want it in their community or another community.

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3.28 Councilmember Stenquist indicated the ZAP Tax was voted on by the people. This tax is being born across the entire County. They will be paying for it whether it is built in Draper or not. This will be a County facility, and the operation and maintenance costs will be the responsibility of the County.

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3.29 Ms. Adams advised Salt Lake County is very experienced in operating the pools. They understand the revenue potential and how to offset some of those requirements. She assured everyone that the pool would be designed for competition standards. They would be able to have a Draper swim team, an elite team. They met with the School District, and they would only use the pool about three hours each day. That leaves the rest of the day open for the rest of the community. The leisure pool would allow opportunities for youth use, elderly use, water aerobics, and many other things.

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3.30 Councilmember Rappleye said there were many questions about the design of the facility itself. They have not gotten that far in the process yet, but the typical facility of this type is not more than two stories.

Ms. Adams said the minimum height of the building would be forty feet. The reason they placed the competition pool where it is on the concept plan is to allow for a synergy in the summer that opens out on a deck. People like to swim outside in the summer. The important thing to note is this facility would be multi-generational and would be operated by the County in a very responsible manner.

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3.31 Councilmember Summerhays noted most of the questions this evening were about the traffic. He asked whether a traffic study has been done for this area. Ms. Adams indicated it would be a good idea to do a study to see what the potential traffic count could be on an hour-by-hour basis. She said typically there could be an impact before school and drop off, but walking home is the slow time of day for rec centers. They can look at an access to Highland Drive, but it is pretty steep there. They will look for opportunities for this site.

Councilmember Summerhays clarified that this is not a done deal. It is a bidding process, and the City has to go in there with low numbers in order for this to be approved. He thanked the consultant for her work on this project.

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3.32 Mayor Walker indicated the ZAP Tax is on a 10-year cycle, and it is used for many different things such as the zoo, theaters, recreation, etc. The County has a good track record of administering these funds. They understand what to do with the facilities.

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** *Mayor Walker called for a break at 7:59 p.m.*

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** *The meeting resumed at 8:18 p.m.*

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4.0 Public Comments

To be considerate of everyone attending the meeting, public comments will be restricted to items not listed on the agenda or that will be on a future agenda and limited to three minutes per person. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting. Comments pertaining to an item on the agenda should not be given at this time but should be held until that item is called.

4.1 No one came forward to speak.

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5.0 Consent Items

- a. **Approval of September 15, 2015, City Council Minutes**
- b. **Approval of September 23, 2015, City Council Minutes**
- c. **Approval of September 29, 2015, City Council Minutes**
- d. **Approval of Resolution #15-55, Nominating Ronald Sperry to the Jordan Valley Water Conservancy District Board**
- e. **Approval of Resolution #15-54, Approving Changes to the Interlocal Cooperation Agreement for the Jordan River Commission. Staff: Keith Morey**
- f. **Approval of Agreement #15-179, License Agreement with the Utah Transit Authority (UTA) for an Additional Trail Connection to the Porter Rockwell Trail. Staff: Glade Robbins**
- g. **Approval of an Interlocal Agreement Establishing an Officer Involved Critical Incident Protocol Task Force. Staff Chief Roberts**
- h. **Approval of a Multi-Jurisdictional Mutual Aid Agreement. Staff: Chief Roberts**

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5.1 Councilmember Rappleye moved to approve the consent items. Councilmember Vawdrey seconded the motion.

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

[8:20:34 PM](#)

6.0 Public Hearing: Lavery Subdivision Plat Amendment, Request for Approval to Amend the Draperville Townsite Plat by Splitting a Lot in Two for Property Generally Located at 606 East 12000 South in the RA2 Zone

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6.1 Keith Morey, Community Development Director, displayed the Zoning Map and aerial view of the area. This request fits in with the surrounding properties. The Planning Commission recommended approval of this application.

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6.2 Frank Lavery, applicant, thanked the City Council for their consideration of this request.

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

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6.4 Councilmember Colbert moved to approve the Lavery Subdivision plat amendment. Councilmember Summerhays seconded the motion.

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

[8:23:43 PM](#)

7.0 Action Item: Consideration of an Interlocal Agreement with the Traverse Ridge Special Service District (TRSSD)

[8:23:53 PM](#)

7.1 David Dobbins, City Manager, noted the Council had a discussion last week about this agreement. They have looked at options for the City to provide snow plow services to the TRSSD. There were two different versions of the agreement provided in the Council packet. He recommended the Council adopt the City's version with the changes both parties are comfortable with. He reviewed the differences in the two versions for the Council.

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7.2 Mike Barker, City Attorney, advised the agreements are very close, and most of the points are similar.

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7.3 Councilmember Colbert asked which version they should approve. Mr. Dobbins said he recommends they approve the City version with the changes both parties want incorporated in.

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7.4 Amy Baird, chair, stated she is fine with the following changes:

- First page under Whereas
- Section 3 under definitions
 - They are fine with adding the City's language
- Page 3 – actual costs
 - She asked whether they could state that they use the 2015 FEMA rates if they are using the City equipment; however, when they are using their equipment they will only pay for staff time and materials.
- They are fine with the wording for future GPS purchase costs
- Their attorney expressed the need for the language pertaining to State Code requirements

Mr. Dobbins agreed with the changes.

[8:41:42 PM](#)

7.5 Mr. Barker explained the Interlocal Cooperation Act was severely overhauled during the last legislative session. There is no provision for the section that states they have to account for voting. The way their attorney worded it is a qualifying clause that states it is not anticipated that votes will be needed, but if there is, there is one vote for each side.

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7.6 Ms. Baird continued saying they talked about the leasing of the space for storage. They are willing to pay the \$16,865 for the snow blower in the SunCrest Fire Station; however, they would like to store the equipment at Public Works for free, and the City is able to use it unless it is for an extended period of time. At that point, they can pay the District the FEMA rate.

[8:43:29 PM](#)

7.7 Councilmember Rappleye asked what equipment is at Public Works.

Glade Robbins, Public Works Director, indicated there are five dump trucks with snow plows and some smaller equipment, such as a pavement cutting saw.

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7.8 Councilmember Colbert moved to approve the City's version of the Interlocal agreement with the Traverse Ridge Special Service District with the discussed changes. Councilmember Rappleye seconded the motion.

[8:45:50 PM](#)

7.9 Councilmember Colbert expressed appreciation for the cooperation of the District Board and staff to get this resolved before the snow falls.

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

[8:46:23 PM](#)

7.11 Ms. Baird asked whether they can type this up with the changes so they have a clean copy. Mr. Dobbins replied Mr. Barker will incorporate the draft changes and email it to the District.

[8:46:56 PM](#)

8.0 Action Item: For Approval of an Agreement with Utah Transit Authority (UTA) for Use of Right-of-Way

[8:47:07 PM](#)

8.1 Mr. Dobbins indicated the City has talked about this agreement in a previous meeting. This would expand the bike park from where it is now. It is in UTA's corridor, so they would need a license agreement in order to do that. The City would pay \$2,000 per year. The Draper Cycle Park Association would go in and make the actual changes to the area owned by UTA. The City would then take over the ongoing maintenance. He displayed a map of the area for those present. Mr. Dobbins expressed concern that the staff is already spread pretty thin on the maintenance of City property, and this would just be adding more work for them. This is not a large area, so it might be okay.

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8.2 Councilmember Rappleye asked whether some of the maintenance could be handled by volunteers. Mr. Dobbins said it has been his experience that everyone is excited to help in the beginning, but the reality is that the agreement is between the City and UTA, so the City will end up doing the work. The City will look to the Cycle Park Committee to help. The City would also be taking on the liability of these two areas, because the agreement is with the City. It is a small area, but if someone is hurt during an event, the City can be liable. The City does require the event holders to name the City in their insurance.

[8:52:06 PM](#)

8.3 Councilmember Stenquist stated the intention is to mainly leave the land in its natural state. They might clean out some weeds, but nothing will be built in this area.

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8.4 Councilmember Vawdrey noted it states they can have three events each year. Mr. Dobbins clarified the original agreement said three events; however, it has been updated to say there is unlimited use.

Councilmember Vawdrey then indicated when they discussed this earlier Mr. Dobbins said the Cycle Park Committee would be paying the \$2,000 each year. Mr. Dobbins said that is correct; however, they have since asked the City to pay that fee.

Councilmember Vawdrey said when she spoke with Councilmember Stenquist last night, he indicated the group would not be using the Porter Rockwell Trail or any of the trails from that area.

Mr. Dobbins explained any event they would have would not be able to extend out further than the cycle park area.

Councilmember Stenquist noted there is a standard event process everyone has to go through, He does not anticipate any desire to utilize the Porter Rockwell Trail for bike events. The only thing he can think of is having a running race on that trail.

Councilmember Vawdrey asked Councilmember Stenquist whether there is any money coming from the Cycle Park Committee to help pay the annual fee. Councilmember Stenquist explained they do not have a revenue stream. The event coordinator pays a permit fee to the City, and there is nothing in place to have any funds go to the Cycle Park Committee. In the future, he would like to discuss having an Interlocal agreement with the Cycle Park Committee and define their role in the Cycle Park.

[8:58:07 PM](#)

8.5 Councilmember Stenquist moved to approve the Interlocal agreement with UTA. Councilmember Colbert seconded the motion.

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

[8:59:06 PM](#)

9.0 Council/Manager Reports

[8:59:13 PM](#)

9.1 Councilmember Summerhays said he has received a lot of complaints about the intersection of 13800 South and 1300 East. It was not designed properly. He asked what can be done to help the area. Mr. Robbins said they had two different engineering firms look at that intersection. The current configuration was the best configuration in 2012. They can look at it again to see if anything can be done.

[9:04:00 PM](#)

9.2 Councilmember Rappleye said the crossing guards have some concerns at 1300 East Highland Drive. He asked Chief Roberts to look into the issues. There might be a need for another crossing guard.

Councilmember Rappleye then expressed his appreciation to Mr. Robbins for the good work on the roads being done. The contractor that worked in his area does pretty good work; however, the road closure notification needs improvement.

[9:07:10 PM](#)

9.3 Councilmember Colbert questioned whether there is any way to have signage indicating who is responsible for the various construction projects, such as Questar. That way people will know it is not always the City disrupting the roads.

[9:08:13 PM](#)

9.4 Councilmember Stenquist reported on a meeting he went to this week with the Communities That Care Coalition. They are gathering information about what is going on in the city in terms of youth substance abuse. They recently did a survey of the youth in Draper and are compiling the results right now. Gaile Dupree is doing a great job with this program.

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9.5 David Dobbins indicated Garth Smith was responsible for Emergency Management for the City. Mr. Dobbins advised he would like to use funds from the EOC budget to hire a part-time Emergency Management Coordinator. This person would be able to handle emergency management issues. Staff typically does not move ahead until the Council has approved this through a budget amendment; however, there is a need to get this position filled sooner rather than later. This will be brought to the Council as a budget amendment soon.

Mr. Dobbins then stated the City water system is broken up into three zones. Zone 1 is everything west of I-15. The City has gone for many years with a lot of capacity within that system. However, with all the new development that has happened in that area, they have maxed out their water capacity in that zone. The Council did budget this year to design and purchase property for a new water tank. In a future year, they will have to actually construct it. There is enough water to handle everything the City Council has approved so far, but there is not enough water for a lot of new development. The City is also looking into having WaterPro identify areas where they can provide secondary water to new developments, which would help offset the summer usage.

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9.6 Mayor Walker expressed a need to look into tightening the road construction standards moving forward. He would like to make sure the contractors improve the process to make the projects more efficient and to get a better product. The majority of the Council was in favor of doing this.

Mayor Walker then indicated they had a good turnout for the Meet the Candidate Night. It was run well by the Youth Council.

[9:16:31 PM](#)

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

[9:16:35 PM](#)

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

9:16:41 PM

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

10.3 The meeting adjourned at 9:16 p.m.