

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JANUARY 8, 2013, 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 Darrell Smith, Councilmembers Troy Walker (late), Alan Summerhays, Jeff Stenquist, Bill Rappleye and Bill Colbert.

STAFF PRESENT: David Dobbins, Doug Ahlstrom, Tracy Norr, Russ Fox, Ed James, Troy Wolverton, Danyce Steck, Garth Smith

1.0 Adjourn to Closed Meeting

6:31 PM

1.1 **A motion to adjourn to a closed meeting to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an individual was made by Councilmember Summerhays and seconded by Councilmember Stenquist. The motion carried by unanimously.**

2.0 Adjourn to Redevelopment Agency Meeting

[6:53:34 PM](#)

2.1 A Redevelopment Agency meeting was held.

BUSINESS MEETING

1.0 Call to Order

[7:00:23 PM](#)

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

2.0 Comment/Prayer and Flag Ceremony

[7:00:39 PM](#)

2.1 The prayer was offered by Eric Anderson. Troop 1016 then led the flag ceremony.

3.0 Presentation to Colonel Gary Vaughn – District Representative

[7:04:06 PM](#)

3.1 Gary Howell said Colonel Gary Vaughan has been serving as the chairman of the Emergency District representatives and has done an outstanding job. Mr. Howell gave an overview of Mr. Vaughan’s professional accomplishments and the responses he has made

to the district representatives. He highlighted Col. Vaughan's involvement in the EOC open houses, with the ham radio operators, the safety days, and other aspects of emergency management. Mr. Howell said Col. Vaughan's contributions are very appreciated. A plaque was given to Col. Vaughan. Mayor Smith added his appreciation to Col. and Mrs. Vaughan for their contributions. Councilmember Rappleye noted that Col. Vaughan had served as chairman of the board for two years and has made significant improvements to the committee. Col. Vaughan said he has enjoyed the opportunity to be involved. He said he couldn't have done it without the support of the police officers, fire service, and city councilmembers.

4.0 Citizen Comments

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4.1 Jeff Greer, 12968, Green Clover Road, asked if there had been any progress toward a sound wall between their homes and the FrontRunner station. Mayor Smith said he had met with Mike Allegra of UTA about the situation.

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4.2 Ken Hollingshead, 11951 South 800 East, said the roads in his area have never been plowed and it seems the city doesn't care about them. With the tracks in, a racetrack has been created. He requested speed bumps. He said he has talked to the police department but they have done nothing. Discussion was held about the use of speed bumps. David Dobbins said he would look into the snow plowing concern.

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4.3 Robyn Goldy, 13154 South Fort Street, addressed her concerns about the roundabout on Fort Street. She asked the council to consider all options. She said access to the property and sidewalks are also concerns. She said she had sent an e-mail to the councilmembers.

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4.4 There were no additional comments given.

5.0 Consent Items

- a. **Approval of December 18, 2012 Minutes**
- b. **Resolution #13-01, Establishing a Meeting Schedule for 2013**
- c. **Ordinance #1039, Amending Draper City Municipal Code Title 3-2 regarding a Personnel Director**
- d. **Agreement #12-162 with Discount Guns & Ammo for Patrol Rifles**
- e. **Agreement #13-02 with Utah Transit Authority for the Bunny Bradley Trail General License**
- f. **Sale of Surplus Equipment**
- g. **Resolution #13-03, Amending Draper City's Personnel Policies regarding Appraisals**
- h. **Resolution #13-05, Amending the Consolidated Fee Schedule regarding Solid Waste Fees.**

- i. **Resolution #13-06, Appointing Ryan Clerico to the Planning Commission.**
- j. **Approval of 2012 JAG Block Grant**

[7:26:03 PM](#)

- 5.1 A motion to pull Item H for discussion was made by Councilmember Colbert and seconded by Councilmember Stenquist. The motion carried unanimously.**

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- 5.2 A motion to approve the remaining consent items was made by Councilmember Stenquist and seconded by Councilmember Colbert.**

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- 5.3 A roll call vote was taken with Councilmembers Stenquist, Colbert, Rappleye, and Summerhays voting in favor. The motion carried.**

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- 5.4 Councilmember Stenquist said the fee for existing dumpsters has been raised, and new 20 yard dumpsters have been added. Joe Bryant, City Treasurer, said the fee was adjusted in compliance with the fee study and other cities' rates. The current fee does not cover the cost. David Dobbins said the new fee will make it so the city does not subsidize the cost of the dumpsters. Councilmember Stenquist said a conscious decision had been made to offer the dumpsters at a lower cost in lieu of having a green waste or curbside program. Mr. Bryant said the restriction in the number of rentals has been removed. Discussion was held about the cost recovery for the dumpsters.

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- 5.5 A motion to approve Resolution #13-05 was made by Councilmember Colbert and seconded by Councilmember Rappleye.**

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- 5.6 A roll call vote was taken with Councilmembers Colbert, Rappleye, and Stenquist voting in favor and Councilmember Summerhays opposed. The motion carried.**

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- 5.7 Mayor noted there were many students in attendance. Tony Cannon said there are four government classes in attendance. They have an assignment to attend a city council meeting. Mayor Smith welcomed the students.

6.0 Public Hearing: Vista Station Master Area Plan

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- 6.1 Dan Boles said the application is for master area plan (MAP) approval at 12800 South Galena Park Boulevard. The purpose of the MAP is to provide an applicant of a larger-phase project with a mechanism to obtain city approval of a conceptual framework within the TSD. Site plans will be approved subsequently. The property is zoned TSD (Transit

Station District). Mr. Boles reviewed the land use of the MAP document, showing 16% open space, 29% residential, 10% commercial/office, 20% land, and 27.07% mixed use. He reviewed the intensity areas exhibit noting most of it is in Area 3, the least intense. He showed the outline of the proposal listing minimum densities for each intensity area. He reviewed circulation plans, the development standards, landscaping, architectural standards, and signage. He said the bulk of the residential units are to the south of the development. He pointed out the area for 10- and 15-story buildings. He said in Area 3, the units/acre is 49. When asked, Russ Fox said the highest density in the city is currently 17 or 18 units per acre. Amenities in the area that will make this an attractive site were highlighted. The open space area was pointed out. The phasing was reviewed. Planning Commission recommended approval although they expressed concern about some of the heights of the buildings.

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6.2 Greg Haws, 4556 West Park Hollow Lane in Riverton, showed slides of the fixed elements, including eBay and FrontRunner. He reviewed the design intent and said they want to do the right thing for a long-term sustainable project that is profitable and successful. He said a high-quality urban design has been the focus. He reviewed the location of the commercial buildings, noting they are within a ¼-mile radius of the FrontRunner station. The retail space is integrated inside the development. Residential buildings are integrated as mixed use in the central core. The parking is primarily in parking structures. He discussed open space and public use space.

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6.3 Councilmember Stenquist said seeing the 3D images is amazing. The vision for the area is being delivered through the private investor. He said it is exciting to see the progress that eBay is making.

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6.4 The public hearing was opened.

[8:00:36 PM](#)

6.5 Shawn Benjamin, 360 West 13165 South, said he has had the chance to look through the master area plan. He gave kudos to the individuals who have been involved with it and there is a lot of vision expressed in the document. He said it is appropriate for its purpose. He expressed concerns on behalf of the residents of Galena Park about a lack of sensitivity to the northern neighborhood. He said there are opportunities that might be missed in the enhancement and mixed use of the parking structures. He expressed appreciation to the council for their time and effort on this development.

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6.6 There were no further comments and the public hearing was closed.

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6.7 Russ Fox clarified the height of the proposed buildings is clear of the buffer area.

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6.8 A motion to suspend the rules was made by Councilmember Rappleye and seconded by Councilmember Colbert.

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6.9 The motion carried by unanimous vote.

[8:05:40 PM](#)

6.10 A motion to Ordinance #1038, approving the Vista Station Master Area Plan, was made by Councilmember Rappleye and seconded by Councilmember Colbert.

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6.11 A roll call vote was taken with Councilmembers Rappleye, Colbert, Stenquist and Summerhays voting in favor. The motion carried.

7.0 Public Hearing: TOD Plat Amendment

[8:08:00 PM](#)

7.1 Dan Boles said UTA would like to amend three lots in the TOD plat to adjust some lot lines near the parking structure. Some property is being given up by UTA. Planning Commission has recommended approval.

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7.2 Valerie Wallace, representing Ralph Wadsworth Construction and UTA, said this is just a property line adjustment.

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7.3 The public hearing was opened. There were no comments and the public hearing was closed.

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7.4 A motion to suspend the rules was made by Councilmember Stenquist and seconded by Councilmember Summerhays.

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7.5 The motion carried by unanimous vote.

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7.6 A motion to approve the plat amendment as submitted was made by Councilmember Stenquist and seconded by Councilmember Summerhays.

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7.7 Mayor Smith said change is happening, and the creation of jobs has already started in the construction phase.

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7.8 The motion carried unanimously.

8.0 Resolution #13-02, Appointing a Mayor Pro Tem for 2013.

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8.1 A motion was made by Councilmember Summerhays to nominate Jeff Stenquist. The motion was seconded by Councilmember Rappleye.

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8.2 A roll call vote was taken with Councilmembers Summerhays, Rappleye, Colbert, and Stenquist voting in favor. The motion carried.

9.0 Dahle Property Purchase Agreement.

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9.1 David Dobbins said the Dahle property is located at the south end of the TOD project. The property is needed for access from the project to Bangerter Highway. The cost is \$7.00 per square foot for approximately 3.5 acres. He gave an update on the UDOT interchange progress and the appeal that was made to the environmental study. The city will construction the portion of 13490 from 200 West to the TOD area. UDOT will complete the connection to Bangerter Highway.

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9.2 A motion to approve the property purchase was made by Councilmember Stenquist and seconded by Councilmember Colbert.

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9.3 The motion carried unanimously.

10.0 Extension of Contract for Professional Planning Services.

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10.1 David Dobbins explained that Ed James is working for the city to help with planning. He has been helping with the FrontRunner CDA. He requested extending Mr. James' contract for two months to allow him to finish work on the CDA.

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10.2 Councilmember Stenquist asked if the city is trying to fill positions. Mr. Fox replied the Senior Planner position is in the hiring process. Additional staffing will be considered at a later time.

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10.3 A motion was made by Councilmember Rappleye to approve the contract extension. The motion was seconded by Councilmember Colbert.

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10.4 The motion carried unanimously.

11.0 Discussion of Proposed Storage Building Behind City Hall.

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11.1 This item was pulled from the agenda because a conversation is starting about a police station. The staff wants to master plan the site before building the storage building.

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11.2 A motion to continue this item to condition certain that is ready to be acted on was made by Councilmember Colbert and seconded by Councilmember Summerhays.

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11.3 The motion carried unanimously.

12.0 Off-Premise Beer License Transfer Request for Prostop Convenience Store, LLC, located at 13893 South Bangerter Parkway.

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12.1 Russ Fox explained that the action is to transfer the license to a new owner. He noted there were two citations against the previous owner for selling alcohol to minors. The new owners will have training.

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12.2 A motion to approve the transfer request for the off-premise beer license was made by Councilmember Colbert and seconded by Councilmember Rappleye.

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12.3 The motion carried by unanimous vote.

13.0 Request from Utah Transit Authority for Three Perpetual Easements on City-Owned Property.

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13.1 David Dobbins said the easements are in the parking lot at the Town Center TRAX station. The previously-granted easements need to be widened. The easements are for the pedestrian crossing, the waterline crossing, and the third is the vehicle crossing of the canal.

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13.2 A motion to approve the request for three perpetual easements was made by Councilmember Stenquist and seconded by Councilmember Rappleye.

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13.3 The motion carried by unanimous vote.

14.0 Council/Manager Reports

[8:29:46 PM](#)

14.1 Councilmember Summerhays said Jeff Rasmussen said the ditch/field drains at the Parc at Day Dairy are being covered over. Mr. Wolverton said the fence was moved to the south of the ditch and the property was deeded to the property owners to the north. The irrigation ditch is a prescriptive easement, and any concerns are civil. There are no city code violations taking place. Discussion was held about Mr. Rasmussen's property and the possibility of secondary water from another source.

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14.2 Councilmember Stenquist said the citizen comment about the widening of 13200 South and Fort Street has been discussed. He asked about the state of deferral agreements. Calling deferrals, the street widening, the roundabout, and saving the birch tree were discussed.

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14.3 Councilmember Rappleye said UTA is about ready to set the rail car at the Draper station. He got to see the history storyboards and they are incredible. Councilmember Colbert said he would like Draper Days to include this historic event/site.

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14.4 Councilmember Colbert said the LDS church would not allow a school bus stop at their chapel in Suncrest. He said school bus stops and pickups along Suncrest Drive should be considered. Councilmember Colbert also said a repeater has been requested for the Suncrest Fire Station. Councilmember Rappleye said it is coming from the emergency management budget.

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14.5 Mayor Smith noted a council retreat has been scheduled for February 9 at the Suncrest center. A town meeting will be held on January 29 for Envision Draper. He said the financial report was mailed to the citizens and he has received numerous good comments about it. He reported on a COG meeting and discussed transportation corridor funds. He wondered if the city could qualify for any money. Troy Wolverton said the city got funds for Lone Peak Parkway. He added that 13200 South would not qualify. Mayor Smith also reviewed a list of upcoming legislative and government meetings and asked councilmembers to attend some of the meetings.

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14.6 Councilmember Rappleye said he is attending the Governor's energy summit.

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14.7 David Dobbins asked the councilmembers to let Stephanie Giacoletto-Stegall know if they plan to attend the mid-year ULCT conference in St. George. EMC is expanding. The aquarium has started construction. The agreement with UTA for 11800 South station art has been finalized. We will have \$100,000 for that station. The artwork must comply with the federal requirements. A committee will be established to choose the artwork. He said the old Ruby Tuesday restaurant is now a Thai restaurant and the grand opening will be in about two weeks. The VF project was sold and is under the Factory group. They want to add a second hotel and are considering a different theme for the development. He asked if the city wants to retain the suncrest.com domain. The home owner's association would like to retain the domain. Councilmember Colbert said there is a value to the name. Mr. Dobbins suggested allowing them to use the name but the city would retain ownership. The council agreed the city should keep it for marketing purposes.

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14.8 Russ Fox said RC Willey has gone through the site plan approval process. He said the Greenwood rezoning was denied but a development agreement has been approved.

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14.9 Councilmember Walker arrived at the meeting.

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14.10 Chief Roberts said he would present the police department annual report in February.

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14.11 Chief Bacon said they are back in Station 105. The Draper staff, particularly Gary Martinson, was commended for the work they did. He said Marlon Jones has been promoted to assistant chief and he will be over Draper, Midvale, and Cottonwood Heights. UFA is hoping to get the new Riverton station opened next month. That station will cover the eBay and Galena area.

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14.12 Garth Smith reminded the councilmembers about the recognition luncheon for employees and the state of the city address.

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14.13 Rhett Ogden told the council that a Utah Jazz player will be in Draper next week conducting a free clinic for the youth.

15.0 Adjourn

[9:21:06 PM](#)

15.1 A motion to adjourn to a closed meeting to discuss litigation, property acquisition, and the character and professional competence or physical or mental health of an

individual was made by was made by Councilmember Colbert and seconded by Councilmember Walker. The motion carried by unanimous vote.

15.2 Following the close meeting, a motion to adjourn was made by Councilmember Colbert and seconded by Councilmember Summerhays. The meeting adjourned at 10:50 p.m.