

Approved 2.20.2018

**MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 6, 2018, IN THE DRAPER CITY COUNCIL CHAMBERS, 1020 EAST PIONEER ROAD, DRAPER, UTAH**

PRESENT: Mayor Troy K. Walker, and Councilmembers Mike Green, Tasha Lowery, Marsha Vawdrey, and Michele Weeks

EXCUSED: Councilmember Alan Summerhays

STAFF PRESENT: David Dobbins, City Manager; Mike Barker, City Attorney; Rachelle Conner, City Recorder; Russ Fox, Assistant City Manager; Rhett Ogden, Recreation Director; Clint Smith, Fire Chief; and Glade Robbins, Public Works Director

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**Dinner**

**6:00 p.m. Joint Meeting with the Parks, Trails, and Recreation Committee**

1.0 The City Council met with the Parks, Trails, and Recreation Committee to review accomplishments from last year and to discuss the proposed 2-Year Trail Plan.

**Study Meeting**

**1.0 Adjourn to a Closed-Door Meeting to Discuss Litigation**

1.1 Councilmember Vawdrey moved to adjourn to a Closed-Door Meeting to discuss litigation. Councilmember Green seconded the motion.

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

1.3 The Closed-Door Meeting adjourned at 6:59 p.m.

**Business Meeting**

**7:06:35 PM**

**1.0 Call to Order: Mayor Troy K. Walker**

**7:07:55 PM**

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

**7:07:10 PM**

2.1 Carter Kenworthy, Scout Troop #4754, offered the prayer.

7:07:42 PM

2.2 Ashton Olson, Scout Troop #4754, led the Pledge of Allegiance.

7:08:15 PM

**3.0 Public Comments**

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

7:10:30 PM

3.1 Reed Gibby, resident, said there is no good access across I-15. He gave suggestions to alleviate congestion around the interchanges near I-15.

7:13:48 PM

3.2 Ken Williams, resident, said he was concerned about the safety at Mike Weir Drive and Traverse Ridge Road. He stated there have been 16 accidents in the last three years. Turning left onto Mike Weir Drive from Traverse Ridge is precarious and there needs to be some safety measures put in place. Turning left on to Traverse Ridge from Mike Weir Drive is also very dangerous. He would like the Council to address the issue and do so as quickly as possible.

7:16:38 PM

3.3 Matt Evans, representing the Tree Commission, asked the Council to consider establishing a volunteer commission to assist the Parks and Recreation Department. He said this is being done regularly across the country.

7:17:48 PM

**4.0 Consent Items**

- a. **Approval of January 23, 2018, City Council Meeting Minutes**
- b. **Approval of Agreement #18-03**, Assessment-in-Lieu - 1015 East 13400 South. Staff: Glade Robbins
- c. **Approval of Agreement #18-15**, Davenport Consulting PLLC for Right-of-Way Acquisition Services. Staff: Glade Robbins
- d. **Approval of Agreement #18-16**, Assessment-in-Lieu Agreement for the Crossgrove House Subdivision. Staff: Glade Robbins
- e. **Approval of Resolution #18-06**, Amending the District Maps in Appendix H of the 2017 Draper City Emergency Operations Plan from nine districts to ten. Staff: Russ Fox
- f. **Approval of Agreement #18-26**, with Jordan River Foundation for Interpretive Signs. Staff: David Dobbins
- g. **Approval of Agreement #13-97 Renewal**, with Wads IV LLC for one additional year under the same rent and other terms and conditions. The lease agreement is

for The Ridge restaurant and retail market located at 14886 South Traverse Ridge.  
Staff: Russ Fox

- h. Approval of Resolution #18-09, Appointment of Christina Oliver as Community Development Director. Staff: Hazel Dunsmore**
- i. Approval of Resolution #18-10, Appointing Jeff Stenquist as a Member of the Parks, Trails, and Recreation Committee**

#### 7:19:34 PM

- 4.1 Councilmember Green moved to approve the Consent Items. Councilmember Lowery seconded the motion.**

#### 7:20:01 PM

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

#### 7:20:15 PM

- 5.0 Public Hearing: Moda Lone Peak Plat Amendment, Request for approval of a Plat Amendment to the Draperville Plat on 2.01 acres located generally at 12332 South 970 East. The property is zoned TC (Town Center)**

#### 7:20:21 PM

- 5.1 This item has been continued to a date uncertain due to a Planning Commission appeal that was filed today. A public hearing for the plat amendment will be heard after the appeal hearing has taken place.**

#### 7:20:15 PM

- 6.0 Public Hearing: Moda Town Center Plat Amendment, Request for approval of a Plat Amendment to the Draperville Plat on 1.74 acres located generally at 12553 South Fort Street. The property is zoned TC (Town Center).**

#### 7:20:40 PM

- 6.1 This item has been continued to a date uncertain due to a Planning Commission appeal that was filed today. A public hearing for the plat amendment will be heard after the appeal hearing has taken place.**

#### 7:20:50 PM

- 7.0 Public Hearing: South Point Station Land Use and Zoning Map Amendments, Request for approval of a Land Use Map amendment from Cultural/Institutional to Community Commercial on 1.01 acres. Request for a Zoning Map Amendment from PF (Public Facility) and A5 (Agricultural) zones to Community Commercial on a larger, 1.96 site.**

#### 7:21:20 PM

- 7.1 Dan Boles, Planner, presented the staff report as well as an aerial map of the subject property. He said the land use map currently showed a split between the Cultural/Institutional and Community Commercial zones, and the applicant was requesting**

to change the zoning of the entire area to Community/Commercial. Mr. Boles then presented the development map and explained there are two parcels: north and south. The northern parcel is zoned A5 whereas the southern parcel is zoned PF. The applicant is also proposing a rezone of these parcels to Community/Commercial. Mr. Boles stated the Planning Commission forwarded a recommendation of approval. The applicant's intent with the rezone request is to construct an office building.

#### 7:23:52 PM

7.2 Russ Poulsen, applicant, said Mr. Boles did a good job reviewing the request. He stated they intend to construct an office building on the property.

#### 7:24:18 PM

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

#### 7:24:43 PM

7.4 **Councilmember Weeks moved to approve Ordinances #1304 and #1305. Councilmember Vawdrey seconded the motion.**

#### 7:25:07 PM

7.5 **A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

#### 7:25:19 PM

8.0 **Action Item: Approval of the Redberry Road at Lone Peak Pkwy Extension Intersection Option, The Lone Peak Pkwy Extension Phase II Project is under design and will go out for bid for construction later this month. The alignment of the road takes over a portion of the north-south running portion of an existing road, Redberry Road. It was decided that the surrounding neighborhood impacted by this project could vote on whether Redberry Road at Lone Peak Pkwy should become a cul-de-sac or a T-intersection. The City mailed a flier to 50 residents informing them about the project and the options. They were invited to attend an open house held January 30, 2018, to vote in person or they could vote on-line. To date, 44 votes have been cast and the current tally is 25 in favor of the T-intersection and 19 in favor of the cul-de-sac**

#### 7:26:26 PM

8.1 Scott Cooley, City Engineer, said the cul-de-sac option would not connect to Lone Peak Parkway but the T-intersection would connect. The advantage of the cul-de-sac would be to make this a more private road. This would also isolate the road and move traffic to other roads. The advantages of the T-intersection would be that it would connect to Lone Peak Parkway. He said those who voted for the cul-de-sac option would be happy with the T-intersection if they installed sidewalks. They estimated the sidewalks would cost \$100,000 which may or may not be in the budget.

7:29:36 PM

8.2 Councilmember Weeks asked if they would have to make a budget adjustment to put in sidewalks. Mr. Cooley said they do not currently have it planned in the budget and explained they might have to request more money after completing the road to install sidewalks. Councilmember Weeks asked if they have the room to install the sidewalks, to which Mr. Cooley responded in the negative. He said they would propose to put in sidewalks on one side of the road for the \$100,000. They would not install on both sides because it would negatively impact the residents and would cost more money. Councilmember Weeks asked about the average lot size. Mr. Cooley replied he did not know.

7:31:26 PM

8.3 **Councilmember Weeks moved to approve the T-Intersection option for the Redberry Road at Lone Peak Extension with the addition of adding sidewalks to one side of the roadway. Councilmember Lowery seconded the motion.**

7:32:05 PM

8.4 Councilmember Vawdrey said this will dramatically impact people's lives. She appreciated everyone that expressed their concerns at the open house. She said they tried to listen to everyone and she was hopeful the City would do a good job of this project.

7:32:35 PM

8.5 Councilmember Lowery echoed Councilmember Vawdrey's remarks. She stated everyone expressed themselves well and she hoped they could continue listening to each other.

7:33:01 PM

8.6 Councilmember Green said he was happy to come up with solutions to mitigate this project. He understands they will impact some homes when they install the road. He said he was supportive of anything to alleviate the potentially negative impacts.

7:33:38

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

7:33:52 PM

9.0 **Action Item: Davies Zone Change**

7:33:58 PM

9.1 This item will be considered on March 6, 2018.

7:34:05 PM

10.0 **Action Item: Ordinance #1307, Temporary Land Use Regulation Pertaining to the Town Center (TC) Zone, Establishing a temporary land use regulation prohibiting new applications for development in the Town Center (TC) zone pending review of the zone's development standards**

7:35:28 PM

10.1 David Dobbins, City Manager, said this zone was created 12 to 13 years ago. The Council needs to review it and make improvements to the requirements for future developers.

7:35:28 PM

10.2 Councilmember Weeks said the language for the land use is vague and needed to be clarified. Mr. Dobbins concurred and explained the proposed ordinance would prohibit any new development from occurring until the necessary changes were made to the City's code. He stated this would not affect any developer that has already submitted an application.

7:36:24 PM

**10.3 Councilmember Weeks moved to approve Ordinance #1307, placing a temporary land use regulation on the Town Center zone. Councilmember Vawdrey seconded the motion.**

7:36:50 PM

10.4 Councilmember Weeks thanked Mr. Dobbins and the staff for working on this ordinance.

7:36:55 PM

**10.5 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

7:37:07 PM

**11.0 Public Hearing: Resolution #18-08, Amending the Fiscal Year 2017-18 General Fund Budget**

7:37:35 PM

11.1 Jared Zacharias, Assistant Finance Director, reviewed the proposed budget amendments as follows:

- **FY18-28 Electronic Meeting Management System** – Draper City is in need of replacing the current Electronic Meeting Management System/Meeting Recording System and associated modules. This will include the need for an audio webcast, agenda management, and meeting recording solution. Funding for this request will come from an increase in projected Sales Tax Revenue.
  - Amount of the requested budget amendment is \$20,000
- **FY18-29 Council Chambers Video Projection** – Staff is requesting additional funding to replace and upgrade the video projection system in the City Council Chambers. The current projection system was installed when the building was constructed in 2005. The system is beginning to fail. Funding for this request will come from an increase in projected Sales Tax Revenue.
  - Amount of the requested budget amendment is \$60,000
- **FY18-30 Human Resources** – Staff is requesting authorization to fund an employee recognition program for a fitness incentive. The City's current health care insurance coverage is with PEHP. Based on the City's annual claim experience, the City may receive a refund of the premiums paid into the program. The money

that is received from PEHP is restricted for use, and one of the permitted uses is for employee fitness incentives. The requested amount for the remainder of FY2018 is \$6,000. Funding for this request will come from the PEHP refund for insurance premiums.

- Amount of the requested budget amendment is \$6,000
- **FY18-31 Salt Lake County Recreation Centerfield House** – Salt Lake County Parks and Recreation is moving forward with the new Draper Recreation Center. The County has presented a plan to the City Council on adding a field house to the design. The county is requesting additional funding from the City to add the field house. Funding for this request will come from the General Fund Balance Appropriation.
  - Amount of the requested budget amendment is \$1,000,000
- **FY18-32 UTA** – The City has entered into an agreement with UTA to purchase property owned by UTA. The cost of the purchase is \$3,035,000 and this funding will come from the adjacent property owner/developer who will build a road on the UTA property at the developer’s expense. Funding for this request will come from a reimbursement from the developer.
  - Amount of the requested budget amendment is \$3,035,000
- **FY18-33 Fire Department Ambulance** – Draper City Fire Department is requesting funding for a new ambulance to replace the current front line ambulance. The current ambulance is a 2008 Horton with nearly 100,000 miles. The current 2008 ambulance would be moved to a reserve vehicle. Funding for this request will come from the General Fund Balance Appropriation.
  - Amount of the requested budget amendment is \$325,600
- **FY18-34 Parks & Recreation Pickleball Courts** – The City currently has approved and budgeted for six lighted pickleball courts at South Fork Park. After receiving competitive bids, staff is requesting additional funding due to increased fence engineering for post-tension concrete, higher electrical run and install costs, project contingency and to be able to award alternate bid items to install three shade structures and conjoining benches and tables. The original approved budget was for \$350,000. The requested additional funding is for \$50,000. If approved the total approved budget for this project would be \$400,000. Funding for this request will come from a budget transfer from the Splash Pad capital project.
  - Amount of the requested budget amendment is \$50,000.

7:42:58 PM

11.2 Councilmember Green asked if the \$1 million was enough for the recreation center. Mr. Dobbins said they have been ensured that it will cost \$1 million.

7:43:50 PM

**11.3 Mayor Walker opened the public hearing.**

7:44:12 PM

11.4 Reed Gibby, resident, said he did not have any objections to the proposal. He said he was concerned that the police department was under staffed. He suggested the Council discuss the status of the police department.

**7:47:26 PM**

11.5 James Thelon, resident, asked the Council to consider installing irrigation in the Green Clover subdivision. He did not think it would be too expensive because they are already building a new road in that area.

**7:49:08 PM**

**11.6 Mayor Walker closed the public hearing.**

**7:49:14 PM**

**11.7 Councilmember Green moved to approve Resolution #18-08, amending the Fiscal Year 2017-18 Budget. Councilmember Vawdrey seconded the motion.**

**7:49:27 PM**

11.8 Councilmember Weeks asked if they could discuss the irrigation issue Mr. Thelon brought to their attention for future budget amendments. Mr. Dobbins said staff will determine the cost and provide the Council with an estimate.

**7:50:00 PM**

**11.9 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

**7:50:19 PM**

**12.0 Council/Manager Reports**

**7:50:30 PM**

12.1 Councilmember Weeks thanked the Police and Fire Departments for their response to her husband's heart attack. She thanked everyone who sent condolences.

**7:51:54 PM**

12.2 Councilmember Green said he would like to look into putting a traffic control device at the Mike Weir and Traverse Mountain Road intersection. The area is very dangerous and has speeders. He stated they need to do something to make the intersection safer.

**7:52:46 PM**

12.3 Councilmember Lowery said she also would like something to be done at the Mike Weir and Traverse Mountain Road intersection. She said she has seen an accident at the intersection and explained that traffic will get worse as people move into the area.

**7:53:14 PM**

12.4 Mr. Dobbins said the challenge with the Draper Police Department was that it cannot pay as well as some other Cities. He said they are struggling to get applicants and their officers are leaving to larger agencies. He said to keep the City safe they will pull officers from traffic patrol to stay fully staffed. He said they will address their pay and benefits issues during the budget process and noted other departments have the same problem. Councilmember Weeks asked if they could put another officer on the night shift.



Mr. Dobbins also reported the \$1 million for the recreation center came from selling the 110 acres in Suncrest.

#### 7:56:15 PM

12.5 Mayor Walker said the City needed to improve the retirement package currently being offered to their police officers. He said this would be expensive, but it is necessary in order to retain current officers and attract new officers. Councilmember Green said the Police Chief had a proposal that would change the pay scale and would not be an excessive cost. He said he would like to discuss the proposal on the next agenda.

Mayor Walker said the water levels in Corner Canyon have improved. Previously, the water levels were poor due to dog waste. He said they need to change the citation people receive from their dog being off leash. He suggested that it no longer be listed as a misdemeanor; instead, he would like it to only be an infraction that carried a fine.

#### 8:00:34 PM

12.6 Councilmember Vawdrey said they did not get an opportunity to ask questions of the Parks and Trails Committee. Mr. Dobbins said the plan was to put the two year plan on their agenda. He said they could discuss it as much as they needed with the Council and Staff.

Councilmember Weeks said she would like to discuss the agenda during the retreat. Mr. Dobbins said they need to discuss the East Jordan Canal Trail on the next agenda and do so as a public hearing. Councilmember Weeks said they rushed through the study meeting. Mr. Dobbins explained that this was done in order to adhere to the two meetings per month policy.

#### 8:04:08 PM

13.0 **Recess to a Redevelopment Agency of Draper Meeting**

#### 8:04:17 PM

13.1 **Councilmember Weeks moved to recess to a RDA Meeting. Councilmember Vawdrey seconded the motion.**

#### 8:04:32 PM

13.2 **A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

#### 8:09:20 PM

14.0 **Adjournment**

#### 8:09:22 PM

14.1 **Councilmember Lowery moved to adjourn the meeting. Councilmember Vawdrey seconded the motion.**

**8:09:33 PM**

**14.2 A roll call vote was taken with Councilmembers Green, Lowery, Vawdrey, and Weeks voting in favor. The motion passed unanimously.**

**8:10 PM**

**14.3 The meeting adjourned at 8:10 p.m.**