

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, FEBRUARY 19, 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, Alan Summerhays, Jeff Stenquist, Bill Rappleye and Bill Colbert.

STAFF PRESENT: David Dobbins, Doug Ahlstrom, Tracy Norr, Russ Fox, Troy Wolverton, Danyce Steck, Garth Smith, Dennis Workman, Rhett Ogden, Bryan Roberts

Study Meeting

1.0 Harassment Prevention Training – URMMA

1.1 Joann Glantz from URMMA was present to provide the annual harassment prevention training to the council.

2.0 Legislative Update

2.1 Bryan Cunningham met with the council and reviewed the lobbying efforts he has helped the city with. He discussed his thoughts on infrastructure investments that will receive federal funding and how the city should present its unique character, including additional meetings with the large employers in the city. He noted the prison relocation is a big project. He said he would follow up on the possibility of getting federal funding to help build the new police station and emergency operations center. Sequestration and its effect were discussed.

3.0 Adjourn to Redevelopment Agency Meetings

3.1 A Redevelopment Agency meeting was held.

BUSINESS MEETING

1.0 Call to Order

[7:52:48 PM](#)

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

2.0 Comment/Prayer and Flag Ceremony

[7:52:58 PM](#)

- 2.1 The prayer was offered by City Engineer Troy Wolverton. He then led the Pledge of Allegiance.

3.0 Presentation: Emergency Management Committees Report

[7:54:39 PM](#)

- 3.1 Garth Smith recognized the work of the nine district representatives, Gary Howell, and Maridene Hancock . He reviewed the work of the Emergency Management Committee in 2012, noting the receipt of FEMA funding for spring flooding, participation in the Great Utah Shake-out, the re-writing of the Draper City Emergency Operation Plan, the Emergency Preparedness Fair, use of the iDraper mobile app, outfitting the CERT trailer, purchase and installation of four radio towers, and the Firewise Program presentation. Councilmember Rappleye said there is a strong backbone for the emergency program, including staff, other agencies, and citizens. He thanked Garth Smith for his work in emergency management. Councilmember Summerhays asked if the command center is adequate. Mr. Smith said it is functional, but adding the EOC component will be good. Councilmember Rappleye said the mobile center is adequate, but a trailer for responders to use for rest periods on site is a future goal.

4.0 Citizen Comments

[8:03:30 PM](#)

- 4.1 There were no comments given.

5.0 Consent Items

- a. February 5, 2013 Minutes
- b. February 12, 2013 Minutes

[8:05:24 PM](#)

- 5.1 **A motion to approve the consent items was made by Councilmember Rappleye and seconded by Councilmember Stenquist.**

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- 5.2 **The motion carried unanimously.**

6.0 Presentation: Encroachment Request for Steve Ennis.

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- 6.1 This item was removed from the agenda at the request of Steve Ennis.

7.0 Public Hearing: Draperville Plat Amendment.

[8:06:29 PM](#)

7.1 Dennis Workman said the area is at 645 East between 12000 and 12100 South. Thirteen new lots are being considered. Eleven of the lots will be south of 12000 South and two are on the north. Four lots will be accessed off a private lane, two lots accessing off 645 East north of 12000 South, six lots of 645 East south of 12000 South, and one lot accessing off 12100 South. All the lots meet the lot minimum and configuration standards. Street improvements are the big issue. The properties north of 12000 South have a different issue. He showed the street tree plan, noting flowering cherry trees will be used on 12000 South and the rest will be honey locust trees. The private lane, Nelda Court, meets all private-lane standards. He noted the original plat was recorded in 1871. The Planning Commission has recommended approval. Mr. Workman discussed the sidewalk on the west side of 645 East. Ivory will do the street improvements up to curb and gutter on the west side, but not the sidewalk. The four homeowners on that side are not in favor of the sidewalk. Councilmember Stenquist said he has concerns with a private lane because he anticipates future issues with it. Mr. Workman pointed out a condition added by the Planning Commission for a maintenance agreement for the lots on the private lane. There will not be an HOA. Russ Fox noted the private lane ordinance has been modified to require that the private lanes be built to city standards if there looks like a future possibility of the city taking ownership of the road. Councilmember Stenquist said he is concerns that a maintenance agreement may not work. Mr. Ahlstrom agreed that HOA are usually formed to address this issue and the HOA would be recorded against the lots.

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7.2 Kyle Honeycutt, 793 East 12600 South, said there is no HOA but there are deed restrictions and CCR's in his neighborhood. There would be the same type of restriction that would include a requirement for maintenance of Nelda Court. The plat will have similar language. The problem with forming an HOA is that several of the lots would not be benefitted by it.

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7.3 The public hearing was opened.

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7.4 Dan Buchanan, 645 East 12038 South, said Ivory has been considerate of their needs and wants. He said Ivory was talking about just a road and was willing to install the curb and gutter. He thought everyone was satisfied and then they heard about the sidewalk. He said the busiest street in his area is 300 East, and there is sidewalk only on one side. There are not many people using the sidewalk. Most of the walkers use the street. The residents are hoping not to have the sidewalk on the west side and the associated maintenance.

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7.5 Maureen Newbold, 12062 South 645 East, said she is requesting that the sidewalk is not put on the west side of the street. She thanked Ivory for putting it on the east side, noting they have been easy to work with. She said snow removal on the sidewalk would be a burden on her. There are no sidewalks on 12000 South or 12100 South it would connect to.

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7.6 Cheryl Pool, 637 East 12000 South, said she lives at the end of the road that will be changed. She complimented Dennis Workman and Troy Wolverton as well as Ivory for working with the neighborhood. She said she would like curb and gutter on the east side of the road by her house.

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7.7 Afton Joosten, said she would not like a sidewalk because she does not have time to clean it. She lives on the corner of 640 East and 12100 South, and the sidewalk would go nowhere.

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7.8 Steve Buchanan, 622 East 12000 South, said his lot is different and the plans show sidewalk on the north side of his lot as well as the east. It would be the only sidewalk on that side of the street. The financial burden for 100 feet of his property would be hard for him.

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7.9 Christian Cole, 11963 South 630 East, said he is in favor curb on his side but not sidewalk. He said he worries about drainage and the curb would help protect his property.

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7.10 The public hearing was closed.

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7.11 Troy Wolverton said 630 and 645 East are the same right of way, and it all needs to be shifted from 12000 to the end. Many of the roads in Draperville are not built in the center of the right of way. Councilmember Stenquist asked if there would be storm water system put in place. Mr. Wolverton said Ivory is proposed some storm water improvements. If the city puts improvements on the east side of 630, the city would need to put in some storm drainage. Mayor Smith thanked the residents for their comments about the staff. He said this area has been historically more of a rural area but is now developing and change is required. He noted there are a lot of dead-end sidewalks around the city. Mayor Smith noted there is a deferral agreement on Mr. Buchanan's lot. David Dobbins said that deferral would require sidewalk on both sides. If the city council decides to call the deferral, does the council want to put sidewalk on both sides of the lot. Discussion was held about the need for the sidewalk and where the adjoining sidewalks are. Councilmembers asked about the money that was paid in lieu of the

improvements. Mr. Dobbins said it would be retained for the future. Councilmember Rappleye said he worried about too high of development in the rural areas. He is in favor of the curb and gutter for drainage, but does not feel the sidewalk is necessary. Councilmember Stenquist said he thinks the council should consider a fairness issue that Ivory Homes is being required to put in curb, gutter and sidewalk and we require it from other residents in the city. Councilmember Colbert said if you look at it from an engineer perspective, you require the improvements. But if you look at the human side, he understands the request. Councilmember Stenquist said the sidewalk request is different from curb and gutter requests. David Dobbins pointed out the city participation to put in a sidewalk is \$13,000. Troy Wolverton said the deferral amount is about \$3,000.

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7.12 Russ Fox reminded the council that the agenda item is the plat amendment. The sidewalk needs to be discussed, but it is not part of the plat amendment. Troy Wolverton said he has a presentation about the sidewalk that could be given now or during the council/manager reports.

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7.13 A motion to suspend the rules was made by Councilmember Stenquist and seconded by Councilmember Walker

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7.14 The motion carried by unanimous vote.

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7.15 A motion to approve the Draperville Farms plat amendment was made by Councilmember Stenquist and seconded by Councilmember Walker.

[9:01:04 PM](#)

7.16 The motion carried by unanimous vote.

8.0 Second Amendment to Development Agreement with Draper Holdings, LLC.

[9:02:57 PM](#)

8.1 David Dobbins said this is the same agreement that was approved by the Redevelopment Agency. The city is also a party to the agreement.

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8.2 A motion to approve the amendment as presented was made by Councilmember Colbert and seconded by Councilmember Walker.

[9:04:08 PM](#)

8.3 The motion carried by unanimous vote.

9.0 Resolution #13-14, Appointment of City Manager and Approval of Employment Agreement.

[9:04:21 PM](#)

- 9.1 A motion to adopt Resolution #13-14 and approve the employment contract was made by Councilmember Summerhays and seconded by Councilmember Rappleye.**

[9:06:09 PM](#)

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

10.0 Agreement #13-36, 2013 Draper City Hall Second Floor Remodel.

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- 10.1 Russ Fox showed the plans for remodeling to be done on the second floor of city hall. Seven new offices will be added in the Community Development Department. Bids were solicited and the low bid was Ryan Development.**

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- 10.2 A motion to approve the agreement was made by Councilmember Summerhays and seconded by Councilmember Walker.**

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- 10.3 The motion carried by unanimous vote.**

11.0 Council/Manager Reports

[9:09:17 PM](#)

- 11.1 Councilmember Rappleye said the Chamber has a ribbon cutting on February 25. He also said the Emergency Preparedness committee would like to get three new trailers. Bids will be solicited and the manufacturer would be allowed to put their logo on the trailer as sponsors. The manufacturer logo would be subordinate to the city's logo.**

[9:14:00 PM](#)

- 11.2 Councilmember Colbert asked about the Suncrest market. Mayor Smith said that discussion would be held in the closed meeting.**

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- 11.3 Troy Wolverton referenced the Draperville Farms plat. He pointed out the places where Ivory will put in the public improvements. He said driveway accesses will be installed. He pointed out where the sidewalk being discussed would be located and asked for clarification about building the sidewalk. He said the general plan for transportation shows curb, gutter and sidewalk on both sides of the road. The proposed sidewalk could be deferred to another time. He added that doing the sidewalk at this time would fiscally be more responsible. Councilmember Colbert and Councilmember Rappleye both said**

they feel the sidewalk should be put in now. Councilmember Stenquist said he doesn't think we are harming the residents by putting in the sidewalk. The biggest question is the financial burden for the corner lot if the deferral is called. Mayor Smith said he thought the sidewalk should not be put on the north side of the Buchanan lot if it is put on the east side of his lot. Councilmember Summerhays said he does not think the sidewalk should be put in. Councilmember Stenquist said there is also an argument about spending the money for the sidewalk that people don't want. Councilmember Walker agreed, saying he is listening to the constituents about the sidewalk. Mr. Wolverton said the owners on the east side of 630 East have requested curb and gutter. Ivory is installing the improvements on the west side. The council agreed the curb should be put in on the east side and on the south side of that property (to the north of the Ivory development).

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11.4 Councilmember Rappleye said the Emergency Preparedness Committee has approved the purchase of two AED's for the recreation department.

12.0 Adjournment to Closed Meeting

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12.1 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 Summerhays and seconded by Councilmember Walker. The motion carried by unanimous vote.

12.2 Following the closed meeting, a motion to adjourn was made by Councilmember Colbert and seconded by Councilmember Summerhays. The meeting adjourned at 10:17.