

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, JULY 16, 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 Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Bill Colbert. Councilmember Troy Walker arrived late.

STAFF PRESENT: David Dobbins, Russ Fox, Doug Ahlstrom, Tracy Norr, Garth Smith, Joe Bryant, Glade Robbins,

Study Meeting

1.0 Study Session

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1.1 Jeff Hartley was present and answered council questions about the funding for Suncrest Drive and 11950 South Lone Peak as well as about the prison relocation board.

2.0 Adjourn to Children’s Bike Parade

2.1 The meeting adjourned so the Mayor and Council could attend the children’s bike parade.

Business Meeting

1.0 Call to Order

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

2.0 Comment/Prayer and Flag Ceremony

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2.1 The prayer was offered by Councilmember Rappleye. Garth Smith led the Pledge of Allegiance.

3.0 Citizen Comments

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3.1 Michael Barth, 11857 Aztec Road, said he has lived in the Inauguration subdivision for eleven years and has seen the subdivision deteriorate dramatically due to a severe lack of pride and care of the homes. He distributed photos

showing examples of some of the infractions. He said he would like some suggestions or instructions on how he could help improve the situation. He said some of the lowest-priced homes for sale in Draper are in that subdivision. Councilmember Rappleye asked if there is an HOA for the subdivision. Mr. Barth said there is not one. He expressed willingness to organize one. Councilmember Summerhays said the city attorney could look at what enforcements the city can do. Mr. Barth said that would be helpful. He said the homeowners do snow removal on the private alleys. Russ Fox said Kasie Hall would look at the code enforcement issues. Mr. Barth said handouts were distributed throughout the neighborhood and he thought that was helpful. Mayor Smith suggested holding a neighborhood meeting. Scout clean-up projects were also mentioned.

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3.2 There were no more citizen comments.

4.0 Consent Items

- a. Approval of Minutes of July 2, 2013
- b. **Resolution #13-39**, Appointing Keith Morey as Community Development Director
- c. Agreement #13-194 with Geneva Rock for the 2013 Road Reconstruction Project
- d. Approval of Poll Workers for 2013 Elections
- e. **Resolution #13-40**, Authorizing the City Engineer to submit an application with the National Park Service for Assistance from the Rivers, Trails, and Conservation Assistance Program
- f. **Resolution #13-41**, Authorizing Interlocal Agreement #13-195 with Salt Lake County for Traffic Signal Installation and Maintenance

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4.1 A motion to approve the consent items was made by Councilmember Rappleye and seconded by Councilmember Summerhays.

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

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4.3 Keith Morey was introduced to the council.

5.0 Resolution #13-34, Declaring Property at 12200 South and 900 East as Surplus

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5.1 Dennis Workman said this item is a request made by Leesa Clark-Millerberg to have the property declared as surplus. The street right of way was recently vacated. Ms. Clark-Millerberg has requested the opportunity to purchase the property and states that the

property would help her make the property ADA compliant. He said Ms. Clark-Millerberg has made an offer to purchase the property. Councilmember Colbert said the council could discuss the offer in closed meeting. Mr. Workman said staff recommends approval of declaring the property as surplus.

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5.2 A motion to adopt Resolution #13-34, declaring the project as surplus, was made by Councilmember Colbert and seconded by Councilmember Rappleye.

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5.3 Councilmember Colbert noted the engineering staff has determined the right of way is not needed and the city has no anticipated need for the property.

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

6.0 Resolution #13-38, Expressing the Intent of Draper City to Adjust Its Common Boundary with Lehi City

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6.1 Russ Fox explained that discussion has been held with Lehi City about a boundary change to move all the Micron property into Lehi City. Servicing the property with water and fire protection is an issue for Draper. Lehi City is able to service the property. The property consists of about 800 acres. Mr. Fox said the plans for the property are for residential development which gives a negative effect on property tax revenue. Councilmember Colbert noted that most of the shopping for this area is done outside Draper so we don't benefit from sales tax revenue either. Doug Ahlstrom said the resolution indicates the intention to go through the public hearing process. David Dobbins said Lehi City supports the boundary adjustment and has approved the resolution. Mr. Fox said notices will be given for the public hearing dates. Mr. Dobbins said he also discussed the trail system with Lehi. The Lehi master plan reflects our trail system and Micron recognizes the trail access is valuable. He added there are three property owners: Micron, Zions Bank, and one other owner of a small area. He said that he does not think there will be a sales tax base eventually because the slope will lead to residential development. The cost to provide service will be quite high and the area is not part of the TRSSD. He also noted that the city must be able to articulate how and when they are going to provide service or the property owner can disconnect. He recommended proceeding with the boundary adjustment. He noted the property does not have access to Suncrest Drive.

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6.2 A motion was made by Councilmember Stenquist to approve Resolution #13-38, expressing the intent to adjust the boundary with Lehi City. The motion was seconded by Councilmember Rappleye.

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6.3 Councilmember Rappleye said he thinks this is the financially responsible thing to do.

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

7.0 Discussion Item: School Crosswalks and Crossing Guards

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7.1 Glade Robbins said this is a follow-up discussion following the presentation given two weeks ago. He reviewed the intersections and the recommendation for each intersection. Mayor Smith noted that Scott Lloyd from the school's community council is present. Discussion was held about moving the cross guards if the student pedestrian projection is not met.

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7.2 Scott Lloyd, chairman of the Draper Park Community Council, said the council is not prepared to give a formal position at this time. He thanked the city council for preparing the infrastructure for the new school. He deferred to Kathryn Meyers for thoughts.

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7.3 Kathryn Meyers, 1119 Lone Peak Lane, said her daughter is excited to walk to school instead of ride the bus, but as a parent she is terrified. She said 13200 South and 1300 East are busy streets. They would like crossing guards and cross walks. She said her neighborhood is organizing groups for students to walk together.

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7.4 Councilmember Stenquist asked for a map showing the bus area for the schools. He said he is not sure some of the proposed areas are in walking areas. Councilmember Rappleye said he is not opposed to going with the recommendations with the possibility to pull back if the student projections are not met. Glade Robbins noted the count of students in the projections was determined by a survey done by the consultants. Mayor Smith said we will not know the numbers until school starts.

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7.5 Leslie Bruce, crossing guard supervisor, said the crossing guard training is scheduled for August 6. She said assignments and schedules are arranged at that time. If the item is delayed, it will cause problems.

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7.6 David Dobbins suggested going ahead with the crossing guards at 300 East/11400 South, 13200 South/1300 East, and 1300 East/Highland Drive.

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7.7 Mr. Lloyd asked why 11400 South/300 East is on the list. He was told it is because of the elementary school.

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7.8 Mr. Dobbins said three crossing guards will be hired and further action will be taken at the next meeting.

8.0 Council Manager Reports

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8.1 Councilmember Summerhays said all the homes in the Holmes Homes subdivision on 13800 South are sold. These are starter homes. He said he sees smaller homes and lots are selling. Mr. Dobbins said there is a great demand for smaller lots. Draper has not had that as an option historically. He said staff could look into code changes if the council would like. Discussion was held about HOAs, rentals, and maintenance issues. Russ Fox said there are some provisions in the general plan but the small lots are only allowed in multi-family zones. He suggested looking at the R-4 and R-5 classifications. Councilmember Stenquist said he wants to be cautious and make sure it is done right.

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8.2 Councilmember Rappleye said David Segue talked to him about the letter on the mountain. He is trying to get the community behind the issue. The group will come forward with costs and sizing. He said they are looking at the South Mountain area with concrete and solar panels for the letter. A suggestion was made to turn this into the Mayor's Youth Council legacy project. Councilmember Stenquist said he would like to see a grass roots effort behind it and a public discussion should be held. Mayor Smith suggested involving the Parks & Trails committee.

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8.3 Councilmember Colbert said there are questions about striping on Suncrest Drive and reflectors on Traverse Ridge Road. He forwarded the e-mails to staff and councilmembers. David Dobbins said the cross walk on Suncrest Drive will be repainted. Councilmember Colbert also asked about the open meetings act and the Suncrest Owners' Association membership of the council. David Dobbins said the attorney general's office recommended noticing when a quorum would be present at the meeting. Councilmember Colbert stated a concern that the OA minutes would become public record. Mr. Dobbins said he hopes the situation will resolve itself as the development plans are finalized. The city will lose its number of seats on the board.

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8.4 Mr. Dobbins the issue about the city's ability to regulate the discharge of firearms has been researched. The city is allowed to regulate the discharge of firearms. The current ordinance has been reviewed and is appropriate. The gentleman who asked the question

will be notified. Councilmember Colbert said there is a big difference in being able to carry a weapon for protection and being able to fire weapons in the open space where the public could be exposed to an unnecessary hazard. Mr. Dobbins also recommended we proceed with the new 11950 Lone Peak intersection and traffic signal. We don't have formal notification from the state about the funding. The improvements are about \$300,000 and we expect that much from the state. RDA funds could be used if necessary. Installation of the signal is important before school starts on August 26. The consensus was to proceed and to encourage certain parties to sign the documents as needed. Mr. Dobbins said Troy Wolverton, city engineer, has done a tremendous job in getting this done. Mr. Dobbins reported that the asphalt sidewalk on Steep Mountain Drive is private property and the city cannot do anything about maintaining the sidewalk. Mr. Dobbins said there was a question about grazing horses in a detention basin. The citizen is not grazing horses there anymore.

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8.5 Councilmember Walker arrived at the meeting.

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8.6 Doug Ahlstrom stated state law requires that the elected officials receive annual training on open meetings. He reviewed the Utah Open and Public Meetings Act and asked for council comments about the training.

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8.7 Russ Fox asked for an answer for the request for trees at Parkstone. Councilmember Colbert said the property owners should buy their own trees. Councilmember Summerhays suggested buying trees for \$1,000. Councilmember Rappleye said he would prefer to buy trees. Councilmember Walker agreed with spending \$1,000. Mr. Fox said staff has been working with the LDS church on the sale of property on Steep Mountain Park. Part of the property has open space zoning. He asked if the council is okay with initiating a rezone request. The consensus was to proceed. Mr. Fox pointed out potential development areas in Suncrest. He said if we can identify the development areas, we will be able to proceed with selling property for development. He said there are about 750 potential units in four areas. Mr. Dobbins said the number of units will affect the improvements to the water system. Once the improvement costs are determined, we can determine if the sale of the property will pay for the improvements. The consensus of the council was to take off the 30 units of the far eastern area. Councilmember Colbert said we also need to move forward on establishing impact fees on all areas not already platted. Mr. Dobbins said the units will also change the number of seats the council has on the owners' association board. Mr. Dobbins noted that the agreement on the consent item is for funding to help master plan the property. Once development areas are determined, master planning can be done.

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8.8 Glade Robbins said the new four-way stop signs and stop bars on 13200 South and Fort Street will become effective on July 29. Cross walks will not be installed yet. Questions

were asked about the house on the corner. Mr. Dobbins suggested renting the house short-term.

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8.9 Tracy Norr announced her resignation from Draper City and said she has been appointed as City Clerk for Wichita Falls, Texas. Congratulations were given. David Dobbins asked if the council wants to meet on July 30. The consensus was to meet on July 30 and not on August 6.

9.0 Adjournment to Closed Meeting

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9.1 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 pursuant to the provisions of Section 52-4-5(1)(a)(i) of the Open and Public Meetings Law was made by Councilmember Walker and seconded by Councilmember Colbert. The motion carried unanimously.

9.2 Following the closed meeting, a motion to adjourn was made by Councilmember Walker and seconded by Councilmember Summerhays. The meeting adjourned at 10:08 p.m.