

Approved 11/19/2013

MINUTES OF THE DRAPER CITY COUNCIL MEETING HELD ON TUESDAY, NOVEMBER 12, 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, and Councilmembers Bill Colbert, Bill Rappleye, Jeff Stenquist, Alan Summerhays, and Troy Walker

STAFF PRESENT: David Dobbins, City Manager; Russ Fox, Assistant City Manager; Doug Ahlstrom, City Attorney; Rachelle Conner, City Recorder; Keith Morey, Community Development Director; Glade Robbins, Bryan Roberts, Chief of Police; Public Works Director; Garth Smith, Human Resource Director; and Bob Wylie, Finance Director

Study Meeting

1.0 Dinner

2.0 Adjourn to Closed Meeting

Business Meeting

[7:03:36 PM](#)

1.0 Call to Order

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

[7:04:21 PM](#)

2.0 Comment/Prayer and Flag Ceremony

2.1 Doug Ahlstrom offered the prayer and led the pledge.

Mayor Smith indicated they are going to take care of Item 4 before they do Item 3.

[7:04:53 PM](#)

4.0 **Presentation: Letter from Senator Hatch to Shante’ and Ben Johnson.**

4.1 Mayor Smith read a letter he received from Senator Hatch’s office. The letter noted he had placed a statement on the Congressional Record regarding Sergeant Derek Johnson and his great service to the residents on Draper. He invited Shante’ and Ben up to receive the letter and be recognized.

[7:09:20 PM](#)

3.0 Citizen Comments

[7:11:26 PM](#)

Johnny Vizmeg, 13776 South Fort Street, congratulated the newly elected Councilmembers. He noted he is on the cross country team at Channing Hall. He and other members of the team are here tonight to request a modification for Resolution No. 12-12 and 12-11, which require fees for non City events on trails and parks. These fees include an event, deposit, and participant fee for races. His school property is not large enough to run the two mile loop, and if these fees are in affect next year, they will not be able to use places like Draper City Park or Porter Rockwell trails due to the cost. Mr. Vizmeg requested an exemption of the fees for the schools in Draper. As nonprofit public organizations they cannot afford the costs, but they would still like to have a cross country team to develop skills and character. They can hold their event in a single park, which would not require police assistance in crossing the roads. Their meets are shorter in duration than other events that these fees are targeting. They last no longer than ninety minutes. The schools are willing to comply with the safety rules and pay the refundable deposit.

Mayor Smith asked how large the cross country team is. Mr. Vizmeg responded his team had approximately twenty students this year, and the meets have about eighty participants.

[7:14:00 PM](#)

Vincent Simmons, 12825 South Fort Street, congratulated the Councilmembers on the election results. He said he has lived in his home since 1979. He and his wife Sherrie restored it two times before it was completely renovated due to a fire. He and Sherrie started the Draper Arts Council, and Sherrie served as president for nearly ten years. He stated he is here this evening because he would like to rezone his property. His home sits on a one-acre lot, and it has been for sale since February. He has not had one offer on his home because Fort Street is too busy, no privacy due to walking path, too much noise from high school. His wife died in 2009 from carbon monoxide poisoning, and he can no longer deal with living in his home without her. He has had three lawyers call him to see if the house could be used for commercial but it is not zoned for that. Mr. Simmons noted that to the north of his home there are many commercial businesses, and he knows of two attorneys that run their office out of the homes on Fort Street. He asked the City Council to consider rezoning his property to light commercial. This would give him a chance to get on with his life.

Mayor Smith recommended Mr. Simmons speak with Keith Morey who is the Community Development Director. Mayor Smith noted he remembers Sherrie Simmons well and appreciates the service both Sherrie and Vincent gave to Draper City.

Councilmember Colbert stated there is a Town Center overlay zone that is north of Mr. Simmons' property. They can look at extended that overlay zone a little further south if needed.

[7:20:45 PM](#)

Dave Mast congratulated the Councilmembers on their election victories. He noted he would like to speak with Councilmember Walker about his new role as Mayor. Mr. Mast said he is currently in a dispute with the City, and he expressed his opinion that there should be more accountability with the staff.

[7:27:06 PM](#)

5.0 Consent Items

- a. Approval of October 15, 2013, and October 29, 2013, Minutes.
- b. **Agreement #13-20**, First Amendment to Operation and Maintenance Agreement for Groundwater Pump at 700 East and Golden Pheasant Drive.
- c. **Agreement #13-239**, WCEC Engineers – Consulting and Design Services for Waynes World Drive and 1300 East Traffic and Roadway Analysis.
- d. **Agreement # 13-233**, Approval of Right-of-Way Purchase Agreement for the Masters Curb and Gutter Project – Kent and Marnee Christensen.
- e. **Agreement # 13-244**, Approval of Easement Agreement – Right-of-Way for Constitution Avenue from Salt Lake County.
- f. **Agreement #13-105**, Amendment to Agreement – 13800 South Bangerter to 300 East Environmental Study.
- g. **Agreement #13-212**, Professional Land Survey Services Contract Award.

[7:29:02 PM](#)

- 5.1 Councilmember Stenquist moved to approve the consent calendar as slated. Councilmember Summerhays seconded the motion.**

[7:29:27 PM](#)

- 5.2 A role vote was taken with Councilmembers Colbert, Rappleye, Summerhays, Stenquist, and Walker voting in favor. The motion carried unanimously.**

[7:29:34 PM](#)

- 6.0 Action Item: Agreement #13-97, Approving a Lease Agreement with Wadsworth Acquisitions LLC for SunCrest Market Lease. Staff requests this item be continued to November 19, 2013.**

[7:30:10 PM](#)

- 6.1 Councilmember Rappleye moved to continue this item to November 19, 2013. Councilmember Stenquist seconded the motion.**

[7:30:15 PM](#)

- 6.2 A role vote was taken with Councilmembers Colbert, Rappleye, Summerhays, Stenquist, and Walker voting in favor. The motion carried unanimously.**

[7:30:22 PM](#)

- 7.0 Action Item: Appointing Trustees to the SunCrest Owners Association Board. This item was continued from the October 29, 2013, City Council meeting.**

[7:31:30 PM](#)

- 7.1 Councilmember Stenquist noted he sits on the Owners Association Board (OA) at this time. The City Council has received a lot of information about the process that was used to select the three proposed names. It seems to him that the normal process for elections was not followed by the Board, and there were concerns raised by the residents. It is hard**

for the City Council to sift through everything that happened. At this point, the City Council needs to appoint three people to serve on the Board for the City. The three names that were submitted to the City Council by the OA are good names, and he is comfortable appointing them to serve on the Board despite the controversy with the process. He expressed his hope that the Board, which will now consist entirely of SunCrest residents, will be able to work out any kinks in their process.

[7:34:59 PM](#)

7.2 Councilmember Summerhays agreed. He stated he is fine with the three submitted names. He has known Mr. Tonks, SunCrest OA president, for over seven years, and he is a trust worthy man. Councilmember Summerhays said he has spoken with Mr. Tonks about the selection process, and Mr. Tonks assured him that everything was done above board. These three will serve on the Board for seven months until they have another election.

[7:35:52 PM](#)

7.3 Councilmember Stenquist moved to approve Resolution 13-54. The motion was seconded by Councilmember Summerhays.

[7:36:14 PM](#)

7.4 Councilmember Colbert noted he would like the names read for the record. The names include--Amy Baird, Aimee Hudak, and Doyle Judd. Councilmember Stenquist clarified the Councilmember Colbert would stay on the Board as a SunCrest resident.

[7:36:58 PM](#)

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

[7:37:13 PM](#)

8.0 Public Hearing: Ordinance No. 1070, Amending the Draper City Zoning Map by Changing the Zoning of Approximately 2.34 Acres Located Within Draper City, State of Utah, From Open Space (OS) to Third-Acre Residential (R3), Otherwise Known as the Steep Mountain Church Zone Change.

[7:38:32 PM](#)

8.1 Dennis Workman, Planner, indicated for a church to build on this property, they would need a total of five and one half acres. The Church does have enough property, and three of the acres are already zoned R3. The other portion of the property is zoned as Open Space (OS). What they are doing tonight is to try to get the zoning on the entire parcel to match. State law is explicit when it comes to allowing churches to be built in any zone. Cities may not discriminate against any religious organization, and this includes zoning considerations. The Planning Commission and staff recommend approval.

[7:40:36 PM](#)

8.2 Councilmember Colbert stated a church can be built in the OS zone as well. Mr. Dobbins stated that is correct; however, the Church wanted the entire zone to be consistent. The

City is in the process of selling the parcel to the Church, and part of the request was that all of the property be zoned the same.

[7:41:37 PM](#)

8.3 Councilmember Colbert expressed concern that if there were any excess land, they could put residential on any remaining property. If the applicant decided not to build a church, they could come in with a residential application if this were rezoned. Mr. Dobbins clarified that the City would not sell the property for anything other than a church.

[7:42:19 PM](#)

8.4 Mayor Smith opened the public hearing.

[7:42:37 PM](#)

8.5 Van Midgley, 273 East Gold Leaf Circle, said he understands this rezone is a done deal; however, he wanted the City Council to be aware that there is a significant traffic problem in that area right now. The design of Manilla Drive and the intersection of Manilla Drive and Traverse are specific problems. He was a police officer for twelve years and a prosecutor for over twenty years, and he has investigated many traffic accidents and has been involved in many traffic cases over the years. He is familiar with traffic flows and whatnot. The intersection is a death trap, and unless something is done soon, they will have a fatal accident. This rezone will bring even more traffic into an already bad situation, and the residents are very concerned about this. He asked the City Council who he should speak with concerning a traffic study to look at the sight lines on Manilla Drive, and the peak loading of the intersections when the church will be starting or ending. He believes that intersection needs a traffic light. The study should see if it is still appropriate to have parking allowed on Manilla Drive. Manilla drive was poorly designed and should be redone. It is only twenty-eight feet wide, and right now, parking is allowed on both sides of the street. He would also like to have an eighty-fifth percentile speed study done to determine the appropriate speed for that street.

Mayor Smith directed Mr. Midgley to speak with Mr. Dobbins concerning these issues.

Councilmember Summerhays advised he is aware of many of those problems. However, the City has those problems all over town during rush hour. The City is growing. He suggested they only allow parking on one side of Manilla Drive.

[7:48:36 PM](#)

8.6 Guy Wasescha, 15178 Steep Mountain Drive, stated he opposes the large commercial style building going into this location. It is not conducive to the neighborhood. Many of the residents moved there because they like the open space and aesthetics of the area. A big brick building with asphalt paving will not compliment the residential area. He agreed with Mr. Midgley's comments about the traffic issues and noted Manti Drive is not much wider than Manilla. There is already a large church in the area, and he thinks the Church might want to look at the logistics of this area. He thinks there are better locations for a

church that are safer to the public. If the City Council feels the need to develop this property, more homes would be better.

[7:49:39 PM](#)

8.7 Dave Mast stated he thinks this is the acreage the City extracted from his company years ago that was to be set aside for civic use. He expressed his opinion that to compare rush hour traffic with church traffic is ridiculous. Obviously, the neighbors do not want the church in this location. This is a good location, and the City chose wisely ten years ago when they said this location needed to be used for a civic area.

[7:52:03 PM](#)

8.8 Annette Barney, 15116 Vernal Cove, said she supports the changing of the zoning. There is a lot of green open space in this neighborhood, and she does not think that removing some of the open space is a bad thing. She agreed with the statements about the traffic issues on Manilla; however, that is a different discussion.

[7:53:49 PM](#)

8.9 Mallon White, 256 Summerleaf Drive, noted he is against the church going there on the grounds of aesthetics. This park has amazing view and a large building is out of place there.

[7:54:28 PM](#)

8.10 Don Ajer, 14897 Parowan Way, stated he is in favor of the church going there. He has twenty-eight years of experience with both the Department of Transportation of Salt Lake and Salt Lake County. He can see that the City could have some serious parking problems on both Manilla Drive and Parowan Way depending on where the entrances to the church may be. He recommended the City Engineer to look into the number of parking stalls the church has to make sure they are sufficient. He does not want anything to happen like it does when the kids are playing soccer up there, and there is parking on both sides of the street. As far as traffic goes, he thinks that Manilla Drive and the intersection at Traverse Ridge will actually be less because they have two feeder roads running from Manilla Drive and Steep Mountain going down on Traverse Ridge. With the church in the middle, it will take the traffic off the lower ones and filter that traffic into the church rather than them going down. It should actually help the traffic rather than increase it. He said he is glad to see the land being used because he has lived there for fifteen years and it is starting to become a small landfill. People have been dumping grass clippings and such on the property.

[7:56:24 PM](#)

8.11 Joe Kieszek, 14888 Manilla Drive, indicated there is no way that the traffic will not be affected by a church. They will never get out of Manilla and onto Traverse. They will have to have a light at Traverse and Manilla and a stop sign at Manti and Manilla. He asked the City Council to please do a traffic study. He noted his neighbor wanted to cement his front yard and the easement, and the City Engineer was adamant that they did not want to have anymore nonporous surface on that hill due to runoff and water

management. This church will have the better part of two acres in pavement for the parking lot. He said he does not know how they will accommodate that runoff. He said he walks his dog by that open space, and there are three holding ponds on the property. He is not sure how that will affect the people at the bottom of Manti. There are so many pieces of land, and he does not understand why the church cannot be built there. This is the last section of open space in this area.

[8:01:11 PM](#)

8.12 Mayor Smith closed the public hearing.

[8:01:17 PM](#)

8.13 Councilmember Colbert noted many of the comments that were made are site plan issues that will be addressed by the Planning Commission. He said he will probably not support this measure, but it does not have anything to do with the use on the property. The Church can put a building wherever they want, so he does not feel the need to change the zoning. There are problems with the traffic. The City Engineer will have to check to see if the area warrants a traffic signal. He reiterated that he is not in favor of the rezone because he does not think it is necessary.

[8:04:42 PM](#)

8.14 Councilmember Summerhays asked Councilmember Colbert for the history of the PUD and open space requirement.

Councilmember Colbert explained in was an open space PRD or PUD. Back then, the City did not have that many small lot subdivisions. This was a way the City could receive open space that could be used for parks. At some point, the Church gave these two lots to the City, but now the Church wants to use this property to construct a building. Councilmember Colbert expressed his opinion that most of the traffic will be generated in this immediate area. That will actually help to reduce traffic elsewhere.

Councilmember Summerhays stated he is concerned that the City is going back on the principle they used to give this developer the density. He has found over the years that the City keeps doing this. He questioned why it is not a park if it was supposed to be a park.

Councilmember Colbert noted there is already a lovely park with there with a lot of improvements. He said he is not opposed to having a church there. His concern is that if they do rezone it and the Church decides not to build a church, they can build homes on that OS designation. He advised that thirty years from now the Church can sell the building, someone could tear it down, and homes could be built there if the zone is changed. Once they approve the rezone, they give specific rights, increase the value of the property, and increase the chances of it being used as something that was not intended. Something similar to this happened on Traverse Hill. Residential homes went into an area that was originally intended to be a school or a church.

[8:10:25 PM](#)

8.15 Councilmember Stenquist moved to suspend the rules. Councilmember Rappleye seconded the motion.

[8:10:34 PM](#)

8.16 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion carried unanimously.

[8:10:47 PM](#)

8.17 Councilmember Stenquist moved to approve Ordinance No. 1070, by amending the Draper City Zoning Map by changing the zoning of approximately 2.34 acres located within Draper City, State of Utah, from Open Space (OS) to Third-Acre Residential (R3), otherwise known as the Steep Mountain Church Zone Change. The motion was seconded by Councilmember Rappleye.

[8:11:10 PM](#)

8.18 Councilmember Stenquist stated he would like to address some of the concerns that were raised in the public hearing. The detention basins were constructed to address the runoff concerns. The engineers have studied the area, and they know what they are doing. He agreed there are traffic concerns with Manilla, and he wonders how people deal with that every time he drives up there. Councilmember Stenquist suggested staff look at adding a stop sign and restrict parking on the street. One of his hopes is that people that live in this neighborhood but go to church off Bangerter will start going to this new church. Right now, every time they have an activity, there is a lot of traffic. He said having the church closer might help alleviate a lot of the vehicle trips. Part of the purchase agreement is that a church will be built on the parcel, and this rezone request is really just a technicality.

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8.19 Councilmember Summerhays urged the residents to keep an open mind about this. He noted they should get all of their concerns ready, and staff will address them.

[8:16:12 PM](#)

8.20 Councilmember Rappleye indicated there are some issues in this area, and they are not all because of the church. He stated the City is mindful of the problems, and staff has made notes in reference to the concerns. There are issues throughout the city, and they are things that can be worked on.

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8.21 A roll call vote was taken with Councilmembers Rappleye, Stenquist, Summerhays and Walker voting in favor. Councilmember Colbert voted no. The motion carried with a majority vote of 4 to 1.

[8:17:10 PM](#)

9.0 Public Hearing: Amending Existing Lots 101 and 103 of the Eastgate Subdivision into Three Lots Known as 101a, 102a, and 103a. The Property is Located in the Regional Commercial (CR) Zone at 12093 South State Street, Otherwise Known as the Eastgate Subdivision Plat Amendment #2 Request.

[8:17:49 PM](#)

9.1 Mr. Workman explained this request is to subdivide two lots into three lots. This property is located at the VF Factory Mall. He displayed a map of how the property looked in 1995 and 2008. Lot 101a will become a hotel at some point in the future, and lot 103a is the current home of All Star Bowling. All Star Bowling would like to be able to purchase their property out right. That is the main purpose of this request.

[8:19:39 PM](#)

9.2 Councilmember Colbert asked this includes the parking as well as the building. Mr. Workman replied it is just the building.

Councilmember Colbert then asked whether there are any concerns with the parking rights in terms of doing this. Mr. Workman explained that has all been worked out. There are notes on the plat saying there is cross parking easements throughout the entire complex, and this will not change any of that. Staff is recommending approval of the zone change.

[8:20:44 PM](#)

9.3 Councilmember Summerhays stated this will clean the area up. That is kind of a dirty section behind the mall.

[8:21:24 PM](#)

9.4 Mayor Smith opened the public hearing. No one came forward to speak, so Mayor Smith closed the public hearing.

[8:21:40 PM](#)

9.5 Councilmember Stenquist moved to suspend the rules. Councilmember Walker seconded the motion.

[8:21:59 PM](#)

9.6 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion passed unanimously.

[8:22:07 PM](#)

9.7 Councilmember Stenquist moved, by ordinance, to amend the Eastgate Subdivision into three lots known as 101a, 102a, and 103a. The motion was seconded by Councilmember Walker.

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9.8 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion passed unanimously.

[8:22:51 PM](#)

10.0 Public Hearing: Approval of a Plat Amendment on Approximately 81.47 Acres of Land at Approximately 12870 South Front Runner Boulevard for the Purpose of Subdividing the Larger Lots into Smaller Lots, Otherwise Known as the Vista Station Plat Amendment.

[8:23:32 PM](#)

10.1 Dan Boles, Planner, indicated this application is to change the plat from seven lots to twenty-five lots. He displayed a map of the area. The zoning is Transit Station District (TSD). Neither the EBay parcel nor the FrontRunner parcel are being affected by this request. The Planning Commission and staff are recommending approval.

[8:26:35 PM](#)

10.2 Councilmember Summerhays asked whether this is more for commercial development. Mr. Boles responded this is a mixed-use area, so they will have residential, offices, and commercial.

[8:27:32 PM](#)

10.3 Dustin Holt, applicant, thanked the City Council for their service to the community. He read a statement by Jeff Vitek. The statement expressed appreciation to Mayor Smith for his assistance with this project over the last several years. He stated Mayor Smith has contributed so much to this community both personally and professionally. In large part, Mayor Smith's vision and direction has made this wonderful city what it is today. Mr. Holt said as a Draper resident for many years, he would echo what Jeff wrote in his statement. He thanked Mayor Smith for his service to the community and the many hours he has worked on behalf of the Draper residents. Mr. Holt congratulated Mayor elect Walker and Councilmembers Stenquist, Rappleye, and Summerhays with their reelections. He also thanked staff for their assistance with this application. When they started this project years ago, they designed a simple six-lot subdivision. Last year they amended the plat to accommodate the FrontRunner platform and the bus turnaround. Right now they are just trying to make changes to move ahead with some of larger commercial projects. They do not foresee single-family residences in the area. This zoning will help facilitate the development consistent with the zoning and the previous plans that have been approved.

[8:30:00 PM](#)

10.4 Mayor Smith opened the public hearing.

[8:30:14 PM](#)

10.5 Jon Kahle, 12759 Cephus Circle, said his only concern is the buffer area that was supposed to be between the other side of the street and his neighborhood. It is supposed

to be open space, and now it appears to be a lot. Mr. Holt clarified that it is still open space.

[8:30:58 PM](#)

10.6 Sean Benjamin, 360 West 13165 South, stated that separating a property in smaller lots usually means that they are going to have separate owners. He suggested that the map is used strongly to direct the different directors into a cohesive design for the community in that area.

[8:32:14 PM](#)

10.7 Mayor Smith closed the public hearing.

[8:32:21 PM](#)

10.8 Councilmember Stenquist said he has seen some concepts plans for this area. They have had a plaza area with buildings and so forth. He asked whether that will change with this amendment. Mr. Holt indicated this does not change the concept plans. The intent of this is to give the lots some definition as they move forward with site plans. To address Mr. Benjamin's comments, they anticipate to develop this project. They intend to have consistent ownership and themes, and there are CC&Rs that govern the entire project. As they undertake specific buildings, they can speak to a specific parcel when dealing with the financial institutions.

[8:34:09 PM](#)

10.9 Councilmember Walker moved to suspend the rules. Councilmember Rappleye seconded the motion.

[8:34:20 PM](#)

10.10 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion passed unanimously.

[8:34:32 PM](#)

10.11 Councilmember Walker moved to approve a plat amendment on approximately 81.47 acres of land located generally at 12870 South Front Runner Boulevard for the purpose of subdividing the larger lots into smaller lots. Councilmember Rappleye seconded the motion.

[8:34:48 PM](#)

10.12 Councilmember Walker indicated the Planning Commission was unanimous in their approval of this project. This is a project the City has looked forward to seeing developed, and this would facilitate that happening. He hopes to see the mixed use and density they anticipate in that area. It certainly fits within everything the City has planned for this parcel.

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10.13 Councilmember Rappleye advised there has been some difficulty in getting people to the table with the development of this parcel, so this is a good strategy to define those areas and make them more attractive to financing. That should remove some of the barriers they have had in trying to develop the larger pieces. He noted Mr. Benjamin's comment and Mr. Holt's response were really good in that this would have a cohesive design. That is what makes sense and it will make this work. Councilmember Summerhays agreed saying this is a mandatory step they need to take to get other businesses in there.

[8:36:35 PM](#)

10.14 Mayor Smith said he hopes all of the pieces to the puzzle that are taking place down there all benefit the comments that have made. He knows the connectivity down there now with the second access is great. He has driven it a couple of times, and it really opens it up.

[8:37:09 PM](#)

10.15 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion passed unanimously.

[8:37:23 PM](#)

11.0 **Public Hearing: COPS Hiring Program, School Resource Officer Program Grant.**
This Item has been Continued to November 19, 2013, as Part of the Budget Amendment Public Hearing.

[8:37:34 PM](#)

12.0 **Public Hearing: Ordinance No. 1074, Amending Draper Municipal Code Section 3-1-130, Department Heads and 3-3-040, Purchasing Agent; Granting Some Signatory Authority to Department Heads; Requiring All Contracts to be Provided to the City Recorder; and Making Technical Changes.**

[8:38:10 PM](#)

12.1 Doug Ahlstrom, City Attorney, explained the current City Code allows the Mayor and the City Manager to sign the contracts for the City. The City Manager has requested that some of that authority be delegated to department heads where appropriate. He has added language to the Code that would give signatory authority to the department heads for contracts that do not exceed \$25,000, are identified in the budget, are competitively bid, and are reviewed by the finance department. This would also require that the purchasing agent be given a copy of all of the contracts, and he can sign for things in his office as well. All of the contracts are to go to the City Recorder when they are finished.

Mr. Dobbins advised this just puts some responsibility on the department heads for items the City Council has approved in the budget. It just means the City Manger does not have to sign all of the contracts.

[8:39:59 PM](#)

12.2 Mayor Smith opened the public hearing. No one came forward to speak, so Mayor Smith closed the public hearing.

[8:40:16 PM](#)

12.3 Councilmember Summerhays moved to suspend the rules. Councilmember Rappleye seconded the motion.

[8:40:21 PM](#)

12.4 A vote was taken with Councilmembers Colbert, Rappleye, Stenquist, Summerhays and Walker voting in favor. The motion passed unanimously.

[8:40:38 PM](#)

12.5 Councilmember Summerhays moved to approve Ordinance 1074 to amend the Draper City Code Section 3-1-030 to give signatory authority to the department heads. Councilmember Colbert seconded the motion.

[8:41:17 PM](#)

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

[8:41:35 PM](#)

13.0 Discussion Item: David Mast – Land Disturbance Permit.

[8:41:47 PM](#)

13.1 Mr. Dobbins indicated Dave Mast had asked for some time with the City Council to talk about a request he had made previously.

[8:42:13 PM](#)

13.2 David Mast noted with the passing of Bob Christiansen a few months ago, it has changed a lot of the way Mr. Mast does business. There is an issue from two years ago when he wanted to take some very expensive fill he had negotiated and use that to sell to Zions Bank at the time. The fill was worth approximately \$500,000. They wanted the fill to use to build the dam and they needed a lot of fill. The City decided to purchase the property, but the fact still remains that someone will need to take a lot of fill to build this dam and the access road. This spring, the City will send that out to bid. Mr. Mast stated his intent tonight is to pass along an opportunity to the City to allow them to make over \$500,000. It will cost between \$60,000 to \$80,000 to remove this fill. He recommended the City let the contractor know that the City has fill that can be included to reduce the cost to build the dam. This could reduce the cost by \$600,000. DR Horton is digging basements there, and they have a lot of fill that they do not want to have to haul it out. This is a way they can hit two birds with one stone. They can get rid of the temporary detention pond. He said he would hold the City harmless and would sign whatever he needs to sign. He will just let the City take the fill in order to reduce the cost of the dam. Mr. Mast noted he does have one condition. The upper Corner Canyon road from SunCrest Drive to the

dam is only going to be built thirty feet wide. There is enough fill to build that road the full width to allow for a bike lane. He was going to propose that the City allow him to take the fill and sell it to whoever the contractor will be; however, he has changed his mind. He just wants the City to add to the width of the road. That would be a huge benefit to the City. He noted with the current litigation he is involved in with the City, it is best that they try to mitigate the damages. He is extending an olive branch to help the City move in the right direction. He thanked the City for hiring the engineer to do some study to run the water line up there, which would also serve his neighbors. He asked the City Council to consider his proposal.

[8:51:40 PM](#)

13.3 Mayor Smith thanked Mr. Mast for his suggestions. The City will consider all of these things.

Mr. Mast asked who the contact would be if the City needed additional information. Mayor Smith noted it would be Mr. Dobbins.

[8:52:34 PM](#)

14.0 Council/Manager Reports

[8:52:54 PM](#)

14.1 Councilmember Colbert said he noticed they have started doing crack sealing up Traverse Ridge Road. He asked whether that work has been completed. He noted it is a good idea to continue with crack seals while the weather is still good.

Councilmember Colbert noted for some time the City has discussed the salt storage at SunCrest. Mr. Dobbins replied they are waiting to hear back from the architect on what the costs are to make sure they are still within budget. Staff will bring an analysis to the City Council with costs savings and efficiency with snow plowing. There are reasons to move forward with this, but there may be some concerns. Staff wants to look at it to make sure the cost savings will be realized.

Councilmember Colbert advised he wants to make sure there are provisions in the SunCrest Market lease that would require the space to be used as a restaurant and market.

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14.2 Glade Robbins, Public Works Director, indicated when the budget was approved they had discussed purchasing a garbage truck that was powered by natural gas. There is still some problem with those trucks, so staff is recommending they hold off on purchasing that type of truck for the time being. They were also hoping that the Maverick would install the natural gas pump, but that has not happened.

Councilmember Colbert noted he would like to hear more about the problems. He still sees natural gas garbage trucks around. He understands the desire to have a closer fueling station, but natural gas is a lot cheaper than diesel.

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14.3 Mayor Smith stated over the weekend he received calls from some residents that felt there is a traffic hazard at the stop sign at 13800 South and Fort Street. Someone is parking a vehicle facing west with a large black trailer. It is a hazard and interferes with the line of site for vehicles going westbound. There is a solid wood fence there, so the vehicles already have to creep out. Having the truck and trailer parked there makes it worse.

[9:00:17 PM](#)

14.4 Garth Smith stated there will be a "Meet and Greet" on December 4 with the Emergency Preparedness Committees. They are inviting people from the community and will go from 7:00 p.m. to 8:30 p.m.

Councilmember Rappleye stated this is pretty important and encouraged the Councilmembers to attend. They are trying to facilitate better communicate between the groups.

[9:01:32 PM](#)

14.5 Councilmember Summerhays stated that Steve Linde spoke with the City Council a few weeks ago and said they will need three new full time employees next year to help with the parks. He asked Russell to bring him all of the building permit fees and the fee schedules. He said he does not want this to hit the City Council in the face all at once. He would like to take some time to look at fees to see where some of them can be modified in order to come up with the funds needed for these employees. The alarm fees were a little disturbing to him. A business gets two free times, and then it is \$55 per officer that shows up on an alarm. He said the businesses have no control over the alarms going off. Depending on the time of the alarm, there could be five officers showing up. Chief Roberts clarified that they are only being charged for two officers.

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14.6 Councilmember Walker stated he would like to look at the fees being charged to the schools. He would like to find a way to work things out for them. Councilmember Colbert said if they are just using the facility, he does not have a problem with that; however, there should be a fee if they have to have an officer there.

Mr. Dobbins noted the City typically only charges when it is an organized event. The schools can use the trails and parks free of charge. The Council had asked staff to look at providing one free event each year. Staff is compiling cost information for that for the Council to look at.

14.0 Adjournment

[9:08:19 PM](#)

14.1 A motion to adjourn was made by Councilmember Summerhays and seconded by Councilmember Walker. The motion passed unanimously.