



# Sandy City, Utah

10000 Centennial Parkway  
Sandy, UT 84070  
Phone: 801-568-7141

## Meeting Minutes

### City Council

*Scott Cowdell, District 1*  
*Maren Barker, District 2*  
*Kristin Coleman-Nicholl, District 3*  
*Chris McCandless, District 4*  
*Steve Fairbanks, At-large*  
*Linda Martinez Saville, At-large*  
*Stephen P. Smith, At-large*

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Tuesday, June 13, 2017

5:15 PM

Council Chambers

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### 5:15 Work Session

#### Agenda Planning Calendar Review

Chairman Smith reviewed the Agenda Calendar.

#### Council Member Business

Council Member Fairbanks noted that the Alta Soccer Team took state. The Council agreed to honor the team at a future meeting.

Council Member Smith spoke regarding an article in the Wall Street Journal titled "The Mall The Future Will Have No Stores". He believes the City should pay attention to the decline in retail and the changing trend.

#### Council Office Director's Report

Michael Applegarth reported that Google changed their adobe flash player settings making it difficult for people to access media files and agenda. Dustin Fratto is working to put language on the website to instruct people. Also, he is working on a "How To" video to help navigate our agenda and minutes.

#### Mayor's Report

The Mayor visited with a potential buyer for the Sandy Mall. He reported on the gathering of the neighborhood and community members at Brookwood Elementary in light of the recent shooting. He complimented the Sandy City Police Department. The County approved funding for Hale Center Theater and for property acquisition.

#### CAO Report

No Report was given.

### Information Items

1. [17-171](#) Community Development Department briefing the City Council on possible changes to the Property Maintenance Ordinance, Title 9, Chapter 2,

## Landscaping, Structure and Lot Maintenance.

**Attachments:** [clean version of 9 - 2 5 Storage](#)

[phot one](#)

[photo two](#)

[photo three](#)

[photo four](#)

[photo five](#)

[photo six](#)

[photo seven](#)

Scott Marsell updated the Council on modifications to the Landscaping Structure and Lot Maintenance ordinance. A new Subsection "Storage On Residential Lots" is being proposed in order to help deal with storage on properties. This was brought before the City Council based on the increasing calls and complaints

Council questions followed.

2. [17-059](#) City Council Office recommending a quarterly report from Salt Lake County Aging and Adult Services.

Charles Otis, Manager of the Sandy Senior Center, presented an update on the County Aging Services, highlighting various activities and events at the Senior Center.

3. [17-103](#) Police Department presenting the semi-annual update on the Victim of Crime Advocate (VOCA) program.

Vickie Bushman and Madison Burrow updated the Council on the Victim of Crime Advocate (VOCA) Program. Barbara Higgins, Supervisor, was also present.

Chief Thacker briefed the Council on Police Emergency Responses for events and venue.

5. [17-173](#) Parks and Recreation Department presenting information about the upcoming Independence Day celebration.

Todd Asay updated the Council on the upcoming Independence Day celebration, and other events taking place in the City.

Meeting went into Recess

Meeting Reconvened

**A motion was made by Steve Fairbanks, seconded by Chris McCandless, to recess Work Session... The motion carried by the following vote:**

**Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

## 7:00 Council Meeting

### Roll Call

**Present:** 7 - Council Member Scott Cowdell  
Council Member Maren Barker  
Council Member Kristin Coleman-Nicholl  
Council Member Chris McCandless  
Council Member Steve Fairbanks  
Council Member Linda Martinez Saville  
Council Member Stephen P. Smith

Council Office Director Michael Applegarth  
Council Office Analyst Dustin Fratto

**Administration:**

Mayor Tom Dolan  
CAO Scott Bond  
Deputy to the Mayor Nicole Martin  
Assistant CAO Shane Pace  
Assistant CAO Korban Lee  
Communications Director Nicole Martin  
Economic Development Director Nick Duerksen  
City Attorney Rob Wall  
Community Development Director James Sorensen  
Administrative Services Director Brian Kelley  
Fire Chief Bruce Cline  
Parks & Recreation Director Scott Earl  
Police Chief Kevin Thacker  
Assistant Public Utilities Director Scott Ellis  
Public Works Director Mike Gladbach

### Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Ethan Steward from Troop 806 offered the opening prayer.

Gavin White from Troop 806 led the audience in the pledge.

### Special Recognition

6. [17-169](#) Special recognition of Jordan High baseball player Gage Edwards.

**Attachments:** [Link to Deseret News article](#)

Steve Fairbanks presented a Special Recognition to Jordan High Baseball Player, Gage Edwards. He read the recognition and presented a plaque to Gage.

## Citizen Comments

Chairman Smith opened Citizen Comments.

Jay Francis, Sandy Area Chamber of Commerce, Larry H. Miller Group, introduced the Sandy Chamber's new CAO Greg Summerhayes, and Board members Rob Brough and Nathan Anderson. He expressed appreciation for the support for Chamber sponsored events.

Ethan Fullmer, 10831 Tammerak Drive, spoke in opposition to cutting funds for the Arts.

Mickael Martinez, 9183 Winter Wren Drive, spoke on the significant impact the Sandy Arts Guild has had on her life. She encouraged the Council to continue funding Arts in the City.

Stacey Larsen, Director of Sales for the Hyatt House, along with Director of Sales Kevin Ludlow, expressed appreciation to the Mayor and Council for supporting the Tourism Committee in Sandy.

Heather Nash, Marketing Director, The Shops at South Town, expressed appreciation for the support of the city and community for Tourism which helps encourage people to stay in our city.

Mark Randall, 1830 East Willow Glen Circle, was given 5 minutes by Chairman Smith to address the Council regarding budget requests and what he believes to be a lack of transparency.

Amy Jex, 98 East Sweet Berry Drive, Draper, expressed appreciation for the support given to Mountain West Ballet.

Jennifer Newman, 897 East 7945 South, member of American West Symphony, expressed appreciation for the City's support.

Joel Rosenberg, 1950 Browning Street, Salt Lake, supported funding for the Arts.

Robyn Amoral, 2201 East 10260 South, grew up in an era when arts were a part of the schools. She loves that Sandy supports the Arts.

Scott George, Vice President Liberty Cooperation, echoed his support for the Tourism Committee.

Myron Dennison, 1483 Colima Circle, Acting President Sandy Arts Guild, complimented Mayor Dolan for his support of the arts.

Barbara Croft, 1017 Belle Meadows Way, member of America West Symphony, invited the Council to attend their patriotic concert.

Gary Forbush, 983 East Addington Circle, submitted questions to Councilwoman Barker. He encouraged continued support of Arts.

David Fields, Vice President Snowbird, spoke in support of the Tourism Committee and the amenities that it provides to the community.

Sue Waits, 9981 Tameron Drive, representing the visual arts committee, supported

funding for arts.

Quinn Dietlein, 4288 West 11475 South, South Jordan, Director of Development Hale Center Theater, stated that he is honored to be part of the arts guild, and thanked the Council for their bold vision.

Stephanie Chatterton, 6119 West Cedar Hill Road, Director, Choreographer of the Sandy Youth Guild operations, attended school on art scholarships, and witnessed how arts help students come out of their shells.

Kate Johnson, 1857 East Ashley Valley Lane, President Mountain West Ballet, thanked the Council for their support thanking Mayor Dolan for letting arts flourish.

Mindy Zito, 1965 Rua Branco Drive, noted that her parents and family have benefited from the junior musicals. The community would suffer from cuts to the arts.

Lynn Brown, 641 Redondo Ave. Salt Lake City, Professor of music at Salt Lake Community College, came in support of the arts.

Grace Zito, 1965 East Rua Branco Drive, sophomore at Hillcrest High, part of the Sandy Arts Guild, has taught her about team work and provided an opportunity to grow and express ones self.

Mia Benson, 10531 South Alexander Park Lane, also a sophomore, spoke on behalf of the Sandy Youth shows which helps kids find themselves doing something they love.

Bryson Dashner, spoke on behalf of the Sandy Arts Guild. The Guild has helped to build up his character and given him a chance to break out of his shell.

Max Carter, 10973 South Avila Drive, spoke on behalf of the Sandy Arts Guild. He had the opportunity to perform in The Lion King. He stated that " it was an awesome opportunity". He thanked Mayor Dolan

Natalie Day, 9350 Amy Lane, teacher for Canyon School District, has a daughter who participates with Mountain West Ballet, a program that is successful, accessible, and affordable.

June Christensen, 9121 Quail Creek Circle, retired and teaches elementary string orchestra, sees the joy and excitement children experience through their learning and accomplishment. The arts enrich the community.

Jim Edwards, 1873 Richard Road, addressed the Council on the water transfer fund.

Lori Benson, 10531 South Alexander Park Lane, spoke in support of the Arts and continued funding.

Comments followed from the Council and Mayor Dolan.

As there were no further comments, Chairman Smith closed Citizen Comments.

## Consent Calendar

**A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to adopt the Consent Calendar.. The motion carried by the following vote:**

Yes: 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

7. [17-175](#) Approval of the May 2, 2017 Minutes.

**Attachments:** [May 2, 2017 Minutes.pdf](#)

8. [17-176](#) Approval of the May 9, 2017 Minutes.

**Attachments:** [May 9, 2017 Minutes.pdf](#)

### 7:05 Public Hearing(s)

10. [ZONE-03-17-5225](#) Mr. Preston Naylor, with NFM Real Estate, is requesting the City Council to approve a rezone approximately 5.68 acres from the 1 acre from the R-1-8 "Residential Single-Family District" to the RM(10) "Residential Multi-Family District" for the subject property, located at approximately 350 East 9000 South, known as the 300 East Townhomes Rezone - ZONE-03-17-5225.

**Attachments:** [Council Request.pdf](#)  
[Staff Report.pdf](#)  
[PC05-04-2017.pdf](#)  
[17-19.docx](#)  
[Historic Committee Memo.pdf](#)

Mike Wilcox reviewed the Staff report.

Preston Naylor, Applicant, spoke regarding the proposed project.

Council questions and comments followed.

Chairman Smith noted a typo in the Staff Report indicating the size of the property being 5.68 acres when in reality the property is 1 acre in size.

Chairman Smith opened the public hearing.

Cathy Spuck, 8260 South 560 East, expressed concern with traffic congestion and pedestrian safety at the intersection of 90th South and 300 East.

The hearing was closed as there were no further comments.

Council discussion followed.

**A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to table consideration of the application to rezone approximately 1.0 acres from the R-1-8 Residential Single Family District to the RM(10) Residential Multi Family**

District located at approximately 350 East 9000 South, until a letter of recommendation either for or against this proposed development is presented to the Council from the Historic Committee.

There were several questions on the motion.

Councilmember Barker called the question. ... The motion carried by the following vote:

All 7 Councilmembers voted in favor of calling the question.

The motion on the original motion to table consideration follows:

**Yes:** 5 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Linda Martinez Saville

**No:** 2 - Steve Fairbanks  
Stephen P. Smith

11. [ZONE-04-17-5243](#) Mr. Jeff Mansell is requesting the City Council to approve a rezone approximately 2.57 acres from the R-1-40A "Single-Family Residential District" to the R-1-12 "Single-Family Residential District" for the subject property, located at approximately 2543 East 10000 South, known as the Granite Hollow South Rezone - ZONE-04-17-5243.

**Attachments:** [Council Request.pdf](#)  
[Staff Report.pdf](#)  
[PC05-04-2017.pdf](#)  
[17-18.docx](#)  
[Executed Copy Ord. 17-18.pdf](#)

Mike Wilcox presented the staff report. He addressed questions from the Council.

Jeff Mansell, 2533 East Granite Pass Court, developer, spoke on behalf of the proposed zone change.

Chairman Smith opened the public hearing. As there were no comments, the hearing was closed.

Kris Nicholl noted that a correction on the address needed to be made in the Staff report. The address was correct in the ordinance language.

**A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Ordinance 17-18 amending and fixing the boundaries of a zoning district of Sandy City to rezone approximately 2.39 acres from the R-1-40A Single Family Residential District to the R-1-12 Single Family Residential District located at approximately 2543 East 10000 South...The motion carried as follows:**

- Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith
- No:** 1 - Maren Barker

## Council Items

9. [CODE-3-17-5244](#) Community Development Department recommending the City Council adopt amendments to include a hearing officer for reasonable accomodation requests, Title 15A, Chapter 3, Officers, Boards and Commissions, Chapter11, Special Uses, Land Development Code, Revised Ordinances of Sandy City, 2008.

**Attachments:** [staff report after PC.pdf](#)  
[15A-11-08 \(CC requested revisions\) redlined version](#)  
[15A-11-08 \(CC requested revisions\) clean version](#)  
[17-14 1ordinance.pdf](#)  
[15A-11-08 \(CC requested revisions\) after May 23](#)  
[15A-11-08 redlined revisions after May 23](#)  
[Executed copy Ordinance 17-14.pdf](#)

Darien Alcorn presented amendments as requested by the City Council to the proposed hearing officer for reasonable accommodation. Language has been added to include requirement for the hearing officer to submit copies of their findings to the Mayor, City Council, and City Recorder's Office.

**A motion was made by Steve Fairbanks, seconded by Scott Cowdell, to adopt Ordinance 17-14 amending Title 15A of the revised ordinances of Sandy City by amending Chapter 3 Officers, Boards, and Commissions, and Chapter 11 Special Uses to modify the process for reasonable accommodations by adding provisions for selecting a hearing officer instead of the Planning Commission to review this type of approval ... The motion passed by the following vote:**

- Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

12. [17-170](#) Council Member Barker recommending amendments to the proposed FY 2017-18 budget.

**Attachments:** [2018 Budge Amendments](#)  
[Budget Analysis 2010-2017](#)

Maren Barker had asked for Council discussion on her suggested amendments to the



proposed Fiscal Year budget.

Scott Bond was asked to address the affect Ms. Barker's proposed changes would have on the budget.

Chairman Smith along with Maren Barker felt that if the Council was not interested in considering any of the proposed amendments, there was no need to hear from Mr. Bond.

Chris McCandless felt it was important to hear from the Administration, and for the public to understand why the Council may not want to move forward with the amendments.

Steve Fairbanks noted that it was important for the Administration to respond.

Chairman Smith asked for a vote from the Council on whether to continue the discussion.

Chairman Smith called the question to end the discussion. Scott Cowdell seconded the motion. The Council, on a 4-3 vote, voted to continue the discussion.

There was further discussion by the Council.

Scott Cowdell called the question. Chris McCandless seconded the motion. The Council, on a 4-3 vote, voted to end the discussion. A vote was then taken on Ms. Barker's motion. The Council voted to hear from Mr. Bond.

Mr. Bond addressed the Council, with questions from a few Council members. A motion was again made to suspend discussion on Ms. Barker's recommendations.

**Maren Barker made a motion seconded by Scott Cowdell to either take a stand and determination on Ms. Barker's proposed adjustments to the budget, and allow Mr. Bond to present the Administration's findings, or dispense of this item and end discussion.**

**This motion was denied. The majority of the Council voted to hear from Mr. Bond.**

- Yes:** 3 - Scott Cowdell  
Maren Barker  
Stephen P. Smith
- No:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville

**Scott Cowdell made a motion seconded by Chris McCandless to suspend discussion on Ms. Barker's proposed adjustments to the budget.**

**This motion was upheld by a 6-1 vote.**

**Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**No:** 1 - Maren Barker

13. [17-155](#) Finance Department recommending the City Council adopt Resolution #17-30C adopting the Sandy Boys & Girls Club budget appropriation within the General Fund Budget for FY 2018

**Attachments:** [17-30C BOYS & GIRLS CLUB](#)  
[Executed Copy of Resolution 17-30 C.pdf](#)

Linda Martinez Saville, Executive Director of the Sandy Boys and Girls Club, declared a conflict of interest with the Sandy Boys and Girls Club, and recused herself from the vote.

**A motion was made by Scott Cowdell, seconded by Chris McCandless, to adopt Resolution #17-30C adopting the Sandy Boys & Girls Club budget appropriation within the General Fund Budget for FY 2018... The motion carried by the following vote:**

**Yes:** 5 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Stephen P. Smith

**No:** 1 - Maren Barker

**Recused:** 1 - Linda Martinez Saville

14. [17-161](#) Finance Department recommending the City Council adopt Resolution #17-35C adopting the Water Fund Subsidy Transfer within the Water Fund Budget for FY 2018

**Attachments:** [17-35C Water Fund Subsidy Transfer](#)  
[Executed copy Resolution 17-35C.pdf](#)

**A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Resolution #17-35C, adopting the Water Fund Subsidy Transfer within the Water Fund Budget for FY 2018.. The motion carried by the following vote:**

**Yes:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville

**No:** 3 - Scott Cowdell  
Maren Barker  
Stephen P. Smith

15. [17-156](#) Finance Department recommending the City Council adopt Resolution

#17-31C adopting its annual budget for FY 2018; also establishing certain fees and charges, and adopting a tax rate on all real and personal property in Sandy City

**Attachments:** [17-31C adopting budget FY 2018](#)  
[Executed Copy Resolution 17-31C.pdf](#)

**A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Resolution #17-31C, adopting its annual budget for FY 2018; also establishing certain fees and charges, and adopting a tax rate on all real and personal property in Sandy City.. The motion carried by the following vote:**

**Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**No:** 1 - Maren Barker

16. [17-157](#) Finance Department recommending the City Council adopt Resolution #17-32C adopting its annual Capital Projects Funds budget for FY 2018

**Attachments:** [17-32C Capital Projects FY 18 adoption](#)  
[Executed Resolution 17-32C.pdf](#)

**A motion was made by Steve Fairbanks, seconded by Chris McCandless to adopt Resolution #17-32C, adopting its annual Capital Projects Funds budget for FY 2018.. The motion carried by the following vote:**

**Yes:** 5 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville

**No:** 2 - Maren Barker  
Stephen P. Smith

17. [17-158](#) Finance Department recommending the City Council adopt Resolution #17-33C adopting the annual budget for the Alta Canyon Recreation Special Service District for FY 2018; also establishing certain fees and charges, and adopting a tax rate on all real and personal property within the Alta Canyon Recreation Special Service District

**Attachments:** [17-33C Alta Canyon FY 18 adoption](#)  
[Executed Copy Resolution 17-33C.pdf](#)

**A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Resolution #17-33C, adopting the annual budget for the Alta Canyon Recreation Special Service District for FY 2018; also establishing certain fees and charges, and adopting a tax rate on all real and personal property within the Alta Canyon Recreation Special Service District.. The motion carried by the following vote:**

**Yes:** 5 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**No:** 2 - Scott Cowdell  
Maren Barker

**18.**     [17-160](#)     Recess of the City Council and convene a meeting of the Sandy City  
Redevelopment Agency

**Attachments:**   [06-13-17 RDA Agenda](#)  
[17-04 RDA Budget Adoption FY 2018](#)

Meeting went into Recess

Meeting Reconvened into Redevelopment Agency Meeting.

**A motion was made by Kristin Coleman-Nicholl, seconded by Linda Martinez Saville, to adopt Resolution RD 17-04, a Resolution of the Redevelopment Agency Board of Directors adopting the annual budget of the Redevelopment Agency of Sandy City, Utah, for the fiscal year beginning July 1, 2017 and ending June 30th, 2018... The motion carried by the following vote:**

**Yes:** 6 - Scott Cowdell  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**No:** 1 - Maren Barker

**19.**     [17-174](#)     Council Member Nicholl recommending amendments to the Election of  
Council Officers policy.

**Attachments:**   [Clean Direct Election of Chair](#)  
[Redline Direct Election of Chair](#)

Meeting went into Recess Redevelopment Agency Meeting

Meeting Reconvened City Council Meeting.

Kris Nicholl was recommending amendments to the Election of Council Officers Policy.

Council discussion followed.

**Kris Nicholl made the motion seconded by Chris McCandless to approve the recommended policy amendments as proposed by Kris Nicholl to the Election of Council Officers policy with the amendment to #6 , last line, that the requirements outlined in Sections 2-5 also apply to the office of Vice Chair...The motion carried as follows:**

**Yes:** 4 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville

**No:** 3 - Scott Cowdell  
Maren Barker  
Stephen P. Smith

**20.** [17-177](#) Council Member Smith proposing a presiding officer policy.

Steve Smith proposed a policy for a presiding officer who would serve for a one month period then rotate based on seniority.

Council questions followed.

Chairman Smith withdrew his proposal.

**21.** [16-319](#) City Council Office recommending that the City Council elect a Chair and Vice Chair.

Meeting went into Recess

Meeting Reconvened

The City Council, by ballot vote, elected Chris McCandless to serve as Council Chair from July 1, 2017 to December 31, 2017. Linda Martinez Saville was elected, by ballot vote, to serve as Vice Chair for the above 6 month term.

**22.** [17-168](#) City Council Office recommending the adoption of Resolution 17-36 C, canceling the June 20, 2017 City Council Meeting.

**Attachments:** [17-36 C cancel 6-20-17 meeting.pdf](#)

[Executed Copy Resoluton 17-36C.pdf](#)

**Scott Cowdell made the motion seconded by Chris McCandless to adopt Resolution 17-36 C, canceling the June 20, 2017 City Council Meeting.**

**Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

## Adjournment

The meeting adjourned at approximately 11:00 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, July 18, 2017, at 7:00 p.m.

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Stephen P. Smith, Chair  
Sandy City Council

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Pam Lehman  
Meeting Clerk

