



Sandy City, Utah

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

Meeting Minutes

City Council

Ryan Mecham, District 1
Alison Stroud, District 2
Zach Robinson, District 3
Scott Earl, District 4
Brooke D'Sousa, At-large
Marci Houseman, At-large
Cyndi Sharkey, At-large

Tuesday, November 28, 2023

5:15 PM

City Hall & Online

5:15 Council Meeting

Present: 7 - Council Member Alison Stroud
Council Member Zach Robinson
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Ryan Mecham
Council Member Brooke D'Sousa
Council Member Scott Earl

Council Staff in Attendance:

Dustin Fratto, Council Director
Justin Sorenson, Assistant Director
Christine Edwards, Council Clerk
Liz Theriault, Policy & Comms Analyst
Tracy Cowdell, Council Attorney

Administration in Attendance:

Mayor Monica Zoltanski
Shane Pace, CAO
Lynn Pace, City Attorney
Jeff Bassett, Fire Chief
Greg Severson, Police
Tom Ward, Public Utilities
Dan Medina, Parks & Recreation
Mike Gladbach, Public Works
James Sorensen, Community Development
Kasey Dunlavy, Economic Development
Jared Gerber, Deputy CAO
Kim Bell, Deputy Mayor
Susan Wood, PIO
Mearle Marsh, Arts Guild
Nicole Cowdell, Arts Guild
Kelli Allen, Arts Guild
Elyse George, Arts Guild
Richard Benham, Public Utilities
Melissa Anderson, Community Development

Prayer / Pledge of Allegiance

Council Chair Brooke D'Sousa welcomed those in attendance.

Council Member Marci Houseman offered the Prayer.
Council Member Alison Stroud led the Pledge.

Council moved to Item 2 on the Agenda.

1. [23-462](#) General Citizen Comment Period (No earlier than 6:00 PM)

Attachments: [Click here to eComment this item](#)

Council Chair Brooke D'Sousa invited the public to participate in General Citizen Comment.

Ms. Kathleen Ballaine thanked the public works crews for painting the crosswalk at 106th South. It's a busy corner and she does not want to see a restaurant go on that lot. There are many accidents on that corner.

Public comment closed.

Council moved to Item 3 on the Agenda.

Business Session Items

Informational Items

2. [23-456](#) Sandy Amphitheater End of Season Update

Attachments: [Amphitheater Report 11-28.pdf](#)

Mearle Marsh with the Sandy Arts Guild presented the year in review to the Council. He provided information on the organizational structure of the Sandy Arts Guild and the Sandy Amphitheater and introduced his staff: Nicole Cowdell, Kelli Allen, and Elyse George. Nicole Cowdell reviewed the programming partnership between the Sandy Amphitheater and Postfontaine and venue operations. Kelli Allen, House Manager for the Sandy Amphitheater, spoke about the operations end of the amphitheater. Elyse George spoke about the continued diversity in programming directed to all age demographics that spans the generations. Council expressed their support and congratulations to the team for their outstanding work.

Council moved to Item 1 on the Agenda: General Citizen Comment.

3. [23-452](#) Sandy City Justice Court presenting a resolution to the Council requesting recertification of the Justice Court

Attachments: [Court recertification 2023- application.pdf](#)
[City Attorney Letter.pdf](#)
[Justice Court Recertification Budget Memo.pdf](#)
[Resolution 23-53C.pdf](#)

Judge Paul Farr and Melisse Stiglich with the Justice Court presented to the Council a resolution requesting the recertification of the Justice Court. The recertification of the Justice Court is required every four years. The Council will consider the resolution and take action at next week's Business Session.

4. [23-460](#) Public Utilities Department presenting an informational item on their recommended adjustments to the Water Rate Fee Schedule

Attachments: [PUAB Recommendation resubmittal - 10% Water Rate Increase Jan 2024](#)
[Water Rate Discussion City Council 11.28](#)

Richard Benham with Public Utilities presented an overview of the current, future and past water fund annual revenues and expenses. He explained that rising costs are outpacing revenues. Capital spending on infrastructure needs to increase, with the main focus of improvements directed to pipe replacement. He further explained that replacing 1% of pipe a year would cost approximately \$8 million dollars annually. Due to the increased expenses, Public Utilities is requesting a 10% increase in fees, effective January 2024. Public Utilities Director, Tom Ward, provided additional comments. Council questions and comments followed.

Council convened a recess at 7:12 pm.

Council reconvened at 7:22 and moved to Agenda Item 5: Public Hearing.

Public Hearing(s)

5. [ANEX08292](#) Olsen Farms Annexation (R-1-10 Zone)
[023-006598](#) 10216S. 10250 S. and 10254 S. Dimple Dell Road
[CC](#) Community #29

Attachments: [Click here to eComment on this item](#)

[Olsen Farms vicinity map](#)

[PC Staff Report](#)

[11.16.2023 PC Minutes \(DRAFT\)](#)

[23-20 Annexation Ordinance](#)

[23-52c Annexation Resolution](#)

[Subdivision Concept](#)

[11282023 powerpoint](#)

Brian McCuiston, Community Development, presented on the Olsen Farms Annexation which includes four parcels in the Dimple Dell area. He reviewed the development concept plan which includes approximately 27 lots in varying lot sizes. The Planning Commission forwarded a positive recommendation to approve the Olsen Farms Annexation with R-1-10 zoning as well as a portion to be zoned R-1-20A as determined through a Development Agreement with the applicant and that a hybrid approach of the R1-10 and R-1-20A zoning is appropriate for this property based upon current land uses within the area.

Paxton Guyman, attorney for the applicant, spoke on behalf of the applicant. The applicant is requesting the property zoned R-1-10 with a limit on 27 new homes on the property and would include one existing home currently located on the property for a total of 28 homes on this property. The applicant would like to annex the parcel in to Sandy City, and develop the property in accordance with Sandy City guidelines. Ms. Karilee Olsen, spoke on behalf of the proposed development and of the property that has been in the Olsen family for many decades. She requested the Council to approve the R-1-10 zone as part of the annexation. The parcel is currently zoned R-1-10 in Salt Lake County.

Public Hearing comment period opened:

Mr. Ted Baudendisig's property borders the parcel being considered for annexation and development. He spoke about the proposed zoning of the property and the surrounding area.

Mr. Vaughn Cox is part of the Granite Community Council and spoke about the uniqueness of the Dimple Dell area and the Granite community. The large lots and rural feel of the Dimple Dell area makes the area special and lends to the uniqueness of the area. He is supportive of zoning the parcel with larger lot sizes than the requested R-1-10 zone and suggested lower density development.

Mr. Michael Braon is supportive of the hybrid option for the proposed development. He is supportive of fewer home on the parcel. He proposed lower density housing in certain areas of the parcel and is supportive of the council working with the community.

Mr. Robert McMichael's property is near the Olsen farms parcel. He spoke about infrastructure costs to support the higher density of the proposed development. He asked the Council to consider the impact of this higher density development on the neighbors.

Mr. Bret Olsen spoke about the Dimple Dell Park and the development of the area over

many years.

Ms. Lisa Caddy spoke about the county zoning of the property which was done over 30 years ago. Times have changed now and we need to protect the open space. This will set the precedence if this zone is approved. This zone is not compatible to this area. She would like to see a traffic study done before the zoning is approved.

Mr. Scott Stewart's property borders the northern edge of the Olsen farms parcel. The proposed density is too high. The traffic is already high and will get worse. He wants the area to have more open space and keep within the look and feel of the Dimple Dell area.

Ms. Carolyn Stewart's property backs up to the parcel. She expressed concern regarding the traffic flow through her neighborhood to access this development. She is supportive of larger lot sizes.

Mr. Russell Larson expressed the need for everybody to compromise. This development will impact him more than anyone else. He spoke about the deer that come through his property. This project will take away Dimple Dell Lane as an exit to this project.

Ms. Christine Sears is concerned that this development will change the entire area. She asked about the property rights of all home owners in the area. Quarter acre lots is not OK. This is not the kind of progress we want. It's not right to allow this density in the Dimple Dell area. We love this area and want to preserve the area.

Ms. ThomaLee Olsen lives on the west side of the property and has lived in the area for a long time. The property was zoned R-1-10 a long time ago. We love the property. The property has been in the family a long time. The family cares about what happens to the property.

Ms. Joyce Walker lives along the north rim trail by Dimple Dell Park and is President of the Dimple Dell Preservation Community. We have a special responsibility to preserve the park. She spoke about the lot sizes and zones in the adjacent area.

Ms. Collette Engle said that Dimple Dell is very special area and she is not supportive of the quarter acre lots. There is no consideration for the people living in the area. Dimple Dell Road cannot handle the traffic and she asked the Olsen family to go with bigger lots and be considerate of their neighbors.

Ms. Kris Nicholl was not able to comment due to technical difficulties.

Public comment period closed.

Paxton Guyman addressed concerns about the traffic. A traffic study would be done as part of the subdivision process. He expressed appreciation to all commenters for the respectful nature of the meeting this evening. He also again discussed that the applicant is supportive of a development agreement with the city limiting the development of new homes on the parcel to 27 plus the existing home on the property for a total of 28 home in this development.

Council Member Robinson spoke about the concept plan for the development and had questions regarding the applicant's request to annex into Sandy City and the density of the development. Lynn Pace, City Attorney reviewed the development agreement process to the Council.

Council Member Sharkey asked about other available options other than a development agreement. She spoke about the annexation of the property into Sandy City and then the City guidelines are in place as the property is developed. The property is going to be developed and it would be better that the city's guidelines are followed for the development.

Council Member Houseman spoke about private property rights and how essential it is to protect those rights. The property owners have a right to develop their property as it is currently zoned.

Council Member Stroud thanked the applicant for the offer to sign a development agreement and she spoke about the desire of the property owners to be a good partner with Sandy City. This parcel was zoned R-1-10 many years ago.

Council Member Mecham spoke about the R-1-10 zoning of the parcel which has been in place for many decades. He also spoke about the developer's desire to cap the project at 27 new homes.

Council Member Earl expressed support for private property rights and the protection of those rights. The current zone of the property has been in place for over four decades. He expressed support for the development agreement.

Council Member D'Sousa spoke about protecting every land owners property rights. This property has been zoned for many decades.

Council discussion continued. A motion was made by Council Member Sharkey and seconded by Council Member Houseman to adopt Ordinance 23-20. A friendly amendment was offered by Council Member Robinson regarding existing wildlife corridors on the parcel. The friendly amendment was declined.

A motion was made by Cyndi Sharkey, seconded by Marci Houseman, to adopt Ordinance 23-20, an ordinance annexing territory located at approximately 10216 South 10259 South and 10254 South Dimple Dell Road in Salt Lake County, comprising approximately 11.17 acres into the municipality of Sandy City; establishing zoning of R-1-10 for the annexed property and conditioning the adoption of the ordinance and approval of the annexation upon the execution of a development agreement certified by the Sandy City Attorney, that would limit the maximum number of homes on the parcel to 28 with 27 new homes and one existing home; also providing a severance and effective date for the annexation...The motion carried by the following vote:

Yes: 7 - Alison Stroud
Zach Robinson
Marci Houseman
Cyndi Sharkey
Ryan Mecham
Brooke D'Sousa
Scott Earl

Consent Calendar

Approval of the Consent Calendar

A motion was made by Marci Houseman, seconded by Ryan Mecham, to approve the Consent Calendar. The motion carried by a unanimous voice vote.

6. [23-458](#) Sandy Justice Court Recommending that the Council adopt a resolution appointing temporary judges in the Sandy Justice Court for the remainder of 2023

Attachments: [Utah Code 78A-7-208.pdf](#)
[Resolution 23-55C_Pro Temp Reso 2023.docx](#)

Item adopted.

7. [23-459](#) Sandy Justice Court Recommending that the Council adopt a resolution appointing temporary judges in the Sandy Justice Court for 2024

Attachments: [23-56C_Pro Temp Reso 2024.docx](#)

Item adopted.

8. [23-461](#) Approval of the November 7, 2023 Draft Minutes

Attachments: [November 7, 2023 Draft Minutes](#)

Item approved.

Council Voting Items

9. [CA09062023](#) Amendments to Title 21 of the Land Development Code, Chapter 19,
[-0006605](#) Special Development (SD) Districts, Section 20, SD (Carnation) -10600 S.
[\(CC\)](#) 1000 E.

Attachments: [Click here to eComment on this item](#)

[Staff Report and Exhibits](#)

[Planning Commission Minutes 11.02.2023](#)

[Presentation from 11-14-2023](#)

[23-21 Ordinance](#)

Melissa Anderson with Community Development presented Ordinance 23-21 for Council consideration. Mr. Adam Nash, the applicant, spoke to the Council and reviewed with the Council the history of the parcel, the zoning, and spoke about the adjacent area, traffic impact and access to the property.

Council questions followed. Council discussion included conditional use permits, the impact on the neighborhood and the flow of traffic in the area. Council discussed the staff recommendations and feedback. Council expressed support for development of the parcel.

Public comment opened.

Dave Egelund is not supportive of changing the zoning at this time and would prefer the Council wait until a proposal for development is presented before considering making any changes.

Public comment closed.

A motion was made by Ryan Mecham, seconded by Brooke D'Sousa to adopt Ordinance 23-21, an ordinance revising Title 21 of the Sandy City Municipal Code, Chapter 19, "Special Development (SD) Districts, Section 20, "SD (Carnation) - 10600 S 1000 E"; amending chapter 19, section 20 of the Sandy Municipal Code, to provide that a drive up window shall be a conditional use in this district; also providing a saving clause and effective date for the ordinance...The motion carried by the following vote:

Yes: 4 - Alison Stroud
 Ryan Mecham
 Brooke D'Sousa
 Scott Earl

No: 3 - Zach Robinson
 Marci Houseman
 Cyndi Sharkey

Standing Reports

Agenda Planning Calendar Review & Council Office Director's Report

Dustin Fratto, Council Director: Next week's meeting is on Wednesday, December 6th in the Multi Purpose Room. It will be a joint meeting with the Planning Commission. He reviewed upcoming agenda items. December 19, 2023 is the last council meeting for 2023.

Council Member Business

Council Member Zach Robinson mentioned that he will be attending next week's Council meeting virtually.

Mayor's Report

Mayor Zoltanski thanked all the Sandy City residents for participating in the municipal election. She congratulated those elected and thanked Council Member Earl for his decades of service. She thanked the residents for approving the GO Bond to fund Station 31. She expressed pride. She also spoke about upcoming city events.

CAO Report

Shane Pace, CAO, mentioned the Fire Department swearing in ceremony on December 4th at 6:00 pm.

Adjournment

Council unanimously agreed to adjourn the meeting at 9:32 pm.