



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

Tuesday, March 14, 2017

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

Chairman Smith reviewed upcoming items on the Agenda Calendar.

Council Member Business

Councilwoman Nicholl would like a presentation on the three year history of the Code Enforcement Department. She also asked Planning Staff to put the changes together to the general plan on the Dimple Dell Overlay Zone

Councilman Chris McCandless discussed future projects with Sandy's Sister City in Piedras Negras, Mexico and extended an invitation for Councilmembers to participate in a future trip to Piedras Negras.

Councilwoman Nicholl inquired about the maintenance of fencing around a city public utilities building along 10600 South.

Councilman Cowdell raised issue of re-considering allowed re-zones if a proposed project changes significantly from the original proposed project.

Councilwoman Barker further discussed the 10600 South Conservation Easement issue. Councilmembers discussed the issue collectively about how to proceed.

Council Office Director's Report

Mike reported on Pam's absence, and thanked Korban Lee for sitting in.

Mayor's Report

Mayor Dolan reported on his meeting this past week with the Shops at South Towne.

Mayor Dolan also reported on a possible re-location of a city park. He further mentioned the city's efforts regarding affordable housing projects.

Mayor Dolan further noted on the closure of the legislative session.

- Present:** 5 - Council Member Scott Cowdell
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Stephen P. Smith
- Absent:** 2 - Council Member Steve Fairbanks
Council Member Linda Martinez Saville

CAO Report

Scott Bond asked Scott Earl to report to the City Council on the follow up of an issue in Brandon Canyon where a corral was placed over the city trail and on city property. Scott reported on how the issue has been resolved to this point.

Information Items

- 1.** [17-063](#) Possible Closed Session to discuss pending or reasonably imminent litigation.

Meeting went into Recess

Meeting Reconvened

Chairman Smith noted that he is going to ask to entertain re-ordering the work session agenda.

A motion was made by Kris Coleman Nicholl , seconded by Maren Barker, to adjourn Work Session and convene into Closed Session... The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Stephen P. Smith

Absent: 2 - Steve Fairbanks
Linda Martinez Saville
- 2.** [17-029](#) Police Department providing the City Council a three-year statistical comparison.

Attachments: [Years in Review](#)

Chief Thacker gave a presentation regarding the Police Department. This presentation gave statistical and workload information for the police department going back to 2014.
- 3.** [16-334](#) Open and Public Meeting Act Training

Attachments: [Council Presentation Ethics ex parte 3.14.17](#)

Rob Wall gave a presentation about Open and Public meetings.

Chairman Smith adjourned work session for a five minute recess.

Meeting went into Recess

Meeting Reconvened

4. [17-062](#) Finance Department presenting a Fiscal Year 2018 budget process update

Attachments: [Budget Update](#)

Brian Kelley gave an update to the City Council on the Councilmember feedback the Budget Committee received last month. He gave an additional update on estimated on-going and one time revenues for next fiscal year and reviewed possible sources of additional general fund revenues.

5. [17-044](#) Finance Department presenting an informational report to introduce, review and discuss draft Bond Documents

Attachments: [Memo to Council - Public Utilities Bond projects - Flat Iron Tank and Well 3-9-17 FINAL w signature](#)
[Parameters Resolution v3 \(super\) -Sandy Water Bonds 2017](#)
[Third Supplemental Indenture of Trust - Sandy City Water RevenueBonds, Series 2017](#)
[Bond Purchase Agreement - Sandy Water Revenue Bonds 2017_1](#)
[Preliminary Official Statement - Sandy City Water Revenue Bonds2017 - DRAFT 03-09-2017 v1](#)
[Calendar of Events - Draft 3.10.17](#)
[Summary of Structuring Scenarios 3.10.2017](#)
[Water Debt Service Coverage Table 3.10.2017](#)
[17-11C Proprietary Funds DRAFT](#)

Brian Kelley presented to the City Council information about the proposed bond from water revenues to replace water infrastructure components (Flat Iron water tank).

Brian explained the bond proceed options, interest costs, and debt service alternatives.

Brian also reviewed the cash flow analysis from water revenues.

Randy, the bond counsel attorney representing the city on this possible bond sale, explained some further options regarding the bonds. He noted that he expects the bonds to be tax exempt and bank qualified in order to get a lower interest rate.

Ms. Nicholl asked what the possible interest rate may be. Brian Kelley explained that it would likely be in the mid 2% range.

Scott Cowdell asked Mr. Kelley if the cost of this would be covered by the water fund. Mr. Kelley explained that this bond would be covered by the water fund.

Mr. Kelley mentioned that he anticipates the City Council voting on this issue on the 28th of March and hold a public hearing as well.

Councilmembers discussed keeping the bond to only cover the cost of the tank replacement or to add additional funds to the bond issuance to take advantage of low interest rates currently and complete additional projects.

Ms. Barker asked about how long we have known that we need to replace these tanks. Tom Ward explained the need to replace the tanks for growth and seismic reasons and explained the need for growth is making the timing more eminent. Tom also explained the need to time the project to minimize impacts on Parks and Recreation. He also noted that the low cost of money currently is adding to the timing of the project.

Ms. Barker noted that she hears from residents frequently about rising water rates.

Tom Ward explained the Public Utilities Department's practice of putting aside a half million dollars per year toward capital project improvements.

Ms. Barker expressed frustration at bonding for the full amount and expressed interest in trying to find money for this project from other capital projects.

Councilmember Smith noted that part of this need for the bond currently is that several years ago, the Council voted to charge a franchise tax on water. The net effect has reduced the fund balance in the water fund. Further, the rising costs of Metro has reduced the fund balance.

Councilmember Smith asked Mr. Kelley some questions and made some comments about the trend projections in the long term financial plans.

Mr. Kelley noted that the recognition of the bond proceeds and expenses are not in the current year budget and so there would need to be a budget amendment to recognize those in the current fiscal year.

Mr. Ward also noted a couple of items about the schedule of the proposed project and the public outreach.

Chairman Smith asked Chief Thacker to defer his agenda item to a future time.

6. [17-060](#) Representative John Knotwell briefing the City Council on short-term rental legislation.

Attachments: [AIRBNB Legislation request letter](#)
[H.B. 253 \(as of March 2, 2017\)](#)
[Memo from Mike Coulam with article](#)
[Peering into the Peer Economy - Short-Term Rental Regulation](#)
[Short term rental history](#)

Councilman McCandless discussed with the City Council the issue of short term rentals within Sandy and asked the Council to consider the idea of an overlay zone to allow for short term rentals within certain areas of Sandy or consider other ideas regarding the possibility of allowing short term rentals in limited areas.

Councilman McCandless and Mayor Dolan both noted that they expect this issue will come back at the State Legislature next year if Sandy and other cities don't address this issue at the local issue first.

Councilmembers discussed the possibility of creating an ordinance that addresses Sandy's specific issues and concerns.

Chairman Smith noted that issues will be agendized in the future.

7. [17-054](#) City Council requesting a 2017 Legislative Session update.

Attachments: [Handout](#)

Mrs. Martin's presentation regarding a Legislative Update will be deferred for a one week period.

7:00 Council Meeting

Chairman Smith thanked attendees and started the meeting.

Roll Call

Opening Remarks / Prayer / Pledge of Allegiance

Josh Pierson offered the opening prayer. Garik Fowler offered the pledge.

Both are scouts with Troop 1908.

Citizen Comments

Chairman Smith asked for a show of hands for all who wish to talk about the Dimple Dell Trail.

Julie Collette - gave public comment regarding retail development, multifamily housing, and the Dimple Dell Trail.

Kathy Stark gave public comment in favor of better trail maintenance.

Prior to taking further public comment about the Dimple Dell Trail which is proposed, Chairman Smith commented to the Audience who wish to speak about the trail in Dimple Dell Park noting that the Dimple Dell Park is not a Sandy City Park, the trail in Dimple Dell Park is not a Sandy City project. He further noted that the project is not imminent. He further explained that the City Council is in process of gathering information and that this takes some time.

Chairman Smith asked members of the audience to speak about items that were not discussed two weeks ago.

Chairman Smith started to take comment cards.

Anna Macnamure spoke against the Dimple Dell Trail in favor of other aspects of the Parks and Recreation Master Plan.

Anne Fritz gave public comment. Spoke in favor of Dimple Dell as a nature reserve.

Kathleen Petersen gave public comment in favor of protecting the greenbelt of Dimple Dell.

Isaac Stewart gave public comment opposed to a possible trail in Dimple Dell Park and had questions about the accuracy of future polls. He further commented about the use of the trail for bikers and joggers.

Chairman Smith noted that all members of the audience are allowed to submit written comments to the City Council.

Alyssa Nelson gave public comment about her feelings regarding the proposed trail in Dimple Dell Park.

Diane Gandrey gave public comment noting that she was on the Dimple Dell Advisory Board when the original master plan included a multi-use park. She noted the plan is now different and she is opposed to the park.

Carol Writeout gave public comment opposed to the proposed Dimple Dell Trail.

Monica Zoltansky gave public comment providing information about the Dimple Dell Advisory Board voting 11-1 opposing the developing of the trail. She asked for a public hearing about this trail at a future City Council meeting.

Melissa Richardson gave public comment opposed to the trail in Dimple Dell and offered information about her personal neighborhood survey.

Jolynn McClellan gave public comment opposed to the proposed multi-use trail in Dimple Dell.

Gavin Richardson gave public comment opposed to the multi-use trail in Dimple Dell Park.

Jenn Wenke gave public comment about her desire to preserve Dimple Dell Park the way it is currently. She also expressed concern about future polling regarding the trail.

Chairman Smith took a vote for a three minute recess. Vote was 4-1 in favor of a recess. Councilman Cowdell voted against a recess.

Meeting went into Recess

Meeting Reconvened

Special Recognition

Chairman Smith asked the Council to consider amending the agenda to move the Special Recognition ahead of the Public Comment. All approved. No vote taken.

Chairman Smith and Mayor Dolan presented the special recognition to the Greater Salt Lake Chapter of the Red Cross.

9. [17-064](#) Resolution 17-12C honoring the Red Cross.

Attachments: [Red Cross Resolution](#)

Chairman Smith along with Mayor Dolan read the resolution recognizing March as Red Cross Month and recognizing their services during the City's time of need with the fire at Public Works.

Consent Calendar

10. [16-196](#) Council Office recommending the City Council review and adopt the draft public hearings policy as discussed on March 7, 2017.

Attachments: [Public Hearing Policy \(March 14, 2017 Tracked Changes Version\)](#)
[Public Hearing Policy \(Clean March 14, 2017 Consent Version\)](#)

A motion was made by Kris Coleman Nicholl seconded by Chris McCandless to adopt the public hearing policy with minor amendments. Voice Vote: All were in favor.

7:05 Public Hearing(s)

11. [ZONE-01-07-5185](#) Mr. Richard Welch of Garbett Homes, is requesting to rezone approximately 1.82 acres from the CN "Neighborhood Commercial District" to the R-1-6 "Single Family Residential District" for the subject property, located at 2111 East Oak Drive, known as the Windcroft on Highland #2 Rezone - ZONE-01-17-5185.

Attachments: [Council Request.pdf](#)
[17-11.docx](#)
[PC Minutes 02-16-2017 \(draft\).pdf](#)
[Staff Report.pdf](#)
[Executed Ordinance 17-11.pdf](#)

Mike Wilcox gave a report about the proposed rezone.

Richard Welch stood representing Garbett homes. Noal Balstead also came to the podium representing Garbett Homes. They are representing the applicant for the re-zone.

No Council questions of the applicant.

Chairman Smith took public comment on this agenda item.

No public comment.

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Ordinance 17-11 located at approximately 2111 East Oak Drive, to be rezoned from the CN "Neighborhood Commercial District" to the R-1-6 "Single Family Residential District" ...the motion carried by the following vote:

Yes: 5 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Stephen P. Smith

Absent: 2 - Steve Fairbanks
Linda Martinez Saville

Council Items

12. [17-061](#) Recess of City Council Meeting to convene a meeting of the Sandy City Redevelopment Agency

Attachments: [RDA Packet 3-14-17](#)

The RDA meeting proceeded as per the noticed agenda with no changes.

Following the RDA meeting, there was a motion to re-convene the City Council Meeting.

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to recess the City Council meeting and convene a meeting of the Sandy City Redevelopment Agency.. The motion carried by the following vote:

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

- Absent:** 2 - Steve Fairbanks
Linda Martinez Saville

Completion of reports and other items not held in the Work Session.

No reports were given.

Adjournment

The meeting adjourned at approximately 9:30 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, March 28, 2017 at 7:00 p.m.

Stephen P. Smith, Chair
Sandy City Council

Michael Applegarth
Meeting Clerk