



# Sandy City, Utah

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

## Meeting Minutes

### City Council

*Brooke Christensen, District 1*  
*Alison Stroud, District 2*  
*Kristin Coleman-Nicholl, District 3*  
*Monica Zoltanski, District 4*  
*Marci Houseman, At-large*  
*Zach Robinson, At-large*  
*Cyndi Sharkey, At-large*

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Tuesday, February 4, 2020

5:15 PM

Council Chambers

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### 5:15 Council Meeting: Business Session

## Rollcall

Council Office Director Michael Applegarth  
Council Office Analyst Dustin Fratto  
Council Attorney Tracy Cowdell

#### **Administration:**

Mayor Kurt Bradburn  
CAO Matthew Huish  
Deputy to the Mayor Evelyn Everton  
Deputy Chief Administrative Officer Kim Bell  
Economic Development Director Nick Duerksen  
City Attorney Bob Thompson  
Senior Civil Attorney Jeff Robinson  
Communications Director Eric Richards  
Community Development Director James Sorensen  
Administrative Services Director Brian Kelley  
Administrative Services-Analyst Sam Burge  
Animal Services Director Ian Williams  
Fire Chief Bruce Cline  
Interum Police Chief Greg Severson  
Parks & Recreation Director Scott Earl  
Public Utilities Director Tom Ward  
Public Utilities-Chief Engineer Tyler Shelly  
Public Works Director Mike Gladbach  
Public Works-City Engineer Ryan Kump

**Present:** 7 - Council Member Alison Stroud  
Council Member Kristin Coleman-Nicholl  
Council Member Zach Robinson  
Council Member Monica Zoltanski  
Council Member Marci Houseman  
Council Member Cyndi Sharkey  
Council Member Brooke Christensen

Prayer / Pledge of Allegiance

Chair Kris Coleman Nicholl welcomed all those in attendance.

Council Member Marci Houseman offered the opening prayer.

Council Member Alison Stroud led the audience in the pledge.

**Non-voting Items**

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed upcoming items on the Agenda Planning Calendar,

Council Member Business

Zach Robinson thanked Staff for placement of recycling bins at Alta Canyon Recreation Center.

Monica Zoltanski expressed appreciation to the Public Works Snow Removal Crews in light of Monday's snow storm. Residents can follow snow plow locations on line.

Mayor's Report

No Report.

CAO Report

Matt Huish invited Tom Ward, Scott Earl, James Sorensen and Kim Bell for updates.

Tom Ward briefed the Council on the new LED light program.

Scott Earl briefed the Council on an incident at a Junior Jazz Game where a young male went in full cardiac arrest. Kennedy Costeller, Life Guard at Alta Canyon, helped assist until the paramedic's arrived. The individual was transported to IMC; and the prognosis looks good.

James Sorensen reported on the clean-up efforts with the property on Borg Street.

Kim Bell reported on the scheduled Emergency Communications Test scheduled for Friday, February 21, 2020 at 10:00 a.m.

Legislative Report

Deputy Mayor Evelyn Everton reported on the opening of the 2020 Legislative Session.

**Voting Items**

Consent Calendar

Approval of the Consent Calendar

A motion was made by Zach Robinson, seconded by Monica Zoltanski, to approve the Consent Calendar with recommended amendments to the January 21, 2020 and January 28, 2020 Minutes..... The motion carried by the following vote:

Yes: 7 - Alison Stroud  
Kristin Coleman-Nicholl  
Zach Robinson  
Monica Zoltanski  
Marci Houseman  
Cyndi Sharkey  
Brooke Christensen

1. [20-046](#) Approval of the January 21, 2020 Minutes.

**Attachments:** [January 21, 2020 Minutes](#)

Item approved.

2. [20-048](#) Approval of the January 28, 2020 Worksession Minutes.

**Attachments:** [January 28, 2020 Worksession Minutes](#)

Item approved.

#### Council Items

3. [20-042](#) City Council consideration and vote whether or not to approve Public Works' request for the use of eminent domain authority, pursuant to Utah Code Ann. § 78B-6-505, to condemn property located at 153 West 9000 South, Sandy, UT 84070 owned by Wagstaff Investments, LLC and operated as Holiday Oil.

**Attachments:** [City Council Presentation](#)  
[Timeline of Communications w Holiday Oil 1\\_30\\_2020](#)  
[Condemnation Resolution](#)  
[Notice of Public Meeting - Exhibit A](#)  
[Executed Resolution 20-05C](#)

City Engineer Ryan Kump presented the 90th South and Monroe proposed intersection improvements; eminent domain of property occupied by Holiday Oil.

Council Attorney Tracy Cowdell defined eminent domain. Government cannot take property without due process and compensation.

JD Kesler, Parsons Behle & Latimer (City's condemnation attorney) explained the process and timeline which holds very strict guidelines.

Council questions followed.

Public Comment:

Kelly Forbes- expressed concerns related to the eminent domain process being rushed

and not addressing congestion along 90th South. Other properties along 90th South may be subject to eminent domain.

Mr. Jaffa felt what the Council was told was not the case. Occupancy is granted and occupancy is challenged.

Chair Kris Nicholl closed public comments.

City Engineer Ryan Kump addressed questions presented during public comments.

**A motion was made by Zach Robinson, seconded by Brooke Christensen, to adopt Resolution #20-05C, a resolution authorizing the condemnation of real property owned by Wagstaff Investments, LLC doing business as Holiday Oil for the 9000 South Monroe Intersection Project...the motion carried by the following vote:**

- Yes:** 7 - Alison Stroud  
Kristin Coleman-Nicholl  
Zach Robinson  
Monica Zoltanski  
Marci Houseman  
Cyndi Sharkey  
Brooke Christensen

4. [20-039](#) Council discussion of changes to the bulk waste clean-up program.

**Attachments:** [Meeting memo\\_list of comments](#)  
[All Comments](#)  
[Fact Brief\\_Bulk Waste Dumpster Program.pdf](#)  
[NewBulkWasteProgram2020FINAL\(2\).pdf](#)  
[Waste Management 2015 signed contract](#)  
[2019 contract renewal approval](#)  
[Waste Management Amendment 2020](#)  
[Questions from Resident Kent Jaffa](#)  
[Letter from Brian Wilkinson](#)  
[Letter from Deena](#)  
[Letter from Jamie Dowdle](#)  
[E-mails from Ole Smith](#)  
[E-mail from Alishia Sackett](#)  
[E-mail from Asialene Smith](#)  
[E-mail from Eliza Black](#)  
[E-mail from Jessica Hansen](#)  
[E-mail from Liz Wichern](#)  
[E-mail from Roxsan Mottishaw](#)  
[E-mail from Samuel Ricks](#)  
[E-mail from Stacy Harbertson](#)  
[E-mail from unnamed resident](#)  
[E-mails from Cathy Christison](#)  
[E-mail from Bryce Hopkin](#)  
[E-mail from Sally Teal-Holman](#)  
[E-mail from Courtney Monsen](#)  
[E-mail from Jessica Ferree](#)  
[E-mail from Karen Tregeagle](#)  
[E-mail from Raquel Hinz](#)  
[E-mail from Heather Caldwell](#)  
[E-mail from Shala West](#)  
[E-mails from George & Kathy Stone \(attached 2-3\)](#)  
[E-mails from Jami Argyle \(attached 2-3\)](#)  
[E-mails from Jessica Duncan \(attached 2-3\)](#)  
[E-mails from Jessica Watts \(attached 2-3\)](#)  
[E-mails from Jim Doak \(attached 2-3\)](#)  
[E-mails from John McKea \(attached 2-3\)](#)  
[E-mails from Kadi Clough \(attached 2-3\)](#)  
[E-mails from Karla Berk \(additional\) \(attached 2-3\)](#)

[E-mails from Karla Berk \(attached 2-3\)](#)  
[E-mails from Keith and Alysha Ball \(attached 2-3\)](#)  
[E-mails from Kelly and Michael Teemant \(attached 2-3\)](#)  
[E-mails from Kerry Bowers \(attached 2-3\)](#)  
[E-mails from Lewis C. Olson \(attached 2-3\)](#)  
[E-mails from Melanie and Jason Coble \(attached 2-3\)](#)  
[E-mails from Patricia \(attached 2-3\)](#)  
[E-mails from Shelby Hales \(attached 2-3\)](#)  
[E-mails from Sheri Taylor \(attached 2-3\)](#)  
[E-mails from Teresa Edwards \(attached 2-3\)](#)  
[E-mail from Alan and Debbie Linett \(attached 2-3\)](#)  
[E-mail from Amelia Martinez \(attached 2-3\)](#)  
[E-mail from Amy Allen \(attached 2-3\)](#)  
[E-mail from Anne Adams \(attached 2-3\)](#)  
[E-mail from anonymous \(attached 2-3\)](#)  
[E-mail from Barb Askvig \(attached 2-3\)](#)  
[E-mail from Becky Schultz \(attached 2-3\)](#)  
[E-mail from Bill Downer \(attached 2-3\)](#)  
[E-mail from blendamc \(attached 2-3\)](#)  
[E-mail from Bonnie Jones \(attached 2-3\)](#)  
[E-mail from Brad \(attached 2-3\)](#)  
[E-mail from Brad Hopkin \(attached 2-3\)](#)  
[E-mail from Brenda Christiansen \(attached 2-3\)](#)  
[E-mail from Brenda Schmiett \(additional\) \(attached 2-3\)](#)  
[E-mail from Brenda Schmiett \(attached 2-3\)](#)  
[E-mail from Bruce Miller \(attached 2-3\)](#)  
[E-mail from Bryan Pocock \(attached 2-3\)](#)  
[E-mail from Cally Nichols \(attached 2-3\)](#)  
[E-mail from Cars H \(attached 2-3\)](#)  
[E-mail from Christina Larochelle \(attached 2-3\)](#)  
[E-mail from Cristina Cook \(attached 2-3\)](#)  
[E-mail from Dale Webb \(attached 2-3\)](#)  
[E-mail from Dave and Paula Thomas \(attached 2-3\)](#)  
[E-mail from Dave Corey \(attached 2-3\)](#)  
[E-mail from Dean Mednick \(attached 2-3\)](#)  
[E-mail from Donna Rackl \(attached 2-3\)](#)  
[E-mail from Elaine Papworth \(attached 2-3\)](#)  
[E-mail from Ellen Bush Duncan \(attached 2-3\)](#)

[E-mail from Emily Motzkus \(attached 2-3\)](#)  
[E-mail from Fernie Hernandez \(attached 2-3\)](#)  
[E-mail from Fulilangi Hola \(attached 2-3\)](#)  
[E-mail from Gina Nofle \(attached 2-3\)](#)  
[E-mail from Griffin Hoopes \(attached 2-3\)](#)  
[E-mail from Isabella and Haris Johnsen \(attached 2-3\)](#)  
[E-mail from Jana Standiford \(attached 2-3\)](#)  
[E-mail from Janae Ricks \(attached 2-3\)](#)  
[E-mail from Jane Sims \(attached 2-3\)](#)  
[E-mail from Jayson Pawlowski \(attached 2-3\)](#)  
[E-mail from Jeanne Thornton \(attached 2-3\)](#)  
[E-mail from Jerry Draper \(attached 2-3\)](#)  
[E-mail from Jill Bardin \(attached 2-3\)](#)  
[E-mail from Jim and Joanne Lewis \(attached 2-3\)](#)  
[E-mail from Jodie Osofsky \(attached 2-3\)](#)  
[E-mail from johnsonsite \(attached 2-3\)](#)  
[E-mail from Judy Ferguson \(attached 2-3\)](#)  
[E-mail from Karen Bethers \(attached 2-3\)](#)  
[E-mail from Kathryn Kair \(attached 2-3\)](#)  
[E-mail from Katie Daimaru \(attached 2-3\)](#)  
[E-mail from Katie James \(attached 2-3\)](#)  
[E-mail from Kellie Forbes \(attached 2-3\)](#)  
[E-mail from Ken and Mary Barton \(attached 2-3\)](#)  
[E-mail from Ken Matthews \(attached 2-3\)](#)  
[E-mail from Kristine Whitehead \(attached 2-3\)](#)  
[E-mail from Laura Peña \(attached 2-3\)](#)  
[E-mail from Laura Schieving \(attached 2-3\)](#)  
[E-mail from Leanne Boudreaux \(attached 2-3\)](#)  
[E-mail from Linda Bullough \(attached 2-3\)](#)  
[E-mail from Linda Byington \(attached 2-3\)](#)  
[E-mail from Linda Kramer \(attached 2-3\)](#)  
[E-mail from Linda Spencer \(attached 2-3\)](#)  
[E-mail from Lisa Schieving \(attached 2-3\)](#)  
[E-mail from M. Mallon \(attached 2-3\)](#)  
[E-mail from Malia Allsop \(attached 2-3\)](#)  
[E-mail from Mallory Boggs \(attached 2-3\)](#)  
[E-mail from Margaret Blackburn \(attached 2-3\)](#)  
[E-mail from Marina Dimitrov \(attached 2-3\)](#)

[E-mail from Melonie Anderson \(attached 2-3\)](#)  
[E-mail from Michael K. McCarter \(attached 2-3\)](#)  
[E-mail from Michael Norton \(attached 2-3\)](#)  
[E-mail from Mitzi MacKay \(attached 2-3\)](#)  
[E-mail from Nancy Burkybile \(attached 2-3\)](#)  
[E-mail from Natalie Christiansen \(attached 2-3\)](#)  
[E-mail from Paul Hansen \(attached 2-3\)](#)  
[E-mail from Paul Schmiett \(attached 2-3\)](#)  
[E-mail from Pierrot Awadalla \(attached 2-3\)](#)  
[E-mail from Robyn Martin \(attached 2-3\)](#)  
[E-mail from Roxane Parker \(attached 2-3\)](#)  
[E-mail from Sacha Despain \(attached 2-3\)](#)  
[E-mail from SALLY JONGSMA \(attached 2-3\)](#)  
[E-mail from Sarah Rabideau \(attached 2-3\)](#)  
[E-mail from Scott Cowan \(attached 2-3\)](#)  
[E-mail from Scott Harrison \(attached 2-3\)](#)  
[E-mail from Sharifa A. \(attached 2-3\)](#)  
[E-mail from Shelley A. Ashcroft \(attached 2-3\)](#)  
[E-mail from Shelley Wixom \(attached 2-3\)](#)  
[E-mail from Shelly Latham \(attached 2-3\)](#)  
[E-mail from Sid \(attached 2-3\)](#)  
[E-mail from Sid Lanham \(attached 2-3\)](#)  
[E-mail from Steven Briggs \(attached 2-3\)](#)  
[E-mail from TBrent Thomson \(attached 2-3\)](#)  
[E-mail from Tory Leavitt \(attached 2-3\)](#)  
[E-mail from Tricia Sweeney \(attached 2-3\)](#)  
[E-mail from Trudie Leavitr \(attached 2-3\)](#)  
[E-mail from Will Frazier \(attached 2-3\)](#)  
[E-mail from Zach Green \(attached 2-3\)](#)  
[E-mail from Zea Robbins \(attached 2-3\)](#)  
[E-mails from Alan Thornton \(attached 2-3\)](#)  
[E-mails from Angie Jackson \(attached 2-3\)](#)  
[E-mails from Anna Criswell \(attached 2-3\)](#)  
[E-mails from Christy Engel \(attached 2-3\)](#)  
[E-mails from Claire Kasteler \(attached 2-3\)](#)  
[E-mails from Cynthia Downer \(attached 2-3\)](#)

Mike Gladbach along with Eric Richards presented a power point on the updated and improved bulk waste program.



Tom Ward and Tyler Shelly spoke on environment regulations and public health.

Council questions and comments followed.

Public Comment:

Jacob Weidrick- questioned if pollutants were really going into storm drains. He felt there are other ways to do bulk waste without making a commitment for 2021.

Kelly Forbes- opposed to the way the program was rolled out without public input and thought. Dumpsters will not prevent scavenges. The dumpster program is not the best option.

Blake Leonelli, Waste Management Public Sector Government & Community Relations, noted that the administration reached a level of effort and diligence to put forth this program. Waste Management would be flexible in working with the City.

Mr. Jaffa- opposed the new bulk waste program. The Council set their budget based on curbside pick-up, and is surprised finances have not been looked into and no public outreach.

Brad- is opposed to the dumpster program and was disappointed that the programs is being shoved down residents throats.

Clint- strongly supports the dumpster program. He is tired of "crap" being piled up in front of his home.

Cindy Paulson- would like to have been notified with a chance to prepare for the change. It will be difficult reserving a dumpster. "Shame on the Mayor and Staff".

Steve Van Maren- looks like the cost of program is the cost of dumpsters. This proposal will re-purpose City Staff to do other things and the budget will stay the same. Look into the program in the future.

David Hansen- noted that the dumpsters are filled quickly and hard to place items in. He was disheartened when the notice came out. Greatest program in the City and we are giving it away.

Sid- in favor of the current bulk waste program. The burden will be placed on residents which does not work well for most people.

Sidney- loves the current bulk waste program. Shame on the Administration for not letting the public know. Dumpsters are not good.

Scott Harrison- opposed to the new program, and that the City Council was not included in the decision. Sandy has always offered the best bulk waste curb side program.

Paul Pullman- annexed into the city with the bulk waste program as a big feature. There are major flaws in the new program. Sandy had a Cadillac program that 100% of the residents could use.

Roxanne Modashaw- landlord of different properties in Salt Lake County. She opposes the new program. Look into Midvale City where they have a monthly pick-up.

Kelly Forbes- wonder about the legality of signing a contract that is not in compliance

with the budget. She felt this was done underhanded and asked the Council to pass an ordinance to stop the proposed program.

Mayor Bradburn stated that the law was not violated and that it is within the budget appropriations. This is an administrative function.

Comments were closed.

Council comments and further discussion followed.

**Brooke Christensen made a motion seconded by Monica Zoltanski to table the discussion until July pending a legal analysis on state and federal code; then discuss this with administration and take public comments and feedback to see how the program is working; then hold a work session to discuss findings, capacity, residents concerns, budget, and that the City Attorney directs legal analysis to make sure the City is in compliance with storm drain standards....**

**Further comments were made by the Mayor, Cyndi Sharkey, Bob Thompson, Zach Robinson, Tracy Cowdell Brooke Christensen, and Mike Applegarth.**

**Kris Nicholl called the question to end debate on the motion. Brooke Christensen seconded the motion... a voice vote was taken as follows:..... Nicholl-yes, Christensen-yes, Stroud-Yes Houseman-Yes, Robinson-Yes, Zoltanski-Yes, Sharkey-Yes.**

**Zach Robinson asked Ms. Christensen to withdraw her motion in order to allow public comments from residents and to further discuss how the program is working at a later time. He asked Bob Thompson for his opinion.**

**Mr. Thompson felt withdrawing the motion would be an appropriate course of action.**

**Mike Applegarth agreed.**

**Brooke Christensen withdrew her motion.**

Motion on Bulk Waste clean-up program

**A motion was made by Zach Robinson seconded by Brooke Christensen to continue this discussion on a future agenda...**

**Council discussion followed on the motion....**

**The motion was denied by the following vote:**

**Yes:** 3 - Zach Robinson  
Monica Zoltanski  
Brooke Christensen

**No:** 4 - Alison Stroud  
Kristin Coleman-Nicholl  
Marci Houseman  
Cyndi Sharkey

Motion on bulk waste clean-up

After Ms. Houseman's motion was denied; the City Council moved on to Item #5 on the agenda.

**Marci Houseman made a motion seconded by Cyndi Sharkey to direct Staff to develop policy ordinance and budget options and recommendations that would allow the Council and Administration to hit pause on the roll out of the changed bulk waste program..**

**Council Discussion followed on the motion...**

**The motion was denied by the following vote.....**

**Yes:** 3 - Kristin Coleman-Nicholl  
Marci Houseman  
Cyndi Sharkey

**No:** 4 - Alison Stroud  
Zach Robinson  
Monica Zoltanski  
Brooke Christensen

5. [20-040](#) Council office recommending that the Council discuss training related to priority based budgeting

Mike Applegarth requested that this item be tabled.

**Kris Nicholl made a motion seconded by Brooke Christensen to table item #5. The motion passed with a unanimous voice vote in favor.**

6. [20-041](#) Council Member Stroud proposing amendments to the maximum number of household dogs allowed in Sandy City

**Attachments:** [Stroud Memo](#)  
[Email from Anonymous](#)  
[Email from Maryjo Korb](#)  
[E-mail from Tonya Landon](#)

Alison Stroud introduced her item to change the policy and explore options to allow 3 household dogs.

Council questions and comments followed.

Animal Services Director Ian Williams addressed council questions.

Public Comments:

Cynthia- asked council to consider increasing the limit to four dogs with the purpose to help empty shelters.

Jessica- concerned under the proposal what will happen with hobby licenses and if they will be grand fathered in.

Tonya Landon- would like to see more dogs allowed in households and stricter laws applied to pet owners.

Jodi Monico- supports the proposal to increase dogs to help foster and rescue dogs with community support.

Polly Hart, Salt Lake City resident, worked to get limits removed in Salt Lake City. She spoke on the changes in their City. Work to get animals out of shelters.

Stacy- raising the number of dogs will help local shelters.

Mary Jo- raising the limit of dogs will help the City and State.

Steve Van Maren- asked what the rule was for picking up after your dog. This eventually will effect storm water quality. More dogs, more issues.

Comments were closed.

**Kris Coleman Nicholl made a motion seconded by Alison Stroud to move forward with the amendments to the maximum number of household dogs allowed in Sandy City...the motion carried by a unanimous voice vote in favor.**

7. [20-052](#) Reconsideration of prior Council vote with regard to work session meeting.

**Cyndi Sharkey made a motion seconded by Kris Coleman Nicholl to table this item due to the lack of supporting documents in the packet to know what is being asked to consider of reconsider.... the motion carried by a voice vote in favor.**

## 6:00 Time Certain Items

### Citizen Comments

Jessica Davies asked the Council to consider implementing live streaming for work meetings so she can listen from home with her two young children.

Steve Van Maren- drafted "no idling" signs and asked the City to print the signs to be placed in high traffic areas, especially school zones. This could make it easier to ticket people.

Zach Robinson asked Mr. Van Maren to send him copies of his signs. He would do the "leg work" and check with Legal.

Wally Shelly- resident and former employee spoke regarding his termination with the City for mis-use of City time, and being targeted after approaching the administration on mis-use of city funds. He asked the City Council to create an avenue where employees can voice concerns knowing their jobs are not in jeopardy.

Tracy Cowdell explained the oversight of the Council and obligation of the Administration to report back to the Council. He would recommend that the report be handled in a closed session.

## Adjournment

The meeting adjourned at approximately 9:25 p.m. by Council Member Alison Stroud .

The next scheduled meeting of the City Council is Tuesday, February 11, 2020 at 5:15 p.m.