



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, May 2, 2017

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

Chairman Smith reviewed the Agenda Planning Calendar, noting that budget presentations from the various Departments will be held during the month of May.

Council Member Business

Chairman Stephen Smith reported that Executive Assistant to the Mayor Marsha Millet asked him to inform the Council of five Community Coordinator positions that are available in Districts 4,5,6,7, and 10, and if the Council knew of anyone who may be interested in serving.

Chris McCandless presented a picture of Badger Cove to the Council. He would like Code Enforcement to approach the homeowner who is blocking a fire truck turn around in the park. Mr. McCandless briefed the Council on the Jordan River Commission meeting and the upcoming River Festival.

Chris McCandless presented a flier on The Inn Between, Hospice for the Homeless facility, urging the Council to visit and meet the Staff. He would like to raise an additional \$3,000 to match the \$10,000 contribution in CDBG funding for The Inn Between. He will make a contribution equal to 50% of the shortage on a match. He invited the new candidate running for Mayor to do the same. Mayor Dolan indicated that he would accept the challenge. Chris noted that he would put that challenge on his facebook page.

Steve Fairbanks discussed the importance of a community outreach plan to reach out to the constituents more efficiently. He recommended that a budget line be established for each individual Council member. He would like to discuss this further after the first of the year.

Council Office Director's Report

No Report was given.

Mayor's Report

Mayor Dolan updated the Council on various meetings he attended regarding the Central Wasatch Commission and a possible conditional use coming to the Planning Commission, property acquisition, and funding options for expansion of the amphitheater and Alta Canyon Recreation Center.

CAO Report

Shane Pace was present for and on behalf of Scott Bond who was on vacation.

Chief Cline handed out a backpack with pamphlets and information for Wildfire Preparedness Day, Saturday, May 6th. The Fire Department is in the process of distributing information to residents in advance of fire season. He reported on a few promotions within the Department: Mike Gough to Captain, and Ryan Taylor to Engineer. They have lost three firefighters to Draper City and Park City.

Tom Ward reported that Segó Lily Gardens will open in celebration of water week, Saturday, May 6th, from nine to noon. Water Barrels will be on sale at the gardens. Metropolitan Water District will also be hosting tours of the Little Cottonwood Treatment Plant the following Tuesday evening.

Scott Earl updated the Council on staffing positions in the Parks Department, Sandy Pride, and a 5 K race at Falcon Park on Saturday.

Brian Kelley updated the Council on the developments pertaining to the water bond. He noted that the Enterprise Fund hearing notice was mailed and should arrive in homes today.

Information Items

1. [17-116](#) Justice Court briefing the Council on the FY 2017-18 Justice Court budget.

Justice Court Judge Farr along with Justice Court Administrator Jay Carey presented the proposed Fiscal Year 2017-2018 Justice Court budget and issues confronting the Court.

2. [17-117](#) City Attorney's Office briefing the Council on the FY 2017-18 City Attorney budget.

City Attorney Rob Wall presented the proposed City Attorney's Office budget and issues confronting the office.

Shane Pace reported that Justice Court Judge Paul Farr received the Justice Court Judge of the Year award.

3. [17-115](#) Administration briefing the Council on the Central Wasatch Commission Interlocal Agreement and Transfer Agreement

Dan Hartman briefed the Council on the Central Wasatch Agreement highlighting various points in the agreement, and the importance of implementing an agreement in order to protect the canyons.

Chairman Smith had asked asked Mike Applegarth and Dustin Fratto to review the agreement. They presented some of their findings.

Council questions followed.

Meeting went into Recess

Meeting Reconvened

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
Councilwoman Linda Martinez Saville arrived at 6:30 p.m.

Administration:

Mayor Tom Dolan
Assistant CAO Shane Pace
Assistant CAO Korban Lee
Economic Development Director Nick Duerksen
City Attorney Rob Wall
Community Development Director James Sorensen
Planning Director Brian McCuistion
Administrative Services Director Brian Kelley
Director Human Resources Katrina Frederick
Fire Chief Bruce Cline
Police Chief Kevin Thacker
Parks & Recreation Director Scott Earl
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach
Justice Court Judge Paul Farr
Justice Court Administrator Jay Carey

Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Bruce Blanchard offered the opening prayer.

Brian McCuistion led the audience in the pledge.

Citizen Comments

Bruce Blanchard, 8802 Shady Meadow Drive, spoke regarding this year's budget proposal believing that the official budget meeting is being held late in the budget process to allow for worthwhile changes. He shared his attempts to compare budget increases, and requested a broader discussion on the numbers and costs the City spent on lobbyist.

Chairman Smith stated that he would schedule further discussion with Mr Blanchard.

Monica Zoltanski, Dimple Dell Preservation Community, noted that their group is still waiting for survey results on the paved Dimple Dell Trail. She complimented Kris Nicholl's family for helping clean Dimple Dell Park. She addressed crime and homeless camps in Dimple Dell and suggested implementing trail markers and more police presence.

Kathy Stark, 9995 South Enchanted Cove, noted some of her concerns in the tentative budget and asked for clarification on projected revenue fees for Parks and Recreation, and 8680 South. It was explained that the projected \$500,000 revenue increase would come from the sale of cemetery plots. The improvements on 8680 South are to fix slopes from 7th East to State Street, ditch improvements, curb, gutter, and sidewalks.

Steve Van Maren, 11039 Lexington Circle, stated as a point of information, that an individual may give untaxed money to qualifying charities if they are older than 70.5 years. He was concerned that Park City and Summit County were the only municipality within the boundaries of the Central Wasatch Commission boundaries. He is concerned that the needs would be different for them than others.

Citizen Comments were closed.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to approve 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

4. [17-110](#) Approval of the April 18, 2017 Minutes.

Attachments: [April 18, 2017 Minutes.pdf](#)

Item approved.

7:05 Public Hearing(s)

5. [ANEX-3-17-5](#) Community Development Department recommending the City Council approve the Mock Annexation (R-1-15) Zone - 3202 East 10000 South.
[241](#)

Attachments: [Staff report.pdf](#)
[Ordinance 17-15.pdf](#)

Brian McCuistion briefed the Council on the Mock Annexation located at approximately 3202 East 10000 South to be zoned R-1-15. Staff and the Planning Commission forwarded a positive recommendation.

Council questions followed.

Public Hearing was opened. There were no comments.

A motion was made by Kristin Coleman-Nicholl, seconded by Linda Martinez Saville, to adopt Ordinance 17-15, approving the Mock Annexation located at approximately 3202 East 10000 South, comprising approximately 7.84 acres into Sandy City; establishing zoning for the annexed properties to an R-1-15 Zone; also providing a severance and effective date for the annexation. ... 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

6. [CODE-3-17-](#) Community Development Department briefing the City Council on proposed changes for Temporary Signs for Multi-Family Projects, Amendments to Title 15A, Chapter 26, Signage and Outdoor Advertising, Land Development Code, Revised Ordinances of Sandy City, 2008.
[5229](#)

Attachments: [MEMORANDUM for CC revised.pdf](#)
[17-13ordinance.pdf](#)

Brian McCuistion briefed the Council on the proposed changes to the Code Amendment for the temporary signs for multi-family projects.

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

A motion was made by Steve Fairbanks, seconded by Scott Cowdell, to adopt Ordinance 17-13, amending Title 15A of the revised ordinances of Sandy City (The Land Development Code), 2008, by amending Chapter 26, "Signage and Outdoor Advertising" to allow Multi-Family projects to have a certain time period to display temporary signs and what types of signs they could use; also providing a saving clause and effective date for the ordinance... 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. [CODE-3-17-5244](#) Community Development Department recommending the City Council adopt amendments to include a hearing officer for reasonable accommodation requests, Title 15A, Chapter 3, Officers, Boards and Commissions, Chapter 11, 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](#)

Brian McCuiston briefed the Council on the Code Amendment to include a hearing officer for reasonable accommodation requests. The Planning Commission forwarded a positive recommendation.

Public Hearing was opened.

Isaac Bingham, resident of Sandy and ER Physician, could see the need for drug and alcohol treatment facilities along with a need to regulate them. He expressed his concerns with the proposed code amendment. He believes there will be no check or balances with a hearing officer, and no appeal authority. The hearing officer would have the sole authority to either approve or reject reasonable accommodations, which he believes would not provide any forum for community or neighborhood involvement, taking power away from the Planning Commission. It also presents the risk of increased density in neighborhoods.

Steve VanMaren, appreciated Mr. Bingham's comments and was hopeful the Council would listen to the legal comments. He felt a hearing officer was a good idea. He felt that a notice to residents should be included in the ordinance so they are not blindsided when a facility is located in their neighborhood. He stated "It's called transparency".

Brian McCuiston and Rob Wall addressed the appeal authority and concerns raised by Mr. Bingham and Mr. VanMaren.

Council questions and comments followed.

A motion was made by Steve Fairbanks, seconded by Linda Martinez Saville, to continue the public hearing on Ordinance 17-14 potential revisions to the Land Development Code amending Chapter 3 Officers, Boards, and Commissions and Chapter 11 Special Uses to modify the process for reasonable accommodation for a period of three weeks 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

Council Items

8. [17-112](#) Administration recommending the City Council adopt the Central Wasatch Commission Interlocal Agreement.

Attachments: [Council Briefing Memo](#)
[Salt Lake County Fact Sheet](#)
[CWC Redline](#)
[CWC Final Execution Interlocal](#)
[City Resolution 17-20c](#)
[Updated CWC Map](#)

Chairman Smith noted that the Council held a discussion in work session prior to the City Council meeting. He asked Mr. Dan Hartman to brief the Council and audience on the Central Wasatch Commission.

Mr. Hartman presented a brief overview and perspective on the Central Wasatch Commission. He urged the Council to adopt the agreement.

Council questions and a lengthy discussion followed.

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to approve Resolution 17-20 C, a resolution of the Sandy City Council approving an Interlocal Agreement with Salt Lake City, Salt Lake County, and Cottonwood Heights regarding the formation of the Central Wasatch Commission with the deletion of the sentence in Section 1. " The Mayor is authorized to approve any minor modifications, amendments, or revisions to the Agreement as may be in the City's best interest and in harmony with the intent and purpose of the Agreement", and to strike the word "further" in the next sentence to read" The Mayor is authorized to execute the Agreement on behalf of Sandy City and to take action reasonable necessary to carry out the intent and purpose of the Agreement and its terms". ... 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

9. [17-113](#) Administration recommending the City Council adopt the Central Wasatch Commission Transfer Agreement.

Attachments: [City Resolution 17-21c](#)
[CWC Transfer Agreement](#)
[Mt-Accord-Financial-Transparency-Report](#)

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Resolution 17-21C, a Resolution of the Sandy City Council approving an Interlocal Agreement with the Central Wasatch Commission to transfer the rights, obligations, and funds held by the Mountain Accord to the Central Wasatch Commission, with the deletion of the sentence in Section 1. " The Mayor is authorized to approve any minor modifications, amendments, or revisions to the Agreement as may be in the City's best interest and in harmony with the intent and purpose of the Agreement", and to strike the word "further" in the next sentence to read " The Mayor is authorized to execute the Agreement on behalf of Sandy City and to take action reasonable necessary to carry out the intent and purpose of the Agreement and its terms"..... 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

10. [17-118](#) Possible Closed Session to discuss the purchase, exchange or lease of real property, including any form of a water right or water shares.

Motion to move into Closed Session.

Meeting went into Recess

Meeting Reconvened

A motion was made by Kristin Coleman-Nicholl, seconded by Steve Fairbanks, to recess City Council and convene into a Closed Door meeting to discuss the purchase, exchange or lease of real property, including any form of a water right or water shares... 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

11. [17-109](#) City Council Office briefing the Council on the FY 2017-18 City Council Office budget.

Attachments: [FY 2017-18 Council Office Budget Presentation](#)

Mike Applegarth presented the City Council's budget presentation for fiscal year 2017-2018.

Council questions followed.

12. [17-119](#) Councilman Smith proposes amendments to the water bond parameters resolution, changing the authorized issuance amount from approximately \$7,000,000 to approximately \$10,000,000.

Attachments: [Calendar of Events for \\$10M Bonds - 5.4.17](#)

[Public Utilities long term analysis with 7m bond](#)

[Public Utilities long term analysis with 10m bond](#)

[Water Bond Parameters Resolution Amendments](#)

Chairman Stephen Smith asked to amend the water parameters resolution by increasing the amount of the bond. He briefed the Council on ideas of how the increased funds could be used.

Brian Kelley informed the Council that the resolution would need to be amended and a new public hearing held.

Council comments and discussion followed.

Adjournment

The meeting adjourned at approximately 10:00 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, May 9, 2017 at 7:00 p.m.

Stephen P. Smith, Chair
Sandy City Council

Pam Lehman
Meeting Clerk