



Sandy City, Utah

10000 Centennial Parkway
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Phone: 801-568-7141

Meeting Minutes

City Council

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

Tuesday, June 14, 2016

5:15 PM

Council Chambers

5:15 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

Administration:

Mayor Tom Dolan
CAO Byron Jorgenson
Deputy to the Mayor John Hiskey
Assistant CAO Scott Bond
Assistant CAO Korban Lee
Economic Development Director Nick Duerksen
Assistant Economic Development Director Kasey Dunlavy
City Attorney Rob Wall
Community Development Director Mike Coulam
Long Range Planning Manager/CDBG Mike Wilcox
Administrative Services Director Brian Kelley
Budget Coordinator Brett Neumann
Management Analyst-Finance Adam Anderson
Director Human Resources Katrina Frederick
Community Events Director Mearle Marsh
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Police Chief Kevin Thacker

Public Utilities Director Shane Pace
Public Works Director Rick Smith

Opening Remarks / Prayer / Pledge of Allegiance

Chairwoman Kris Nicholl welcomed all those in attendance.

Citizen Bruce Blanchard offered the opening prayer.

Citizen Mark Randall led the audience in the pledge.

Citizen Comments

There were no Citizen Comments.

Agenda Planning Calendar Review

No review was given.

Council Member Business

Councilman Chris McCandless addressed Senete Bill 122 regarding interlocal agreements with municipalities pertaining to firefighting.

Steve Fairbanks presented two fliers to the Council regarding the wildfire agreement. The bill takes effect in July 2017.

Scott Cowdell asked for an update on the 90th South freeway interchange. Mayor Dolan indicated that UDOT is currently doing a study from Point of the Mountain to North Salt Lake to determine future plans for the freeway.

Scott Cowdell also complimented the City's Public Works and Public Utilities Departments for their service and the installation of adequate storm drain systems in our City.

Council Office Director's Report

Michael Applegarth noted that this evening's Agenda had been reordered, and copies of the two items missing in their packets were printed and placed at the Council's seats.

Council Member McCandless requested to pull the Pepperwood Overlay Zone from the Consent Calendar. Mr. Applegarth asked that the Council approve the minutes on the Consent Calendar which had been revised.

Pepperwood Homeowner Association representative Lori Nelson requested additional time to address the Council during the public hearing.

Mayor's Report

Mayor Dolan reported on various meetings he attended during the week. Council

questions followed.

CAO Report

Byron Jorgenson reported on a mock exercise that was held in preparation of the upcoming 4th of July celebration. He was very proud of Staff.

Scott Bond addressed the security at the Sandy Amphitheater in light of the event that occurred in Orlando Florida this week.

Public Hearing(s)

6. [16-254](#) Finance Department recommending the City Council adopt Resolution #16-34C increasing appropriations and transferring funds within the Capital Projects Funds

Attachments: [16-34C CAP PROJ BUD OPENING](#)
[Budget open adoption Public Hearing Notice](#)
[Executed copy of Resolution 16-34C](#)

A motion was made by Chris McCandless, seconded by Scott Cowdell, to adopt Resolution 16-34C. 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. [16-255](#) Finance Department recommending the City Council adopt Resolution #16-35C increasing appropriations and transferring funds within the Special Revenue Funds

Attachments: [16-35C Special Revenue Funds](#)
[Executed copy of Resolution 16-35C](#)

A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to adopt Resolution 16-35C. 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

8. [16-256](#) Finance Department recommending the City Council adopt Resolution #16-36C increasing appropriations and transferring funds within the Proprietary Funds

Attachments: [16-36C Proprietary Funds](#)
[Executed copy of Resolution 16-36C](#)

A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to adopt Resolution 16-36C. 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

9. [16-257](#) Finance Department recommending the City Council adopt Resolution #16-37C increasing appropriations and transferring funds within the Debt Service Funds

Attachments: [16-37C DEBT SERV BUD OPENING](#)
[Executed copy of Resolution 16-37C](#)

A motion was made by Chris McCandless, seconded by Stephen Smith, to adopt Resolution 16-37C. 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

10. [16-258](#) Finance Department recommending the City Council adopt Resolution #16-38C amending the Sandy City fee schedule for FY 2015-16

Attachments: [16-38C Fee Schedule change](#)
[Executed copy of Resolution 16-38C](#)

A motion was made by Chris McCandless, seconded by Scott Cowdell, to adopt Resolution 16-38C. The motion carried by the following vote:

3. [16-268](#) Finance Department is recommending the City Council adopt Resolution #16-43C, adopting the Sandy City Boys & Girls Club Budget (\$113,254) within the General Fund Budget for the Fiscal Year Commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-43C BOYS & GIRLS CLUB](#)
[Executed copy of Resolution 16-43C](#)

Brian Kelley reviewed the timeline for this year's 2016-2017 Fiscal Year Budget process. (Item's #3-13).

Chairwoman Kris Coleman-Nicholl opened the hearing for public comments.

Bruce Blanchard, 8802 South Shady Meadow Drive, thanked Mayor Dolan and Staff for the many hours that were put in creating this year's budget, and his appreciation to the City Council along with Brian Kelley and Katrina Frederick for answering his many questions.

Chairwoman Kris Coleman Nicholl closed the Hearing.

Chris McCandless expressed appreciation to Mr. Blanchard for his insights into the budget process. He expressed appreciation to the Mayor and Staff.

A motion was made by Scott Cowdell, seconded by Kris Coleman-Nicholl, to adopt Resolution 16-43C. The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

Abstain: 1 - Linda Martinez Saville

2. [16-264](#) Finance Department is recommending the City Council adopt Resolution #16-42C, to adopt the Chamber of Commerce Budget (\$60,000) within the General Fund Budget for Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-42C Chamber of Commerce](#)
[Executed copy of Resolution 16-42C](#)

A motion was made by Steve Fairbanks, seconded by Scott Cowdell, to adopt Resolution 16-42C. 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

1. [16-267](#) Finance Department is recommending the City Council adopt Resolution #16-41C, adopting the Sandy Museum Foundation Budget (\$22,565) within the General Fund Budget for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-41C Sandy City Museum](#)
[Executed copy of Resolution 16-41C](#)

Brian Kelley explained that there would be two public hearings pertaining to the budget; the Fiscal Year 2015-2016 Budget, and the Fiscal Year 2016-2017 Budget. He reviewed each of the proposed resolutions for adoption.

Chairwoman Kris Coleman-Nicholl opened the Public Hearing.

Steve Van Maren, 11039 Lexington Circle, asked for clarification on the CDL testing fee.

Brian Kelley clarified that the fee was for training and testing for certification.

As there were no further comments, the Public Hearing was closed.

A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to adopt Resolution 16-41C. 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. [16-263](#) Finance Department recommending the City Council adopt Resolution #16-44C, adopting the American West Symphony & Chorus Budget (\$24,000) within the Sandy Arts Guild Budget for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-44C American West Symphony](#)
[Executed copy of Resolution 16-44C](#)

A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to adopt Resolution 16-44C. 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

5. [16-265](#) Finance Department recommending the City Council adopt Resolution #16-45C, adopting the Mountain West Ballet Budget (\$24,000) within the Sandy Arts Guild Budget for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-45C Mountain West Ballet](#)
[Executed copy of Resolution 16-45C](#)

A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to

adopt Resolution 16-45C. 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. [16-266](#) Finance Department recommending the City Council adopt Resolution #16-46C adopting the annual Sandy City Budget for Fiscal Year commencing July 1, 2016 and ending June 30, 2017; also establishing certain fees and charges in Sandy City for said Fiscal Year and adopting a tax rate on all real and personal property in Sandy City.

Attachments: [16-46C adopting Sandy City Budget.](#)
[Executed copy of Resolution 16-46C](#)

A motion was made by Steve Fairbanks, seconded by Chris McCandless, to adopt Resolution 16-46C. 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

12. [16-270](#) Finance Department is recommending the City Council adopt Resolution #16-47C adopting Sandy City's Annual Capital Projects Funds Budget for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017.

Attachments: [16-47C Capital Projects](#)
[Executed copy of Resolution 16-47C](#)

A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to adopt Resolution 16-47C. 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

13. [16-271](#) Finance Department recommending the City Council adopt Resolution #16-48C of the Alta Canyon Recreation Special Service District adopting

its Annual Budget for the Fiscal Year commencing July 1, 2016 and ending June 30, 2017; also establishing certain fees and charges for said Fiscal Year, and adopting a tax rate on all real and personal property within the Alta Canyon Recreation Special Service District.

Attachments: [16-48C Alta Canyon](#)
[Executed copy of Resolution 16-48C](#)

A motion was made by Scott Cowdell, seconded by Linda Martinez Saville, to adopt Resolution 16-48C. 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

14. [16-261](#) Recess of the City Council and convene a meeting of the Sandy City Redevelopment Agency

Attachments: [6-14-16 RDA Agenda](#)
[Resolution RD 16-07 RDA Budget Adoption](#)

Steve Fairbanks made the motion to adjourn Council Meeting and convene into Redevelopment Agency Meeting. The vote was unanimous.

Steve Fairbanks made the motion to recess Redevelopment Agency Meeting and reconvene into City Council Meeting. The vote was unanimous.

Meeting went into Recess.

Meeting Reconvened.

Consent Calendar

15. [CODE-5-16-5082](#) City Council to adopt Ordinance 16-24, Amending Title 15A, Land Use Development Code, Revised Ordinances of Sandy City, 2008, by adding a new Chapter for the proposed Dimple Dell Overlay Zone.

Attachments: [Ord 16-24 \(2\) for adoption](#)

Chris McCandless removed this item from Consent Calendar for discussion.

Chris McCandless spoke on the DDO Zone and properties that would have a significant impact on development within the zone along with private property and protection of the Dimple Dell Canyon.

Kris Coleman-Nicholl asked that this item be brought back next week for adoption and to

review language regarding accessory structures.

16. [16-273](#) Approval of the June 7, 2016 City Council Meeting Minutes.

Attachments: [June 7, 2016 City Council Minutes](#)

A motion was made by Steve Fairbanks to approve the June 7, 2016 City Council Minutes as amended. The vote was unanimous.

Special Recognition

17. [16-269](#) Boy Scout Austin Cole, Built Obstacles for the Sandy City's K-9 Unit.

Chief Thacker recognized Austin Cole who built obstacles for the Sandy Police K-9 Unit. He presented a slide show. A plaque was presented to Austin.

Austin said that he has always had a special place in his heart for law enforcement especially in today's world where Police Officer's do not get credit for what they do.

7:05 Public Hearing(s)

18. [16-237](#) Pepperwood View Rezone - ZONE-8-15-4593
The Community Development Department is recommending the City Council adopt the ordinance #16-25 to rezone the property from the CvC "Convenience Commercial District" to the PUD(8) "Planned Unit Development District".

Attachments: [Ordinance #16-25](#)

[EXHIBIT A.doc](#)

[CC Minutes - Rezone](#)

[PC Minutes - Rezone](#)

[Staff Report](#)

[PC Minutes - Subdivision Review \(draft\).](#)

[Pepperwood View Rezone Public Hearing Notice](#)

Steve Fairbanks moved to reconvene into City Council Meeting.

Linda Saville recused herself from the Public Hearing due to personal interests with both parties.

Mike Wilcox presented the Staff report for the Pepperwood View Rezone.

Bruce Baird, Counsel for Ivory Homes, respectfully requested that at the end of the public hearing, he be able to rebuttal statements made by the public.

Lori Nelson, representing Pepperwood Homeowner's Association, spoke in opposition to the proposed development and rezone.

Chairwoman Kris Coleman-Nicholl opened the Public Hearing.

1. Todd Anderson, felt that a PUD was not reasonable on the property.
2. Rand Bateman, 22 Smith Star Lane, felt that the street design needed to be changed if the development is approved.
3. Robert Squire, 12 Wind Song, was opposed to proposed development and dangers associated to increased traffic in the area.
4. Tom Finley, 2060 east 10765 south, voiced opposition to a high density zoning in this area.
5. Beth Ann Martin, 2125 east, was opposed to high density zoning and increased traffic.
6. Ron Whislin, 11 Apple Wood, voiced concern with the hill on the road and additional access at the bottom of Pepperwood Drive.
7. Steven Pavengasen, 14 Quiet Wood Lane, was opposed to the development, safety concerns with parking on Pepperwood Drive and Highland Drive.
8. Duff Yauney, 21 Sun Wood Lane, believes a PUD development is not conducive to the area.
9. Eileen O'Riley, Pleasant Hill Drive, is concerned with the additional traffic that will be added to the area.
10. Richard Kennedy, 18 Wind Song, voiced opposition to the proposed PUD development for the area and traffic.
11. Dale Johnson, 2173 High Ridge Lane, questioned why the City Council was meeting on this item again.
12. Nancy Finley, 2060 east 10765 south, asked if the road along 20th east had been addressed in the master plan.

Rick Smith said that development of the road would be well into the future.
13. Tatiana Ashworth, 190 Pleasant Hill Circle, believes the property should remain undeveloped. She would prefer a dog park.
14. Jamie Anderson, 10767 South, believes the proposed density for the proposed PUD is to high.
15. Diane Haycock, 10745 south 2000 east, spoke on behalf of several neighbors who do not want the development and additional people.
16. Ron Edwards, 2035 east Pepperwood Drive, voiced his frustrations over the proposed development.
17. Gina Johnson, 51 Wander Wood Way, felt it was unprecedented to put this type of housing in this space.
18. Mark Craig, 1 Lone Hollow, asked questions on a traffic study and increased traffic in the area.

19. Riley O'Neill, 6 Pebble Hill, spoke on future growth in Pepperwood and the effect it will have on traffic.

20. Clark Stringham, addressed the ingress and egress on Pepperwood Drive. He does not like the proposed density.

Rob Wall suggested that the Council allow response from the developer's counsel. Mr. Wall clarified public comments, history, and alleged facts on the development.

Chairwoman Kris Coleman-Nicholl closed public comment.

Council discussion and comments followed.

A motion was made by Scott Cowdell, seconded by Kris Coleman-Nicholl, to deny the zone change.

Yes: 4 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Stephen P. Smith

No: 2 - Chris McCandless
Steve Fairbanks

Recused: 1 - Linda Martinez Saville

Meeting went into Recess.

Meeting Reconvened.

Council Items

19. [16-199](#) City Council Office recommending that the City Council elect new officers.

Mike Applegarth explained the procedure and policy for election of the Council Chair and Vice Chair. The Council took a ballot vote, and did not come to a consensus.

Councilwoman Linda Martinez Saville rejoined the Council for the vote on the Chair and Vice Chair.

Adjournment

The meeting adjourned at approximately 9:05 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, June 21, 2016.

Kris Coleman-Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk