



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Maren Barker, District 2
Kristin Coleman-Nicholl, District 3
Chris McCandless, District 4
Steve Fairbanks, At-large
Linda Martinez Saville, At-large
Zach Robinson, At-large

Tuesday, March 26, 2019

5:15 PM

Council Chambers

5:15 Council Meeting

Kris Coleman Nicholl welcomed those in attendance. A Roll Call vote was conducted with the City Council members constituting a quorum. The meeting convened at approximately 5:15 p.m.

Roll Call

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

Administration:

Mayor Kurt Bradburn
CAO Matthew Huish
City Attorney Bob Thompson
Deputy to the Mayor Evelyn Everton
Deputy Chief Administrative Officer Kim Bell
Risk Manager/Fund Counsel Chase Parker
Community Events Director Mearle Marsh
Venue Manager Kristy Sawdy
Economic Development Director Nick Duerksen
Community Development Director James Sorensen
Planning Director Brian McCuiston
Long Range Planning Manager Jake Warner
Business Licience Admiistrator Leslie Cassaril
Administrative Services Director Brian Kelley
Parks & Recreation Director Scott Earl
Fire Chief Bruce Cline
Police Chief William O'Neal
Interim Public Utilities Director Larry Bowler
Assistant Public Works Director Paul Browning

Present: 7 - Council Member Brooke Christensen
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Zach Robinson
Council Member Linda Martinez Saville

Per Utah Code Annotated 52-4-207 and City Council policy, Council Member Robinson may be participating in the March 26, 2019 City Council meeting via telephone and/or video conference.

Prayer / Pledge of Allegiance

City Attorney Bob Thompson offered the opening prayer.

Councilwoman Linda Martinez Saville led the audience in the pledge.

Non-voting Items

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed updates to the agenda planning calendar.

Council Member Business

Brooke Christensen reported on a name change for the Sandy Chamber of Commerce to Wasatch Front Chamber which would include a larger area. She presented an update on the water issue. The report was sent to the Council in One Drive. She also reported on the CAT Team who will be cleaning up two homeless camps in the City.

Council questions followed.

Maren Barker asked that a Council employee survey discussion be placed on an upcoming agenda.

Mayor's Report

Mayor Bradburn reported that he and Chase Parker delivered reimbursement checks to six homes affected by the water issues. He reported that the Personal Time Off (PTO) option will be moving forward after a Town Hall meeting last week and favorable responses from Employees. He spoke regarding appointments to the Planning Commission.

Mayor Bradburn along with James Sorensen presented a plaque to honor Joe Baker for his years of service and his retirement from the Planning Commission.

CAO Report

Matt Huish reported on the success and feedback of the Focus Groups from each Department. Positive responses are coming in from employees. The Administration is working on energy efficiency.

Scott Earl reported on the success of a service project with 20 prison cadets who helped plant trees, placement of bark on trails and various areas of the City. The Cadets will be working with the City on a quarterly basis.

Legislative Report

No Report.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Brooke Christensen, seconded by Steve Fairbanks, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

1. [19-098](#) Approval of the February 26, 2019 Minutes.

Attachments: [February 26, 2019 Minutes.pdf](#)

Item approved.

2. [19-099](#) Approval of the March 5, 2019 Minutes.

Attachments: [March 5, 2019 Minutes.pdf](#)

Item approved.

Citizen Comments

Katie Atkinson- spoke regarding a recent homicide in her neighborhood and the water incident a few weeks ago. She would like answers on what is going on in the City. There seems to be poor communication with the residents and the Police. Residents no longer feel safe. She would like to see measures taken on effective communications with the residents.

Kris Nicholl invited Police Chief O'Neal to meet with Ms. Atkinson in the hall to address her concerns.

Jodi Monico asked a question regarding the second RFP issued by the Council, and why the Mayor indicated he would not sign a potential contract. Ms. Monico supports the sale of alcohol at the amphitheater. It would provide for great revenue.

Kris Coleman Nicholl explained that the City Council has the ability to sign their own contracts.

Council Attorney Tracy Cowdell addressed the Council's ability to sign a contract.

Voting Items

Council Items

3. [19-095](#) City Council Budget Workshop

Attachments: [Council Budget Presentation Feb 12 2019](#)
[Draft priorities matrix](#)
[General Fund CFSP Worksession Presentation \(March 2019\)](#)

Kris Nicholl asked the Council Members how they would like to proceed with their budget priorities. The Council agreed to move forward with the Budget Process.

Public comment:

Bruce Blanchard read his comments into the record. He felt the City should propose at least a 25% increase in property taxes and expressed his reasons why it needed to be done now. If not acted on this year it will become a crisis.

Comments were closed.

4. [19-096](#) Council Member Nicholl recommending that the Council appoint Council Member Liaison(s) to the Water Event Coordination Team (ECT)

Kris Nicholl led the discussion on appointments to the water event coordination team. She recommended that Brooke Christensen be appointed as the liaison.

A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to appoint Brooke Christensen as liaison to the Event Coordination Team.. The motion carried by a unanimous voice vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

5. [19-093](#) Administration requesting advice and consent from the Council for appointments to the Board of Adjustment

Attachments: [Mayoral Resolutions](#)
[Resolutions 19-01M - 19-07M.pdf](#)

James Sorensen led the discussion on appointments to the Board of Adjustment.

Mark Hurst declined the invitation to serve on the Board of Adjustment as an alternate.

Public Comment:

Steve Van Maren commented on a concern that the committee terms were not staggered and all expiration dates were the same.

James Sorensen explained the term limits for the Board of Adjustment and Planning Commission, and his preference in keeping the expiration dates the same.

A motion was made by Brooke Christensen, seconded by Kristin

Coleman-Nicholl, to provide advice and consent for each proposed Mayoral appointment to the Board of Adjustment: Tyler Brown, Resolution 19-03M, reappointed as a regular member of the Board of Adjustment for a term ending on 3/31/2023; Brian Jones, Resolution 19-05M, appointed as a regular member of the Board of Adjustment for a term ending on 3/31/2023; Burke Staker, Resolution 19-06M, reappointed as a regular member to the Board of Adjustment for a term ending on 3/31/2023; Matt Hale, Resolution 19-07M, be reappointed as an alternate member of the Board of Adjustment for a term ending on 3/31/2023....the motion carried by a unanimous all in favor voice vote.

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

6. [19-094](#) Administration requesting advice and consent from the Council for appointments to the Planning Commission

Attachments: [Mayoral Resolutions Resolutions 19-01M - 19-07M.pdf](#)

James Sorensen presented the recommendation for appointments to the Planning Commission.

A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to provide advice and consent for appointments to the Planning Commission: Michael Christopherson, Resolution 19-01M, as a Regular Member on the Planning Commission to fill a term ending March 31, 2023; Cameron Duncan, Resolution 19-02M, to serve as an Alternate Member on the Planning Commission to fill a term ending March 31, 2023... The motion carried by a unanimous voice vote.

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

7. [19-100](#) City Attorney, Community Events, Community Development and Council Office report back regarding alcohol sales at the Sandy Amphitheater.

Attachments: [Draft land use amendment.docx](#)
[Draft parks amendment.docx](#)

Bob Thompson introduced the proposed new language regarding alcohol sales at the Sandy Amphitheater.

Kris Nicholl noted that there would be an amendment to the Land Development Code which would require the Planning Commission to hear the change then bring back to the City Council for approval.

Council questions followed.

A motion was made by Kristin Coleman-Nicholl, seconded by Zach Robinson, to direct the Community Development Department to initiate land use code amendments allowing for the sale of alcohol at the Sandy Amphitheater and for Staff to also initiate the Land Use Development Code Amendment... The motion carried by the following vote:

Yes: 6 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

No: 1 - Chris McCandless

6:00 Time Certain Items and Public Hearings

Public Hearing(s)

8. [ZONE-01-19-5591\(CC\)](#) Community Development Department presenting a rezone application (File #ZONE-01-19-5591, The Villas at Southtowne) on behalf of The Thackeray Company, requesting that 9.32 acres located at 10670 S. 700 E. be rezoned from the CN Zone to the PUD(12) Zone.

Attachments: [Aerial Map](#)
[Concept Plan](#)
[Neighborhood Meeting Summary](#)
[PC Staff Report](#)
[PC Minutes](#)
[Ordinance #19-08](#)
[Resident Letter-Stallings](#)
[Council Office Memo on Development Agreements.docx.pdf](#)
[Resident Email-Wright \(3.25.19\).pdf](#)
[Resident Email-Carder \(3.25.19\).pdf](#)
[Fwd_Proposed Zoning Change .pdf](#)
[Fwd_Proposed zone change of former Reams location property Michael Jackson.pdf](#)
[Fwd_Proposed rezone - Reams property.pdf](#)
[Fwd_Reams rezoning.pdf](#)
[Fwd_Vote NO to rezone 10670 S. 700 E. to PUD12 .pdf](#)
[Fwd_Proposed development at Reams Property \(10670 S. 700 E.\).pdf](#)
[Fwd_Ream's property rezoning.pdf](#)
[Fwd_Property at 10670 S 700 E.pdf](#)
[Fwd_Proposed Development at 10670 S 700 E.pdf](#)
[Fwd_Reams Development Concerns.pdf](#)
[Fwd_Ream's property concerns.pdf](#)
[Fwd_Reams PUD 12.pdf](#)
[Fwd_Proposed Zone Change - District 1.pdf](#)
[Fwd_Email contact from Sandy City, UT.pdf](#)
[Fwd_10670 S 700 E.pdf](#)

Jake Warner presented the report for the rezone application on The Villas at Southtown on behalf of the Thackeray Company to rezone from the CN to the PUD (12) zone.

Mr. John Thackery, applicant, 1165 E Willimington Ave, spoke regarding his company and the proposed rezone and development.

Council question followed.

Public Comment

Colleen Stutznegger, spoke in opposition to the proposed development based on an irrigation easement, lots sizes, two story buildings not friendly to the neighborhood, higher density next to animals, traffic, and rentals. She prefers a PUD 6 Zone.

Roger Neddo- spoke in opposition to the proposed development based on traffic patterns, additional traffic to the area, more traffic lights, density, safety being neglected.

Nathan Evans - spoke in opposition to the proposed development and had not heard

support from any of the residents in all meetings he attended. He does not want a PUD 12 Zone.

Blake Nielsen- spoke in opposition to the proposed development based on the PUD 12 being to dense. Something can be compromised and be a win-win for everyone. He would support a PUD 6 Zone. He expressed concern over the new development becoming rentals.

Don Cann- spoke in opposition to the proposed development based on high density, transient residents, would prefer commercial like another super market, traffic, additional burden on police and fire. Mayor Bradburn was voted in because he is opposed to high density. Leave it zoned commercial.

Rick Bentley, is a real estate broker and is against the project. He is concerned with the homes becoming rentals and bringing down the property values. He is opposed to the PUD 12 Zone. This is not the place for what the developer is trying to do.

April Barton - spoke in opposition of the proposed development. She asked the Council not to settle on what the developer and land owner are asking for.

Jeffery Parke- spoke in opposition to the proposed development. He does not want a high density project in their quiet neighborhood. It shows poor planning. He asked the Council to vote against the proposal.

Max Sullivan- spoke in opposition to the proposed development. It is not compatible with the surrounding residential neighborhood. He is against the proposed rezone.

Jessica Davies, spoke in opposition to the proposed rezone. She is concerned with the amount of people the development will bring to the area. The intersection is getting busier especially with the Red Sage Development, and not knowing the impact this new development will have on the neighborhood and schools.

Eric Ewing spoke in opposition to the proposed development this is not the density that the residents want, he has concerns with aesthetics, no park strips, limited vegetation, homes looking into their lives.

Shannon Broadhead, spoke in opposition to the proposed development. The general consensus from everyone is they all agree something will happen, just not this development, not a PUD 12. This development will have an impact on schools.

Citizen Comments closed.

Council discussion and questions followed.

A motion was made by Brooke Christensen, seconded by Maren Barker, to not approve the PUD 12 Zone that is before the Council this evening.

Discussion and questions on the motion followed.

Council Attorney Tracy Cowdell indicated that if the intent of the Council is to encourage the developer to come back with a different proposal for the property, the Council could motion to table the rezone. If they motion to deny the rezone, the developer could not come back with the same proposal for another year based on the City's rule.

Council discussion continued.

Chris McCandless called the question to end discussion on the first motion which was seconded by Steve Fairbanks. An all in favor roll call vote was taken to end discussion.

The motion made by Brooke Christensen seconded by Maren Barker to deny the rezone failed by the following vote:

- Yes:** 2 - Brooke Christensen
Maren Barker
- No:** 5 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

#2 Motion on Item # 8

Meeting went into Recess for 5 minutes.

Meeting Reconvened

Kris Nicholl made a motion seconded by Chris McCandless to direct Council Staff and the Council Attorney to work with the Community Development Department and Applicant to come up with a Development Agreement that can be negotiated based on the residents concerns.

Discussion on the motion followed.

The motion carried by the following vote.....

- Yes:** 5 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville
- No:** 2 - Brooke Christensen
Maren Barker

Adjournment

The meeting adjourned at approximately 8:30 p.m. by City Attorney Bob Thompson. The next scheduled meeting of the City Council is Tuesday, April 2, 2019 at 5:15 p.m.

Kris Coleman Nicholl, Chair
Sandy City Council

Pam Lehman
Meeting Clerk