



# 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*

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Tuesday, October 8, 2019

5:15 PM

Council Chambers

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### 5:00 Police Canine Demonstration

Chief O'Neal updated the Council on new hires and an auto pedestrian accident that occurred this morning.

Officer Walton presented a power point on the K-9 Units. After the presentation, the Council went outside for a demonstration.

Meeting recessed.

Meeting reconvened.

### 5:15 Council Meeting

#### Roll Call

Council Office Director Michael Applegarth  
Council Office Analyst Dustin Fratto

#### **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  
Community Development Director James Sorensen  
Zoning Administrator Mike Wilcox  
Fire Chief Bruce Cline  
Police Chief William O'Neal  
Parks & Recreation Director Scott Earl  
Public Utilities Director Tom Ward  
Assistant Director Public Works Paul Browning  
Facilities Manager Dave Goldhardt

- Present:** 6 - Council Member Brooke Christensen  
Council Member Maren Barker  
Council Member Kristin Coleman-Nicholl  
Council Member Steve Fairbanks  
Council Member Zach Robinson  
Council Member Linda Martinez Saville
- Absent:** 1 - Council Member Chris McCandless

### Prayer / Pledge of Allegiance

Acting Chair Linda Martinez Saville welcomed all those in attendance.

Steve Fairbanks offered the opening prayer.

Linda Martinez Saville led the audience in the pledge.

### Non-voting Items

#### Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed the agenda planning calendar. He will be out of the office for the next two weeks.

#### Council Member Business

Brooke Christensen informed everyone that a debate sponsored by the South Valley Chamber of Commerce Thursday, October 10, 2019 at City Hall in the Council Chambers. Maren Barker noted the location had been changed to the Multi-Purpose Room.

Brooke received several messages from residents asking if public comments would be allowed at two upcoming public meetings. She explained the hearing process verifying that comments would be allowed.

Linda Martinez Saville asked if the contract for the Green Scooter's had expired.

Evelyn Everton reported that the scooter's are still in the City and are being used on a trial basis. The City will need to extend the contract in order for the scooter's to remain.

Kris Nicholl requested a report from the Administration on the usage of scooters and any reported injuries prior to extending the contract.

#### Mayor's Report

No Report.

#### CAO Report

Mayor Bradburn reported that the City received an award for their Stadium Master Plan from the Utah APA (American Planning Association).

### Citizen Comments

Pat Casaday, thanked the Council and Administration for their accomplishments, especially the three Council members who will be retiring at the end of the year. He congratulated the City on their triple bond rating.

Lauren Guido, addressed code compliance concerns with a neighbor and how it is impacting their neighborhood. She feels code enforcement is failing to act to correct the issues.

Henry Porter, a neighbor, also met with Community Development regarding concerns with this home owner and how it is impacting the safety of the neighborhood. He collected signatures on a petition.

The Council asked for a report during next week's meeting.

There were no further comments.

## Voting Items

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

**Absent:** 1 - Chris McCandless

1. [19-353](#) Approval of the September 24, 2019 Minutes.

**Attachments:** [September 24, 2019 Minutes](#)

**Item approved.**

### Council Items

2. [19-352](#) A resolution requesting the recertification of the Sandy City Municipal Justice Court

**Attachments:** [Resolution 19-38C](#)

City Attorney Bob Thompson explained the purpose for the recertification of Sandy's Municipal Justice Court.

There were no comments.

**A motion was made by Kristin Coleman-Nicholl, seconded by Steve Fairbanks, to adopt Resolution 19-38C, a resolution requesting the recertification of the Sandy City Municipal Justice Court... The motion carried by the following vote:**

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

**Absent:** 1 - Chris McCandless

3. [19-354](#) Council Member Robinson requesting Council discussion about the Community Renewable Energy Act and the Sandy City Sustainability Plan

**Attachments:** [HB0411](#)

[Draft Resolution](#)

[HB 411- RMP Presentation](#)

Zach Robinson noted this was a continuation of an overview of House Bill 411. A time requirement was placed in House Bill 411 requiring cities to pass a resolution by December 31, 2019 in order to participate in The Community Renewable Energy Act. He also requested an update on the City's sustainability plan. The Council would not be voting on the resolution, rather recommending whether to move forward or not.

Brad Knowles, Community Manager, Rocky Mountain Power, presented a briefing on the history of House Bill 411 and the process. The Community Renewable Energy Act would allow Utah municipalities served by Rocky Mountain Power to develop a Community Renewable Energy Program to achieve a net- 100% renewable resource energy goal for all customers within the community by 2030.

Kim Bell spoke on the steps the City has taken to become sustainable. She recognized Aaron DeKiser, Sustainable Focus Group Chair. She reviewed the Energy Partnership with the City, and initiative already in place.

Public Comments followed:

Steve Van Maren expressed concern with the un-knowns of House Bill 411 and the Renewable Energy Act. The City would be required to pay costs that could be very costly to the City. If this bill does not move fast enough, he believes the Legislature will give municipalities another chance. He encouraged the Council to not move forward.

Zell Schaal spoke in favor of supporting House Bill 411. She chooses to lead by example and feels the urgency to move towards sustainable efforts. She stated "You either jump on the boat, or you miss it". She saw nothing but positives with the bill since there are several opt out opportunities. She felt that the City should move forward with this.

Monica Zoltanski was excited with the opportunity for the City to be a leader in the south end of the valley by adopting House Bill 411. Costs would be more evenly distributed if more communities participate in the program. She asked the Council to adopt the resolution so Sandy does not miss out on this important opportunity.

Denise Malay, supported what had been said and felt it was a "no brainer". "If you have the option to opt out later, why not opt in and go from there".

There were no further comments.

Council questions and comments followed.

Senior Civil Attorney Jeff Robinson clarified some of the questions from the Council.

The Council supported the concept, but stated that there are many uncertainties and hidden concerns.

The Council took a straw poll vote by the raise of hands on who would like to move forward with the Resolution by raise of hands:

Zach Robinson, Kris Nicholl- in favor

Linda Saville, Maren Barker, Steve Fairbanks, Brooke Christensen -opposed

Matt Huish noted that the Administration would bring periodic updates to the Council on how the City is reaching their sustainability goals.

Everlyn Everton explained how the context of how House Bill 411 came to light.

## 6:00 Time Certain Items and Public Hearings

### Public Hearing(s)

4. [CODE-08-19-5713\\_CC](#) Implementing Appendix D of the International Fire Code and Other Miscellaneous Text Amendments  
Amend Title 15A, Chapter 21, Subdivision Design Standards; Chapter 15, Sensitive Area Overlay Zone; Chapter 20, Residential Development Standards; Chapter 24, Parking, Access and Circulation Requirements; and Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

**Attachments:** [Staff Report.pdf](#)  
[Exhibit A.pdf](#)  
[Exhibit B.pdf](#)  
[Ordinance 19-23.pdf](#)

Mike Wilcox introduced the City initiated code amendment to implement Fire Code Appendix D.

Council discussion followed.

Public Comments:

Steve Van Maren asked Mr. Wilcox for clarification on some grammatical wording in the code. He asked for clarification on vehicles stored on access on the detached structures. He also asked for clarification on the parking changes in the code.

Mike Wilcox noted that if the access is being used to park vehicles on, it must be on a hard surface.

Kevin Ludlow expressed concern regarding cul-de-sac and a clause in the International Fire Code Standards that allows for the length of a cul-de-sac to be extended up to 750

feet with the approval of the Fire Marshall. Sensitive overlay areas have the ability to extend the length under certain conditions, but the rest of the city does not. He feels the code should be modified especially when a developer brings a proposal that has limited access and roads that do not connect to another street.

**A motion was made by Brooke Christensen seconded by Maren Barker to adopt Ordinance 19-23 amending Title 21 of the Sandy City Municipal Code Chapter 15, "Sensitive Area Overlay Zone" Chapter 20, "Residential Development Standards" Chapter 21, "Subdivision Design Standards" Chapter 24, " Commercial and Industrial Development Standards" and Chapter 27, "Definitions" to align the City's regulations with the recently adopted fire code appendices as reflected in Exhibit A....**

**Discussion on the motion:**

**Steve Fairbanks asked Mr. Sorensen and Mr. Wilcox for an explanation to Mr. Ludlow's question on why a cul-de-sac length could not be extended.**

**Mike Wilcox explained that the City wants to discourage the use of cul-de-sac in the City. Connectivity of roadways wherever possible is encouraged. The only exception in the code is for sensitive areas to limit cuts, fills, and roads to help preserve the natural habitat on slopes. The proposed extension would eliminate flag lots at the end of a cul-de-sac. The Council could create a special exception and have planning staff write a set of criteria for the Planning Commission to follow.**

**Steve Fairbanks suggested bringing the special exception back on a future date once language has been drafted by planning staff. He recommended that the Council move forward with the motion to adopt the code amendment.**

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

**Yes:** 5 - Brooke Christensen  
Maren Barker  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

**Absent:** 2 - Kristin Coleman-Nicholl  
Chris McCandless

Special Exception- Extend Length of Cul-de-sac

**Maren Barker made a motion seconded by Steve Fairbanks to have Staff bring back for discussion and possible approval language for a code amendment for Special Exception to extend the length of a cul-de-sac and road width of a private lane as separate items....the motion carried by the following vote:**

**Yes:** 5 - Brooke Christensen  
Maren Barker  
Steve Fairbanks  
Zach Robinson  
Linda Martinez Saville

**Absent:** 2 - Kristin Coleman-Nicholl  
Chris McCandless

5. [CODE-06-19-5669 CC](#) Note: The applicant has requested this item be tabled subsequent to the publication of this hearing. The Planning Commission has not yet made a formal recommendation in a duly noticed meeting.
- Commercial Land Use Matrix - Kuwahara Wholesale  
Amend Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008

**Attachments:** [Staff Report.pdf](#)  
[PC Minutes 090519.pdf](#)  
[Request to Table.pdf](#)

Mike Wilcox reported that the applicant requested that this item be tabled to a day uncertain.

There were no public comments.

**A motion was made by Brooke Christensen, seconded by Kristin Coleman-Nicholl, to table to a date uncertain the request to amend a portion of Title 15A, Chapter 8, Land Uses in the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Section 2, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, Revised Ordinances of Sandy City, 2008, as shown in the applicant's letter based on the following:**

- 1. The applicant has requested this item be tabled.**
- 2. The Planning Commission has not yet made a formal recommendation in a duly noticed meeting... The motion carried by the following vote:**

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

**Absent:** 1 - Chris McCandless

## Adjournment

The meeting adjourned at approximately 8:12 p.m. by Maren Barker, seconded by Brook Christensen. The next scheduled meeting of the City Council is Tuesday, October 15, 2019 at 5:15 p.m.

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Chris McCandless, Chair  
Sandy City Council

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Pam Lehman  
Meeting Clerk

