



# 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*

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Tuesday, August 16, 2016

5:15 PM

Council Chambers

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### 5:15 Work Session

#### Agenda Planning Calendar Review

Utah House of Representative Bruce C. Cutler, District 44, came before the City Council to introduce himself and address any questions or concerns the Council may have.

John Hiskey commented that he has had the privilege of working with Representative Cutler and complimented him for his efforts.

Stephen Smith updated the Council on upcoming agenda items. The next scheduled City Council Meeting will be held on Tuesday, September 6, 2016.

#### Council Member Business

Scott Cowdell expressed concern over the attention the Cairns area is receiving. He would like to see funding allocated in next year's budget for needs in other areas of the City.

Scott Cowdell reported that he attended "Movies in the Parks" at Bicentennial Park. Everyone in attendance enjoyed the event.

#### Council Office Director's Report

Michael Applegarth encouraged Council members to turn in their receipts in a timely manner.

#### Mayor's Report

Mayor Dolan would like to invite and introduce the new Miss Sandy to the City Council at an upcoming City Council meeting.

#### CAO Report

City Attorney Rob Wall introduced Josh Chandler who was recently hired to work in the City Attorney's office. Mr. Chandler took a few minutes to introduce himself to the Council.

Byron Jorgenson informed the Council that the Parks Department will be losing some of their part time seasonal employees due to school starting. This could be a challenge when it comes to maintaining City parks during the Fall season.

Byron Jorgenson reported that Sandy City received it's highest rating from Workman's Comp demonstrating that City employees are conscientious and working together on being safe in the workplace.

Byron Jorgenson updated the Council on the successful Balloon Festival that was held this past weekend.

## Information Items

1. [16-340](#) Administration and City Council Office providing an update on the online recodification process and timeline.

Korban Lee along with Rob Wall briefed the City Council on the City Code Recodification and Publication process. The Administration will bring proposed amendments for the Council to review prior to issuing an RFP. They presented an overview of various codifying vendors.

Council questions followed.

2. [16-262](#) Dimple Dell zoning discussion.

Mike Coulam discussed the zoning history of Dimple Dell Park and the importance of preserving the existing zone.

Council discussion followed.

The City Council recommended that Staff bring back draft amendments to the General Plan that include language and goals that would encourage preservation of Dimple Dell Park.

Chairman Smith called for a vote in favor of the proposal. The motion carried.

3. [16-335](#) Council Member Cowdell recommending adoption of Resolution #16-52C related to the harmful effects of pornography.

**Indexes:**

**Attachments:** [Resolution 16-52C](#)

Councilman Scott Cowdell expressed appreciation to Mike Applegarth for preparing Resolution 16-52 C related to the harmful effects of pornograph. Adoption of the resolution will take place during the City Council meeting.

Council discussion followed.

Chris McCandless reported that a Harmful to Minor's meeting is scheduled tomorrow at the State Capital with Representative Neiderhauser.

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

#### **Administration:**

Mayor Tom Dolan  
CAO Byron Jorgenson  
Deputy to the Mayor John Hiskey  
Assistant CAO Scott Bond  
Assistant CAO Korban Lee  
City Attorney Rob Wall  
Community Development Director Mike Coulam  
Planning Director Jared Gerber  
Long Range Planning Manager/CDBG Mike Wilcox  
Administrative Services Director Brian Kelley  
Fire Chief Bruce Cline  
Assistant Fire Chief Robert DeKorver  
Parks & Recreation Director Scott Earl  
Assistant Director Parks & Recreation Dan Medina  
Public Utilities Director Shane Pace  
Public Works Director Rick Smith

### Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Attorney Josh Chandler offered the opening prayer.

Boy Scout Cole Koch led the audience in the pledge.

### Citizen Comments

Nicholas Costanza, 2289 East 11660 South, approached the Council regarding a

complaint on a short term rental and B&B that he operates.

Mayor Dolan stated that short term rentals are not pursued unless the City receives a complaint.

Citizen Comments was closed.

## Consent Calendar

4. [16-324](#) Sandy City Fire Department recommending the City Council adopt the International Fire Code.

**Indexes:**

**Attachments:** [Redline version of Ordinance 16-28](#)  
[2012-2015 IFC Comparison \(Handout from 8-9-16\)](#)

**A motion was made by Chris McCandless, seconded by Linda Martinez Saville, that this Resolution be approved. The motion carried.**

## 7:05 Public Hearing(s)

5. [ZONE-06-16-005098](#) Mr. Paul Willie, with Mountain States Property Management, is requesting the City Council to approve a rezone approximately 5.68 acres from the CC "Community Commercial District" to the MU "Mixed Use District" for the subject property, located at 9270 South 840 East, known as the 94th South Townhomes Rezone - ZONE-06-16-005098.

**Indexes:**

**Attachments:** [Council Request](#)  
[PC Minutes](#)  
[Staff Report](#)  
[Ordinance 16-31](#)  
[Ordinance 16-31 Annotated](#)

Mike Wilcox briefed the Council on the proposed rezone. The Planning Commission and Staff forwarded a positive recommendation to approve the rezone.

Paul Willie, Applicant, noted that the proposed zone and project was consistent with the area and neighboring properties.

Council discussion and questions followed.

Chairman Stephen Smith opened the Public Hearing. As there were no comments, the Public Hearing was closed.

**A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to adopt ordinance #16-31 to rezone the subject property from the CC "Community Commercial District" to the MU "Mixed Use District"... 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. [16-306](#) Finance Department recommending the City Council adopt Resolution #16-51C transferring funds withing the Capital Projects Fund.

**Indexes:**

**Attachments:** [Public Hearing Notice](#)  
[16-51C Capital Project Fund transfer](#)  
[Cairns Funding Memo](#)  
[Plaza Funding Questions & Answers](#)  
[Resolution 16-51C Annotated](#)

Brian Kelley briefed the Council on the proposed funding for the cost of the Cairns Plaza. He also explained that the funds transfer included part of a State grant to help fund the Safe Sidewalk along 9400 South between 2495 East to 2760 East.

Chairman Stephen Smith opened the Public Hearing.

Steve Van Maren, 11039 Lexington Circle, stated that he liked the design and idea of having a Cairns Plaza for Hale Centre Theater. He voiced opposition to the open pond design.

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

Council discussion and questions followed.

**A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Resolution 16-51 C transferring funds within the Capital Projects Fund. The motion carried by the following vote:**

**Yes:** 5 - Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

**No:** 2 - Scott Cowdell  
Maren Barker

**Council Items**

7. [ZONE-04-16-005076](#) Mr. David Cannell, with Fratelli Ristorante requesting the City Council approve a rezone of approximately 0.66 acres from the SD(PO/R [R5.7]) "Special Development District" to the CC "Community Commercial District located at approximately 1420 E Sego Lily Drive.

**Indexes:**

**Attachments:** [Council Request.pdf](#)  
[Ordinance 16-29](#)  
[Staff Report & Public Comment.pdf](#)  
[Planning Commission Minutes](#)  
[Public Hearing Notice](#)  
[Letter received day of meeting \(8-9-16\) from John Richards \(ball janik\)](#)  
[Memo received day of meeting \(8-9-16\) from Ron and Terri Woolf](#)  
[New info received day of meeting \(8-9-16\) from Paul Godot](#)  
[8-12-16 E-mail from Mr. Paul Godot, Fratelli Rezone Possible Solution](#)  
[Special Development Zone](#)  
[Sandy City Council Letter submitted for 8-16-16 meeting from Fratelli Ristorante](#)  
[Information received day of meeting \(8-16-16\)](#)  
[Executed copy of Ordinance 16-29](#)

Chairman Stephen Smith reviewed zoning and voting options for Council consideration on the Fratelli rezone.

Council questions and comments were addressed.

**A motion was made by Chris McCandless, seconded by Scott Cowdell to adopt Ordinance 16-29, to approve a rezone of approximately 0.66 acres from the SD(PO/R[R5.7]) "Special Development District" to the CC "Community Commercial District located at approximately 1420 East Sego Lily Drive.**

**Yes:** 4 - Scott Cowdell  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville

**No:** 3 - Maren Barker  
Kristin Coleman-Nicholl  
Stephen P. Smith

8. [16-335](#) Council Member Cowdell recommending adoption of Resolution #16-52C related to the harmful effects of pornography.

**Indexes:**

**Attachments:** [Resolution 16-52C](#)

**A motion was made by Chris McCandless, seconded by Scott Cowdell to adopt Resolution 16-52 C related to the harmful effects of pornography.**

**Yes:** 7 - Scott Cowdell  
Maren Barker  
Kristin Coleman-Nicholl  
Chris McCandless  
Steve Fairbanks  
Linda Martinez Saville  
Stephen P. Smith

Completion of reports and other items not held in the Work Session.

No reports were given.

## Adjournment

The meeting adjourned at approximately 8:55 p.m. by Chairman Stephen Smith. The next scheduled meeting of the City Council is Tuesday, September 6, 2016 at 7:00 p.m.

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Stephen P. Smith, Chair  
Sandy City Council

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Pam Lehman  
Meeting Clerk