



Sandy City, Utah

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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, January 31, 2017

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

Chairman Smith reviewed items on the Agenda Calendar.

Council Office Director's Report

Mike Applegarth explained the amendment on tonight's agenda. He asked the Council to entertain a motion at the beginning of the City Council meeting to amend the agenda to include Resolution 17-07C to appropriate funds in response to the fire at Public Works this past week.

Mayor's Report

Mayor Dolan noted that Nicole Martin is representing the City at the 2017 Legislative Session.

CAO Report

Byron Jorgenson reported on the fire at Public Works late last Thursday evening. Eleven (11) snowplows and a front end loader were destroyed in the fire.

Public Works Director Mike Gladbach presented a more detailed report on the fire. 100 firefighter's from other agencies responded to help. Public Works staff has been relocated at the Public Utilities Building. Other agencies have offered equipment to use for any upcoming storms.

Risk Manager Chase Parker along with Megan Sandquist presented pictures on the damage from the fire. He reviewed the tentative property insurance coverage summary.

Council discussion and questions followed.

Meeting went into Recess

Meeting Reconvened

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl for a possible closed session to discuss pending or reasonably imminent litigation

and to discuss the purchase, exchange, or lease of real property... 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

Meeting went into Recess

Meeting Reconvened

Information Items

1. [17-019](#) Possible Closed Session to discuss pending or reasonably imminent litigation.
Held
2. [17-020](#) Possible Closed Session to discuss the purchase, exchange, or lease of real property.
Held
3. [16-279](#) Small Cell Tower Update

Attachments: [Small Cell Presentation](#)

Wade Sanner along with City Attorney Steve Osborn presented a power point on the Small Cell Policy Preview. The industry is incorporating small cells and towers that could be implemented on existing infrastructure. A committee was formed to propose a master plan for cellular companies. Staff is in the process of drafting an ordinance which will go before the Planning Commission then on to the City Council.

Council discussion and comments followed.

4. [17-014](#) Finance Department presenting an informational report on the updated Long-Term Financial Analysis

Attachments: [Budget Opening](#)

Brian Kelley presented a follow-up on the long term financial 10 year analysis plan. Administration addressed the Council's questions and concerns, and will be discussing the plan further with the Council in the upcoming weeks.

Council discussion and comments followed.

Chairman Smith asked that a line item be added to the Enterprise Fund balance

projection. He would like the excess or deficit that was rolled over from the prior year to be added to the report.

5. [17-005](#) Discussion of appointments to citizen committees.

Attachments: [Council Committee and Staff Assignment](#)

Mike Applegarth informed the Council that a resolution was placed on the Consent Calendar to extend the existing appointments on Citizen Committees until the Council takes action. Also, agenda item #14 includes a resolution for the Council to make appointments to the Committees.

Scott Cowdell does not believe any council member should be appointed as a liaison to any committee. He would like to see this discontinued.

Steve Smith reported that a code amendment to eliminate liaisons to the Planning Commission will be presented to the Planning Commission this Thursday, and is scheduled to come before the Council on February 28th.

Chris McCandless felt that the Council has an obligation to act as liaisons on certain committees. There are contractual obligations such as on the Jordan River Commission which requires membership from an elected official.

Steve Fairbanks refreshed the Council on the meaning of a liaison. He feels it is just a function of understanding their roles as liaisons and doing a better job at it.

Maren Barker noted that a liaison does not have a vote, and would attend the meeting silently, then report back to the Council. She feels it is important to have liaisons for all committees. She felt there should be clarification on how Council members are chosen to be liaisons on committees.

Steve Smith understood that Council members should remain on committees that have contractual obligations. Council participation as liaisons should be more clearly defined. He would like liaisons to be given the opportunity and time to report back on pertinent issues. The Council should make a determination on whether liaison appointments should be changed, and whether to extend the terms until the Council can make a decision.

Linda Martinez Saville mentioned that she would like to stay on all committees she has been assigned to.

Mike Applegarth noted that the Council could adopt the resolution on the Consent calendar to extend the terms, and still make changes to the committees during item #14 on the agenda.

Chairman Smith asked that items #6 and #7 on the agenda be completed during other Council Business. The Council agreed.

Meeting went into Recess

Meeting Reconvened

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adjourn worksession and convene into City Council meeting at 7:00 p.m... 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. [16-196](#) Council Office recommending the City Council discuss proposed policy on public hearings (continued from 1/31/17).

Attachments: [Utah Code Section 10-3-606](#)
[2007 Meeting Conduct Guidelines](#)
[9-6-16 Public Hearing Clean Version for 1/3/17](#)
[Draft Public Hearing Policy 9-6-16 Red Line Version](#)

This item was moved to the February 28, 2017 City Council Meeting.

7. [17-011](#) Council Member Smith recommending the City Council discuss the use of development agreements and the development review committee process. (continued from 1/31/17)

Attachments: [Draft Development Agreement Guideline](#)

This item was moved to the February 28, 2017 City Council Meeting.

7:00 Council Meeting

Roll Call

Administration:

Mayor Tom Dolan
CAO Byron Jorgenson
Assistant CAO Scott Bond
Assistant CAO Korban Lee
Assistant CAO Shane Pace
Communications Manager Nicole Martin
City Attorney Rob Wall
Senior Attorney Steve Osborn
Attorney Josh Chandler
Assistant Community Development Director James Sorensen
Planner Wade Sanner
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Police Chief Kevin Thacker
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach

Opening Remarks / Prayer / Pledge of Allegiance

Chairman Stephen P. Smith welcomed all those in attendance.

Boy Scout Dakota Howe offered the opening prayer.

Boy Scout Jacom Jones led the audience in the pledge.

Both Scouts represented Troop 1519.

Citizen Comments

There were no citizen comments.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, 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

8. [16-352](#) Approval of Ordinance 17-06 formally adopting amendments to the Administrative Code as determined by the City Council on November 15, 2016.

Attachments: [Ordinance 17-06](#)
[Administrative Code Final \(Clean\)](#)

Item adopted.

9. [17-008](#) Community Development has prepared an Ordinance per the request of the City Council to amend the previous ordinances regarding formation of Special Committees, specifically amending the CDBG Citizens Committee. (Continued from the 1/17/17 Council Meeting)

Attachments: [ord#17-02.docx](#)
[ord#17-02-redline.docx](#)
[Resolution 88-76C.pdf](#)
[Ord 84-53.pdf](#)
[Ord 84-62.pdf](#)
[Ord #93-9.pdf](#)
[Ord #94-10.pdf](#)
[Ord #94-27.pdf](#)
[Ord #98-44.pdf](#)
[Ord #00-48.pdf](#)
[Ord #06-10.pdf](#)

Item adopted.

10. [17-017](#) City Council Office recommending the City Council adopt a letter of support for Senate Bill 97.

Attachments: [Draft Letter of Support for Senate Bill 97](#)
[Senate Bill 97 \(as introduced\)](#)

Item adopted.

11. [17-018](#) Approval of Resolution 17-04 C extending terms for Council Appointments to various Citizen Committees and Boards.

Attachments: [Resolution 17-04 C.pdf](#)

Item adopted.

7:05 Public Hearing(s)

12. [ZONE-10-16-5149](#) Mr. David George with A Better Quality Home, LC, is requesting the City Council to approve a rezone approximately 3.68 acres from the R-1-20A "Single Family Residential District" to the PUD(18) "Planned Unit Development" for the subject property, located at 789 East 7800 South, known as the 789 Townhomes Rezone - ZONE-10-16-5149. (Public Hearing continued from 1/17/17)

Attachments: [Council Request.pdf](#)
[17-05.docx](#)
[EXHIBIT A.doc](#)
[PC12-01-2016 - Draft.pdf](#)
[Staff Report - 789 Towns.pdf](#)
[Sandy 7800 South Townhomes TIS.pdf](#)

Mike Wilcox presented a brief summary on behalf of staff regarding the 789 Townhomes rezone.

Applicant David George presented pictures of what their proposed development could look like. Traffic and density were two important issues that were addressed. Mr. George presented some background information on the proposed development to the Council.

Public Hearing was opened by Chairman Smith.

- a. John Yates, 813 Lyndy Drive, Midvale Utah, expressed concerns with the proposed high density project, traffic outlet through his subdivision, increased crime, and safety concerns to residents living in the area.
- b. Ron Naccarato, 920 East 7800 South, expressed concern with increased traffic and crime in the area. He would like some control on speeding vehicles along 7800 south.
- c. Craig Hinton, 825 East 7800 South, property owner to the east of the proposed development, asked if he would lose his agriculture zoning on his property if this property is rezoned. He expressed concern with the high density of a PUD 18 zone, accessibility and increased traffic on 7800 South.
- d. Roger Robinson, 7780 South 1000 East, Midvale Utah, expressed concern with traffic on 7800 south and 10th east. He asked the Council if they would want this development in their neighborhood. He expressed appreciation for the service of the Sandy Police Department.
- e. Peter Warnick, 865 East 7800 South, Midvale Utah, has seen a lot of growth in this area, and with the growth an increase in crime. He was concerned with traffic congestion that already exists on the corner of 700 East and 7800 South, and added traffic from this proposed development.
- f. Scott Bunnell, 7783 Conner Ridge Cove, was offended with the lack of information on this development from staff. There will be no room for snowplows, and no parking functionality. This proposal does not fit the neighborhood which is already infiltrated with dense populated properties.
- g. Pat Mcgregor 779 East Lyndy Drive, Midvale Utah, expressed concerns over the proposed development, and that it is not in harmony with the nature of the existing neighborhoods in the area.
- h. Kurt Stevens, 979 East Casa Rogan Street, Midvale Utah, felt the proposed PUD 18 properties were nice but small. It is important to have people who are committed to the community and will stay and grow roots. He expressed opposition to the proposed development.
- i. Don Schoenbeck, 7820 Spruce Tree Lane, expressed concern with the high density of the proposed project.
- j. Kent Godfrey, 7634 South 835 east, Midvale Utah, expressed concerns with increased traffic, speeding and accidents on 7th east and 7800 south.
- k. Cindy Hinton, 825 East 7800 South, was opposed to a PUD 18 zone and the high density.
- l. Susan Hardman, 870 east 7800 south, expressed concerns for the safety of children since there are four schools in the area.

m. Evan Hanson, 943 Connor Ridge Cove, did not believe the proposed development matched the character of the neighborhood. He felt single family homes would be more appropriate.

n. Tom Meyers, 7836 south Ponderosa Way, also expressed concerns with traffic and density.

o. Dean Fahlsing, 7748 Devin Place, felt high density would attract crime and affect surrounding property values.

p. Scott Miller, 7667 south Casa Verde, also expressed concerns with the lack of infrastructure to accommodate increased traffic and population.

q. Michael Gousley, 948 Conner Ridge Cove, Midvale Utah, expressed concerns with traffic and congestion.

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

David George, Applicant, was invited to clarify comments made during citizen comments.

Jeremy Surro, Hales Engineering, reported on a traffic study that was conducted on the proposed project. He reviewed traffic counts.

Council discussion, questions, and comments followed.

A motion was made by Maren Barker, seconded by Linda Martinez Saville, to deny the proposed rezone consisting of approximately 3.68 acres from the R-1-20A "Single Family Residential District" to the PUD (18) "Planned Unit Development" called the 789 Townhomes Rezone, located at approximately 789 East 7800 South The motion carried by the following vote:

Yes: 6 - Scott Cowdell
Maren Barker
Kristin Coleman-Nicholl
Steve Fairbanks
Linda Martinez Saville
Stephen P. Smith

No: 1 - Chris McCandless

A motion was made by Councilwoman Kris Coleman-Nicholl, seconded by Linda Martinez Saville to take a 5 minutes recess.... All in Favor

Meeting went into Recess

Meeting Reconvened

13. [17-009](#) Finance Department recommending the City Council adopt Resolution #17-05C increasing appropriations and transferring funds between capital projects. Added 10/31/17 per UCA 52-4-202, Resolution 17-07C appropriating funds in response to the fire at the City Public Works Facility

and the need to provide ongoing core services of the City.

Attachments: [Resolution 17-05C increasing appropriations and capital projects transfer 17-07C Inc appropriations](#)

Brian Kelley reviewed Resolution 17-05C, funds transfer to purchase property to complete a portion of the Bonneville Shoreline Trail, and Resolution 17-07 C to transfer funds from the Risk Fund in conjunction to the fire that occurred at the Public Works Building.

Chairman Smith opened the Public Hearing.

As there were no comments, the hearing was closed.

A motion was made by Steve Fairbanks, seconded by Maren Barker, to adopt Resolution #17-05C increasing total appropriations and transferring funds between Capital Projects as outlined in Exhibits A, B, and C.. 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

A motion was made by Steve Fairbanks, seconded by Chris McCandless, to adopt Resolution 17-07 C, to appropriate funds in response to the fire at the Public Works facility and the need to provide ongoing core services to the City.

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

Council Items

14. [17-001](#) Resolution # 17-01C - Sandy City Council appointments to serve on Citizen Committees, Boards, and Commissions for a term beginning January 1, 2017 and ending June 30, 2017. (cont. from 1/17/17)

Attachments: [Resolution 17-01C](#)
[Resolution 16-50C Committee Assignments.pdf](#)
[16-50C Council Committee and Staff Assignment .pdf](#)

Chairman Smith asked that this item be brought back on the February 28, 2017 City Council Meeting.

Chris McCandless noted that he would like to relinquish his position on the Housing Committee and defer the appointment to Kris Nicholl.

Scott Cowdell asked to be removed from the Historic Committee. Linda Martinez Saville will remain on the Committee.

Maren Barker would like to serve on the Hale Center Theater Committee.

Steve Fairbanks would like to have the Mayoral Appointments separated from the Council appointments.

Chairman Stephen Smith noted that he and Michael Applegarth would review the appointments on each of the committees.

Approve Resolution #17- 01C

15. [17-003](#) Council Member McCandless recommending the City Council receive and file the 2016 Jordan River Commission Annual Report and watch a brief video on the Urban Ranger program.

Attachments: [Jordan River Commission 2016 Annual Report.pdf](#)
[Hyperlink](#)

Chris McCandless recommended that the City Council receive and file the 2016 Jordan River Commission annual report and watch a brief video on the Urban Ranger program.

Council discussion followed.

Receive and file only.

16. [17-012](#) Council Member Nicholl recommending the City Counsel consider policy amendments in light of Council Member concerns and recent information presented on rules of procedure. (Cont. from 1/17/17)

Attachments: [Amended Concept Approval Guideline](#)
[Amended Rules of Procedure](#)

Kris Nicholl recommended that the City Council consider policy recommendations in light of Council members concern based on recent information that was presented to the Council regarding rules and procedures.

Council discussion and recommendations followed.

A motion was made by Maren Barker, seconded by Kristin Coleman-Nicholl, to make changes to the Concept Approval Guideline Policy and the Rules of Procedure in the last sentence of the paragraph to read as follows: if nothing in this policy shall be construed to prevent a Council members right to bring previously considered proposals back before the City Council... 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

17. [17-015](#) City Council Office recommending the City Council adopt Resolution 17-06C amending the staffing and compensation plan for fiscal year 2016-17.

Attachments: [Resolution 17-06C](#)

Michael Applegarth explained that Resolution 17-06 C amends the Staffing Plan to remove the position of the Executive Secretary and add an Analyst position to the City Council Office. He requested the support of the Council.

Scott Cowdell stated that he would vote against this proposal because he believes a reduction in force is never a good policy.

Steve Fairbanks noted that the need for an analyst has been discussed for years. This seems to be an appropriate to do this.

A motion was made by Steve Fairbanks, seconded by Chris McCandless, to adopt Resolution 17-06C amending the staffing and compensation plan for Fiscal Year 2016-2017 as outlined in Exhibit A... The motion carried by the following vote:

Yes: 5 - Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Stephen P. Smith

No: 2 - Scott Cowdell
Linda Martinez Saville

18. [17-016](#) Discussion about Dimple Dell Park.

Stephen Smith requested that this item be brought back to discuss the proposals of certain council members on the property located in Dimple Dell.

Scott Cowdell and Chris McCandless discussed their proposals.

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

Steve Fairbanks presented a nomination for a Citizen of Merit Award. The Council gave approval to proceed.

Steve Fairbanks showed a video on End Text Wrecks.

Adjournment

The meeting adjourned at approximately 11:00 p.m. by Councilman Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, February 28, 2017, at 7:00 p.m.

Stephen P. Smith, Chair
Sandy City Council

Pam Lehman
Meeting Clerk