



Sandy City, Utah

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

Meeting Minutes

City Council

Brooke Christensen, District 1
Alison Stroud, District 2
Kristin Coleman-Nicholl, District 3
Monica Zoltanski, District 4
Marci Houseman, At-large
Zach Robinson, At-large
Cyndi Sharkey, At-large

Tuesday, June 22, 2021

5:15 PM

City Hall & Online

Work Session

Roll Call

Present: 7 - Council Member Alison Stroud
Council Member Kristin Coleman-Nicholl
Council Member Zach Robinson
Council Member Monica Zoltanski
Council Member Marci Houseman
Council Member Cyndi Sharkey
Council Member Brooke Christensen

Council Staff:
Mike Applegarth, Executive Director
Dustin Fratto, Assistant Director
Liz Theriault, Policy & Communications Analyst
Tracy Cowdell, Council Attorney
Christine Edwards, Council Clerk

Administration:
Mayor Kurt Bradburn
Lynn Pace, City Attorney
Evelyn Everton, Deputy Mayor
Kim Bell, Deputy CAO
Bruce Cline, Fire Chief
Greg Severson, Police Chief
Dan Medina, Parks & Recreation Director
Tom Ward, Public Utilities Director
Mike Gladbach, Public Works Director
James Sorenson, Community Development Director
Brian Kelley, Finance Director
Nick Duerksen, Economic Development Director

5:15 Council Meeting

Council Chair Cyndi Sharkey welcomed those in attendance.

Prayer / Pledge of Allegiance

Council Member Brooke Christensen offered the prayer.

Council Member Marci Houseman led the Pledge.

Work Session Items

Informational Items

1. [21-256](#) Centennial Village Zoning Amendment Discussion - CBD A&E Zone

Item rescheduled.

2. [21-252](#) Public Utilities Department providing the City Council with a final update on the fluoride overfeed incident

Attachments: [Memo - Fluoride Final City Council.pdf](#)
 [Sandy Fact Brief -Fluoride Update.pdf](#)
 [Sandy City AO Resolution Letter.pdf](#)
 [Report - Sandy City Post Fluoride Incident Report.pdf](#)

Richard Benham, Engineering Manager, presented the final update on the fluoride overfeed incident. Sandy City has completed the regulatory requirements and water quality studies associated with the fluoride overfeed incident. The final report entitled: "Long-Term Impact of the Fluoride Overfeed Incident at the Paradise Valley Well on Tap Water Quality in the Impacted Zone" was submitted to and accepted by the Utah Division of Drinking Water (DDW). The well is currently running. Mr. Najm Issam with Water Quality & Treatment Solutions, discussed the details associated with the study of the impacted area which included monitoring and analysis of water samples collected from the residents participating in the study. A fact brief included in the Council packet was reviewed. Council questions and comments followed.

3. [21-257](#) Discussion and Informational Report:
Effects of Eminent Domain Proceedings
Amend Title 21, Chapter 2, General Provisions, of the Sandy Municipal Code

Attachments: [Staff report.pdf](#)
[Exhibit A.pdf](#)

Ryan Kump, City Engineer, presented on this item. The Public Works Department is proposing to amend Title 21, Chapter 2, General Provisions of the Sandy Municipal Code. The purpose of the Code Amendment is to provide authority, guidelines, criteria, and procedures for the Planning Commission to review and grant special exceptions in connection with the city's eminent domain proceedings or negotiations. This would provide relief from hardships imposed upon the landowners as a result of an eminent domain process.

Lynn Pace, City Attorney, provided a legal perspective regarding the creation and use of this tool. He explained why in certain circumstances a process granting special exception with a justification is warranted. The Planning Commission has the authority to approve the request. This amendment creates a mechanism to allow the city or resident to apply for a special exception and gives the city the flexibility and a tool to mitigate any potential impact resulting from eminent domain. James Sorenson, Community Development Director, provided additional information. Council questions and comments followed.

The item presented tonight will be on next week's agenda for Council consideration and approval.

4. [21-258](#) Discussion about an interlocal agreement with the Alta Canyon Special Service District regarding the operation of Alta Canyon Sports Center.
- Lynn Pace, City Attorney, presented on this agenda item. After a review of the agreement currently in place between Sandy City and the Alta Canyon Special Services District, the City Attorney is recommending a new contract between the two entities is necessary. The original agreement between the two entities was executed in 2012 as a one-year contract which expired in 2013. The ACSSD is a separate legal entity that owns the property the Alta Canyon Recreation Center is located on. The new contract will formalize the on-going agreement between ACSSD and Sandy City and will reflect the status quo regarding shared revenues and expenses, services, staffing, and maintenance and will detail the current relationship between the two entities. In the original agreement, ACSSD was responsible for expenses related to legal services, insurance and capital improvements. The Legal Department is currently drafting a contract which will memorialize the contractual arrangement between the two entities and will also clearly provide that Sandy City has no obligation to do major capital improvements at Alta Canyon Recreation Center, as reflected in the original agreement. Mr. Pace suggested that the Council revisit the current structure of the contractual relationship between the two entities prior to any decision to fund a major investment in the facility. Council expressed their support and thanked Mr. Pace for bringing this issue to their attention.

5. [21-253](#) Discussion and Informational Report: Sandy City Fire Department will present the Amended and Restated Interlocal Agreement Regarding CAD and RMS Services.

Attachments: [Amended and Restated Interlocal Agreement - Sandy City 6-2-21 Final - Clean Version.pdf](#)
[21-30C Resolution Amending Interlocal Agr for CAD and RMS Services.docx](#)
[Salt Lake City Dispatch Contract.pdf](#)

Chief Cline, Fire Chief, presented on this agenda item. He provided a brief history of the agreement between Sandy and Salt Lake City dispatch services. In 2012, the city decided to move to SLC dispatch services which began in 2013. He discussed the formula used to calculate the charges to Sandy by SLC for dispatch, CAD, RMS and mobile dispatch terminal services in the past. To help both cities estimate their revenues and expenses in each year's budget, the decision was made to revise the calculation used to charge cities for services rendered which will allow for more consistent annual revenue and expense stream for both cities and is based on a six year average of expenses paid to SLC. Based on the new calculation, Sandy will be charged approximately \$600,000 per year by SLC. The new contract outlines a 7.12% annual increase going forward, only on the new charges. The revised calculation will allow for better budgeting for our fire and police departments in the future and both the fire and police chief support this new agreement. Council comments and questions followed. The resolution to adopt the new contract will be submitted to the Council next week for Council consideration and approval.

Council moved to Time Certain Items on the Agenda and heard General Citizen Comments.

Voting Items

6. [21-255](#) Sandy City Fire would like to add the two open areas east of 1300 E to our fireworks restricted area to designate east of 1300 E as our firework restriction area.

(The Council Office notes that a final vote to adopt Ordinance 21-20 requires a suspension of Rule of Procedure 1B pertaining to final voting in Work Session. With a noticed agenda item, a majority vote is required to suspend the Rules).

Attachments: [Click here to eComment on this item](#)

[Fireworks Memo Restricted Areas 6-17-21.pdf](#)

[Prohibited adopted firework map 5 19 21](#)

[FireHazardAreas 11x17 City Final \(002\).pdf](#)

[Proposed 1300 E Restricted Areas for](#)

[Fireworks 1300E FireHazardAreas.pdf](#)

[Proposed Restricted Map with 1300 Border](#)

[6-17-21 1300E FireHazardAreas Final.pdf](#)

[Ordinance 21-20 Discharge of Fireworks.pdf](#)

[Signed Ordinance 21-20.pdf](#)

Council Chair Sharkey asked the Council Members to hear the agenda item, and then consider making motions to allow for a suspension of the rules and a vote on this item.

Chief Cline and Fire Marshall Robert DeKover presented on this item and requested that the Council consider designating two additional areas in Sandy City as fireworks restricted areas. He thanked the Council for their ongoing discussions over the past week regarding this issue. Chief Cline reviewed with the Council the process to restrict additional areas from fireworks based on "existing conditions" and he shared with the Council information regarding restricted areas designated by cities across Salt Lake County. Some cities have banned fireworks completely. Mr. DeKover provided information about the process to restrict areas from fireworks and the criteria used by the fire department to designate these areas. He showed the Council the current fireworks restricted areas map approved by the Council in May and recommended adding two areas to the designation which would provide clarity to the residents and allow for a clearly delineated boundary along 1300 East which would also align with our neighboring cities to the north and south. The state statute allows for changing/adding restrictions by cities based on existing conditions. The Fire Marshall also reviewed the fines associated with shooting off fireworks in banned areas and importance of clearly defining a boundary. He reviewed which fireworks are legal and the process to cite residents. Council comments and questions followed.

Chief Cline provided dispatch numbers for Police (801-799-3000) and Fire (801-799-4231) and encouraged the community to go to the city website for additional information. Residents should contact the fire department if they have any questions regarding fireworks restrictions. Fire could come back to Council prior to the July 24th holiday with additional recommendations and encouraged residents to observe fireworks safety guidelines and to attend a professional fireworks show this year. #Skipayear.

Public Comment opened:

Ms. Jamie Burkhart has lived in city for 44 years born on the 4th of July. She expressed concern about illegal fireworks in her neighborhood which is between 700 East and State Street. She asked Sandy City to consider expanding the ban to include her area.

Ms. Sandra Hawk expressed her appreciation to Council and staff for their attention, time, and effort spent on the fireworks related issues. She lives just east of 1300 East, near Dimple Dell Park and is in favor of designation of 1300 East as the boundary for the ban and reminded people how dry the vegetation is this year.

Mr. Don Cann is a big proponent of fireworks but understands the issues associated with the current drought conditions. He expressed concern about government overreach, but was supportive of the current fireworks restrictions and would be in favor of a temporary ban on aerial fireworks. Technical difficulties made it difficult to hear the rest of Mr. Cann's comments.

Mr. Steve Van Maren explained how easily he was able to find the fireworks restriction map on the website. He supports the designation of 1300 East as the boundary. He appreciates the city's professional fireworks show and the time and effort from staff, Council and the fire department.

A resident expressed support the Chief's presentation for the 1300 East boundary line designation. She had a son and daughter who was affected by the Paradise fire and cannot imagine the impact of a similar fire in Sandy. With the current water shortage, she is concerned about wasting water to put out unnecessary fires from fireworks. She is in favor of passing the revised map and thanked the Council and fire department for their hard work.

Mr. Mark Cielo, lives in the area west of 1300 East, in the area he referred to as the allowable combustible zone. He spoke about the pine and spruce trees around his house and how he has reduced watering because of the current drought conditions. He is concerned about fires in his area and requested the fireworks ban be expanded to include additional areas due to dry vegetation. He asked that the Council consider making changes for next year and is supportive of expanding the restricted areas this year.

Public comment closed.

A motion was made by Zach Robinson, seconded by Brooke Christensen to suspend the rules in order to take action on Ordinance 21-20...The motion carried by the following vote:

**Yes: 7 - Alison Stroud
Kristin Coleman-Nicholl
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen**

A motion was made by Monica Zoltanski, seconded by Zach Robinson to adopt Ordinance #21-20, an ordinance amending Title 20, Chapter 6 - Sec. 4, "Discharge of Fireworks" of the Sandy City Code by updating Exhibit "B" with a new map depicting prohibited areas for the discharge of fireworks within Sandy City (all areas east of 1300 East) and also providing a saving clause and an effective date for the ordinance...The motion carried by the following vote:

Yes: 7 - Alison Stroud

Kristin Coleman-Nicholl
Zach Robinson
Monica Zoltanski
Marci Houseman
Cyndi Sharkey
Brooke Christensen

Standing Reports

Agenda Planning Calendar Review & Council Office Director's Report

Mike Applegarth reviewed upcoming agenda items with the Council. There is no City Council meeting on July 6, 2021.

Council Member Business

Council Member Houseman thanked the Parks Department staff for coordinating the movie in the park event. The Avengers movie was showing and she thanked Jeff Hall and his staff for coordinating this community event and considers them "super heroes" for their efforts to bring people in the community together.

Council Member Zoltanski participated in the Yoga in the Park and she highly recommended the yoga event to residents.

Mayor's Report

Mayor Bradburn spoke about the new informational videos the Communications team was pushing out on social media: the city's drought response and a PSA on fireworks encouraging residents to #skipayear. He also spoke about an outdoor concert series that will take place at Rio Tinto Stadium.

CAO Report

Kim Bell, Deputy CAO, gave an update on Google Fiber.

After 6:00 Time Certain Items

7. [21-251](#) General Citizen Comments

Attachments: [Click here to eComment on this item](#)

Council Chair Sharkey invited the public to participate in General Citizen Comment:

The first two speakers were directed to share their comments later in the meeting when Council moved to Item 6.

Ms. Kathy Spuck thanked Council Member Christensen and City staff for meeting with residents in Historic Sandy last night to discuss their concerns and issues.

Mr. Steven Winters mentioned that he has been following water fluoridation issues for about eight years. He shared with the Council studies done by Harvard University and two other universities which concluded that fluoride consumption is not safe. He will email the Council the link to the studies and he asked the Council to review the information. He provided two websites to the Council: fluoridealert.org and fluoridealert.com. He spoke about a federal court case and potential harmful effect of fluoride consumption. He asked the Council to review the information at the two websites and included in the study.

Public Comment closed.

Following Public Comment, Council moved to Item 6 on the Agenda.

Adjournment

Council unanimously agreed to adjourn the meeting at approximately 7:22 pm.