



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

Tuesday, October 11, 2016

5:15 PM

Council Chambers

5:15 Work Session

Agenda Planning Calendar Review

Stephen Smith reviewed the upcoming items on the Agenda Planning Calendar.

Council Member Business

Stephen Smith noted that Scott Cowdell and Maren Barker were not going to be attending tonight's meeting.

Kris Coleman-Nicholl attended the most recent Planning Commission meeting and gave a brief report to the Council.

Council Office Director's Report

No report given.

Mayor's Report

Mayor Dolan distributed a letter to the Council that announced Byron Jorgensen's retirement. Byron then took a few minutes to let the Council know that this has been a very difficult decision and that he will miss working with them. His retirement date is March 3, 2017. Mayor Dolan then updated the Council on various projects around the City.

CAO Report

Rick Smith stated that the bridge across 1300 East is up and should be open in the next couple of weeks.

Chief Kevin Thacker reported that he has been working with the Unified Police Department to help minimize parking issues for canyons on days when they shut down for avalanche control.

Information Items

1. [16-373](#) Community Development will present and conduct a discussion on the

updates to the Alcohol Ordinance.

Attachments: [Power Point Alcoholic Beverage Control Act](#)
[State/City Alcohol Matrix](#)
[Current Sandy City Alcoholic Beverage Regulations](#)
[2016 Draft Alcoholic Beverage Regulations](#)

Mike Coulam, Lesley Casaril, and Darien Alcorn presented this item to the Council. Discussion took place during the presentation. Steve Barth, a lobbyist at the State Legislator on behalf of Sandy City, was present for this item to provide clarification for the State Alcoholic Beverage Control regulations.

Stephen Smith stated that he would work with Mike Applegarth to get this scheduled on an upcoming agenda. Lesley stated that she will set up a time to meet with both Scott Cowdell and Maren Barker to discuss the proposed changes and address their questions.

2. [16-396](#) Discussion on potential amendments to the General Plan addressing the concerns around Dimple Dell Park.

Mike Wilcox was present for this item and led a discussion with the Council. At the end of the discussion, the Council agreed that the information provided was helpful but that this still needs to be discussed in a future meeting.

3. [16-307](#) Council Member Smith requesting the City Council discuss proposed amendments to the Long Term Financial Plan policy.

Attachments: [Proposed Amendments to Long Term Financial Plan Policy](#)

Stephen Smith reviewed this item with the Council and asked if anyone had any concerns with the proposed amendments to the Long Term Financial Plan policy. There were no concerns or comments. Stephen Smith then noted that he would get this item put on a consent calendar in the next couple of weeks.

4. [16-308](#) Council Member Smith requesting the City Council discuss a new infrastructure stewardship policy.

Attachments: [Draft Infrastructure Policy](#)

Stephen Smith reviewed this item with the Council and asked if anyone had any concerns with the new infrastructure stewardship policy. Kris Coleman-Nicholl and Steve Fairbanks offered a few minor changes to the language that Stephen Smith accepted. Stephen Smith then noted that he would make those changes then get this item put on a consent calendar in the next couple of weeks.

7:00 Council Meeting

Roll Call

Present: 5 - Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Linda Martinez Saville
Council Member Stephen P. Smith

Absent: 2 - Council Member Scott Cowdell
Council Member Maren Barker

Council Office Director Michael Applegarth

Also Present:

Administration:

Mayor Tom Dolan
CAO Byron Jorgenson
Deputy to the Mayor John Hiskey
Assistant CAO Scott Bond
Assistant CAO Korban Lee
Communications Director Nicole Martin
Economic Development Director Nick Duerksen
City Attorney Rob Wall
Senior Civil Attorney Darien Alcorn
Community Development Director Mike Coulam
Business License Coordinator Lesley Casaril
Long Range Planning Manager Mike Wilcox
Zoning Administrator Brian McCuistion
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Police Chief Kevin Thacker
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.

Brian McCuistion offered the opening prayer.

Nathan Wright, Troop 1284, led the audience in the pledge.

Citizen Comments

There were no comments.

Special Recognition

5. [16-407](#) Beautification Awards

Steve Geddes and Mike Marett were present for this item. Mike Marett presented the awards to the various winners.

6. [16-408](#) Extra Mile Day 2016

Attachments: [Extra Mile Day 2016](#)

Chairman Stephen Smith read the Extra Mile Day Proclamation into the record.

7:05 Public Hearings

Brian Kelley reviewed all Resolutions for the budget public hearings.

Stephen Smith opened the public hearing for the budget hearings (Items 7-11). There being no one present to address the Council, Stephen Smith closed the public hearing for the budget hearings.

7. [16-386](#) Finance Department recommending the City Council adopt Resolution #16-58C increasing appropriations within the Equipment Management Fund.

Attachments: [Resolution 16-58C Equipment Management](#)
[Executed copy of Resolution 16-58C](#)

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Resolution #16-58C increasing appropriations within the Equipment Management Fund. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

8. [16-387](#) Finance Department recommending the City Council adopt Resolution #16-59C increasing appropriations and reappropriating unexpended funds within the Capital Projects Funds.

Attachments: [Resolution 16-59C Capital Projects](#)
[Executed copy of Resolution 16-59C](#)

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Resolution #16-59C increasing appropriations and reappropriating unexpended funds within the Capital Projects Funds. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

9. [16-388](#) Finance Department recommending the City Council adopt Resolution #16-60C increasing appropriations and reappropriating unexpended funds within the Special Revenue Funds.

Attachments: [Resolution 16-60C Special Revenue](#)
[Executed copy of Resolution 16-60C](#)

A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to adopt Resolution #16-60C increasing appropriations and reappropriating unexpended funds within the Special Revenue Funds. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

10. [16-389](#) Finance Department recommending the City Council adopt Resolution #16-61C increasing appropriations and reappropriating unexpended funds within the Proprietary Funds.

Attachments: [Resolution 16-61C Proprietary](#)
[Executed copy of Resolution 16-61C](#)

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to adopt Resolution #16-61C increasing appropriations and reappropriating unexpended funds within the Proprietary Funds. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

11. [16-398](#) Finance Department recommending the City Council adopt Resolution #16-63C amending the Sandy City Fee Schedule for Fiscal Year 2016-17.

Attachments: [Resolution 16-63C Fee Schedule change](#)
[Executed copy of Resolution 16-63C](#)

A motion was made by Kristin Coleman-Nicholl, seconded by Chris McCandless, to adopt Resolution #16-63C amending the Sandy City Fee Schedule for Fiscal Year 2016-17. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

12. [16-392](#) Recess of City Council meeting and convene a meeting of the Sandy City Redevelopment Agency

Attachments: [10-11-16 RDA Agenda](#)
[Resolution RD 16-15](#)

A motion was made by Steve Fairbanks, seconded by Kristin Coleman-Nicholl, to recess City Council Meeting and reconvene as the Redevelopment Agency Board. The motion carried by a unanimous vote.

A motion was made by Steve Fairbanks, seconded by Chris McCandless, to adjourn the Redevelopment Agency Board and reconvene as the City Council. The motion carried by a unanimous vote.

13. [MISC-9-16-5](#) Easement vacation of a 10-foot public utility easement in the Dimple Dell
[135](#) Heights Subdivision (Lots 15-19)

Attachments: [Staff Report](#)
[Ordinance 16-37, exhibit, legal description of plat](#)
[Executed copy of Ordinance 16-37](#)

Brian McCuiston presented the staff report for this item to the Council. Mr. McCuiston then stated that staff recommends that the City Council approve the 10 foot Public Utility Easement Vacation based on the findings and subject to the condition found in the staff report.

Stephen Smith opened the public hearing for this item. There being no public comment, Mr. Smith closed the public hearing for this item.

A motion was made by Steve Fairbanks, seconded by Linda Martinez Saville, to adopt Ordinance 16-37 vacating the 10 foot Public Utility Easement involving parcels identified as Lot 15, Lot 16, Lot 17, Lot 18, and Lot 19 of the Dimple Dell Heights Subdivision and establishing an effective date. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

14. [CODE-9-16-](#) Code Amendment - Development Agreements and Water Drainage,
[5131](#) Amend Title 15A, Chapter 02, General Provisions, Land Use Development COde, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report](#)
[Ordinance 16-33](#)
[Exhibit A for Ordinance 16-33](#)
[Executed copy of Ordinance 16-33](#)

Brian McCuistion presented the staff report for this item to the Council. He stated that the Planning Commission reviewed this item last week and they forwarded a positive recommendation to adopt the proposed ordinance.

Stephen Smith then opened the public hearing for this item. There being no public comment, Mr. Smith closed the public hearing for this item.

The Council and Administration had a discussion on how to move forward with this item.

A motion was made by Kristin Coleman-Nicholl, seconded by Linda Martinez Saville, to table consideration of amendments to Section 15A-02-23 "Development Agreements" until such time as the Council has an opportunity to discuss a policy for development agreements. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

A motion was made by Stephen Smith, seconded by Kristin Coleman-Nicholl, to adopt Ordinance 16-33, amending Title 15A of the revised ordinances of Sandy City by amending Chapter 2 "General Provisions" to clarify that water drainage is not allowed to flow upon adjacent properties without an appropriate easement, providing a saving clause and an effective date which consists of language in Exhibit A deleting the proposed language for Development Agreements and retaining the language for water drainage. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

15. [CODE-9-16-5132](#) Public Utilities Director Authority - Amend Title 15A, Chapter 23, Commercial, Office, Industrial, and Transit Corridor Development Standards, Land Development Code, Revised Ordinances of Sandy City, 2008.

Attachments: [Staff Report](#)
[Ordinance 16-34](#)
[Exhibit A for Ordinance 16-34](#)
[Executed copy of Ordinance 16-34](#)

Brian McCuiston presented the staff report for this item to the Council. He stated that the Planning Commission reviewed this last week and made a motion to forward a positive recommendation to the City Council with a 6 to 1 vote.

Stephen Smith opened the public hearing for this item. There being no public comment, Mr. Smith closed the public hearing for this item.

A brief discussion followed.

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to adopt Ordinance 16-34 amending Title 15A of the Revised Ordinances of Sandy City by amending Chapter 23 "Commercial, Office, Industrial, and Transit Corridor Development Standards" to add authority of the Public Utilities Director to the Land Development Code (as per Exhibit A) and providing a saving clause and an effective date for the ordinance. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

16. [CODE9-16-5](#) Public Plaza- Amend Title 15A, Chapters 7, Land Uses in Residential Districts, 8, Land Uses in Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, and 37, Definitions, Land Development Code, Revised Ordinances of Sandy City, 2008.

Attachments: [Staff Report](#)
[Ordinance 16-35](#)
[Exhibit A for Ordinance 16-35](#)
[Executed copy of Ordinance 16-35](#)

Brian McCuiston presented the staff report for this item to the Council. He stated that the Planning Commission reviewed this last week and made a motion to forward a positive recommendation to the City Council with a unanimous vote.

Stephen Smith opened the public hearing for this item. There being no public comment, Mr. Smith closed the public hearing for this item.

A brief discussion followed.

A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to adopt Ordinance 16-35 amending Title 15A of the Revised Ordinances of Sandy City by amending Chapter 7, "Land Uses in Residential Districts", Chapter 8, "Land Uses in Commercial, Office, Industrial, Mixed Use, Transit Corridor, and

Research and Development Districts", and Chapter 37, "Definitions" to define public plaza and identify which residential and commercial zones this use would be allowed in also providing a saving clause and an effective date. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

17. [CODE9-16-5](#) Residential Multi-Family (RM) Setbacks, Amend Title 15A, Chapter 20,
[134](#) Residential Development Standards, Land Use Development Code,
Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report](#)
[Ordinance 16-36](#)
[Exhibit A for Ordinance 16-36](#)
[Executed copy of Ordinance 16-36](#)

Brian McCuiston presented the staff report for this item to the Council. He stated that the Planning Commission reviewed this last week and made a motion to forward a positive recommendation to the City Council with a unanimous vote.

Stephen Smith opened the public hearing for this item. There being no public comment, Mr. Smith closed the public hearing for this item.

A brief discussion followed.

A motion was made by Chris McCandless, seconded by Kristin Coleman-Nicholl, to adopt Ordinance 16-36 amending Title 15A of the Revised Ordinances of Sandy City by amending Chapter 20, "Residential Development Standards" to reintroduce language into the code that would regulate side yard setbacks for new residential projects over 1 acre in size within any RM zoning district also providing a saving clause and an effective date for the ordinance with amendments to Exhibit A as presented in our packet 15A-20-08 Section C.2.c. to read "If a development is over 1 acre in size, the impact on the surrounding area will be evaluated, and the minimum side yard setback shall be determined by the Planning Commission" (striking the word Director). The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

Council Items

18. [16-323](#) Administration recommending the City Council authorize execution of the Central Wasatch Commission Interlocal Agreements

Attachments: [City Resolution 16-53c -- Approving CWC ILA \(w Exs A & B\)](#)
[City Resolution 16-54c - Approving CWC Transfer Agreement \(w Exhibit A\)](#)

Rob Wall updated the Council and reviewed proposed language changes to the Central Wasatch Commission Interlocal Agreements.

A motion was made by Chris McCandless, seconded by Steve Fairbanks, to table a decision on the Central Wasatch Commission Interlocal Agreements until at least two weeks from today. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Maren Barker

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

Adjournment

The meeting adjourned at approximately 8:30 p.m. by Kristin Coleman-Nicholl. The next scheduled meeting of the City Council is Tuesday, October 18, 2016 at 5:15 p.m.

Stephen P. Smith, Chair
Sandy City Council

Verene Froisland
Meeting Clerk