



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

Tuesday, August 21, 2018

5:15 PM

Council Chambers

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
Assistant CAO Shane Pace
Assistant CAO Korban Lee
City Attorney Bob Thompson
Economic Development Director Nick Duerksen
Community Development Director James Sorensen
Assistant Director Community Development Jared Gerber
Zoning Administrator Mike Wilcox
Business Licience Administrator Leslie Casaril
Administrative Services Director Brian Kelley
Parks & Recreation Director Scott Earl
Fire Chief Bruce Cline
Police Chief William O'Neal
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach

Present: 7 - Council Member Brooke Christensen
Council Member Maren Barker
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Zach Robinson
Council Member Linda Martinez Saville

Per Utah Code Annotated 52-4-207 and City Council policy, Council Member Nicholl may be participating in the August 21, 2018 City Council meeting via telephone and/or video conference.

Kris Coleman Nicholl was in attendance at the meeting.

Non-voting Items

Agenda Planning Calendar Review

Mike Applegarth reviewed items on the Agenda Calendar.

Council Member Business

Zach Robinson expressed appreciation to Evelyn Everton for the Legislative Interim update.

Chris McCandless expressed appreciation to all who worked to make the Run Elevated Race a success.

Brooke Christensen spoke regarding an invitation to an event sponsored by The Sandy Chamber of Commerce.

Kris Nicholl requested that an item be placed on the agenda for Council discussion regarding an e-mail from a Sandy City Employee.

Council Office Director's Report

Mike Applegarth will be working with Jamie Jacobson on a program for the Youth City Council.

Steve Fairbanks, who has been the liaison to the Youth City Council, would like to be a part of the discussions.

Mr. Applegarth reported that a floral arraignment was sent to Chief Matt Burchett's family on behalf of The Sandy City Council.

Mr. Applegarth reported that this week marks his 4th anniversary working with the City Council. He thanked the Council and stated that it has been a pleasure working here.

Mayor's Report

Mayor Bradburn spoke regarding the breakdown in communication between the Administration and City Council, and expressed his sorrow and apologies to the Council.

Steve Fairbanks accepted and appreciated the Mayor's apology on behalf of the Council.

CAO Report

Matt Huish spoke regarding moral in the City, and informed the Council on the progress for implementation of an annual employee satisfaction survey.

Evelyn Everton presented a brief update on the Administration's outreach to help agencies who are interested in growth in the community to better understand the vision of the Cairns District. She invited the City Council to attend a gathering with Local Legislators on August 31, 2018 from 12:00 -2:00 p.m.

Economic Development Update

Nick Duerksen presented an update on properties, businesses, developments, and the

Shops at South Towne development plan.

Citizen Comments

There were no comments.

Voting Items

Consent Calendar

1. [18-306](#) Approval of the August 14, 2018 Minutes.

Attachments: [August 14, 2018 Minutes](#)

No citizen comments offered.

Kris Coleman Nicholl made a motion seconded by Zach Robinson to approve the Consent Calendar consisting of the August 14, 2018 Minutes. The motion carried by a unanimous all in favor voice vote.

Council Items

2. [18-313](#) Possible Closed Session to discuss the purchase, exchange or lease of real property.

Meeting went into Recess

Meeting Reconvened

A motion was made by Kristin Coleman-Nicholl, seconded by Brooke Christensen, to recess City Council and convene into Closed Session to discuss the purchase, exchange or lease of real property... The motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

3. [18-308](#) Council Member Robinson requesting the Council consider the creation of a Communications and Public Engagement Coordinator within the City Council Office.

Attachments: [Draft Communications Position- City Council.docx](#)

Zach Robinson introduced his item for the creation of a Communications and Public Engagement Coordinator within the City Council Office.

Council questions and discussion followed.

A motion was made by Kristin Coleman-Nicholl, seconded by Linda Martinez Saville, to direct further development of City Council Communications and Public Engagement Coordinator position specifications and funding plan... The motion

carried by the following vote:

- Yes:** 5 - Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville
- No:** 2 - Brooke Christensen
Maren Barker

4. [18-312](#) Council Member Nicholl recommending amendment to Title 6, Sandy City Administrative Code pertaining to Council-Mayor Relationships.

Attachments: [Memo to Council.docx](#)
[Title 6 - Council Information Amendment.docx](#)

Kris Nicholl introduced amendments to Title 6 pertaining to Council-Mayor relationships.

Comments from Council members and Mayor Bradburn followed.

A motion was made by Zach Robinson, seconded by Chris McCandless, to approve the further development of an amendment to the Sandy City Administrative Code as discussed... The motion carried by the following vote:

- Yes:** 6 - Brooke Christensen
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville
- No:** 1 - Maren Barker

Meeting went into Recess

Meeting Reconvened

7:00 Time Certain Items and Public Hearings

Prayer / Pledge of Allegiance

Chairman Steve Fairbanks welcomed all those in attendance.

Council Member Chris McCandless offered the opening prayer.

Council Member Zach Robinson led the audience in the pledge.

Citizen Comments

There were no comments.

Time Certain Items and Public Hearings

5. [18-289](#) 2018 JAG Public Hearing

Police Chief Bill O'Neal reported that this year's Police Department Justice Assistance Grant will be used to purchase new radios for the department.

The Public Hearing was opened then closed as there were no comments. No formal motion was required.

6. [CODE-06-18-5446-CC](#) Alcohol and Tobacco Specialty Store Update - Amend Title 15A, Chapter 8, Permitted Land Use Matrix by the Commercial, Office, Industrial, Mixed Use, Transit Corridor, and Research and Development Districts, & Chapter 37, Definitions, Revised Ordinances of Sandy City, 2008

Attachments: [Staff Report.pdf](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[18-22.pdf](#)
[Executed Copy 18-22](#)
[Exhibit A - Final](#)

Mike Wilcox introduced the update to the Alcohol and Tobacco Specialty Store Code Amendment which would amend regulations based on recent code amendments on the State level.

Chairman Fairbanks opened the Public Hearing.

Steve Van Maren mentioned a copy of an e-mail he sent with wording suggestions for this item.

Citizen Comments was closed.

Council discussion followed.

A motion was made by Chris McCandless, seconded by Linda Martinez Saville, to adopt Ordinance #18-22, amending Title 15A of the revised ordinances of Sandy City, Chapter 37 "Definitions" and Chapter 8, "Land Uses in the Commercial Office Industrial Mixed Use Transit Corridor in Research and Development Land Use Districts", by modifying the land use tables adding some terms related to Alcohol and Tobacco and Retail Tobacco Specialty Stores providing a saving clause and effective date for the ordinance ... The motion carried by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

7. [CODE-06-18-5441-CC](#) Residential Short Term Rentals (STRs) - Amend Title 15A, Chapter 11, Special Uses, Chapters 7, 8, 9, & 10, Permitted Land Use Matrices for

Residential, Commercial, Office, Industrial, Mixed Use, Transit Corridor, Research and Development, Institutional Care, and Open Space Districts, & Chapter 37, Definitions, Land Development Code, Revised Ordinances of Sandy City, 2008

Attachments: [Council Staff Memo STR Background and Timeline](#)
[Council Staff Memo FAQ](#)
[Council Staff Memo Important STR Tools](#)
[Council Staff Memo Land Development Code](#)
[CD Staff Report.pdf](#)
[Exhibit A.pdf](#)
[Exhibit B.pdf](#)
[Exhibit C.pdf](#)
[18-21.pdf](#)
[PC Minutes.pdf](#)
[Public Comments - PC Mtg.pdf](#)
[Executed Copy 18-21](#)
[Exhibit A - Final](#)

Analyst Dustin Fratto along with Zoning Administrator Mike Wilcox presented and reviewed the process for the Residential Short Term Rentals (STRs) ordinance.

Council questions and discussion followed.

Chairman Fairbanks opened the Public Hearing.

Allison Branan spoke in favor of the ordinance.

Cathy P. Anderegg spoke in favor of the proposed ordinance.

Kathy Stark supports adopting the STR ordinance and making it clear there are no STR's in HOA's.

Brooke D'Sousa spoke in favor of allowing STR's in Sandy and private property rights.

Pierrot Awaddlls, owner of an STR, supports the ordinance and creating a waiting list.

Wendy Davis spoke in favor of the ordinance.

Kelly Price indicated that she was in favor of the STR ordinance.

Steve Van Maren referenced comments he sent the Council in an e-mail. He suggested looking to find other ways to calculate owner occupied short term rentals.

Joyce P. Walker supports the ordinance and expressed concern with STR's and property rights.

Susie Austin, Community Coordinator Area 16, expressed comments and concerns representing her community.

Valerie Walker was supportive of STR regulations and increasing permit fees.

Bridget Rees also supports STR's for the income.

Alice Slack spoke in favor of the STR ordinance.

Brandon Draper spoke in support of the STR ordinance.

Kathi Whitman was in favor of owner occupied STR's but expressed concerns.

Stephanie Reed felt the process should be clear cut like an Air B&B.

Ross & Leisa Lingwall spoke in favor and limiting one STR per 100 homes.

Rob Alston supports the regulation as written.

Heather Oakson, County Resident, 2965 Dimple Dell Road, is not opposed to regulations.

Sara Anderson, 11036 Rain Park Ave., spoke in favor.

As there were no further comments, Public Comments was closed.

Council comments and discussion followed.

A motion was made by Maren Barker, seconded by Zach Robinson, to adopt Ordinance #18-21, amending Title 15A, revised ordinances of Sandy City (The Land Development Code), 2008, Chapter 11, "Special Use Standards", by adding a new Section 25, also modifying Chapter 7, Section 2, "Permitted Land Use Matrix by Residential Districts", Chapter 8, Section 2, "Permitted Land Use Matrix by the Commercial, Office, Industrial Mixed Use, Transit Corridor and Research and Development Districts", Chapter 9, Section 3 "Permitted Land Uses by the Institutional Care District", Chapter 10, Section 2, "Permitted Land Uses in the Open Space District", and Chapter 37, "Definitions" to create new standards for Short Term Rentals in Sandy, also including the changes allowing a one (1) consecutive night between each rental, a maximum twenty-nine (29) consecutive nights in owner occupied single family detached dwellings; also providing a saving clause and effective date for the ordinance.....The motion passed by the following vote:

Yes: 7 - Brooke Christensen
Maren Barker
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Zach Robinson
Linda Martinez Saville

8. [18-304](#) Community Development Department recommending the City Council adopt Ordinance 18-23 amending Title 5 of the Revised Ordinances of Sandy City by adding a new chapter to regulate short-term rentals.

- Attachments:** [Council Staff Memo Business License Code](#)
[Final Draft STR Ordinance Title 5 CD Proposal](#)
[Original Council Proposal](#)
[18- 23 - Title 5.docx](#)
[Executed Copy 18-23](#)

Analyst Dustin Fratto briefed the Council on four recommended changes from the Community Development Department to the Council's STR Business Licence Code.

Chairman Fairbanks opened the Public Hearing. As there were no comments, the hearing was closed.

A motion was made by Kristin Coleman-Nicholl, seconded by Brooke Christensen, to adopt Ordinance 18-23, an ordinance amending Title 5, "Business License" of the revised ordinances of Sandy City by adding a new Chapter 5-19, "Short-Term Rentals"; also providing a saving clause for the ordinance and an effective date... The motion carried by the following vote:

- Yes:** 7 - Brooke Christensen
 Maren Barker
 Kristin Coleman-Nicholl
 Chris McCandless
 Steve Fairbanks
 Zach Robinson
 Linda Martinez Saville

Adjournment

The meeting adjourned at approximately 10:10 p.m. by Chairman Steve Fairbanks. The next scheduled meeting of the City Council is Tuesday, August 28, 2018, at 5:15 p.m.

 Steve Fairbanks, Chair
 Sandy City Council

 Pam Lehman
 Meeting Clerk