



Sandy City, Utah

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

Meeting Agenda

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, September 19, 2017

5:15 PM

Council Chambers

Web address to view complete packet: <http://sandyutah.legistar.com>

The Sandy City Council has adopted Rules of Procedure which are available at the rear of the Council Chambers and online at: <http://sandy.utah.gov/government/city-council/procedure-guidelines.html>. Public comments during the Citizen Comment portion of the City Council meeting, or those offered during a Public Hearing may not exceed 3 minutes. If you wish to comment on a public hearing item(s), please hold your comments until that item is being discussed. Work Session items may or may not occur prior to 7:00 PM. Items not concluded during the Work Session will occur in the regular Council Meeting at the conclusion of other official business. Consent Calendar items have been previously considered or are otherwise routine in nature and will be considered in a single motion unless a Council Member wishes to discuss an item separately. In compliance with the Americans with Disabilities Act, reasonable accommodations for individuals with disabilities will be provided upon request. For assistance, please call (801) 568-7141.

4:30 Dinner

5:15 Work Session

Council Photo

Agenda Planning Calendar Review

Council Member Business

Council Office Director's Report

Mayor's Report

CAO Report

Information Items

- 1. 17-253** Police Department briefing the City Council on the annual crime report (Amy Bryant)

2. [16-340](#) Administration updating the City Council on the recodification of City code (Shane Pace).

Attachments: [UPDATE 3 ON CODIFICATION PROJECT.pdf](#)

3. **17-254** Building Master Plan Committee update (Shane Pace).
4. **17-255** Administration updating the City Council on West City Hall Development (Korban Lee).
5. **17-256** Finance Department briefing the City Council on the City's new financial software (Brian Kelley).
6. **17-257** Community Development Department briefing the City Council on recently approved housing projects (James Sorensen).
7. **17-260** Council Office presenting information on Code Enforcement models.

Attachments: Code Enforcement

7:00 Council Meeting

Roll Call

Opening Remarks / Prayer / Pledge of Allegiance

Special Recognition

8. **17-263** Public Works receiving recycling grant from Waste Management (Mike Gladbach).

Citizen Comments

Consent Calendar

9. **17-252** Approval of the August 29, 2017 Minutes.
- Attachments: August 29, 2017 Minutes.pdf
10. **17-261** Approval of the September 5, 2017 Minutes.
- Attachments: September 5, 2017 Minutes.pdf
11. **17-262** Approval of the September 12, 2017 Minutes.
- Attachments: September 12, 2017 Minutes.pdf

Council Items

- 12. 17-242** Public Works recommend that the City Council adopt Resolution #17-46 C authorizing the execution of the Interlocal Agreement between UDOT and Sandy city..

Attachments: UDOT ILA for State St.pdf

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

Adjournment



Sandy City, Utah

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

Staff Report

File #: 17-253, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Police Department briefing the City Council on the annual crime report (Amy Bryant)

Presenter:

Amy Bryant



Staff Report

File #: 16-340, **Version:** 5

Date: 9/19/2017

Agenda Item Title

Administration updating the City Council on the recodification of City code (Shane Pace).

Presenter

Shane Pace

Description/Background:

The City Council appropriated \$50,000 for online codification in the FY 2016-17 budget. Administration formed a committee which generated a Request for Proposal for codification services. One vendor, Municode, responded to the RFP. The RFP was extended but no additional vendors responded. The committee reviewed Municode's proposal and found it to be responsive. Reference checks were conducted and also found to be favorable to Municode. Administration will continue to update the Council as the codification project with Municode further develops.

Recommended Action and/or Suggested Motion:

Discussion only. No action required.

UPDATE ON CODIFICATION PROJECT

Budget:	\$50,000 (Billed to date, \$22,495)
RFP Process:	December 2016-January 2017
Committee:	Rob Wall, Josh Chandler, Molly Spira, Brian McQuiston, Mike Applegarth, Erica Langenfass, Shane Pace
Vendor:	Municode
Contract:	Signed on April 3, 2017
First Meeting:	Met with Municode electronically in April to discuss the parameters outlined
First Review:	Legal Review by Municode delivered on May 18 Identify and eliminate conflicts with State Code Identify and eliminate obsolete or conflicting provisions Identify and eliminate (or cure) potentially unconstitutional Provisions
Review by Staff:	We finished our initial review of the recommendations from Municode
Recommendations:	The Legal Review by Municode is recommending we eliminate a number of the titles because they are covered in State Code. The Committee is also recommending eliminating some. Elections, Judicial, Most of Legislative and Administrative, Health, Traffic code, and sewage disposal, and Taxicabs.
Next Meeting:	Meet with Municode and review all their recommendations and our acceptance of them. Ask them to provide a redline version.
Next Goal:	Bring to City Council a red line version of proposed changes in November
Final Goal:	Approved version for codification in December



Staff Report

File #: 17-254, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Building Master Plan Committee update (Shane Pace).

Presenter:

Shane Pace



Staff Report

File #: 17-255, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Administration updating the City Council on West City Hall Development (Korban Lee).

Presenter:

Korban Lee



Sandy City, Utah

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

Staff Report

File #: 17-256, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Finance Department briefing the City Council on the City's new financial software (Brian Kelley).

Presenter:

Brian Kelley



Staff Report

File #: 17-257, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Community Development Department briefing the City Council on recently approved housing projects (James Sorensen).

Presenter:

James Sorensen



Staff Report

File #: 17-260, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Council Office presenting information on Code Enforcement models.

Presenter:

Mike Applegarth

Description/Background:

Sandy City has a criminal code enforcement model. Certain violations of city code including all violations of our property maintenance standards are Class B misdemeanors. If an alleged violator refuses to acknowledge or cooperate with the conditions of a citation issued by a code enforcement officer, the City must prosecute the case through the the Justice Court where a judge will determine guilt or innocence and a penalty if required.

Some other cities have an administrative code enforcement model. A citation issued by a code enforcement officer under an administrative system provides a time for the violator to make corrections. If the violation is not corrected within the specified time frame, the violator faces monetary penalties. The alleged violator may request an administrative hearing to contest either the citation and/or the penalty. A hearing officer, not a judge rules on the case. If the violator wishes to further contest the ruling of the hearing officer, he or she may pursue legal action against the City in district court. In short, in an administrative model, the burden is on the alleged code violator to prove that the code enforcement officer is incorrect rather than the criminal model which places the burden on the City to prove beyond a reasonable doubt that a crime occurred.

Further action to be taken:

Further research and reporting to the Council if it is interested in pursuing an administrative model.

Recommended Action and/or Suggested Motion:

Discussion only.

Code Enforcement:

A tale of two systems.

Sandy City Council
September 5, 2017

Code Enforcement Goals

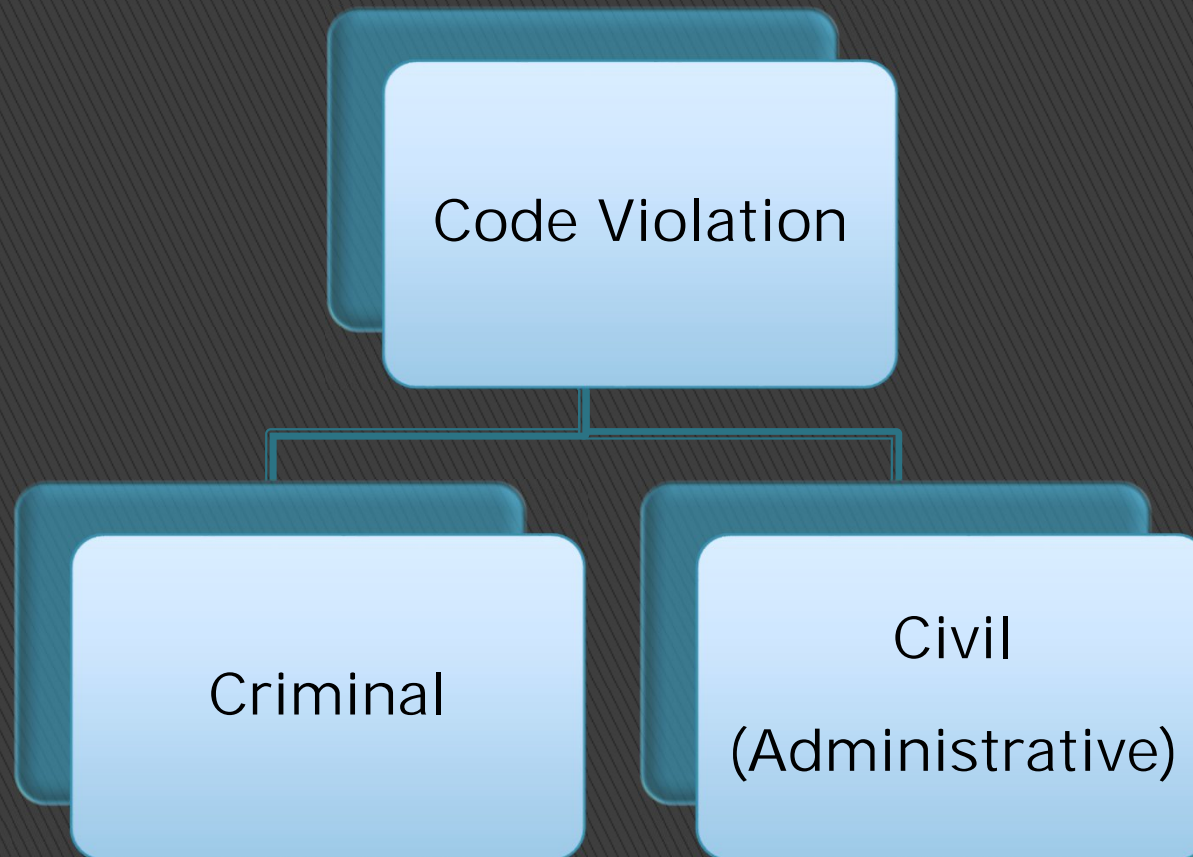
1. Compliance

- Fix the problem

2. Education

- Prevent reoccurrence

Different systems to pursue violations



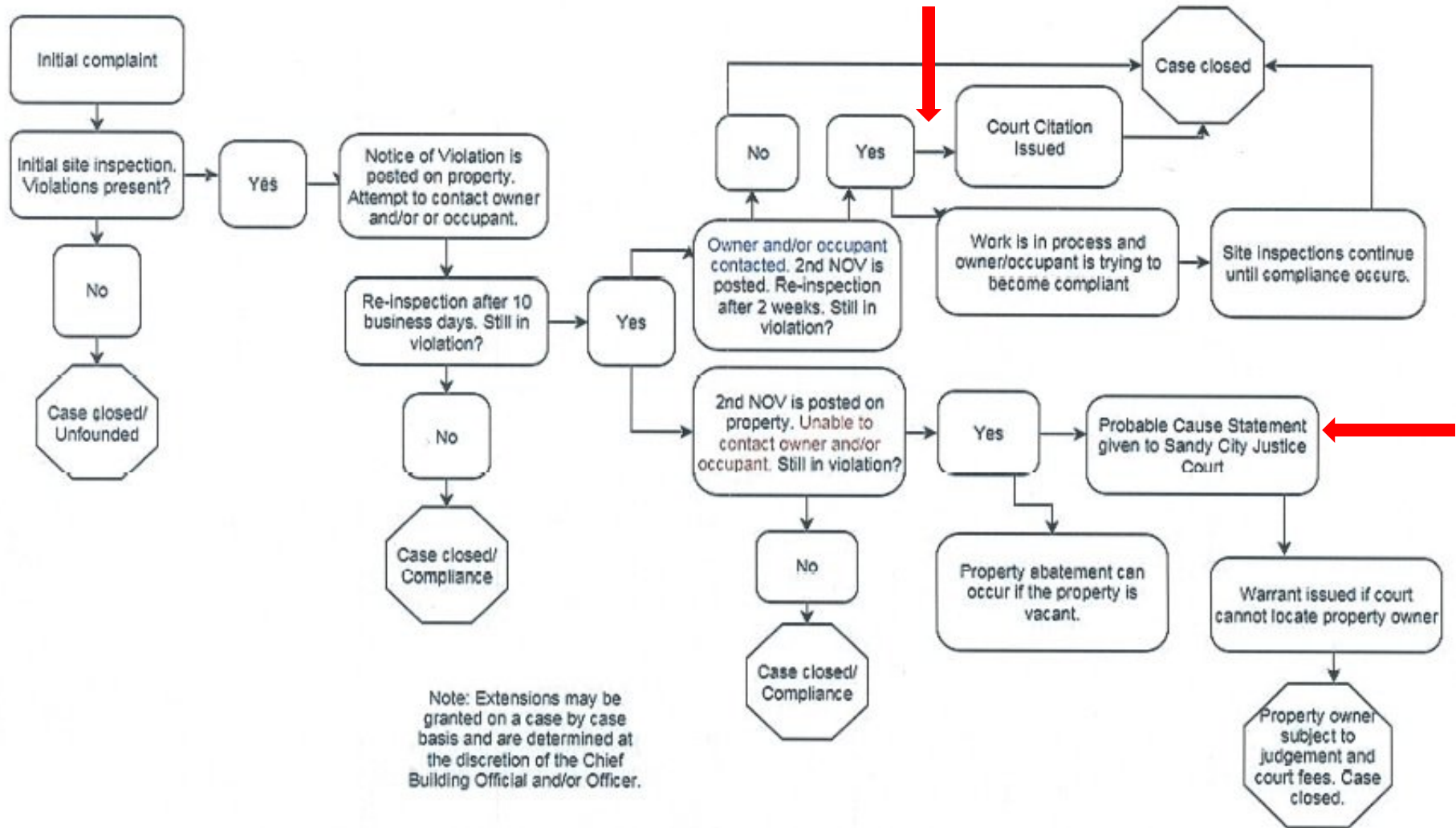
Criminal Code Enforcement

- ▶ Sandy City Municipal Code, Title 9, Property Maintenance:
 - “Any violation of the provisions of this title shall be deemed a Class B misdemeanor and shall be punished as provided under State statute.”
 - State statute:
 - Up to six months in jail (UCA 76-3-204)
 - Up to \$1,000 fine (UCA 76-3-301)
- ▶ Burden of Proof
 - Beyond a reasonable doubt

Criminal Code Enforcement Process



Criminal Code Enforcement Process



Court Statistics

FY 2016 Court Statistics

■ Criminal Case Filings:	1382
■ Small Claims Case Filings:	746
■ Traffic Case Filings:	16207
Total:	18,335

Criminal Citation Dispositions

- ▶ 1,382 Criminal Filings
 - Includes only 22 charges* for "Planning/Zoning/Fire and Health."
 - 4 guilty pleas
 - 15 dismissed (possibly due to compliance)
 - 6 warrants for arrest

* Charges entered in a fiscal year do not necessarily match charge dispositions.

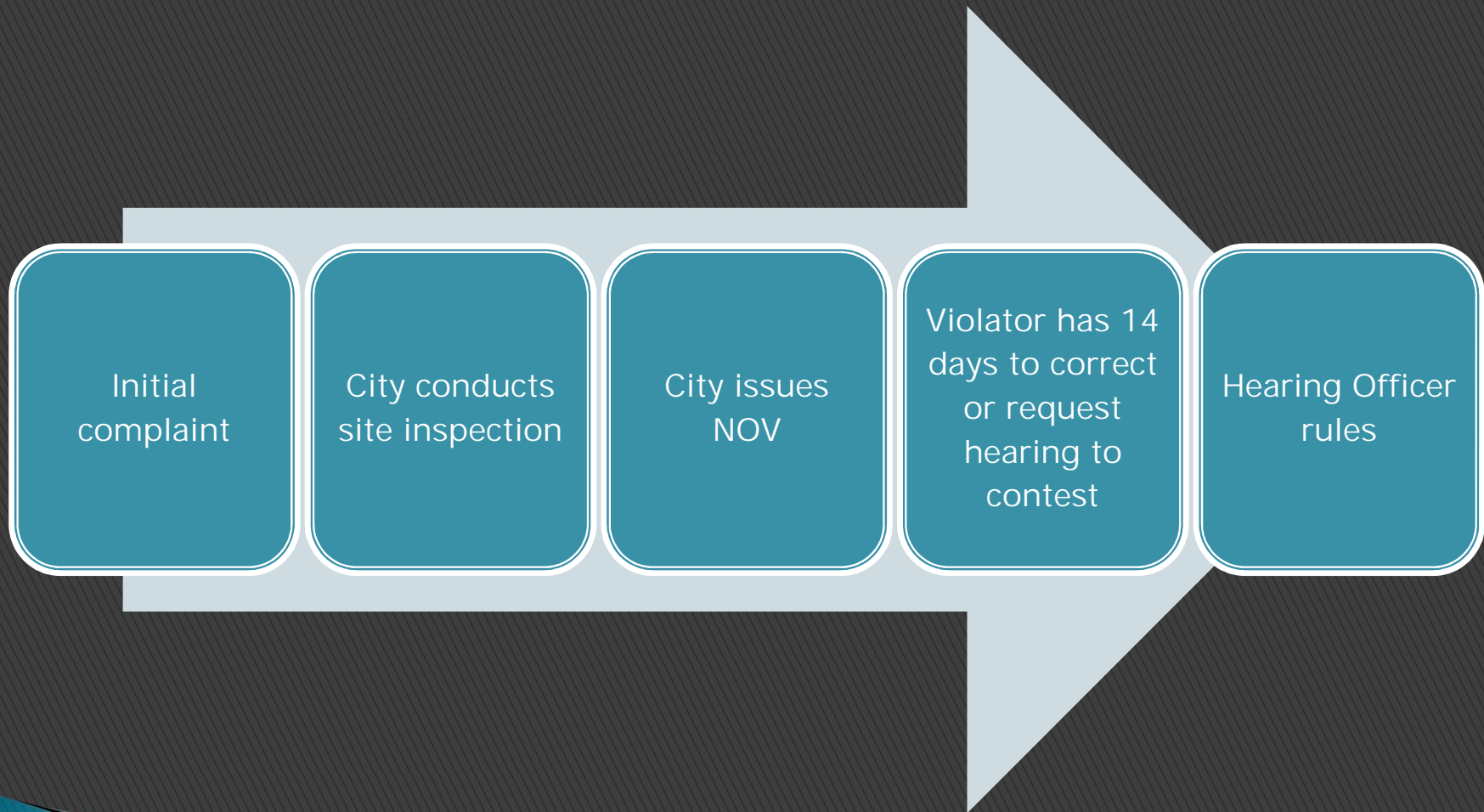
Criminal Citations

	2016	2015	2014	2013
Initial Case Inspections	1,261	1,229	1,636	1,891
Follow Up Site Inspections	1,907	2,072	3,824	3,498
Illegal Signs	3,241	2,405	2,399	1,509
Total	6,409	5,706	7,859	6,898
Abatements	3	8	18	12
Citations	3	9	10	6
Probable Cause Statements	5	3	2	1

Criminal Citation Outcomes

- ▶ Compliance with problem and/or repeat offenders is difficult
 - Burden on City to follow up with violator
 - City must prove beyond a reasonable doubt that a violation exists
 - Lengthy process
 - Minimal fines incentivize repeat offenders

Civil (administrative) Code Enforcement



Civil (administrative) Code Enforcement

- ▶ Administrative penalties compel violator response
- ▶ If no response, City can request Default Judgement from Hearing Officer
- ▶ Violator can appeal to District Court
- ▶ Officer discretion to extend compliance date
- ▶ Ability for Hearing Officer and/or to Code Enforcement Chief to abate/discount fees when compliance achieved
- ▶ Fees go into an abatement fund that City uses to abate future violations

Administrative Penalties examples

City	Fee
West Jordan	\$50 per day, per violation. If no compliance in 14 days, then \$100 per day per violation
South Salt Lake	\$40 per day, per violation.
West Valley	1 st offense: \$100/violation 2 nd offense: \$200/violation 3 rd offense: \$400/violation

Administrative Code Enforcement Outcomes

- ▶ Burden on violator to respond
- ▶ Still provides ample due process
- ▶ Efficient
 - West Jordan has 1,500 cases YTD with 2 officers
 - 89-92% clearance rate
- ▶ Fast
 - Violations can be resolved in as little as 39 days

Next Steps

- ▶ Continue researching administrative models
- ▶ Identify elements of our current program we want to maintain:
 - Personal service
 - Officer discretion to extend compliance dates
- ▶ Draft administrative enforcement ordinance for Council review



Sandy City, Utah

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

Staff Report

File #: 17-263, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Public Works receiving recycling grant from Waste Management (Mike Gladbach).



Staff Report

File #: 17-252, **Version:** 1

Date: 9/19/2017

Approval of the August 29, 2017 Minutes.

Motion to approve the minutes as presented.



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, August 29, 2017

5:15 PM

Council Chambers

4:00 City Council Tour of the Hale Centre Theatre

Held.

5:15 Work Session

Agenda Planning Calendar Review

Chairman Chris McCandless reviewed upcoming items on the agenda calendar.

Council Member Business

Kris Nicholl requested consideration of a zoning change to open space for city owned property located near Badger Road abutting Dimple Dell Park. She also informed the Council that she would be requesting a meeting with the budget committee to discuss ideas on the subsidy transfer.

Council Office Director's Report

Mike Applegarth reminded the Council of next week's photo shoot at City Hall. He also noted that he needs to know who will be attending the alternative transportation tour. There was a server problem with Granicus today. He requested that the Canvass of the Primary Election be held prior to the public hearings.

Mayor's Report

Mayor Dolan reported on a meeting held today with the Salt Lake County Council on the \$4.7 million dollars for Hale Centre Theater. The County Council approved the allocation with a 5-4 vote.

CAO Report

City Attorney Rob Wall updated the Council on a lawsuit filed by a panhandler. He reported that a Judge granted the motion to the City and was convinced that the City's median ordinance is constitutional.

Information Items

1. [17-234](#) Fire and Parks Departments updating the City Council on the development and placement of trail markers along the Bell Canyon Trail.

Chief Cline reported on the development and placement of trail markers along the Bell Canyon Trail. A press conference will be held this weekend as the first trail maker is placed.

2. [17-235](#) Public Works Department briefing the City Council on phase one of the Public Works Facility replacement.

Attachments: [Council PW Ph 1 Pres](#)

Mike Gladbach briefed the Council on Phase One of the Public Works Facility replacement.

Council questions followed.

3. [17-229](#) Sandy City Fire Department recommends the City Council to adopt the new Interlocal Metro Fire Agency Interlocal Agreement.

Attachments: [Metro Fire Agency Interlocal Agreement](#)
[Metro 2017 Agreement Changes](#)
[New Metro Fire ILA - signed by legal](#)
[Executed Copy Resolution 17-49C 1.pdf](#)

Chief Cline briefed the Council on the renewal of the Interlocal Metro Fire Agency Agreement.

4. [17-236](#) Community Development Department briefing the City Council on the current status of the Cairns Design Guidelines.

James Sorensen briefed the Council on the status of the Cairns Design Guidelines.

5. [17-237](#) Community Development Department briefing the City Council on the current status of the Stadium Block Master Plan.

James Sorensen reported that the City hired Gateway Planning out of Dallas Texas as consultants for the Stadium Block Master Plan.

Council questions followed.

6. [17-238](#) Public Works Department briefing the City Council on the current status and future plans for the Bulk Waste Pick-up Program.

Attachments: [Council Bulk Waste Pres](#)

Mike Gladbach briefed the Council on future plans for the Bulk Waste Pick-up program.

7. [17-239](#) Public Utilities Department updating the City Council on "stray current," construction of the Flat Iron Storage Tank, and the status of Dry Creek.

Attachments: [Council project updates 8-29-17](#)

Tom Ward briefed the Council on the stray current construction for the Flat Iron Storage Tank along with the status of Dry Creek.

Council questions followed.

Meeting went into Recess

Meeting Reconvened

A motion was made by Scott Cowdell, seconded by Steve Fairbanks, to adjourn Work Session.

Yes: 5 - Scott Cowdell
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville

Absent: 2 - Maren Barker
Stephen P. Smith

7:00 Council Meeting

Roll Call

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto

Administration:

Mayor Tom Dolan
CAO Scott Bond
Deputy to the Mayor Nicole Martin
Assistant CAO Shane Pace
Assistant CAO Korban Lee
City Recorder Molly Spira
Deputy City Recorder Wendy Downs
Economic Development Director Nick Duerksen
Economic Development Assistant Kasey Dunlavey
City Attorney Rob Wall
Community Development Director James Sorensen
Administrative Services Director Brian Kelley
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Assistant Police Chief Bill O'Neil
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach

Present: 5 - Council Member Scott Cowdell
Council Member Kristin Coleman-Nicholl
Council Member Chris McCandless
Council Member Steve Fairbanks
Council Member Linda Martinez Saville

Absent: 2 - Council Member Maren Barker
Council Member Stephen P. Smith

Opening Remarks / Prayer / Pledge of Allegiance

Chairman Chris McCandless welcomed all those in attendance.

Jaxon Lee of Troop 809 offered the opening prayer.

Jaron Ash of Troop 809 led the audience in the pledge.

Special Recognition

8. [17-212](#) Special recognition for Eagle Scout Project for a Sister City.

Tanner Lee and Colby Taylor presented a brief report on their Eagle Scout Project. They delivered supplies to a battered women's shelter in Piedras, Neigras, Mexico, one of the City's Sister Cities. Korban Lee reported that the Scouts collected 4,000 pounds of supplies and collected \$5,000 in supplies. They delivered \$75,000 worth of supplies to this community.

Chris McCandless along with Mayor Dolan presented a resolution of commendation to Tanner Lee, and Colby Taylor in recognition of their outstanding Eagle Scout Project.

Citizen Comments

Gary Forbush, 983 Addington Circle, commented on the certification of election results and financial disclosures.

Chris McCandless responded to Mr. Forbush comments.

Steve Van Maren 10039 Lexington Circle, reported on the eclipse and a festival in Casper, Wyoming.

Citizen Comments were closed.

Consent Calendar

Approval of the Consent Calendar

A motion was made by Kris Coleman Nicholl seconded by Steve Fairbanks to move Agenda item's 12,13, and 14 to the Consent Calendar. The Council agreed.

A motion was made by Kris Coleman Nicholl seconded by Linda Martinez Saville to approve the Consent Calendar. The motion was approved by the following vote:

Yes: 5 - Scott Cowdell
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville

Absent: 2 - Maren Barker
Stephen P. Smith

9. [17-227](#) Approval of the August 8, 2017 meeting minutes

Attachments: [Meeting Minutes August 8, 2017](#)

Item approved.

12. [ANEX-08-17-5288](#) The Community Development Department is recommending that the City Council adopt Resolution #17-45C, indicating the intent to annex an unincorporated parcel located at approximately 3121 E. Deer Hollow Dr., setting a public hearing to consider such an annexation, and directing publication of a hearing notice.

Attachments: [Intent to Annex Resolution and Maps](#)
[Executed Copy Resolution 17-45 C.pdf](#)

Item approved

13. [17-217](#) Administration Recommending City Council Ratify Appointments to Central Wasatch Commission.

Attachments: [Resolution 17-47C - A. Beerman](#)
[Resolution 17-48C - C. Braceras](#)
[Executed Copy Resolution 17-48 C_1.pdf](#)
[Executed Copy Resolution 17-47C.pdf](#)

Item approved

14. [17-230](#) Sandy City Fire Department recommends the City Council to adopt the updated Interlocal Metro Fire Agency Interlocal Agreement.

Attachments: [New Metro Fire ILA - signed by legal](#)
[Resolution Approving Metro Fire Agency ILA.pdf](#)

Item Approved

7:05 Public Hearing(s)

10. [17-228](#) Finance Department recommending the City Council adopt Resolution #17-43C increasing appropriations and transferring funds, and adopt Resolution #17-44C authorizing the execution of an interlocal agreement with Salt Lake County.

Attachments: [17-43C Inc appropriations](#)
[Resolution 17-44C](#)
[Interlocal Agreement](#)
[Executed Copy 17-44 C.pdf](#)
[Executed copy 17-43 C.pdf](#)

Brian Kelley reviewed Resolution 17-43 C executing an Interlocal Cooperation Agreement with Salt Lake County to increase appropriations and transfer funds for a 4.7 million dollar grant for the construction of the Hale Center Theater.

The public hearing was opened.

There were no comments.

The hearing was closed.

Council Comments followed.

A motion was made by Steve Fairbanks, seconded by Linda Martinez Saville, to adopt Resolution #17-43C increasing total appropriations and transferring funds per provisions of Section 10-6-125 and Section 10-6-128 in the amount of \$4.7 million from a County grant for the benefit of construction for the Hale Centre Theater....The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville

Absent: 2 - Maren Barker
Stephen P. Smith

Kris Coleman Nicholl made a motion seconded by Linda Martinez Saville to adopt Resolution 17-44C, a resolution of Sandy City Council approving and authorizing the execution of an Interlocal Cooperation Agreement between Salt Lake County and Sandy City for a grant of bond proceeds to assist the City in funding a new Performing Arts Facility Recitals....the motion carried by the following vote:

Absent: 2 - Maren Barker
Stephen P. Smith

Council Items

11. [17-233](#) City Recorder recommending the City Council accept the results of the August 15, 2017 Primary Election Canvass.

City Recorder Moly Spira along with Deputy City Recorder Wendy Downs presented the canvass results for the primary election for August 15, 2017.

A motion was made by Steve Fairbanks, seconded by Linda Martinez Saville, to accept the results of the August 15, 2017 Primary Election Canvass... The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville

Absent: 2 - Maren Barker
Stephen P. Smith

15. [17-223](#) Public Meeting - Sale of Property

Attachments: [Sandy City Public Meeting Notice Sell of Property.doc](#)

Nick Duerksen noted that the purpose of the public meeting was to address the City's surplus property ordinance which requires a public meeting when a piece of property of significant value is being sold. The City owns approximately 2.49 acres of property located at approximately 239 west behind The Hilton Garden Inn. The Redevelopment Agency owns property contiguous to this property. The City will look to enter into an Interlocal Agreement between the City and Redevelopment Agency for construction of office space and a parking structure. The purpose of the public meeting is to take comments from the public. No formal action is required by the City Council.

The hearing was opened for comment.

Steve Van Maren 11039 Lexington Circle, asked how long the property was held, and what cost the property was acquired for.

Nick Duerksen reported that the acquisition of the property began in 2009 and was completed in 2011.

As there were no further comments, the hearing was closed.

16. [17-224](#) Interlocal Agreement between the City and RDA for the sale of property.

Attachments: [Resolution 17-42-C Interlocal Agreement City and RDA.docx](#)

Nick Duerksen discussed the Interlocal Agreement (Resolution 17-42C) between Sandy City and the Redevelopment Agency (RDA) where the RDA would act as the agent along with the divide of surplus property.

A motion was made by Steve Fairbanks, seconded by Linda Martinez Saville, to approve Resolution 17-42C, an interlocal cooperation agreement with the Redevelopment Agency of Sandy City, which agreement provides, generally, for the conveyance of about 2.49 acres of surplus property, located between Monroe Street and I-15, just south of Sego Lily Dr., for the City to the Agency, with the intent for the Agency to sell that property, along with neighboring Agency-owner property, as a single unit to a private developer... The motion carried by the following vote:

Yes: 5 - Scott Cowdell
 Kristin Coleman-Nicholl
 Chris McCandless
 Steve Fairbanks
 Linda Martinez Saville

Absent: 2 - Maren Barker
 Stephen P. Smith

17. [17-209](#) Recess of the City Council and convene a meeting of the Sandy City Redevelopment Agency

Attachments: [RDA Packet](#)

A motion was made by Kristin Coleman-Nicholl, seconded by Steve Fairbanks, to recess City Council meeting and convene into the Redevelopment Agency

Meeting.. The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Kristin Coleman-Nicholl
Chris McCandless
Steve Fairbanks
Linda Martinez Saville

Absent: 2 - Maren Barker
Stephen P. Smith

**Steve Fairbanks made a motion seconded by Kris Coleman Nicholl to adjourn
Redevelopment Agency Meeting and reconvene into City Council Meeting.... the
motion carried by a unanimous voice vote.**

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

No Reports.

Adjournment

The meeting adjourned at approximately 8:55 p.m. by Steve Fairbanks. The next scheduled meeting of the City Council is Tuesday, September 5, 2017 at 7:00 p.m.

Chris McCandless, Chair
Sandy City Council

Pam Lehman
Meeting Clerk

18. [17-220](#) Council Members McCandless and Nicholl providing a special recognition for the Council Office Director.
- This was held following the City Council Meeting.



Staff Report

File #: 17-261, **Version:** 1

Date: 9/19/2017

Approval of the September 5, 2017 Minutes.

Motion to approve the minutes as presented.



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, September 5, 2017

5:15 PM

Council Chambers

5:15 Work Session

Council Photo

The Council Photo was rescheduled to the September 19, 2017 Work Session.

Agenda Planning Calendar Review

Chris McCandless reviewed the Agenda Calendar.

Council Member Business

Stephen Smith discussed an item pertaining to infestation of rats in certain neighborhoods. He commented on the breakout of housing stock in the City.

Maren Barker commented on the vermin problem and ways to mitigate.

Chris McCandless asked for an update on past projects that were controversial and approved by the Council. He requested a crime report from Amy Bryant.

Council Office Director's Report

Mike Applegarth noted that the optional Holladay tour would be canceled. The Cairns Tour is scheduled next week with the Youth City Council. He mentioned the upcoming bike tour along the Jordan River Parkway.

Mayor's Report

Mayor Dolan reported on the opening of the Jewel Box Theater at Hale Centre Theater. He attended "Mayor for the Day" at Granite Elementary. He updated the Council on the press conference that was held for placement of trail markers at Bells Canyon.

CAO Report

Scott Bond reported on the traffic and parking plan for the Hale Centre Theater.

Chief Cline reported on a recent grass fire in Dimple Dell east of Granite Park.

Information Items

1. [17-244](#) Parks and Recreation Department updating the City Council on the Hidden Valley Park parcel (Shane Pace & Scott Earl)

Scott Earl discussed the Interlocal Cooperation Agreement for purchase of property near Hidden Valley park.

Council questions followed.

Shane Pace reported on the property acquisition, sale, zoning, water rights, and access, along with a potential buyer.

2. [17-240](#) City Council Office briefing the Council on the SLCo property tax relief programs and the Sandy City utility assistance program (Dustin Fratto)

Attachments: [Circuit Breaker Packet](#)

Dustin Fratto briefed the Council on the process for Salt Lake County's property tax relief programs and Sandy City's utility assistance program. Councilman Cowdell requested an update.

Brett Neumann addressed questions from council members regarding the utility assistant program.

The Council recommended moving forward.

3. [17-245](#) Parks and Recreation Department briefing the City Council on the Sandy Canal Trail and various other projects (Scott Earl)

Attachments: [HV_BST_Mcadams - City Council Presentation 9-5-17](#)
[Bonneville Shoreline Trail Property Acquisition Interlocal Agreement](#)

Scott Earl briefed the Council on the Sandy Canal Trail and various other projects.

Meeting went into Recess

Meeting Reconvened

A motion was made by Stephen Smith, seconded by Maren Barker, to recess worksession by a unanimous all in favor voice vote.

7:00 Council Meeting

Roll Call

Present: 5 - Council Member Scott Cowdell
Council Member Maren Barker
Council Member Chris McCandless
Council Member Linda Martinez Saville
Council Member Stephen P. Smith

Absent: 2 - Council Member Kristin Coleman-Nicholl
Council Member Steve Fairbanks

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto

Administration:

Mayor Tom Dolan
CAO Scott Bond
Deputy to the Mayor Nicole Martin
Assistant CAO Shane Pace
Assistant CAO Korban Lee
City Attorney Rob Wall
Community Development Director James Sorensen
Budget Coordinator (Finance) Brett Neumann
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Police Chief Kevin Thacker
Public Utilities Director Tom Ward
Public Works Director Mike Gladbach
Justice Court Judge Paul Farr
Executive Assistant to the Mayor Marsha Millet

Opening Remarks / Prayer / Pledge of Allegiance

Chairman Chris McCandless welcomed all those in attendance.

Campbell Hone, Troop 533, offered the opening prayer. Travette McGuire, Troop 533, led the audience in the pledge.

Special Recognition

4. [17-246](#) Swearing in of the Sandy City Youth Council and Youth Court (Marsha Millet)

Marsha Millet presented information on the formation of the Youth Council and various service projects and objectives.

Justice Court Judge Paul Farr performed the swearing in of the Youth City Council and Youth Justice Court members.

Chief Thacker explained the purpose and roll fo the Youth Justice Court program.

Citizen Comments

There were no Citizen Comments

Approval of the Consent Calendar

A motion was made by Maren Barker, seconded by Stephen Smith, to approve the Consent Calendar. The motion carried by the following vote:

Yes: 5 - Scott Cowdell
Maren Barker
Chris McCandless
Linda Martinez Saville
Stephen P. Smith

Absent: 2 - Kristin Coleman-Nicholl
Steve Fairbanks

5. [17-243](#) Approval of the August 22, 2017 Minutes.

Attachments: [August 22, 2017 Minutes.pdf](#)

Item approved.

Council Items

6. [17-248](#) Canyons School District presenting a bond overview to the City Council (Susan Edwards)

Susan Edwards along with CAO Leon Wilcox, from the Canyons School District, presented a power point presentation on the proposed bond for the November 7th Election.

Council questions and comments followed.

7. [17-247](#) Public Works and Public Utilities Departments briefing the City Council on roads in Historic Sandy (Mike Gladbach & Tom Ward)

Mike Gladbach and Tom Ward presented a briefing on roads in Historic Sandy.

Council discussion and questions followed.

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

No Reports were given

Adjournment

The meeting adjourned at approximately 8:00 p.m. by Scott Cowdell. The next scheduled meeting of the City Council is Tuesday, September 19, 2017 at 7:00 p.m.

Chris McCandless, Chair
Sandy City Council

Pam Lehman
Meeting Clerk



Staff Report

File #: 17-262, **Version:** 1

Date: 9/19/2017

Approval of the September 12, 2017 Minutes.

Motion to approve the minutes as presented.



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, September 12, 2017

4:00 PM

Council Chambers

4:00 Council Meeting

Roll Call

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

Absent: 2 - Council Member Scott Cowdell
Council Member Linda Martinez Saville

Council Office Director Michael Applegarth
Council Office Analyst Dustin Fratto

Administration:

Mayor Tom Dolan
CAO Scott Bond
Assistant CAO Shane Pace
Assistant CAO Korban Lee
Economic Development Director Nick Duerksen
City Attorney Rob Wall
Community Development Director James Sorensen
Fire Chief Bruce Cline
Parks & Recreation Director Scott Earl
Public Utilities Director Tom Ward
Assistant Public Works Director Paul Browning
City Recorder Molly Spira
Deputy City Recorder Wendy Downs

Welcome

Chairman Chris McCandless welcomed all those in attendance.

Citizen Comments

There were no comments.

[17-250](#)

City Recorder recommending the City Council accept the August 15, 2017 Primary Election 3rd District recount results.

Attachments: [District 3 Recount Results](#)

Deputy City Recorder Wendy Downs presented the revised election recount results.

A motion was made by Maren Barker, seconded by Stephen Smith, to accept the August 15, 2017 Primary Election recount results... The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Linda Martinez Saville

[17-249](#)

Parks and Recreation Department recommending the City Council adopt Resolution 17-50C authorizing the execution of an Interlocal Cooperation Agreement with Salt Lake County for the acquisition of property to complete a portion of the Bonneville Shoreline Trail. (Scott Earl)

Attachments: [Resolution Approving BST ILA](#)
[Bonneville Shoreline Trail Property Acquisition Interlocal Agreement](#)

Scott Earl reported that he received a phone call from Salt Lake County asking that the date on page 2 of the Interlocal Agreement be changed from September 30, 2017 to October 31, 2017.

Maren Barker asked the reason for the change.

Scott Earl noted that it had to do with the timing on the issuance of the check.

A motion was made by Stephen Smith, seconded by Steve Fairbanks, to adopt Resolution 17-50C, approving an Interlocal Agreement with Salt Lake County regarding funds for the purchase of McAdams property for the Bonneville Shoreline Trail as presented by Staff with the amendment on Page 2 of the Interlocal Agreement under Section 1, "Consideration", striking the date of September 30, 2017 and inserting the date October 31, 2017.. The motion carried by the following vote:

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

Absent: 2 - Scott Cowdell
Linda Martinez Saville

Adjournment

The meeting adjourned at approximately 4:05 p.m. by Stephen Smith, seconded by Maren Barker. The next scheduled meeting of the City Council is Tuesday, September 19, 2017 at 7:00 p.m.

Stephen Smith made a motion seconded by Maren Barker to adjourn City Council Meeting the motion was approved by a unanimous voice vote.

4:15 Dinner at Cantina Southwestern Grill (75 9400 S)

5:30 Cairns Tour

[17-251](#)

The City Council, Administration, and the Youth Council will tour the following locations within The Cairns (times are approximate):

5:30 PM InContact (75 West Towne Ridge Parkway)
6:00 PM Hale Centre Theatre (9900 S. Monroe Street)
6:30 PM The Shops at South Town (10450 S. State Street)
7:00 PM I-15/10600 Interchange northbound offramp tunnel



Staff Report

File #: 17-242, **Version:** 1

Date: 9/19/2017

Agenda Item Title:

Public Works recommend that the City Council adopt Resolution #17-46 C authorizing the execution of the Interlocal Agreement between UDOT and Sandy city..

Presenter: Mike Gladbach

Description/Background: This interlocal agreement allows for the betterment of adding streetlights for the UDOT State Street Improvement project.

Recommended Action and/or Suggested Motion:

Motion to approve Resolution #17-46 C.

RESOLUTION #17-46 C

A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE UTAH DEPARTMENT OF TRANSPORTATION ("UDOT") AND SANDY CITY RELATING TO THE LIGHTING IMPROVEMENTS ALONG US-89 BETWEEN 11400 SOUTH AND 10600 SOUTH; THE PROJECT IDENTIFIED AS F-009(375)364.

BE IT KNOWN AND REMEMBERED that the City Council of Sandy City, State of Utah, finds and determines as follows:

WHEREAS, Title 11, Chapter 13, Utah Code Annotated 1953, as amended, permits public agencies to enter into cooperative agreements to provide joint undertakings and services; and

WHEREAS, UDOT and City desired to add highway lighting improvements per Sandy City standards on this stretch of the Road; and

WHEREAS, City and UDOT agreed for Sandy City to add highway lighting system, and that the UDOT will oversee construction of the betterment work. The City will be responsible for paying the actual costs associated with the betterment items, based on Contract Unit Bid Prices, and actual quantities placed; and

WHEREAS, it has been determined that the best interests of the City and the general public will be served by the execution of the attached Interlocal Cooperation Agreement and by participating as required therein.

WHEREAS, the attached agreement has been prepared to accomplish such purpose.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Sandy City, Utah:

1. It does hereby approve the attached agreement described as an interlocal agreement between the Utah Department of Transportation ("UDOT") and Sandy City relating to the Lighting Improvements along US-89 between 11400 South and 10600 South.
2. The Hon. Thomas M. Dolan, Mayor of Sandy City, is hereby authorized to execute the agreement on behalf of Sandy City Corporation and to act in accordance with its terms.

DATED this ____ day of _____, 2017.

Chris McCandless, Chairman
Sandy City Council

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2017.



Betterment Agreement Local Agency	Betterment Description: Lighting Improvements along US-89 between 11400 South and 10600 South Local Agency: Sandy City	Estimated Cost for Betterment \$ 114,583.13
PIN Number 12561 FINET/CID Number 54273	Project Number F-009(375)364 Project Name US-89; 11400 South to 10600 South	Agreement Number Date Executed

THIS AGREEMENT, made and entered into the date shown below, by and between the **UTAH DEPARTMENT OF TRANSPORTATION**, ("UDOT"), and **Sandy City** a political subdivision of the State of Utah, ("Local Agency").

Subject to the attached provisions, **UDOT** will include the following betterment work items into the above referenced Project and will oversee construction of the betterment work. Upon signing this agreement, the **Local Agency** agrees that the costs shown below are estimates only and that the **Local Agency** will be responsible for paying the actual costs associated with these betterment items, based on Contract Unit Bid Prices, and actual quantities placed.

Description of Betterment Work:

This betterment covers the costs the Local Agency will pay to add highway lighting per Sandy City Standards where possible along US-89 from 11400 South to 10600 South. The Local Agency will procure and store the light poles, pole arms and luminaire heads until UDOT can pick them up. All equipment provided to UDOT by the Local Agency is required to meet Buy America Requirements (23 C.F.R. § 635.410). The Local Agency will provide UDOT with the necessary associated Material Certifications of Compliance when the material is picked up.

Bid Item No.	Description	Quantity	Estimated Unit Price	Estimated Cost
16525001	Highway Lighting System	1 Lump	\$ 114,583.13	\$ 114,583.13
Total Estimated Cost of betterment work		\$ 114,583.13		

The total estimated cost of the betterment work shall be advanced / deposited with **UDOT** prior to advertising or prior to the completion of the work, whichever is applicable. The **Local Agency** shall deposit the amount with **UDOT's** Comptroller's Office located at UDOT/Comptroller, 4501 South 2700 West, Box 141500, Salt Lake City 84119-1500.

In the event the actual betterment costs are higher, the **Local Agency** shall pay the additional amount required within 30 days of receiving an invoice from **UDOT**. In the event the actual betterment costs are lower, **UDOT** will refund the balance of the amount deposited within 30 days of determining the final cost of the betterment work.



Provisions

(Note: the language in these provisions shall not be changed without prior approval from the Utah AG's office)

UDOT has prepared plans, specifications and estimates of costs for the construction of the project, hereinafter referred to as the "Project."

The **Local Agency** desires to include the betterment work items described herein in the Project contract work.

UDOT is agreeable to include the **Local Agency's** requested betterment work in the Project contract providing that the **Local Agency** pay the actual additional costs incurred. The **Local Agency** agrees that UDOT's Project will not be delayed as a result of adding these betterments, and that no betterments will be added to the bid package until this agreement has been signed by both parties.

The **Local Agency**, at no cost to the Project, shall provide on-call support from **Local Agency's** Design Engineer or appropriate representative to correct or clarify issues during construction and to perform the necessary inspection for the **Local Agency** work installed by the contractor. The **Local Agency** engineer and/or inspector shall work with and through UDOT's Project Manager or Resident Engineer and shall give no orders directly to UDOT's Contractor unless authorized in writing to do so. It is agreed that UDOT's Contractor will accomplish the work covered herein on **Local Agency's** facilities in accordance with the plans and specifications provided by the **Local Agency**, including changes or additions to said plans and specifications which are approved by the parties hereto. The **Local Agency**, through their inspection of said work, will provide UDOT's Project Manager or Resident Engineer with information covering any problems or concerns the **Local Agency** may have with acceptance of said facilities upon completion of construction.

Any periodic plan and specification review or construction inspection performed by UDOT arising out of the performance of the project does not relieve the **Local Agency** of its duty in

the performance of this project or to ensure compliance with acceptable standards.

Except in cases of emergency It is understood that access for maintenance and servicing of the **Local Agency** facilities located on State right of way will be by permit issued by UDOT to the **Local Agency**, and that the **Local Agency** will obtain said permit and abide by the conditions thereof for policing and other controls in the conformance with Utah Administrative Rules.

I. Indemnification:

UDOT and the **Local Agency** are both governmental entities subject to the Governmental Immunity Act. Each party agrees to indemnify, defend, and save harmless the other from and against all claims, suits and costs, including attorneys' fees for injury or damage of any kind, arising out of its negligent acts, errors or omissions of its officers, agents, contractors or employees in the performance of this agreement, and from and against all claims, suits, and costs, including attorneys' fees for injury or damage of any kind. Nothing in this paragraph is intended to create additional rights to third parties or to waive any of the provisions of the Governmental Immunity Act. The obligation to indemnify is limited to the dollar amounts set forth in the Governmental Immunity Act, provided said Act applies to the action or omission giving rise to the protections in this paragraph. The indemnification in this paragraph shall survive the expiration or termination of this Agreement.

II. Termination:

This agreement may be terminated as follows:

- a. By mutual agreement of the parties, in writing
- b. By either UDOT or the **Local Agency** for failure of the other party to fulfill their obligations as set forth in the provisions of this agreement. Reasonable allowances will be made for circumstances beyond the control of the parties. Written notice of intent to terminate is required and shall specify the reasons for termination.



- c. By **UDOT** for the convenience of the State upon written notice to the **Local Agency**.
- d. Upon satisfactory completion of the provisions of this agreement.

III. Maintenance:

The **Local Agency** agrees that, upon completion and final inspection of the Project construction, to accept, own and maintain the betterment work covered herein at no further cost to **UDOT**.

IV. Payment and Reimbursement to UDOT:

The **Local Agency** shall be responsible for all actual costs associated with these betterment items.

The **Local Agency** agrees that if it modifies or cancels this betterment agreement at any time after it has been signed, the **Local Agency** agrees to pay any cancellation penalties or costs incurred by **UDOT** as a result of the betterment work scope being modified or cancelled. In the event the **Local Agency** fails to reimburse **UDOT** for the costs included in this betterment

agreement, funding for other **Local Agency** projects or B&C road funds may be withheld until the entire payment is made.

V. Change in Scope and Schedule:

The **Local Agency** recognizes that if their project scope or schedule changes from the original intent of this agreement, the **UDOT** Project Manager or Resident Engineer will be notified prior to changes being made. Any costs incurred by **UDOT** as a result of these scope or schedule changes will be the responsibility of the **Local Agency**.

In the event there are changes in the scope of the work, extra work, or changes in the planned work covered by this agreement, a modification to this agreement approved in writing by the parties hereto is required prior to the start of work on said changes or additions.

VI. Content Review:

Language content was reviewed and approved by the Utah AG's office on April 12, 2016.

Local Agency			Utah Department of Transportation		
By		Date	By		Date
Title/Signature of Official			Project Manager		
By		Date	By		Date
Title/Signature of additional official, if required			Region Director		
By		Date	By		Date
Title/Signature of additional official, if required			Comptroller's Office		

City Furnished Materials Cost Estimate

Extension Arms on Power Poles

No.	Description	Unit	Price	Qty	Cost
1	Arterial Street Light Mounted on Power Pole - City Furnished	Each	\$ 5,500.00	17	\$ 93,500.00
2	30' Luminaire Pole - City Furnished	Each	\$ 6,500.00		
City Furnished Materials Extension Arms on Power Poles - Subtotal					\$ 93,500.00

City Standard Light Poles

No.	DESCRIPTION	Unit	Price	Qty	Cost
1	Arterial Street Light Mounted on Power Pole - City Furnished	Each	\$ 5,500.00		
2	30' Luminaire Pole - City Furnished	Each	\$ 6,500.00	13	\$ 84,500.00
City Furnished Materials City Standard Light Poles - Subtotal					\$ 84,500.00

Extension Arms on Power Poles - Subtotal	\$	93,500.00
City Standard Light Poles - Subtotal	\$	84,500.00
Contingency (15%)	\$	26,700.00
Total City Furnished Materials Cost	\$	204,700.00

Betterment Cost Estimate

Extension Arms on Power Poles

No.	Description	Unit	Price	Qty	Cost
1	Installation of City Furnished Highway Luminaire Pole	Each	\$ 400.00		
2	Installation of City Furnished Highway Luminaire Arm	Each	\$ 250.00	17	\$ 4,250.00
3	RMP Service Connection (Luminaire Pole)	Each	\$ 2,500.00		
4	RMP Service Connection (Luminaire Extension Arm)	Each	\$ 250.00	17	\$ 4,250.00
5	Underground Service Pedestal	Each	\$ 2,500.00		
6	Junction Box	Each	\$ 1,025.00		
7	1" Conduit - PVC (1.5")	Foot	\$ 1.50		
8	RHH-USE2-RHW2, 6 gage	Foot	\$ 1.50		
9	Bare Copper Ground Wire, No. 6	Foot	\$ 1.50		
10	Grounding Rod 3/4" x 10"	Each	\$ 62.50		
11	Highway Luminaire Pole Foundation - 2.5' x 8' - by Vacuum Truck	Each	\$ 2,500.00		
12	1" Dia. x 36" Anchor Bolt w/ Hardware - Contractor Furnished	Each	\$ 25.00		
Extension Arms on Power Poles - Subtotal					\$ 8,500

City Standard Light Poles

No.	DESCRIPTION	Unit	Price	Qty	Cost
1	Installation of City Furnished Highway Luminaire Pole	Each	\$ 400.00	13	\$ 5,200.00
2	Installation of City Furnished Highway Luminaire Arm	Each	\$ 250.00		
3	RMP Service Connection (Luminaire Pole)	Each	\$ 2,500.00	4	\$ 10,000.00
4	RMP Service Connection (Luminaire Extension Arm)	Each	\$ 250.00		
5	Underground Service Pedestal	Each	\$ 2,500.00	4	\$ 10,000.00
6	Junction Box	Each	\$ 1,025.00	13	\$ 13,325.00
7	1" Conduit - PVC (1.5")	Foot	\$ 1.50	3,000	\$ 4,500.00
8	RHH-USE2-RHW2, 6 gage	Foot	\$ 1.50	6,000	\$ 9,000.00
9	Bare Copper Ground Wire, No. 6	Foot	\$ 1.50	3,000	\$ 4,500.00
10	Grounding Rod 3/4" x 10"	Each	\$ 62.50	13	\$ 812.50
11	Highway Luminaire Pole Foundation - 2.5' x 8' - by Vacuum Truck	Each	\$ 2,500.00	13	\$ 32,500.00
12	1" Dia. x 36" Anchor Bolt w/ Hardware - Contractor Furnished	Each	\$ 25.00	52	\$ 1,300.00
City Standard Light Poles - Subtotal					\$ 91,137.50

Extension Arms on Power Poles - Subtotal	\$	8,500.00
City Standard Light Poles - Subtotal	\$	91,137.50
Contingency (15%)	\$	14,945.63

Estimate for betterment agreement

Total Betterment Cost \$ 114,583.13

Summary (including PE costs)

Total City Furnished Materials Cost	\$	204,700.00
Total Betterment Cost	\$	114,583.13
PE Costs*	\$	17,142.67
Total Lighting Costs	\$	336,425.80

*Note: PE Costs are paid for by Sandy City through a separate contract directly with the consultant