

MINUTES
SANDY CITY COUNCIL MEETING
Sandy City Hall - Council Chambers #211
10000 Centennial Parkway
Sandy, Utah 84070

September 23, 2014

Meeting was commenced at 7:05 p.m.

PRESENT:

Council Members: Chairman Steve Fairbanks, Scott Cowdell, Kris Coleman Nicholl, Linda Martinez Saville, Chris McCandless, Stephen P. Smith, and Dennis Tenney.

Mayor: Tom Dolan

Others in Attendance: CAO Byron Jorgenson; Assistant CAO Scott Bond; Assistant CAO Korban Lee; Assistant to the CAO Communications Director Nicole Martin, City Attorney Walter Miller; Community Development Director Mike Coulam; Public Utilities Director Shane Pace, Public Works Director Rick Smith, Economic Development Director Nick Duerksen; Deputy to the Mayor John Hiskey; Police Chief Kevin Thacker; Fire Chief Bruce Cline, Parks & Recreation Director Scott Earl; Administrative Services Director Art Hunter; Assistant Administrative Services Director Brian Kelley; Council Office Director Phil Glenn; Council Office Director Mike Applegarth; Council Office Manager Pam Lehman

1. **OPENING REMARKS/PRAYER/PLEDGE:**

The prayer was offered by **Boy Scout Braydon Burnett of Troop #978**, and the Pledge was led by **Boy Scout Brock Ostmar**, also of **Troop #978**.

2. **CITIZEN(S) COMMENTS:**

- a. **Steve Van Maren**, 11029 Lexington Circle, Sandy, felt that the City could save a substantial amount of money if they implemented a 3% step increase in December that is applied the rest of the fiscal year for Police Department pay increases.
- b. **Charlotte Jordan**, 11605 Hidden Valley Boulevard, Sandy, Chairman of the Board for the American West Symphony, expressed appreciation to the Mayor and Council for their support in the Sister Cities program. Members of the coalition will be visiting Reisa Germany next week with Joel Rosenberg who will conduct three concerts during their visit.

Dennis Tenney thanked Charlotte Jordan for her tireless efforts. The City is fortunate to have her.

COUNCIL ITEM(S):

3. **Resolution of Intent to Annex – Nebeker Annex app. 2513 E 10000 S, [app. 9800 S – 10000 S; 2500 E – 2600 E]**

Resolution #14-54C – Intent to annex an unincorporated area, setting a hearing to consider such an annexation, and directing publication of hearing notice.

Motion: **Dennis Tenney** made the motion to adopt **Resolution #14-54 C**, intent to annex an unincorporated area, setting a hearing to consider such an annexation, and directing publication of hearing notice.

Second: **Kris Nicholl**

Vote: **Tenney-yes, Nicholl-yes, Smith-yes, McCandless – yes, Saville – yes**

Cowdell – yes, Fairbanks – yes.

Motion Approved: All in favor

4. **Private Roads Ordinance Ratification**

Ordinance #14-29- Amending Title 15A of the revised ordinances of Sandy City (The Land Development Code), 2008, by amending Chapter 15, "Sensitive Area Overlay Zone", Chapter 21, "Subdivision Design Standards" Chapter 30, "Subdivision Review", and Chapter 37, "Definitions", relating to regulations to private roads and associated development improvements for new subdivisions; also providing a saving clause and effective date for the ordinance.

Motion: **Chris McCandless** made the motion to adopt **Ordinance #14-29**- Amending Title 15A of the revised ordinances of Sandy City (The Land Development Code), 2008, by amending Chapter 15, "Sensitive Area Overlay Zone", Chapter 21, "Subdivision Design Standards" Chapter 30, "Subdivision Review", and Chapter 37, "Definitions", relating to regulations to private roads and associated development improvements for new subdivisions; also providing a saving clause and effective date for the ordinance.

Second: **Dennis Tenney**

Vote: **McCandless – yes, Tenney-yes, Saville-yes, Cowdell-yes, Nicholl-yes, Smith – yes, Fairbanks – yes.**

Motion Approved: All in favor

5. **Computer Aided Dispatch Resolution**

Resolution #14-56C – Resolution of the Sandy City Mayor and Sandy City Council, agreeing to support a single computer-aided dispatch system, through engaging a consultant to assist the consultant selection committee with equal representation on the committee from Salt Lake City and from VECC (Valley Emergency Communications Center) to select a public safety communications vendor.

Discussion: **Kris Nicholl** asked for an explanation on the Computer Aided Dispatch resolution.

John Hiskey reported that Representative Brad Dee devised a bill establishing a fund for communities who operate under one emergency operating center and one computer software operating system to draw from. There are two major systems in the Salt Lake Valley; Spillman and Versatran. The resolution calls for an RFP to be judged by the Valley Emergency Communication Center (VECC) who will make a recommendation for a single software operating system.

Steve Fairbanks asked if the consultant would help assist the Consultant Selection Committee.

John Hiskey stated that parties involved do not want any bias in the decision process since this is a technical issue.]

Mayor Dolan stated that Sandy chose to go with Salt Lake City. The goal is to have two centers who will communicate with one another.

Motion: **Dennis Tenney** made the motion to adopt **Resolution #14-56C** – Resolution of the Sandy City Mayor and Sandy City Council, agreeing to support a single computer-aided dispatch system, through engaging a consultant to assist the consultant selection committee with equal representation on the committee from Salt Lake City and From VECC (Valley Emergency Communications Center) to select a public safety communications vendor.

Second: **Linda Martinez Saville**

Vote: **Tenney-yes, Saville-yes, Cowdell-yes, Smith-yes, Nicholl-yes, McCandless – yes, Fairbanks – yes.**

Motion Approved: All in Favor

6. **Home Occupations, Massage Businesses**

Resolution #14-55C – Resolution invoking the pending ordinance doctrine pertaining to massage as a home occupation in Sandy City and providing an effective date.

Discussion: **Wally Miller** reported that the Administration is asking the Council to invoke pending ordinance doctrine as the Home Occupation, Massage Businesses ordinance is being developed to restrict the ability of massage businesses encroaching into residential neighborhoods. This profession is licensed by the State where most are run very professionally. The City has recently had a number of these businesses coming into the City; some which are advertized on illicit internet sites. The City has denied or revoked three business licenses in the past three months based on Police Department investigations. This is an extremely serious issue to the City.

Dennis Tenney asked Mr. Miller to explain the pending ordinance doctrine.

Wally Miller noted that a new business would no longer be allowed to establish a business under the guidelines of the current ordinance.

Motion: **Dennis Tenney** made the motion to adopt **Resolution #14-55C**, Resolution invoking the pending ordinance doctrine pertaining to massage as a home occupation in Sandy City and providing an effective date.

Second: **Linda Martinez Saville**

Discussion on the Motion:

Steve Smith asked the Administration how long the process would take.

Wally Miller thought that the process could take up to two months to complete. The ordinance is good for up to six months.

Scott Cowdell asked if adoption of the ordinance would revoke licenses already in effect.

Wally Miller stated that it would not revoke existing licenses. Almost all massage businesses are professional. People with current licenses will not be revoked or denied renewal unless it is proven that something illegal is going on. Adoption of this ordinance would restrict the ability of certain kinds of massages in neighborhoods.

Vote: **Tenney-yes, Saville-yes, Smith-yes, Cowdell-yes, Nicholl-yes, McCandless – yes, Fairbanks – yes.**

7. **Pan Handling**

Ordinance #14-28 – Amending the Sandy City Traffic Code by amending Article 16, “Pedestrians” by adding a new section 297.1, relating to unlawful to transfer on a highway; also providing a saving clause for the ordinance and an effective date.

Discussion: **Steve** asked the Council to table the adoption of the Pan Handling ordinance for further review. He would like to make sure that citizen’s rights of expression are not being placed at risk; and for the City to avoid the risk of having the ordinance overturned.

Wally Miller felt that the Council could look into dealing with traffic problems rather than restricting people from expressing themselves.

Steve Smith thought that pictures or videos where pan handling occurs could be helpful in determining impacts on traffic and hazards to pedestrians and drivers.

Kevin Thacker was not certain that photos or videos were available. There are places in the city where this activity is more prevalent than others.

Chris McCandless agrees with the delay. He struggles when he sees panhandlers on the street. It is humbling to him when he sees individuals working very hard at something he would never do. He does not want to see the many people who desperately need our assistance to be limited because of one gentleman who is offensive to a few.

Motion: **Scott Cowdell** made the motion to table Ordinance #14-28, Pan Handling for further review and discussion with no date certain.

Second: **Linda Martinez Saville**

Vote: **Cowdell-yes, Saville-yes, Tenney-yes, McCandless – yes, Nicholl-yes, Smith – yes, Fairbanks – yes.**

Motion Approved: All in Favor

8. **MAYOR’S REPORT**

a. **Mayor Dolan** reported that City Recorder Molly Spira was named City Recorder of the Year for the State of Utah. He attended several press conferences announcing the Fire Department’s Program to help prevent falls in elderly people and announcing Salt Lake Valley “Ski City USA” promotion.

9. **CAO'S REPORT**

- a. **Byron Jorgenson** expressed appreciation to the Council for their comments on the Police Compensation Fund and their understanding. Both Parks Department and Public Works are making efforts to clean weeds in park strips and islands in the City.

11. **COUNCIL OFFICE DIRECTOR'S REPORT**

- a. **Phil Glenn**- Parks and Public Works are also working to clean up major intersection triangles and freeway interchanges. He explained a disclosure on the hiring of a consultant for the trail corridor near the canal at the southern entrance to the Real Stadium. Phil complimented the Council on their selection of Mike Applegarth as the new Council Office Director, as well as the selection of Verene Froisland as the new Executive Secretary.

Mike Applegarth expressed his appreciation to Phil for the professional manner he has taken in the transfer of his responsibilities. He appreciates his willingness to share the smallest details and knowledge of past projects and impacts on the City.

12. **OTHER COUNCIL BUSINESS**

Dennis Tenney received calls last Saturday from constituents complaining about being unjustly ticketed for parking on 9400 South during football games at the Mount Jordan field. He called the police department and was connected to the Salt Lake dispatch center. He was unable to leave a message. He asked if there was a way to reach a live person on the weekend rather than a recording.

Kevin Thacker reported that people are parking in a travel lane in the area between 150- 300 East on 9400 South. Police only site vehicles that are blocking the lane of travel. There is no reason to install no parking signs since this is a travel lane. He will contact Salt Lake City again about the recording. He was not aware that this was still taking place.

Linda Martinez Saville stated that people are parking all the way up to the Trax station on both sides of 9400 South.

Chris McCandless- complimented Scott Sabey and the significant benefit he is as the Planning Commission chairman.

Phil Glenn reminded the Council of next week's tour at Fire Station 31 at 4:30 p.m.

Mayor Dolan reported that the Jordan High and Alta High football game will be held this Friday evening at Real stadium at 7:30. The suite is available if anyone would like to come and bring their families.

At approximately 8:00 p.m., **Scott Cowdell** made a motion to adjourn Council Meeting, motion seconded by **Dennis Tenney** .

The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.

Steve Fairbanks
Council Chairman

Pam Lehman
Council Office Manager Xm092314.min