

Meeting called by: Chairman Chris McCandless

Note Taker: Pam Lehman

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

Administration: Mayor Tom Dolan, CAO Byron Jorgenson, Deputy Mayor John Hiskey, Assistant CAO Scott Bond, Assistant CAO Korban Lee, City Recorder Molly Spira, Deputy City Recorder Wendy Downs, Director of Human Resources Katrina Frederick, Administrative Services Director Brian Kelley, Public Utilities Director Shane Pace, Public Works Director Rick Smith, Community Development Director Mike Coulam, Development Services Manager Doug Wheelwright, Council Office Director Mike Applegarth

City Council Meeting

1. Opening Remarks/Prayer/Pledge

Public Utilities Director Shane Pace offered the prayer. **Boy Scout Tyler Halbertson**, from Troop 1165, led the audience in the Pledge.

2. **Citizen Comments**

Police Chief Kevin Thacker reported that their family put their dog down this past week. He praised the Animal Control people for the concern and compassion shown to their animal and family. He believes the Council will be very impressed with Staff as the shelter transitions to a no kill shelter. He stated "they are really good people".

Steve VanMaren, 11039 Lexington Circle, would like more information on the Memorandum of Understanding (MOU) with Hale Center Theatre, and what is covered in the agreement.

Scott Bond- the MOU will act as a template for the lease.

Citizen Comments was closed.

Special Presentation

3. **Fire Department Special Recognition**

Fire Chief Bruce Cline officially appointed Zane Christensen as an Honorary Fire Fighter. Mr. Christensen broke in and rescued the occupant from their burning home in Pepperwood.

Consent Calendar

4. May 26, 2015 Planning Meeting Minutes
5. May 26, 2015 City Council Meeting Minutes
6. June 2, 2015 Planning Meeting Minutes
7. June 2, 2015 City Council Meeting Minutes

Motion: Steve Smith made the motion to adopt the items on the consent calendar.

Second: Steve Fairbanks

Vote:

Smith-yes,
Fairbanks-yes,
Nicholl-yes,
Tenney-yes,
Saville-yes,
Cowdell-yes,
McCandless-yes

Public Hearings

8. Public hearing to receive input with respect to the issuance of approximately \$46,500,000 of Sales Tax Revenue Bonds to finance a performing arts theater, and final approval by the Council.

Brian Kelly reported that back on May 19th, the City Council adopted a resolution authorizing the issuance of the sales tax revenue bonds. The public hearing was noticed for a 30 day period providing a period where the public could contest the issuance of the bonds.

The Public hearing was opened. As there were no comments, the hearing was closed.

Council discussion followed.

Motion: Stephen Smith moved that pursuant to Section 147 of the Internal Revenue Code of 1986, we approve the issuance of the City's proposed Sales Tax Revenue Bonds, Series 2015 (the "Bonds"), in the principal amount of not to exceed \$46,500,000.00

Second: Kris Nicholl

Vote:

Smith-yes,
Nicholl-yes,
Fairbanks-yes,
Tenney-yes,
Saville-yes,
Cowdell-yes,
McCandless-yes

Motion: Steve Fairbanks made the motion to modify the agenda by moving item #14 as the next item for adoption by the City Council in order to facilitate the issuance of the bonds.

Second: Dennis Tenney

Vote: The Council responded verbally in the affirmative to the motion.

14. Consideration of Resolution #15-75C authorizing the execution of a lease agreement by and between Hale Centre Theatre, a Utah non-profit corporation and Sandy City, and related matters.

Motion: Steve Fairbanks made the motion to adopt Resolution #15-75C authorizing the execution of a lease agreement by and between Hale Centre Theatre, a Utah non-profit corporation and Sandy City, and related matters.

Second: Dennis Tenney

Discussion on the Motion:

Mr. Smith felt that it would be appropriate for Mr. Tenney to declare his conflict of interest.

Dennis Tenney stated that his son serves on the Hale Center Theatre board, and that no conversations have been entertained. He would be willing to recues himself from the vote if the Council believes there is a conflict.

Steve Fairbanks felt that Mr. Tenney needed to mention this, but that he did not need to recues him from the vote.

Chris McCandless asked the Council if they were good with Mr. Tenney’s disclosure. The Council unanimously stated “aye”. The City Council determined that Mr. Tenney would not need to recues himself from the vote.

Vote:

Fairbanks-yes,
Tenney-yes,
Cowdell-yes,
Saville-yes,
Smith-yes,
Nicholl-yes,
McCandless-yes
Smith-yes,
McCandless-yes

9. Sandy City Council will consider a request submitted by Dr. Glen Taylor, DDS, requesting the City to rezone approximately 0.29 acres of property from the R-1-8 “Single-Family Residential District” to the CN “Neighborhood Commercial District”. The subject property is located at approximately 675 East 9950 South Street, which is the northwest corner of the intersection of 9950 South Street and 700 East Street.

Doug Wheelwright noted that this was a request to rezone property for the development of a dental clinic. A neighborhood meeting was held along with a public hearing with the Planning Commission. Staff and Planning Commission are recommending approval of the rezoning.

The public hearing was opened then closed as there were no comments.

Motion: Dennis Tenney made the motion to have documents brought back to approve the rezone of approximately 0.29 acres of property from the R-1-8 “Single-Family Residential District” to the CN “Neighborhood Commercial District”, located at approximately 675 East 9950 South Street, northwest corner of the intersection of 9950 South Street and 700 East Street.

Second: Linda Martinez Saville

Vote:

Tenney-yes,

Saville-yes,
Cowdell-yes,
Smith-yes,
Nicholl-yes
Fairbanks-yes,
McCandless-yes

10. Sandy City Council will consider a request to review an application submitted by Mr. Kenny P. Nichols, Architect, of Think Architecture, representing Worker's Compensation Fund, abutting property owner at approximately 110 W. Albion Village Way. He is requesting Sandy City to consider vacating a second portion of Albion Village Way, located between the Neuroworx Physical Therapy Clinic project now under construction and the Albion Village Condominium Project. Doing so will allow the further re-alignment and re-dedication of a portion of Albion Village Way in a future subdivision amendment action.

Doug Wheelwright reported that this was a request from Worker's Compensation Fund to vacate the second portion of Albion Village Way. The first vacation was to facilitate the development of the Neuroworx physical therapy clinic. Staff and the Planning Commission unanimously recommend the vacation.

Mike Willard, representative from Workman's Comp, thanked City Staff for helping them achieve something that works well for the City and development.

The public hearing was opened then closed as there were no comments.

Council discussion followed.

Motion: Dennis Tenney made the motion to authorize the vacation of the second portion of Albion Village Way located between the Neuroworx physical therapy project now under construction and the Albion Village condominium project to facilitate the realignment and rededication of a portion of Albion Village Way in a future subdivision amendment action to facilitate traffic through the area.

Second: Stephen Smith

Vote:

Tenney-yes,
Smith-yes,
Nicholl-yes,
Saville-yes,
Fairbanks-yes,
Cowdell-yes,
McCandless-yes

11. General Plan Amendment – Sandy City Council will consider a request to amend the Sandy City

General Plan with an update to the Southtowne Automall Master Plan.

Mike Coulam spoke on behalf of items #11 & 12 on the agenda; the General Plan Amendment for the Southtowne Automall Master plan, and the code amendment hearing to amend Title 15A, Chapter 23, Commercial, Office, Industrial, & Transit Corridor Development Standards, Land Development Code, Revised Ordinances of Sandy City, 2008, to update the regulations related to the Automall Dealership and Commercial Sub-Districts.

Mike Coulam introduced Cory Nanaman, Chairman of the Auto Dealership, and Jeff Miller from Miller Subaru. The auto mall is old and in need of updates, and manufactures are requiring auto dealers to hold more inventory on their properties. IBI was hired to design the master plan for the auto mall. The master plan reflects the City's goals for a new set of standards and modifications for the area. Staff would like to refine the master plan prior to bringing it back for adoption.

Cory Nanaman, 10905 South Automall Drive, President of the South Towne Automall Association, expressed appreciation to Staff and IBI for the redesign of the auto mall area. This will be a great rejuvenation for the automall and Sandy City.

Chairman McCandless opened then closed the public hearing as there were no comments.

Council discussion followed.

Motion: Dennis Tenney made the motion to amend the Sandy City General Plan with an update to the Southtowne Automall Master Plan as recommended and presented by Staff.

Second: Linda Martinez Saville

Vote:

Tenney-yes,

Saville-yes,

Cowdell-yes,

Smith-yes,

Nicholl-yes,

Fairbanks-yes,

McCandless-yes

12. Code Amendment – Sandy City Council will consider a request to amend Title 15A, Chapter 23, Commercial, Office, Industrial, & Transit Corridor Development Standards, Land Development Code, Revised Ordinances of Sandy City, 2008. The purpose of the Code Amendment is to update the regulations related to the Automall Dealership and Commercial Sub-Districts.

Motion: Dennis Tenney made the motion to have documents brought back to amend Title 15A, Chapter 23, Commercial, Office, Industrial, & Transit Corridor Development Standards, Land Development Code, Revised Ordinances of Sandy City, 2008, to update the regulations related to the Automall Dealership and Commercial Sub-Districts.

Second: Linda Martinez Saville

Discussion on the Motion:

Stephen Smith asked if Staff had an anticipated time frame when they would like to bring this back for adoption.

Chris McCandless would like this brought back for adoption at the June 23rd Council meeting.

Stephen Smith stated that the motion on the floor should be amended to include that this item be tabled for two weeks.

Dennis Tenney stated that his motion was not time specific so a revision was not necessary.

Mike Coulam asked that the motion state that the ordinance be brought back with the recommended amendments by Staff and the Council.

Dennis Tenney stated that he would amend his motion to have the ordinance brought back with the recommended amendments by Staff and the Council.

Vote:

Tenney-yes,

Saville-yes,

Smith-yes,

Cowdell-yes,

Nicholl-yes,

Fairbanks-yes,

McCandless-yes

13. Continued from June 2, 2015: Consideration of Resolution #15-74C granting preliminary approval of its tentative annual budget for the fiscal year commencing July 1, 2015 and ending June 30, 2016, including proposed compensation and staffing changes; also adopting a proposed tax rate on all real and personal property in Sandy City, subject to a Truth-in-Taxation hearing.

Chairman Chris McCandless opened the public hearing.

Steve VanMaren, 11039 Lexington Circle, noted that the proposed 4% tax increase would only raise \$300,000 + dollars. He would like the City to raise at least one million dollars in taxes to make it worthwhile. He recommended that the Council wait and do the tax increase next year.

Maren Barker, 8013 South Pinewood Drive, felt that a 4% tax increase would only raise a minimal amount of money that can already be accounted for in the budget. There are projects that are not necessary and that do not need to be completed this year.

Chris McCandless reported that this year's budget proposal includes a 4% property tax increase. The public hearing for the Truth and Taxation hearing is scheduled for August 4th.

Bruce Blanchard, 8802 Shady Meadow Drive, believes the Council should help the Mayor keep his record of no property tax increases in the City. He recommended that there be no property tax increase

this year.

Mark Randall, 1830 East Willow Glen Circle, agreed with Mr. Blanchard's comments. He is pleased with City services and the quick response from our Police and Fire Departments, and does not believe the City needs a tax increase.

The public hearing was closed.

Council Discussion followed.

Maren Barker, noted that the University of Utah and BYU law schools have interns that the city could partner with that could be utilized at no cost.

Councilman Fairbanks indicated that the Council already considered this.

Motion: Stephen Smith made the motion to amend the Tentative Budget as follows: decrease the contingency line item in the non departmental funds by \$50,000; increase the following line items in the council executive staff budget: Professional Services by \$15,000, furniture by \$5500, meetings by \$4500, and temporary seasonal pay by \$25,000.

Second: Chris McCandless

Discussion on the motion:

Scott Cowdell believes that Mr. Smith's motion is a step in the right direction. He would like to ask Mike Applegarth and the Council Office staff to continue to look into funding for a full time position. He would like to hire an intern for 6 months to determine if this is a worthwhile position to help accommodate the Council's needs.

Dennis Tenney believes that the Council should look into using interns. He would like Council staff to reflect on the short and long term needs of the office to determine if an intern is necessary.

Stephen Smith will work with Mike Applegarth and bring back recommendations to the Council.

Vote:

Smith-yes,
McCandless-yes,
Nicholl-yes,
Fairbanks-yes,
Tenney-yes,
Saville-yes,
Cowdell-yes,

Motion: Steve Fairbanks made the motion to adopt **Resolution #15-74 C**, granting preliminary approval of the Tentative Budget of Fiscal Year 2015 -2016, subject to a Truth and Taxation hearing.

Second: Chris McCandless

Vote:

Fairbanks-yes,
McCandless-yes,
Nicholl-yes,
Smith-yes,

Tenney-yes,
Saville-yes,
Cowdell-yes.

15. Open Meetings Act Discussion: Closed Session Requirements

City Attorney Rob Wall briefed the City Council on the Open Meetings Act. He encouraged the Council to go to the Utah League of Cities and Towns website and review the Legislative Office of Research and General Council from the State of Utah. He also encouraged the Council to attend the Utah League of Cities and Towns fall meeting and attend one of Dave Church's presentations on the open meetings act.

16. Potential Closed Session: Character, Competency, Physical or Mental Health of an Individual

Motion: Stephen Smith made a motion to adjourn City Council meeting and move into a closed meeting to discuss character, competency, physical or mental health of an individual.

Second: Kris Nicholl

Vote:

Smith-yes,
Nicholl-yes,
Fairbanks-yes,
Tenney-yes,
Saville-yes,
Cowdell-yes,
McCandless.

Chris McCandless, Chairman
Sandy City Council

Pam Lehman
Council Office Manager