

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

July 22, 2014

Meeting was commenced at **7:10 p.m.**

PRESENT:

Council Members: Chairwoman Linda Martinez Saville, Kris Coleman Nicholl, Steve Fairbanks, 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; Assistant Community Development Director James Sorensen; Development Services Manager Jared Gerber; 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 Manager Pam Lehman

ABSENT/EXCUSED:

Scott Cowdell [family]

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

The prayer was offered **Cannon Rudd**, and the Pledge was led by **Parker Rudd**, visiting from Hong Kong.

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

- a. **Steve Van Maren**, 11039 Lexington Circle, expressed appreciation to the City for the “great” 4th of July celebration. He would like to see an expansion in the number of booths available for next year’s event. It appears that the population growth estimates appear to be based on the linear projection over the next 28 years. Considering that the City is not yet on that path, based on the last four years of information, he felt that the numbers were too aggressive, since the Impact Fee Study is a five year plan. He does not believe that the City will be there in five years. They went from 100 units per year to 512 units a year starting this year and next year. That projection would disrupt the numbers. He would like to see the Impact Fee Study tabled for further study.

PUBLIC HEARING(S):

3. **Police Department Grant Application- Justice Assistance Grant [JAG]**

Public Hearing regarding a Justice Assistance Grant application through the Bureau of Justice Assistance to pay for training officer computer tablets, photocopier, laser printer, wireless keyboards, evidence storage unit, rifle conversion kits, and software licenses. Residents are encouraged to attend the hearing and offer input concerning the grant expenditure. Comments or questions may be submitted up to 30 days from this posting to Terry Cummings, Sandy City Police Department, 10000 Centennial Parkway, Suite 111, Sandy, Utah 84070.

Discussion: Police Chief Kevin Thacker reported that the Police Department received approximately \$27,000 from the JAG grant that his department applied for. They would like to purchase 10 computer tablets. With the new record system when they are training officers, they need to come back to the office to do their reports on the evaluations of the people they are training. They cannot sit in the vehicles since the recruits are using the vehicle computers. Purchase of the tablets will allow them to sit in the vehicle and put all of the information into the tablet and download onto a computer. They would like to purchase two patrol bikes. The current bikes are 10 years old. They would like to update. They would like to purchase a photo copier in the investigation division. The one that they have presently is so old that they cannot get a maintenance agreement on the machine. They would like to purchase a laser printer for Evidence. With the RMS the officers go back into the evidence area to book evidence and do work on the computer there then back to the patrol room to get a copy of their report. They

would like have one for that room. They would like to purchase wireless keyboards. They ask officers to stay in their vehicles to do their reports. When they have to lean across to type on a keyboard on a computer, it can get uncomfortable. They can put the keyboard in their laps and type as they look at the computer rather than reaching across to do that. They need a new storage unit for CD evidence. They would like to purchase five new rifle conversion kits. It converts their 223 guns down to a 22. They can get the 22 rounds cheaper than the 223 rounds for training scenarios. They would like to purchase three Adobe software licenses. They use Adobe to scan witness statements, handwritten documents by officers, and redact information that people do not have the legal right to access.

Chris McCandless asked what RMS stood for.

Kevin Thacker stated that RMS stands for Record Management System.

Kris Nicholl asked how much an Adobe license costs.

Kevin Thacker stated \$300.00.

Chairman Fairbanks opened the public hearing.

Steve Van Maren, 11039 Lexington Circle, spoke with Chief Thacker before the meeting and answered all of his questions. The bicycles were not in the notice. Are these items in the current year fiscal budget?

Chief Thacker stated that the items are not budgeted since they will be paid for out of the JAG grant.

Steve Van Maren noted that \$270,000 is budgeted as grant money and this is a typical grant. These items should have been high priority that they would be listed in the current budget. If they are important they should be in the budget.

Steve Smith stated that these items could be listed under the Equipment Management fund if it were in the budget, not necessarily within the Police Department budget.

Phil Glenn noted from time to time although this may not have been in the budget, when grant revenue is recognized the budget can then be opened and additional revenue added. You cannot put money into the budget if you do not know you are going to get the grant. So it is not unreasonable for the Police Department to do what they did.

Dennis Tenney stated that the Police Department is making sound recommendations. They did not have this listed in the budget because they were not certain the grant would be awarded.

Linda Martinez Saville asked if the Council needed to make a motion on this item.

Phil Glenn stated that the Council would need to make a motion accepting the Mayor's application for the JAG grant.

Stephen Smith noted that Mr. Van Maren's questions was not to the propriety of using the grant on these particular items rather to know if this has already been funded some other place in the budget, and do we now have money that is available in the budget. He felt that the Administration should look in the Equipment Management Fund to make certain that these items have not be funded in the budget.

Mayor Dolan noted that part of the requirements for obtaining the JAG grant is for the City to hold a public hearing.

Chairman Fairbanks closed the Public Hearing.

Council Discussion:

Stephen Smith asked Chief Thacker if there had been discussion with the IT Department on transferring the CD's to a file server rather than storing them in a cabinet.

Chief Thacker stated that they already transfer a lot of this information on several servers, photos, cameras, in car cameras. This is for pictures that need to be sent to Court for evidence. They have not discussed putting these on a server based on the cost of another server. They could certainly look into that. To his knowledge, none of the items that their department is requesting through the JAG grant was budgeted for in this year's budget. This was extra.

Motion: **Chris McCandless** made the motion to support the Police Department's JAG grant application as presented by Chief Thacker and discussed.

Second: **Kris Nicholl**

Discussion on the Motion:

Stephen Smith indicated that comments and questions regarding the grant may be submitted up to 30 days. He would suggest that the Council incorporate that recommendation into the motion. He was not certain when the 30 day period ends.

Chris McCandless noted that he would accept Mr. Smith's amendment.

Second: **Dennis Tenney**

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

4. **Loridan Lane Rezoning**

Public Hearing to consider a request submitted by Mr. Lee Baumann to rezone approximately 11.91 acres from the R-1-12 "Single Family Residential District" to the R-1-10 "Single Family District". The property is located at approximately 10310 South Loridan Lane (comprising lots and property to the west of Loridan Lane, and 4 lots on the east side of 2505 East/Sunderland Circle).

Discussion: Development Services Manager Jared Gerber presented a brief overview of the following Staff report.

Chairman Fairbanks opened the public hearing.

Lee Bowman, 10310 South Loridan Lane, expressed appreciation for the work of the Planning Commission. He has obtained all of the signatures on the lots affected except for one who is residing in New York. If everyone built 20 feet they would still have 165 feet between the homes and the closest structure. A few of the residents have expressed interest in adding additions onto their homes. This zone change might help them. He expressed appreciation to the Council for their consideration.

Wayne Windsor, Engineer Maintenance Manager for Metropolitan Water District, clarified that the 125 foot sloth of land between the two developments is fee owned land by the metropolitan water district and that it is not an easement. They are neither for nor against the proposed rezone provided that it does not preclude the District from having an open corridor and putting the fence on the property line if they so choose to do so in the future if they had to replace the pipe in the future.

Chairman Fairbanks closed the public hearing.

Council Discussion:

Stephen Smith asked if there is some administrative reason why we went through the rezone process instead of having the developer just ask for a variance.

Jared Gerber noted requesting a variance would require a legal hardship which either has to do with topography, lot size, or shape which the developer would not meet. It could have gone before the Board of Adjustment but he does not think that Staff would have recommended that based on the definition of a legal hardship.

Motion: **Dennis Tenney** made the motion to have documents brought back adopting the Loridan Lane Rezone rezone approximately 11.91 acres from the R-1-12 "Single Family Residential District" to the R-1-10 "Single Family District", located at approximately 10310 South Loridan Lane (comprising lots and property to the west of Loridan Lane, and 4 lots on the east side of 2505 East/Sunderland Circle) as proposed by Staff and the Planning Commission.

Second: **Linda Martinez Saville**

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

Motion approved: 6 in favor- 1 absent

5. **Public Hearing Annex- Oak Valley Drive**

The Sandy City Council will hold a public hearing on the proposed annexation of Oak Valley Drive. The Sandy City Council has adopted a resolution indicating its intent to annex an unincorporated area, located at approximately 8857 South Oak Valley Drive in Salt Lake County, into the Municipality of Sandy City. The City Council will annex the area unless written protests to the annexation are presented at the public hearing, or are filed by 5:00 p.m. on the day of such hearing, with the Sandy City Recorder, Suite 311, Sandy City Hall, 10000 Centennial Parkway, Sandy Utah, by the owners of private real property that: a) is located within the area proposed for annexation b) covers a majority of the total private land area within the entire area proposed for annexation; and c) is equal in value to at least ½ the value of all private real property within the entire area proposed for annexation. The area under consideration for annexation comprises approximately 45.1 acres and is being proposed to annex into the City with the R-1-10 Zone. Questions may be directed to James Sorensen in the Community Development Department.

Discussion: Assistant Community Development Director James Sorensen presented a brief description of the following Staff report.

Mr. Sorensen noted that currently, the City received additional information with 78% of the residents consenting to this annexation. There are 49 people who are non consenting to the annexation. This would make the percentages at 61.4% consenting in favor, and 31.6% non-consenting. The property is currently zoned A-1 in Salt Lake County. The Council has developed under the A-1 requirements and they require that properties have at least 10,000 sq. ft. as a minimum. As Staff reviewed and did a minimum on lots sizes, it matches very well with the City's R-1-10 Zone.

Staff is recommending that the property be rezoned to the R-1-10 Zone. The Planning Commission heard the annexation request and considered many things on July 17th. They recommended that the property be annexed into Sandy City and zoned to the R-1-10 Zone. Staff is recommending that the Oak Valley annexation be approved based upon the finding listed in the Staff report.

Chairman Fairbanks opened the public hearing.

Joseph Hatch, 5295 South Commerce Road, Suite 200, Murray Utah, Attorney retained by the Millcreek Community Counsel to advise them on legal issues regarding the Oak Valley Annexation. He e-mailed to Staff his legal analysis of the annexation (Ref: Exhibit A). Several people tried to reach staff today and were unsuccessful in obtaining information. One of the pieces of information they were not able to get was under Sandy City's Annexation plan or policies requiring Sandy City to have an impact statement on this annexation. They were trying to get a copy of the annexation impact statement and were unable to locate it or if it was prepared. One change in his letter is that he found out that there were several legal notices sent out and published and mailed, and the one that he attached does not comply with statute. The one he saw that was published in the paper does comply. The annexation requires two things for this process if we are using the petition process there would not be this confusion. It is using a new form in Section 4-1-8 which requires that sandy city has to provide municipal service for a year. He asked if they had a copy of the letter from Carl Hendrikson, attorney for the UFA claiming that Sandy City does not provide fire services within the meaning of the statute, and in fact, it is UFA that is providing the services choosing to do that through a contract.

Steve Faribanks stated that the Council had seen the letter.

Mr. Hatch noted that the land has to be contiguous to Sandy. It must be a contiguous peninsula which is a defined term under the statute this is not a peninsula. Sandy city does not comply with the two significant requirements in order to use Section 418.

Bill Gooley, 2991 Valentine Road, thanked the Council for allowing him to speak on behalf of the typical homeowners in the Oak Valley annexation proposal. Two important issues occurred, first, the Willow Creek Community Counsel a member of the Salt Lake County Association of Community Councils stated early on from their president with their homeowners attending a meeting, that they were going to remain neutral and that they would leave it up to the homeowners to decide for themselves on annexation into Sandy City. The Willow Creek

community counsel has become very hostile in the residents annexation efforts. They have sent e-mails and mailers to the residents with false information. The residents have asked them in person and in e-mails to correct their errors, and the community counsel has refused since it is not in their best interest. He is personally appalled and outraged by their actions, which include, intimidation and bullying of the homeowners. They do not represent the will of the majority of the homeowners on this proposal. 61.4% or 78 out of 120 homeowners have overwhelmingly voted to take the Willowcreek Community Counsel to task and emphatically stated their overwhelming disapproval to be annexed into Sandy City and to become residences in one of the best cities in Utah. The information that was given to the residents by the advocates for annexation were corroborated by Sandy City and every fact was carefully sourced, verified and confirmed. He expressed appreciation to all of those involved for their assistance and efforts in this annexation proposal to Sandy City. The majority of the homeowners look forward for the Council's vote of approval without delay of the Oak Valley annexation into Sandy City.

Tim Miller, 2998 East Valentine Road, strongly support the annexation proposal. They have lived in their home for 20 years. The service level from the Council has steadily declined. They are looking forward to become residents in Sandy City and to see improved services that include plowing of the cul-de-sac that they live on, which one out of every three snows tends not to get plowed until the last minute. Two of the last four weeks they have not had their trash picked up. When the county proposed moving the trash pick up to a private for profit agency, we expected that our taxes would go down. They now have to pay a fee for that service. He has a neighbor there was a flood in the area a few years ago. His neighbor had to spend 20,000 to salvage his back yard. The county was not willing to help he had to do it out of his pocket. Sandy city did help the neighbors by the creek that had problems. It is indicative of the higher level of service that they as homeowners would have if they become part of sandy city. They are looking forward to a better level of service. Even if they have to pay a few more dollars in taxes, they think it would be worth it.

Connie Merrell, 8626 Tracy Drive, read a letter into the record from Carl Hendriksen.

Drake Powell, 8307 Hollow Cove, does not live in the annexation area, is a member of the Millcreek Community Council. He stated that the Willowcreek Community Council act to grind is not with the neighborhood in the annexation. It is with the statute that is being used for the annexation. They believe the code is nebulous, vague, subject to various interpretations, for example what is the designation and definition of a consent form. There are parts that need to be reconsidered. If the city wants to annex this area do so under section 10-2-402-403 which allows for full petition full disclosure both by the county and sandy city to the neighbors and everyone at the same time rather than meetings that take place in secret. They do not believe the counts on the consent and non consent forms is accurate. They would like an audit of those forms. They turned in 30 more protests showing the concern that neighbors have with this annexation. They want the annexation done correctly. This is a nebulous and vague poorly interpreted statute. They feel that sandy city is taking advantage of that.

Darrell Broadbent, 8940 Tracy Circle, has lived in the home for 27 years with a sandy address. He thought it was odd that they lived in the county but received their mail through sandy. The reason she would like to annex into sandy, is that she gets her mail through sandy, sandy put a lot of effort to keep the property above them to remain as a park. They could have allowed that to be developed into homes. They made the effort to build the home. Sandy was the first on the curb side trash pick up. Sandy is a great place to live and she would like to be annexed into the City.

Art Tise, 8672 Tracy Drive, noted that the County has never failed to pick up his trash. Since there are questions to the proper process of the annexation, he is curious as to why there is the need to move forward rapidly with this annexation. He was told that this process started in March but he did not hear about it until June. There has been a change in the count as to how many people accepted or did not accept the annexation of 30 some odd in five days. Perhaps if we could look back and consider this slowly, we might process it more accurately.

Wayne Pay, 8805 Tracy Drive, lives on the corner and he watches county services and Sandy services go by. One thing that he has noticed over time is snow removal the County comes by first on snow removal and often times multiple times. Sandy comes by and they make their pass and go onto where ever they need to go. Over all he is pleased with County services. He is delighted with the new lighting that has been installed that controls light pollution in the area something that sandy could do throughout the City and would be a huge benefit to the rest of us who live in the valley. The county installed speed bumps to prevent traffic going up and down Tracy Drive. He does not see a compelling need to change the status of their neighborhood. It is a nice neighborhood with great

neighbors. He is very content staying in the County.

Clint Cannon, 8857 Oak Valley Drive, has lived there for 23 years. Stated that he has not received or been offered any money to bring people or homes into Sandy. He does not receive benefit from his business and does not anticipate receiving benefit. He asked that it be on the public record. What makes a neighborhood is the neighbors it does not change whether you live in the County or Sandy. They are grateful for the services received from the County. They started the annexation process because they went to Willowcreek community council to get information that Senate bill 216 they told them they would refuse to discuss that issue. It was a week before the legislative session was to end. They wanted to know what was going on and they thought they would be the ones to tell them. That led the residents to start seeking information on their own. They came to the conclusion of the choices before them and their perspective, Sandy was the best choice. Because of the concern for their neighbors they choose to share the information with the street. They held a public meeting at their home invited the neighbors those who were interested came they went door to door and talked with every single person. At that time 80% of the people chose to sign the consent to join Sandy. He respects other's opinions and acknowledges that some people have changed their minds. The fact of the matter is that the majority of residents want to come to Sandy. There has been ample time for this to take place. There has been enough nasty things said about people. It is time to end it. He is asking for the Council's vote to let them come into Sandy and join and hopefully the services will be great.

Mark Thorsen, 8814 Oak Valley Drive, he was surprised that he was represented by an attorney that he was not aware of and other people speaking on behalf of him that don't live in the annexation area. Some of the comments he heard this evening has been nasty and that the quality of their services has declined. He is at a point that Salt Lake County may not be the answer down the road. Cottonwood Heights may not be the answer. He has neighbors that live a block away so he is not concerned with fire and police. They love Sandy. He would like to be part of Sandy.

Lance Soffe, 8748 South Oak Valley Drive, lived in the area for two years. He echoed Clint Cannon's statement on how great the neighborhood is. Whether it is in Salt Lake County or Sandy will not change that. He spoke with Mayor McAdams who noted that he told him that it makes no sense for these county islands to exist. He stated that he would be happy to support him while he lives in the County, but go to what City you decide because that is what makes the most sense. Looking at the cost of the County providing services in unincorporated areas does not make sense to him. He looks forward to annexing into Sandy. The majority has spoken.

Ray Goodson, 3008 Valentine Road, spent 20,000 to protect his home for the flood that occurred two years ago. It was disgusting to see Sandy taking care of the people that were in the City, and the County who they could hardly get to look at what was going to happen to their home if the water continued. They acted like there was nothing they could consider doing. They told him that perhaps he could submit his bill afterwards which he did and the County made him feel like why do you think that the county should pay to protect your home. He stated that he does not want to have anything to do with the County.

Tom Broadbent, 8940 Tracy Circle, both of his boundaries are in Sandy on the other side of his fence, so he already feels like he is in Sandy though he is not. The positive benefits the residents have had from the community council members coming to be some years ago, and making so many positive improvements in the neighborhood have been beneficial. He would like to thank those for their services rendered to the neighborhood. It has been a positive benefit for them to speak out and benefit from the good they have done for the neighborhood. He feels that it is time to move on and recognize that we are surrounded by a municipality that does not call us theirs and we would very much like to be called Sandy not only on our mailing addresses but in real time as well.

Paul Poleman, 8805 Tracy Drive, lived in the area for two years. Thought they were moving into Sandy. Later they found out that they were unincorporated Salt Lake. When they heard about the Preservation Act in Senate bill 216, they went to get information. Everytime they were told to go and research it on their own. His wife and himself did. As they looked into it, they have no issues with unincorporated Salt Lake or the services that they provide. They felt that it would be best to go to Sandy. They held a public meeting at their home going door to door and left flyers at each home on Tracy Drive, Tracy Circle and invited everyone. Not everyone did not show up. After the meeting they went back to every door with a packet of information that they put together to distribute. At the time when they turned in the flyer, they were at 75% of the people in favor of annexing into Sandy and signed consent forms. Since then, some people have removed their signatures. They wanted to make sure this

was something that would not tear the neighborhood apart. There was an attempt earlier to annex into cottonwood heights that turned out to be confrontational. They wanted to talk to the neighbors to prevent contention between the neighbors. They have tried to be courteous of people's decisions. They wanted to know what their street wanted to do. They are hopeful that the council will vote in favor of the annexation.

Kay Merrill, 8626 Tracy Drive, part of the Willowcreek Community Counsel, noting that the Counsel has the responsibility to strengthen the entire area, to see that the truth of this annexation is presented. The figures the Council is looking at are within 2-3 points of being equal. If the Council does not have those numbers they have not been audited or corrected. They sent out flyers that were not distributed with county monies. These flyers were made by facts. They did not have a flyer that had the opinion of the community counsel. They took their comments from the Sandy City budget word for word page by page and those were the figures they passed around the neighborhood. They are asking the council to review the numbers and verify them before they vote. The county has taken good care of their area and done what people have asked them to do.

Chairman Fairbanks closed the public hearing as there were no further comments.

Dennis Tenney asked Attorney Kathy Jeffery if the allegation that Sandy City does not have authority to provide fire and emergency services that that UFA is the sole provider is true.

Kathy Jeffery noted that in term of providing and supplying the service or not, the Chief would know better the extent that they provide services to the area. However, looking at the agreement between Sandy City and UFA, it indicates that the City and UFA have independently reviewed the service delivery requirements in those areas in the County, within these boundaries and the islands etc, and have determined the most efficient fire protection delivery service can be provided by the City due to the City's close proximity of the area and isolated nature of the area from UFA's service delivery facilities. The City is able to provide fire protection services, emergency medical services including paramedic and ambulance services, and Sandy hold the license to provide ambulance services within the island. The first actual part of the agreement spells out the duties and obligations for each entity indicates that 1. Fire protection services to be provided by the City. It specifically indicates that the City is the one providing fire services.

Dennis Tenney and the fact that the City has sub contracted that service out does not deny the fact that the City is still responsible for providing that service is that correct.

Kathy Jeffery stated that UFA is actually contracted with Sandy to provide the service but Sandy is providing the service and believe that it meets the legal requirement for providing service.

Dennis Tenney thanked the residents for sharing their comments. He understands that this is an emotional issue. There have been questions raised about the legitimacy of the petition services and procedure. He can assure the residents that the City has followed carefully and legally the due process. He is supportive of the majority and respectfully of those who do not agree with the majority. They Council have a responsibility to respond favorably to those who would like to annex into the city. Despite the difference of opinions he is hopeful that the residents will be respectful on each other and good neighbors to one another.

Kris Nicholl thanked the residents for their comments.

Motion: Kris Nicholl made the motion to have documents brought back to adopt the Oak Valley Annexation located at approximately 8857 South Oak Valley Drive in Salt Lake County, into the Municipality of Sandy City. comprises approximately 45.1 acres and to annex into the City with the R-1-10 Zone.

Second: Linda Martinez Saville

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

Motion Approved: 6 in favor- 1 opposed

COUNCIL ITEM(S):

6. **Consenting to the Appointment of the Sandy City Treasurer**

Resolution #14-48 C- consenting to the appointment of Helen Kurtz as the Sandy City Treasurer effective on July 1, 2014.

Motion: Dennis Tenney made the motion to adopt **Resolution #14-48 C**- consenting to the appointment of Helen Kurtz as the Sandy City Treasurer effective on July 1, 2014.

Second: Kris Nicholl

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

Motion Approved: 6 in favor- 1 absent

7. **Appointing an Alternate Member to the Sandy City Board of Adjustment**

Resolution #14-14M- appointing Matt Hale as an alternate member to the Sandy City Board of Adjustment by the Mayor, with the advice and consent of the City Council of Sandy City, Utah, to fill a five year term ending at noon on March 31, 2019.

Motion: Chris McCandless made the motion to adopt **Resolution #14-14M** appointing Matt Hale as an alternate member to the Sandy City Board of Adjustment by the Mayor, with the advice and consent of the City Council of Sandy City, Utah, to fill a five year term ending at noon on March 31, 2019.

Second: Kris Nicholl

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

Motion Approved: 6 in favor – 1 absent

8. **Cobble Canyon Lane Annexation**

Ordinance #14-18- an ordinance annexing territory located at approximately 8955 S. Cobble Canyon Lane in Salt Lake County, comprising approximately 45.15 acres into Sandy City; establishing zoning for the annexed properties; also providing a severance and effective date for the annexation.

Motion: Chris McCandless made the motion to adopt **Ordinance #14-18**- an ordinance annexing territory located at approximately 8955 S. Cobble Canyon Lane in Salt Lake County, comprising approximately 45.15 acres into Sandy City; establishing zoning for the annexed properties; also providing a severance and effective date for the annexation.

Second: Kris Nicholl

Discussion on the Motion:

Stephen Smith noted that this annexation was on the eastern boarder of the Oak Valley Annexation. They have resolved part of the peninsula issue with this annexation.

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

Motion Approved: 6 in favor- 1 opposed

9. **Impact Fees [documents are posted at sandy.utah.gov under public notices]**

Ordinance #14-12 – amending and updating Sandy City’s Impact Fee Facilities Plan and Impact Fee Analysis for Parks and Recreation, Fire, Police, Water, and Storm Water Facilities and improvements; amending the revised ordinances of Sandy City by amending Title 16, “Revenue and Finance”, Chapter 14, “Development Impact Fees”; adopting an amended and updated Impact Fee for Parks and Recreation, Fire, Police, Water, and Storm Water; establishing certain policies related to impact fees for Parks and Recreation, Fire, Police, Water, and Storm Water Facilities; establishing service areas; and/or other related matters.

Stephen Smith requested that the Impact Fee Ordinance be tabled in order to allow the Council time to study and digest the information that was provided to them today in response to Councilman Chris McCandless’s questions and bring this back next week.

Steve Faribanks noted that it would not be able to be brought back for discussion for at least three to four weeks.

Stephen Smith then said to have it scheduled for the next regularly scheduled City Council meeting.

Chris McCandless raised the questions and the Council has discussed this a great deal. The Impact Fees may or may not change and it does not take affect for 90 days upon approval. If the Council was to adopt the Ordinance this evening as presented, the Council could make changes to the document without additional extensions of the 90 period. If the questions that have been raised come out by the Admiistartion that significantly or substantly change the document then we would need to amend the document and restart the 90 day period. So there would be no harm by approving the ordinance tonight with the understanding that we continue to move forward with

the research to answer the questions that have been raised and the understanding as well that we may modify the document and extend the 90 day period.

Dennis Tenney asked the Administration if the 90 day time period was critical to the City regarding the Impact Fee schedule.

Brian Kelley noted that the Impact Fee schedule would affect projects that are pending and would be paying their fees prior to the 90 day extension.

Shane Pace noted that from his Department's perspective, one of the fees being impacted by the Impact Fee is Storm Water Impact fees. Major projects in the plan are in the downtown area, one being on Monroe Street and Segal Lily Drive. The projects coming in are affecting that project. He would prefer to see the more accurate fee charged on these projects if they come in. The City has to wait 90 days before the fees can be implemented. He is hoping that the Council approves this sooner than later to be able to issue more accurate fees to the projects that are coming into the City and to help pay for that project.

Dennis Tenney stated that he would support Mr. McCandless recommendation to approve the Impact Fee schedule tonight with the understanding that during the course of 30-90 day the Council can amend or change the schedule of them so choose. Since there are a number of projects in the pipeline right now, it would 8:24:14

Motion:

Second:

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

MINUTES:

10. Approving the **May 27, 2014** and the **June 30, 2014** Council Meeting Minutes.

Discussion:

Motion:

Second:

All members voted in a verbal affirmation.

11. **Completion of reports not held in Planning Meeting**

MAYOR'S REPORT

a.

CAO'S REPORT

a.

COUNCIL OFFICE DIRECTOR'S REPORT

a.

OTHER COUNCIL BUSINESS

a.

12. **Consideration of a possible closed door meeting to consider personnel issues**

At approximately p.m., made a motion to adjourn Council Meeting, motion seconded by .

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

