

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, May 16, 2006, at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Van Turner	Nancy Saxton	Dave Buhler
Søren Simonsen	Eric Jergensen	Carlton Christensen

The following Councilmember was absent:

Jill Remington Love

Rocky Fluhart, Deputy Mayor; Gary Mumford, Executive Council Deputy Director; Edwin Rutan, City Attorney; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Buhler presided at and conducted the meeting.

#1. 7:03:32 PM The Council led the Pledge of Allegiance.

#2. 7:04:15 PM Councilmember Jergensen moved and Councilmember Simonsen seconded to **approve the minutes** of the Salt Lake City Council meeting held **May 2, 2006**, which motion carried, all members present voted aye.

(M 06-3)

PUBLIC HEARINGS:

#1. 7:04:27 PM **RE:** Accept public comment and hear protests concerning the proposed creation of Salt Lake City **Yale Avenue 1300 East to 1500 East Street Lighting Special Improvement District (SID) Job No. 106029** to construct improvements within the City consisting of the installation of decorative street lighting poles, and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; to levy an assessment to operate and maintain said street lighting facilities; to create the Salt Lake City, **Yale Avenue 1300 East to 1500 East Street Lighting Special Improvement District LC-106029** (the "District"); to pay the acquisition and installation costs and expenses and the operation and maintenance costs of said improvements by special assessments to be levied against the property benefited by such improvements; to provide notice of intention to authorize such improvements and to fix a time and place for protests against such improvements, assessments or the creation of the District; to declare its official intent to reimburse itself for expenditures paid by it prior to the sale of bonds; and to authorize advertisement of construction bids and related matters.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

The following spoke or submitted written comments regarding the proposal: **Geoffrey Smart, Jordan Kimball and Tom Bonacci**. Comments included support for private lighting, cost comparisons, bonding issues and lack of consensus.

Councilmember Christensen moved and Councilmember Turner seconded to close the public hearing and adopt Resolution 31 of 2006 abandoning the Salt Lake City, Utah Yale Avenue 1300 East to 1500 East Street Lighting Special Improvement District LC-106029, generally described in the Notice of Intention concerning the District and related matters.

Councilmember Christensen said Councilmember Love was unable to attend the meeting and asked him to read the following statement.
7:10:18 PM "Typically on Special Improvement Districts (SID), the protest rates are low. Since my tenure on the City Council, this particular SID received the highest number of protests that I am aware of ever taking place. In order for the District not to be created, the necessary number of protests must represent 50 percent or more of the total lots to be assessed; however the City Council has the discretion to abandon the District if deemed in the best interest of the community. Since the date of the initial protest hearing on April 11th to the present, the Administration provided additional information to the community. There are property owners who have elected to withdraw their original protest, which has lowered the protest rate low enough in order for the Council to approve the SID - at this point in time, I'm aware seven protest withdrawals have been submitted while four additional protests were received, current protest rate to my knowledge is 48 percent. I would like to view the SID process as a positive opportunity for improving a neighborhood and not something that is divisive amongst neighbors. The City is in the process of working on a Request for Proposal (RFP) to hire a consultant to conduct a City-wide lighting study which is expected to be completed by the fall. We are hopeful that once the study is completed, many of the lighting questions that have been raised by property owners within this proposed SID will be answered. I understand the neighborhood has been working towards new streetlights for almost the past three years and looks forward to having new streetlights. Taking into consideration that although the protest rate is at a point where the Council could approve the SID, I have contemplated on whether to continue the hearing to January at which time the City-wide study would be available. However, if the protest hearing is continued to January, concerns I feel obligated to consider are: 1) people who are interested in the process could easily lose track of the process because of the extensive time frame involved from now until January 2007; 2) there is the potential ownership of property could change and new owners would be unaware of the proposed SID; 3) there is the potential of material costs continuing to rise and potential increase in the interest rate in the bonds. Taking these concerns into consideration and in deciding what is in the best interest of the neighborhood, if the final protest rate

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

is 40 percent or more; I recommend that the Council make a motion to: Adopt a resolution abandoning the Salt Lake City, Utah Yale Avenue 1300 East to 1500 East street lighting Special Improvement District LC-106029, generally described in the Notice of Intention concerning the District and related matters."

Councilmember Christensen said creating a lighting district was a difficult process with both successful and challenging elements. He said his neighborhood had benefited extensively from lighting improvements even though it took a number of years to create the district. He said this had been a divisive issue and he understood Councilmember Love's position.

Councilmember Buhler called for the question, which motion carried, all members present voted aye.

(Q 06-3)

7:14:16 PM (Note: The Council will hold a combined public hearing on Items C2-C22, which will address all issues associated with the 2006-2007 budget, including the Library Fund.)

#2. RE: Accept public comment and consider adopting an ordinance adopting the budget for the **Library Fund** of Salt Lake City, Utah for Fiscal Year 2006-2007.

(B 06-3)

#3. RE: Accept public comment and consider adopting an ordinance adopting the **budget**, excluding the budget for the Library Fund, which is separately adopted, and the **employment staffing document** of Salt Lake City, Utah for Fiscal Year 2006-2007.

(B 06-1)

#4. RE: Accept public comment and consider adopting an ordinance adopting the **final rate of tax levy** for all real and personal property within Salt Lake City made taxable by law for Fiscal Year 2006-2007.

(B 06-7)

#5. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for **Executive Employees** and **Elected Officials**.

(O 06-11)

#6. RE: Accept public comment and consider adopting an ordinance **appropriating** necessary funds to implement, for Fiscal Year 2006-2007, the provisions of the **Memorandum of Understanding** between Salt Lake City Corporation and Local 1004 of the American Federation of State,

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

County and Municipal Employees (AFSCME), representing the "100 Series" City Employees, dated on or about June 22, 2005.
(O 05-4)

#7. RE: Accept public comment and consider adopting an ordinance **appropriating** necessary funds to implement, for Fiscal Year 2006-2007, the provisions of the **Memorandum of Understanding** between Salt Lake City Corporation and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME), representing the "200 Series" City Employees, dated on or about June 22, 2005.
(O 05-5)

#8. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for "600 Series and 300 Series" employees.
(O 06-12)

#9. RE: Accept public comment and consider adopting an ordinance **appropriating** necessary funds to implement, for Fiscal Year 2006-2007 the provisions of the **Memorandum of Understanding** between Salt Lake City Corporation and Local 1645 of the International Association of Firefighters, representing the "400 Series" City Employees, dated on or about June 18, 2004.
(O 04-8)

#10. RE: Accept public comment and consider adopting an ordinance approving a **Memorandum of Understanding** between Salt Lake City and The Salt Lake Police Association, International Union of Police Associations, Local 75 AFL-CIO representing the "500 Series" City Employees, and appropriating funds necessary to implement that agreement for Fiscal Year 2006-2007.
(O 06-13)

#11. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for "800 Series" employees.
(O 06-14)

#12. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for "900 Series" employees.
(O 06-15)

#13. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for "Un-classified" employees.
(O 06-16)

#14. RE: Accept public comment and consider adopting an ordinance approving a **compensation plan** for "Regular Part-time" employees.

TUESDAY, MAY 16, 2006

(O 06-17)

#15. RE: Accept public comment and consider adopting an ordinance enacting **Subsection 2.12.040**, Salt Lake City Code, providing **permit fees** to be collected from businesses by the City and **Subsection 2.12.050**, Salt Lake City Code, providing **fees** to be **collected** from **business** by the City. (Fire Inspections)

(O 06-18)

#16. RE: Accept public comment and consider adopting an ordinance enacting **Subsection 2.12.050**, Salt Lake City Code, providing **fees** to be **collected** from **business** by the City. (Fire Plan Review)

(O 06-19)

#17. RE: Accept public comment and consider adopting an ordinance amending certain sections of **Chapter 15.16**, Salt Lake City Code, relating to **fees** for **park and recreation facilities**, and repealing **Chapter 15.21**, Salt Lake City Code, relating to the **Recreation Enterprise Fund**.

(O 06-20)

#18. RE: Accept public comment and consider adopting an ordinance amending **Section 9.08.030**, Salt Lake City Code, relating to **garbage** and **recycling pick-up services**.

(O 06-21)

#19. RE: Accept public comment and consider adopting an ordinance amending **Sections 17.16.670** and **17.16.680**, Salt Lake City Code, relating to **water rates**.

(O 04-15)

#20. RE: Accept public comment and consider adopting an ordinance amending **Chapter 2.54**, Salt Lake City Code, relating to **City-owned motor vehicles**.

(O 06-22)

#21. RE: Accept public comment and consider adopting an ordinance amending **Schedule 1 of Title 5**, Salt Lake City Code, relating to additional regulatory fees for certain classes of businesses, **Section 5.04.070**, Salt Lake City Code, relating to license fees levied, **Section 5.05.130**, of the Salt Lake City Code, relating to application fees - for certificate or certificate of additional authority, and **Section 5.05.135**, Salt Lake City Code, relating to fees pertaining to certificates of public convenience and necessity, enacting **Schedule 2 of Title 5**, Salt Lake City Code, relating to disproportionate fees for certain classes of businesses.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

(O 04-22)

#22. RE: Accept public comment and consider adopting an ordinance amending **5.04.200**, Salt Lake City Code, pertaining to the **parking services license tax**. (both airport parking service operators and parking service businesses that provide off-street parking for public facilities.

(O 06-23)

Roz McGee and **Jeff Edwards** spoke regarding the Leonardo project. Comments included open space, support for north side front, public and private funding options, design features, seismic solution, effective utilization of the building and architectural compatibility.

The following spoke or submitted written comments regarding City-owned motor vehicles: **Lee Dobrowolski, Tom Gallegos, Jennifer Diederich, Jason Brierley, Jon Wallace, Sonny Ricks, Amy Ricks, David Malley, Nathan Swensen, Russ Despain, Teresa McKinnon** and **Richelle Brown**. Comments included recommendation study, lack of employee input, misrepresentations, police car usage/policy, unfulfilled promises, participation, limit cost exposure, lack of communication, decrease in new police officers, service and morale, program elimination and unfair labor practices.

Duncan Phillips, Richard Mageras and **Kevin Chilton** spoke or submitted written comments regarding amendments to the golf/recreation budget. Comments included 37% work force layoff, generate revenue for capital improvements, layoffs should be last option, sell excess golf property, trim administrative budget, jobs lost through attrition, excessive fleet repair/maintenance costs, lower internet connection costs, morale issues, supporting a family, health costs/care, mismanagement, provide customer service, promote tourism, ethical issues, and dedicated employee service.

Bill Baer, Allyson Jackson and **Patrick Shea** spoke or submitted written comments concerning the parking services license tax proposal. Comments included escalating costs/expenses, include airport parking in proposal, evaluate impact on downtown, define auditing/accounting procedures, more discussion/explanation needed, study revenue streams before adding tax, and public transit utilization.

Councilmember Jergensen moved and Councilmember Simonsen seconded to **close the public hearings (Items C2 - C22)**, which motion carried, all members present voted aye.

TUESDAY, MAY 16, 2006

COMMENTS TO THE CITY COUNCIL

7:40:57 PM **Jim Schmick** spoke concerning a proposed truck stop on Redwood Road. He said the area was too small for large trucks to make turns without blocking the entire street. He said serious traffic problems would occur and the issue needed more consideration. Councilmember Buhler asked the Administration to review the issue. Mr. Fluhart said they would follow-up.

CONSENT AGENDA

7:43:33 PM Councilmember Simonsen moved and Councilmember Christensen seconded to **approve the Consent Agenda**, which motion carried, all members present voted aye.

#1. RE: Approving the re-appointment of Vicki Mickelsen to the Historic Landmark Commission for a term extending through July 14, 2008.

(I 06-11)

#2. RE: Approving the appointment of Esther E. Hunter to the Historic Landmark Commission for a term extending through July 14, 2009.

(I 06-11)

#3. RE: Approving the appointment of Craig D. Galli to the Land Use Appeals Board for a term extending through December 31, 2008.

(I 06-19)

#4. RE: Setting the date of June 6, 2006 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Section 21A.42.070 (F), Salt Lake City Code, pertaining to permitted temporary uses of tents pursuant to Petition No. 400-05-13.

(P 06-8)

#5. RE: Setting the date of June 6, 2006 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Section 21A.24.080, Salt Lake City Code, pertaining to general yard, bulk and height limitations pursuant to Petition No. 400-06-08.

(P 06-8)

#6. RE: Setting the date of June 6, 2006 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Salt Lake City Ordinance 26 of 2005 which adopted the final budget of Salt Lake City, Utah, and Ordinance 48 of 2005 which ratified and readopted the final budget for fiscal year beginning July 1, 2005 and ending June 30, 2006.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

(B 06-6)

#7. RE: Setting the date of **June 6, 2006 at 7:00 p.m.** to accept public comment and consider adopting resolutions pertaining to the following contributions and funds:

a. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a proposed budget appropriation for a **\$64,000 contribution** to the **Road Home** to support the emergency winter overflow shelter for Fiscal Year 2006-07;

(R 06-5)

b. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a proposed budget appropriation for a **\$10,000, contribution** to **No More Homeless Pets in Utah** to support its "Feral Fix Program" within Salt Lake City for Fiscal Year 2006-07;

(R 06-6)

c. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a proposed budget appropriation for a **\$250,000 contribution** to the **Friends of Tracy Aviary** for Fiscal Year 2006-07;

(R 06-7)

d. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a proposed budget appropriation for a **\$15,000 contribution** to the **Downtown Alliance** for "First Night" celebration for Fiscal Year 2006-07;

(R 06-8)

e. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a proposed budget appropriation of **\$2,682,114** for the **Housing Trust Fund**; and establishing **loan criteria** for that fund for Fiscal Year 2006-07;

(R 06-9)

f. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and approving the proposed budget appropriation of **\$2,642,974** for the **Small Business Revolving Loan Fund** and amending the **loan criteria** for that fund for Fiscal Year 2006-07;

(R 06-10)

g. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a **\$118,000 contribution** to the **Salt Lake City Housing Authority** for transitional housing for the homeless for Fiscal Year 2006-07 and;

(R 06-11)

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 16, 2006

h. Resolution accepting the study performed in compliance with the Utah Code Section 10-8-2, and authorizing a **\$20,000 contribution** to **Local First, A 501(C) (3)** organization with the goal of promoting local buying. (Budget Amendment No. 5)
(R 06-12)

The meeting adjourned at 7:44 p.m.

Council Chair

Chief Deputy City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held May 16, 2006.

sc