

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

THURSDAY, FEBRUARY 15, 2007

The City Council of Salt Lake City, Utah, met in Regular Session on Thursday, February 15, 2007, at 7:30 p.m. in Room 326, Committee Room, City County Building, 451 South State.

The following Council Members were present:

Van Turner	Nancy Saxton	Dave Buhler
Eric Jergensen	Carlton Christensen	
Jill Remington Love	(via phone)	

The following Councilmember was absent:

Søren Simonsen

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Turner presided at and conducted the meeting.

UNFINISHED BUSINESS

#1. RE: 8:39:36 PM Adopting a resolution concerning the settlement terms relating to property within Salt Lake City currently owned by the City of North Salt Lake.

Councilmember Jergensen moved and Councilmember Buhler seconded to adopt Resolution 10 of 2007 subject to changes proposed by the City Attorney as identified in the Term Sheet.

Council Members Christensen, Jergensen, Buhler, Love and Turner expressed appreciation to everyone who had worked diligently over the years to find an amicable solution to this difficult issue. They said they felt it was important to preserve this property for the benefit of Salt Lake residents and surrounding communities and to provide a great legacy for future generations.

Councilmember Turner called for the question, which motion carried, all members present voted aye.
(P 04-32)

The meeting adjourned at 8:46 p.m.

Council Chair

Chief Deputy City Recorder

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PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, FEBRUARY 20, 2007

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, February 20, 2007 at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Jill Remington Love
Eric Jergensen	Nancy Saxton	Søren Simonsen

The following Councilmember was absent:

Dave Buhler

Cindy Gust-Jenson, Executive Council Director; Sam Guevara, Acting Mayor; Edwin Rutan, City Attorney; and Beverly Jones, Deputy City Recorder; were present.

Councilmember Turner presided at and Councilmember Simonsen conducted the meeting.

#1. 7:13:35 PM The Council led the Pledge of Allegiance.

#2. 7:14:30 PM Councilmember Turner moved and Councilmember Saxton seconded to approve the minutes of the Salt Lake City Council meeting held February 13, 2007, which motion carried, all members present voted aye.

(M 07-3)

7:15:24 PM COMMENTS TO THE CITY COUNCIL

Bonnie Mangold said she wanted to share some thoughts about Hermoine Jex who recently passed away and her role as a citizen of the Capitol Hill neighborhood of Salt Lake City, of Utah and of the United States.

UNFINISHED BUSINESS

#1. 7:18:27 PM RE: Consenting to the appointment of Maureen Riley as the Director of Salt Lake City Department of Airports.

Councilmember Christensen moved and Councilmember Turner seconded to approve the appointment, which motion carried, all members present voted aye.

(I 07-10)

#2. 7:18:57 PM RE: Adopting an ordinance amending certain sections of Chapter 2.44, Salt Lake City Code, relating to Conflict of Interest.

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View Attachments

This item was postponed.
(O 07-2)

7:19:03 PM CONSENT AGENDA

Councilmember Jergensen moved and Councilmember Saxton seconded to approve the Consent Agenda, which motion carried, all members present voted aye.

#1. RE: Approving the appointment of Michael C. Akerlow to the Land Use Appeals Board for a term extending through December 31, 2009.
(I 07-11)

#2. RE: Approving the appointment of J. Daniel Schoenfeld to the Board of Adjustment for a term extending through December 31, 2011.
(I 07-8)

#3. RE: Setting the date of March 20, 2007 at 7:00 p.m. to accept public comment and consider an appropriation resolution adopting the One-Year Action Plan for 33rd year Community Development Block Grant (CDBG) funding, Home Investment Partnerships Program (HOME) funding, Emergency Shelter Grant (ESG) funding, Housing Opportunities for Persons with AIDS (HOPWA) funding and American Dream Downpayment Initiative (ADDI) funding for Fiscal Year 2007-08 and approving an interlocal cooperation agreement between Salt Lake City and the U.S. Department of Housing and Urban Development.
(T 07-1)

The meeting adjourned at 7:19 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 February 20, 2007.

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PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

THURSDAY, FEBRUARY 22, 2007

The City Council of Salt Lake City, Utah, met in Regular Session on Thursday, February 22, 2007, at 7:00 p.m. in Room 326, Committee Room, City County Building, 451 South State.

The following Council Members were present:

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

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Turner presided at and conducted the meeting.

OPENING CEREMONY

#1. RE: 9:25:45 PM Adopting a joint ceremonial resolution with the Mayor expressing opposition to the Divine Strake testing at the Nevada Test Site.

Councilmember Jergensen moved and Councilmember Simonsen seconded to adopt Resolution 11 of 2007, which motion carried, all members voted aye.

(R 07-1)

UNFINISHED BUSINESS

#1. RE: 9:27:05 PM Adopting an ordinance amending certain Sections of Chapter 2.44 of the Salt Lake City Code relating to Conflict of Interest. View Attachment

Councilmember Buhler moved and Councilmember Christensen seconded to adopt Ordinance 4 of 2007 amending certain sections of Chapter 2.44 of the Salt Lake City Code, relating to conflict of interest as originally proposed, plus the proposed new amendment to Section 2.44.040 Paragraph B titled Option No. 2. (See attachment for Option 2) View Attachment

Councilmember Buhler said the amendment to Paragraph B provided clarification without changing the substance of the subcommittee's proposal. He said public perception was important and the subcommittee and Administration worked hard to clarify provisions in the ordinance. He said individuals in elected or appointed offices held the public trust and needed to ensure that nothing occurred to damage that trust. He urged the Council to adopt the ordinance with the proposed amendment.

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Substitute Motion: Councilmember Jergensen moved and Councilmember Simonsen seconded to adopt Ordinance 4 of 2007 amending certain sections of Chapter 2.44 of the Salt Lake City Code, relating to conflict of interest as originally proposed, plus proposed amendments to Section 2.44.040 Paragraph B but substitute the new proposed language for Paragraph C titled Option No. 3. (See attachment for Option 3) View Attachment

Councilmember Jergensen said he agreed when elected/administrative officials were in the public trust, there needed to be complete transparency but some officials had businesses they owned or were involved in and felt the Council should not proscribe their ability to potentially do business with the City. He said he felt transparency could be achieved in a way which showed the public that no inappropriate influence was made by an elected official. He said the waiver provision contained in the ordinance would probably work but he was concerned about the potential for political intrigue between the Mayor and Council. He said he felt the review committee described in Paragraph C would be more effective in minimizing political influence.

Councilmember Simonsen said he agreed the potential for a waiver to become a political issue was greater with a single individual making the decision versus a committee. He said he felt having an independent board made the process more transparent and consistent with the expression of the purpose statement which was to avoid the perception of impropriety. He said there were other instances such as campaign financing where the Council established limits. He said occasionally there was public perception that campaign contributions were made in order to effectuate an outcome. He said he felt the Council needed to give the same consideration to this proposal and allow officials who held other jobs and were acting responsibly the opportunity to participate fully in programs, functions and services which the City offered to businesses. He asked the Council to support the substitute motion.

Councilmember Love said she would oppose the substitute motion. She said she was sympathetic to the issue of Council Members who needed the ability to conduct business while serving on the Council and felt Councilmember Buhler's proposed amendment addressed that. She said the proposal allowed small businesses to continue to function and perform work with the City as long as the Council Member was not directly involved. She said serving as an elected official was a sacrifice but the City had limited resources and did not think Council Members should receive loans or grants while in office.

Councilmember Saxton said it was important for the City to continue to have good people run for office who understood how difficult it was to make a daily living. She said small businesses were generally more transparent than larger businesses or corporations.

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She said she felt it was important for the City to provide a climate and checks and balances which allowed elected officials to do business. She said small business owners did not have the ability to put their business on hold and she did not believe they should have to devoid themselves of a livelihood. She said she felt transparency and having checks and balances were essential and would support the substitute motion.

Councilmember Christensen said he shared Councilmember Love's concerns. He said service did not come without a price even for those who worked for large businesses. He said in order to serve a third term he chose to change his career after 16 years which resulted in some challenges and adjustments. He said he believed it was doable to run a successful business without coming to the City for funding. He said being an elected official was challenging and came with a level of transparency which impacted decisions Council Members made and how they served.

Councilmember Simonsen said he felt the proposal overstepped the purpose statement and felt a motion could be made to table the issue to allow more exploration. He said it was difficult to hypothesize all possible scenarios which could create a conflict of interest. He said the Council could consider expanding the circumstances under which the review board would meet to ensure all potential conflicts were fully addressed.

Councilmember Turner called for the question on the substitute motion. A roll call vote was taken, which motion failed, Council Members Christensen, Buhler, Turner and Love voted nay and Council Members Simonsen, Saxton and Jergensen voted aye.

Councilmember Turner called for the question on the original motion. A roll call vote was taken, which motion carried, Council Members Christensen, Buhler, Turner, Love, Saxton, and Jergensen voted aye and Councilmember Simonsen voted nay.

(O 07-2)

CONSENT AGENDA 9:54:32 PM

Councilmember Buhler moved and Councilmember Jergensen seconded to **approve the Consent Agenda**, which motion carried, all members voted aye.

#1. RE: Setting the date of March 13, 2007 at 7:00 p.m. to accept public comment and consider adopting a resolution initiating eminent domain proceedings regarding property affected by the establishment and operation of a public transit district.

(R 07-7)

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#2. RE: Setting the date of **March 20, 2007** at 7:00 p.m. to accept public comment and consider adopting an ordinance **amending** the **Downtown Master Plan** and the **Urban Design Element** pursuant to Petition 400-06-37 (City Creek Center).

(P 07-1)

The meeting adjourned at 9:54 p.m.

Council Chair

Chief Deputy City Recorder

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