

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 5, 2009

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday May 5, 2009 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	Eric Jergensen
Jill Remington Love	JT Martin	Luke Garrott

The following Councilmember was absent:

Søren Simonsen

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; Mayor Ralph Becker; and Christine Meeker, City Recorder were present.

Councilmember Christensen presided at and conducted the meeting.

OPENING CEREMONY 7:03:55 PM

#1. 7:04:10 PM The Council led the Pledge of Allegiance.

#2. 7:05:06 PM **Mayor Becker presented the proposed Salt Lake City budget for Fiscal Year 2009-2010.** View Attachments

#3. 7:28:18 PM Councilmember Garrett moved and Councilmember Turner seconded to **approve the minutes** of the Salt Lake City Council meeting held **April 28, 2009**, which motion carried, all members present voted aye. View Attachments
(M 09-3)

PUBLIC HEARINGS

#1. **RE:** 7:28:43 PM Adopting an Ordinance amending the zoning map to change the zoning designation of property located at **1933 South 2000 East from R-1/7000 (Single-Family Residential) to I (Institutional)**, pursuant to Petition No. **PLNPCM2009-00074**. View Attachments

The following citizens spoke in support of the zoning change: **Elaine Brown, Kenneth Limb, Mandi Kerr, Judi Short, Bradley Gygi, Steve Warner, Jeanie McAllister, Sheila O'Driscoll and Grace Sperry.**

Councilmember Love moved and Councilmember Martin seconded to close the public hearing, which motion carried, all members present voted aye.
(P 09-6)

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#2. RE: 7:45:55 PM Accept public comment regarding Salt Lake City's **Energy Efficiency and Conservation Block Grant Program**, recently funded by the American Recovery and Reinvestment Act (ARRA) and the Mayor's project funding recommendation. View Attachment

Councilmember Turner moved and Councilmember Jergensen seconded to close the public hearing, which motion carried, all members present voted aye.

(R 09-8)

#3. RE: 7:46:43 PM Adopting a resolution regarding an amendment to the **2005-2010 Consolidated Plan for Housing and Community Development Programs** between Salt Lake City and the U. S. Department of Housing and Urban Development to allow for the acceptance and use of **Homeless Prevention and Rapid Re-Housing Program (HPRP) funds for 2009-2011.**View Attachments

The following spoke in support of the amendment: **Sharon Abegglen**, Salt Lake Community Action Program and **Kathryn Brussard**, Catholic Community Services.

Councilmember Jergensen moved and Councilmember Love seconded to close the public hearing, which motion carried, all members present voted aye.

(T 05-1)

#4. RE: 7:50:52 PM Adopting a resolution regarding the **City's General Obligation Bonds** for the **Leonardo at Library Square** and related matters. View Attachment

Mr. Rutan said 11-14-318 *Utah Code Ann.* required notice to be posted on the Utah Public Notice web site and in the news paper 14 days prior to the public hearing. He said the news paper had been noticed but the Utah Public Notice web site had not. He suggested continuing the public hearing to June 2, 2009 and the vote be postponed to June 9, 2009.

The following citizens spoke in favor of the Leonardo: **Joe Cannella**, Cannella's Restaurant and **Romina Rasmussen**, Les Madeleines Restaurant.

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Councilmember Martin moved and Councilmember Garrott seconded to **continue the public hearing to June 2, 2009** and in that time receive input from the public with respect to issuance of up to \$10,200,000 principal amount of General Obligation Bonds of the City to finance all or a portion of the cost of renovating, improving, and preserving the old Main Library building and providing related facilities located at approximately 500 South and 200 East streets to establish a science, culture and art education center currently known as the Leonardo and the potential economic impact that such a project would have on the private sector, which motion carried, all members present voted aye.
(Q 06-6)

#5. RE: 7:58:43 PM Adopting a resolution regarding the **conclusion of a study** performed under *Utah Code* Section 10-8-2, and to make finding regarding value and public benefit, with respect to **leasing the old City Library to Leonardo**. View Attachment

Councilmember Jergensen moved and Councilmember Garrott seconded to **close the public hearing**, which motion carried, all members present voted aye.

Councilmember Jergensen moved and Councilmember Turner seconded to adopt **Resolution 26 of 2009**, regarding the conclusions set forth in the study and hereby finds and determines that, for all the reasons set forth in the study: **(a)** the net value, both tangible and intangible, to be received by the City will constitute adequate consideration, or equivalent value, for the benefit being provided by the Lease, and **(b)** the Lease will provide for the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City, motion carried, all members present voted aye.
(Q 09-3)

PUBLIC HEARING ACTIONS ITEMS

#1. RE: 8:00:48 PM Adopting an ordinance amending Section **21A.24.190**, *Salt Lake City Code*, pertaining to the **Table of Permitted and Conditional Uses for Residential Districts, Private Club in Residential Mixed Use Zoning Districts**, pursuant to **Petition No. 400-06-45** (Andy's Place).View Attachments

Councilmember Turner said he had no personal problem with private clubs but Andy's Place was in a neighborhood. He said owning a home next door to a club would impact the owner financially. He said the indoor smoking law now put club patrons outside in front of homes smoking. He said he would not vote for the ordinance.

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Councilmember Garrott thanked the Council and the Community. He said this was the first step in normalizing the liquor laws in Salt Lake City. He said Andy's would be an amenity to the neighborhood. He said people could walk to Andy's and would increase property values.

Councilmember Garrott moved and Councilmember Love seconded to adopt **Ordinance 12 of 2009**, which motion carried, all members present voted aye, except Councilmember Turner who voted nay.

(P 08-17)

8:15:14 PM COMMENTS TO THE CITY COUNCIL

Douglas Cotant spoke about the Mayor's Budget. **Lee Childs and Chris Staser** spoke about a political movement.

UNFINISHED BUSINESS

#1. RE: 8:22:19 PM Adopting a resolution adopting the **tentative** budgets of **Salt Lake City**, Utah including the **tentative** budget of the **Library Fund, for Fiscal Year 2009-2010**

Councilmember Love moved and Councilmember Jergensen seconded to adopt **Resolution 25 of 2009**, which motion carried, all members present voted aye.

(B 09-1 & B 09-2)

#2. RE: 8:22:38 PM Adopting an ordinance amending **Section 5.72.315, Salt Lake City Code, setting age limits for taxi vehicles.**

Councilmember Martin moved and Councilmember Garrott seconded to adopt **Ordinance 11 of 2009**, which motion carried, all members present voted aye. View Attachments

8:25:31 PM CONSENT AGENDA

Councilmember Garrott moved and Councilmember Martin seconded to **approve the Consent Agenda**, which motion carried, all members present voted aye.

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#1. RE: **Confirming** the date of **May 12, 2009 at 7:00 p.m.** to accept public comment regarding an ordinance **adopting the final budget** and related ordinances, **excluding the budget for the Library Fund** which is separately adopted, and the employment staffing document for Salt Lake City, Utah for Fiscal Year 2009-2010. (Note: This public hearing will address all ordinances associated with the implementation of the City's 2009-2010 Budget including the Library Fund).
(B 09-1 & B 09-2)

#2. RE: Approving the appointment of **John Phillips** to the **City & County Building Conservancy and Use Committee** for a term extending through **July 18, 2012**.
(I 09-8)

#3. RE: Approving the appointment of **Kathy Davis** to the **Housing Trust Fund Advisory Board** for a term extending through **December 26, 2011**.
(I 09-18)

#4. RE: Approving the appointment of **Blaine Linck** to the **Mosquito Abatement District** for a term extending through **December 31, 2012**.
(I 09-1)

#5. RE: Approving the appointment of **Kyle LaMalfa** to the **Open Space Lands Advisory Board** for a term extending through **March 1, 2013**.
(I 09-2)

The meeting adjourned at 8:29 p.m.

Council Chair

City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held May 5, 2009.

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PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MAY 12, 2009

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, May 12, 2009 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	JT Martin	Van Turner
Jill Remington Love	Eric Jergensen	Søren Simonsen

The following Councilmember was absent:

Luke Garrott

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

Councilmember Christensen presided at and conducted the meeting.

OPENING CEREMONY

#1. 7:02:08 PM The Council led the Pledge of Allegiance.

PUBLIC HEARINGS

#1. **RE:** 7:03:00 PM Accept public comment and consider adopting an ordinance adopting the final budget and related ordinances, excluding the budget for the Library Fund which is separately adopted, and the employment staffing document for Salt Lake City, Utah for Fiscal Year 2009-2010. **(Note: The Council will hold a combined Public Hearing on items H2-H24, which will address all issues associated with the 2009-2010 Budget, including the Library Fund).** View Attachments
(B 09-1)

#2. **RE:** Accept public comment regarding an ordinance adopting the **budget** for the **Library Fund** of Salt Lake City, Utah for **Fiscal Year 2009-2010**.
(B 09-2)

#3. **RE:** Accept public comment regarding an ordinance approving **salaries** for Salt Lake City **Justice Court Judges** for **Fiscal Year 2009-2010**.
(O 09-6)

#4. **RE:** Accept public comment regarding an ordinance adopting **Section 2.84.090**, Salt Lake City Code, pertaining to **plea in abeyance fees** for **traffic violations**.
(O 09-7)

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#5. RE: Accept public comment regarding an ordinance amending **Section 5.04.070**, Salt Lake City Code, relating to business license fees, raising non-home based business base license fees and per employee disproportionate costs; amending **Schedule 1 of Title 5**, listing regulatory fees, to add a regulatory fee for automobile towing businesses; and amending **Schedule 2 of Title 5**, listing fees for disproportionate costs, to add a disproportionate cost for the retail sale of tobacco products.
(O 04-22)

#6. RE: Accept public comment regarding an ordinance amending **Section 5.65.030**, Salt Lake City Code, Pertaining to Business License, Revocable Land Use Permit, and Fees Required for Vending Cart Operators and **Section 5.71.290** Application Fee required for Ground Transportation Drivers.
(O 09-8)

#7. RE: Accept public comment regarding an ordinance amending **Chapter 15.16** of the Salt Lake City Code, relating to **golf course fees and group reservations**.
(O 06-20)

#8. RE: Accept public comment regarding an ordinance enacting **Section 12.56.580** of the Salt Lake City Code, relating to **parking fees** for the underground parking lot of **Library Square**.
(O 09-9)

#9. RE: Accept public comment regarding an ordinance amending **Section 12.64.090**, Salt Lake City Code, pertaining to **Parking Permit Fees**.
(O 09-10)

#10. RE: Accept public comment regarding an ordinance amending **Section 12.56.550**, Salt Lake City Code, increasing **civil penalties** for unauthorized use of streets, parking lots and other areas.
(O 08-6)

#11. RE: Accept public comment regarding an ordinance amending **Appendix "A" of Chapter 18.98** of the Salt Lake City Code, relating to Impact Fees.
(O 07-17)

#12. RE: Accept public comment regarding an ordinance adopting **Chapter 3.60**, Salt Lake City Code, providing for the City to charge a convenience fee for **on-line payment transactions**.
(O 09-11)

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#13. RE: Accept public comment regarding an ordinance amending **Chapter 15.24**, Salt Lake City Code, increasing certain **cemetery fees**.
(O 05-11)

#14. RE: Accept public comment regarding an ordinance enacting **Section 14.32.418**, Salt Lake City Code, pertaining to **Barricade Permit fees**.
(O 09-12)

#15. RE: Accept public comment regarding an ordinance amending **Chapter 2** of the Salt Lake City Code, changing the Department of Management Services to the **Department of Administrative Services**.
(O 09-13)

#16. RE: Accept public comment regarding an ordinance adopting the **rate of tax levy** upon all real and personal property within Salt Lake City, made taxable by law for **Fiscal Year 2009-2010**.
(B 09-6)

#17. RE: Accept public comment regarding an ordinance amending **Chapter 9.08**, Salt Lake City Code, relating to **solid waste** and **recyclable items**.
(O 09-14)

#18. RE: Accept public comment regarding an ordinance amending **Section 2.54.030** of the Salt Lake City Code, relating to fuel/equipment fee increase for **secondary employment**.
(O 08-12)

#19. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and Local 1004 of the American Federation of State, County and Municipal Employees (AFSCME), representing the **"100, 200 and certain identified 300 Series"** City Employees, which shall become effective on proper ratification and signature.
(O 09-15) (O 09-16) (O 09-17)

#20. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and Local 1645 of the International Association of Firefighters (IAFF), representing the **"400 Series City Employees and Fire Captains"** which shall become effective on proper ratification and signature.
(O 09-18)

#21. RE: Accept public comment regarding an ordinance approving a **memorandum of understanding** between Salt Lake City Corporation and the Salt Lake Police Association, Local 75 (SLPA), representing the **"500**

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Series City Employees and Police Sergeants" which shall become effective on proper ratification and signature.

(O 09-19)

#22. RE: Accept public comment regarding an ordinance approving a compensation plan for all non-represented employees of Salt Lake City.

(O 09-20)

#23. RE: Accept public comment regarding an ordinance approving employee overtime and other pay allowances for all non-represented employees of Salt Lake City.

(O 09-21)

#24. RE: Accept public comment regarding an ordinance approving a holiday, vacation and leave accrual plan for all non-represented employees of Salt Lake City.

(O 09-22)

Councilmember Love moved and Councilmember Turner seconded to continue the public hearing to May 19, 2009, which motion carried, all members present voted aye.

PUBLIC HEARING ACTION ITEMS

#1. RE: 7:03:58 PM Adopting an ordinance amending the zoning map to change the zoning designation of property located at 1933 South 2000 East from R-1/7,000 (Single-Family Residential) to I (Institutional), pursuant to Petition No. PLNPCM2009-00074. View Attachments

7:04:50 PM Councilmember Simonsen briefed the Council regarding specific design criteria considerations relating to the proposal from the attached handout. View Attachments

Councilmember Martin moved and Councilmember Turner seconded to adopt Ordinance 13 of 2009, rezoning property located at 1933 South 2000 East from Single-Family Residential R-1/7000 to Institutional subject to execution of a development agreement between the City and the applicant and approved by the City Attorney.

Councilmember Simonsen made a substitute motion to include specific design criteria identified in the handout. The motion failed for lack of a second.

7:16:20 PM Council Members comments on the proposal included unique building design/style, neighborhood compatibility, uniform design, bike racks, historic contribution/preservation, community input/support, master plan guidelines, pedestrian/vehicle access, design interference,

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addressing neighborhood concerns/desires, good faith effort and elegance versus functionality.

Councilmember Christensen called for a role call vote, which motion carried, all members present voted aye, except Councilmember Simonsen, who voted nay.

(P 09-6)

#2. RE: 7:29:04 PM Adopting a resolution adopting a **prioritized list of projects for Salt Lake City's Energy Efficiency and Conservation Block Grant Program (**EECBG**), recently funded by the American Recovery and Reinvestment Act (**ARRA**) and the Mayor's project funding recommendations. View Attachments**

Councilmember Turner moved and Councilmember Simonsen seconded to **adopt Resolution 27 of 2009**, which motion carried, all members present voted aye.

(R 09-8)

#3. RE: 7:29:40 PM Adopting a resolution amending the **2005-2010 Consolidated Plan for Housing and Community Development Programs between Salt Lake City and the United States Department of Housing and Urban Development to allow for the acceptance and use of Homeless Prevention and Rapid Re-Housing Program (**HPRP**) funds for 2009-2011. View Attachments**

Councilmember Jergensen moved and Councilmember Simonsen seconded to **adopt Resolution 28 of 2009**, which motion carried, all members present voted aye.

(T 05-1)

QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL 7:30:04 PM

No questions.

COMMENTS TO THE CITY COUNCIL 7:30:21 PM

No comments.

NEW BUSINESS

#1. RE: 7:30:36 PM Adopting a **legislative action initiated by Councilmember Christensen requesting the Administration prepare **amendments** to the Salt Lake City Zoning Ordinance to **permit beekeeping** in Salt Lake City. View Attachments**

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Councilmember Jergensen moved and Councilmember Simonsen seconded to **suspend the rules** and **adopt the Legislative Action**.

7:31:53 PM Council Members comments on the proposal included appreciation for the proposal, vibrant urban agriculture, private beekeeping, community interest/sustainability, illegal practices and allowing apiaries in agriculturally zoned areas.

Councilmember Christensen called for the question, which motion carried, all members present voted aye.
(O 09-23)

CONSENT AGENDA 7:37:04 PM

Councilmember Turner moved and Councilmember Love seconded to **approve the Consent Agenda**, which motion carried, all members present voted aye.

#1. RE: Approving the appointment of **Dr. Susan J. Wurtzburg** to the **Human Rights Commission** for a term extending through December 31, 2012.
(I 09-9)

#4. RE: Approving the appointment of **Will Hamill** to the **Business Advisory Board** for a term extending through December 26, 2011.
(I 09-15)

The meeting adjourned at 7:37 p.m.

Council Chair

City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held May 12, 2009.

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