

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, March 2, 2010 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	Stan Penfold
Jill Remington Love	Søren Simonsen	Luke Garrott
Van Turner		

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; David Everitt, Mayor's Chief of Staff; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Martin presided at and Councilmember Turner conducted the meeting.

OPENING CEREMONY

#1. 7:01:22 PM The Council led the Pledge of Allegiance.

#2. 7:02:03 PM Three Salt Lake City youth soccer clubs (Impact United, Firebirds and Avalanche) presented the Council and Mayor Becker with a donation of \$5,000 for the Salt Lake Regional Sports Complex environmental and Jordan River restoration plans.

#3. 7:07:22 PM Councilmember Simonsen moved and Councilmember Christensen seconded to **approve the minutes** for the Salt Lake City Council meeting held **February 16, 2010**, which motion carried, all members voted aye.

(M 10-3)

PUBLIC HEARINGS

#1. **RE:** 7:09:20 PM Accept public comment and consider an **advisory vote** regarding the proposed sale and removal of approximately **three acres** of land from the **Open Space Lands Program inventory** located at **Rose Park Golf Course**, at approximately 1385 North 1200 West. **View Attachments**

The following spoke or submitted written comments in **opposition** of the proposal: **Cindy Cromer, Kelli Dickerson, Tom Dickerson, Ric Williams, Wayne Andersen, David Hellberg, Cree Williams, Linda Boline, Benny Jarvis, Sherry Griffiths and Gerald Hellberg.** Comments included impact on property values/owners, reinvest revenue in open space, zoning restrictions, impact on view corridors, open space inventory, increased traffic, gang activities, limited ingress/egress, too many schools in area, insufficient parking, safety issues, wildlife

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

protection and overcrowding.

The following spoke/submitted written comments in **support** of the proposal: **Senator Luz Robles, Wayne Andersen, Walt Romney, Vicki Mori, Annabel Martinez, Hector Jaines, David Kuhn, Larry Martinez, Mike Harman and Patty Walker.** Comments included enhancing education, school relocation, community asset, responsible neighbors, golf course improvements, educational programs, traffic study, zoning/building requirements and community involvement/partnerships.

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

Councilmember Christensen moved and Councilmember Penfold seconded to **defer action to a future date.**

7:48:18 PM Councilmember Simonsen said the potential use for the property was not consistent with current open space zoning. He said he wanted to defer action until the Council could consider master plan and zoning amendments that would be consistent with anticipated uses.

Councilmember Penfold said there were significant policy issues involved with selling open space and declaring/disposing of surplus land to fund capital improvements and more discussion was needed.

Councilmember Martin said the City's golf courses were enterprise funds which operated as independent businesses. He said he wanted to better understand those operations and if golf courses were viewed differently than other open space.

Councilmember Turner said most Council districts contained golf course property and often there were discussions about selling that open space to make improvements or for other purposes. He said he thought the proposal opened the door for future discussions.

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

(W 10-10)

#2. RE: 7:52:17 PM Accept public comment and consider adopting an ordinance **closing** a portion of **Jefferson Street** at **800 South Street** pursuant to Petition No. PLNPCM2009-00434. **View Attachments**

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

Councilmember Love moved and Councilmember Christensen seconded to **adopt Ordinance 9 of 2010**, which motion carried, all members voted aye.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

(P 10-4)

#3. RE: 7:53:35 PM Accept public comment and consider adopting an ordinance **amending** certain Sections of **Title 21A (Zoning)** pursuant to Petition No. PLNPCM2009-00749, regarding planned developments. **View Attachments**

Judi Short and **Cindy Cromer** spoke/submitted written comments expressing concerns and requesting modifications to the proposal.

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

Councilmember Garrott moved and Councilmember Christensen seconded to **defer action to a future date**, which motion carried, all members voted aye.

(P 10-3)

#4. RE: 7:57:49 PM Accept public comment and consider adopting an ordinance **amending** certain sections of **Title 21A (Zoning)** pursuant to Petition No. PLNPCM2008-00643, to provide additional **clarity** and **efficiency in land use regulation**. **View Attachments**

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

Councilmember Christensen moved and Councilmember Love seconded to **adopt Ordinance 10 of 2010**, which motion carried, all members voted aye.

(P 10-2)

#5. RE: 7:59:05 PM Accept public comment and consider adopting an ordinance **amending** certain sections of **Title 21A (Zoning)** and **Title 2 (Administration)** pursuant to Petition No. PLNPCM2009-00509, to provide additional **clarity** and **efficiency in land use regulation**. **View Attachments**

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

Councilmember Christensen moved and Councilmember Love seconded to **adopt Ordinance 11 of 2010**, which motion carried, all members voted aye.

(P 10-1)

#6. RE: 8:00:22 PM Accept public comment and consider adopting an ordinance allowing for **expedited building plan review**, limited renewal

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

of expired building plan reviews, granting a **one-time extension** to certain plan review expiration dates, and **amending Sections 18.32.035** (fees) and **18.20.050** (building permit application, review and permit issuance conditions) regarding **fees** for **temporary certificates of occupancy**. **View Attachments**

Jacquelyn Nielsen, Sandra Hatch, Cindy Cromer and Jim Burdette spoke/submitted written comments expressing concerns and requesting modifications to the proposal.

Councilmember Garrott moved and Councilmember Penfold seconded to **close the public hearing and defer action to a future date**, which motion carried, all members voted aye.

(O 10-4)

#7. RE: 8:09:02 PM Accept public comment on the **issuance and sale** of up to **\$15,300,000** aggregate principal amount of the City's **General Obligation Bonds, Series 2010B** to finance all or a portion of the cost of acquiring, constructing, furnishing and equipping a **multi-purpose regional sports, recreation and education complex** and related roads, parking and improvements and the impact such project will have on the private sector. **View Attachments**

The following spoke/submitted written comments in **opposition** of the proposal: **Jeff Salt, Cindy Cromer, Amy O'Connor, Michael Budig, Christine Vickers, Barbara RuFenacht, Paul Phelps, Allan Phelps, Ray Wheeler, Nancy Saxton, Eric Harvey, Shirley McLaughlan, Chelsea Gauthier, Sara Solaimanian and Shane Vickers**. Comments included creating a nature preserve/outdoor learning center, ballot not site specific, misleading information, flood risk, economic viability study, needs assessment, wetland permit, delay bond issuance, investigate alternative sites, potential legal action, transit/health issues, confusion regarding motion, future Council action, open space commitment, democracy, release funding in stages, increased costs and scaled down project.

Benjamin Rivkind said he was a member of the Open Space Board and requested information from the Administration regarding various aspects of the proposal.

8:31:40 PM Councilmember Martin asked for a "Point of Order" to ask Ms. Saxton a question regarding her comments on the proposal.

8:40:19 PM Councilmember Garrott said due to confusion about the proposal, he wanted to ask the Administration to openly provide as much information as possible when requests were made. Mr. Everitt said the Administration would be happy to do that.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

Councilmember Garrett said for clarification, the Council was not voting to release bond money during this meeting. He said the Administration would need to come back to the Council at a future date. Councilmember Love said she also understood additional action was needed by the Council to approve the appropriation. Ms. Gust-Jenson said that was correct.

Councilmember Penfold moved and Councilmember Simonsen seconded to **close the public hearing**, which motion carried, all members voted aye.
(Q 10-1)

#8. RE: 8:44:29 PM Accept public comment on the **issuance and sale** of up to **\$125,000,000** aggregate principal amount of the City's **General Obligation Bonds, Series 2010A** to finance all or a portion of the cost of, among other things, providing a **public safety administration** and operations building, an **emergency operations center** and related **facilities**; and the impact such projects will have on the private sector. **View Attachments**

Douglas Cotant spoke about emergency preparedness and improving conditions for public safety personnel. **Cindy Cromer** spoke about how bond issuances were being used to modify City master plans.

Councilmember Garrett moved and Councilmember Simonsen seconded to **close the public hearing**, which motion carried, all members voted aye, except Councilmember Penfold, who was absent for the vote.
(Q 09-6)

COMMENTS TO THE CITY COUNCIL 8:50:15 PM

David Hartley said he opposed actions being taken to evict residents from the Regis Hotel and needed clarification about eviction notices. **Douglas Cotant** told the Council a joke. **Jihad Al Ali** spoke about charity, donations and panhandlers. **Allan Phelps** spoke about protecting a wetland area located in northwest Salt Lake from oil contamination and mosquitoes.

NEW BUSINESS

#1. RE: 8:56:01 PM Adopting a resolution authorizing the governing board of Salt Lake City to appoint **representatives** to serve as its **appointees** on the **Taxing Entities Committee (TEC)** for the **Redevelopment Agency (RDA)** of Salt Lake City. **View Attachments**

Councilmember Christensen moved and Councilmember Penfold seconded to **adopt Resolution 16 of 2010 (Option 2)**, which motion carried, all members voted aye.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

Councilmember Christensen said Option 2 clarified that the standing Council and RDA Chairs would serve on the committee in perpetuity.

(R 10-3)

CONSENT AGENDA 8:57:47 PM

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

#1. RE: Adopting Ordinance 12 of 2010, (The "2010 Assessment Ordinance") approving an assessment list and levying an annual assessment upon property in Salt Lake City, **Utah Lighting District No. 3**, now known as L03 (the "**District L03**"); establishing the effective date of the **2010 Assessment Ordinance**; providing for a procedure to contest an assessment; and related matters. **View Attachments**

(Q 10-3)

The meeting adjourned at 8:58 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 March 2, 2010.

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PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, March 9, 2010 at 7:02 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Stan Penfold
Jill Remington Love	JT Martin	Luke Garrott
Søren Simonsen		

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

Councilmember Martin presided at and Councilmember Turner conducted the meeting.

OPENING CEREMONY

#1. 7:02:59 PM The Council led the Pledge of Allegiance.

#2. 7:03:49 PM Mayor Ralph Becker presented recommendations to the Council regarding the One-Year Action Plan for CDBG, HOME, ESG, AIDS HOPWA and the Interlocal Cooperation Agreement between Salt Lake City and the U. S. Department of Housing and Urban Development (HUD). View Attachments

PUBLIC HEARINGS

#1. RE: 7:10:45 PM Accept public comment and consider adopting an ordinance closing a portion of the City-owned right-of-way adjacent to South Temple Street from 866 West South Temple to 858 South West Temple pursuant to Petition No. PLNCM2009-01132. View Attachments

Bill Coker, Red Iguana 2, spoke in favor of the ordinance.

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

Councilmember Christensen moved and Councilmember Garrott seconded to adopt Ordinance 14 of 2010, which motion carried, all members voted aye.

(P 10-5)

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

#2. RE: 7:14:01 PM Accept public comment and consider an appropriation resolution adopting the five-year Consolidated Plan for 2010-2015, the Citizen Participation Plan and the One-Year Action Plan for the 36th Year Community Development Block Grant (CDBG) funding, Home including funds from the Home Investment Partnerships Program (HOME) funding, Emergency Shelter Grant (ESG) funding, and Housing Opportunities for Persons with AIDS (HOPWA) funding for Fiscal Year 2010-11 and approving an Interlocal Cooperation Agreement between Salt Lake City and the U.S. Department of Housing and Urban Development (HUD). View Attachments

The following citizens spoke regarding the five-year Consolidated Plan for 2010-2015, the Citizen Participation Plan and the One-Year Action Plan for the 36th Year Community Development Block Grant (CDBG):

Roger Biorgenicht, Assist Community Design; Veronica Montoya, Neighbor Works; Cheryl Shurtleff, Christy Paulson and Chris Peterson, Sorenson Unity Center; Jeff Salt, Jordan River Parkway Services; Victoria Lyons, Bad Dog Rediscovered America; Britta Berkey, Big Brothers and Sisters; Alison Barclay, Boys and Girls Clubs; Kathryn Brussard, Catholic Community Services; Sharon Abegglen, Salt Lake Community Action Program; Jamie Gregerson, Donated Dental; Catherine Barnhart, ELS Learning; Jennifer Hyvonen, Fourth Street Clinic; Moira Rampton, Guadalupe Center; Steve Wyatt, House of Hope; Stewart Palphs, Legal Aid Society; Heather Springfellow, Rape Recovery Center; Matt Minkenitch, Road Home Shelter; Kathleen Zeitlin, Christopher Spencer, Tevita Fangupo, and Sujeit Chacon, Salt Lake Peer Court; Bonnie Peters, Family Support Center; Gina Alvarez, Abdulkadir Aden and Hiba Omer University Neighborhood Partnerships; Ginette Bott, Utah Food Bank, Reid Slack, Utah Health & Human Rights; Clair Uno, Wasatch Community Gardens; Angela Wright, YMCA; Beth Eheheart; YWCA; Dr. Janet Tennison, Alliance House; Shu Cheng; Asian Association of Utah; Stephanie Mackay, Columbus Community Center; Janette Schimpf, Neighborhood House; Emily Capito, Odyssey House; William Wells, Keri Taddie and Ashley Edgette Salt Lake School District; Troy Trimmer, Salvation Army; Eileen Dwyer, Salt Lake County Homeless; Sam Stephens, Volunteers of America; Daniel Turner, Housing Authority of Salt Lake County; Tyler Fisher, Utah AIDS Foundation; Jennifer Hare, Family Promise; Stephanie Vincent and Jona Curry, Valley Mental Health.

The following citizens submitted comment cards regarding the five-year Consolidated Plan for 2010-2015, the Citizen Participation Plan and the One-Year Action Plan for the 36th Year Community Development Block Grant (CDBG):

Joshua Edward, Head Start; Michael Morgan Moonbird and Carrie

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

Browder, Bad Dog Rediscovered America; Amy Nissen, Valley Mental Health; Nancy Flander, Veronica Juarcoz, Elizabeth Montoya and Aida Kajdic, Salt Lake School District.

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

Councilmember Christensen moved and Councilmember Penfold seconded to move the issue to a future meeting, which motion carried, all members voted aye.

(T 10-1)

POTENTIAL ACTION ITEMS

#1. RE: 8:57:25 PM Adopting an ordinance allowing for expedited building plan review, limited renewal of expired building plan reviews, granting a one-time extension to certain plan review expiration dates, and amending Sections 18.32.035 (fees) and 18.20.050 (building permit application, review and permit issuance conditions) of the Salt Lake City Code regarding fees for temporary certificates of occupancy. View Attachments

* **Note:** Councilmember Martin conducted the briefing portion of this issue and Councilmember Turner conducted the legislative portion of this issue.

Orion Goff, Building Official, briefed the Council with the attached handout.

Councilmember Penfold moved and Councilmember Christensen seconded to adopt Ordinance 15 of 2010, which motion carried, all members voted aye.

Councilmember Simonsen moved and Councilmember Garrott seconded for a substitute motion to direct the building department to continue to explore options to expedite the plan review processes, explore ways to increase compliance with building permit regulations and report back to the City Council in six months regarding the status of these changes, which motion failed with Council Members Christensen, Turner, Love, Penfold, Garrott and Martin voting nay and Councilmember Simonsen voting aye.

Councilmember Penfold said he preferred going with the original motion and asking Council staff to work on a proposal for exploring options.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

Councilmember Christensen spoke against the substitute motion. He said the Council would begin the budget process soon and could look at other options then.

(O 10-4)

#2. 9:23:00 PM RE: Adopting an ordinance amending the Table of Permitted and Conditional Uses for the Community Business (CB) Zoning District to allow a Hotel/Motel as a Conditional Use when located on a State-Owned Arterial Street pursuant to Petition No. PLNPCM2009-00135.

View Attachments

* **Note:** Councilmember Martin conducted the briefing portion of this issue and Councilmember Turner conducted the legislative portion of this issue.

Janyce Jardine, Council Land Use Planner, briefed the Council with the attachments.

Councilmember Love moved and Councilmember Christensen seconded to adopt Ordinance 16 of 2010, changing the City's zoning regulation to allow hotels and motels located on State-owned arterial streets as a conditional use in the Community Business CB zoning district and leave the issue open until March 30, 2010 at which time the Council will complete the ordinance with additional criteria to be identified by the Council, which motion carried, all members voted aye.

Councilmember Simonsen said he was concerned with adding additional criteria. He said existing criteria captured what was needed.

(P 09-16)

9:33:50 PM COMMENTS TO THE CITY COUNCIL

Jan Bartlett, **Nancy Saxton** and **Jeff Salt** spoke in opposition to the soccer facility. **Jihad Al-Ali** spoke about receiving tickets. **Cindy Cromer** spoke in opposition to amending the City's zoning ordinance. **Mark Brinton** spoke about temporary land use regulations for areas known as the Yalecrest National Historic District, Westmoreland Place Subdivision and Wasatch Hollow. **Jean Zancanella** spoke in support of temporary land use regulations. **Judy Short** spoke about the alcohol ordinance needing more work. **Steve Alder** spoke about various Council proposals. **Ralph Davies** submitted a card but did not speak.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

NEW BUSINESS

#1. 9:53:41 PM RE: Adopting an ordinance Enacting Temporary Land Use Regulations for areas known as the Yalecrest National Historic District and the Westmoreland Place Subdivision.
View Attachments

* **Note:** Councilmember Martin conducted the briefing portion of this issue and Councilmember Turner conducted the legislative portion of this issue.

Councilmember Love moved and Councilmember Simonsen seconded to adopt **Ordinance 13 of 2010**, which motion carried, all members voted aye.

Councilmember Love said preservation and infill had been a priority and area of concern for the City Council and the Mayor for at least ten years.

(O 10-6)

9:59:54 PM CONSENT

Councilmember Garrott moved and Councilmember Christensen seconded to **adopt the Consent Agenda**, which motion carried, all members voted aye.

#1. RE: Setting the date of **March 30, 2010 at 7:00 p.m.** to accept public comment and consider adopting an ordinance to **rezone property** located at **1955 East Stratford Avenue** from Open Space (OS) to Institutional (I) (Redeemer Lutheran Church & School - Petition No. 400-06-49).
(P 08-11)

#2. RE: Setting the date of **March 30, 2010 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **amending Sections 21A.62.040 (Zoning: Definitions) and 21A.32.140 (Table of Permitted and Conditional Uses for Special Purpose Districts)** of the *Salt Lake City Code* pursuant to **Petition No. PLNPCM2009-00726 to recognize animal cremation services** as a permitted or conditional use and to allow cremation services in additional zoning districts.
(P 10-7)

#3. RE: Setting the date of **March 30, 2010 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending Salt Lake City Ordinance 17 of 2009 which **adopted the final budget of Salt Lake City, Utah, for the Fiscal Year beginning July 1, 2009 and ending June 30, 2010.**
(B 10-4)

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 9, 2010

#4. RE: Setting the date of March 30, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance re-designating the Independent Order of Odd Fellows Hall located at approximately 26 West Market Street as a landmark site on the Salt Lake City Register of Cultural Resources. The petition is for a zoning map amendment to re-designate the landmark site, formally located at 41 West Market Street, at its new location pursuant to Petition No. PLNPCM2010-00072.
(O 10-5)

The meeting adjourned at 10:00 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 March 9, 2010.

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