

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, AUGUST 17, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, August 17, 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
Jill Remington Love
JT Martin

Stan Penfold
Søren Simonsen

Van Turner
Luke Garrott

Mayor Ralph Becker; 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 Simonsen conducted the meeting.

OPENING CEREMONY

#1. 7:15:27 PM The Pledge of Allegiance was led by Scout Troop 202.

#2. 7:16:02 PM Adopting a resolution recognizing Frank Whitby as the City Beekeeper. View Resolution

Councilmember Martin read the attached resolution which was then presented to Mr. Whitby by Councilmember Martin and Mayor Ralph Becker.

Councilmember Love moved and Councilmember Christensen seconded to adopt Resolution 40 of 2010, which motion carried, all members voted aye.
(R 10-1)

#2. 7:23:09 PM Councilmember Turner moved and Councilmember Love seconded to approve the minutes for the Salt Lake City Council meeting held August 4, 2010, which motion carried, all members voted aye.
(M 10-3)

PUBLIC HEARINGS

(Note: 7:37:14 PM Items C1-C3 were held as one hearing to address all overlapping issues related to the Regional Athletic Complex and Budget Amendment No. 1 for Fiscal Year 2010-2011.)

The following spoke or submitted written comments in opposition

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to the Regional Athletic Complex proposal: Nancy Saxton, Eric Harvey, Jeff Salt, Dan Potts, Barbara RuFenacht, Shirley McLaughlan, Jen Colby, Douglas Cotant, Kadee Nielson, Paul Phelps, Bardee Mills, Analee Apgood and Naomi Franklin. Comments included ongoing maintenance costs, economic recession, cost overruns, pay-to-play facility, legal hearings, request for public documents, other potential sites, budget reduced for street lights, safety issues, soccer academy, open space destruction, flood plain, inadequate bond notice, oversized complex, trail elimination and parking issues.

Wayne Martinson and Allen Phelps spoke about preserving and developing riparian corridors, wildlife habitats and eco systems.

David Spatafore spoke in favor of the Regional Athletic Complex proposal.

Bill Tibbitts, Ralph Vit, Lou Anne Stevenson, Terryett Woods and Jeff Wilson spoke about panhandling, creating jobs for the homeless and exploring funding options.

Cindy Cromer spoke about open space retention/rezoning and riparian corridor preservation.

#1. RE: Accept public comment and consider adopting an ordinance amending Salt Lake City Ordinance 34 of 2010 which adopted the final budget of Salt Lake City, Utah, for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011. (Please note - this includes an item related to the Regional Athletic Complex as well as other City budget items.) (Budget Amendment No. 1) View Attachments

8:12:41 PM Councilmember Christensen moved and Councilmember Turner seconded to continue the hearing on Item C1 and close the hearings on Items C2 and C3, which motion carried, all members voted aye.
(B 10-8)

#2. 8:13:05 PM RE: Accept public comment and consider adopting the Regional Athletic Complex Riparian Restoration Plan. View Attachments

Councilmember Christensen moved and Councilmember Love seconded to adopt Resolution 41 of 2010 approving the Regional Athletic Complex Riparian Restoration Plan, which motion carried, all members voted aye, except Councilmember Simonsen, who voted nay.
(T 10-4)

#3. 8:14:54 PM RE: Accept public comment and consider adopting

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an ordinance amending the Rose Park Small Area Master Plan Future Land Use Map pursuant to Petition No. PLNPCM2010-00028, and an ordinance amending the zoning map to rezone property located at approximately 2223 to 2349 North Rose Park Lane from AG-2 Agriculture and OS Open Space to PL Public Lands and OS Open Space pursuant to Petition No. PLNPCM2010-00028. View Attachments

8:15:13 PM Discussion was held with the Administration regarding the proposal. Comments included master plan modifications, analyzing other sites, implementation strategies, inadequate evaluations, transit access, size and availability of land, wildlife habitat mitigation/restoration, infill issues, flood mitigation and property/funding donations.

Councilmember Christensen moved and Councilmember Garrott seconded to adopt Ordinance 70 of 2010 rezoning properties located at approximately 2223 to 2349 North Rose Park Lane from Agriculture AG-2 and Open Space to Public Lands and Open Space and also adopt Ordinance 71 of 2010, amending the Rose Park Small Area Master Plan Future Land Use Map and Northwest Community Plan Future Land Use Map to be consistent with rezoning, which motion carried, all members voted aye, except Councilmember Simonsen, who voted nay.
(P 10-16)

#4. 7:24:54 PM RE: Accept public comment and consider adopting an ordinance amending the zoning map to rezone properties located at approximately 556 East 300 South and approximately 350 South 600 East from RMF-35 (Residential Multi-Family) and RO (Residential Office) to RMU (Residential Mixed Use) pursuant to Petition No. PLNPCM2009-01347. View Attachments

Tom Mutter, Stefanie Wedemeyer and Central City Neighborhood Council spoke or submitted written comments about the proposal. Comments included installing brick facade, access issues, unsightly appearance of adjacent property, mid-block crossing improvements and additional parking.

Councilmember Garrott moved and Councilmember Penfold seconded to close the public hearing and defer action to a future meeting.

7:30:15 PM Councilmember Garrott said although the 300 South building design still needed to go back to the Historic Landmarks Commission (HLC) for review, he felt the petitioner had enough time to accomplish that before the September 7, 2010 meeting. Councilmember Love asked for confirmation about the timing issue in terms of going

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back to HLC. Ms. Gust-Jenson said the property owner was available to answer questions if the Council wanted to re-open the hearing.

Councilmember Garrott moved and Councilmember Love seconded to re-open the public hearing, which motion carried, all members voted aye.

Cameron Guntor, property owner/developer, said no major issues or concerns had been expressed about the 600 East property and they were ready to start construction. He said there were issues/concerns regarding the 300 South portion that still needed to be addressed with HLC. He said he wanted to request, if possible, that the 600 East portion be approved and the 300 South portion be deferred to a future meeting.

Substitute Motion: Councilmember Garrott moved and Councilmember Penfold seconded to close the public hearing without deferring action, which motion carried, all members voted aye.

Council Members asked if there were any reasons the proposal could not be divided. Ms. Gust-Jenson said no.

Councilmember Garrott moved and Councilmember Love seconded to adopt Ordinance 69 of 2010 amending the zoning map to rezone property located at approximately 350 South 600 East from RMF-35 to RMU and defer action on the second part of the petition (property located at approximately 556 East 300 South) to a future meeting, which motion carried, all members voted aye.

(P 10-17)

COMMENTS TO THE CITY COUNCIL 8:54:43 PM

The following spoke or submitted written comments regarding the Parley's Historic Nature Park: Jacob Schipboard, Jack Arnott, Gil Vardeny, Lisa Romney, Nancy Von Allmen, Kadee Nielson, Ursula Jochmann, Devin Pope, John Robandt, John Millsaps, Jeff Salt, Grant Hogarth, Alissa Mellem, Nadia Mumulidist, Rhea Lisonbee, Amy Sitzler, Erin Lingenfelter, Jessica Jho, Kathleen Carson, Jackie Rabb, Jeff Judge, Margeret Schults, Karen Hill-Burmaster, Kathleen Bratcher, Joni Van Drunen, Ben Thompson, Tukena Grigg and Jackie Pope. Comments included returning area to natural state, support for Alternative D3, preserve/restore riparian corridor, extend off-leash area, inappropriate activities, management/enforcement issues, conflict resolution, funding issues, over regulation, health issues, bike damage, additional off-leash areas and safety concerns.

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Muriel Wilson said protests filed concerning the North Temple Boulevard Special Assessment District adhered to state law and needed to be honored.

Cindy Cromer invited the Council to attend a party being hosted by the Friends of Gilgal Gardens on September 12, 2010 to celebrate the 10th anniversary of the Gardens acquisition as a City park.

Nancy Saxton spoke concerning riparian corridors. She said waterways needed to be studied to determine appropriate needs/methods for adequate preservation.

Michael Picardi said he wanted the City to ensure the Grand Boulevard was developed as originally envisioned.

Andrea Flandro spoke about crime activity at the Sons of Utah Pioneers facility. She said surrounding properties were also being impacted and asked for the City's help.

George and Josie Leyba submitted written comments in opposition to the North Temple Special Assessment proposal.

NEW BUSINESS

#1. 9:29:21 PM RE: Requesting that the Administration hold a hearing at 5:30 p.m. on Tuesday, September 7, 2010 regarding the proposed sale of property located at 650 South Redwood Road (0.86 acres). View Attachments
(P 10-17)

Councilmember Turner moved and Councilmember Christensen seconded to not call for a public hearing, which motion carried, all members voted aye.
(W 10-4)

CONSENT AGENDA 9:30:06 PM

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

#1. RE: Approving the appointment of Martha Farney to the Community Development and Capital Improvement Program Advisory Board for a term extending through June 4, 2013.
(I 10-16)

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#2. RE: Approving the appointment of Richard Dibblee to the Golf Enterprise Fund Advisory Board for a term extending through July 21, 2014.
(I 10-14)

#3. RE: Approving the appointment of Keri Jones to the Human Rights Commission for a term extending through December 31, 2013.
(I 10-9)

The meeting adjourned at 9:30 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 August 17, 2010.

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TUESDAY, SEPTEMBER 7, 2010

SLC COUNCIL OFFICE

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, September 7, 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	Stan Penfold	Van Turner
Jill Remington Love	Søren Simonsen	Luke Garrott
J T Martin		

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

Councilmember Martin presided at and Councilmember Christensen conducted the meeting.

OPENING CEREMONY

#1. 7:06:32 PM The Council led the Pledge of Allegiance.

#2. 7:06:58 PM Approve the minutes of August 10, 2010.

Councilmember Garrott moved and Councilmember Turner seconded to approve the minutes, which motion carried, all members voted aye.

PUBLIC HEARINGS

(Notice: Items C1-C2 will be held as one hearing to address all overlapping issues related to the Budget Amendment No. 1 for Fiscal Year 2010-11 and Regional Athletic Complex.)

#1. 7:07:16 PM RE: Accept public comment and consider adopting an ordinance amending Salt Lake City Ordinance 34 of 2010 which adopted the final budget of Salt Lake City, Utah for the Fiscal Year beginning July 1, 2010 and ending June 30, 2011. (Please note-this includes an item related to the Regional Athletic Complex as well as other City budget items.)

#2. RE: Accept public comment regarding the financing of the proposed Regional Athletic Complex project of the City, including the proposed issuance of general obligation bonds by the City.

The following citizens spoke against the Regional Athletic Complex: Dan Potts, Nancy Saxton, Jeff Salt, Barbara RuFenacht and Linda Parsons. Nancy Starks was in opposition to the complex but did not wish to speak.

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

7:22:52 PM Jennifer Bruno and Rick Graham briefed the Council. Ms. Bruno said the last item left before the Council to decide on amending the budget for the expenditure to move forward with the project. She said the first motion was approving the remaining \$20.8 million in expenditures with the project. Mr. Rutan said the Council would also be approving the sale of the Bonds at a later date.

7:32:10 PM Mr. Graham said REAL had no role in the complex. He said funding from REAL was a gift and would be used to supplement the project. He said the public would use the soccer fields as they used parks now. He said there was a fee for the use as there was currently in other facilities. He said 60% would be used for league play, 30% for recreational play and 10% would be tournament play.

7:47:44 PM Councilmember Simonsen moved to not adopt the ordinance and direct the administration to pursue the development of the complex at an alternate site, which motion failed with no second.

7:52:28 PM Councilmember Martin moved and Councilmember Love seconded to adopt the budget amendment, including Item A-1 relating to the expenditure budget for the Regional Athletic Complex, and authorize the City Treasurer to continue the City's regular process for selling the General Obligation Bonds and further amend the budget and add \$500,000 from fund balance for the purpose of the restoration plan. These funds shall be held in a separated Capital Improvement Project account to ensure they will be used only for corridor restoration,
8:19:09 PM which motion was withdrawn by Councilmember Martin.

8:29:31 PM Councilmember Simonsen moved and Councilmember Turner seconded to amend the motion to separate out the restoration as a separate motion, which motion failed as Councilmember Turner took his second back.

8:33:59 PM Councilmember Martin moved and Councilmember Love seconded to adopt the budget amendment, including item A-1 relating to the expenditure budget for the Regional Athletic Complex, and authorize the City Treasurer to continue the City's regular process for selling the General Obligation Bonds and it is the intent of the Council to fully fund an effective restoration plan. The Council accordingly requests the administration to up-date the Council every six months on the process of the restoration plan and present the budget proposals, which motion was withdrawn by Councilmember Martin.

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8:42:41 PM Councilmember Love moved and Councilmember Simonsen seconded to adopt Ordinance 60 of 2010 and approve the items in Budget Amendment No. 1 except for those relating to the Regional Athletic Complex, which motion carried, all members present voted aye.
(B 10-8)

8:44:06 PM Councilmember Martin moved and Councilmember Love seconded to adopt the budget amendment, including item A-1 relating to the expenditure budget for the Regional Athletic Complex, and authorize the City Treasurer to continue the City's regular process for selling the General Obligation bonds and it is the intent of the Council to fully fund an effective restoration plan. The Council accordingly requests the administration to up-date the Council every six months on the process of the restoration plan and present the budget proposals. A roll call vote was taken, which motion carried all members voted aye, except Council Members Simonsen and Turner who voted nay.
(Q 10-1)

8:51:59 PM COMMENTS TO THE CITY COUNCIL

Corey Larkin spoke about illegal shuttles, Salt Lake City cabs and the ground transportation ordinance. Jay Ingleby, Glendale Community Council presented, a letter of concerns regarding lighting in the Glendale area. Randy Curtis asked that fees for driver badges at the Airport be eliminated because the costs were not currently being incurred by the City. Jim Breitinger and Jack Arnott spoke in favor of off leash for dog's at Parley's Historic Park. Nancy Saxton and Jeff Salt spoke against the Regional Athletic Complex. Jay Chambers spoke regarding cabs at the Airport. Karen Potts spoke about the need for lighting in the Glendale area and against the Regional Athletic Complex.

The following submitted comment cards including various comments about lighting in the Glendale area, the Regional Athletic Complex, and ground transportation but did not wish to speak: Amir Adabkhah, LaVon Weidner, LaBerne Sluyters, Jimmie Hartley and Linda Parsons.

UNFINISHED BUSINESS

#1. 9:10:54 PM RE: Adopting a resolution designating an assessment area to be known as the Salt Lake City, Utah North Temple Boulevard Assessment Area No. LC-109017 and No. M-109018 (the "North Temple Boulevard Assessment Area") as described in the Notice of Intention to Designate Assessment Area adopted on June 15, 2010, as amended; authorizing the City officials to proceed with the acquisition and construction of the improvements and the levying of

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assessments to finance a portion of the costs of said improvements as well as certain operation and maintenance expenses, all as described in said Notice of Intention, as amended; and related matters.

Councilmember Turner moved and Councilmember Penfold seconded to adopt Resolution 42 of 2010, which motion carried, all members voted aye.

(Q 10-4)

CONSENT

Councilmember Garrott moved and Councilmember Penfold seconded to adopt the Consent Agenda except for Item 1C which was pulled, which motion carried, all members present voted aye.

#1. RE: Setting the date of September 21, 2010 at 7:00 p. m. to accept public comment and consider adopting:

- A. An ordinance amending Section 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab ordinance and to provide for categorization of vehicle types by passenger seating fees through rules and regulations; on-demand service restrictions; elimination of manifests; vehicle inspection requirements; special transportation vehicle requirements; vehicle standards; replacement of criminal enforcement with civil penalties; ground transportation appeal committee;
- B. An ordinance amending Section 5.72, *Salt Lake City Code*, pertaining to taxicabs, to provide for transition from regulatory to contract-based system for providing taxicab services; eliminating certificates of convenience; eliminating operational requirements that will become contract-based; providing for a contract between taxicab companies and the City, through the Department of Airports; providing for rules and regulations; replacing fixed fares with a flexible fare structure; replacing criminal enforcement with civil penalties;
- C. An ordinance repealing Chapter 5.76, *Salt Lake City Code*, pertaining to special transportation vehicles; special transportation vehicles shall be regulated pursuant to Section 5.71, *Salt Lake City Code*;
- D. An ordinance amending Title 16, Sections 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, and violations, penalties and enforcement of

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Title 16 provisions at the Salt Lake City International Airport to correspond with changes made in Sections 5.71, 5.72 and 5.76, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties and establishing *Salt Lake City Code* processes and procedures related thereto.

(O 05-2)

#2. RE: Setting the date of October 5, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance closing an unimproved portion of South Temple Street as a public street between 500 West Street and 600 West Street pursuant to Petition No. PLNPCM2010-00320.

(P 10-19)

#3. RE: Approving the transfer of the following grant projects: State of Utah Department of Public Safety - SLC Bicycle Safety Project Grant Increase; State of Utah, Certified Local Government (CLG) Program, Intensive Level Survey - Liberty Wells; State of Utah Commission on Criminal and Juvenile Justice (CCJJ), SLC Asset Forfeiture Program; Utah Department of Public Safety - 2010 Emergency Management Performance Grant (EMPG) (\$20,000); Utah Department of Public Safety - 2010 Emergency Management Performance Grant (EMPG) (\$12,500); Utah Department of Public Safety - 2009 Community Emergency Response Team (CERT) Grant; State of Utah, Department of Workforce Services Youth Connections Grant - Ottinger Hall; United States Department of the Interior Bureau of Reclamation - Water Conservation Landscape Efficiencies Interactive Website; State Office of Crime Victim Reparations, 2010 VOCA Victim Assistance Grant; State of Utah, Department of Workforce Services Youth Connections Grant - Central City; State of Utah, Department of Workforce Services Youth Connections Grant - Fairmont Park; State of Utah, Department of Workforce Services Youth Connections Grant - Liberty Park from the Grant Holding Account and establish a project budget for each grant to be confirmed in a formal budget opening.

(B 10-10)

#4. RE: Approving the appointment of Emily Drown to the Planning Commission for a term extending through July 1, 2014.

(I 10-13)

The meeting adjourned at 9:12 p.m.

Council Chair

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City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held September 7, 2010.

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