

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, AUGUST 10, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, August 10, 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; Mayor Ralph Becker; and Chris Meeker, City Recorder; were present.

Councilmember Martin presided at and Councilmember Simonsen conducted the meeting.

7:09:28 PM OPENING CEREMONY

#1. [7:10:02 PM](#) The Council led the Pledge of Allegiance.

#2. [7:10:31 PM](#) Adopting a joint resolution with Mayor Ralph Becker honoring the first 12 citizens who responded to the **Red Butte Creek oil spill on June 12, 2010** and significantly helped to mitigate the impact on Salt Lake City residents and the natural environment.

Councilmember Love moved and Councilmember Christensen seconded to adopt **Resolution 35 of 2010**, which motion carried, all members voted aye.

#3. [7:18:16 PM](#) Approve the minutes of **July 6 and July 13, 2010**

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

PUBLIC HEARINGS

#1. RE: [7:18:37 PM](#)

- A. Accept public comment and consider adopting an ordinance adopting the **North Temple Station Area Plan pursuant to Petition No. PLNPCM2009-00510**. [View Attachments](#)
- B. Accept public comment and consider adopting an ordinance amending Section 21A Zoning, *Salt Lake City Code* pursuant to **Petition No. PLNPCM2010-00096 to establish the TSA Transit Station Area zoning district**, amending

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existing sections of Title 21A affected by the establishment of the TSA Transit Station Area zoning district, and amending the zoning map to establish the boundaries thereof. The area to be rezoned includes properties along North Temple Street from 600 West to 2200 West, the North Temple Viaduct area (300 West to 600 West and 200 South to 600 North) and the Euclid neighborhood generally located between North Temple and I-80 and I-15 and the Jordan River. [View Attachments](#)

The following citizens commented on the North Temple Station Area Plan and Zoning: **Bill Coker, Cindy Cromer, Dirk Groen, Myra Close, JoAnn Anderson, Brad Taylor, Jeri Olsen, Rod Olsen, Mike Christensen, Deloy Porter and Liz Losser.**

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

Councilmember Christensen said this was an historic day because North Temple was the heart of the West Side and provided an essential corridor into the City.

Councilmember Turner said West Side neighborhoods would be changed permanently for the better. He said this was a gateway to the City and would put neighborhoods together.

Councilmember Simonsen said this had been a long time in coming.

Councilmember Christensen moved and Councilmember Turner seconded to **adopt Ordinances 60 and 61 of 2010**, which motion carried, all members voted aye.
(P 10-13 & P 10-14)

#2. [7:45:26 PM](#) RE: Accept public comment and consider adopting an ordinance amending the **Zoning Map to establish the Westmoreland Place Historic District** pursuant to Petition No. PLNHLC2010-0018. [View Attachments](#)

The following Citizens spoke in favor of the **Westmorland Place Historic District**: **Jean Zancanella, Matt Durham, Libby Peterson, Lisette Gibson, Georg Kelner and Kirk Huffaker.**

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

Councilmember Love moved and Councilmember Martin seconded to **adopt Ordinance 62 of 2010**, designating the **Westmoreland Place**

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Subdivision as a local historic district and applying the historic preservation overlay zoning district classification to properties located within the subdivision generally between 1500 East and 1600 East and 1300 South and Browning Avenue and excluding the option provided in the zoning regulations that allow non-residential uses of landmark sites in residential zoning districts, which motion carried, all members voted aye.

Councilmember Love said she would like to thank Jean Zancanelk, Matt Durham, Michael and Tracy Covey and Lindsey Ferri, residents of Westmoreland, who worked tirelessly to educate their neighbors. She thanked Pat Comarell and Kirk Huffaker for being available to visit with the neighborhood and to educate those living in Westmorland Place. She thanked the Westmorland Place neighbors for putting aside personal convenience for the good of the greater neighborhood. She said they had quickly zeroed in on a productive discussion of balance. She said the success of the Westmorland district would encourage others to follow suit.

Councilmember Martin said he honored and respected Westmoreland and all the residents there. He said it had been an inspiration to see how the neighborhood was able to come together and work in a very civil constructive way. He said the community had already been used as a standard of how the process should be brought forward.

Councilmember Simonsen said they say that timing is everything and fortunately for Westmoreland Place their timing was impeccable.
(P 10-15)

#3. [7:59:47 PM](#) RE: Accept public comment and consider adopting an ordinance amending the zoning map to **rezone a portion of property located at 900 South between 700 and 800 West from OS (Open Space) to M-1 (Light Manufacturing) pursuant to Petition No. PLNPCM2010-00071.** (Utah Paper Box)[View Attachments](#)

The following citizens spoke in favor of the ordinance: **Fred Fife** and **Jay Ingleby**.

Councilmember Turner said his district had two major issues, the train on 900 South and the tire recycler which Utah Paper Box replaced.

Councilmember Simonsen requested increasing landscaping requirements along 900 South from what was currently required realizing that the potential for a future trail corridor was there.

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

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Councilmember Turner moved and Councilmember Garrott seconded to suspend the rules and **adopt Ordinance 63 of 2010 and amend the zoning map to rezone a portion of property located at 900 South between 700 and 800 West from OS (Open Space) to M-1 (Light Manufacturing) pursuant to Petition No. PLNPCM2010-00071**, which motion carried, all members voted aye.
(P 10-12)

POTENTIAL ACTION ITEMS

#1. 8:12:01 PM RE: Adopting the **final rate of tax levy** to be credited to the Library Fund for Fiscal Year 2010-11.[View Attachments](#)

Councilmember Simonsen recused himself for Items D-1 and D-3 regarding the Library Budget and Councilmember Martin Conducted.

Councilmember Garrott moved and Councilmember Christensen seconded to **adopt Items D-1 and D-3 and Ordinances 64 and 66 of 2010**, which motion carried, all members voted aye except Councilmember Simonsen who was recused for the vote.
(B 10-2)

#2. 8:15:23 PM RE: Adopting the **final rate of tax levy, including the levy for the Library Fund**, upon all **real and personal property** within Salt Lake City, made taxable by law for Fiscal Year 2010-11.[View Attachments](#)

Councilmember Garrott moved and Councilmember Turner seconded to **adopt an Ordinance**.

Councilmember Christensen moved and Councilmember Love seconded to adopt a substitute motion adopting **Ordinance 65 of 2010, establishing the final rate of tax levy upon all real and personal property within Salt Lake City for fiscal Year 2010-11: 0.0034444483 for General Fund operations, 0.000791 for General Library operations, 0.001076 for repayment of General Obligation Bonds and 0.000012 for the Library's Judgment Levy for a total rate of 0.005428**, a roll call vote was taken, which motion carried, all members voted aye.

Councilmember Christensen spoke to his motion. He said the substitute motion was because Salt Lake City had an issue with Salt Lake County's Emergency Management Services (EMS). He said Salt Lake City did not budget the expense and did not pass it on to Salt Lake City residents.
(B 10-1)

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#3. [8:12:01 PM](#) RE: Adopting an ordinance **adopting the final budget for the Library Fund of Salt Lake City, Utah for Fiscal Year 2010-11.**[View Attachment](#)

Councilmember Simonsen recused himself for Items D-1 and D-3 three regarding the Library Budget and Councilmember Martin conducted.

Councilmember Garrott moved and Councilmember Christensen seconded **adopt items D-1 and D-3 and ordinances 64 and 66 of 2010**, which motion carried, all members present voted aye.
(B 10-2)

#4. [8:23:02 PM](#) RE: Adopting an ordinance **adopting the final City 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 2010-2011.**[View Attachments](#)

Councilmember Christensen moved and Councilmember Martin seconded to **adopt Ordinance 67 of 2010**, which motion carried, all members voted aye except Council Members Garrott and Simonsen who voted nay.

Councilmember Christensen moved and Councilmember Martin seconded to **direct the Administration and staff to transfer money currently identified as a transfer to fund balance be added to the City's Capital Improvement Program**, which motion carried, all members voted aye.
(B 10-1)

QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL

Councilmember Turner thanked the Mayor for coming to the Night Out Against Crime. Councilmember Martin thanked Councilmember Turner for his work.

[8:30:38 PM](#) COMMENTS TO THE CITY COUNCIL

Ralph Vix spoke against the panhandling ordinance, **Chuck Waagen** spoke against closing the liquor store on Main Street. **Randy Sorensen** spoke against cutting lighting to balance the budget. **Jack Arnott** spoke against the Parley's Historic Park Plan. **Nancy Van Allmen, Amir Soltani, Karl Johnson and Diane Shafer** spoke in favor the Parley's Historic Park Plan. **Madeleine Franza, Linda Houtz, Ursula Jochmann and Scott Cresswell** spoke in favor of keeping off leash at Parley's Historic Park. **Ron Whitehead, Geri Bailey and Ken Whitehead** spoke against privatizing airport shuttle busses. **Douglas Cotant and Libby Peterson** submitted cards but did not speak.

NEW BUSINESS

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#1. [9:05:40 PM](#) RE: Approving the appointment of **John Naser** as the **City Engineer** of Salt Lake City Corporation.

Councilmember Love moved and Councilmember Martin seconded to **suspend the rules and appoint John Naser as the City Engineer**, which motion carried, all members voted aye.

(I 10-17)[View Attachment](#)

#2. [9:06:17 PM](#) RE: Adopting a resolution confirming the appointment of **Patricia Comarell** to serve as a member of the Board of Trustees of **the Metropolitan Water District of Salt Lake and Sandy** for a four-year term until **January 1, 2014**.[View Attachment](#)

Councilmember Christensen moved and Councilmember Turner seconded to **suspend the rules and adopt Resolution 36 of 2010**, which motion carried, all members voted aye.

(I 10-15)

#3. [9:07:01 PM](#) RE: Adopting a Resolution confirming the appointment of **Lee Kapaloski** to serve as a member of the Board of Trustees of **the Metropolitan Water District of Salt Lake and Sandy** for a four-year term until **January 1, 2014**.[View Attachments](#)

Councilmember Christensen moved and Councilmember Turner seconded **suspend the rules and adopt Resolution 37 of 2010**, which motion carried, all members voted aye.

(I 10-15)

#4. [9:08:18 PM](#) RE: Adopting a Resolution **authorizing the Mayor to sign a Memorandum of Agreement between the Federal Bureau of Investigation and the Salt Lake City Police Department** to define the responsibilities for the parties concerning payments and other purchases associated with the space utilized by the **Safe Streets Violent Crimes Task Force(SSTF)**.[View Attachments](#)

Councilmember Penfold moved and Councilmember Garrott seconded to **suspend the rules and adopt Resolution 38 of 2010**, which motion carried, all members voted aye.

(R 10-10)

UNFINISHED BUSINESS

#1. [9:07:26 PM](#) RE: Adopting an ordinance **closing and abandoning a portion of Everett Avenue as a public street** pursuant to Petition No. 400-06-50 (requested by Utah Metal Works). [View Attachments](#)

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Councilmember Penfold moved and Councilmember Turner seconded to adopt **Ordinance 68 of 2010**, which motion carried, all members voted aye.

(P 08-2)

#2. [9:08:47 PM](#) RE: Adopting a resolution relating to Capital Improvement Program allocations for Fiscal Year 2010-2011. [View Attachment](#)

Councilmember Garrott moved and Councilmember Christensen seconded to **adopt Resolution 39 of 2010**, adopting the Capital Improvement Program for fiscal year 2010-2011 including adding the two projects discussed earlier, the Road Project in District 6 and a Park Project in District 7 and reducing the allocation to ADA Ramps/Corner repairs by \$48,807 in order to balance the budget, which motion carried, all members present voted aye.

Jennifer Bruno said in the past the Council had used the ADA ramps line item to adjust the CIP budget.

(I 10-15)

#3. [9:11:00 PM](#) RE: Adopting a resolution authorizing the **issuance and sale of up to \$12,000,000 aggregate principal amount of the City's water and sewer revenue bonds**, in one or more series, to finance all or a portion of certain improvements, facilities and property that will be part of the City's water, sewer and stormwater system; providing for the holding of a public hearing and providing for related matters.

Councilmember Garrott moved and Councilmember Love seconded to **consider authorizing the issuance and sale of up to \$12,000,000, adopt Resolution 34 of 2010 and set a date of September 14, 2010 at 7:00 P.M. to accept public comment**, which motion carried, all members voted aye.

[View Attachment](#)

(Q 10-8)

#4. [9:12:01 PM](#) RE: Requesting that the **Administration hold a hearing** at 6:15 p.m. on Tuesday, August 17, 2010 regarding the proposed sale of the **Garfield School** property (4.60 acres) located at 1838 South 1500 East to Westminster College. [View Attachments](#)

Councilmember Christensen moved and Councilmember Turner seconded **not call for a hearing**, which motion carried, all members voted aye.

(W 10-4)

#5. [9:16:05 PM](#) RE: Requesting that the **Administration hold a hearing** at 5:30 p.m. on Tuesday, August 17, 2010 regarding the proposed sale of 7.84 acres of surplus land located at approximately **1800 South 5800 West**, bordering the Salt Lake Valley Solid Waste Management

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Facility (Salt Lake City/County Landfill) to Rocky Mountain Power.
[View Attachment](#)

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

CONSENT 9:16:49 PM

Councilmember Garrott moved and Councilmember Penfold seconded to adopt the consent agenda, which motion carried, all members voted aye.

#1. RE: Approving the corrected term dates for the board appointments to the **Housing Advisory and Appeals Board** for **Jerry Stanger** for a term extending through December 31, 2010, **Kate Bradshaw** for a term extending through December 31, 2011, **David Brach, Bryan Case, James Guilkey and Bill Nighswonger** for a term extending through December 31, 2012, and **Susan Fleming** for a term extending through December 31, 2013.
(I 10-8)

#2. RE: Setting the date of **August 17, 2010 at 7:00 p.m.** to 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 Attachment](#)
(P 10-17)

The meeting adjourned at 9:17 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 10, 2010.

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