

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, APRIL 5, 2005

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, April 5, 2005, 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	Nancy Saxton
Jill Remington Love	Eric Jergensen	Dave Buhler
Dale Lambert		

Mayor Ross C. "Rocky" Anderson; Cindy Gust-Jenson, Executive Council Director; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Lambert presided at and Councilmember Turner conducted the meeting.

#1. The Council led the Pledge of Allegiance.

#2. Councilmember Christensen moved and Councilmember Love seconded to **approve the minutes** of the Salt Lake City Council meeting held **March 15, 2005**, which motion carried, all members voted aye.
(M 05-3)

PUBLIC HEARINGS

#1. Accept public comment and consider adopting:

a. an ordinance **amending Section 21A.24.150**, Salt Lake City Code, pertaining to **RMF-75 high density multifamily residential district**, pursuant to Petition No. 400-04-17.

b. an ordinance **amending Table 21A.54.150E2**, Salt Lake City Code, pertaining to **minimum planned development size** within the zoning districts throughout the City, pursuant to Petition No. 400-04-19.

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

Councilmember Jergensen moved and Councilmember Saxton seconded to:

a. **adopt Ordinance 11 of 2005 amending the zoning text to allow for single-family detached and single-family attached homes in the RMF-75 zoning district and**

b. **adopt Ordinance 12 of 2005 amending the zoning text to decrease the minimum amount of property required for a planned unit development in the RMF-75 district.**

Councilmember Christensen said the staff report included an additional option to have Planning evaluate square footage requirements for residential. Councilmember Jergensen said he would amend the motion to include the additional option **requesting**

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the Administration re-evaluate the zoning text regarding the minimum amount of property required for a planned development in the RMF-45 zoning district to reduce the minimum from 20,000 square feet to 9,000 square feet.

Councilmember Saxton seconded the amended motion. Councilmember Turner called for the question, which motion carried, all members voted aye.
(P 05-6) (P 05-7)

COMMENTS TO THE CITY COUNCIL

Douglas Cotant said documents produced by the City were difficult to read and needed larger print.

Lonnie Pursifull thanked the City Attorney/Police Department for professional conduct and fair application of the law during the LDS Church conference.

Donna Mirabelli and **Elaine Brinkerhoff** spoke concerning the need to replace a fence located at 2229-2279 South 1700 East. Councilmember Lambert said the fence was owned by the City and was in disrepair. He said the issue would be discussed during the Capital Improvement Program (CIP) budget.

Nicole Meyer spoke concerning a resolution to relocate an elephant from Lincoln Park Zoo to a sanctuary.

The following spoke or submitted written comments concerning sewage damage to property located on 900 South.

Mike Estrada, Elizabeth Sollis, Kendall Sollis, Melissa Weber, and Micah Ewart. Comments included tree root damage, City owned trees, insurance denial, personal property losses, irreplaceable items, sentimental value, following national cleanup standards, health and liability issues, no fault occurrence, and making government accountable.

Councilmember Love said she would present recommendations to the Council to address concerns relating to this issue.

UNFINISHED BUSINESS

#1. RE: Ratify the date of **April 12, 2005 at 7:00 p.m.** to accept public comment and consider adopting a **resolution** authorizing the issuance and sale of up to \$55,000,000 aggregate principal amount of **Sales Tax Revenue Refunding Bonds** of the City; fixing certain maximum terms for the Bonds.

Councilmember Lambert moved and Councilmember Jergensen seconded to **adopt Resolution 16 of 2005 and ratify the public hearing date of April 12, 2005,** which motion carried, all members voted aye.
(Q 05-4)

#2. RE: Adopting a **resolution** authorizing the issuance and sale of up to \$13,000,000 aggregate principal amount of **water and sewer improvement and refunding revenue bonds** of the City; fixing certain maximum terms for the Bonds; and providing for related matters.

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Councilmember Jergensen moved and Councilmember Saxton seconded to **adopt Resolution 17 of 2005.**

Councilmember Christensen said he understood some refund revenue would be used for waterline replacements. He asked where line replacements would occur. **Gary Mumford**, Deputy Council Director, said bond savings would be used to replace waterlines in the Millcreek area.

Councilmember Turner called for the question, which motion carried, all members voted aye.
(Q 05-5)

#3. RE: Adopting a **resolution** authorizing a **loan** from the Salt Lake City's Housing Trust Fund to **HMG Properties, LLC** for the construction of the **City Plaza Apartment Project** to be located at **134-164 South 200 East.**

Councilmember Saxton moved and Councilmember Love seconded to **defer the item for two weeks to obtain answers to Council questions.**

Councilmember Saxton said this was an important issue and needed careful consideration. She said she was concerned about issues raised during the briefing regarding transferring ownership and developer fee deferrals. She said she wanted legal information about constraints or stipulations the Council might choose to make regarding how ownership transfers could take place. She said she also needed to better understand

how deferred developer fees were handled and if the Council needed to include them. She said she wanted to defer action for two weeks so she could get some answers. She said other Council Members might have additional ideas or concerns.

Councilmember Lambert said he understood the Council could insist on deferring the development fee for five years and require the developer to be involved with the project for 15 years. **LuAnn Clark**, Housing and Neighborhood Development Director, said the Council could make conditions to the loan but she did not know if they would be acceptable to the tax credit investor. She said the loan would be purchased by a tax credit investor. She said developers had the right to choose the investor they wanted. She said questions needed to be directed to the investor.

Councilmember Saxton asked if two weeks was long enough to get answers. **Kevin Keating**, Urban Housing Partners, said HMG Properties needed to know the money was in place before they spent a lot of time negotiating deal terms. He said he could ask what their position was and get back to the Council. He said the Council could place conditions on the loan and if HMG felt the requirements were problematic they would come back to the Council.

Councilmember Lambert said this was a difficult issue but he was not sure a delay resolved the problem. He said he felt the

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Council needed to vote for or against the proposal and included conditions if necessary.

Councilmember Turner called for the question, which motion carried, all members voted aye, except Council Members Lambert, Love, and Jergensen who voted nay.

(R 05-4)

#4. RE: Adopting a resolution authorizing the approval of an interlocal agreement regarding design and construction of the **900 South TRAX Station** between Salt Lake City Corporation and Utah Transit Authority, and the approval of the design plan pursuant to Petition No. 400-04-50.

Councilmember Christensen moved and Councilmember Jergensen seconded to **adopt Resolution 18 of 2005**, which motion carried, all members voted aye.

(P 05-11)

CONSENT AGENDA

#1. Requesting that the Administration **not** hold a hearing regarding a request by **PacifiCorp** for a 10' X 30' easement where a guy wire exists at Forest Dale Golf Course. This is adjacent to property at 2588 South McClelland Street. Compensation will be tendered.

(W 05-4)

#2. Requesting that the Administration **not** hold a hearing regarding a request to declare surplus the southern portion of **Edision Street between 600 South**

and 700 South for purchase by the abutting property owner. An easement would be maintained on the property to preserve needed access for public utilities. This portion of Edison Street has been closed since 1987, and has provided access to the retail store on the property. Compensation will be tendered.

(W 05-4)

#3. Confirm the date of **April 19, 2005 at 7:00 p.m.** to accept public comment regarding a request by **North Salt Lake City** to disconnect **80 acres** from Salt Lake City's municipal boundary pursuant to Petition 400-04-11.

(P 04-32)

#4. Confirm the date of **April 19, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance closing **California Avenue between 300 West and the UTA/TRAX right-of-way at 200 West, Washington Street between California Avenue and 1400 South and the alley located between 1300 South and California Avenue (adjacent and west of the UTA/TRAX right-of-way (200 West))** and that the City sell these properties to Lowe's as the abutting property owner pursuant to Petition No. 400-04-09.

(P 05-10)

#5. Confirm the date of **April 19, 2005 at 7:00 p.m.** to accept public comment and consider amending **Chapter 21A.38, Salt Lake City Code**, pertaining to non-conforming uses and non-complying structures, **Section 21A.52.030, Salt Lake City Code**, pertaining to special exceptions,

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Section 21A.62.040, Salt Lake City Code, pertaining to definitions and amending the Avenues Community Master Plan pursuant to Petition No. 400-03-34.

(O 03-5)

#6. Confirm the date of **April 12, 2005 at 7:00 p.m.** to accept public comment and consider amending Ordinance 13 of 2003 to **remove the crash gates** as a condition of the closure of 500 West railroad crossing on 500 North pursuant to Petition No. 400-04-45.

(P 05-8)

#7. Confirm the date of **April 12, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **closing and abandoning a portion of 300 South** from approximately 5100 to 5200 West pursuant to Petition No. 400-04-43.

(P 05-9)

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

The meeting adjourned at 7:38 p.m.

Council Chair

Chief Deputy City Recorder

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