

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

THURSDAY, OCTOBER 6, 2005

The City Council of Salt Lake City, Utah, met in Regular Session on Thursday, October 6, 2005, at 7:00 p.m. in Room 315, City Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Van Turner	Nancy Saxton	Dave Buhler
Jill Remington Love	Eric Jergensen	Dale Lambert

The following Councilmember was absent:

Carlton Christensen

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

Councilmember Lambert presided at and conducted the meeting.

**#1.** The Council led the Pledge of Allegiance.

**#2.** Councilmember Jergensen moved and Councilmember Turner seconded to approve the **minutes** of the Salt Lake City Council meeting held **September 20, 2005**, which motion carried, all members present voted aye.

(M 05-3)

**PUBLIC HEARINGS**

**#1. RE:** Accept public comment and consider adopting and re-zoning **four properties** from residential to commercial, 1) **916 South 900 East**, from Residential (R-1/5000) to Commercial (CB); 2) **909 South 900 East**, from Residential (R-1/5000) and Commercial (CB) to Commercial (CB); 3) **932 East 900 South**, from Residential (R-1/5000) to Commercial (CB); and 4) **919 South Lincoln Street (952 East 900 South)**, from Residential (R-1/5000) and Commercial (CB) to Commercial (CB) and amending the **Zoning Map** and the **East Central Community Small Area Plan** and **Central Community Master Plan** pursuant to Petition No. 400-05-10. (900 South 900 East)

**Dennis Guy-Sell** and **Pamela Pedersen** spoke in favor of the petition. Ms. Pedersen said some residents wanted research done on three of the proposed parcels. She said they were concerned people could make unauthorized changes and the City would simply rezone the property thinking a zoning error was made.

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

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Councilmember Love moved and Councilmember Turner seconded to **adopt Ordinance 59 of 2005.**

Councilmember Love said she understood mapping errors were explained to residents but because this was new information for that area it was difficult for them to understand how the errors occurred. She said a number of mapping errors were made throughout the City. She said she felt the proposal made sense because the properties had been used commercially for many years. She said she received a lot of correspondence from people who supported the proposal and felt it would enhance the neighborhood and business community.

Councilmember Saxton said she felt the design was beautiful and agreed the proposal would enhance the neighborhood. She said caution was needed whenever a parking lot was located next to a residential home because it could have a detrimental impact on that house. She said people needed to be sensitive to potential impacts and protect homes.

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

**(P 05-19)**

COMMENTS TO THE CITY COUNCIL

**Dennis Guy-Sell** spoke about the need for motorists to obey traffic signals to allow the City to have safe walkable communities.

UNFINISHED BUSINESS

**#1. RE:** Consider a motion to extend to **October 23, 2005** the effective date of the Salt Lake City Code **5.72.142**, titled Mandatory Accessible Vehicle, which requires taxicab companies holding certificates of public convenience and necessity to each provide at least **one vehicle** that is **fully accessible** for the transportation of people with disabilities.

The item was withdrawn.

**(O 04-24)**

CONSENT AGENDA

**#1. RE:** Adopting **Resolution 55 of 2005** authorizing Salt Lake City to accept the **U.S. Environmental Protection Agency pollution prevention grant.** (This item relates to Budget Amendment No. 1 fiscal year 2005-2006, which was adopted by the City Council on Tuesday, September 20, 2005.)

**(C 05-710)**

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**#2. RE:** Adopting **Resolution 56 of 2005** authorizing the approval of an **interlocal** cooperation agreement between Salt Lake City Corporation and **Utah Department of Transportation** regarding curb, gutter and sidewalk construction, **SR-68, Redwood Road - Indiana Avenue to California Avenue, East Side**. (This item relates to Budget Amendment No. 1 fiscal year 2005-2006, which was adopted by the City Council on Tuesday, September 20, 2005.)  
(C 05-708)

**#3. RE:** Adopting **Resolution 57 of 2005** authorizing the approval of an **interlocal** cooperation agreement between Salt Lake City Corporation and **Utah Department of Transportation** regarding the **700 South and Jordan River**. (This item relates to Budget Amendment No. 1 fiscal year 2005-2006, which was adopted by the City Council on Tuesday, September 20, 2005.)  
(C 03-112)

**#4. RE:** Adopting **Resolution 58 of 2005** authorizing the approval of an **interlocal** cooperation agreement between Salt Lake City Corporation and **Utah Department of Transportation** regarding Salt Lake County **pedestrian safety issues** under the east end of the **North Temple viaduct**. (This item relates to Budget Amendment No. 1 fiscal year 2005-2006, which was adopted by the City Council on Tuesday, September 20, 2005.)  
(C 05-709)

**#5. RE:** Setting the date of **November 1, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance adopting the Central Community Master Plan pursuant to Petition No. 400-01-36.  
(T 03-3)

**#6. RE:** Setting the date of **October 18, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **amending** Salt Lake City Ordinance 26 of 2005 which adopted the final budget of Salt Lake City, Utah, and Ordinance 48 of 2005 which ratified and readopted the **final budget** for fiscal year beginning July 1, 2005 and ending June 30, 2006. (This item is a special budget amendment which relates to pavers at Library Square) (**Budget Amendment No. 2**)  
(B 05-9)

**#7. RE:** Approving the appointment of **Randall Dixon** to the **Transportation Advisory Board** for a term extending through September 29, 2008.  
(I 05-10)

**#8. RE:** Approving the appointment of **Faina Raik** to the **Housing Trust Fund Board** for a term extending through December 25, 2006.

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(I 05-5)

#9. RE: Approving the appointment of **Lex Hemphill** to the **Sugar House Park Authority** for a term extending through May 20, 2009.

(I 05-27)

#10. RE: Approving the reappointment of **Rita Lund** to the **Sugar House Park Authority** for a term extending through December 1, 2010.

(I 05-27)

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

The meeting adjourned at 7:15 p.m.

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Council Chair

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Chief Deputy City Recorder

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PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, OCTOBER 11, 2005

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, October 11, 2005 at 12:15 p.m. in Room 326, City Council Office, City County Building, 451 South State.

The following Council Members were present:

Carlton Christensen	Van Turner	Eric Jergensen
Dave Buhler	Nancy Saxton	Dale Lambert

The following were absent:

Jill Remington-Love                      Mayor Ross C. "Rocky" Anderson

Cindy Gust-Jenson, Executive Council Director; Larry Spendlove, Senior City Attorney; Sonya Kintaro, Recorder's Records Manager/Election Coordinator; and Chris Meeker, Chief Deputy City Recorder, were present.

Councilmember Lambert presided at and conducted the meeting.

UNFINISHED BUSINESS

**#1. RE:** The Mayor and City Council will **convene as the Board of Canvassers** at their regular meeting place to examine the validity of the absentee ballots, and then direct the absentee ballots and provisional ballots to be counted electronically by the Salt Lake County Clerk. The Board of Canvassers will charge the City Recorder's Office to prepare a canvass to be presented to the Board of Canvassers at the regularly scheduled City Council meeting at 7:00 p.m. on October 11, 2005.

Councilmember Turner moved and Councilmember Christensen seconded to **recess as the City Council and convene with the Mayor as the Board of Canvassers**, which motion carried, all members present voted aye.

**Sonya Kintaro**, Records Manager/Election Coordinator, said the Council had the unofficial election results. She said these results were copied from an automatic tabulation report prepared by the Salt Lake County Clerk's Office. She said State Code required that absentee ballots be reviewed by the Board of Canvassers. She said absentee ballots could be received up to noon on the day of the official canvas. She said the received ballots were separated into categories of acceptable or not acceptable. She said it was the Council's final decision as to whether or not the ballots were acceptable. She said one ballot received today was signed by the voter on September 26<sup>th</sup> but the postmark was illegible.

Councilmember Christensen moved and Councilmember Turner seconded to **not accept the ballot in question**, which motion carried, all members present voted aye except Councilmember Saxton who voted nay.

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Councilmember Buhler asked if someone verified that all the ballots were sent by registered voters. Ms. Kintaro said County Elections had verified the ballots.

Councilmember Jergensen moved and Councilmember Buhler seconded to **reject the packet of ballots rejected by the County**, which motion carried, all members present voted aye.

Ms. Kintaro said nine absentee ballots appeared to be valid.

Councilmember Buhler moved and Councilmember Christensen seconded to **accept the nine valid ballots**, which motion carried, all members present voted aye.

Councilmember Christensen moved and Councilmember Buhler seconded to **recess as the Board of Canvassers until 7:00 p.m. when the official tabulation would be received**, which motion carried, all members present voted aye.

(U 05-1)

The meeting adjourned at 12:58 p.m.

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Council Chair

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Chief Deputy City Recorder

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The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, October 11, 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	Jill Remington Love
Eric Jergensen	Dave Buhler	Nancy Saxton
Dale Lambert		

Cindy Gust-Jenson, Executive Council Director; Rocky Fluhart, Mayor's Chief Administrative Officer; Edwin Rutan, City Attorney; and Beverly Jones, Deputy City Recorder, were present.

Councilmember Lambert presided at and conducted the meeting.

#1. The Council led the Pledge of Allegiance

PUBLIC HEARING

#1. **RE:** Accept public comment and consider adopting an ordinance amending Table 21A.26.080 of the Salt Lake City Code pertaining to permitted and conditional uses for Commercial Districts pursuant to Petition No. 400-04-29. **(Department store locations)**

**Jack Plumb** spoke in support of the zoning change.

Councilmember Christensen said the proposed area was the Smith's Block in the Avenues. He asked if there were any smaller properties on the block. **Joel Paterson**, Senior Planner, Preservation and Urban Design, said the entire block was one parcel of property.

Councilmember Jergensen said the proposed change from Community Shopping (CS) to Community Business (CB) would not affect the smaller businesses around the area. Mr. Paterson said the Smith's block was currently zoned CS. He said under the proposed text amendments the CS zone allowed certain mass merchandising department stores such as WalMart and K Mart.

Mr. Paterson said with residential surrounding the entire block and with the street configuration, the Planning Commission had recommended the property be zoned CB because it would not allow those types of department stores. He said all uses currently located on the block would be allowed to continue as permitted uses.

Councilmember Lambert said the current K Mart property on Parley's Way had been acquired by WalMart. He asked what affect the proposed ordinance would have on that property. Mr. Paterson said currently that K Mart was zoned CB which did not allow mass merchandising stores. He

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said K Mart and WalMart under this proposal would be allowed in CS zones and above. He said if the proposed ordinance was adopted, the K Mart store would become a legal nonconforming use and would be allowed to continue at that location. He said the building could not be demolished and rebuilt.

Councilmember Love moved and Councilmember Jergensen seconded to **continue the public hearing until November 1, 2005 at 7:00 p.m.**, which motion carried, all members voted aye.

(P 05-18)

COMMENTS TO THE CITY COUNCIL

**Barbara Toomer, Ken Wulle, Jerry Costley** and **Cathy Garber** spoke in support of handicapped accessible taxicabs.

UNFINISHED BUSINESS

**#1. RE:** Setting the protest hearing date of **November 15, 2005 at 7:00 p.m.** to accept protests and consider adopting a resolution declaring the intention of the City Council of Salt Lake City, Utah, to construct improvements within the City consisting of the installation of concrete sidewalks, driveway aprons, curb, gutter and asphalt tie-ins, appurtenances and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; to create the Salt Lake City, Utah Sidewalk Replacement **Special Improvement District 2004-2005 Fiscal Year, Job No. 102119** (the "District"); to pay the acquisition and installation costs and expenses by special assessments to be levied against the property benefited by such improvements; to provide notice of intention to authorize such improvements and to fix a time and place for protests against such improvements, assessments or the creation of the District; to declare its official intent to reimburse itself for expenditures paid by it prior to the sale of bonds; and to authorize advertisement of construction bids and related matters. (Boundaries include: 1500 East to 1900 East and Sunnyside Avenue to 1300 South).

Councilmember Buhler moved and Councilmember Turner seconded to **adopt Resolution 59 of 2005 and set a protest hearing date of November 15, 2005 at 7:00 p.m. to accept protests**, which motion carried, all members voted aye.

(Q 05-9)

**#2. RE:** Accepting the **official canvass of the October 4, 2005 Salt Lake City Primary Election.**

Councilmember Saxton moved and Councilmember Christensen seconded to **recess as City Council and reconvene with the Mayor as the Board of Canvassers**, which motion carried, all members voted aye.



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Councilmember Buhler moved and Councilmember Jergensen seconded to **accept the official canvass of the October 4, 2005 Salt Lake City Primary Election as contained on the sheets provided by the City Recorder**, which motion carried, all members voted aye.

Councilmember Saxton moved and Councilmember Turner seconded to **adjourn as the Board of Canvassers and reconvene as the City Council**, which motion carried, all members voted aye.

(U 05-1)

CONSENT AGENDA

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

**#1. RE:** Requesting that the Administration **not hold a hearing at 6:00 p.m. on October 18, 2005 regarding a lease agreement for temporary use of sections of the former library building** located at 209 East 500 South for an art exhibit. Compensation will be tendered.

(W 05-4)

**#2. RE:** Setting the date of **November 1, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending the Salt Lake City Code regarding **regulations for parking lots in the Downtown (D1) Zoning District** pursuant to Petition No. 400-03-30.

(O 05-21)

**#3. RE:** Setting the date of **November 15, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **closing and abandoning a portion of Navajo Street (1335 West) at approximately 83 South** pursuant to Petition No. 400-05-01. (Richard Lether)

(P 05-21)

**#4. RE:** Setting the date of **November 1, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **rezoning property located at approximately 1532 and 1560 West 200 South** from Single Family Residential (R-1/5000) to Neighborhood Commercial (CN) pursuant to Petition No. 400-03-10. (Shaw Homes, Inc.)

(P 04-24)

**#5. RE:** Setting the date of **November 1, 2005 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending Section 21A.32.105, Salt Lake City Code, **creating a Natural Open Space Zoning District** pursuant to Petition No. 400-05-20.

(O 05-22)

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**#6. RE:** Adopting a motion authorizing the Council Chair to sign a letter of engagement with **Hansen Barnett & Maxwell** (the Council's current Financial Auditor) to **research procedures associated with transactions relating to a monument on the east side of the Library block** and to determine whether existing procedures and internal controls are adequate.  
(G 05-21)

**#7. RE:** Approving the reappointment of **Susan Webster** to the **Police Civilian Review Board** for a term extending through September 1, 2008.  
(I 05-14)

**#8. RE:** Setting the date of **November 1, 2005** at **7:00 p.m.** to accept public comment and consider adopting ordinances amending Section 21A.30.050 Table of Permitted and Conditional Uses for the Downtown Districts **to allow different types of department stores as permitted uses in various downtown zoning districts** and amending the Zoning Map designation for Block 76, Plat D, Salt Lake City Survey from Community Shopping (CS) to Community Business (CB) for properties **generally located at 402 East 6<sup>th</sup> Avenue and 415 East 5<sup>th</sup> Avenue** pursuant to Petition No. 400-04-29.  
(P 05-18)

The meeting adjourned at 7:33 p.m.

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Council Chair

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Chief Deputy City Recorder

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