

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, June 6, 2006, 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 Eric Jergensen
Nancy Saxton Jill Remington Love Søren Simonsen
Dave Buhler

Cindy Gust-Jenson, Executive Council Director; Rocky Fluhart, Chief Administrative Officer, Rusty Vetter, Appointed Senior City Attorney; and Chris Meeker, Chief Deputy City Recorder; were also present.

Councilmember Buhler presided at and Councilmember Simonsen conducted the meeting.

#1. [7:02:35 PM](#) The Council led the Pledge of Allegiance.

#2. [7:03:41 PM](#) Councilmember Buhler moved and Councilmember Jergensen seconded to approve the **minutes** of the Salt Lake City Council meeting **held May 16, 2006**, which motion carried, all members voted aye. (M 06-3)

PUBLIC HEARING

#1. [7:04:12 PM](#) RE: Accept public comment regarding an ordinance amending Section 21A.42.070(F), *Salt Lake City Code*, pertaining to permitted temporary uses of tents pursuant to Petition No. 400-05-13. [See Attachments](#)

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

Councilmember Christensen moved and Councilmember Jergensen seconded to adopt **Ordinance 28 of 2006**, which motion carried, all members voted aye. (P 06-8)

#2. [7:05:09 PM](#) RE: Accept public comment and consider adopting ordinances: [See Attachments](#)

a. Amending Section 21A.24.080, *Salt Lake City Code*, , pertaining to general pertaining to SR-1 Special Development Pattern Residential District, and Section 21A.40.050. *Salt Lake City Code*, pertaining to general yard, bulk and height limitations.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

- b. Amending the Salt Lake City Zoning Map by rezoning certain properties within the Avenues and Capitol Hill area from Special Development Pattern Residential District SR-1 to Special Development Pattern Residential District SR-1A pursuant to Petition No. 400-06-08.

The following people spoke in favor of the ordinances:

William Mackie, Jill Van Langeveld, Shane Carlson, Lester Aoki, Ann Kelsey, Steve Mecham, Jim Jenkin, Lon Richardson, Margaret Miller, James Teton, Earl Miller, and Minta Brandon.

The following people spoke in opposition of the ordinances:

Claudio Holzner, Tom Winand, and Sandra Hatch.

The following people did not wish to speak but were in favor of the ordinances:

Joan Andrews, Kelly Quick Stevens, Tracey Wake, and William Petrick.

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

Councilmember Jergensen moved and Councilmember Love seconded to adopt the ordinance recommended by the Greater Avenues and Capitol Hills Community Council as identified in the motion sheet at No. 1, (**Ordinance's 25 and 26 of 2006**), which motion carried, all members voted aye.

Councilmember Jergensen spoke to his motion. He said this was not just something for the Capitol Hills neighborhood, but for the City. He said the legislation was pivotal and would be seen as the most important act by the Council. He said the issue was about three things; balancing property rights, providing a mechanism so families and property owners could renovate and invest in their properties with confidence, and for neighborhoods to maintain their character through the evolutionary process.

Councilmember Jergensen said the issue was never about big homes or small homes, making it impossible for families to live and grow in the Avenues/Capitol Hill areas or letting a small group dictate to a larger group. He said the proposal might be considered by some to be more restrictive than the City-wide proposal because of the unique aspects of the Avenues/Capitol Hill area. He said protection through the ordinance was not meant to be an insurmountable barrier. He said it was the addition of a separated, objective pair of eyes to the process if the applicant exceeded one or more of the threshold measurements.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

He said the process implementation had not been perfect, but would be improved. He said Planning would provide a processing document that outlined objectives, flexible standards and criteria for the administrative public process.

Councilmember Love said the Council knew neighborhoods were in crisis regarding this issue. She said she supported the ordinance because she respected the Community Council process. She said the ordinance might not be the solution.

Councilmember Saxton said it was difficult to regulate taste with ordinances or laws. She said the ordinance was creating an exclusive neighborhood, which could be good or bad. She said she believed communities should be encouraged to grow and change. She said she was concerned with small home buildable space. She said she was concerned with the grade change and suggested that instead of a measurement, entrance to the building could be used. She said 23 feet was barely a usable second story and limited.

Councilmember Buhler said he did not think the ordinance was completed but was a continuing effort.

Councilmember Simonsen said he would be going through the process and shared concern and frustration with the implementation of the process. He said it was a step in the right direction. He asked anyone going through the process to help the Council understand the challenges.

(P 06-9)

#3. [7:51:00 PM](#) RE: 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. [See Attachments](#)

Bill Martin spoke regarding funding for study to understand what the issues were for economic development for firms locating to Utah.

Raphael Cordray and Becky Burton, Local First Association spoke regarding locally owned businesses.

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

Councilmember Buhler moved and Councilmember Turner seconded to **Ordinance 27 of 2006 and appropriate \$30,000 for a downtown construction mitigation contract coordinator**; the Salt Lake Chamber will contribute a matching amount; to **appropriate \$36,000 from the CIP Foreign Trade Zone Warehouse account to reimburse the general fund for**

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

warehouse utilities, grounds maintenance, waste disposal, and security and to appropriate \$36,000 for police radio/laptop modems, which motion, carried all members voted aye.

Councilmember Buhler moved and Councilmember Jergensen seconded to appropriate \$10,000 for the Real Estate Professionals for Economic Growth (RE-PEG group), subject to a public benefit hearing, which motion carried, all members voted aye.

Councilmember Saxton asked how the amounts were decided upon proportionally with other entities who also asked for funding.

Councilmember Christensen said the study was not an ongoing study and the intent was the \$10,000 would be the last part of the study.
(B 06-6)

#4. 8:02:07 PM RE: Accept public comment and consider adopting resolutions pertaining to the following contributions to **Non-profit Organizations** during Fiscal Year 2006-07: [See Attachments](#)

- a. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a proposed budget appropriation for a **\$64,000 contribution to the Road Home** to support the emergency winter overflow shelter for Fiscal Year 2006-07;
(R 06-5)
- b. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a proposed budget appropriation for a **\$10,000 contribution to No More Homeless Pets** in Utah to support its "Feral Fix Program" within Salt Lake City for Fiscal Year 2006-07;
(R 06-6)
- c. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a proposed budget appropriation for a **\$250,000 contribution to the Friends of Tracy Aviary** for Fiscal Year 2006-07;
(R 06-7)
- d. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a proposed budget appropriation for a **\$15,000 contribution to the Downtown Alliance for "First Night" celebration** for Fiscal Year 2006-07;
(R 06-8)
- e. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a proposed budget appropriation of **\$2,682,114 for the Housing Trust Fund; and establishing loan criteria for that fund** for Fiscal Year 2006-07;

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

(R 06-9)

f. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and approving the proposed budget appropriation of **\$2,642,974 for the Small Business Revolving Loan Fund and amending the loan criteria for that fund** for Fiscal year 2006-07;

(R 06-10)

g. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a **\$118,000 contribution to the Salt Lake City Housing Authority for transitional housing for the homeless** for Fiscal Year 2006-07 and;

(R 06-11)

h. Resolution accepting the study performed in compliance with the *Utah Code* Section 10-8-2, and authorizing a **\$20,000 contribution to Local First, A 501(C) (3) organization with the goal of promoting local buying.** (Budget Amendment No. 5)

(R 06-12)

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

Councilmember Christensen moved and Councilmember Turner seconded to **approve Resolutions 36, 37, 38, 39, 40, 41, 42, and 43**, which motion carried, all members voted aye.

COMMENTS 8:03:15 PM

Douglas Cotant commented on a public hearing at the State office regarding Medicaid.

The following spoke in opposition to cuts to the **Salt Lake City Golf Division: Duncan Phillips, Kurt Nielsen, Darrell Valburg, Bill Echternkamp, Richard Mageras, Vern Allred, Bryan Burk, David Steed, Larry Quintal, Patrick Shea and Mark Ruff.**

Kathleen Marshall did not wish to speak but opposed cuts to the **Salt Lake City Golf Division.**

The following spoke in support of funding for the **Leonardo: Jill Jones, Ned Weinshenker, Ted Wilson, and Susanne Winters.**

The following spoke in support of funding for **Youth City: Maro Romuahdo, Kathleen Curry, and Ken Paulson.**

Wellington Webb spoke regarding Amateur Radio.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

UNFINISHED BUSINESS

Councilmember Buhler moved and Councilmember seconded to adopt **Unfinished Business**, which motion carried, all members voted aye.

#1. 8:43:08 PM RE: Adopting Ordinance 29 of 2006 confirming the modified and equalized assessment rolls and levying an assessment against certain properties located in the Salt Lake City area of 900 South Main Street to 900 West Street improvements Special Improvement District No. 102004 (The "District"), for the purpose of paying the cost of constructing improvements on concrete sidewalks, sidewalk access ramps, driveways, curb, gutter, roadway pavement, street lighting, traffic signals, drainage facilities and landscaping (collectively, the "Improvements"); establishing the effective date of this ordinance; and related matters.

(Q 05-1) [See Attachments](#)

#2. RE: Adopting Resolutions 32 and 33 of 2006 pertaining to reconstruction Special Improvement District for **Strongs Court, (#102109)** (845 East between 340-400 South Streets) and **Fenway Avenue (#102129)** (635 South between 1200-1240 East Streets) [See Attachments](#)

a. **Creating the "Salt Lake City, Utah Strongs Court (#102109) and Fenway Avenue (#102129) Reconstruction Special Improvement District"** (the "District"); generally as described in the notice of intention concerning the District; authorizing the City officials to proceed with the construction of the improvements as set forth in the notice of intention; and related matters.

b. **Conditionally accepting bids** for purchasing of materials and construction work and, subject to approval of the City Engineer, authorizing execution of a construction contract with the apparent low bidder for construction of improvements within the Salt Lake City, Utah **Strongs Court (#102109) and Fenway Avenue (#102129) Reconstruction Special Improvement District"** (the "District"); providing for the reconstruction of roadways, including concrete pavement, gutters, sidewalks, water facilities, driveway approaches, street lighting, and related improvements (collectively, the "Improvements") and all other miscellaneous work necessary to complete the improvements in a proper workmanlike manner; for issuance of interim warrants and for the addition of the interest thereon to assessable costs, and related matters.

(Q 06-2)

#3. RE: Adopting Resolution 34 of 2006, authorizing the approval of an **Interlocal Cooperation Agreement between Salt Lake City Corporation and the Utah Department of Transportation** regarding curb, gutter and sidewalk construction, SR-68, Redwood Road - Indiana Avenue

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JUNE 6, 2006

to California Avenue, East Side, Charge ID Number SW 1251.
(C 05-708) [See Attachments](#)

#4. RE: Adopting Resolution 35 of 2006, authorizing Salt Lake City Corporation to accept the United States Environmental Protection Agency grant.
(R 06-13) [See Attachments](#)

CONSENT AGENDA 8:43:50 PM

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

#1. RE: Adopting Ordinance 30 of 2006 adopting (the "2006 Assessment Ordinance") approving the assessment list and levying an annual assessment upon property in Salt Lake City, **Lighting District No. 1 (the District L01)** establishing the effective date of the 2006 assessment ordinance; providing for a procedure to contest an assessment; and related matters. [See Attachments](#)
(Q 06-7)

The meeting adjourned at 8:44 p.m.

Council Chair

Chief Deputy City Recorder

This document along with the digital recording constitute the official minutes for the City Council Regular Session meeting held June 6, 2006.

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