

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 24, 2009

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, March 24, 2009 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	Søren Simonsen	Luke Garrott
Jill Remington Love	Eric Jergensen	Van Turner
JT Martin		

Cindy Gust-Jenson, Executive Council Director; Mayor Ralph Becker; David Everitt, Mayor's Chief of Staff; Edwin Rutan, City Attorney; and Beverly Jones, Deputy City Recorder; were present.

Councilmember Christensen presided at and Councilmember Martin conducted the meeting.

#1. [7:01:10 PM](#) The Council led the Pledge of Allegiance.

#2. [7:01:38 PM](#) The Council and Mayor adopted a joint resolution encouraging the spending of Federal Economic Stimulus Grants to maximize the creation of jobs and restoring economic growth through businesses whose primary economic impact is the United States.

Councilmember Love moved and Councilmember Jergensen seconded to adopt **Resolution 14 of 2009**, which motion carried, all members voted aye.

(R 09-1)

#3. [7:02:28 PM](#) The Council and Mayor **congratulated the West High School 4A Basketball State Champions.**

Councilmember Christensen read a congratulatory statement. He asked each player to introduce themselves and tell what position they played on the team. Councilmember Christensen and Mayor Becker presented each player with a key to the City.

#4. [7:12:33 PM](#) Councilmember Simonsen moved and Councilmember Turner seconded to approve the minutes of the Salt Lake City Council meeting held **March 10, 2009**, which motion carried, all members voted aye. [View Attachment](#)

(M 09-3)

PUBLIC HEARING

#1. RE: [7:15:14 PM](#) Accept public comment and consider adopting a resolution electing **certain enhancements to the Airport Light Rail Project**, directing Utah Transit Authority to undertake such

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enhancements related to the TRAX Line to the Airport under the interlocal agreement. [View Attachments](#)

The following spoke or submitted hearing cards in favor of imbedded tracks for the Light Rail project: **Willy Littig; Darren Menlove; Alexander Scott; Bill Coker; Victoria Orme**, Chair of the Fairpark Community Council; **Calvin Noyce**, Vice Chair of Jordan Meadows Community Council; **Angie Vorher**, Chair of the Jordan Meadows Community Council; **Dana Jeffs; Steven Asay; Tiffany Sandberg; Mike Harman**, Chair of the Poplar Grove Community Council; **Brandon Coker; Gordon Storrs; Jack Hammond; Judi Short; Ali Oliver; Canyon Evans; Tamara K. Prince; Kent Landvatter; Heidi Goedhart; Christopher Comstock; Orlan Owen; Jeff Robertson; Amanda Moore; Laura Cannon; Veronica Montoya; Trinh Mai; Rhett Card; Jason Esplin; Matt Fields and Courtney Reaser.**

Arnold Jones submitted a card but did not wish to speak. He did not want the middle traffic lane removed because of emergency vehicles.

Councilmember Simonsen moved and Councilmember Turner seconded to **close the public hearing and defer this item to a future Council meeting for consideration**, which motion carried, all members voted aye. (C 08-276)

#2. RE: [7:59:20 PM](#) Accept public comment and consider adopting an ordinance amending Section 21A.24.190, Salt Lake City Code, pertaining to the Table of Permitted and Conditional Uses for Residential Districts, **Private Clubs in Residential Mixed Use Zoning Districts** pursuant to Petition No. 400-06-45 (Andy's Place). [View Attachments](#)

The following spoke or submitted hearing cards against Andy's Place and private clubs in residential mixed use zoning districts: **Laura Fuller; Brent Ruesch; Nephi Kemmethmueller; Dayne Petersen; Sam Petersen; Rebecca Petersen; Janelle Ruesch; Katherine Gardner; Jaynie Brown; Steve Christopher; Georg Stutzenberger; Minta Brandon; Suzanne Hansen; Christopher Wharton; Mike Harman and Victoria Orme.**

The following spoke or submitted hearing cards in support of private clubs in residential mixed use zoning districts: **David Morris; Rachel White and Christopher Wharton.**

Councilmember Jergensen moved and Councilmember Garrett seconded to **close the public hearing and refer to a future Council meeting**, which motion carried, all members voted aye. (P 08-17)

#3. RE: [8:40:20 PM](#) Accept public comment and consider adopting an ordinance amending Chapter 5.72, Salt Lake City Code, **pertaining to**

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taxicabs, to provide for transition from regulatory to contract based system for providing taxi services; changing the method for determining rate adjustments; and requiring taxi drivers to accept valid debit and credit cards for fare payments. [View Attachments](#)

The following spoke or submitted cards in opposition of transition from regulatory to contract based system for providing taxi services: **Mike Gray; Don Winder; Gary Bamossy; Don Barron; John Holt; Yuriy Arutyunyah; Cindy Vega; Robert Barron; James Curtis; Dave Jackson; Bruce Jackson; Mark Hatch; Bonnie Workman; Victoria Orme; Adonis Hegngi; Daniel Thomas; Charles Free and Arnold Jones.**

The following spoke or submitted cards on taxi cab fees: **Theodor Tatos and Shawky Taha.**

Councilmember Simonsen moved and Councilmember Garrott seconded to **close the public hearing and refer to a future Council meeting**, which motion carried, all members voted aye.
(O 05-2)

9:21:24 PM QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL

Councilmember Turner thanked Mayor Becker for the stimulus money. He said the Mayor recommended the stimulus money be used to improve some areas in the parks. He said he supported those recommendations.

Councilmember Simonsen said several students from Roland Hall St. Marks School made a presentation on a World-wide program called Earth hour to the Council. He said the program gave the community an opportunity to turn off all lights for an hour at 8:30 p.m. on Saturday, March 28th. He asked the Mayor and the Council if this program could be promoted in the community. Mayor Becker said it was a great idea but he felt there was not enough time to promote the idea. Councilmember Sorensen said maybe a joint media advisory between the Mayor and the Council Office could be done and sent to press.

9:27:41 PM COMMENTS TO THE CITY COUNCIL

Cindy Cromar and Jeff Bair spoke in opposition to the rezoning of CHRISTUS St. Joseph's Villa.

Thomas Tilton; Kevin Shumway; Jean Arnold; Carl Clark; Kyle Dansie; Michael Mielke; Charles Turner and Jim French spoke on electric vehicles and installing electric vehicle public charging stations in Salt Lake City.

Elise Lazar spoke on electric cars and the City's sustainability. She said she wanted to see lots such as the Mecham property in Sugar

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House used as community gardens.

Councilmember Simonsen requested time on the April 7th agenda to talk about present electric car technology and how it was expanding rapidly across the country and in the City.

UNFINISHED BUSINESS

#1. RE: [9:51:42 PM](#) Adopting an ordinance amending the Central Community Master Plan and the Blocks 4 and 5 - East Waterloo Subdivision Small Area Master Plan with respect to **properties located at 1952, 1962 and 1966 South 500 East Street and 455, 459, 465 and 475 East Hollywood Avenue** pursuant to Petition No. 400-07-35. (CHRISTUS St. Joseph Villa) [View Attachments](#)

Councilmember Love moved and Councilmember Simonsen seconded to **not adopt the ordinance and refer the applicant to the Administration with the request that the Administration work collaboratively with the applicant to accommodate the proposed expansion on the existing site.**

Councilmember Love said nothing defined a City more than its neighborhoods and the people who lived there. She said it was the Council's responsibility to find the right balance between uses and preservation of neighborhoods. She said she was sympathetic to the great work and service St. Joseph's Villa provided to the community but she felt future expansion of the site put things out of balance in the Liberty Wells neighborhood.

Councilmember Love encouraged the Villa to apply for a Planned Unit Development (PUD) so they could discuss design and compatibility of the expansion. She said she also hoped the Villa would use the seven homes for independent living homes as part of the Villa. She said when the Villa bought those homes with the plan to demolish them, the neighborhood was enraged by the potential loss of seven historic homes. She said the Villa preferred the Council delay the vote as they studied the feasibility of a PUD. She said the Villa must contain their growth and the Council was committed to the preservation of historic homes and neighborhoods. She said the City was committed to master plans because they were critical documents to the City's planning process. She said she hoped this had been a positive process for the Villa. She said they were part of the neighborhood and she hoped they would make an extra effort to take input, listen and reach out.

Councilmember Simonsen encouraged the Villa to be conscience about the ability to work within the master plan. He said important design recommendations had been made throughout the process. He said the loss of homes was not justified and he would be voting in support of the

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motion. He encouraged the Villa to apply good design principles to the facility to integrate with the neighborhood. He said some of the previous expansions and additions had not been conducive to supporting the neighborhood.

Councilmember Turner said the situation between the community and the Villa was an opportunity to make a better neighborhood. He said he looked at the beautiful homes in the area and realized those homes had to be kept. He said those homes were an asset to the community as well as the institution. He said the Villa could use those houses for senior housing. He said the Villa needed to be improved and there was a need for what the Villa did for the community as well as the patients living there. He said the Villa needed to be creative with their parking and work with the neighborhood. He said he would support the motion.

Councilmember Martin called for a roll call vote, which motion carried, with Council Members Christensen, Turner, Jergensen, Love, Garrott, Simonsen and Martin all voting aye.
(P 09-2)

#2. RE: [10:05:45 PM](#) Adopting a resolution appointing a Board of Equalization and Review for the Salt Lake City, Utah Sidewalk Replacement No. 102145 and Lyman Court No. 102146 Special Assessment Area; setting the dates for the Board of Equalization to hear and consider objections and corrections to any proposed assessment; authorizing the City Recorder to publish and mail a notice of meetings of the Board of Equalization and Review; and related matters. [View Attachments](#)

Councilmember Love moved and Councilmember Simonsen seconded to adopt **Resolution 15 of 2009**, which motion carried, all members voted aye.
(Q 08-3)

#3. RE: [10:06:41 PM](#) Adopting a resolution appointing a Board of Equalization and Review for the Salt Lake City, Utah California Avenue, 4800 West to 5600 West, Special Assessment Area No. 103006; setting the dates for the Board of Equalization to hear and consider objections and corrections to any proposed assessments; authorizing the City Recorder to publish and mail a notice of meetings of the Board of Equalization and Review; and related matters. [View Attachments](#)

Councilmember Christensen moved and Councilmember Turner seconded to adopt **Resolution 16 of 2009**, which motion carried, all members voted aye.
(Q 08-1)

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#4. RE: [10:07:51 PM](#) Adopting an ordinance amending Salt Lake City Ordinance 64 of 2008 which adopted the final budget of Salt Lake City, Utah, for the fiscal year beginning July 1, 2008 and ending June 30, 2009. (**Budget Amendment No. 2**) [View Attachments](#)

Councilmember Simonsen moved and Councilmember Garrott seconded to adopt **Ordinance 5 of 2009 with the amendments discussed across the hall earlier**, which motion carried, all members voted aye.
(B 09-4)

CONSENT AGENDA [10:09:21 PM](#)

Councilmember Garrott moved and Councilmember Simonsen seconded to adopt the **Consent Agenda with the exception of Item No. 5**, which motion carried, all members voted aye.

Councilmember Garrott said he wanted to hold an interview with Ms. Tarbet before appointing her to the Housing Authority Board. Councilmember Christensen said Council Members had been polled and were willing to forego the interview.

Councilmember Christensen moved and Councilmember Turner seconded to **approve the board appointment for Valda Tarbet (Item No 5)**. A roll call vote was taken, which motion carried, with Council Members Christensen, Turner, Jergensen, Love and Martin voting aye and Council Members Garrott and Simonsen voting nay.

#1. RE: Setting the date of **April 7, 2009 at 7:00 p.m.** to accept public comment and consider adopting an ordinance amending Appendix A to Chapter 8.04, Salt Lake City Code, pertaining to **Salt Lake City Animal Services**, increasing certain fees and adding new fee categories.
(P 09-3)

#2. RE: Setting the date of **April 7, 2009 at 7:00 p.m.** to accept public comment and consider adopting an ordinance **rezoning property located at 2421 East Parley's Way from R-1/5,000 (Single-Family Residential to CB (Community Business))**, and amending the East Bench Community Master Plan and Zoning Map pursuant to Petition Nos. PLNPCM2008-00238 and PLNPCM2008-00239. (Language of Flowers)
(P 09-5)

#3. RE: Approving the appointment of **Allison Barclay** to the **Arts Council** for a term extending through July 1, 2011.
(I 09-7)

#4. RE: Approving the appointment of **Rebecca Hall** to the **Human Rights Commission** for a term extending through December 27, 2010.

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(I 09-9)

#5. RE: Approving the appointment of **Valda Tarbet** to the **Housing Authority** for a term extending through October 27, 2010.

(I 09-10)

#6. RE: Adopting **Resolution 17 of 2009** authorizing the approval of an interlocal cooperation agreement among Salt Lake City Corporation, Utah Transit Authority and South Salt Lake City to fund a financing plan for preliminary engineering and environmental analysis for the **Sugar House Transit Corridor**. [View Attachments](#)

(C 09-159)

The meeting adjourned at 10:18 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 March 24, 2009.

bj