

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, SEPTEMBER 29, 2009

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, September 29, 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	JT Martin	Van Turner
Jill Remington Love	Søren Simonsen	Luke Garrott

The following Councilmember was absent:

Eric Jergensen

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

Councilmember Christensen presided at and Councilmember Love conducted the meeting.

OPENING CEREMONY

#1. 7:06:18 PM The Council led the Pledge of Allegiance.

#2. 7:06:55 PM Councilmember Simonsen moved and Councilmember Turner seconded to **approve the minutes** of the Salt Lake City Council meeting held **September 22, 2009**, which motion carried, all members present voted aye.

(M 09-1)

PUBLIC HEARINGS

#1. **RE:** 7:07:09 PM Accept public comment and consider adopting an ordinance or ordinances **amending** Salt Lake City Ordinance 17 of 2009 which adopted the **final budget** of Salt Lake City, Utah including the **Municipal Building Authority** and employment staffing document for fiscal year beginning July 1, 2009 and ending June 30, 2010. **View Attachments**

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

Councilmember Christensen moved and Councilmember Simonsen seconded to **adopt Ordinance 52 of 2009, amending the Fiscal Year 2009-2010 budget as proposed by the Administration, including the consolidation of authorized FTEs within the Council Office, as proposed**

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by the Council Chair and Vice Chair, which motion carried, all members present voted aye.
(B 09-11)

PUBLIC HEARING ACTION ITEMS

#1. RE: 7:08:39 PM Consider action to amend the **Central Community Master Plan Future Land Use Map** to change the **land use designation** for property located at approximately **248 South and 254 South 800 East** from Medium Density Residential use (15-30 dwelling units per acre) to Medium/High Density Residential use (30-50 dwelling units per acre) pursuant to Petition No. PLNPCM2008-00149 (**Reece Enterprises**). [View Attachments](#)

Councilmember Garrott moved and Councilmember Simonsen seconded to **deny the request**, which motion carried, all members present voted aye.
(P 09-9)

#2. RE: 7:09:20 PM Adopting an ordinance **amending** the zoning map to change the **zoning designation** of property located at **230 West North Temple Street** from PL (Public Lands) to R-MU (Residential Mixed Use) pursuant to Petition No. PLNPCM2008-00918 (**Paul Willie**). [View Attachments](#)

Councilmember Christensen moved and Councilmember Turner seconded to **adopt Ordinance 53 of 2009**, which motion carried, all members present voted aye.
(P 09-10)

#3. RE: 7:09:41 PM Adopting an ordinance **amending** the zoning map to change the **zoning designation** of property located at approximately **615 South 300 East** from RMF-35 (Moderate Density Multi-Family Residential) to PL (Public Lands) pursuant to Petition No. PLNPCM2008-00347 (**Salt Lake County Recreational Center**). [View Attachments](#)

Councilmember Simonsen moved and Councilmember Garrott seconded to **adopt Ordinance 54 of 2009**, which motion carried, all members present voted aye.
(P 09-11)

#4. RE: 7:10:13 PM Consider action regarding an **appeals request** made by **WAXIE's Enterprises, Inc.** seeking a **refund** of a portion of **impact fees** paid to Salt Lake City Corporation. [View Attachments](#)

Councilmember Christensen moved and Councilmember Simonsen seconded to **adopt the Findings of Fact, Conclusions of Law and Order of Decision as stated in the document before the Council** which was read

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and reviewed by Council Members, individually and in consultation with legal counsel, which motion carried, all members present voted aye.
(H 09-6)

QUESTIONS TO THE MAYOR FROM THE CITY COUNCIL 7:10:48 PM

Councilmember Garrott said health/wellness issues were discussed during the preceding Work Session. He said he understood a number of those initiatives were already on the Administration's agenda. He said issues relating to food policies were important in promoting self-sufficiency and security. He said he applauded the Administration's efforts and wanted to pledge his support/encouragement. Mr. Everitt said a food policy task force was being formed and the Administration looked forward to developing substantive policies.

COMMENTS TO THE CITY COUNCIL 7:11:52 PM

Jose Garcia, Jr. and Jose Garcia, Senior spoke concerning their opposition to the proposed sale of the Sorensen Center to Salt Lake County.

Mark Diana spoke concerning potential changes to the City's ambulance service.

Cindy Cromer said she supported the Council's decision regarding the Central Community Master Plan amendment indentified in Item D-1 and thanked the Planning Department for improving the process.

UNFINISHED BUSINESS

#1. RE: 7:19:57 PM Adopting an ordinance amending Section 5.50.010, Salt Lake City Code, defining the term "private club" to include clubs that are licensed by the State pursuant to Section 32A-5-101 of the Utah Code and **electronically verify proof** of age pursuant to Section 32A-1-304.5 of the Utah Code (Bringing Salt Lake City law into conformance with State provision and State law). View Attachments

Councilmember Garrott moved and Councilmember Christensen seconded to **adopt Ordinance 55 of 2009**, which motion carried, all members present voted aye.
(O 09-31)

#2. RE: 7:20:22 PM Adopting an ordinance amending Section 6.08.120, Salt Lake City Code, setting forth location **restrictions** of certain **alcohol establishments**, to change spacing restrictions from 660 feet to 600 feet (Bringing Salt Lake City law into conformance with other spacing restrictions within the same provision and State law).

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Councilmember Christensen moved and Councilmember Simonsen seconded to **adopt Ordinance 56 of 2009**, which motion carried, all members present voted aye.

(O 09-32)

#3. RE: 7:20:46 PM Adopting a resolution expressing support for **advancing with the North Temple Viaduct process.** View Attachments

8:40:10 PM This item was discussed in Room 326 followed by a formal vote.

Councilmember Martin was recused.

9:42:38 PM Councilmember Luke moved and Councilmember Simonsen seconded to **adopt Resolution 53 of 2009, with funding for the \$700,000 in design to come from the Alliance Fund under the interlocal agreement, as necessary, and that we get a plan and cost estimate to daylight City Creek adjacent to the viaduct and points west and that the special assessment district that we create to the north with the land owners, have stipulations that enhancements to the transfer station will be part of any development that occurs to the north of the viaduct,** which motion carried, all members present voted aye, except Councilmember Martin, who was recused.

(R 09-16)

#4. RE: 7:20:52 PM Adopting a resolution **giving direction to the Administration on the following elements: burying electrical power lines, building the Jordan River Bridge deck and enhancements, pedestrian improvements for the Redwood Road intersection, and associated issues.** View Attachments View Attachments

7:36:53 PM This item was discussed in Room 326 followed by a formal vote.

9:30:26 PM Councilmember Simonsen moved and Councilmember Martin seconded to **continue the item to next week,** which motion carried, all members present voted aye.

(R 09-17)

CONSENT AGENDA 7:20:57 PM

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

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#1. RE: Approving the **appointment** of **Ronald Kurt Cook** to the position of Salt Lake City **Fire Chief**.
(I 09-21)

#2. RE: Setting the date of **October 13, 2009** at **7:00 p.m.** to accept public comment and consider adopting an ordinance **amending** certain **Sections of Title 21A** of the Salt Lake City Code to provide additional **clarity** and **consistency** with existing City **land use regulations** regarding **notice** and **appeals** pursuant to Petition No. PLNPCM2009-00106.
(P 09-12)

#3. RE: Setting the date of **October 13, 2009** at **7:00 p.m.** to accept public comment and consider adopting an ordinance **amending** **Section 21A.50.050** (Zoning-Standards for General Amendments) of the Salt Lake City Code to provide additional **clarity** and **consistency** regarding **zoning ordinance text** and **zoning map amendments** pursuant to Petition No. PLNPCM2009-00105.
(P 09-13)

#4. RE: Setting the date of **October 13, 2009** at **7:00 p.m.** to accept public comment and consider adopting an ordinance **amending** certain **sections of Titles 20** (Subdivisions) and **21A** (Zoning) of the Salt Lake City Code to provide additional **clarity** and **consistency** with existing City land use regulations pursuant to Petition No. PLNPCM2008-00538. (**Zoning code maintenance/fine-tuning**)
(P 09-14)

#5. RE: Setting the date of **October 13, 2009** at **7:00 p.m.** to accept public comment and consider adopting an ordinance **amending** certain **sections of Title 21A** (Zoning) of the Salt Lake City Code to provide additional **clarity** and **consistency** with existing City land use regulations pursuant to Petition No. PLNPCM2008-00640. (**Zoning code maintenance/fine-tuning**)
(P 09-15)

The meeting adjourned at 9:45 p.m.

Council Chair

City Recorder

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This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held September 29, 2009.

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