

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, OCTOBER 19, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, October 19, 2010 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 Jill Remington Love Søren Simonsen  
Luke Garrott J T Martin

The following Council Members were absent:

Stan Penfold Van Turner

Cindy Gust-Jenson, Executive Council Director; Edwin Rutan, City Attorney; Mayor Ralph Becker; and Chris Meeker, City Recorder; were present.

Councilmember Martin presided at and conducted the meeting.

7:10:44 PM OPENING CEREMONY

- #1. 7:10:50 PM The Council led the Pledge of Allegiance.
- #2. 7:11:14 PM Approve the minutes of October 5, 2010.

Councilmember Simonsen moved and Councilmember Love seconded to approve the minutes, which motion carried, all members present voted aye.

PUBLIC HEARINGS

**\*\*PLEASE NOTE:** The Budget Amendment No. 2 Fiscal Year 2010-11 public hearing that was previously scheduled for October 19, 2010 has been rescheduled for Tuesday, November 9, 2010 at 7:00 p.m. The Commercial Solicitation (Pan Handling) Ordinance public hearing that was previously scheduled for October 19, 2010 has been rescheduled for Tuesday, November 16, 2010 at 7:00 p.m.

#1. 7:12:15 PM RE: Accept public comment and consider adopting an ordinance amending Section 14.20.070 and Section 14.20.110, *Salt Lake City Code*, to modify civil penalties for failure to remove snow and ice from a city sidewalk. [View Attachments](#)

The following citizens spoke in favor of the ordinance but were concerned about enforcement and fines: Michael Barmes, Douglas Cotant, Mark Bunce, Darrell Moench, Eugenia Bereshnyi and Tina Droegemeier.

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Councilmember Garrott moved and Councilmember Love seconded to close the public hearing, which motion carried, all members present voted aye.  
(O 10-18)

#2. 7:27:42 PM RE: Accept public comment and consider adopting an ordinance amending the sunset provision set forth in Ordinance 74 of 2006 as amended by Ordinance No. 1 of 2009 pertaining to the approval process of temporary construction related activities (relating to the powers granted to the Community Economic Development Director listed in Ordinance 74 of 2006.

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

Council Love moved and Councilmember Garrott seconded to adopt Ordinance 77 of 2010, which motion carried, all members present voted aye.  
(O 6-33)

#3. 7:28:58 PM RE: Accept public comment and consider adopting View Attachment

- A. An ordinance amending Section 5.71, *Salt Lake City Code*, pertaining to ground transportation requirements, to coordinate with taxicab ordinance and to provide for categorization of vehicle types by passenger seating fees through rules and regulations; on-demand service restrictions; elimination of manifests; vehicle inspection requirements; special transportation vehicle requirements; vehicle standards; replacement of criminal enforcement with civil penalties; ground transportation appeal committee;
- B. An ordinance amending Section 5.72, *Salt Lake City Code*, pertaining to taxicabs, to provide for transition from regulatory to contract-based system for providing taxicab services; eliminating certificates of public convenience and necessity; eliminating operational requirements that will become contract-based; providing for a contract between taxicab companies and the City, through the Department of Airports; providing for rules and regulations; replacing fixed fares with a flexible fare structure; replacing criminal enforcement with civil penalties; and
- C. An ordinance amending Title 16, Sections 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport,

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and violations, penalties and enforcement of Title 16 provisions at the Salt Lake City International Airport to correspond with changes made in Sections 5.71 and 5.72, replacing criminal enforcement with civil penalties and establishing *Salt Lake City Code* processes and procedures related thereto.

Douglas Cotant spoke in opposition to the ordinance, Troy Rushton, Gordon Cummins, Stuart Rosen and Randy Curtis spoke in opposition of 5.71.060, minimums and shared rides. Jay Chambers spoke in opposition of the bid system. Shawky Taha spoke in opposition of issuing more licenses. Charles Free spoke in favor of keeping the certificate system. Mark Hatch spoke in opposition of the three year period. Jay Barron spoke about salvage title cars. Don Winder asked the Council to implement the ordinance not the RFP. Cay Reams was concerned with staging for the Airport, Ivan Klenov was concerned with the number of cab drivers allowed to drive, Saleem Afridi spoke in favor of the ordinance and the image of cab companies, Diane Dunninguez, Michael Greco and Larry Heard spoke in favor of a flat rate, Russell Ridge said the Council had been talking about the Ground Transportation ordinance for ten years. He asked the Council to make a decision, Mark Buchanan spoke in opposition to shared rides, Patrick Winters, and Abdou Bah spoke in favor of customer service, Samuel Nelson asked that a mechanic sit on the Transportation Committee, Kaveh Aghdasi spoke about customer service and new taxicabs, Mark Mundel, spoke about the needs of Hotels and George Eichert spoke about ADA needs.

The following submitted cards but did not wish to speak: Michael Gray, Terry Atkinson, Brian Metzgar, Adnan Afridi, Robert Barron and Terry Atkinson.

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

(O 05-2)

8:16:00 PM COMMENTS TO THE CITY COUNCIL

Douglas Cotant asked that vehicles parked in a bus zone be ticketed.

UNFINISHED BUSINESS

#1. 8:19:05 PM RE: Adopting an ordinance (the "2010 Assessment Ordinance") approving an assessment list and levying an annual assessment upon property in Salt Lake City, Utah Lighting District No. 1 (the "District L01"); establishing the effective date of the 2010

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Assessment Ordinance; providing for a procedure to contest an assessment; and related matters. View Attachments

Councilmember Garrott moved and Councilmember Love seconded to adopt Ordinance 74 of 2010, which motion carried, all members present voted aye.

(Q 10-5)

#2. 8:19:38 PM RE: Adopting an ordinance (the "2010 Assessment Ordinance") approving an assessment list and levying an annual assessment upon property in Salt Lake City, Utah Lighting District No. 2 (the "District L02"); establishing the effective date of the 2010 Assessment Ordinance; providing for a procedure to contest an assessment; and related matters. View Attachment

Councilmember Garrott moved and Councilmember Love seconded to adopt Ordinance 75 of 2010, which motion carried, all members present voted aye.

(Q 10-6)

#3. 8:19:56 PM RE: Adopting a resolution of the City Council of Salt Lake City, Utah, appointing a Board of Equalization and Review for Salt Lake City, Utah Lighting District No. 3, known as L03 ("District L03"); 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 Garrott moved and Councilmember Love seconded to adopt Resolution 45 of 2010, which motion carried, all members present voted aye.

(Q 10-3)

#4. 8:20:23 PM RE: Consider enacting an ordinance (temporary land use regulation) to suspend fees required for zoning text or map amendments pertaining to historic overlay districts. (Confirming the Council's previous decision to waive fees until January 15, 2011)View Attachments

Councilmember Love moved and Councilmember Simonsen seconded to adopt Resolution 2010, which motion carried, all members present voted aye.

(Q 10-6)

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CONSENT

8:20:51 PM Councilmember Garrott moved and Councilmember Simonsen seconded to adopt the Consent Agenda excluding Items H7 and H9, which motion carried, all members present voted aye.

8:22:15 PM Councilmember Garrott moved and Councilmember Simonsen seconded to adopt Resolution 46 of 2010, Item H9, which motion carried, all members present voted aye except Councilmember Christensen who was recused.

8:23:08 PM Councilmember Garrott moved and Councilmember Simonsen seconded to adopt Item H7, which motion carried, all members present voted aye except Councilmember Martin who was recused.

#1. RE: Approving the appointment of Mark Morris to the Sugar House Park Authority for a term extending through September 11, 2014.  
(I 10-20)

#2. RE: Approving the appointment of Lauren Shurman to the Sugar House Park Authority for a term extending through October 9, 2014.  
(I 10-20)

#3. RE: Approving the appointment of Steve Wyatt to the Sugar House Park Authority for a term extending through September 11, 2014.  
(I 10-20)

#4. RE: Approving the appointment of Mark Danenhauer to the Sugar House Park Authority for a term extending through March 14, 2013.  
(I 10-20)

#5. RE: Approving the appointment of Helen Peters to the Arts Council for a term extending through July 1, 2013.  
(I 10-5)

#6. RE: Setting the date of November 9, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending the zoning map to rezone property located at 376 East 8<sup>th</sup> Avenue from Special Development Pattern Residential SR-1A to Residential Mixed Use RMU-35, amending the Avenues Master Plan future land use map, and Amending Section 21A.24.190 to allow restaurants without drive through service in the RMU-35 zone pursuant to Petition Nos. PLNPCM2010-00369 and PLNPCM2010-00370. Related provisions of Title 21A - Zoning may also be amended as part of the petition. (Hatch Family Chocolates).  
(P 10-22)View Attachments

#7. RE: Setting the date of November 9, 2010 at 7:00 p.m. to

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accept public comment and consider adopting an ordinance amending the zoning map to rezone property located at approximately 333, 349 and 365 South 900 East and 911, 933, 937, 959 and 963 East 400 South from I (Institutional), RMS-45 (Residential Multi-Family) and CC (Commercial Corridor) to UI (Urban Institutional) pursuant to Petition No PLNPCM2010-00229. Related provisions of Title 21A - Zoning may also be amended as part of the petition. (Salt Lake Clinic).  
(P 10-23)View Attachment

Councilmember Martin recused himself

#8. RE: Setting the date of November 9, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Section 21A.28.020F Zoning: M-1 Light Manufacturing District: Maximum Height of the *Salt Lake City Code* pursuant to Petition No. PLNPCM2010-00476 to increase the maximum building height in areas zoned M-1 situated west of the Salt Lake City International Airport and North of Interstate 80, Related provisions of Title 21A - Zoning may also be amended as part of the petition. (Dominion Engineering/FBI Building).  
(p 10-21)View Attachments

#9. RE: Adopting Resolution 46 of 2010 authorizing the issuance of the City's Facility Revenue Bonds Series 2010B and setting the date of November 9, 2010 at 7:00 p.m. to accept public comment and consider adopting a resolution of the City Council of Salt Lake City, Utah for the issuance and sale of approximately \$2,800,000 of the City's Facility Revenue Bonds, Series 2010 (McGillis School Project) to finance the costs of the acquisition, construction and improvement of facilities for McGillis School, Inc.; and related matters. View Attachments  
(Q 10-9)

Councilmember Christensen recused himself.

#10. RE: Setting the Date of November 9, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending the text and future land use map of the Central Community Master Plan to encourage future civic uses to concentrate near existing civic uses in the east downtown area and change the designation of land located within the block bounded by 300 East, 400 South, 400 East, and 500 South to Civic/Mixed Use pursuant to Petition No. PLNPCM2009-01423 (relating to the Public Safety Building Project).  
(P 10-20)View Attachments

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The meeting adjourned at 8:23 p.m.

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Council Chair

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City Recorder

This document along with the digital recording constitute the official minutes of the City Council Regular Session meeting held October 19, 2010.

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