

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, January 12, 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	JT Martin	Stan Penfold
Jill Remington Love	Søren Simonsen	Luke Garrott
Van Turner		

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

Councilmember Martin presided at and conducted the meeting.

OPENING CEREMONY

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

#2. [7:12:48 PM](#) Mayor Ralph Becker will present the annual **State of the City Address**.

#3. [7:55:50 PM](#) The Council will consider adopting a joint resolution with Mayor Ralph Becker supporting bid proposals for Salt Lake City to host the 2012 Republican National Convention. [View Attachment](#)

Councilmember Christensen moved and Councilmember Simonsen seconded to adopt **Resolution 1 of 2010**, which motion carried, all members voted aye.

(R 10-1)

PUBLIC HEARINGS

#1. [8:58:12 PM](#) **RE:** Continue to accept public comment and consider adopting an ordinance amending Salt Lake City Ordinance 17 of 2009 which adopted the final budget of Salt Lake City, Utah for the fiscal year beginning July 1, 2009 and ending June 30, 2010. (**Budget Amendment No. 2**) [View Attachments](#)

The following spoke or submitted hearing cards in favor of the proposed location for the Regional Sports Complex: **Sam Madsen; Don McDermott; Eric Povilus; Emma Kristensen; Annaje VanDerToolen; Mikalyn VanDerToolen; Pat Sebring; Kevin Leecaster; Kim Nielsen; Bill Johnson; John Osborne; Mike Law; Brad Parker; August Granath; Bruce Granath; Brian Wilkinson; Erin Burke; John Burke; Richard Manning; Sue Manning; Jim Harper; Pam Murray; Kellie Woodfield; Karl Tharp; Loren Mott; Brian**

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

Essig; Nate Gygi; Spencer Ford; Aaron Gygi and Amy O'Connor.

The following spoke or submitted hearing cards in opposition of the proposed location for the Regional Sports Complex: **Murray Mullenax; Jerry Schmidt; Ann Wechsler; Cindy Cromar; Nancy Saxton; Tiffin Brough; Whitney Williams; Dan Potts**, speaking for Salt Lake County Fish & Game Association; **Gerald Nichols; Chris Cline; Jan Bartlett; Suzanne Stensaas; Crystal Adams; Cristee Campbell; Ryan Dillingham; Tysha Lamm; Michael Mielke; Steven Storheim; Cynthia Pettigrew; Jeff McCarty; John Cederquist; Karri Smith; Tagge Solaimanian; Sara Solaimanian and Lauren Wood.**

The following submitted cards but had already spoken on January 5, 2010 on the Regional Sports Complex: **August Granath; Bruce Granath; Brian Wilkenson; Jeff Salt; Ray Wheeler; Danny Potts; Ed Firmage; Carole Straughn and Barbara Rufenacht.**

Cindy Gust-Jenson said she had two submittals that she needed to bring to the Council's attention. She said one was in large written form and was a message from soccer kids and their support. She said the other item was received later this evening at approximately 8:30. She said it was marked Jeff Salt/Great Salt Lake Keeper Sports Complex, 1-12-10, public comments, documents and exhibits. She said it was a large file and would take hours to print so they were not in a position to print the DVD for the Council tonight.

Councilmember Love moved and Councilmember Christensen seconded to **close the public hearing and pull this item out of the budget amendment and vote on it before moving to the other items on the budget amendment**, which motion carried, all members voted aye.

Councilmember Garrott moved and Councilmember Love seconded to **adopt the budget amendment items A-13 and A-14 relating to the Regional Athletic Complex as revised:**

- a) \$41,044 in expenditure funds to cover the remaining costs associated with the Concept Plan; and
- b) \$22.7 million in revenue funds
- c) \$2 million in expenditure authority to cover initial pre-design, restoration plan development and construction drawings, and
- d) The release of the second portion of funding (\$20.7 million) is contingent upon the Administration completing the following:
 - i) Presenting a detailed restoration plan to the Council that maximizes the ecological benefit for the riparian habitat within reasonable constraints assuming the

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

- Regional Sports Complex will be at approximately 2200 North and the Jordan River. The Council recognizes this plan could require an increase in the buffer as currently conceived and/or a reconfiguration of fields, if the City's consultants find it necessary. The Council also recognizes that additional property acquisition may be necessary.
- ii) It is the Council's intent to join with the administration to convene a half-day session with an invited group of individuals with relevant professional-academic credentials to seek their input on a draft of this restoration plan.

Councilmember Simonsen moved that the Council make funding of the project contingent on the Administration pursuing the next best option for a site for the soccer complex and update the Master Plan for the Northwest Community Plan and the Rose Park Small Area Plan reflect the desire voiced by the community and expressed in the Blueprint Jordan River Vision Statement to preserve and restore the Jordan River as the last large remaining parcel of open space on the Jordan River in Salt Lake City and to pursue the future development of a nature center.

The motion failed due to lack of a second.

10:03:24 PM Councilmember Christensen said the proposed land has for the most part been pasture land. He said there were some great opportunities along the corridor. He said the area was serviced by transit. He said no one lived on the site but Utah Transit Authority (UTA) could redirect bus service to the soccer field.

10:09:45 PM Councilmember Turner said he wanted the facility built in his neighborhood. He said he agreed that when the sports facility was put on the ballot in 2003 things were different. He said he had not heard of any other location available for the complex. He said he would be supporting the motion.

10:15:15 PM Councilmember Penfold said the challenge for the field was the compromise. He said he loved the outdoors and there would be opportunities for the Jordan River. He said facilities for the youth were lacking in the community. He said he would support the motion.

10:17:50 PM Councilmember Garrott said he wanted to make a comment about the integrity of the vote. He said the City voted for this and it won in 2003. He said the voter pamphlet listed the site and people

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

knew what they were voting for. He said this was going to be a unique project.

10:20:34 PM Councilmember Love said she supported the motion with the understanding that it was the Council's intent not to revisit the issue when they saw the plan. She said it was their intent to build the soccer field and restore the riparian corridor. She said the City needed more open space for kids to play in neighborhoods, walkable play areas and competitive play areas to inspire everyone.

10:24:40 PM Councilmember Simonsen said he had concluded that the proposed soccer field should not be located at this site. He said the complex might not be consistent with the vision. He read the conclusion of the Blueprint Jordan River Plan. He said he was unclear about how much people knew about the site when the bond was passed. He said he supported the bond.

Councilmember Simonsen requested two amendments to the original motion. He wanted to request the motion be amended to include language that maintained a minimum 300 foot buffer which was noted as a best practice in the Blueprint Jordan River for proper restoration and maintaining wildlife habitat. He said the second amendment that concepts for a nature center for education and interpretation be developed.

There was no second to the friendly amendments.

10:32:11 PM Councilmember Martin said he would be supporting the motion. He asked **David Everitt**, Mayor's Chief of Staff, to read a definitive statement from Allen Matheson, Executive Director of Envision Utah. Mr. Everitt read the statement in whole.

Councilmember Martin called for the question on the original motion, which motion carried, with a roll call vote, Council Members Christensen, Turner, Penfold, Garrott, Love, Simonsen and Martin voted aye.

See Work Session minutes for January 12, 2010 for discussion on Regional Sports Complex.

Councilmember Christensen moved and Councilmember Love **moved the Council approve Item A-1, a request to establish revenue in expenditure CIP budgets for the Public Safety Complex for revenue in the amount of \$125 million and the expenditure appropriation of \$25 million**, which motion carried, all members voted aye.

Councilmember Love moved and Councilmember Christensen seconded to adopt **Ordinance 2 of 2010 amending the Fiscal Year 2009/2010 budget as proposed by the Administration with the exception of several items**

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

which will be voted on individually, which motion carried, all members voted aye.

Councilmember Christensen moved and Councilmember Love seconded to approve Item D-5, a request to use completed or cancelled Class C projects in the amount of \$375,734 for the North Temple/Jordan River bridge replacement project, which motion carried, all members voted aye.

Councilmember Simonsen moved and Councilmember Christensen seconded to approve Item I-1, request to approve the reallocation of \$15,000 of one-time funding for the Sugar House fireworks program subject to proposal to be received by the City Administration no later than May 31st, 2010, which motion carried, all members voted aye.

Councilmember Garrott moved and Councilmember Sorensen seconded to continue Item I-2, a request to allocate funding to install a driveway pipe and asphalt overlay at 775 East 900 South, which motion carried, all members voted aye.

Councilmember Love moved and Councilmember Simonsen seconded to approve Item I-3, a request to fund the purchase of property in District 5 from the surplus land account in the amount of \$80,000, which motion carried, all members voted aye.

Councilmember Martin was recused from the next motion.

Councilmember Simonsen moved and Councilmember Christensen seconded to approve Items B thru E, which motion carried, all members voted aye except Councilmember Martin who was recused for the vote.
(B 09-12)

#2. RE: [10:58:01 PM](#) Accept public comment and hear protest regarding a resolution of the City Council of Salt Lake City, State of Utah (the "City"), designating an Assessment Area for the purpose of levying assessments against properties within the Assessment Area to continue to promote business activity and economic development in an area of Central Downtown Salt Lake City by assessing benefited properties within the Assessment Area for the cost of such economic promotion activities for a period of three years (the "Assessments").
[View Attachments](#)

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

Councilmember Simonsen moved and Councilmember Turner seconded to refer to Engineering for tabulation, which motion carried, all members voted aye.

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

(Q 09-10)

#3. RE: [10:59:11 PM](#) Accept public comment and consider adopting an ordinance adopting the **Solid Waste Management Facility Budget**, as prepared and submitted by the Salt Lake Valley Solid Waste Management Council for Calendar Year 2010. (**Landfill Budget**) [View Attachments](#)

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

Councilmember Christensen moved and Councilmember Turner seconded to adopt **Ordinance 3 of 2010**, which motion carried, all Council Members voted aye.

(B 10-3)

COMMENTS TO THE CITY COUNCIL [11:00:16 PM](#)

Jihad Al-Ali spoke about the Council in Damascus. **Troy Herold** said he supported the proposed ordinance about "Complete Streets." **Dave Jackson** spoke on the taxi ordinance regarding the age of vehicles.

NEW BUSINESS

#1. RE: [11:07:22 PM](#) Adopting an ordinance enacting Chapter 14.06, Salt Lake City Code, pertaining to **accommodation of bicyclists and pedestrians all city owned transportation facilities in the public right-of-way**. [View Attachments](#)

Councilmember Garrott moved and Councilmember Love seconded to **suspend the rules and adopt Ordinance 4 of 2010**.

Councilmember Simonsen said he wanted to visit speed limits particularly on arterial and collectors where there were bicycle facilities that were primarily residential in nature. He said he wanted to consider a policy that addressed traffic speeds as part of the complete streets. He asked if the Council wanted to consider this issue. Councilmember Garrott said the ordinance was general.

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

Councilmember Simonsen moved and Councilmember Garrott seconded to **develop policy that would address traffic speeds relative to pedestrian and bicycle safety predominately in residential areas and have the Transportation Subcommittee work on developing some specific policy direction to bring back to the Council**, which motion carried, with a

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

role call vote, Council Members Christensen, Turner, Penfold, Garrott, Love and Simonsen voted aye and Councilmember Martin voted nay.

(O 10-3)

UNFINISHED BUSINESS

#1.RE: 11:19:02 PM Adopting a resolution of the City Council of Salt lake City, Utah (the "City") authorizing the issuance and sale of not more than \$4,000,000 aggregate principal amount of the **City's Facility Revenue bonds, Series 2010A (Utah Pipe Trades Project)**; and related matters. [View Attachments](#)

Christensen moved and Councilmember Love seconded to **adopt Resolution 2 of 2010.**

Councilmember Christensen said there were provisions in place to eliminate the City's financial obligation but they created an opportunity for the Pipe Trades to create an educational facility.

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

(Q 09-11)

CONSENT AGENDA 11:20:34 PM

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

#1. RE: Setting the date of February 2, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Section 14.32.425, Subsection D, Salt Lake City Code, relating to the imposition of penalties and interest for non-payment of telecommunications right-of-way rental fees. [View Attachments](#)

(O 03-17)

#2. RE: Setting the date of February 2, 2010 at 7:00 p.m. to accept public comment and consider adopting an ordinance amending Section 5.04.120, Salt Lake City Code, pertaining to the Airport parking services and other parking service businesses license tax, by reducing the time period for businesses to submit monthly reports and pay monthly levies from 45 days to 30, and by providing for late payment penalties and interest. [View Attachments](#)

(O 06-23)

#3. RE: Approving the appointment of Kenneth Pollard to the City and County Building Conservancy and Use Committee for a term extending

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, JANUARY 12, 2010

through July 15, 2013.

(I 10-1)

The meeting adjourned at 11:20 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 January 12, 2010.

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