

PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH

TUESDAY, MARCH 2, 2010

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, March 2, 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; David Everitt, Mayor's Chief of Staff; and Scott Crandall, Deputy City Recorder; were present.

Councilmember Martin presided at and Councilmember Turner conducted the meeting.

OPENING CEREMONY

#1. [7:01:22 PM](#) The Council led the Pledge of Allegiance.

#2. [7:02:03 PM](#) Three Salt Lake City youth soccer clubs (Impact United, Firebirds and Avalanche) presented the Council and Mayor Becker with a donation of \$5,000 for the Salt Lake Regional Sports Complex environmental and Jordan River restoration plans.

#3. [7:07:22 PM](#) Councilmember Simonsen moved and Councilmember Christensen seconded to **approve the minutes** for the Salt Lake City Council meeting held **February 16, 2010**, which motion carried, all members voted aye.

(M 10-3)

PUBLIC HEARINGS

#1. RE: [7:09:20 PM](#) Accept public comment and consider an **advisory vote** regarding the proposed sale and removal of approximately **three acres** of land from the **Open Space Lands Program inventory** located at **Rose Park Golf Course**, at approximately 1385 North 1200 West. [View Attachments](#)

The following spoke or submitted written comments in **opposition** of the proposal: **Cindy Cromer, Kelli Dickerson, Tom Dickerson, Ric Williams, Wayne Andersen, David Hellberg, Cree Williams, Linda Boline, Benny Jarvis, Sherry Griffiths** and **Gerald Hellberg**. Comments included impact on property values/owners, reinvest revenue in open space, zoning restrictions, impact on view corridors, open space inventory, increased traffic, gang activities, limited ingress/egress, too many schools in area, insufficient parking, safety issues, wildlife

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protection and overcrowding.

The following spoke/submitted written comments in **support** of the proposal: **Senator Luz Robles, Wayne Andersen, Walt Romney, Vicki Mori, Annabel Martinez, Hector Jaines, David Kuhn, Larry Martinez, Mike Harman and Patty Walker.** Comments included enhancing education, school relocation, community asset, responsible neighbors, golf course improvements, educational programs, traffic study, zoning/building requirements and community involvement/partnerships.

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

Councilmember Christensen moved and Councilmember Penfold seconded to **defer action to a future date.**

[7:48:18 PM](#) Councilmember Simonsen said the potential use for the property was not consistent with current open space zoning. He said he wanted to defer action until the Council could consider master plan and zoning amendments that would be consistent with anticipated uses.

Councilmember Penfold said there were significant policy issues involved with selling open space and declaring/disposing of surplus land to fund capital improvements and more discussion was needed.

Councilmember Martin said the City's golf courses were enterprise funds which operated as independent businesses. He said he wanted to better understand those operations and if golf courses were viewed differently than other open space.

Councilmember Turner said most Council districts contained golf course property and often there were discussions about selling that open space to make improvements or for other purposes. He said he thought the proposal opened the door for future discussions.

Councilmember Turner called for the question, which motion carried, all members voted aye.
(W 10-10)

#2. RE: [7:52:17 PM](#) Accept public comment and consider adopting an ordinance closing a portion of Jefferson Street at 800 South Street pursuant to Petition No. PLNPCM2009-00434. [View Attachments](#)

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

Councilmember Love moved and Councilmember Christensen seconded to **adopt Ordinance 9 of 2010**, which motion carried, all members voted aye.

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(P 10-4)

#3. RE: [7:53:35 PM](#) Accept public comment and consider adopting an ordinance **amending** certain Sections of **Title 21A (Zoning)** pursuant to Petition No. PLNPCM2009-00749, regarding planned developments. [View Attachments](#)

Judi Short and **Cindy Cromer** spoke/submitted written comments expressing concerns and requesting modifications to the proposal.

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

Councilmember Garrott moved and Councilmember Christensen seconded to **defer action to a future date**, which motion carried, all members voted aye.

(P 10-3)

#4. RE: [7:57:49 PM](#) Accept public comment and consider adopting an ordinance **amending** certain sections of **Title 21A (Zoning)** pursuant to Petition No. PLNPCM2008-00643, to provide additional **clarity** and **efficiency** in **land use regulation**. [View Attachments](#)

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

Councilmember Christensen moved and Councilmember Love seconded to **adopt Ordinance 10 of 2010**, which motion carried, all members voted aye.

(P 10-2)

#5. RE: [7:59:05 PM](#) Accept public comment and consider adopting an ordinance **amending** certain sections of **Title 21A (Zoning)** and **Title 2 (Administration)** pursuant to Petition No. PLNPCM2009-00509, to provide additional **clarity** and **efficiency** in **land use regulation**. [View Attachments](#)

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

Councilmember Christensen moved and Councilmember Love seconded to **adopt Ordinance 11 of 2010**, which motion carried, all members voted aye.

(P 10-1)

#6. RE: [8:00:22 PM](#) Accept public comment and consider adopting an ordinance allowing for **expedited building plan review**, limited renewal

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of expired building plan reviews, granting a **one-time extension** to certain plan review expiration dates, and **amending Sections 18.32.035** (fees) and **18.20.050** (building permit application, review and permit issuance conditions) regarding **fees** for **temporary certificates of occupancy**. [View Attachments](#)

Jacquelyn Nielsen, Sandra Hatch, Cindy Cromer and **Jim Burdette** spoke/submitted written comments expressing concerns and requesting modifications to the proposal.

Councilmember Garrott moved and Councilmember Penfold seconded to **close the public hearing and defer action to a future date**, which motion carried, all members voted aye.
(O 10-4)

#7. RE: [8:09:02 PM](#) Accept public comment on the **issuance** and **sale** of up to **\$15,300,000** aggregate principal amount of the City's **General Obligation Bonds, Series 2010B** to finance all or a portion of the cost of acquiring, constructing, furnishing and equipping a **multi-purpose regional sports, recreation and education complex** and related roads, parking and improvements and the impact such project will have on the private sector. [View Attachments](#)

The following spoke/submitted written comments in **opposition** of the proposal: **Jeff Salt, Cindy Cromer, Amy O'Connor, Michael Budig, Christine Vickers, Barbara RuFenacht, Paul Phelps, Allan Phelps, Ray Wheeler, Nancy Saxton, Eric Harvey, Shirley McLaughlan, Chelsea Gauthier, Sara Solaimanian** and **Shane Vickers**. Comments included creating a nature preserve/outdoor learning center, ballot not site specific, misleading information, flood risk, economic viability study, needs assessment, wetland permit, delay bond issuance, investigate alternative sites, potential legal action, transit/health issues, confusion regarding motion, future Council action, open space commitment, democracy, release funding in stages, increased costs and scaled down project.

Benjamin Rivkind said he was a member of the Open Space Board and requested information from the Administration regarding various aspects of the proposal.

[8:31:40 PM](#) Councilmember Martin asked for a "Point of Order" to ask Ms. Saxton a question regarding her comments on the proposal.

[8:40:19 PM](#) Councilmember Garrott said due to confusion about the proposal, he wanted to ask the Administration to openly provide as much information as possible when requests were made. Mr. Everitt said the Administration would be happy to do that.

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Councilmember Garrott said for clarification, the Council was not voting to release bond money during this meeting. He said the Administration would need to come back to the Council at a future date. Councilmember Love said she also understood additional action was needed by the Council to approve the appropriation. Ms. Gust-Jenson said that was correct.

Councilmember Penfold moved and Councilmember Simonsen seconded to **close the public hearing**, which motion carried, all members voted aye. (Q 10-1)

#8. RE: [8:44:29 PM](#) Accept public comment on the **issuance and sale** of up to **\$125,000,000** aggregate principal amount of the City's **General Obligation Bonds, Series 2010A** to finance all or a portion of the cost of, among other things, providing a **public safety administration** and operations building, an **emergency operations center** and related **facilities**; and the impact such projects will have on the private sector. [View Attachments](#)

Douglas Cotant spoke about emergency preparedness and improving conditions for public safety personnel. **Cindy Cromer** spoke about how bond issuances were being used to modify City master plans.

Councilmember Garrott moved and Councilmember Simonsen seconded to **close the public hearing**, which motion carried, all members voted aye, except Councilmember Penfold, who was absent for the vote. (Q 09-6)

COMMENTS TO THE CITY COUNCIL [8:50:15 PM](#)

David Hartley said he opposed actions being taken to evict residents from the Regis Hotel and needed clarification about eviction notices. **Douglas Cotant** told the Council a joke. **Jihad Al Ali** spoke about charity, donations and panhandlers. **Allan Phelps** spoke about protecting a wetland area located in northwest Salt Lake from oil contamination and mosquitoes.

NEW BUSINESS

#1. RE: [8:56:01 PM](#) Adopting a resolution authorizing the governing board of Salt Lake City to appoint **representatives** to serve as its **appointees** on the **Taxing Entities Committee (TEC)** for the **Redevelopment Agency (RDA)** of Salt Lake City. [View Attachments](#)

Councilmember Christensen moved and Councilmember Penfold seconded to **adopt Resolution 16 of 2010 (Option 2)**, which motion carried, all members voted aye.

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Councilmember Christensen said Option 2 clarified that the standing Council and RDA Chairs would serve on the committee in perpetuity.

(R 10-3)

CONSENT AGENDA [8:57:47 PM](#)

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

#1. RE: Adopting Ordinance 12 of 2010, (The "2010 Assessment Ordinance") approving an assessment list and levying an annual assessment upon property in Salt Lake City, **Utah Lighting District No. 3**, now known as L03 (the "**District L03**"); establishing the effective date of the **2010 Assessment Ordinance**; providing for a procedure to contest an assessment; and related matters. [View Attachments](#)

(Q 10-3)

The meeting adjourned at 8:58 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 2, 2010.

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