

**PROCEEDINGS OF THE CITY COUNCIL OF SALT LAKE CITY, UTAH  
WORK SESSION  
TUESDAY, MARCH 2, 2010**

The City Council met in Work Session on Tuesday, March 2, 2010, at 3:00 p.m. in Room 326, Committee Room, City County Building, 451 South State Street.

In Attendance: Council Members Carlton Christensen, Van Turner, Jill Remington Love, JT Martin, Stan Penfold, Luke Garrett and Søren Simonsen.

Also In Attendance: Cindy Gust-Jenson, Executive Council Director; David Everitt, Mayor's Chief of Staff; Jennifer Bruno, Council Deputy Director; Russell Weeks, Council Policy Analyst; Sylvia Richards, Council Research and Policy Analyst/Constituent Liaison; Orion Goff, Building Official; Wilford Sommerkorn, Planning Director; Edwin Rutan, City Attorney; Lynn Pace, Deputy City Attorney; Joel Paterson, Planning Program Supervisor; Paul Nielson, Senior City Attorney; Nick Tarbet, Council Policy Analyst/Constituent Liaison; Nick Britton, Principal Planner; Ray Milliner, Principal Planner; Chris Burbank, Police Chief; Gordon Hoskins, Chief Financial Officer; Duran Lucas, Real Property Agent; John Spencer, Property Manager; Frank Gray, Community and Economic Director; Gina Chamness, Budget Director; Larry Butcher, Permits/Development Review Administrator; Karen Hale, Mayor's Communications Director; Michele Straube, Mediator/Facilitator for Salt Lake Solutions; Rick Graham, Public Services Director; Jake Tate, Great Basin Engineering; Earl Tate, Great Basin Engineering property owner; Gary Russon, Russon Brothers Mortuary; Glen Lyle, B and L Cremation Systems; Wade Olsen, Petitioner (Item A-1); Darlene Batation, Consultant for Wade Olsen; and Scott Crandall, Deputy City Recorder.

Councilmember Martin presided at and conducted the meeting.

The meeting was called to order at 3:05 p.m.

**AGENDA ITEMS**

**#1. [3:04:57 PM](#) RECEIVE A FOLLOW-UP BRIEFING REGARDING A REQUEST TO AMEND THE TABLE OF PERMITTED AND CONDITIONAL USES FOR THE COMMUNITY BUSINESS (CB) ZONING DISTRICT TO ALLOW A HOTEL/MOTEL AS A CONDITIONAL USE WHEN LOCATED ON A STATE-OWNED ARTERIAL STREET. [View Attachments](#)**

Joel Paterson, Janice Jardine, Quinn Card, Wilford Sommerkorn, Paul Nielsen, Wade Olsen and Darlene Batation briefed the Council with the attached handouts. Discussion was held on expanding this to all streets located in CB zones. Ms. Jardine said two ordinances could be prepared for Council consideration. She said one would approve the proposal and the other would provide additional criteria for addressing other local/arterial streets.

**#2. [3:57:10 PM](#) RECEIVE A BRIEFING REGARDING RE-ADOPTION OF AN ORDINANCE TO REZONE PROPERTY LOCATED AT 1955 EAST STRATFORD AVENUE FROM**

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OPEN SPACE (OS) TO INSTITUTIONAL (I) (REDEEMER LUTHERAN CHURCH AND SCHOOL – PETITION 400-06-49) [View Attachments](#)

Janice Jardine, Nick Tarbet, Nick Britton and Paul Nielsen briefed the Council with the attached handouts. Councilmember Christensen expressed concern about setting a precedent for future cases. Ms. Gust-Jenson said clarification was needed from the Council regarding when proposals were considered dead and needed to go through a new process.

Councilmember Love suggested moving this specific proposal forward and then formalize a process/policy for future applications/extensions. Councilmember Simonsen said applicants needed to know there were time limits for applying for extensions and suggested making that part of the ordinance. Ms. Gust-Jenson said they would work with the Attorney's Office.

#3. [4:12:09 PM](#) RECEIVE A BRIEFING REGARDING PROPOSED CHANGES TO THE CITY ZONING REGULATIONS RELATING TO ANIMAL AND FUNERAL HOME/MORTUARY CREMATION SERVICES. [View Attachments](#) [View Attachments](#)  
[View PowerPoint](#)

Janice Jardine, Ray Milliner, Joel Paterson, Jake Tate, Earl Tate, Gary Russon, Glen Lyle and Paul Nielsen briefed the Council with a PowerPoint presentation and the attached handouts.

a. [4:18:56 PM](#) Adding cremation to the current funeral home definition and new definitions for animal cremation service and crematorium.

b. [4:32:40 PM](#) Allowing animal cremation services and cremation services related to funeral homes as a permitted or conditional use in a variety of residential mixed-use, commercial, downtown, manufacturing and special purpose zoning districts. Crematorium facilities processed as conditional uses would be subject to specific review criteria.

Mr. Russon requested that the decibel level be increased to 75 and that modifications to the ordinance be made to permit him to perform cremations for other mortuaries. Councilmember Garrott said he understood the County Health Department provided noise enforcement and asked how that would impact this proposal. Mr. Milliner said he did not know but he would provide that information to the Council.

Ms. Jardine said if the Council chose to advance the proposal, a hearing would be set for March 30, 2010. She said the Administration would provide information regarding the County's noise limitations and language regarding "screening" would be adjusted to read "activity relating to the dead should be handled discretely and screened from public view to the maximum extent possible, including delivery and storage of the remains". She said the proposal would also include language which would allow the petitioner to provide cremation services

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for other funeral homes. A majority of the Council was in favor of advancing the proposal.

**#4. [5:16:07 PM](#) RECEIVE A BRIEFING FROM THE ADMINISTRATION REGARDING ORGANIZATIONAL CHANGES WITHIN THE POLICE DEPARTMENT ADMINISTRATION. [View Attachments](#)**

**Chief Burbank** briefed the Council with the attached handout.

**#5. [5:24:06 PM](#) RECEIVE A BRIEFING FROM THE ADMINISTRATION REGARDING THE BUDGET FOR FISCAL YEAR 2010-2011. [View Attachments](#)**

**Gina Chamness** and **Gordon Hoskins** briefed the Council with a PowerPoint presentation and the attached handouts. Ms. Chamness said the Mayor's recommended 2010-2011 budget would be transmitted to the Council on May 4, 2010.

**#6. [9:10:24 PM](#) RECEIVE A BRIEFING REGARDING BUDGET AMENDMENT NO. 3 OF FISCAL YEAR 2009-2010. [View Attachments](#)**

**Jennifer Bruno, Gina Chamness, David Everitt, Gordon Hoskins, Chief Burbank** and **Rick Graham** briefed the Council with the attached handouts. Ms. Bruno said a \$5.6 million shortfall needed to be addressed before the end of the current fiscal year to balance the budget. Councilmember Christensen suggested the Council make a similar percentage budget cut to match the Administration. Councilmember Love asked about the decrease in parking ticket revenue. Mr. Everitt said the Administration would look into that.

Councilmember Martin asked about the status of the City's debt collection. Mr. Hoskins said the target goal was to collect \$50,000. He said that goal was obtainable but the Administration would try to do better. He said three or four full time employees were needed to effectively handle collections.

Councilmember Martin asked staff to revisit revenue held out for work on Princeton Avenue. Ms. Bruno said she would check the status of the project and see how much money was available. Councilmember Turner asked about speed boards. Mr. Graham said the Council would need to appropriate additional funding to continue the program next year.

Discussion was held on the Administration's recommendation relating to the \$1.8 million (Redevelopment Agency (RDA) loan repayment). A straw poll was taken to ask staff to prepare alternative options to avoid using the \$1.8 million. A majority of the Council was in favor. Ms. Bruno asked if Council Members wanted staff to provide options to reduce the Council's budget. A majority of the Council was in favor.

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Councilmember Penfold said during budget briefings regarding early retirement or open positions, he wanted to have more discussion on what policies were being impacted by Administrative recommendations.

**#7. [5:52:33 PM](#) RECEIVE A FOLLOW-UP BRIEFING REGARDING AN ORDINANCE ALLOWING FOR EXPEDITED BUILDING PLAN REVIEW, LIMITED RENEWAL 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) OF THE SALT LAKE CITY CODE REGARDING FEES FOR TEMPORARY CERTIFICATES OF OCCUPANCY. (ITEM C6) [View Attachments](#)**

**Orion Goff, Larry Butcher, Sylvia Richards and Frank Gray** briefed the Council with the attached handouts. Council Members expressed concerns about getting same day approvals for small projects. Mr. Goff said his goal was to have a true one stop counter with adequate staffing to accommodate those projects.

**#8. [9:52:28 PM](#) RECEIVE A BRIEFING FROM THE ADMINISTRATION REGARDING ENHANCED COMMUNICATION WITH THE PUBLIC, INCLUDING NEIGHBORHOOD-BASED ORGANIZATIONS AND BUSINESSES. [View Attachments](#)**

**Karen Hale and Michele Straube** briefed the Council with the attached handouts. Councilmember Martin asked how the public would be contacted/informed about the proposal/survey. Ms. Hale said the City's Website would have a direct link to the fact sheet/survey. She said community council chairs and other community liaisons would be asked to distribute information. She said suggestions from the Council or others were welcome.

Councilmember Martin said he thought a goal to contact a certain percentage of residents was needed. He said there was also a concern about how to avoid having the one person fill out multiple surveys. Councilmember Christensen said he hoped the focus groups could find a way to get feedback on how to engage residents who did not typically participate in the public process.

Councilmember Penfold asked when the process would be completed. Ms. Straube said there would be a written summary of the scoping process, interviews in March, small discussion groups in April and May and a potential completion date in early summer.

Councilmember Garrott said some of his constituents were not comfortable with their relationship with the Administration and felt decisions were being made behind closed doors despite transparency initiatives. He said he was concerned about supporting a process he felt was off course.

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Ms. Straube invited Council Members to participate in discussions and interviews and assist them with the process. Councilmember Simonsen suggested taking the opposite approach and request that residents provide proposals to the City on ways to improve communication and wait to see the results.

**#9. [10:43:35 PM](#) RECEIVE A BRIEFING REGARDING THE 10-YEAR PLAN FOR CAPITAL IMPROVEMENT PROJECTS.**

Item was pulled.

**#10. [10:43:55 PM](#) RECEIVE A FOLLOW-UP BRIEFING REGARDING A LIST OF LEGISLATIVE ISSUES FOR THE 2010 STATE LEGISLATIVE SESSION. [View Attachments](#)**

**Lynn Pace** and **Wilford Sommerkorn** briefed the Council with the attached handouts. Mr. Pace said the handout showed the current status of proposed bills. He said bills that were virtually dead included billboards, anti-discrimination, co-location of emergency operation center, County restaurant tax, funding mechanism for a convention hotel, County imposed franchise tax and the Snowbird annexation.

Mr. Pace said significant issues he felt were still alive included tobacco tax increase, modified retirement bills, ambulance bill, two Redevelopment Agency bills, jail funding reimbursement, Fairpark lease, fit premises, 911 amendments and gas tax revenue allocation. He said eight days remained in the session and he would continue to update the Council.

**#11. [11:10:37 PM](#) CONSIDER A MOTION TO ENTER INTO CLOSED SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION AND FOR THE PURPOSE OF STRATEGY TO DISCUSS THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY WHEN PUBLIC DISCUSSION OF THE TRANSACTION WOULD DISCLOSE THE APPRAISAL OR ESTIMATED VALUE OF THE PROPERTY UNDER CONSIDERATION OR PREVENT THE PUBLIC BODY FROM COMPLETING THE TRANSACTION ON THE BEST POSSIBLE TERMS PURSUANT TO UTAH CODE ANN.§ 52-4-204, §52-4-205(1)(c)(d), AND ATTORNEY-CLIENT MATTERS THAT ARE PRIVILEGED, PURSUANT TO UTAH CODE ANN. § 78-24-8.**

Councilmember Penfold moved and Councilmember Garrott seconded to enter into Closed Session. A roll call vote was taken. Council Members Christensen, Turner, Penfold, Love, Garrott, Martin and Simonsen voted aye. See file M 10-2 for Sworn Statement and recording.

**#12. [11:05:58 PM](#) REPORT OF THE EXECUTIVE DIRECTOR, INCLUDING A REVIEW OF COUNCIL INFORMATION ITEMS AND ANNOUNCEMENTS. [View Attachments](#)**

See File M 10-5 for announcements.

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The meeting adjourned at 12:03 a.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 Work Session meeting held March 2, 2010.

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