

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, April 23, 2013 at 6:10 p.m. in Room 315, Council Chambers, City County Building, 451 South State.

The following Council Members were present:

Søren Simonsen	Luke Garrott	Jill Remington Love
Kyle LaMalfa	Charlie Luke	Carlton Christensen
Stan Penfold		

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

Councilmember LaMalfa presided at and Councilmember Love conducted the meeting.

OPENING CEREMONY

#1. [6:09:57 PM](#) Pledge of Allegiance.

#2. [6:10:23 PM](#) Councilmember Simonsen moved and Councilmember Christensen seconded to **approve the meeting minutes of Tuesday, March 26, Tuesday, April 2, 2013 and Tuesday, April 9, 2013**, which motion carried, all members voted aye. [View Attachments](#)  
(M 13-3)

#3. [6:11:52 PM](#) Mayor Ralph Becker presented the proposed **Salt Lake City budget** including the **Library Fund for Fiscal Year 2013-2014**. [View Speech](#)  
(B 13-1)

PUBLIC HEARINGS

#1. [6:27:58 PM](#) Accept public comment and consider adopting an ordinance pertaining to certain provisions of **Chapter 21A.36**, Salt Lake City Code, to establish certain **recycling and construction waste management requirements** in furtherance of the City's **sustainability efforts** pursuant to Petition No. PLNPCM2010-00614. [View Attachments](#)

Daniel Salmon spoke in favor of the proposal.

Councilmember Simonsen moved and Councilmember Christensen seconded to **close the public hearing and defer action to a future meeting**, which motion carried, all members voted aye.  
(O 12-13)

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

#2. [6:33:08 PM](#) Accept public comment and consider adopting an ordinance that would amend the **Sugar House Future Land Use Map** for the property located at approximately **2018 East 2100 South Street** from **Institutional and Public Lands** to **Very Low Density Residential** pursuant to Petition No. PLNPCM2012-00546. *No changes are proposed to the existing use of the site. The property is currently zoned Single-family Residential R-1/12,000. Amending the Master Plan would be consistent with the residential zoning classification.* **Petitioner: Salt Lake City Council.** [View Attachments](#)

**L. Rex Sears** and **Judi Short** spoke in favor of the change requested and to keep the property residential.

Councilmember Garrott moved and Councilmember Simonsen seconded to **close the public hearing and defer action to a future meeting**, which motion carried, all members voted aye.  
(P 13-7)

#3. [6:36:46 PM](#) Accept public comment and consider adopting an ordinance that would **amend the zoning** of the rear portions of **two properties** located at **834 and 836 South Edison Street** from **SR-3 Special Development Pattern Residential** to **D-2 Downtown Support** pursuant to Petition No. PLNPCM2012-00114. *The request has been made in order to allow Epic Brewing to expand their brewing operations. The current zoning would only allow residential uses and not allow a brewery or other commercial uses. Although the applicant has requested that the property be rezoned to the Downtown Support (D-2) zone, consideration may be given to rezoning the property to another zoning district with similar characteristics.* **Petitioner: Epic Brewing LLC.** [View Attachments](#)

**Deborah Walling** said business characteristics should reflect local area interests, build a positive community reputation and have a synergistic impact with other businesses.

**Richard Jones** said the petitioner could not rezone the parcel unless Autonomy, Inc. signed a development plan so their interests would be represented.

**Cindy Cromer, Warren Henschel, Muffi Henschel, Lloyd Hart, Natalie Pascual, Scott Kisling, and Butch Adams** spoke or submitted written comments against the proposal. Concerns included increased traffic, deterioration of a revitalized neighborhood and further residential encroachment.

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

Andrey Kutuzov, Siavash Ghaitari, Peter Erickson, Matthew Marrott, Jessica Penetar, Bip Daniels, Tom Mutter, Kristin Remenschneider, Mesun Choi, John Kernsupport, Matthew Sargent, Jordan Anthony Ivins and Caitlin Sargent spoke or submitted written comments in favor of the proposal.

Jon Moore spoke about neighborhood improvements and said he was interested in a compromise.

Patricia Peterson and Larn Peterson spoke or submitted written comments in favor of the Edison Street compromise proposed by "Friends of Edison Street."

Councilmember Garrott moved and Councilmember Christensen seconded to **close the public hearing and defer action to a future meeting**, which motion carried, all members voted aye.

Councilmember Garrott expressed appreciation for the process and felt a master plan change was needed indicating that future land use be designated as SR-3.

(P 13-6)

#4. [7:04:09 PM](#) Accept public comment and consider adopting an ordinance that would amend the **CN-Neighborhood Commercial zoning** of property located at **1321 South 500 East** to **remove covenants, conditions and restrictions (CCRs)** linked to zoning of the property pursuant to Petition No. PLNPCM2012-00588. *This would allow the applicant to demolish the existing building and construct a mixed use residential/office building. Although the applicant has requested amending the CN-Neighborhood Commercial zoning to remove the CCRs, consideration may be given to rezoning the property to another zoning district with similar characteristics.* **Petitioner: Michael Lobb.** [View Attachments](#)

Cindy Cromer presented [handouts](#) and spoke regarding Liberty Wells National Historic Registered Districts. She said this property could be demolished at any time and expressed concern regarding potential new development.

Councilmember LaMalfa moved and Councilmember Luke seconded to **close the public hearing and defer action to a future meeting**, which motion carried, all members voted aye.

(P 13-5)

#5. [7:22:00 PM](#) Accept public comment and consider adopting a resolution **designating** the **"locally preferred alternative"** (route) for the **street car**. *The Administration's recommendation and other*

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

alternatives are described in the Sugar House Streetcar Phase II Alternatives Analysis draft report. This action would determine where the next phase of the Sugar House Streetcar would go. [View Attachments](#)

[7:23:45 PM](#) Councilmember LaMalfa said this was an important issue and described various methods the City used to notify people about this hearing and how the public could provide feedback.

The following spoke or submitted written comments *against the proposed 11<sup>th</sup> east alignment*: George Chapman, Sheila O'Driscoll, Eliza James, Emily Ford, Andrea Haughey, Pamela Pedersen, Jason Riesen, Richard Hayes Olson, Michael Rubin, Don Thorpe, Laurie Bryant, Sarah Woolsey, Raquel Ramon, Oletta Cummings, Valerie Klein, Randy Baker, Butch Adams, Julie Adams-Chatterley, Gayle Anderson, Tara Baird, Michael Browning, Carol Carter, Constance Cromptin, Jessica Crouch, Dana Curtis, Michael Glover, Tim Imaev, Reid Judd, Susan Kennard for Donna Klenk, Christina Kulakouski, Jordan Larsen, Gary Madrid, Robert Mayer, Lisa Monson, Alice Parkinson, Daphne Perry, Kristin Riker, Mary Slocum, Nathan Smith, Blain Sorenson, JoAnn Syndergard, Merrill Syndergard, M. Rhiannon Trimm, Mark Unruh, Debbie Unruh, Cathy Walsh and Solissa Welden. Comments included destruction of woman-owned small businesses, destruction of a major north/south bicycle route, air pollution, increased taxes, impact on property values, inadequate public notice, increased traffic/parking congestion, positive change already occurring in this area, 11<sup>th</sup> East street too narrow, increased accidents/injuries, desire to encourage walkable/active community, illogical plan, costly project, wasted federal funding, who benefits from project, available Utah Transit Authority (UTA) bus routes and purchase rubber-tire trolley to implement on a trial basis.

Lori Leighton presented a [petition \(signed by 1565 constituents/property owners\)](#) against the northbound route along 1100 East.

The following spoke or submitted written comments *against the streetcar expansion altogether*: Michael Arrett, Donald Gaillard, Lisa Hildebrand, Steve Joyce, Tyler Christensen, Claudia Johnson, Matt Christensen, David Gall, Lauri Duncombe, Dan Washburn, David Campbell, Kristin Johnson, Cristy Airhart, Barbara Boller, Michael Brusckke, Bobbi Burton, LeeAnn Bywaters, Edward Campos, Bill Cordray, Lisa Eisenberg, Mark Eliason, Laura Fuhriman, Nicole Herbert, Kathy Hills, Tracie Kirkham, Scott Kisling, David Morrow, Gerald Nichols, Robert Peacock, Laurie Reed and Christine Zabawa. Comments included concern the City was proceeding with no clear master plan, alternate route options worth consideration, study/develop a transportation master

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

plan, noise, increased theft, economics, who pays for the streetcar and increased vehicle idling/emissions.

The following spoke or submitted written comments *supporting the 21<sup>st</sup> Street alternative*: Ben Labrum, Amy Barry, Rinaldo Hunt, Kenner Kingston, Deb Henry, Joe Mandl, John Stringham, Jeff Woodbury and Jovi Sisovic, Greg Bergmann, Heather Bradbury, Allison Fleming, Clayton Helme, Tom Helme, John Neville, Emily Potts, Kelly Saunders, Sara Solaimanian and Tagge Solaimanian. Comments included help alleviate congestion, air pollution, connect/improve neighborhoods, convenient access to Sugarhouse Park, encourage 1300 East growth, and develop road system to accommodate both residents and businesses.

JD Smith suggested 17<sup>th</sup> East as an alternate route.

Christopher Thomas spoke/submitted [written comments/letter](#) regarding his preference to wait until a City transit plan was developed before deciding the Phase 2 streetcar alignment. He said Sugarhouse Community Council straw polls favored creating a pedestrian plaza at Monument Plaza and directing the alignment east along 2100 South.

Pat Newhouse said he agreed with [Councilmember Simonsen's letter](#) regarding the 2100 South alignment.

Maggie Shaw, Brandon Lloyd, Mike Christensen, Lee Logston, Laurie Bray and Helen Peters spoke *for the streetcar and the 11<sup>th</sup> East alignment long-term*.

Douglas Cotant said the streetcar route needed to cover areas where bus/light rail did not which might encourage people to drive less.

Clayton Gilliland spoke regarding available mitigation tools and success stories involving street car construction.

Judi Short submitted a letter representing the [Sugar House Community Council Executive Committee](#) which summarized the split decision about alternative preference and expressed concern regarding a decision being made without having a Citywide Transportation Master Plan.

William Hackins submitted a [petition \(over 200 signatures\)](#) against the 21<sup>st</sup> South corridor and suggested an alternate route along Simpson Avenue and the south side of Fairmount Park to 17<sup>th</sup> South.

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

Todd Olsen, Steven Rosenberg, Lorrin Colby Jr., Christy Brown, Ryan McEuen, Kelly Marinar, Brent Verhaaren, Katie Wagner, Chris Collier, Wade Olsen, Barry Angstmon, Dustin Campbell, Allan Flandro, Dan Flandro, Alex Hildebrand, G. Kies, F.P. McNeil, Randy Palmer, Whitney Ward, William Ward, Ken Wheddon and Kelly White expressed support of a streetcar, but suggested further study and consideration for alternative routes.

Mark Williamson submitted a [petition with five signatures](#) against the 1100 East Sugarhouse streetcar.

Anne Cannon, David Petersen and Greg Schlegel submitted written comments *supporting the 11<sup>th</sup> East Streetcar route.*

Sue Ann Jones, Susan Koelliker and Suzanne Parry submitted written comments *opposing the 21<sup>st</sup> Street alternative.*

The following submitted video comments:

Kent Mitchie, Chris Kirk, Wayne Witzel, Thea Brannon and Chad Miller spoke in *support of public transit*, but suggested consideration of *alternative routes and development of a Citywide transportation master plan.*

Dale Achel spoke *in favor of the streetcar and the 1100 East* alignment and felt a transit master plan was needed.

Kayleen Hughes and Tracey Miller spoke *against the 1100 East* alignment and expressed concerns relative to congestion and business access.

Tom McCowan, Sonia Hoysher and Paul Stack spoke *in favor of the 21<sup>st</sup> Street* alignment.

Original Motion: Councilmember Penfold moved and Councilmember Christensen seconded to **close the public hearing and defer action to a future meeting.**

Original Substitute Motion: Councilmember LaMalfa moved for a substitute motion and Councilmember Penfold seconded to **close the public hearing and defer action to May 7, 2013.**

Councilmember Garrott expressed concern about not hearing from the Administration regarding the need to make a decision in advance of a master plan. Discussion followed regarding the need to give an answer to the public.

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

Councilmember Simonsen said the Council needed to thoughtfully process all the input provided and rather than setting a time certain, he preferred to see a meaningful discussion in a work session meeting. He thanked the Sugarhouse Community for their input.

Councilmember Luke moved and Councilmember Simonsen seconded to **close the public hearing and defer action to a future meeting.** (No vote was taken).

Councilmember Luke said turnout from this evening deserved more Council discussion or potentially an additional public hearing. He inquired as to a reason to push forward immediately considering the magnitude of the decision being made.

Councilmember LaMalfa called for the question on the original motion to defer action to a future meeting, which motion failed. Council Members Garrott, Luke and Simonsen voted aye. Council Members Christensen, LaMalfa, Penfold and Love voted nay.

Councilmember LaMalfa called for the question on the **original substitute motion** to defer the item to May 7, 2013, which motion carried. Council Members Christensen, Penfold, LaMalfa and Love voted aye. Council Members Garrott, Luke and Simonsen voted nay.

(P 13-4)

UNFINISHED BUSINESS

#1. [9:44:46 PM](#) Adopting an ordinance adding **new Section 2.23.115** to the Salt Lake City Code to **create a Bicycle Standing Committee** of the **Transportation Advisory Board.** [View Attachments](#)

The ordinance would:

- Establish the committee in ordinance; and
- Integrate the committee into the board structure by associating it with the Transportation Advisory Board.

This **item was removed** from the agenda.

(O 13-9)

#2. [9:44:50 PM](#) Adopting an ordinance amending **Sections 2.46.090** and **2.46.140**, Salt Lake City Code, relating to **campaign financial reporting and computation of time.** *As the result of changes enacted by the State Legislature, the municipal declaration of candidacy period is now June 1-7 (instead of July 1-15) and the Primary Election date is the second Tuesday of August (instead of the second Tuesday of September). The proposed ordinance makes corresponding changes to certain campaign finance disclosure dates. It also changes how the*

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

*filing time period is computed to be consistent with state law. [View Attachments](#)*

Councilmember Penfold moved and Councilmember Christensen seconded to **adopt [Ordinance 20 of 2012](#)**, which motion carried, all members voted aye.  
(O 13-10)

**#3. [9:45:11 PM](#) Adopting a resolution designating the time and method for submitting Local Opinion Question Number One to Salt Lake City registered voters. [View Attachments](#)**

Councilmember Penfold moved and Councilmember Simonsen seconded to **adopt [Resolution 16 of 2013](#)** designating the time and method and for the voting time period to be from September 9 to September 26, 2013, which motion carried, all members voted aye.

Council Members Christensen and Garrott spoke to the motion.  
(R 13-4)

**#4. [9:46:59 PM](#) Adopting a resolution directing the Board of Directors of the Local Building Authority of Salt Lake City, Utah, to issue its Lease Revenue Bonds to finance the cost of acquiring, constructing and improving a new library and providing for related matters. [View Attachments](#)**

Councilmember Simonsen recused himself at this time.

Councilmember LaMalfa moved and Councilmember Garrott seconded to **adopt [Resolution 17 of 2013](#)**, which motion carried, all members present voted aye.  
(Q 13-4)

**[9:47:57 PM](#) Councilmember LaMalfa moved and Councilmember Luke seconded to recess as the City Council and convene as the Board of Directors of the Local Building Authority, which motion carried, all members voted aye.**

**Note: See File M 13-10 for minutes of the Board of Directors of the Local Building Authority of Salt Lake City.**

**[9:49:27 PM](#) Director LaMalfa moved and Director Penfold seconded to adjourn as the Board of Directors of the Local Building Authority and reconvene as the City Council, which motion carried, all directors present voted aye.**

**CONSENT**



MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, APRIL 23, 2013

9:50:26 PM Councilmember Penfold moved and Councilmember Garrott seconded to **adopt the Consent Agenda**, which motion carried, all members voted aye.

**#1. RE:** Setting the date of **Tuesday, May 7, 2013** and **Tuesday, May 21, 2013 at 7:00 p.m.** to accept public comment regarding an ordinance adopting the **final budget** and **related ordinances**, including the **Consolidated Fee Schedule** and the **employment staffing document** for Salt Lake City, Utah for **Fiscal Year 2013-2014**. (*Note: This public hearing will address all ordinances associated with the implementation of the City's 2013-2014 Budget including the Library Fund*).

**(B 13-1)**

**#2. RE:** Consider approving:

a. The **reappointment** of **T. Christopher Wharton** to the **Human Rights Commission** for a term extending through **December 26, 2016**.

**(I 13-11)**

b. The **appointment** of **JT Martin** to the **Airport Board** for a term extending through **July 16, 2017**.

Councilmember Simonsen expressed concern about considering appointments without holding interviews. He said failing to interview applicants did not support transparency initiatives but said he would support the appointment because he previously spoke to the applicant.

**(I 13-12)**

The meeting adjourned at 9:51 p.m.

---

Council Chair

---

City Recorder

This document is not intended to serve as a full transcript as additional discussion may have been held; please refer to the audio or video for entire content.

**MINUTES OF THE SALT LAKE CITY COUNCIL**

**TUESDAY, APRIL 23, 2013**

This document along with the digital recording constitute the official minutes of the Salt Lake City Council Regular Session meeting held April 23, 2013.

clm

MINUTES OF THE SALT LAKE CITY COUNCIL

TUESDAY, MAY 14, 2013

The City Council of Salt Lake City, Utah, met in Regular Session on Tuesday, May 14, 2013 at 8:58 p.m. in Room 326 Committee Room, City County Building, 451 South State Street.

The following Council Members were present:

Jill Remington Love	Søren Simonsen	Luke Garrott
Carlton Christensen	Charlie Luke	Stan Penfold

The following Councilmember was absent:

Kyle LaMalfa

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

Councilmember Love presided at and conducted the meeting.

CONSENT

8:58:57 PM Councilmember Garrott moved and Councilmember Penfold seconded to **adopt the Consent Agenda**, which motion carried, all members present voted aye.

**#1. RE:** Approving the **appointment** of **Margaret Plane** to the position of Salt Lake City Attorney, effective June 28, 2013 at 5:00 p.m. [View Attachments](#)  
(I 13-15)

The meeting adjourned at 8:59 p.m.

---

Council Chair

---

City Recorder

This document is not intended to serve as a full transcript as additional discussion may have been held; please refer to the audio or video for entire content.

This document along with the digital recording constitute the official minutes of the Salt Lake City Council Regular Session meeting held May 14, 2013.

clm