

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING	Wednesday, December 7, 2011 7:00 p.m.
CITY OFFICES	220 East Morris Avenue – Suite 200 South Salt Lake, Utah 84115
PRESIDING	Council Chair Casey Fitts
CONDUCTING	Council Member Irvin Jones
SERIOUS MOMENT OF REFLECTION/ PLEDGE OF ALLEGIANCE	Council Member LeRoy Turner
SERGEANT AT ARMS	Officer Ferguson

COUNCIL MEMBERS PRESENT:

Casey Fitts, Ryan Gold, Irvin H. Jones Jr., Boyd Marshall, Michael Rutter,
LeRoy Turner and John Weaver

STAFF PRESENT:

Mayor Cherie Wood
Charee Peck, Chief of Staff
Lyn Creswell, City Attorney
Kyle Kershaw, Finance Director
Mike Florence, Community Development Director
Glenn Smith, Urban Livability Director
Troy Bennett, Parks and Recreation Director
Myrna Clark, Granite Facilities Manager
Ron Morris, Fire Chief
Sharen Hauri, Urban Design Director
Dennis Pay, Public Works Director
Craig Burton, City Recorder
Kayla Moss, Deputy City Recorder

OTHERS PRESENT:

See attached list

APPROVAL OF MINUTES

- 1. November 9, 2011 Work Meeting.** Council Member Rutter moved to approve these minutes.

MOTION: Michael Rutter
 SECOND: John Weaver
Voice Vote:
 Fitts Aye
 Gold Aye
 Jones Abstain
 Marshall Abstain
 Rutter Aye
 Turner Aye
 Weaver Aye

Council Members Marshall and Jones abstained because they were not in attendance at this meeting.

2. November 9, 2011 Regular Meeting. Council Member Weaver moved to approve these minutes.

MOTION: John Weaver
 SECOND: Ryan Gold
Voice Vote:
 Fitts Aye
 Gold Aye
 Jones Abstain
 Marshall Abstain
 Rutter Aye
 Turner Aye
 Weaver Aye

Council Members Marshall and Jones abstained because they were not in attendance at this meeting.

NO ACTION COMMENTS

1. SCHEDULING. The City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.

2. CITIZEN COMMENTS/QUESTIONS. Ed Winter, 2992 South 600 East. Mr. Winter expressed concern about not having any of his issues resolved. He feels like he is wasting his time with making suggestions to the City. He has decided to let the City do their thing and he will do his own.

Jim Keach, 575 West 3410 South. Mr. Keach pleaded with the City about a year ago to patch or repave the road. The road was repaired very quickly. The road is still falling apart. There is a lot of traffic on the street.

Council Member Jones advised Mr. Keach that he is in his district and he will follow up with Dennis Pay, Public Works Director, tomorrow.

Monte Allred, 118 West Angelo Avenue. Mr. Allred has had at least 3 German Shepard's for the 20 years that he has lived in the City. There was an incident a couple weeks ago with the dogs. He was given a citation for an animal bite, too many animals, and for excessive barking. He has been working with animal control to try to get a hobby permit. He had a letter signed by a majority of his neighbors stating that they have never had any trouble with his animals. He would like to see South Salt Lake change the ordinance to not limit people to only have two dogs.

Council Member Weaver asked for Glenn Smith, Urban Livability Director, to pull the case information and have it available to the Council. Also to look at what the County and Salt Lake City are doing in their jurisdictions.

Carrie Young, 153 West Gregson Avenue. Ms. Young sent in a letter regarding Mr. Allred's dogs that she asked be read into the minutes. A copy of this letter is attached and incorporated by this reference.

3. MAYOR COMMENTS. Mayor Wood addressed the Good Landlord issue that was brought up by Mr. Winter. The City is currently working on it and addressing specifically the properties where the owner lives in one side and rents out the other side. This group is not the ones they were trying to make a difference with. Changes are being made to reduce unintended consequences to the wrong people.

4. CITY ATTORNEY COMMENTS. Lyn Creswell, City Attorney, pointed out a document that he gave to the Council in their packets. He is putting together a CIP group that is intended to mature and develop best practices that relate to capital programs. The biggest mistake that municipalities make is to not consider all capital projects as a whole. The City is beginning to do that and it is the hope that it will be done in a more sophisticated way in the future.

5. CITY COUNCIL COMMENTS. Council Member Gold thanked Parks and Recreation for the great success that the Breakfast with Santa was.

Council Member Weaver made note that today is the 70 year anniversary of when Pearl Harbor was attacked. It has been on his mind today. He hopes that we can remember the lessons of the past when challenges are presented to us now.

Council Member Rutter is grateful for the freedoms that we enjoy. He commended the City for recognizing the needs some of the citizens have.

Council Member Jones has also been thinking about when Pearl Harbor was attacked. It affected his father's life forever, and millions of others. He addressed looking at the bright side of situations. When the general went to look at Hawaii he said we have been blessed. Just over the hill was all of the fuel in the Pacific. They didn't target it; they also bombed on Sunday when most of the servicemen were off the ship. The casualties would have been much worse on a different day. In that darkest hour they were able to find a

bright spot. When we're faced with dark and troubling times we need to remember to look on the bright side and pull it together and keep going.

6. INFORMATION

a. Promise Partnership and Community Outreach. Sharen Hauri, Urban Design Director, showed the Council members a chart on how to better integrate community outreach particular to specific community services that are currently provided. A copy of the chart is included and incorporated by this reference. The goal is to have a regular conversation with citizens about all the issues involved. There are seven committees that she would like to have Council Members involved in.

b. Granite High Property Purchase Discussion. Ms. Hauri discussed continued outreach on Granite with the Council. In light of continued interest she proposed the Council holds a meeting in January for general outreach. In addition to that meeting there is a Housing Plan forum on January 4, 2012. On top of workshops for the public the City explored the idea of doing Open Town Hall. It is software that is put out by a company called Peak Democracy. She then showed the Council the website. It is a good resource to open up discussion with citizens in the City. All content is monitored by Peak Democracy.

Council Member Jones thinks this is a great idea.

c. Five Percent Local Vendor Preference. Mr. Creswell asked that this item be moved to next week's meeting.

ACTION ITEMS

Unfinished Council Business

- 1. Conduct Canvass of Election Results of the Recount of Ballots Cast and Consider Adoption of a Resolution Finding and Promulgating the Results of a Special Bond Election Held in the City on November 9, 2011 on Question of the Issuance of up to \$25,000,000 General Obligation Bonds of the City; and Providing for Related Matters.** Craig Burton, City Recorder, asked that the Council recess Council Meeting and go into a Board of Canvassers meeting for a moment to review the results of the recount on the special bond election.

Board of Canvassers: Mr. Burton advised that the bond failed in the recount by five votes, 1,006 against and 1,001 in favor. They recounted every paper vote by hand and one machine tape was audited from each polling location.

The Council then reconvened to the Regular Council Meeting.

Council Member Weaver asked if we are satisfied that all of the voters are legitimate citizens of the City.

Mr. Creswell advised that after looking at the voters there are questions as to whether all of the voters were qualified to vote. The City is currently looking at that. The remedies would require us to go to court and throw out the votes and start over. Another approach would be to challenge those voters to make sure that in subsequent elections they're not registered and participating as voters because they are not at their primary residence. After the City is done looking at it they will bring back all of the options.

Council Member Weaver moved to adopt this resolution.

MOTION: John Weaver
SECOND: Boyd Marshall

Roll Call Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

- 2. **Street Car Interlocal Agreement.** Mr. Creswell advised that they went back after the last meeting and made some changes based on what was said by the Council Members.

Chris Bramhall, Attorney for the Streetcar project, advised the Council that all of the concerns were brought back to Salt Lake City and UTA and they worked on solutions. He previously briefed the Council on the changes and asked if they had any further questions.

Council Member Weaver asked if they could go through the changes quickly. Page three allows the Mayor to designate another individual to represent them in this project. Page 10 also had a change.

Mr. Bramhall advised that this change on page 10 makes it so that it can't be a uni-lateral decision made by UTA to proceed with the project. That decision has to be made in consultation with the cities. Page 11 states very clearly that the two cities will not make combined capital or operation and maintenance contributions in excess of the stated amounts. Page 14 deals with the two year window that the cities will be contributing to operation and maintenance expenses. The three options listed are designed to shorten the two year period upon the occurrence of one of the events. Page 15 had a decision made to keep both the executive team and the project integration team in effect for as long as the parties deem necessary. It originally was drafted that the integration

team would terminate at the end of the operation and maintenance period. Page 16 clarifies who is going to prepare the management policies. That will be the project integration team, approved by the executive team. There is also a section on that page that recognizes that UTA will be receiving enhanced revenues not just from the operation of the system but also from development that occurs along the corridor and in relation to projects that the City is promoting independent from this project. The idea is for the executive team to attempt to identify some of those revenues and UTA agrees over time to put back into the project an amount equal to the operation and maintenance contribution that the cities are making. In a way it is a pay back of the operation and maintenance contributions.

Council Member Rutter thanked UTA for agreeing to this change. The Council appreciates them working with us.

Council Member Weaver thinks this new draft has addressed every concern he raised. He would be comfortable moving forward on this item this evening.

Mr. Creswell asked Mr. Bramhall if in the future paragraph 16.2 will be clarified or how they will arrive at the resolution of the principal set forth in this paragraph.

Mr. Bramhall advised that it is going to have to be a collaborative effort. The scope of things that will qualify under this paragraph is very broad. He hopes it will be in everybody's interest and there won't be too much conflict over this issue.

Council Member Rutter would like to see that the name of the project reflects that South Salt Lake and Salt Lake are both represented.

Council Member Weaver moved to adopt the Interlocal Agreement regarding the Sugarhouse Streetcar project.

MOTION: John Weaver

SECOND: Ryan Gold

Roll Call Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

- 3. **A Resolution of the City of South Salt Lake Approving and Adopting an Interlocal Agreement Between the City of South Salt Lake Unified Fire Authority for the Delivery and Partial Compensation of Hazardous Material Services.** Mr. Creswell advised that this was presented to them previously. This is an opportunity to recover some cost of hazardous material services from the County’s funding source.

Council Member Marshall mentioned that everything is for 2011.

Mr. Creswell advised that it is effective starting January 2011. There will be a payment during the calendar year and then it will be repeated next year.

Council Member Rutter moved to approve this resolution.

MOTION: Michael Rutter

SECOND: LeRoy Turner

Roll Call Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

- 4. **An Ordinance of the City of South Salt Lake City Council Changing the Zone District Designation from Corridor Commercial (CC) to Neighborhood Commercial (NC) for Properties Located at 287 E. 2700 S., 498 E. 2700 S., 491-499 E. 2700 S., 2712 S. 300 E., and 2700 S. Adams St.** Frank Lilly, Deputy Community Development Director, advised the Council that this was brought to the Council at a Public Hearing on November 9, 2011. At the previous meeting Council Member Weaver inquired about how a perspective zone change might impact the ability of the property owners to sell their properties in a way that is productive. The question was taken to NAI West, a local real estate agency, and Brandon Smith advised him that existing market conditions are driven by the traffic on 2700 South that is really what determines the market value of these properties and not necessarily the zoning. The average daily trips on the road are about 9,000 vehicles. Most class A retail operations want to have much more traffic. Given that, you would probably be more likely to find the market on State Street.

Council Member Marshall moved to approve this resolution.

MOTION: Boyd Marshall

SECOND: LeRoy Turner

Roll Call Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

5. 2012 Council Meeting Schedule.

Council Member Marshall moved to adopt this meeting schedule for next year.

MOTION: Boyd Marshall

SECOND: Ryan Gold

Voice Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

Council Member Marshall moved to adjourn.

MOTION: Boyd Marshall

SECOND: John Weaver

Voice Vote:

Fitts	Aye
Gold	Aye
Jones	Aye
Marshall	Aye
Rutter	Aye
Turner	Aye
Weaver	Aye

The meeting adjourned at 7:15 p.m.

Casey Fitts, Council Chair

Craig D. Burton, City Recorder