

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, April 22, 2015
7:00 p.m.

CITY OFFICES 220 East Morris Avenue – Suite 200
South Salt Lake, Utah 84115

PRESIDING Council Chair Irvin H. Jones, Jr.

CONDUCTING Council Member Roy Turner

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Council Member Michael Rutter

SERGEANT AT ARMS Ryan Cram

COUNCIL MEMBERS PRESENT:
Sharla Beverly, Ryan Gold, Irvin H. Jones, Jr., Kevin Rapp,
Michael Rutter and LeRoy Turner

COUNCIL MEMBERS EXCUSED:
Debbie Snow

STAFF PRESENT:
Mayor Cherie Wood
Charee Peck, Chief of Staff
Lyn Creswell, City Attorney
Paul Roberts, Deputy City Attorney
Kyle Kershaw, Finance Director
Mike Florence, Community and Economic Development Director
Frank Lilly, Deputy Community and Economic Development Director
Glenn Smith, Urban Livability Director
Mont Roosendaal, Public Assets Director
Aaron Wiet, Recreation Director
Sharen Hauri, Urban Design Director
Debbie Pedersen, Animal Control
Craig Burton, City Recorder
Paula Melgar, Deputy City Recorder

OTHERS PRESENT:
See attached list

NO ACTION COMMENTS

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

- 2. **CITIZEN COMMENTS/QUESTIONS.** None.
- 3. **MAYOR COMMENTS.** Mayor Wood reported that the Larry H. Miller Corporation will be in the City doing a service project in Fitts Park on April 25, 2015. They are also donating trees, sod and other materials totally \$5,500 for the project.
- 4. **CITY ATTORNEY COMMENTS.** None.
- 5. **CITY COUNCIL COMMENTS.** Council Member Beverly enjoyed the opportunity to go to the League of Cities and Towns mid-year convention. She learned that the State of Utah is growing by 45,000 people a year. She encouraged people to go online at Envision Utah and take a survey to help shape the vision for this growth.

Council Member Jones announced that South Salt Lake will be doing an emergency response preparation fair on September 19, 2015 at the Columbus Center.
- 6. **INFORMATION. Final Parks, Trails, Open Space & Community Centers Master Plan.** Urban Design Director, Sharen Hauri, reviewed a handout with the Council. A copy is attached and incorporated by this reference.

APPOINTMENTS BY THE MAYOR

Mayor Wood presented Jerold McPhee and Craig Call for re-appointment to continue to serve as Administrative Law Judges for the City.

Council Member Rutter moved to approve Jerold McPhee as an administrative law judge.

MOTION: Michael Rutter
 SECOND: Sharla Beverly
Voice Vote:
 Beverly Aye
 Gold Aye
 Jones Aye
 Rapp Aye
 Rutter Aye
 Snow Absent
 Turner Aye

Council Chair Jones moved to approve Craig Call as an administrative law judge.

MOTION: Irvin H. Jones, Jr.
 SECOND: Michael Rutter

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

UNFINISHED COUNCIL BUSINESS

- 1. An ordinance amending Chapter 3.16 – Disposal of Surplus Property, providing opportunity to donate surplus property to non-profit organizations pursuant to Section 10-8-2 of the Utah Code.** Deputy Attorney, Paul Roberts, advised that they have already discussed this in a previous meeting and it would be appropriate now to approve or disapprove this ordinance.

Council Member Rapped asked if they could change the ordinance to say that they will appropriate the computers to Promise South Salt Lake until they don't need any more and then surplus the rest to other persons outside of that.

Mr. Roberts explained that if they are using them for a City function, like Promise, they wouldn't be surplus. That's where administration would like to put the laptops. If the ordinance were to be passed and they didn't have any surplus laptops ever come up then it would just sit on the books. If it's not passed then the City will use the laptops.

Council Chair Jones moved to approve this ordinance.

MOTION: Irvin H. Jones, Jr.

SECOND: Sharla Beverly

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Nay
Snow	Absent
Turner	Aye

Council Member Rutter asked for a moment of personal privilege to state that his nay vote is a protest vote. He was the one that proposed that the excess computers go to the underprivileged folks in South Salt Lake. He is very disappointed that these computers will just be put in a Promise facility, or groups, and won't get out to the community needs for people who need them for work or other activities so they can take them home and use them to better their education.

Mr. Roberts advised the Council that the ordinance wasn't in final form and staff will bring it back for ratification at the next Council meeting.

2. **An ordinance repealing “Title 6 – Animals” of the South Salt Lake Municipal Code, and enacting a new “Title 6 – Animals.”** Mr. Roberts reviewed the final changes that were made per Council requests.

Council Member Gold moved to approve this ordinance.

MOTION: Ryan Gold
 SECOND: Sharla Beverly

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

3. **An ordinance changing the zone district designation from Commercial Business (CB) to Commercial General (CG) in an area described herein.** Deputy Community Development Director, Frank Lilly, advised that the only difference between the two codes is the Commercial General Zone does not allow a number of residential uses that were allowed in the Commercial Business Zone. Staff is asking the Council to approve this ordinance to bring the zoning map into conformance with the land use ordinance.

Council Member Rapp moved to approve this ordinance.

MOTION: Kevin Rapp
 SECOND: Ryan Gold

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

4. **An ordinance amending Chapters 17.11, 17.13, 17.15 and 17.21; and enacting Section 17.13.210 of the South Salt Lake Municipal Code, removing density bonus provisions from various land use districts, amending residential development standards in the Transit-Oriented Development (TOD) Overlay Land Use District, establishing the Transit-Oriented Development – Core (TOD-C) Land Use District, and changing the land use district designation from TOD to TOD-C in an area described herein.** Mr. Lilly explained this

ordinance is to break up the existing TOD corridor designation into two parts, recognizing that they should treat residential development differently in cores than along the corridor. The only real change is affecting how, and under what circumstances, residential development can happen. In the Corridor staff is proposing that there be a maximum density of fifteen units per acre and that they have other development provisions to create a situation where, should development occur on streets along the corridor that they actually are transformative in nature. In the TOD-Core they believe that the issue is not as important given the proximity and the ability to walk to nearby transit stations. As part of this change staff is asking to eliminate density bonus provisions from other districts in the City. They support a policy where multi-family housing is appropriate only in areas that are served by transit or in the downtown area.

Council Member Beverly moved to approve this ordinance.

MOTION: Sharla Beverly

SECOND: Kevin Rapp

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

NEW COUNCIL BUSINESS

- 1. Employee appeal procedures.** Mr. Roberts reviewed the merit system in the State. Once a person has established merit protection they can't be fired without a reason, there has to be cause. One reason they have the merit system is to protect people from political firings. Employees have a property interest in their job so it can't be taken without due process. There are some exemptions like reduction in force, reorganizing the department or outsourcing, etc. Those are not appealable. You can't force an employer to keep a job if it is not relevant anymore. The current City code doesn't have a standard of review or very many procedures for the employee appeal and this will add some. Mr. Roberts reviewed his memo regarding the proposed changes with the Council. A copy is attached to these minutes and incorporated by this reference.

City Attorney, Lyn Creswell said that the department directors in the City impose discipline. They typically consult with the Mayor and Attorney's Office beforehand. The administrative law judge makes sure both parties have ample opportunity to get information, ask questions, and present evidence. The decision made by the administrative law judge is appealable to the court of appeals in Utah by law.

Council Member Rutter asked if one violation can trigger this procedure where in the past there had to be some documentation of one or more issues.

Mr. Creswell said most of the disciplines being talked about are the result of progressive intervention but there could be a serious enough violation that one violation could result in termination.

Council Member Beverly moved to place this on Unfinished Business of the next City Council meeting, May 13, 2015.

MOTION: Sharla Beverly

SECOND: Ryan Gold

Voice Vote:

Beverly Aye

Gold Aye

Jones Aye

Rapp Aye

Rutter Aye

Snow Absent

Turner Aye

2. Presentation of Tentative Budget for fiscal year 2015/2016.

- a. Acceptance by Council of each fund of the tentative budget for fiscal year 2015/2016.** Finance Director, Kyle Kershaw, presented the tentative budget to the Council and reviewed the highlights in the budget. A copy of the budget and the highlights are attached to these minutes and incorporated by this reference.

Council Member Rutter moved to suspend the rules.

MOTION: Michael Rutter

SECOND: Sharla Beverly

Voice Vote:

Beverly Aye

Gold Aye

Jones Aye

Rapp Aye

Rutter Aye

Snow Absent

Turner Aye

Council Member Rutter moved to accept the Tentative General Fund budget for 2015-2016 in the amount of \$25,895,508.

MOTION: Michael Rutter

SECOND: Sharla Beverly

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Member Gold moved to accept the Tentative Leased Equipment Debt Service Fund budget for 2015-2016 in the amount of \$328,600.

MOTION: Ryan Gold
SECOND: Irvin H. Jones, Jr.

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Chair Jones moved to accept the Tentative Sales Tax Debt Service Fund budget for 2015-2016 in the amount of \$360,000.

MOTION: Irvin H. Jones, Jr.
SECOND: Kevn Rapp

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Member Beverly moved to accept the Tentative Capital Improvements Fund budget for 2015-2016 in the amount of \$4,379,100.

MOTION: Sharla Beverly
SECOND: Kevin Rapp

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Member Rapp moved to accept the Tentative Water Utility Fund budget for 2015-2016 in the amount of \$2,964,000.

MOTION: Kevin Rapp
SECOND: Sharla Beverly

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Member Rutter moved to accept the Tentative Sewer Utility Fund budget for 2015-2016 in the amount of \$1,814,000.

MOTION: Michael Rutter
SECOND: Ryan Gold

Roll Call Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

Council Member Gold moved to accept the Tentative Solid Waste Collection Fund budget for 2015-2016 in the amount of \$477,000.

MOTION: Ryan Gold
SECOND: Irvin H. Jones, Jr.

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

Council Chair Jones moved to accept the Tentative Ambulance Services Fund budget for 2015-2016 in the amount of \$1,161,900.

MOTION: Irvin H. Jones, Jr.

SECOND: Sharla Beverly

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

Council Member Beverly moved to accept the Tentative Housing Fund budget for 2015-2016 in the amount of \$169,000.

MOTION: Sharla Beverly

SECOND: Kevin Rapp

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

Council Member Rapp moved to accept the Tentative Insurance Reserve Fund budget for 2015-2016 in the amount of \$600,000.

MOTION: Kevin Rapp

SECOND: Sharla Beverly

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

b. Set a public hearing date to receive public comment on proposed 2015/2016 City Budget

Council Member Rutter moved to set Wednesday, May 27, 2015 at 7:30 p.m., or as soon thereafter as possible, as the date and time for a public hearing to receive public input regarding the proposed budget for the City of South Salt Lake for fiscal year July 1, 2015, to June 30, 2016.

MOTION: Michael Rutter
SECOND: Sharla Beverly

Roll Call Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

Council Member Gold moved to adjourn to Closed Meeting to discuss strategy for the sale, purchase, exchange or lease of real property pursuant to Utah Code Annotated, 1953 as amended, Sec. 52-4-204 and Sec. 52-4-205(1)(d) and (e).

MOTION: Ryan Gold
SECOND: Irvin H. Jones, Jr.

Voice Vote:

Beverly Aye
Gold Aye
Jones Aye
Rapp Aye
Rutter Aye
Snow Absent
Turner Aye

The Council adjourned to Closed Meeting at 8:05 p.m.

In accordance with U.C.A. Section 52-4-206, 1953, as amended by Chapter 180, Laws of Utah, 1987, as amended, a recording was made of the Closed Meeting held to discuss the

sale, purchase, exchange or lease of real property. Such recordings are protected records under Title 63, Chapter 2, Government Records Access and Management Act.

Closed Meeting ended at 9:21 p.m. Council Members returned to Council Chambers.

Council Member Gold moved to adjourn.

MOTION: Ryan Gold
SECOND: Irvin H. Jones, Jr.

Voice Vote:

Beverly	Aye
Gold	Aye
Jones	Aye
Rapp	Aye
Rutter	Aye
Snow	Absent
Turner	Aye

The meeting adjourned at 9:22 p.m.



Irvin H. Jones, Jr., Council Chair



Craig D. Burton, City Recorder

