

CITY OF SOUTH SALT LAKE  
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, January 27,  
2016  
7:00 p.m.

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

PRESIDING Council Chair Debbie Snow

CONDUCTING: Council Member Ben Pender

SERIOUS MOMENT OF REFLECTION/  
PLEDGE OF ALLEGIANCE Sharla Beverly

SERGEANT AT ARMS Ryan Cram

COUNCIL MEMBERS PRESENT:  
Sharla Beverly, Mark Kindred, Portia Mila, Ben Pender,  
Kevin Rapp, Shane Siwik and Debbie Snow

COUNCIL MEMBERS EXCUSED:

STAFF PRESENT:  
Mayor Cherie Wood  
Lyn Creswell, City Attorney  
Kyle Kershaw, Finance Director  
Jack Carruth, Police Chief  
Dwayne Ruth, Deputy Police Chief  
Ron Morris, Fire Chief  
Mont Roosendaal, Public Assets Director  
Mike Florence, Community and Economic Development Director  
Frank Lilly, Deputy Community & Economic Development Director  
Alexandra White, City Planner  
Aaron Wiet, Recreation Director  
Sharen Hauri, Urban Design Director  
Craig D. Burton, City Recorder  
Paula Melgar, Deputy City Recorder

OTHERS PRESENT:  
See attached list.

**APPROVAL OF MINUTES**

**January 13, 2015 Work Meeting.** Council Member Siwik moved to approve these minutes.

MOTION Shane Siwik  
SECOND Debbie Snow

Voice Vote:

Beverly Aye  
Kindred Aye  
Mila Aye  
Pender Aye  
Rapp Aye  
Siwik Aye  
Snow Aye

**January 13, 2015 Regular Meeting.** Council Member Rapp moved to approve these minutes.

MOTION Kevin Rapp  
SECOND Sharla Beverly

Voice Vote:

Beverly Aye  
Kindred Aye  
Mila Aye  
Pender Aye  
Rapp Aye  
Siwik Aye  
Snow Aye

**NO ACTION COMMENTS**

1. **SCHEDULING.** The Deputy City Recorder informed those at the meeting of upcoming events, meetings, activities, etc.
2. **CITIZEN COMMENTS/QUESTIONS. Deputy Community and Economic Development Director, Frank Lilly, 2815 South 300 East.** He reminded the Council that since 2011 the City has worked on a campaign called Community Connection. During this time they have done a number of critical projects including the replacement and repair of twenty-six roofs, the installation of four ramps, thirteen fence repairs and nineteen critical home repairs that addressed critical needs, including new windows, furnaces, and the like. Many of those homes had code problems. They received a code enforcement complaint on one particular home to find out it lacked a water line and was in dire need of emergency home repair. There was a single father on permanent disability with no resources. Instead of treating it as a code enforcement issue they treated it as a home that needed a significant amount of help and a home owner that needed to be made whole. The City worked with the owner and secured a series of grants and loans to help modernized the home to make it safe and also fix the code problems. This program operates under the auspices of the Urban Livability Department. The Community Connection program works. It deserves strong leadership. He is sure it would work differently if Code Enforcement were buried somewhere else and if the

department functions were divvied up. Each community has different needs but he feels the needs of our City justify an approach where code enforcement, animal services, Community Connection and housing are all interfacing at a top level because they are mission critical for the City.

**Police Chief, Jack Carruth.** He told the Council that back in 2010-2011 when Urban Livability was under the Police Department, code enforcement was a complaint driven process. As the people became more and more frustrated with their neighbors and called they would get attention. Now it's a proactive approach where they are focused directly on the mission of the City, what they are trying to create and how they create it to bring in more viable businesses and how do they attract those businesses? If it's a City in shambles they aren't going to get those shiny new businesses to want to move in. Under the Police Department they *managed* code enforcement but they weren't effective like the model they have today where we collaborate to improve neighborhoods and the quality of life in neighborhoods. That has had a direct effect back on the Police Department in their relationship with the community. When Code Enforcement was under the Police Department there was confusion in the community with the police out writing tickets for weeds that were too tall. People felt the police were harassing them. It was hard to understand the difference between police and Code Enforcement. If this Department comes back under Police it will be a big step backwards.

3. **MAYOR COMMENTS.** Mayor Wood informed the Council that Good4Utah did a nice piece on Council Member Pender. She encouraged all to go to the Good4Utah website to see it.

Mayor Wood also shared a police log from last night where police officers assisted with a fire by helping the families involved. A copy of the police log she read is attached to these minutes and incorporated by this reference.

Finance Director, Kyle Kershaw, informed the Council that the Victim Advocate group has applied for, and received, a grant in the amount of \$39,000. The funding began in January and has to be expended by June 30 of this year. They would like to hire another victim advocate. There is every expectation that the funding will be renewed and doubled for an entire twelve month period. Staff doesn't have time to prepare a budget amendment for Council approval so he is here to see if the Council would object to them moving forward in this manner. It takes time to go through the hiring process. By then staff will approach the Council with a budget amendment so they can vote formally to expend the funds. When employees are hired under a grant they sign a document stating they understand they are grant funded and if the grant funding ends there is a possibility that their position could be eliminated as well.

Council Member Rapp asked if the \$39,000 was the total or if the City had to add something to it.

Mr. Kershaw answered that is the total. There is not a matching portion.

Mr. Kershaw also said last fiscal year they received some additional VOCA grant money to purchase a camera. Because of some confusion on the City's part \$2,500 was receipted into last year's money but they didn't buy the camera. So, the funds went in and were unused and went through to Fund Balance but they do have an obligation to use those funds to purchase the equipment requested. When staff comes to the Council with a budget amendment there will be an appropriation from fund balance for \$2,500 so they can spend those funds.

The Council was in favor of moving forward in hiring another victim advocate with the grant money.

4. **CITY ATTORNEY COMMENTS.** City Attorney, Lyn Creswell, asked the Council to review their Council rules and forward their questions or concerns to Council Chair Snow by February 5. Staff will then work with the chair and vice-chair on some proposed amendments and have a work meeting to discuss possible changes in late February.

Mr. Creswell will be presenting ethics training and open meetings training shortly. He suggested they independently watch the ULCT's presentation by David Church of the open meetings law on YouTube. Then, in a work meeting, Mr. Creswell will answer any questions and give some local practice training.

Mr. Creswell asked that the Council review their meeting minutes before approval for accuracy and let the City Recorder know of any changes they feel should be made before the council meeting to approve them.

5. **CITY COUNCIL COMMENTS.** Council Member Rapp mentioned Officer Doug Barney of the Unified Police Department who was killed in the line of duty. His heart goes out him and his family. He appreciated the way the community and the country supported him.

Council Member Kindred agreed with Council Member Rapp. It is times like these when you realize what public safety really means. He thanked all the officers in Police and Fire. They do a fantastic job.

Council Member Pender knew Officer Barney. He thanked Chief Carruth for stepping up and assisting with calls to Unified Police Department. It was very much appreciated.

## **ACTION ITEMS**

## **CONSENT AGENDA**

- 1. An ordinance amending Chapter 17.03 and Chapter 17.15, of the South Salt Lake Municipal Code, to establish temporary mobile commissary kitchens as conditional uses in the Transit Oriented Development Overlay District and the Transit Oriented Development Overlay-Core District.**

Council Member Siwik moved to approve the Consent Agenda.

MOTION Shane Siwik  
 SECOND Sharla Beverly

Roll Call Vote:

Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

**UNFINISHED COUNCIL BUSINESS**

- 1. Appointment by the Mayor – Presentation of Antoinette Evans as candidate for Director of Urban Livability and request for advice and consent of the Council.** Mayor Wood asked if there were any questions from the Council.

Council Member Rapp doesn't have any problems with Ms. Evans; he just thinks it is something the Council should discuss during the budget season.

Council Member Beverly disagreed. Based on the budget Finance Director, Kyle Kershaw, provided the Council, she feels they are saving money and it frees up some money to hire another officer. She feels it is a smart move when they consider the budget.

Council Member Siwik has worked with Ms. Evans as a citizen having some code enforcement issues. One time he called and left her a message thanking her because Code Enforcement is so much easier to work with. With whatever happens tonight he doesn't want her to think this is a personal reflection. He thinks the whole Council appreciates everything she does. She has done a great job in maintaining code enforcement with a lot better attitude than has been there years and years ago.

Council Member Mila said Ms. Evans does a fabulous job. She has seen such a difference in the last fifteen years with Code Enforcement being proactive rather than reactive. Looking at the numbers the Council was given; this will save money right now and is something that is so important to the City. She doesn't feel moving it back to the Police Department is the right option. It would be taking steps backward.

Council Member Kindred agreed with Council Members Beverly and Mila. This is a staff position they need in a department that currently exists. They need to fill it and they are saving money by doing it this way. He feels it will be a good hire.

Council Member Pender said he spent some time with Urban Livability last week, with Antoinette and Debbie, from animal control, and was very enlightened with what they do. They do a lot of great things for the City. He thinks they are both excellent in the positions they are in. One thing he ran his campaign on was fiscal responsibility. He is pleased, and supports the Police and Fire Departments getting the steps that they need, and recognizes the importance of maintaining their staff and not have people leaving and the problems that come when they do. However, at this time his opinion is that they look at the budget and be assured they have the money. He met with Mr. Kershaw and the numbers he was shown were projected numbers. They are not numbers that are in the bank. He believes they have to live within their means and he agrees with Council Member Rapp. If down the road the budget allows them to do so, he would probably be in favor of it but he doesn't know where the money is coming from for Police and Fire. The previous Council took that money from the emergency fund and they don't have a way to continue to provide that. Mr. Kershaw has numbers and projections but they are just projections which could change tomorrow. That is his concern.

Council Chair Snow agreed with Council Member Pender's comments. They have some large ticket items they have to fund as far as raises for Police and Fire. In their work meeting they also discussed a number of other priorities that people want to see funded. Each of those comes with a price tag and they are losing the 2016 sales tax. She has also been in meetings with Mr. Kershaw where he has projected ways for the Council to make up the sales tax shortfall and fund the raises, but all of those ideas were basically gutting nearly half a million dollars out of the Capital Improvement Fund and how they do that remains open. When they add on the ideas of other things they are interested in funding, and how it all meshes, and whether there is an opportunity to save some money and redirect it to other priorities, to her, it is an open question mark. It makes sense to her to put it off and talk about it in the context of all the other budget issues and priorities.

Council Member Beverly said it concerns her to put this off. As City Council Members, one of the things they are frequently contacted about is code enforcement issues. She almost feels it is irresponsible to leave this hanging.

Council Chair Snow responded that no one is shutting down code enforcement. She thinks it is still functioning.

Council Member Beverly asked if it is still going to be functioning at the same level.

Council Member Snow hopes that Antoinette and Debbie are each still operating their portions of the department they have been over. She doesn't think they have been shut down. She asked the Mayor if they have stopped doing code enforcement.

Mayor Wood affirmed they are still doing code enforcement.

Council Member Beverly said she is throwing that out for consideration because it is one of the things the citizens frequently contact her about.

Council Member Pender agreed. One of the concerns that has been brought to his attention is there is a department head and two supervisors to supervise two full-time employees and one part-time employee in each department. He thinks it is irresponsible that they would have that many supervisors over two people. Is it fair to the citizens who pay the wages?

Mayor Wood advised the Council that the budget numbers they received from Mr. Kershaw actually provide an updated structure that doesn't have that same level of supervision involved in the department. It does not fill Ms. Evans supervisor position.

Council Chair Snow said it also proposed that they reallocate the money to a new police officer. The numbers show some savings if they reallocate and restructure the way Mr. Kershaw suggested, but not as large of a savings as could be realized if they did some other things.

Mayor Wood said they are trading a lieutenant position that they don't currently need and bringing an entry level police officer back on the road. The Police Department is currently allocated for fifty-nine police officers and Lieutenant Smith was one of those. This could potentially help with the crime issue that they were talking about in the work meeting.

Council Member Kindred moved to give advice and consent to appointment Antoinette Evans as the Urban Livability Director.

MOTION Mark Kindred  
 SECOND Sharla Beverly

Roll Call Vote:

Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Nay
Rapp	Nay
Siwik	Nay
Snow	Nay

The motion failed.

**NEW COUNCIL BUSINESS**

- 1. Approval of amendments to the interlocal agreement for the Jordan River Commission.** Community Development Director, Mike Florence, advised that for a number of years the City has been participating in the

Jordan River Commission. That group was set up through an interlocal agreement and is basically the steward of the Jordan River and also a vehicle to bring in grant money for new projects to help rehabilitate the river through volunteer projects and different State funding. South Salt Lake is a participating municipality and Council Member Snow is the council member assigned to the Jordan River Commission. This amendment delegates some authority to the governing board. It helps with some flexibility to do the business of the Commission, instead of having to take items back to every municipality and get seventy-five percent of them to approve it. It also allows the Commission to review development proposals upon the request of the affected member or governing body. Most of the communities have voted on this and approved the changes already.

Council Member Snow said she has enjoyed working on Jordan River Commission and views all these changes as positives.

Council Chair Snow moved to suspend the rules.

MOTION	Debbie Snow
SECOND	Kevin Rapp
<u>Voice Vote:</u>	
Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

Council Chair Snow moved to approve the amendments to the interlocal agreement for the Jordan River Commission.

MOTION	Debbie Snow
SECOND	Kevin Rapp
<u>Roll Call Vote:</u>	
Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

2. **Amendments to the General Plan Future Use Map designation of the former Granite High School site, located at approximately 3305 South 500 East, from New Historical and Schools/Open Space to Master Plan. Application is made by Garbett Homes and Wasatch Commercial Management.** Deputy Community Development Director, Frank Lilly,

explained that Wasatch Group, in conjunction with Garbett Homes, is looking to redevelop the former Granite High School site. They have come to the City in the first step of what would be a multi-step process to get entitlements in place so they can do this. They are the recipient of a real estate purchase agreement with Granite School District that has yet to be finalized. The finalization of that agreement is pending the outcome of this master plan process that is just beginning tonight. What they have for the Council tonight is a General Plan amendment. The General Plan identifies the Granite High School site as School/Open Space with an historic component as well. The applicant is seeking to change that General Plan designation from the existing Open Space/School Historic to Master Plan. What that means is that future map plan designation would inform a future rezone effort where the applicant would have to come back with a detailed master plan. There is new enabling language in the zoning ordinance that allows for the submission of a master plan to be reviewed and approved by the City Council. That document would include details on sub-districts, buildings, maximum building sizes, land uses that are specific, the location and provision of open space, the arrangement of streets, specific design standards the Council feels are appropriate, specific building types they feel are appropriate, and how all that works together. All that can be packaged into a document that is then approved as an ordinance by the Council. The result is a master plan community. The intentions that are presented by the applicant are enforced in the ordinance itself. It gives a lot of upfront clarity as to what the expectations are for the development. Staff thinks this would be the best way to achieve whatever vision is most important to the Council, the community and to the development itself. He reviewed a presentation with the Council. A copy is attached to these minutes and incorporated by this reference.

Mr. Adam Langford, of Wasatch Group, explained that there are three steps in this process. The first one is land use, which is what they are talking about tonight. If they get land use approval from the City Council, that would not change the zoning designation on the land. It is still there. Step two is the rezone. They will come back with a design book that talks about density, land use, architecture, land scape, etc. After they get the rezone, the third step is to come back for the site plan with the construction documents and all the details of the development. They believe the best land use plan is retail along 3300 South, then open space as a buffer, and then single family homes on the south end.

Council Member Rapp asked if they are planning to get an entrance and exit to the retail on 3300 South.

Mr. John Gust, of Arbor Commercial, said they have engaged Horrocks Engineering to do a traffic study for them which will be completed in about two weeks. The Walmart will be a neighborhood center, not a regional center. It is to accommodate the neighborhood and the traffic going by. It's not a large store just a neighborhood center for convenience. They believe the entrances that they are proposing can be approved by UDOT. However, there

will be some widening that will have to occur along 3300 South do get deceleration lanes and give people more room to maneuver. They are trying to be careful on 500 East not to damage that area and keep the big trees. Horrocks will have those recommendations back in about two weeks. When they get to the planning process they will have them available to the Council. The grocery store will be right around forty thousand square feet. They are asking for parking at four per thousand so it would be about 160 stalls that would be required for the grocery store so it is not a huge parking requirement. The other portion of the pads would be self-parked at a different ratio. On fast food restaurant's they ask for about seven per thousand. There is only about thirty to thirty-five thousand feet of that.

Council Member Beverly asked if they are set on a Walmart or are they looking at other options still.

Mr. Gust said yes, they are pretty set on a neighborhood Walmart. They are anxious for the site and to work with the community about their thoughts and designs.

Council Member Pender asked about the Walmart's that are closing and if that has been looked into.

Mr. Gust said yes, the bulk of the stores they are closing are the small 7/11 type stores. They found that experiment didn't work very well. They don't have any of those closings in Utah.

Council Member Kindred asked if this was going to be a ground lease or are they purchasing the site.

Mr. Gust said it will be a ground lease. In the agreement, if they ever decide to leave, the developers have control of taking back the building, releasing and repurposing it because they need to protect the other tenants in the center.

Council Chair Snow asked what the square footage of the Walmart superstore on 900 East is.

Mr. Gust said that is a 125,000 square feet. This one will be around 40,000 or 41,000 at the maximum. So it will be about a third the size of the 900 East store.

Mr. Lilly continued with his presentation.

Council Member Beverly would like to know how much open space the Planning Commission suggested.

Mr. Lilly advised that they didn't give a number. That is a question that involves a fair amount of discussion with the Council and the community.

Mr. Florence said the plan shown tonight has three and a half acres of open space. The Planning Commission didn't feel that was sufficient but they know there are costs and budget implications that the Council has to deal with but they didn't feel three and a half acres was sufficient.

Council Member Beverly asked who would pay for those additional acres of open space.

Mr. Florence advised that there are some things staff can bring to the Council such as RDA options that they can talk to the Council about.

Council Member Beverly asked if they have made any progress with making this an RDA site.

Mr. Florence said it has already been surveyed and set up as an RDA site they just have never taken any action on it. That would be a discussion they would want to have with Economic Development Consultant, Randy Sant, concerning what those next steps are to get an RDA set up.

Mr. Lilly advised that if the objective is to obtain as much open space as possible it would be important to have some sort of commercial activity in the RDA. That is what will drive the tax increment that could be used to finance the acquisition and development of the open space. In the absence of other funding sources, most developers have caught on to the idea of mixing commercial and residential uses because it actually provides the basis to support additional open space.

Council Member Kindred asked how the RDA possibilities mix in with what has been presented tonight. Is one exclusive to the other?

Mr. Florence said he would like to come back at another time when Mr. Sant is here and let him explain that to the Council. He would be the best to answer those questions.

Mr. Lilly said that in order for the RDA to work they would need a plan that actually goes into real specifics about the square footages, what they will produce. And in order to produce that plan they have to get some sort of approval to commit those resources to move along in the planning process. That is why they are here tonight to strictly discuss the land use.

Mr. Creswell advised that there really are more options for financing beyond the RDA. If the Council is going to open that door they ought to look at a range of financing options that includes the RDA but looks at other options as well.

Council Member Rapp recalled that Granite School District wasn't interested in doing an RDA.

Mr. Florence said they have heard that from the developer also but that is discussions they would have to have with the School District. If the Council wants to approve a project like this they may need to help and participate.

Council Member Rapp asked if the District isn't interested how do they force them to.

Mr. Florence said the Council doesn't have to change the zoning on the property.

Council Member Siwik asked if Finance could put together some rough numbers on what kind of sales tax a Walmart would generate, what kind of property tax "X" number of homes would generate as well as the other pads that are included to give them some idea of what this site is generating in revenue three years from now.

Mr. Kershaw's did not respond in the microphone and wasn't audible.

Council Chair Snow said she understood there are proposals on the table from the developers to preserve some of the historical nature and legacy of Granite High in what they are doing. She asked if they could speak to that.

Mr. Florence advised that these are ongoing discussions with the developer. Right now they are proposing to save the smoke stack from the boiler on the site.

Mr. Lilly said the developer has also reached out to a couple of alumni associations to identify some specific landscaping features. They have spoken to staff about trying to preserve as many of the trees as possible along the site, particularly along the corner of 3300 South and 500 East. It is all very conceptual. These would be things that would have to be laid out in the master plan.

Council Member Pender opened this item up for public comment.

**Steve Norr, 3162 Park Court.** He expressed appreciation for the Council's work. He served on Planning Commission years ago, for 5 years, and a lot has changed regarding the issues that came through them; such as, no one ever told him that one could protect residential value by rezoning for a big box store. Two thirds of the City is commercial/industrial and only a third is residential and the residential portion needs to be kept and should not be given up. He has watched the Planning Commission from home and heard some great comments that were not reflected on the recommendation given to the City Council. He hopes that City is not thinking it is protecting residential properties by rezoning to allow a big box store. He has lived in the City all his life, and he and his wife have lived here for the 29 years of their marriage and have participated in the City. It took 10 years for the City to get Winco to come up into State Street, on a property that is supported by two freeways.

The old Fred Meyer building was turned into a haunted house. He does not believe that rezoning residential property to put a Walmart in, or another big box store, is going to be sustainable. He feels a big box store is not neighborhood friendly. Those who wanted green space at Granite High realize there needs to be some sort of commercial components but he hopes it is not a big box store that will not fit into the neighborhood. There was a comment during the Planning Commission meeting that proposed the use of the 9<sup>th</sup> & 9<sup>th</sup> neighborhood as an inspiration for the City. Neighborhood friendly development such as that would work and would be welcomed. They need to be careful with what they do. This is the last residential zoned property for single homes in the City that that they have an opportunity to develop but that is not even being talked about. He would be interested in knowing how many other Walmart's have been built on residential properties. The economy is doing so much better now. The City could be doing so much better with this, although it may take time. But the City already waited a long time for Winco to come. The property is zoned R1 and this fact alone helps determine the value of the property. You determine how many residential homes can be built as per allowed per the City's R1 zoning, minus demolition costs to clear property and that would provide the market value of the property. That is not what Granite District is selling the property for or even has an offer for. Granite School District has overpriced the property betting South Salt Lake would change zoning to allow their buyer to build whatever they need to, to be profitable at the current asking price without regard to all the planning the City has done over the years. He would like to send a message that they expect more than this for the neighborhood and suggested that the buyers should renegotiate with Granite School District and get a purchase price that allows acquiring residential property and developing it. A little bit of neighborhood friendly commercial on 3300 South would be great but a big box store would be ridiculous and not welcomed.

**Kathy Ivie, 286 New Century Lane, #6.** She is the secretary for the Century Park East HOA Board. She is here representing sixty homeowners and the condominium complex is 100% owner occupied. They have lived in South Salt Lake for 20 years and as City Council is elected, they always state that they will give residents more housing; this plan does not have it. The City Council keeps promising that they will bring in more housing. They want more homes, they do not want apartments. They want residential and for this to be a nice City. They like where they live. They do not want a stupid box store but they do need more homes. That is what they need and that is what would help them. They will fight to get away from the big box store, even if they have to go door-to-door to get signatures, they will do it; because they will not allow it.

**Travis Massey, 3537 South 500 East.** He knows the City is in an uncomfortable situation due to the asking price for the Granite property and recognizes the need for something to be done with the property. To make the property profitable certain things need to be done. He reminded the Council, as they make this decision tonight; that the reason for the Master Plan is to be

a guide when the City is in uncomfortable situations. What does this City need? He asked the Council to not allow a short-term need to drive them to do something long-term that goes against what the City needs. As they went through what the Master Plan laid out, he thought about a big box store and a large parking lot, taking the place of Granite High School; and what kind of legacy that does for the history of what that property is. He thought about the accessibility for bicycles and walking and how directly opposed this plan is to that. When he thinks of big box stores and big parking lots he thinks of West Valley City. He recognizes some people here would be glad to turn South Salt Lake into West Valley City for profit but the Master Plan is there to help guide and make City a better place, and feels the City is on that track and doing an incredible job. He asked the Council to continue doing an incredible job, with the Master Plan in mind, and think about that they do have power in their zoning. He asked the Council to send a message to Granite School District that they need to rethink what they are doing. It is not the developers fault or the residents fault to pay that price and take what is given. He reminded them that the City has a Master Plan for a reason.

**Nancy Aruscavage, 3478 South 500 East.** She agreed with the previous speaker and urged the Council to deny the application submitted by the developers. She realizes that something needs to be there, such as businesses on the 3300 South side, but choosing the right businesses. She believes there are many reasons to deny plans, including the dishonesty of developers, which she chooses not to address at the time, but focused on the economic sustainability of any businesses in the area. Businesses in that area should improve neighborhood appearance, City identity and safety of the neighborhood. A Walmart does not do that. Walmart crime statistics are outrageous. But it is not just Walmart. A Fred Meyer would also be something she wouldn't want. A Whole Foods or a Trader Joes, have positive outlooks in people's minds. A Walmart store has a negative outlook and is not bringing in the people the neighborhood wants. The City's night time population is about 25% of single family owned homes. If a big box is put in the area, the single owner occupied homes will cease to exist. They will either be torn down or rented out and the City will lose the families they say they want to bring in. Worldwide the news on Walmart has been negative. Over 150 stores in the U.S. were going to be closed down and over 10,000 workers put out of work. She does not believe a Walmart will bring in the sales tax the City is expecting and it will put a burden on the Police force and other things. Until the developers come up with a straightforward plan that meets the City's and neighborhood's expectations, this shouldn't even be considered. As of right now, the developer's plan does not fit with the neighborhood, especially for those who reside in close proximity to this area.

**Connie Anderson, 602 East 3665 South.** She appears as a private citizen, not as a member of Granite School Board. As someone who has lived by Granite High for many years and she assured that there was not one person in the room that loves Granite High more than she, although she realizes that things have changed. She attended Granite High and taught at Granite High

for the last three years the school was open. Her greatest concern is the traffic. She pondered how different alternatives to accommodate traffic would impact residents; the widening of the road; a new light between 5th East and 7th East, a possible left turn into 3300 South during rush hour traffic. It currently takes three traffic lights to just make it from 500 East through 700 East during rush hour. This plan sounds so wonderful because of the potential to bring sales tax revenue but she asked if that is what the City really needs. The City needs to bring families in. She asked what residents want the City to be in the long-term. Do they want to have a big commercial development or do they want a development that is going to be mostly families; which this is not. The most important thing one can do as a City is to attract families and she would appreciate that being considered. She taught at Granite High School and the kids in South Salt Lake did not have cars. The last year she taught at Granite High School there were 12 cars in the parking lot.

**Robin Luker, 3541 South Croft Cove.** She votes regularly and is a home owner, one of the few. She is concerned regarding the few homeowners who care about the future of the City. She cares very much and would like to see positive things happen in the future. She wants to see a legacy in the City but when she looks at a Walmart down the street, she can see what a parasite it is to the surrounding community and that is her concern. In the surrounding area there is a Rite Aid, a Rancho Market and the City is planning to add a Winco, which is great, but asked what a competitor in that area will do for the surrounding community. She can't see how it can take that kind of a hit. It would also add a strain to small business owners in the area. She is concerned with traffic and finally, she does believe that the developer's best interest is in direct conflict with resident's best interest. She does not want her children to grow up in an area with so much traffic and a Walmart that is putting all the surrounding businesses out of business. She pleaded that her children get to have other children to grow up with and expressed her concern over the amount of money Granite School District is asking for the property. The District is not seeking their best interest and the developers are not seeking their best interest, although they are trying really hard to make it work, but all that has been proposed is not in the best interest of the City.

**Ed Winter, 2992 South 600 East.** The Granite High School property needs to be developed. It doesn't matter if it is commercial. Thirty-three hundred South needs more commercial; and there needs to be more residential houses. He is concerned over the small area of green space and although he understands developers need for commercial and residential, he feels the green space area is too small and needs to be made bigger. He believes that people would vote in favor of helping the City make that area bigger and having equal amounts of commercial, residential and open space. The Master Plan's main idea is open space and City needs open space. He asked for equal amounts of parcels in all three areas.

**Aaron Lewis, 583 East Scott Avenue.** The football field is his back yard and although he hears his fellow citizens complaining about a Walmart creating

more criminal element, by living in such close proximity he can assure them that the criminal element is already present. He has had children looking at him through his fence and asking him for help against a predator or other individuals bothering children. He claimed that a criminal element exists and will continue to exist until a development occurs. And although he believes this is not the popular opinion, he believes the only people with a sense of negotiation have been the developers. The community continues to deny development, affirming the need for a park and school, but those times are gone with the bond that has failed twice and a school that is gone. He pleaded with Council to try to negotiate or speak calmly with developers, figure out the best resources and get to a resolution that fits everyone. There is an issue out there and he is living it every day.

**Diane Oldham, 3718 South 6300 West, Granite Alumni Association.** She was present at the last Planning Commission meeting and spoke at that and listened to what was said. She is on both sides of the fence since she is a graduate of Granite High, her father worked at Granite High and her younger brother played football at Granite High. She was a cheerleader, on Drill Team and Dance Company. She may rival the previous speaker who said she loved Granite High. She drives by now and sees a school that is aging, getting old, holes in windows and boarded up. The Granite Rock has been preserved and she is grateful for that. A few weeks ago she walked the grounds and noticed the fenced areas that she believes might be due to the criminal activity present. She agreed there is a criminal element present in the area. When she walked into the meeting tonight, someone said they would like to see something that would not make the City look like a ghetto; make it look more presentable. But unfortunately that is what Granite High has looked like for a while now. When one walks through Granite High there is always someone sitting on the back steps, it always smells like drugs, there is always a pile of beer bottles and dogs running loose. The football field is locked up for those who used to use it to walk, the baseball field is also chained up and the green space has not been available for use. The black top area is old and full of potholes and it obviously needs something done with it. There is graffiti all over the building and windowsills pulled out to search for copper. She understands that the last bond election lost by a few votes. She hopes that every person here tonight opposing this plan voted at the election and is not one of the people who caused the bond election to fail.

Garbett has worked very well with the Association. They have asked their opinions, if they had suggestions for names, what things they would like to have preserved and placed in the new development. The smoke stack was not something they thought of, but when they saw it on a picture they had, it looked really nice. They wanted to keep the concrete "G" on the football field and the torch next to it. Everyone wants to have that great big long Granite High School concrete sign but that is very hard to move and keep in one piece. Garbett has been very accommodating to the Association and very personable, and she does not believe these developers are dishonest. When they first heard the building was coming down, they immediately decided they needed to have

an all alumni reunion to be held July 6<sup>th</sup>. They all know a legacy must come to an end. They also know with Jordan High School, when Jordan Commons was built, the façade was recreated and is implanted into Jordan Commons. She suggested having the “S” building façade recreated and the marquee and a few things like that, to keep the legacy of Granite alive. She asked for everyone to remember that the crime will not change – she doesn’t know about the big box stores – but the crime, every time she has been there is not healthy, it is not good for the community and a development such as this is something that could make the area presentable.

A couple that graduated from Granite High expressed how they had met at Granite and how they might buy one of the homes, to live where they met. She thought that was endearing.

**Natalie Graves, 3521 Croft Cove** – She is one of the few homeowners of South Salt Lake, a young optimistic homeowner who asked the City Council to make the right choice for the long-term development of the neighborhood and her property value. She presented statistics on the Walmart failure of the small retail stores, which she pulled up from the January 15<sup>th</sup> Walmart press release to stockholders. Walmart stock has fallen 29% in the last 12 months. Failure is attributed to small retail stores failure which is why they are closing 269 small retail locations. She also quoted crime statistics based on a long-term study from the British Journal of Criminology which said, “If the corporation (Walmart) built a new store there were 17 additional property crimes and 2 additional violent crimes for every 10,000 persons in the county.” As of the 2013 Census, South Salt Lake was at 24,000 person city. She asked the Council to consider 17 additional property crimes and 2 violent crimes, as you vote. She agreed there is a crime problem that she sees every day, that it is bad and that the area does need to be developed but in a positive way. Walmart will have a negative effect, violent crimes and a potential failure. Walmart has declared itself a failure.

**Martin Burr, 415 Scott Avenue.** He resides on a dead end street and the proposal will put the street, coming out of the residential neighborhood, at 800 cars a day, twice a day, emptying on to 500 East. He is concerned that 500 East already has congested traffic. When he looked at the map that Garbett Homes brought in, at the town meeting with a tracing paper over it; overwhelmingly it said no Walmart and keep the track. These were the two overwhelming things he observed on the paper. Another thing he observed was no townhomes, no apartments, single family residences that were going to attract young families that want to stay for 30 years, not small homes. Another stated request was homes that fit the architecture of the neighborhood, not the boxy looking homes. Mr. Burr agreed that Granite High is in disrepair and he does not have an issue with development at all, but a smart thing like a restaurant would be preferred. He knows for a fact that Café Rio would be interested in coming in but the City needs to approach them. This is a very viable business that is not failing at all. He knows the manager of the Walmart on 900 East and that they have \$5,000.00 dollar average theft every day,

according to the manager. They also just hire part-time employees and they pay very poor wages. He asked if that is something the City would want. There is no green space found around a Walmart. He agreed they should keep the track, because it is utilized, and taking the bleachers down because they are falling down. He suggested that putting the housing close to 3300 South and a restaurant by where the swimming pool is. There would be plenty of parking and there wouldn't be near the traffic. The housing could enter and exit off of 3300 South and the City could have a very small housing room where the baseball diamond is that would not cause too much traffic coming onto 500 East.

**Dave Hall, 473 East Scott Avenue.** His street is at the back stop of 500 East and they have been there for 21 years. He feels this is a business deal. Granite School District wants to get as much money out of it as they can and they are really annoyed with the City because two bonds have failed and they haven't gotten paid yet and still have to maintain the property and they are doing a really poor job of it. He had a letter from the Granite business office dated February 23, 2015. The second half states, "Since October 14, 2014 CBRE (the real estate firm that was hired to handle the property) has advertised and shown the property to many potential buyers. A number of parties have made offers to purchase the Granite High School facility. CBRE as recommended to the Granite School District that they accept the offer made by Wasatch Residential Group and Garbett Homes Partnership." It seems to Mr. Hall that they bid it up, they got the bid and he urged the Council to send them packing because what they are proposing, a Walmart in this neighborhood and single family homes, is just a black eye and it is being given to us by Granite School District as repayment for two bonds that failed and they have forgotten about the 100 years the City has supported them. He urged the City Council to use the only leverage they have, and that is to force this back at Granite to re-evaluate and come out with something that is commercially viable. Maybe a 300 foot stretch along 3300 South with small businesses that would match the rest of 3300 South, from State Street all the way to 700 East. A giant store does not match and it does not fit the neighborhood. They deserve better than that. He asked the City Council to reflect the residents' wishes and just send them back packing.

**Shelly Norr, 3162 Park Court.** She still walks her dogs around Granite High. She agreed there is a lot of crime in the area and there needs to be development but it needs to be the right development. The City is not trying to make developers the villains, residents just want to see the right thing in that area. South Salt Lake deserves the respect that it commissions. Granite High has been there for 100 years. Residents need the right businesses to be there. It needs to be walkable and family friendly where you can walk and visit stores and have families and visitors in whatever park is given. South Salt Lake does not deserve, and should not have, a big box Walmart store. It deserves better.

**Sheila Hutchison, 3491 Citrus Circle.** They face what used to be the baseball field at Granite High and have lived in the area since she was in 5<sup>th</sup>

grade. She knows the traffic impact when Granite High was operational and kids would come up and down Millcreek Way. She knows of three children who got hit by cars and one died; but she also knows that in the conversation it was mentioned that Walmart was not going to increase traffic. Kids traffic is only twice in a day and Walmart traffic is 24/7. There are a lot more people pulling in and out of a Walmart than there ever was at the old High School. Ms. Hutcheson also quoted from and provided the City Council with a copy of the article: *"It came, it conquered and now it is leaving"*. A copy of this article is attached to these minutes and incorporated by this reference. Ms. Hutcheson expressed concern over the competing interest of grocery stores in the area and the potential failure of this new Walmart when there are already such stores as Smith's, Reams, Winco and Rancho Market in the area. The Master Plan calls for crafting a legacy and preserving open space and if this is given up, it will be gone forever. The Master Plan further adds "preserving historical buildings" in South Salt Lake. It talks about character, legacy and impact value of lost community assets. Those are very important to residents. It is their community. She mentioned that there have been a lot of people talking at different meetings and in January it is all new commissioners who did not get to listen to what was spoken and what happened at these other meetings, so they voted based on what was presented tonight. She urged the City Council to please consider what the residents feel. To consider the legacy, the community, and consider that the legacy Granite High brings is more than a smoke stack.

**Reid Pace, 639 East 3585 South.** There have been two plans presented and there has been no vote from the Planning Commission or the City Council. He recommended that the City Council listen to the people or go talk to Mr. Hogan with Granite School District. He is very honest and forthcoming. These are the people who signed the contract back in April for approximately \$10.6 million, which also put them in a bind. The contract was to close by the end of the year and all they are doing is getting continuances. No one is listening to the public and that has been the biggest problem. The developer's last plan included 114 homes but they are not going to meet the R1 residential zoning and there needs to involvement with the City, developers, and Granite School District, who has put everyone in a bind because the land is not worth 10.6 million dollars. But Superintendent Bates has said he will not take less than 10 million for the property. The 10 acre commercial plot was presented by developers to put them in the position, that if things don't work out for them, they can come in and build their multi-unit apartment with commercial zoning. The Council should consider this. His feels the current plan should be turned down, as it is different than the one from two weeks prior. He asked the City to figure out a way to work with developers and become a partnership and meet the residential requirements because the current commercial plan is not viable.

**Harold Remington, 3171 South 500 East.** He referred to the Master Plan. The spirit of the Master Plan certainly does not include a big box store.

Council Member Pender closed the public comment portion of this item.

Council Member Siwik asked the developers what their plans are regarding the style of their residential component of this project.

Mr. Ballsteadt said they are proposing single family homes that would range in lot size from the same size they have at Terra Sol to 7,000 and 8,000 square foot lots. The streets will be wider than Terra Sol and would have a sidewalk and park strip on both sides of the street. There will be room for parking on both sides of the street. The energy efficiency component would still be there. The plan is to make the homes less modern, less boxy but still exciting and with more traditional roof lines and no flat roofs. What they are doing is going to bring families in.

Council Member Siwik asked what the minimum lot size would be.

Mr. Ballsteadt said it would be 4,500 square feet. The homes themselves, on the small side would be 1,500 square feet above grade up to 2,200 square feet. The price point would start at about \$320,000 and go up to about \$360,000.

Council Member Siwik asked how many homes they anticipate putting in on the thirteen acres.

Mr. Ballsteadt said they haven't laid out the plan yet based on what they anticipate to happen with the park. In general they can do about six units an acre but it depends on how it lays out. He estimates in the range of seventy.

Council Member Beverly asked what happened to the plan that was all single family homes on the entire Granite High parcel.

Mr. Ballsteadt said they submitted the plan anticipating that there were challenges trying to do multi-family housing. They tried to make a run at it with the existing zoning and do all single family homes. They were comfortable with that plan but the issue was, as they went through the process and better understood the zoning and the code, they could not get the density they needed to justify the sales price. They requested the District modify their price and they refused to do so.

Council Member Kindred verified with staff that whatever happens on the Granite property, outside of schools and open space, this process they are going through tonight is going to have to happen.

Mr. Lilly agreed with the exception of a development of entirely single family homes which is allowed currently by the zoning.

Council Member Kindred asked how the purchase price was arrived at.

Mr. Creswell explained when the City was putting the bond together in 2010

and 2011 the City did its own appraisal which was around six million. The School District had an appraisal which had been out for a while which was around eleven million. When the City went into a contract to purchase they ended up in the middle which was \$8.234 million as he remembers the contract price. If the first bond would have passed the City would have purchased it for that amount. Once the option failed the School District was completely at its discretion to pick a price and he believes they went back to the original appraisal. They may have gotten it updated. The City was not involved in the appraisal after they lost the option.

Council Member Siwik clarified with staff that the only thing that could nullify the Council from taking this step is straight single family homes all the way across the property. Any commercial component at all, be it one tiny commercial component, this step has to be taken.

Mr. Lilly agreed.

Council Member Snow said the current General Plan states this property as new historical, school and open space. She thinks two of those components are no longer possible. The school is not possible. In regards to the historical component, she doesn't think they can save that school. There have been two or three attempts. Many of the residents expressed that development is going to have to happen but they want the right kind. She totally understands that. She thinks there is no problem in going ahead and changing the General Plan to a Master Plan. That doesn't mean they have committed to specific types of commercial or how much open space, or anything. Those things need to be brought back to the Council in a plan and they are very much still under negotiation. For now saying they are going to change the General Plan to Master Plan is just an acknowledgement that progress and development of some kind has to go forward and the current designation is largely defunct.

Council Member Rapp recalled a while back that Community Development Director, Mike Florence, stated that if they keep turning away all the developers that come, the School District may end up going to the State, the Federal government or the County and any of those could put anything they want in there. They could end up with a homeless shelter there or just about anything. That has happened with South Salt Lake in the past. When they turn around and reject all these proposals they have to be careful what they say.

Mr. Florence agreed. The City can't control what the State does if they come in and put something there.

Council Member Rapp said the City has held up this development for ten years so the District is not very happy with them.

Mr. Florence said he has not had any discussions with the District. Because of the price they did not get a lot of proposals for the property when they put out their RFQ. They got three. Two were viable and the third one wasn't.

Council Member Pender asked for confirmation that the State or Federal government could purchase the property and put whatever they want there and the City is stuck with it.

Mr. Florence said that is true generally anywhere.

Mr. Creswell explained that any government above the City, the County, State, or Federal, is exempt from the local land use planning. They could come in and pretty much decide what they want to build. Most of those agencies are sensitive to what the City wants, but they are not bound, or required, to follow the zoning.

Mr. Lilly explained that if the Council passes this, the future land use map would change and would reflect Master Plan. Then staff, the applicant, presumably the RDA Board, and the RDA staff would have to get together and come up with some sort of mutually agreeable solution. Then, at some point in that process, the applicant would hold another neighborhood meeting, which is a required element of adopting a Master Plan. So, this is still very early in the process.

Council Member Pender asked if the Walmart would be open twenty-four hours a day or would it close at night.

Mr. Gust said he thinks they close around midnight and open again in the morning. He can't really speak for them, but that's how the store by his house operates. Unless they do some kind of grocery development, these developments usually don't work. The reason for that is people are going to the grocery store four to five times a week. That's what the small retailers really count on is those reoccurring trips. They almost have to have this to have the reoccurring trips to attract the small Café Rios. Unless they have them they can't even talk to them.

Council Member Beverly said she is not comfortable moving forward until they have some kind of commitment from Granite School District to have an RDA or they have more information about an RDA. The option that was recommended to the Council included the extra green space and that is a big thing she has heard from a lot of the residents. Right now, that is an unsure component. They don't know if it is even available.

Council Member Rapp agreed that is true. They were told earlier that Granite School District was not going to do an RDA. They were not interested in it and were not going to participate.. That was done very early on last year. He is not sure they are going to change their mind. They want their money for the price and they are not going to wait for tax increment or anything else.

Council Member Snow suggested they move this item to unfinished business on the next meeting and in the meantime, she asked that the question be answered. They would like a yes or no. Is Granite School District going to

participate? Is an RDA possible? That will affect what level of green space may or may not be available.

Mr. Creswell suggested they have the RDA and finance teams present to the Council the range of options available. Among those would be an RDA and participation from the School District but it is not the exclusive option for financing.

Council Member Rapp commented that the bond failed and the City said they were not willing to spend on that and they already have a problem with the budget. He thinks they really need to consider what they are doing with that.

Mr. Creswell agreed that was an absolute discussion, but the bond was only one of several financing vehicles.

Council Member Rapp agreed but right now, with the sales tax sunset and making sure Police and Fire are funded, it might be really difficult to find funds.

Mr. Creswell agreed but he thinks the Council needs to have the financing options in front of them.

Council Chair Snow suggested they bring Economic Development Consultant, Randy Sant, in to their work meeting in two weeks and have this item on unfinished business.

Council Member Mila said she would like to see the traffic study when it is finished. She feels it is huge no matter what happens on the property.

Council Member Kindred moved to place this item on Unfinished Business on the February 10, 2016 Council meeting.

MOTION Mark Kindred

SECOND Kevin Rapp

Voice Vote:

Beverly Aye

Kindred Aye

Mila Aye

Pender Aye

Rapp Aye

Siwik Aye

Snow Aye

- 3. **Final plat approval and adoption of a PUD Overlay Zone for a 32-lot planned unit development townhome project located at 2255 South 400 East. Application is made by JF Capital Properties.** City Planner, Alexandra White, advised that this project is about 1.18 acres and is broken up into four buildings. The applicant is proposing that it be platted as a PUD to

create the option for owner occupied townhomes. The Planning Commission forwarded a unanimous recommendation of approval of the preliminary plat. Each building will have eight townhomes in it with rear loaded two car garages. The front doors will be along the S-Line and along 400 East. Both drive isles are twenty-seven feet in width and meet all fire code requirements. The units are two and three bedrooms. She reviewed a presentation with the Council. A copy is attached to these minutes and incorporated by this reference.

Council Chair Snow asked if this was renter or owner occupied.

Mr. Florence said they will develop it as a Planned Unit Development. It is subdivided per unit. But they do plan to rent these until a future date that they decide they could start selling them. The current plan is to rent them.

Council Chair Snow finds it unusual and wondered why they couldn't be for sale. What date is the future?

Ms. White said that would be the purpose for platting it now so they won't have to go back in the future and do it. It is ready to go to sale whenever they decide to do it.

Mr. Florence reminded the Council that their ordinance doesn't allow any rental projects less than fifty units. So, they are developing this as a Planned Unit Development, they are "condominiumizing" the units so they can be for sale. They are following those rules but they will own each one of them and rent them.

Council Chair Snow feels they are just subverting the rental rule.

Mr. Florence agreed they could look at it that way. He cited the developer's project on 900 East and 1700 South. It looks just like this and it is rentals. Staff toured that project and it is a good project overall.

Mr. Lilly advised that the way property rights work, if they plat a single family subdivision and one person bought all sixty-seven units in the subdivision and rented them all out, there is really nothing that can be done about it. They can't force tenancy using the zoning code. This achieves a density staff feels is more appropriate for the area. The consequence is they have thirty-two units instead of fifty. The only way it could be achieved is to actually plat it.

Council Snow felt there are other methods they could do to meet the goal of increasing the overall owner ratio in the City. She has seen C.C. and R.'s where a certain percentage is required to be owner occupied.

Mr. Florence said staff got a legal opinion on that from an outside attorney and the City cannot require that percentage but the developer could put it in

himself.

Mr. Lilly said they cannot condition approval of a subdivision plat based on tenancy.

Council Member Siwik doesn't think they need to see anymore rentals come into the City.

Council Chair Snow reiterated they have a rule that they won't allow rentals under fifty units and this is just sidestepping that.

Mr. Lilly advised that it is not technically a multi-family project because each unit is individually platted.

Council Member Siwik expressed concern about the lack of visitor parking space and asked how it compared to the Waverly project. If someone is watching the Super Bowl there are cars parked all up and down his street next to the Waverly project.

Mr. Florence suggested that they hear from the developer.

Adam Paul, JF Capital, said they are comfortable renting the units first because that is where the market is. They think someday it will change and people will want to buy. Right now they can't afford to build them and get a profit on a "for sale" basis. Renters are paying a lot of money to rent, close to two thousand dollars. That is the type of tenant they will have. It also affords them the ability to hire professional management that is on call twenty-four hours a day to take care of any issues that are their responsibility.

They had a third party parking analysis done and it came back with a ratio that they said would be sufficient to keep the tenants happy and the traffic flowing well and not be a problem. So, going off of that recommendation and the developer's experience renting property, this is what they came up with. He feels the development adds to the City and the area.

Council Member Pender asked if they limit the amount of people that will be in each rental unit.

Mr. Paul said they will limit that and he believes the City Code does as well.

Mr. Florence said the City Code says four unrelated individuals in a limit.

Council Member Pender said in that case there could be a need for four cars.

Mr. Florence said it goes back to who he is going to lease to.

Mr. Paul said they are seeing a big trend of people not requiring a lot of parking and wanting to be close to mass transit and have the amenities being

offered here.

Council Member Pender is concerned that parking will bleed over onto Haven Avenue where all the residential area is. It is probably going to upset a lot of neighbors in that community who want to park in front of their own residence and there is no control over that.

Mr. Paul said they can't commit that there won't be a period of time when a lot of people are visiting.

Mr. Pender said he isn't concerned about the parties as much as he is about someone living there with four people and they have four cars and times that by thirty-two.

Mr. Paul said he feels that will be very unlikely. They bank on experience with other properties and third party studies that say there will only be flashes of more cars than parking spaces. He is confident that it will serve the tenants and they will like it.

Council Member Kindred asked how many apartments are going in on the Zellerbach property.

Mr. Florence answered two hundred and eighty-six.

Council Member Kindred agreed that they don't need more apartments in the City but if they are going to, the streetcar line is where it is focused. They have focused their efforts on the streetcar line for more density. If it was five blocks out, he would completely agree but it is on a corridor that is designed for multi-family.

Council Chair Snow said the one that has been approved is two hundred and eighty-six units. They have a policy that new rentals be large scale developments because they are managed differently and have different economic impacts than smaller rental developments. She doesn't see how this is any different.

There was more discussion on parking at various developments in the City.

Mr. Florence explained that the City paid for traffic studies, they had a consultant study about thirty different projects around the country that had to be on a streetcar or transit line. He gave recommendations and staff feels comfortable with those. Staff looked at State Street to 500 East and figured out developments, taking the maximum heights, parking, and densities. They took all available properties, put projects in those and had the consultant study those and give his recommendation.

Mr. Paul said they found in their studies that if people were to buy these they would be very tempted to lease them out. The most likely result being that

there would not be professional management whereas, right now they control the whole property and they will put twenty-four hour professional management in place and it will be more orderly than if they sold out.

Council Member Siwik moved to place this item on Unfinished Business on the February 10, 2016 Council meeting.

MOTION Shane Siwik  
SECOND Sharla Beverly

Roll Call Vote:

Beverly	Aye
Kindred	Aye
Mila	Aye
Pender	Aye
Rapp	Aye
Siwik	Aye
Snow	Aye

4. **A resolution approving amendments to the Consolidated Fee Schedule regarding rental of City facilities.** City Attorney, Lyn Creswell, advised that with Alianza School moving out there are more rooms to rent at the Columbus Center. Staff has inserted those rooms into the Consolidated Fee Schedule with the rents similar to what they have for other rooms in the City. He also added a section that government agencies can rent at the non-profit rate. There is also a requirement that there be a security plan, approved by the police department, for large events. A prior addition of the Fee Schedule had language regarding City departments using the facilities. That has been reinserted. He is not sure why it was taken out of a previous edition. There are also two rates for the gymnasium at the Columbus Center. One for sports events and an event rate. The gymnasium rates are the same at the PAL Center and the Community Center will be the same.

Council Member Pender feels the gymnasium event rates are high for residents.

Mr. Creswell explained that the reason for that is the extra logistics that the City has to support.

There was discussion on the resident rates for the different sized rooms.

Mr. Creswell explained that the previous Council asked him to reduce the rates so they are low compared to other agencies prices.

There was discussion on various rate discounts based on the amount of time rooms were booked for and advertising their availability.

Council Chair Snow moved to place this item on Unfinished Business on the February 10, 2016 Council meeting.

MOTION Debbie Snow  
SECOND Portia Mila  
Voice Vote:  
Beverly Aye  
Kindred Aye  
Mila Aye  
Pender Aye  
Rapp Aye  
Siwik Aye  
Snow Aye

Council Member Siwik moved to adjourn to Closed Meeting to discuss strategy for pending or reasonably imminent litigation pursuant to Utah Code Annotated, 1953 as amended, Sec. 52-4-204 and Sec. 52-4-205(1)(c).

MOTION Shane Siwik  
SECOND Kevin Rapp  
Voice Vote:  
Beverly Aye  
Kindred Aye  
Mila Aye  
Pender Aye  
Rapp Aye  
Siwik Aye  
Snow Aye

The Council adjourned to Closed Meeting at 10:30 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 11:01 p.m. Council Members returned to Council Chambers.

Council Member Beverly moved to adjourn.

MOTION Sharla Beverly  
SECOND Shane Siwik  
Voice Vote:  
Beverly Aye  
Kindred Aye  
Mila Aye  
Pender Aye  
Rapp Aye  
Siwik Aye  
Snow Aye

The meeting adjourned at 11:01 p.m.

  
Deborah A. Snow, Council Chair

  
Craig D. Burton, City Recorder

January 27, 2016

CITY COUNCIL - REGULAR MEETING  
LIST OF ATTENDEES

<u>NAME</u>	<u>ADDRESS</u>	<u>REPRESENTING</u>
<u>Michael Florence</u>	<u>220 E. Morris Ave</u>	<u>CED Dept.</u>
<u>Marissa Kearns</u>	<u>220 E. Morris Ave</u>	<u>CED Dept.</u>
<u>Alexandra White</u>	<u>220 E Morris Ave</u>	<u>CED Dept.</u>
<u>FRANCIS X LILLY</u>	<u>220 E MORRIS AVE</u>	<u>CED</u>
<u>JOHN P. SPENCER</u>	<u>220 E MORRIS AVE</u>	<u>CITY ATTORNEY</u>
<u>Chelsea Waltrn</u>	<u>220 E. Morris Ave</u>	<u>ULD. Dept.</u>
<u>Christina Cline</u>	<u>220 E Morris Ave</u>	<u>ULD Dept</u>
<u>Ron Morris</u>	<u>2600 So. Main</u>	<u>FIRE</u>
<u>ANTHONY MABALLANES</u>	<u>6622 S. 70 W. #38</u>	<u>URBAN LIVABILITY</u>
<u>Aaron Wiet</u>	<u>2531 S. 400 E.</u>	<u>Recreation</u>
<u>Mont Roosendaal</u>	<u>220 E Morris</u>	<u>Public Assets</u>
<u>Jaquelin Mendez</u>	<u>1282 Athleen Dr</u>	<u>Urban Livability</u>
<u>Debbie Pedersen</u>	<u>2274 S 1600 W</u>	<u>ULD / Animal Serv.</u>
<u>Antoinette Evans</u>	<u>220 E Morris Ave</u>	<u>ULD / Code Enf.</u>
<u>Gwen Haggan</u>	<u>575 E Bulrush Wy</u>	<u>self</u>
<u>MATT DYER</u>	<u>575 E SCOTT AVE</u>	<u>SELF</u>
<u>Nicole Pappas</u>	<u>575 E Scott Ave</u>	<u>self</u>
<u>Riyan Shephard</u>	<u>7474 Manlye bone rd.</u>	<u>self</u>
<u>Aaron Lewis</u>	<u>583 E Scott Ave</u>	<u>self</u>
<u>Adam Kilmer</u>	<u>3380 S Park Meadowst</u>	<u>self</u>
<u>Maggie Kilmer</u>	<u>3380 S Park Meadowst.</u>	<u>self</u>
<u>Nancy Anscarage</u>	<u>2478 S. 600 E.</u>	<u>self</u>
<u>Katay Ivie</u>	<u>286 New Century Lane</u>	<u>self + Century Park East</u>

January 27, 2016

CITY COUNCIL - REGULAR MEETING  
LIST OF ATTENDEES

<u>NAME</u>	<u>ADDRESS</u>	<u>REPRESENTING</u>
Jill Bennion	456 E 3360 S	Self
DEBBY CATES Ruth	2025 N MAIN	POLICE DEPARTMENT
Jeremy Carter	66 W. CRYSTAL AVE	SELF
Kyle Kershaw	220 E Morris	Admin
Robin Luker	3541 S Croft Cove	self
Diane Oldham	3718 S. 6300 W.	Granite Alumni Assoc.
Martin Burr	415 Scott Ave	self
Bill Lipunzic	3530 PARK MENDON ST	self
Ida Buehler	464 E. Scott Ave.	Self.
Greggie Burr	415 Scott Ave.	Self
TRAVIS MASSEY	3537 SOUTH 500 EAST	SELF
CODIE MASSEY	3537 SOUTH 500 EAST	SELF
Connie Anderson	602 E. 3665 S.	self
Ken Mears	32175. Waterlily Dr.	Self
Chris Meeker	561 E. Water Lily Dr.	Self
Terrill McPhce	535 E. 3195 S.	self
Stuart Engerman	3183 S 500 E	self
Errol Remington	3171 S. 500 E.	self
George Mierisch	3165 S 500 E	self
Kimarie Overall	3165 S 500 E	Self
Steve NORR	3162 Park Ct	Self
Shelly Noer	3162 Park Ct	Self
Natalie Graves	3521 Croft Cove	Self

