

CITY OF SOUTH SALT LAKE
CITY COUNCIL MEETING

COUNCIL MEETING Wednesday, August 10, 2016
7:00 p.m.

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

PRESIDING Council Chair Debbie Snow

CONDUCTING: Council Member Rapp

SERIOUS MOMENT OF REFLECTION/
PLEDGE OF ALLEGIANCE Ben Pender

SERGEANT AT ARMS Amanda Gencarella

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

STAFF PRESENT:
Mayor Cherie Wood
Lyn Creswell, City Attorney
Kyle Kershaw, Finance Director
Michael Florence, Community and Economic Development Director
Frank Lilly, Deputy Community and Economic Development Director
Craig D. Burton, City Recorder
B.J. Allen, Information Technology

OTHERS PRESENT:
See attached list.

Council meeting was scheduled to begin at 7:00 p.m. but started at 7:19 p.m.

APPROVAL OF MINUTES

July 27, 2016 Work Meeting. Council Member Portia Mila moved to approve these minutes.

MOTION Portia Mila
SECOND Debbie Snow

Voice Vote:
 Beverly Yes
 Kindred Yes
 Mila Yes
 Pender Yes
 Rapp Yes
 Siwik Yes
 Snow Yes

July 27, 2016 Regular Meeting.

Council Member Kindred moved to approve these minutes.

MOTION Mark Kindred
 SECOND Ben Pender

Voice Vote:
 Beverly Yes
 Kindred Yes
 Mila Yes
 Pender Yes
 Rapp Yes
 Siwik Yes
 Snow Yes

NO ACTION COMMENTS

1. **SCHEDULING.** The Deputy 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 night out against crime was an amazing event. People enjoyed all of the City Departments there with information.

The environmental cleanup is now in process at the Winco site.

4. **CITY ATTORNEY COMMENTS.** City Attorney, Lyn Creswell, reported that Assistant Attorney Hannah Vickery and her baby are doing well. Her baby should be able to come home from the hospital soon.

Mr. Creswell also reported that the City was able to take down the nuisance tree that Council Member Rapp had been requesting be removed. It was handled through the prosecutor’s office. He has decided that he might consider using the criminal process on a case by case basis.

Mr. Creswell, Antoinette Evans, Christina Cline met with Granite School District staff regarding the upkeep of the former Granite High School property. It has become a nuisance property. They said their Board has directed no expenditures for that property regarding grounds maintenance and they can't do any more than they are doing. One option would be to have City Council Members to communicate any concerns directly to the Board and have a dialogue with them. They are having regular calls for trespassing on the property. The District is exempt from the City's Municipal Code. Garbett Homes currently has the property under contract and the City is anticipating a new mixed use proposal. If they do make a filing it might be something they could discuss early on with Garbett to invite them to participate in maintaining and preserving some of the property. Code Enforcement is getting daily calls from the neighbors of Granite High; they are really upset. The City is going to start referring calls to the District on this matter.

5. **CITY COUNCIL COMMENTS.** Council Member Pender thanked the Mayor and staff for the night out against crime event. He also thanked Mr. Creswell for handling the tree issue.

Council Member Mila enjoyed the night out against crime as well. She also participated in the PAL golf tournament which raises money for the PAL program. It was really well attended.

Council Member Mila has also received a lot of calls about the Granite property. It is disappointing that the District can let it go like they have. She hopes they can work something out. She has told the citizens to reach out to the District.

Council Member Siwik commended the Department Heads and staff for the night out event.

Council Chair Snow enjoyed the night out against crime as well. Last year her neighborhood enjoyed the personal visit last year. She would prefer switching it up with one year City wide and the next neighborhood gatherings. Concerning the Granite property, she is of two minds. She feels some of the issues are inherent in having a vacant property for seven years. The District has tried to work with the City and private developers to sell it. She doesn't think they intended to be property owners for this long. Their focus is not going to be on esthetics as long as they need the money elsewhere. She doesn't think they can expect it to be kept in prime condition. They have to keep it safe and have some bear minimum standards and keep having those conversations. She doesn't expect an oasis of green after seven years.

Council Member Kindred enjoyed the night out against crime event. He also did a ride-along with Fire Station 41 on Monday night and thanked the Fire Department for that.

Council Member Beverly thanked the staff who helped with night out against crime. She also acknowledged the Larry H. Miller Foundation who provided the beautiful court and basketball hoops.

Council Member Rapp said he heard a lot of good things about the night out against crime and congratulated the Mayor and staff. He also congratulated Assistant City Attorney, Hannah Vickery, on her baby girl.

The Council next moved to Unfinished Business Item 1 under Action Items on the agenda.

ACTION ITEMS

UNFINISHED COUNCIL BUSINESS

- 1. An ordinance adopting the 2016 Moderate Income Housing Plan as an element of the General Plan.** Deputy Community and Economic Development Director, Frank Lilly, reminded the Council that this is a statutory requirement by the State of Utah. They lay out the questions the City needs to answer. Staff answered those questions with fidelity.

Council Chair Snow said she found the statistics at the last meeting kind of shocking. She wondered where the Moderate to High Income Housing Plan?

Mr. Lilly said staff enacted a Housing and Neighborhoods Plan to bump up the design standards to encourage quality design. They need to continue doing that. As far as affordable housing goes, staff can't stand in the way. They can't say no on the grounds it is affordable. They can say no on the grounds that it doesn't meet zoning or the design is terrible, etc. This document is a due diligence exercise; this is what we have and this is what we think we need. That is how he treated it.

Council Member Kindred moved to approve this ordinance.

MOTION Mark Kindred

SECOND Debbie Snow

Roll Call Vote:

Beverly Yes

Kindred Yes

Mila Yes

Pender Yes

Rapp Yes

Siwik Yes

Snow Yes

The Council then went back to No Action Comments, Item 6 on the agenda.

NO ACTION COMMENTS

- 6. COUNCIL ATTORNEY COMMENTS.** Council Attorney, Doug Ahlstrom, had none.

NEW COUNCIL BUSINESS

- 1. Central Valley Water Reclamation Facility Upgrade.** Council Member Kindred advised the Council that parts of the plant are coming to the end of its serviceable life and they need to start replacing several pieces. He is a member of the Central Valley Board and they are going to be voting at their next meeting and he would like to get direction from the Council on a couple of items. First, they need a Capital Improvement Plan and then the Environmental Protection Agency has come out with a nutrient removal requirement for treatment plants nationwide. They have set a deadline of 2025 for that to happen. That will cost roughly \$100 million to accomplish and they also need to do a pipeline to change their discharge point from Millcreek into the Jordan River which will cost roughly \$10 million dollars. He would like direction from the Council to see if they are willing to go forward with these upgrades.

Council Member Rapp asked if they have any choice.

Council Member Kindred said other water treatment facilities have tried to fight this and it has come to the point where this is coming and Utah is one of the last States to implement it. It has come to the point where it is being forced on us to a certain extent.

Council Member Pender asked if it is worth asking the other District if they would take South Salt Lake on and if so what that would do. Is it worth asking? And, if they say no it seems like they have no other choice.

Council Member Kindred agreed.

Mr. Creswell, advised the Council that if they give up their seat on the Board they will have less interest in making sure that there is collaboration between the City, the plant and the neighborhood.

Council Member Kindred said he will approach the other service districts with their request to join them.

He asked for a straw poll if they wanted to proceed down the path of going with the upgrades.

Council Member Siwik moved to authorize Council Member Kindred to go forward and vote for the improvements and before the meeting to reach out to the other districts.

MOTION Shane Siwik

SECOND Ben Pender

Roll Call Vote:

Beverly Yes

Kindred Yes

Mila Yes

Pender Yes

Rapp Yes

Siwik Yes

Snow Yes

- 2. **An ordinance amending Section 5.08.480 of the City of South Salt Lake code; removing reference to hours of sales of alcohol for microbreweries.** City Council Attorney, Doug Ahlstrom, advised the Council that the State has control over hours of sales. He proposed that the Council strike the hours of sales from the municipal code.

Council Member Beverly moved to suspend the rules.

MOTION Sharla Beverly

SECOND Shane Siwik

Voice Vote:

Beverly Yes

Kindred Yes

Mila Yes

Pender Yes

Rapp Yes

Siwik Yes

Snow Yes

Council Member Beverly moved to approve the ordinance.

MOTION Sharla Beverly

SECOND Mark Kindred

Roll Call Vote:

Beverly Yes

Kindred Yes

Mila Yes

Pender Yes

Rapp Yes

Siwik Yes

Snow Yes

3. **An ordinance amending Section 17.03.010, 17.06.130 and 17.15.030 of the South Salt Lake Municipal Code for the purpose of promoting flexibility and clarity in home occupation regulations, and to define home craft production, and removal of neighborhood gardens as a use in the land use matrix and to make technical amendments thereto.** Council Member Siwik advised the Council that he approached Community and Economic Development Director, Mike Florence, worked on this back in February or March. Part of it was precipitated by growing and selling produce as a part-time source of income he recognized some things he wanted to change. They sell within a store front in the City. He believes Salt Lake City has an ordinance saying if you grow it in your back yard you can sell it in your front yard. He would like to see the City do something like that because he thinks there is a need allowing the residents to do things from their home for extra income that doesn't require a whole lot of red tape. He wanted to put it out that he was involved in this ordinance. He doesn't have ownership interest but he is in the industry and had some involvement in helping put it together.

Mr. Florence reviewed a presentation with the Council regarding home occupations reviewing the current ordinance with the draft ordinance. A copy is attached to these minutes and incorporated by this reference. They wanted to put some more flexibility in it and also clean up some of the conflicting provisions found in the ordinance.

Council Chair Snow moved to place this on Unfinished Business on the August 24, 2016 City Council meeting.

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

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	Mark Kindred

Voice Vote:

Beverly	Yes
Kindred	Yes
Mila	Yes
Pender	Yes
Rapp	Yes
Siwik	Yes
Snow	Yes

The Council adjourned to Closed Meeting at 8:32 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 8:48 p.m. Council Members returned to Council Chambers.

Council Member Mila moved to adjourn.

MOTION	Portia Mila
SECOND	Mark Kindred

Voice Vote:

Beverly	Yes
Kindred	Yes
Mila	Yes
Pender	Yes
Rapp	Yes
Siwik	Yes
Snow	Yes

The meeting adjourned at 8:49 p.m.

Deborah A. Snow, Council Chair

L. SHANE SIWIK, Council Vice-Chair

Craig D. Burton, City Recorder

