THE SALT LAKE COUNTY COUNCIL, STATE OF UTAH, MET ON TUESDAY, APRIL 2, 2013, PURSUANT TO ADJOURNMENT ON TUESDAY, MARCH 26, 2013, AT THE HOUR OF [4:01:00 PM](ftr://?location=&quot;Council&quot;?date=&quot;02-Apr-2013&quot;?path=&quot;&quot;?position=&quot;16:01:00&quot;?Data=&quot;32985250&quot;)AT THE SALT LAKE COUNTY GOVERNMENT CENTER, 2001 SO. STATE STREET, ROOM N1100, SALT LAKE CITY, UTAH.

COUNCIL MEMBERS

PRESENT:

RANDY HORIUCHI

RICHARD SNELGROVE

JIM BRADLEY

ARLYN BRADSHAW

MICHAEL JENSEN1

DAVID WILDE

SAM GRANATO

MAX BURDICK

STEVEN DEBRY, Chair

OTHERS IN ATTENDANCE: BEN MCADAMS, MAYOR

SIM GILL, DISTRICT ATTORNEY

COUNCIL MEETING:

By: RALPH CHAMNESS, DEPUTY DISTRICT ATTORNEY

PLANNING & ZONING MEETING:

By: THOMAS CHRISTENSEN, DEPUTY DISTRICT ATTORNEY

JASON ROSE, LEGAL COUNSEL, COUNCIL OFFICE

SHERRIE SWENSEN, COUNTY CLERK

By: GAYELENE GUDMUNDSON & NICHOLE WATT, DEPUTY CLERKS

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Council Member DeBry, Chair, presided.

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**Mr. Jason Rose**, Legal Counsel, Council Office, led the Pledge of Allegiance to the Flag of the United States of America.

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Council Member Bradshaw, seconded by Council Member Bradley, moved to approve the minutes of the Salt Lake County Council meeting held on Tuesday, March 19, 2013. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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Participated electronically

**Mr. Marion Cox** spoke under “Citizen Public Input” regarding an article in the Salt Lake Tribune. He would like a bronze statue of his great-grandparents to be placed at the Fort Union Family Center in Midvale.

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The Council reviewed the legal opinion submitted by the District Attorney’s Office regarding its authority to adopt a “hiring freeze.”

Council Member Bradley, seconded by Council Member Horiuchi, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Wilde, seconded by Council Member Jensen, moved to maintain the status quo while the Mayor’s Office, in conjunction with the District Attorney’s Office and the Council’s Legal Counsel, work on the necessary policy changes, then bring them back to the Council; and to change the heading on the agendas from “exceptions to the hiring freeze” to “review of proposed hires.” The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mayor Ben McAdams submitted the following Commemorative Resolution:

RESOLUTION

IN RECOGNITION OF THE COUNTY EMPLOYEE BENEFIT FAIR

BE IT KNOW AND REMEMBERED THAT, the Council of Salt Lake County, State of Utah, met in regular session of the Council on the 2nd Day of April, 2013.

WITNESSETH:

WHEREAS, Salt Lake County continues to maintain that its employees are its most important asset and;

WHEREAS, Salt Lake County recognizes the importance of a healthy lifestyle, and a healthy work force and;

WHEREAS, Salt Lake County believes in the benefits of health education and;

WHEREAS, Salt Lake County’s investment in its employees’ well-being is a top priority and;

WHEREAS, Salt Lake County has one of the largest workforces in the State of Utah, and hosts one of the largest employee Benefit Fairs in the State of Utah and;

WHEREAS, Salt Lake County encouraged all of its employees to attend its 2013 annual Benefit Fair and;

WHEREAS, Salt Lake County provided fifty-two prizes to fair attendees ranging from Golf Balls, Fitness Center Memberships, Library Money Cards, VIP Parking Passes, Parks and Recreation Passes, to Annual Passes for;

WHEREAS, Salt Lake County wants to acknowledge that winners of the 2013 Benefit Fair prizes include: Katherine Vincent from Aging Services; Leslie Haberkern from Community Services; Todd Antares and Bruce Antazk from Information Services; Mary Ann Cowan from Human Services; Alex Huggard from the District Attorney’s Office; Carolyn McKeehan from the Sheriff’s Office; Jessica Esparza and Victoria Bunkall from the Health Department; Cindy Christenson, Michelle Gowans, Lynette Mumford and Neil Mathews from Library Services; Thuy Ho from Family Services; and K LeClaire from Parks and Recreation.

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED THAT, the County Council wants to congratulate everyone who participated in the Salt Lake County Benefit Fair held in February 2013 and, in particular, the aforementioned County employees for their participation, and places into the public record this commemorative resolution.

APPROVED and ADOPTED this 2nd day of April, 2013.

SALT LAKE COUNTY COUNCIL

ATTEST

By /s/ STEVEN L. DEBRY

Chair

By /s/ SHERRIE SWENSEN

County Clerk

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Mr. Steve Hadley, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Home Depot.

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Mr. Shaun Dimick, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Air Serv Corp as a cargo agent.

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Ms. Brooke Hashimoto, an intern of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Q Therapeutics as a research associate.

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Mr. Nicholas Rupp, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Heritage Gardens Catering as a manager.

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Ms. Brittany Badger, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Utah as an instructor.

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Ms. Dorothy D. Vilven, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Keys on Main as a waitress. She is also employed by Specialty Imaging International as an event photographer.

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Ms. Maria DiCaro, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she employed by List–A–Swap as a website developer.

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Ms. Diana Thurston, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Utah College of Nursing as an adjunct faculty member.

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Ms. Lynn Beltran, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Utah Lacrosse Association as a referee.

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Ms. Carrie E. Cox, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by First Step House as a therapist.

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Ms. Connie Allen, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is a co-owner of Allen Precision Machining.

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Ms. Kami Peterson, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Draper Rehabilitation and Care Center, and Canyons Technology Education Center as a registered nurse.

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Ms. Jillian Porto, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Salt Lake Behavioral Health Center as a clinical dietitian.

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Ms. Rachel H. Bowman, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Salt Lake Behavioral Health Center as a clinical dietitian. She is also employed by Hip Dance Company as an instructor.

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Ms. Lisa Morris Nokes, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Phoenix Online Campus as an instructor.

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Ms. Susan Spence, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Amway Corporation as an independent business owner.

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Ms. Kellie Duckworth, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Iasis, Jordan Valley Hospital as a registered nurse.

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Ms. Esther A. Ayala, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Stanley D. Billings as a care taker.

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Ms. Krista Mangan, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Benchmark Behavioral Health Hospital as a consulting dietitian.

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Ms. Margoth Cortijo, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Zurchers as a sales associate.

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Ms. Debra A. Sorensen, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by LDS Hospital as a registered nurse.

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Ms. Angela M. Vasser, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by H&R Block as a seasonal tax specialist.

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Ms. Veronica M. Fire, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Midvale Mining Restaurant as a server. She is also employed by Silvia Pena, Attorney at Law as an accounts receivable assistant.

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Mr. Dwayne J. Woolley, a member of Environmental Quality Advisory Commission, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Trans Jordan Cities as a general manager.

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Ms. Catherine Burns, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Gastronomy.

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Mr. Phillip Heck, a member of the Environmental Quality Advisory Commission, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Brown and Caldwell.

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Ms. Piper Rhodes, a member of the Environmental Quality Advisory Commission, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Kennecott Utah Copper in community relations.

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Mr. Harry Rosado, a member of the Environmental Quality Advisory Commission, submitted a Disclosure of Private Business Interests form advising the Council that he is a volunteer for the University of Utah, School of Medicine.

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Mr. Ted H. Sonnenburg, a member of the Environmental Quality Advisory Commission, submitted a Disclosure of Private Business Interests form advising the Council that he is the Vice President of E.T. Technologies.

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Mr. Brad Hammel, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Project Reality as a teacher and Blomquist Hale Employee Assistance as a contracted therapist.

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Ms. Carleen Jimenez, an employee of the Behavioral Health Division, submitted a Disclosure of Private Interests form advising the Council that she is the founder and director of Art Forms.

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Ms. Eve Martinez, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Avon Products as a distributor.

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Ms. Michelle Moyes, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Discovery House as a clinical supervisor.

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Mr. Charles Ray Board, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Life Line Troubled Youth and TCS WC as a consultant.

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Mr. Timothy Christensen, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that he is employed with Transportation Security Administration as a transportation security officer.

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Ms. Cynthia G. Oliver, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that she works as a self-employed graphic designer.

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Ms. Iris Gonzales, an employee of the Behavioral Health Division, submitted a Disclosure of Private Business Interests form advising the Council that she is the owner of S3 Signs, doTerra.

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Mr. Allen Blake Waters, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the University Of Utah Division Of Public Health as an adjunct professor.

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Mr. Royal DeLegge, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Westminster College as an adjunct professor.

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Ms. Terry Begay, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is a board member of the employed by House of Hope.

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Ms. Michelle Vowles, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Utah as a research assistant.

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Ms. Jeannie L. Poore, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Project Reality as a dosing nurse.

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Mr. Qing Chong, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Discovery House as a dosing nurse.

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Ms. Audrey M. Stevenson, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed with WeeCare Pediatrics as a clinician, Columbus Community Center as a nurse consultant, and the University of Phoenix as a faculty member.

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Mr. Jeffrey Gwilliam, an employee of the Center for the Arts, submitted a Disclosure of Private Business Interests form advising the Council that he is a self-employed freelance production manager, lighting designer, and sound engineer, and the owner of JIG Studio.

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Ms. Dina Hall–Komkova, an employee of the Information Services Division, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the State, Federal and Justice Courts as an Interpreter and a web designer for Forever Young Shoes.

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Mr. Mike Humber, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is the owner and senior engineer of GSH Geotechnical, Inc.

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Mr. Tom Godfrey, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is a board member of the Metro Water District of Salt Lake and Sandy and CDC of Utah.

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Mr. Gerald B. Carter, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Meack and Co. as a management consultant.

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Mr. Thomas Anderson, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is President of Thomas P Anderson – Water Design.

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Mr. Jeffrey F. Ward, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed as a dentist.

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Mr. Harry Rosado–Santos, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the University of Utah as an associate professor.

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Mr. Joseph Garcia, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Mountain America Credit Union.

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Mr. George Delavan, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the Utah Department of Health as a consultant pediatrician.

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Mr. Scott Brown, a member of the Salt Lake Valley Board of Health, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the American Heart Association as a Director of Government Relations.

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Mr. Jorge Mendez, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the Salt Lake City School District as a teacher.

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Mr. Jeffrey Oaks, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Granite Peaks Community Education as a substitute teacher.

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Ms. Angela Gamble, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the Salt Lake Community College as an adjunct faculty member and West High School as a teacher.

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Mr. Kevin Oakleberry, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the Salt Lake Community College as an adjunct faculty member.

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Mr. Aaron A. Jensen, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by Pehrson’s Power Products as a mechanic.

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Ms. Heather Edwards, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Rad Canyon, Inc. as a treasurer and business manager.

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Mr. Richard Ledbetter, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the Granite School District as a teacher.

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Ms. Nancy Davis, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the Granite School District as a substitute teacher.

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Ms. Hayley Shaffer, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by West High School Community Education as a teacher.

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Mr. Lester J. Brooks, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is the owner of Gray Wolf Cattle Co. and Gray Wolf Transport.

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Mr. James L. Jeffries, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is the owner of Jeffries Striping and Lettering.

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Mr. Dan Moore, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by RESPRO as a consultant, educator and inspector.

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Mr. Lowell L. Bodily, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the American Red Cross as a volunteer instructor.

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Mr. Victor Alaves, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is employed by the University of Utah as an instructor.

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Ms. Carol Avery, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Utah Osher Lifelong Learning Institute as an instructor and Carat Garden as a jewelry artist and bookkeeper.

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Ms. Rosa Morales, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by Wal-Mart as a bakery worker.

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Ms. Cynthia Morgan, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by The Litaker Group as a subject matter expert.

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Mr. Robert P. Jeppesen, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that he is the owner of Preppin.com and is employed by Portamedica as a life insurance examiner.

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Ms. Suzanne Millward, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is employed by the University of Utah as a graduate research assistant.

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Ms. Marilyn Balog, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interests form advising the Council that she is the owner of Complete Print.

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Ms. Kelli Jensen, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interest form advising the Council that she is employed by Intermountain Healthcare as an assistant.

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Ms. Angela Grange, an employee of the Salt Lake Valley Health Department, submitted a Disclosure of Private Business Interest form advising the Council that she is employed by the University of Utah as an EMT in urgent care.

Council Member Bradshaw, seconded by Council Member Bradley, moved to accept the disclosure forms and make them a matter of record. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mr. Wayne Cushing, County Treasurer, submitted letters recommending partial release of tax liens on the following properties. These properties were transferred or conveyed to new owners without satisfaction of all outstanding property tax obligations. He also requested authorization to reapply all liens for delinquent taxes, interest, penalties, and administrative costs and to bill the co-owners for their respective portion based on the owner’s interest compared to the whole.

Taxpayer Parcel No.

**Papanikolas Brothers** 14-30-226-029

**Cannon-Papanikolas Const** 14-29-310-015

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Mr. Lee Gardner, County Assessor, submitted a letter recommending approval to redirect the 2009 delinquent privilege tax bill in the amount of $377.67 from Peter Lane to **Josh Foss** on property identified as Parcel No. 08-33-201-001-6038.

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Mr. Lee Gardner, County Assessor, submitted a letter recommending approval to redirect the 2011 delinquent privilege tax bill in the amount of $92.03 from Scott Peterson to **Greg Mason** on property identified as Parcel No. 08-33-251-003-6136.

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Mr. Lee Gardner, County Assessor, submitted a letter recommending approval to void the rollback taxes on Parcel Nos. 14-24-377-003, 14-24-400-007, and 14-24-451-001, The rollbacks were billed in error. The property was donated by Suburban Land Reserve to **West Valley City**, an exempt entity, which should be billed as an In Lieu Fee.

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Mr. Lee Gardner, County Assessor, submitted a letter recommending reducing the rollback taxes billed on the **KFP Corporation** property (TC#6752) from $12,869.34 to $8,095.73. The rollback had incorrect total acre amounts entered for 2008, 2010, 2011, and 2012.

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Mr. Lee Gardner, County Assessor, submitted a letter recommending refunds in the amounts indicated be issued to the following taxpayers for overpayment of vehicle taxes:

Taxpayer Year Refund

**Thomas K. Andrus** 2013 $ 13.00

**Pamela A. Dibella** 2013 $ 153.00

**Discovery Hydrovac** 2013 $6,151.17

**Lee Lonsberry** 2013 $ 83.00

**Wayne M. Bailey** 2013 $ 50.00

**John Gallo** 2013 $ 110.00

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Mr. Lee Gardner, County Assessor, submitted a letter recommending approval to prorate the 2010 delinquent privilege tax bill on Parcel No. 21-30-100-002-6066 from $124.17 to $114.24, and redirect the bill from Brian Young to **Ventana Air.**

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Ms. Liz Fehrmann, Chair, Property Tax Committee, submitted a letter recommending 2012 prorated tax relief for **Bernice F. Lewis** on property identified as Parcel No. 15-03-278-005 for Circuit Breaker Relief. She also recommended a refund of $801.06 be issued to the taxpayer.

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Mr. Gregory Hawkins, County Auditor, submitted a letter recommending reduction of taxes on the following properties, pursuant to an order of the Utah State Tax Commission. He also recommended that refunds in the amounts indicated, plus the appropriate interest, be issued to the taxpayers.

Taxpayer Parcel No. Year Reduction Refund

**Brian Penrose** 15-36-279-091 2011 $ 1,376.12 to $ 1,345.54 $ 30.58

**Kent & Debra Dow** 34-07-403-038 2011 $ 2,845.23 to $ 2,778.61 $ 66.62

**Edwin Pond** 22-26-281-038 2012 $ 3,557.13 to $ 3,295.31 $ 261.82

**Brian & Brenda Snell** 27-26-305-001 2012 $ 2,787.86 to $ 2,483.43 $ 304.43

**Randall & Leslie Freedman** 22-17-155-001 2012 $ 4,470.75 to $ 4,077.19 $ 393.56

**Fryer Investment** 24-26-178-015 2011 $ 5,848.15 to $ 5,430.11 $ 418.04

**Kasey Poon & Rose Shorter** 16-35-457-034 2012 $ 3,562.07 to $ 3,132.90 $ 429.17

**Muslima Billah &**

**Mamun Rashid** 08-22-154-018 2012 $ 2,137.14 to $ 1,695.04 $ 442.10

**Charles Arena** 22-09-478-004 2011 $ 3,786.24 to $ 3,279.47 $ 506.77

**Martheswaran Solamuthu &**

**Prabha Nagenthram** 28-33-177-019 2012 $ 7,512.30 to $ 6,759.57 $ 752.73

**Steven Jones** 22-34-104-002 2011 $ 5,645.53 to $ 3,270.57 $ 2,374.96

**MPT of West Valley City** 15-30-478-038 2011 $43,009.50 to $37,978.20 $ 5,031.30

**Mark Buhler** 17-05-101-032 2011 $ 3,176.63 to $ 2,893.61 $ 283.02

**WHC816** 15-01-478-018 2011 $223,821.23 to $180,641.16 $ 43,180.07

**American Healthcare** 22-36-326-012-4001 2011 $ 5,111.36 to $ 3,427.30 $ 1,684.06

22-36-326-012-4003 2011 $ 4,669.22 to $ 477.26 $ 4,191.96

**Cathay** 27-14-151-032 2011 $ 2,598.54 to $ 2,210.61 $ 387.93

27-14-151-033 2011 $ 3,890.67 to $ 2,638.47 $ 1,252.20

27-14-151-034 2011 $ 2,616.79 to $ 2,039.47 $ 577.32

**Willow Creek Ind Prop #3** 27-25-327-021 2011 $10,604.82 to $ 8,996.15 $ 1,608.67

**OM Enterprises** 26-14-100-027-4001 2010 $38,445.70 to $ 5,516.84 $32,928.86

26-14-100-027-4002 2010 $28,420.50 to $ 4,074.62 $24,345.88

26-14-176-008 2010 $17,485.67 to $ 2,515.20 $14,970.47

**Allen Roberts** 16-05-227-018 2011 $ 197.34 to $ 152.78 $ 67.84

16-05-227-019 2011 $ 295.16 to $ 256.52 $ 68.19

Mr. Hawkins also recommended increasing taxes on the following properties, pursuant to an order of the Utah State Tax Commission, and to abate any penalties and interest if payment in full is received within thirty days of Council action.

Taxpayer Parcel No. Year Increase Amt Due

**Ambro & Son** 15-20-126-038 2010 $17,865.51 to $21,219.28 $3,353.77

**Willow Creek Ind Prop #3** 27-25-327-023 2011 $ 7,309.19 to $ 8,198.46 $ 889.27

Council Member Bradshaw, seconded by Council Member Bradley, moved to approve the recommendations. The motion passed unanimously, authorizing the County Treasurer to effect the same, showing that all Council Members present voted “Aye.”

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Mayor Ben McAdams submitted a letter requesting approval of the recommendation of the Contribution Review Committee for the following community contributions to be appropriated from the Mayor’s 2013 budget:

**Make a Wish Foundation $200**

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Wilde, moved to approve the contributions, and found the County received fair and adequate consideration for the contributions, and forward them to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Ms. Nichole Dunn, Deputy Mayor, submitted a letter advising that Land O’Frost has offered to donate $26,400 to the Parks & Recreation Division for the 2013 Land O’Frost Youth Sponsorship Program. The sponsorship will focus on approximately 550 teams in the Spring/Fall season for teams under the age of 10.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradshaw, seconded by Council Member Wilde, moved to accept the gift and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously. Council Member Bradley was absent for the vote.] The Council motion passed unanimously, authorizing the Chair to sign the Declaration of Gift Form and directing the County Clerk to attest his signature and forward it to Land O’ Frost, showing that all Council Members present voted “Aye.”

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Ms. Erin Litvack, Director, Community Services Department, submitted a letter regarding amendments to the Salt Lake County Cultural Facilities Master Plan and Support Program definition and criteria.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Jensen, seconded by Council Member Horiuchi, moved to take a week to review the amendments. The motion passed unanimously. Council Member Bradley was absent for the vote.] The Council motion passed unanimously.

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Mr. Gregory P. Hawkins, Auditor, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill an Exempt Secretary position, two Deputy Auditor 28/30/32 positions, and a Tax Administrative Assistant 20/22 position.

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Mr. Kevin Jacobs, Chief Deputy Assessor, Assessor Office, submitted a letter requesting approval for an exception to the hiring freeze in order to fill a Personal Property Appraiser position.

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Mr. Kevyn Smeltzer, Director, Public Works Operations Division, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill a Sweeper Operator 16/18 position, and a District Worker 15/17 position.

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Ms. Sarah Brenna, Director, Aging Services Division, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill a Senior Center Custodial Worker position, a .5 Health Educator 22/24 position, and an Ombudsman 22 position.

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Mr. Brian Bennion, Associate Director, Salt Lake Valley Health Department, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill two Office Coordinator 19 position.

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Mr. James Cooper, Director, Library Services Division, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill the following positions:

FTE Position Location

.50 Public Services Librarian 24/26 West Valley Library

1.0 Assistant Circulation Supervisor 19 Kearns Library

.50 Shelver 11 South Jordan Library

.50 Shelver 11 Whitmore Library

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Ms. Pat Berckman, Director, Youth Services Division, submitted a letter requesting approval for an exception to the hiring freeze in order to fill a Youth Services Case Manager position.

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Ms. Michele Nekota, Director, Parks & Recreation Division, submitted a letter requesting approval for exceptions to the hiring freeze in order to fill a Lead Custodial Maintenance Supervisor 15 position and an Assistant Superintendent of Greens 18 position.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Jensen, seconded by Council Member Wilde, moved to approve the requests and forward them to the

4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, showing that all Council Members present voted “Aye.”

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Mr. Scott Baird, Director, Engineering/Flood Control Division, submitted a letter requesting approval for an interim budget adjustment of $37,825 to improve water quality, support community revitalization, educate the community, and engage and empower some of Salt Lake County’s lowest income residents through two connected programs. Funding will come from Environmental Protection Agency Urban Waters grant funds that were awarded to Salt Lake County for three years. Of the $38,915 awarded for 2013, $2,000 is to be used to reimburse travel, and $1,090 is to reimburse staff time already included in the 2013 budget.

Council Member Bradshaw, seconded by Council Member Bradley, moved to ratify the vote taken in the Committee of the Whole meeting. [Council Member Bradley, seconded by Council Member Bradshaw, moved to approve the request and forward it to the 4:00 p.m. Council meeting for formal consideration. The motion passed unanimously.] The Council motion passed unanimously, authorizing the County Chief Financial Officer to increase Expense Appropriation Account Nos. 250-400-4600-6560 by $35,825 and -2580 by $2,000, and increase Revenue Appropriation Account No. 250-400-4600-7603 by $38,915, showing that all Council Members present voted “Aye.”

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**Mr. Spencer Sanders**, Planning & Development Services Division, explained the following rezoning application to be heard and presented a map of the area:

Application #28268 – **Michael Winder** to reclassify property located at 4415 S. Garden Dr. (970 E.) from R-1-10 to R-4-8.5. ([4:08:51 PM](ftr://?location=&quot;Council&quot;?date=&quot;02-Apr-2013&quot;?path=&quot;&quot;?position=&quot;16:08:51&quot;?Data=&quot;26fc8f4c&quot;))

**Mr. Sanders** stated the applicant is seeking to rezone this property in order to add seven units to an existing 10-unit dwelling group and update the existing units and the site. The proposed concept plan shows two 3-unit buildings located in the center of the existing development; and one 1-unit building between two existing buildings on the west side of the development. Each building is proposed to be two stories, similar in height to the existing 2-story, 2-family dwellings. The applicant asserts that the additional units will help to fund the proposed upgrades.

The current development is designated as a non-conforming use due to a zone change for the entire area in the 1990’s. It is anticipated that non-conforming uses would cease over time through attrition; allowing them to be maintained, but not expanded, improved, or rebuilt. The goal is to replace non-conforming uses with uses allowed in the zone. This has not been the case with the subject property. The Millcreek Township General Plan Map designates this area as a “blue area,” which means it has limited potential for the absorption of growth. The proposed zone change would allow some additional density on the site, which is consistent with the General Plan.

The Millcreek Community Council recommended approval of the request, subject to the development complying with all County requirements regarding landscaping, recreational facilities and fencing. The Millcreek Township Planning Commission recommended approval of this request with no zoning conditions. The Planning & Development Services Division staff recommends approval of this request with zoning conditions that would limit the maximum number of dwelling units to 17, and the maximum height of new structures not to exceed two stories or 28 feet. The recommendation is based on the following reasons:

1. The proposed zone change is consistent with the Millcreek Township General Plan.
2. The proposed zone change would change the existing use from non-conforming to conforming.
3. The proposed zone change would allow the proposed upgrades of the existing development without resulting in significant impacts on the surrounding neighborhood. Renovation of the subject property would result in an improvement and benefit to the neighborhood.
4. The maximum density zoning condition would ensure that the site remains compatible with the surrounding single-family homes by limiting the potential increase.
5. Staff’s proposed maximum building height would help to make sure that the height of the structures will be consistent with the adjacent and surrounding single-family homes.

Council Member Granato moved to approve Application #28268 and forward it to the April 9, 2013, Council meeting for formal consideration. The motion died due to the lack of a second.

**Council Member Debry** stated the Council needs to hold a public hearing before considering this application.

**Council Member Bradley** asked if the applicant planned to upgrade the landscaping, fencing and entrance to the property if the application was approved. If so, what guarantee would the County have that it would be done.

**Mr. Sanders** stated when the applicant applies for a conditional use permit to build the duplexes, the Planning Commission will review the site plan and make sure it includes landscaping, and fencing. The property will need to meet current County standards as much as possible. The site plan would also need to include some recreational amenities.

**Council Member Wilde** asked what was planned for the recreational amenities.

**Mr. Paul Watson**, representative for Michael Winder, applicant, stated they have not decided on the recreational amenities, but will provide those answers during the preliminary plan application process.

**Council Member Wilde** asked if the fence would be brought up to a better standard.

**Mr. Watson** stated yes, they would bring the fence up to a better standard.

**Council Member Bradley** asked if bringing the fence up to a better standard could be a condition of the rezone.

**Mr. Sanders** stated the only zoning conditions that can be applied to a rezone are height, density, and uses. Under the conditional use process there are additional conditions that can be added.

**Council Member Snelgrove** asked if there were any off-street parking problems in this area.

**Mr. Sanders** stated there has not been any issues with off-street parking in this area. The preliminary site plan for this proposal has not been analyzed, but it appears that all required parking will be onsite. The requirement is two parking spaces per unit, plus guest parking.

**Council Member Wilde** asked if the applicant would have to comply with the County’s landscaping ordinance.

**Mr. Sanders** stated the applicant would have to comply with the landscaping ordinance as much as possible.

Council Member Wilde, seconded by Council Member Bradshaw, moved to open the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.”

**Mr. Yervand Grigorian** spoke in opposition to this rezone. He stated he is concerned about this request because:

1. There is no on-site manager. This high of density needs security or management living on site.

1. Traffic problems. There will be seven two-unit apartments resulting in a minimum of 14 cars. This number multiplied by four trips a day per car equals too much traffic for this area.
2. Increase in crime. An increase in density will result in an increase in crime.
3. The recreational amenities would only be for people living within this complex. They will not benefit the neighbors.

**Mr. Jens Day** spoke in opposition to this rezone. He stated everyday he picks up trash from these apartments, over half of the traffic on the street comes from multi-family units, and most of the police incidents come from the rental units. It has been his experience that nothing but trouble comes from the rental units. He does not want any more in his neighborhood.

**Mr. Arnold Wilcox** spoke in opposition to this rezone. He stated the Council should visit this site before any decision is made. It is a real eye sore to the neighborhood. Several times police have been called to this area due to drugs. Also,an open irrigation ditch that borders this property needs to be taken care of. He has no idea where the developers would put the additional units and recreational amenities on this property. He was very concerned about the crowding and the amount of traffic that will increase if this request is granted. A playground for the children in the area would be great to have.

**Council Member Hoiruchi** asked if it would be possible to require on site management.

**Mr. Thomas Christensen**, Deputy District Attorney, stated on-site management could be required under the conditional use stage, but not at the rezoning stage.

**Council Member Horiuchi** asked if there was an opportunity to deal with the open irrigation ditch under the conditional use process.

**Mr. Sanders** stated one of the conditions for approval of the site plan would be to bring the irrigation system up to meet safety requirements. Big Ditch Irrigation Company would work with the owners. A lot of issues can be addressed through the conditional use process, which would result in better conditions for all involved.

Council Member Horiuchi, seconded by Council Member Granato, moved to table this application for one week in order to give the Council an opportunity to visit the site. The public hearing would not be closed; he would like the opportunity to further question the applicant.

**Council Member DeBry** stated before a motion can be made he would like to finish the public hearing.

**Mr. Watson** stated the owners are not trying to do anything that is not in compliance with the new zoning. The whole purpose of this request is to get a product that is better than what exists today. There is a benefit for all involved. He addressed the following concerns:

1. Parking issues. There will be enough on-site parking to handle this request.
2. Traffic issues. If a traffic study needs to be done, the developer would be fine with that.
3. Increased crime. There is crime all over the County. The developer could provide a phone number for neighbors to call in the event of an emergency or other issues.
4. Fencing. This would be no problem to fix.
5. Irrigation ditch. The developer would want his project to safe. There are liability issues, so this would be taken care of.

**Council Member Bradley** stated this is a non-conforming use now and has been for approximately 37 years. The County was hoping to get rid of these types of uses through attrition. Changing the zoning to bring the use into conformity could compound the existing problem. The master plan clearly indicates the need for multi-family dwelling units in this area, but it does not mean that it all has to be on this site. Since the developer would be paying to construct the new dwelling units, there might not be enough money available for the improvements discussed today. He would hate to make a move that would burden the neighborhood worse than it is now. He is very reluctant to vote for this change.

**Council Member Wilde** stated the information from staff indicates the zoning in this area was changed in the mid 90s because citizens complained about two family units in this neighborhood. This rezone would reverse the course back to what it was.

**Mr. Sanders** stated the Council is working with a different general plan than what the Commission had in 1997. Then, zone change took a sweeping look at the area; today, the general plan is more specific. Today’s general plan identifies areas that should remain more stable and areas that might look at improving density, such as neighborhoods where higher density already exists, close to transit and shopping.

**Council Member Wilde** stated he has seen a lot of twin home developments, and in many cases, they do not look as nice as single family homes. He sympathized with people in the neighborhood that just do not want more.

**Council Member DeBry** stated the Millcreek Community Council and Millcreek Township Planning Commission recommended approval of this request. The Council normally listens to the recommendations because the community councils and planning commissions have a finger on the pulse of the community. He asked how big the lots were now that had the existing units on them.

**Mr. Sanders** stated it is really hard to compare, the rezone would allow the density of the property to increase. The new construction would have to meet setback, open space, and recreational facilities requirements that did not exist in the mid 90s.

**Council Member Debry** stated he did not know if it would be more conducive to just leave this as an open empty lot or would it better to have structures there where human beings are residing and contributing to the community. He will look into how many times the police have been called to this area over the past two years and let the Council know.

Council Member Horiuchi, seconded by Council Member Granato, moved to table this application for one week in order to give the Council an opportunity to visit the site.

The public hearing will not be closed; he would like the opportunity to further question the applicant. The motion passed unanimously, showing that all Council Members present voted “Aye.”

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**Mr. Spencer Sanders**, Planning & Development Services Division, explained the following rezoning application to be heard and presented a map of the area:

Application #28270 – **Laurel Osborn** to reclassify property located at 2254 & 2257 E. Alva Circle (3510 S) and 3502 S 2300 E from R-1-10 and R-2-10 to R-1-21 zone. [4:57:26 PM](ftr://?location=&quot;Council&quot;?date=&quot;02-Apr-2013&quot;?path=&quot;&quot;?position=&quot;16:57:26&quot;?Data=&quot;cf86abd0&quot;)

**Mr. Sanders** stated the applicant is seeking to rezone this property in order to protect the property from further subdivision and to have the ability to have a small number of farm animals on the property for family food production. Some farm animal uses have been intermittently present on the property for many years, including ducks, chickens and goats. The East Millcreek Community Council unanimously recommended approval of the proposed zone change. The Millcreek Township Planning Commission unanimously recommended denial of the zone change because the proposed zone change is not consistent with the Millcreek Township General Plan and the potential for introduction of farm animals into the area particularly large animals.

The Millcreek Township General Plan Map designates this area as a “blue area,” which is an area that has limited potential for the absorption of growth and is likely to experience only minor changes in overall character over time. The blue area designation does not discuss the introduction of agricultural animal use into areas where it has been eliminated.

The Planning & Development Services Division staff recommends denial of the proposed zone change because:

1. It would introduce agricultural animal uses into an area where they do not currently exist, which is inconsistent with the general plan.
2. It would reduce the density allowed under the zone for the subject property, which is inconsistent with the general plan.
3. It would allow farm animal uses adjacent to Mill Creek, potentially causing environmental impact.
4. The introduction of farm animals into the area, especially larger animals would likely result in neighborhood complaints and conflict relating to potential impacts from farm animal use that are not currently experienced in the area.

**Council Member Wilde** asked what kind of animals could be put on the property.

**Mr. Sanders** stated animals for family food productions, such as rabbits and fowl could be on the property.

**Ms. Julie Peck-Dabling**, Director, Open Space and Urban Farming Program, stated for the longest time farming has been considered a place-holder for future development of residential and commercial uses. This perspective is slowly changing, and citizens are beginning to see small pockets of agricultural throughout the valley as valuable.

**Council Member Horiuchi** stated some animals might present a bigger concern to neighbors than what other animals would. He asked if the Council could place a zoning condition as to the type of animals that would be allowed on this property.

**Mr. Tom Christensen**, Deputy District Attorney, stated no, if the Council grants the rezone, it is saying the applicant can have the animals that are allowed under the zone.

**Ms. Peck-Dabling** stated the County does not have any ordinance that addresses the number of animals that can be placed on property. In the future, the Council might consider an ordinance that would.

**Council Member Debry** asked what kind of animals the applicant would want to put on the property, and if the neighbors had ever had issues or problems with the current animals on the property.

**Ms. Laurel Osborn** stated she would like one small cow, a pony, and maybe some goats. There is one neighbor who does not like what she does no matter what it is. She felt the Millcreek Township Planning Commission recommended denial of her request because it thought she could have more animals than she can. She is not looking to go “hog wild” with animals. She has 1.22 acres with a large garden, large lawn, and 20 mature fruit trees, and simply would like to bring the zoning into alignment with how the land has always been used. She would like to address the three points the Planning & Development Services Division based its recommendation of denial on:

1. Introduce animal uses into an area where they currently do not exist. This is not an introduction; they already exist. She has found five addresses within a half mile of her property that all have agricultural use.
2. Reduction of density inconsistent with the housing best practice. This is a hypothetical reduction. This land has never been built on. She could put in duplexes for which it is zoned, but that would not be to the betterment of her neighborhood.
3. Degradation of Mill Creek. Mill Creek runs along the end of the property and has always been fenced, keeping the animals out of the creek.

Council Member Horiuchi, seconded by Council Member Bradshaw, moved to open the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.” Council Member Jensen was absent for the vote.

**Mr. Jerry Albrectson** spoke in opposition to this rezone. He stated he is speaking in behalf of his aunt because this rezone would result in a decrease in her property values The property in question is in a high density residential area; it is not cut out for agricultural. The additional animals will bring flies and odors. It is a health hazard.

**Mr. Gary Pimentel** spoke in opposition to this rezone. He stated he owns the duplexes that surround this property. He was not aware of the chickens when he bought the property and was disappointed when he learned of them. He is worried about tenants not wanting to live in this area because of the smells and sounds associated with animals. He has had difficulty getting tenants and does not know if it is because of the animals or not.

**Council Member Bradley** asked if he has lost tenants because of the agricultural use of this property.

**Mr. Pimentel** stated he could not know for sure, but he has had trouble getting tenants.

**Council Member Snelgrove** asked if there has ever been an odor problem.

**Mr. Pimentel** stated he notices a smell when he is there, but has not had complaints from his tenants. If the zoning is changed, it would open the property up to additional animals, including larger ones.

**Mr. Jason Robertson** spoke in favor of this rezone. He stated he rents his home from the applicant. The current animals are virtually invisible. He did not know of them until shortly before this issue came up. There are no odors or sounds from them. There is a transition from 2300 East where multi-family high density duplexes are to an area where the character is very residential and consists of single family homes. The proposed new zone puts limits on the type of animals that would be allowed. This rezone would fully support the idea of locating small pockets of urban farming throughout the valley.

**Ms. Kim Gladstone** spoke in favor of this rezone. She stated she has known about the animals, but has never smelled, heard, or seen them.

**Ms. Mary Sue Lions** spoke in favor of this rezone. She stated she has never known a more honest or responsible person than Ms. Osborne. This neighborhood is a nice environment and the animals have never been a problem.

**Mr. Wallace Fetzer**, applicant, stated they have 16 children, 11 of which are adopted. Having additional animals will help in the food production for his family. He understands that smell and sounds would not be a good thing for people living in the area. He takes care of his property and enjoys the habitat that he is helping to create. He has heard the concerns and will work very hard to mitigate any of those concerns.

**Council Member Snelgrove** asked how many additional animals the applicant would want.

**Ms. Osborn** stated she is thinking about four additional animals, one of which would be a small cow.

**Council Member Wilde** stated once this property is rezoned, someone else could move in and put the full amount of animals allowed on the property. The County would have no control over the land.

**Council Member DeBry** asked how many horses could be put on this property.

**Mr. Sanders** stated the applicant would get four horses per half acre. Since the lot size is over one acre, the applicant could have eight horses.

**Council Member Burdick** stated under the conditional use process, the Planning Commission could put in conditions regarding noise and odors.

**Mr. Christensen** stated animals are a permitted use under this zone. The applicant would not need to go through a conditional use process.

**Council Member Bradshaw** stated odors would be governed under the Board of Health regulations.

**Council Member Wilde** stated if the number of animals could be limited, he would be in favor of this rezone. He is concerned about granting a rezone, which could create a farm in the middle of a residential neighborhood.

**Council Member Horiuchi** stated he would recommend that Ms. Osborn meet with her neighbors to let them know what she is planning to do on this property. It would help mitigate any issues.

Council Member Horiuchi, seconded by Council Member Wilde, moved to close the public hearing. The motion passed unanimously, showing that all Council Members present voted “Aye.” Council Member Jensen was absent for the vote.

Council Member Horiuchi, seconded by Council Member Bradley, moved to table this for one week in order for the Council to visit this site, and requested staff to let the applicant and neighbors know when this visit will take place.

**Council Member DeBry** stated the bottom line is the Council wants to do the right thing and the fair thing for everyone, but it will never please everyone. He believes there is a huge difference between cows or horses and chickens or pheasants. Bigger animals bring smells and sounds.

**Council Member Bradley** stated with the urban farming initiative and savings pockets of open land throughout the valley for things like urban agriculture there is a need to review County ordinances to create a new zone that could limit the number of animals and allow people to do things like this.

**Council Member Horiuchi** requested Jason Rose, Legal Counsel, Council Office, put together an ordinance where the number of animals could be limited.

Council Member Horiuchi, seconded by Council Member Bradley, moved to table this request for one week in order for the Council to visit this site, and requested staff to let the applicant and neighbors know when this visit will take place. The motion passed unanimously, showing that all Council Members present vote “Aye.” Council Member Jensen was absent for the vote.

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THERE BEING NO FURTHER BUSINESS to come before the Council at this time, the meeting was adjourned at [5:56:37 PM](ftr://?location=&quot;Council&quot;?date=&quot;02-Apr-2013&quot;?path=&quot;&quot;?position=&quot;17:56:37&quot;?Data=&quot;fdcce5bf&quot;) until Tuesday, April 9, 2013, at 4:00 p.m.

SHERRIE SWENSEN, COUNTY CLERK

By \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Deputy Clerk

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CHAIR, SALT LAKE COUNTY COUNCIL

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