



**SOUTH SALT LAKE**  
**CITY ON THE**  
**MOVE**

**CITY COUNCIL**

BEN PENDER  
COREY THOMAS  
SHARLA BEVERLY  
PORTIA MILA  
SHANE SIWIK  
MARK KINDRED  
RAY DEWOLFE

220 E MORRIS AVE  
SUITE 200  
SOUTH SALT LAKE CITY  
UTAH  
84115  
P 801.483.6027  
F 801.464.6770  
TTY: 711  
SSLC.COM

**ORDER OF SPECIAL MEETING**

As provided by Section 10-3-502, Utah Code Annotated 1953, as amended, we, the undersigned members of the City Council, order a **Special Meeting** of the City Council of the City of South Salt Lake to be held at **2:00 p.m. on Wednesday, May 2, 2018**, for the purposes set out in the attached Agenda for such meeting. Public notice of the meeting shall be given pursuant to Sections 10-3-502 and 52-4-202, Utah Code Annotated 1953, as amended.

Dated this 1<sup>st</sup> day of May, 2018.

**CHERIE WOOD**  
MAYOR

220 E MORRIS AVE  
SUITE 200  
SOUTH SALT LAKE CITY  
UTAH  
84115  
P 801.464.6757  
801.464.6770  
TTY: 711



**South Salt Lake City Council  
SPECIAL MEETING AGENDA**

Pursuant to Order of Special Meeting signed by two members of the South Salt Lake City Council on May 1, 2018, notice is hereby given that the South Salt Lake City Council will hold a Special Meeting on **Wednesday, May 2, 2018**, in the City Council Chambers, 220 East Morris Avenue, **commencing at 2:00 p.m.**

**CITY COUNCIL**

BEN PENDER  
COREY THOMAS  
SHARLA BEVERLY  
PORTIA MILA  
SHANE SIWIK  
MARK KINDRED  
RAY DEWOLFE

Conducting: Ben Pender, Council Chair

**Items for Discussion and Vote:**

1. Discussion of Homeless Resource Center

THOSE NEEDING AUXILIARY COMMUNICATIVE AIDS OR OTHER SERVICES FOR THIS MEETING SHOULD CONTACT CRAIG D. BURTON AT 801-483-6027, GIVING AT LEAST 24 HOURS' NOTICE.

CRAIG D. BURTON  
CITY RECORDER  
May 1, 2018

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SUITE 200  
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84115  
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SPECIAL MEETING  
SOUTH SALT LAKE CITY COUNCIL  
May 2, 2018

As provided by Section 10-3-502, Utah Code Annotated, 1953, as amended, pursuant to Order of Special Meeting signed by two members of the City Council on May 1, 2018, the City Council of City of South Salt Lake met in a Special Meeting at 2:00 p.m. on May 2, 2018, in Council Chambers.

PRESIDING Council Chair Ben Pender

CONDUCTING Council Chair Ben Pender

COUNCIL MEMBERS PRESENT:

Ray deWolfe, Mark Kindred, Ben Pender, Shane Siwik,  
and Corey Thomas

COUNCIL MEMBERS EXCUSED:

Sharla Beverly and Portia Mila

STAFF PRESENT:

Mayor Cherie Wood  
Dennis Pay, City Engineer  
Anna Anderson, Court Judge  
Lisa Forrester, Court Administrator  
Craig Burton, City Recorder  
Ariel Andrus, Deputy City Recorder

OTHERS PRESENT:

See attached list

**ITEMS FOR DISCUSSION AND VOTE:**

- 1. Discussion of Homeless Resource Center.** Council Chair Pender said members of the Council were contacted by members of the State and County regarding issues with the Homeless Resource Center project in South Salt Lake. Representatives from State and Shelter the Homeless have been invited to this meeting to discuss the update and progress of this project.

Council Member Kindred asked where the City is in the process currently, what got the City to this point, and where does the City need to go from here.

Jonathan Hardy and Casey Cameron with the Department of Workforce Services addressed some of Council Member Kindred's questions.

Mr. Hardy said Department of Workforces Services is an investor in the three new homeless resource centers that are being constructed in the Salt Lake Valley to replace the downtown shelter. There are two shelters in Salt Lake City and one in South Salt Lake. They are through most of the process with the Salt Lake City sites and in the process of pulling building permits. They have been working with Mayor Wood, consultants and staff to work through the planning process in South Salt Lake which includes submitting a subdivision plat and the conditional use permit. There have been a lot of meetings between Shelter the Homeless and South Salt Lake and their department has been involved in most of those meetings as well. A critical next step would be to get on the Planning Commission's agenda. The timeline of this whole process is particularly important to the State. They are running up against deadlines when construction needs to commence.

Council Member Kindred asked what the biggest hold up in South Salt Lake has been.

Mr. Hardy said they are almost finished with the process but there have been little details that have been holding the process up.

Ms. Cameron – We want to be good partners and I think the best solution would be for us to be able to work through these issues. The land does revert back to the State in June if we don't get through these issues so we would like to see that these issues do get resolved quickly so we can break ground and get these resource centers built.

Council Member Kindred – If the land reverts back to the State in June what does entirely entail?

Mr. Hardy – There is a contractual provision with our funding with Shelter the Homeless, since we paid for the site acquisition, that if footings and foundation weren't in by a certain time then they would have to warranty deed the property back to the State. At that point we would just need to make a determination whether to continue on with the process as is or whether the State needed to take a more active role in the development of the shelter.

Council Member Kindred- What would that active role look like?

Mr. Hardy – It could look a number of different ways. The State obviously has an ability to develop the site to Division of Facilities and Construction Management. That may be a backup option but even if that were the case we would still be looking to partner in a number of ways to make sure this is successful both for the State and the community.

Council Member Kindred – If that does happen would it still have to come through our Planning Commission or would that option be done?

Mr. Hardy – To my knowledge, I don't want to speak for Division of Facilities and Construction Management, it would not have to go through the City's Planning Commission.

Preston Cochran, with Shelter the Homeless, said this process started long before he started in October of 2017. In October consultants representing the City started attending meetings regarding this matter. Shelter the Homeless meets every other week to discuss design and operation, etc. There have been some infrastructure insufficiencies during the process, the right-of-way issue has been a barrier in terms of getting title insurance and everything else that is involved in that process. There is quick turnaround on their part.

Council Member deWolfe said at the last Council meeting the Council was told there have been issues getting the subdivision plat issues resolved.

Mr. Cochran said those applications have been submitted.

Council Member deWolfe asked if the issues with the right-of-way have been resolved. There has been discrepancy where the boundary is on resident's property.

Mr. Cochran said he is not sure if those issues have been resolved at this point. The application was submitted the last week of December and they were told they would be on the Planning Commission agenda in February and that has not happened yet.

Council Member Kindred asked what needs to happen to have this resolved in a timely manner.

Mr. Cochran said the developers have told him that May 15<sup>th</sup> is the absolute latest date to get everything in place.

Council Member Siwik thinks it would be a huge disadvantage if this was reverted back to the State

Council Chair Pender asked if there was a meeting with the Planning Commission within the next week if there would be a possibility to get back on track.

Mr. Cochran thinks that is a possibility. The right-of-way issue is the only remaining issue.

Mayor Wood said the big reason this project is so different than the projects in Salt Lake City is because this property is an un-subdivided plat. There are processes that have to take place in order for a subdivision to happen. The City has been simultaneously running the conditional use permit process, which is something that is hardly ever done, in hopes of making this process go faster. It

was committed to the City that title insurance would be issued because there is discrepancy on the fact that the engineering firm has the monument line different than the County's monument line. The title insurance and survey description don't match. The insurance policy covering this issue was to be issued to the City by February 19<sup>th</sup> and this has yet to be received.

Council Member Siwik asked if dealing with the subdivision issue before the conditional use permit process is the best way to handle this.

Mayor Wood said that is the only way it can happen. There won't be adequate fire flow to fight fires if it is done any other way. International Building code requires it be done in this order. The City is on board with getting this shelter built but things need to be done right and in the correct order.

Mr. Cochran thought that the fire flow issues had been resolved.

Mayor Wood added that to increase the fire flow requires going through the right-of-way and that is the issue currently, identifying where the right-of-way is on 1000 West.

A representative with Gardner Company believes that these right-of-way and fire flow issues have been resolved.

Council Member Kindred asked if the future funding for public safety is at risk if this project reverts back to the State.

Mr. Hardy said that is a decision made by the State Homeless Coordinating Committee. The bottom line is everyone involved wants a successful homeless resource center. If this project reverts back to the State that doesn't mean all the plans in place will be thrown out and they will start over. All the same issues will still need to be worked out.

Senator Gene Davis said South Salt Lake will submit a cost analysis for public safety cost for the entire year and the Homeless Coordinating Committee will agree or disagree with this analysis and allocate the money to the City. This money is not subject to the building but is subject to the costs incurred by public safety in the City.

Council Member Kindred asked if the City has done their part by attending all the meetings regarding the homeless shelter.

Mayor Wood said the consultants go to every meeting that involves South Salt Lake and have asked to be at the beginning of the agendas. She doesn't feel is a good use of tax dollars to pay the consultants to attend meetings that only have to do with the Salt Lake City shelters.

Mr. Cochran said since October, when he started, he has not seen consistent attendance from South Salt Lake.

City Engineer, Dennis Pay, added that the water line needs to be looped from 900 West to 1000 West and without the subdivision that loop is not possible. If the exact spot of the property lines is not resolved then a building permit shouldn't be issued. The roadway was narrowed as a compromise to limit some of the impact to the residents in the area but this doesn't solve the right-of-way problem.

Council Member Siwik – I have a question for Jodi because this is probably the main point here. It is May 2<sup>nd</sup>, we've been told there is a deadline that the property will revert back to the State that is as soon as June 1<sup>st</sup>. There is a chance the Planning Commission could call a special meeting and they can move things along fairly quickly but it also sounds like, from what Dennis and the Mayor are saying, is that there are a lot of technicalities to be resolved before a building permit is given. I don't see how these things can be resolved, the conditional use permit will be approved and a building permit gets approved all by June 1<sup>st</sup>. If, as we have been told, it might be June 30<sup>th</sup> then it could be a little bit different but through this process has there been any dialog with the State to ask to put that off another sixty to ninety days because that seems like the logical thing to just go to the State and say we are dealing with some issues here we need ninety more days. Has that conversation happened?

Consultant, Jodi Hoffman – I don't know. This June 1<sup>st</sup> date is actually new to me. I understand that a lot of funding is contingent on the shelter's opening prior to July 1, 2019 and the Road Home Shelter closing on June 30, 2019. I still think we are on schedule to do that whether or not there is a year construction schedule is kind of up to the contractor and the applicant. Here is the point that I think is important to make, this is not like Salt Lake City's application process. Both sites in Salt Lake City are on already developed sites on five lane roads with sidewalks on sides, adequate fire flow, storm water, park strips, all sorts of things that would go in as in field development in the middle of a transportation rich community. Here we have a hay field on a farm road in South Salt Lake without public transportation with 750 gallons per minute pressure for water currently at the site with no storm/sewer system whatsoever in that area with a right-of-way easement that is based on a plat that filed to the County a long time ago and then lost. There is a difference of opinions between the County surveyor and the applicant surveyor about where the center line of that road way is. It matters to all of the property owners along that right-of-way where that line is. It is not up to the City to determine where that right-of-way is. That needs to be resolved.

Council Member Siwik – I understand that. I want to go back to my point here and honestly I want to touch on something that you just mentioned. I asked the Mayor if she was aware of the revert clause and she said "yes" and you're telling me that you did not know about this June 1<sup>st</sup> deadline where it can revert back to the State in thirty days from now

Ms. Hoffman – I will clarify that. I've heard rumors that the State will have to take it back if we do not get this done and that's how it's be expressed, that the State will have to take this back. In some respects that is apparently within the deed, the grant of the deed to the applicant Shelter the Homeless. It is between the two of them. It is not in some other public record. It is not in legislation. It is in their deed.

Council Member Siwik – You understand what happens if the State takes this back?

Ms. Hoffman – I do and here is where I think the confusion is that is okay if the State takes it back. The State still needs to have a subdivision; the State still needs to build according to the building code. I think John Hardy mentioned they have construction plans ready to go. They are working with the current applicant, Shelter the Homeless, about what the conditional use permit is going to look like. I am not certain that anything changes. Does the State need a permit from us to move forward? It will to get the infrastructure in of course which is necessary under State code before they pull a building permit. I don't think that type of dynamic is going to change that much. The problem is the City is being held accountable for resolving infrastructure deficiencies in this area that aren't our issue to resolve. This is for the applicant, the State or whomever to resolve. What we are talking about is the largest single investment of most citizens, people's homes, and this right-of-way runs through their front yards and whether it goes five feet to the east really matters or whether it goes five feet to the west it really matters. Those are the types of things that the applicant and the State need to resolve. They are currently in negotiations with the property owners. The City has been asked to stay out of those negotiations which we have abided by.

Ms. Hoffman added that in December the applicant submitted a proposal that indicated that it had (or would soon have) the consent of all the property owners along 1000 West to an agreed right-of-way alignment for the subdivision plat. In February, the applicant informed the City that it would not be able to obtain the neighbors' consent to the plat but asked the City to find an alternative to obtaining the adjoining owners' consent. The City then asked the applicant to provide the City with an accurate land survey and title insurance to confirm that the City owned the entire right of way width, and that the applicant had properly designated the 1000 West right-of-way alignment to exclude property owned by other 1000 West owners. That has not happened.

Council Member Siwik asked from Ms. Hoffman's point of view what the logical next step that needs to happen is.

Ms. Hoffman thinks the next step is to meet with the applicant and the 1000 West property owners to see if there is consensus regarding an alignment of the 1000 West right-of-way. There is a logical place for the right-of-way. Unfortunately,



the applicant's surveyor has highlighted a clear dispute over the proper roadway alignment that hasn't been resolved.

Council Member deWolfe said it sounds like everyone has the common objective of getting this shelter open in time and it being a successful shelter.

Council Member Siwik wants to know what the worst thing that could happen if this property reverts back to the State.

Ms. Hoffman said the reality is that everyone wants the shelter to be built, be open on time and run in a way that fulfills the promises that have been made to the City and to the homeless population. This shelter should be a positive addition to the community not a detraction from the community. Everyone involved wants this project to work well. For this project to work well, it needs to be well planned and properly configured from the outset.

Council Member Kindred agreed that the end goal should be that this is the best homeless shelter the City can have.

Mayor Wood said this is all still in the works and just on Monday of this week the City met with the County to resolve some of these issues. Everyone strives for the same positive outcome and the City is doing everything it can to get there.

The Special Meeting of the Council adjourned at 3:05 p.m.



Ben Pender, Council Chair



Craig D. Burton, City Recorder

2-May-18

CITY COUNCIL - SPECIAL MEETING  
LIST OF ATTENDEES

<u>NAME</u>	<u>ADDRESS</u>	<u>REPRESENTING</u>
Gray Burdick	220 E. Main	SSL Chamber
KEM Gardner	701 So. Main	Gardner Company
Mark Mule	201 S. MAIN	Gardner Company
Ryan Bowen	201. S. Main	Gardner Company
Jeanmarie Meas	3387 S. Kinnel Ave.	Resident
MIKE YOUNG	2365 S 500 E	RESIDENT
Isaac Higham	2556 S 300 E	Self
Preston Cochran	310 S. Main St, MZ	Skiffler & Homeless
Jill Jones	703 E 1700 So	a/c architects
Christina Davis		Dept. of Workforce Services
LeAnne Huff	315 East Vidas	resident
Casey Cameron	140 E 300 S <sup>SEC</sup> UT	DWS
Kathy Bounous	140 E 300 S, <sup>SEC</sup> UT	DWS
Jonathan Hardy	1385 S. State St., SEC	DWS
Cindy Jones	3492 S. 1000 W	Self
Glenn Jones	3419 S. 1000 W	Self
Mark Miller	3552 So 1000 So	Self
Chris Ringel	3360 S. 1000 W	self
Joyce Hewitt	3340 S. 1000 W.	Self
Carol Sutherland	3340 So. 1000 W	Self
Dorey Ahlstrom	2542 N 1450 E. Lchi	Council
Gene Davis	865 Parkway Ave	Senate
David Garbett	360 S 400 W # 220	PPC

