

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, March 18, 2010
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION & WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb
Lynn Pace
Patricia Pignanelli
J. James Palmer, Jr.
Barry Topham
Sabrina Petersen

City Staff
Randy Fitts, City Manager - *excused*
Stephanie Carlson, City Recorder
Craig Hall, City Attorney
Clarence Kemp, City Engineer

Others: Dave Pennock, Chief Marty Slack, Dan Lofgren, Det. Jason Watkins

Mayor Webb conducted the briefing session which was called to order at 5:26 pm.

The Council reviewed the agenda. The Council discussed CDBG funding and the need to identify what studies the City would do with its portion (\$34,149).

The Council also reviewed the conceptual drawing for the plaza. They discussed removing the iron fence and doing 5x5 planters instead of the 10x10 and having them raised. This is only a concept plan and is meant to be advisory.

The Council discussed the request from Helen Redd to delay the vote on the plaza. City Engineer Clarence Kemp noted that the federal funding for this project is at risk if the project doesn't commence. The contract has already been let and deadlines set. It was a struggle to get UDOT to agree that the plaza was part of the roads project and he's concerned that if we do not get started, funding will be pulled. UDOT is covering 93% of the costs.

Council Member Topham felt approval of the plaza design should be delayed at least two weeks until the Village Advisory Committee had had its first meeting. He felt that committee options might be severely limited if the plaza land was taken out of consideration. Mr. Kemp said that it was his understanding from UDOT that plaza funding was in eminent danger of being terminated if the Council delayed approval even two weeks.

The Council also noted that the plaza was not part of the appeal being considered by the citizen review committee. Furthermore, every plan for the Village over the last decade had included some form of a plaza.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**March 18, 2010
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

Council Meeting – 6:00pm

ATTENDANCE

Mayor Dennis Webb
Sabrina Petersen
Lynn Pace
Patricia Pignanelli
J. James Palmer, Jr.
Barry Topham

City Staff
Randy Fitts, City Manager- *excused*
Stephanie Carlson, City Recorder
Craig Hall, City Attorney

Citizens: Helen Redd, Fred Minkevitch, Sharron Horsey, David Chisholm, Burce Gramse, Boy Scouts- Troop 432: Adam Ivory, Hoggan Blackham, Steve Rodgers, Richard Monsen, David Monsen, Jake Taylor, Ben Brucken & Robby Ferguson, Boy Scouts – 28th Ward: Ben Bywater, Dee Ljungberg & Rohr Ljugberg, Steve Scott

I. *Welcome*

Mayor Webb called the meeting to order at 6:06 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Richard Monsen, Boy Scout Troop 432

III. *Public Comments*

Helen Redd – 2487 Haven Ln. She asked the Council to postpone their vote on the plaza while the Holladay Village Advisory Committee was meeting. Having that space would allow the committee to have more flexibility and innovative solutions for that corner. If a decision is made tonight it may trigger a review process.

IV. *Consideration of Resolution 2010-12 Allocating CDBG Funding for the 2010-2011 Fiscal Year*

Council Member Topham moved to adopt Resolution 2010-12 with the following amendments: identify the Holladay studies as annexation and traffic and combine the total for the Road Home. Council Member Palmer seconded the motion.

Council Member Palmer noted that the City will keep \$34,149 because we are unable to award grants due to the parameters of soft and hard costs. All the soft costs are fully allocated.

The Council roll call vote was as follows: Council Members Petersen, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Resolution 2010-12 was adopted by a unanimous vote.

V. Consideration of Resolution 2010-13 Amending the City of Holladay General Plan Pertaining to the Village Center Plaza – Exhibit I)

6:13:30 Council Member Pace moved to adopt Resolution 2010-13 with some minor clarifications to the diagram: the area on the plaza would consist of two areas. One is a paved area that is intended to be a reflection of the historic Holladay Blvd right-of-way and the development would not encroach on that right-of-way. The remainder of the property would be a landscaped area. The change to note is that the planters on the plaza are intended to be approximately 5 x 10 and would run in a north/south direction and will be raised. Council Member Palmer seconded the motion.

Council Member Palmer commented that this has been a long process that started back in November with an open house, public hearings and articles in the newsletter. There was ample opportunity for the public to comment. This project is funded 93% with state and federal funds that could be at risk if we delay. He does not feel this plan would be incompatible with any project. Some of the concerns expressed are unfounded due to the fact that this is a concept; it is not binding and can be modified.

Council Member Topham commented that the land belongs to the city. He is worried that there is inadequate retail space and the plaza space could be used to increase that retail space. He hopes the Council will postpone action until the Village committee has met. If we lose the grant money the sale of the land would match what UDOT is giving the city in grants. He also feels this will not be a gathering spot like has been mentioned.

Council Member Pignanelli expressed concern about the retailers that are still here in the Village Center. She would like to protect them and they have expressed concern that something needs to be started.

Mayor Webb commented that the plaza keeps the historical flavor of the old Holladay Blvd. Losing the plaza space and historical perspective would not be in the best interest of the city. We do have some flexibility and this will be a discussion item at the next committee meeting.

The Council roll call vote was as follows: Council Members Petersen, Pace, Pignanelli, Palmer and Mayor Webb in favor with Council Member Topham opposed. Resolution 2010-13 was adopted by a majority vote.

VI. Consent Agenda

a. Approval of Minutes – March 4 & 11, 2010

Council Member Palmer moved to adopt the consent agenda with the minor editorial changes noted in the pre-meeting. Council Member Pace seconded the motion. The Council voted in the affirmative and the motion carried.

VII. City Manager Report – Randy Fitts

Mr. Fitts was excused due to illness.

VIII. Council Reports

Council Member Palmer thanked Mr. Hall for his letter to the valet company at Tuscany regarding the issues raised at the last meeting in regards to parking. He also noted a gate that had

been installed without knowledge or permission of the city has been removed and double length jersey barriers have been installed.

IX Adjourn to Work Meeting

Council Member Pace moved to adjourn to a work meeting. Council Member Pignanelli seconded the motion. The Council adjourned to a work meeting at 6:24pm.

The minutes for the work meeting follow

WORK MEETING – March 18, 2010

ATTENDANCE

Mayor Dennis Webb
Lynn Pace
Patricia Pignanelli
J. James Palmer
Barry Topham
Sabrina Petersen

City Staff

Randy Fitts, City Manager - *excused*
Stephanie Carlson, City Recorder
Paul Allred, Community Development Dir
Craig Hall, City Attorney

Mayor Webb convened the work meeting at 6:235 pm

1. Discussion on Holladay Village Center

a. Update on Advisory Committee regarding appeal of Planning Commission approval of the final site plan

Mayor Webb sent out a list to all the Council on members of the committee and everyone seems comfortable. He has contacted and visited with each one and they plan on meeting Mondays and Wednesdays from 4:30-6:00pm. The committee will look at the items in the appeal.

Mr. Hall reviewed the process the city went through starting with the environmental study. Part of the process included general concepts. He is concerned that if the City modifies the plaza and character of use we may run into problems with the federal funds. The fundamental plan was approved and if you change the use it raises questions.

2. Discussion on Proposed Rezone for the Tiburon Apts

Mr. Allred reported that he has not been able to contact the owner. He will continue to work on getting a hold of the owner to review with him the options and report back to the Council.

3. Update on Development Projects in Cottonwood Heights

Ms. Carlson reported that Cottonwood Heights is in the process of setting up their General Plan hearings and at their last meeting reviewed the mailer, which she will get a copy. The Council would like to invite City Manager Stillman and Mike Black to a council work meeting once they have gone through their public process.

4. Review & Discuss Existing Annexation Policy Declaration and Modifications

The current plan was originally adopted in 2001 and needs updating. What is the city willing to entertain in the way of annexations? Some of the factors would be economic, school boundaries, etc. The Council asked to start the RFP process for an annexation study that will help outline the scope.

5. Update on Status of Parking at Tuscany/Franc's

Mr. Hall sent a letter to the valet company regarding parking and the new gate that mysteriously appeared that reopened Holladay Boulevard to the Old Mill office park in Cottonwood Heights. That gate has been removed, as have the garbage cans. A concrete barrier has been installed. The Council asked to have Manager Fitts follow up on the status of cleaning up the staging area used by Cottonwood Heights. The Council would like to have a resolution on this matter before next holiday season; this has been an issue for too long and needs to be resolved.

6. Legislative Update

Council Member Pace reviewed the past session and some bills that will affect Holladay. With regards to canals, the city will need to adopt a maintenance plan. There will be a discussion by cities regarding the 911 amendments that past. HB 173 expanded the definition of a public safety answering point and allowed funds to be spent for the 911 fund for the purposes of consulting on the use of public safety answering points (PSAP's). There were also a number of GRAMA and election bills for the City Recorder to follow up on. He also stated SB 217 which levies a surcharge for district courts that we will need to follow up on. The Mayor and Council thanked Council Member Pace for all his time and work.

7. Review of Council Goals

The Council reviewed their goals. The next item is to begin working on an email database and begin getting addresses from residents and Council Members who already have email lists.

8. Discussion Regarding Potential Non-Discrimination Ordinance

Mr. Hall is in the process of getting drafts from other cities.

9. Calendar

The April 1st Council meeting will be cancelled and the meeting schedule for April will be: April 8- work meeting, April 15 and 22 will be regular council meetings.

10. Other Business

X. *Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition*

Council Member Pace moved to go into closed session for the purposes of discussing personnel issues, potential litigation and property acquisition. Council Member Topham seconded the motion. The Council voted in the affirmative and the council convened in a closed session at 7:59 pm.

Those in attendance at this Closed Session were: Council Members Petersen, Pignanelli, Palmer, Topham, Pace and Mayor Webb. Also in attendance were: Craig Hall, Stephanie Carlson and Clarence Kemp.

Minutes for the closed session were taken and are now on file as a Protected Record.

Council Member Pace moved to adjourn the closed session and reconvene the work meeting. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pignanelli, Pace, Petersen, Palmer, Topham and Mayor Webb in favor. The motion to adjourn and reconvene in the work meeting passed by a unanimous vote.

XII. Adjourn

Council Member Pace moved to adjourn. Council Member Palmer seconded the motion. The meeting adjourned at 8:06m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday March 18, 2010.

Stephanie N. Carlson, MMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 5-6-10

Minutes reconsidered and approved: 6-3-10