

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, February 1, 2007  
Council Chambers  
4580 S 2300 E  
Holladay, Utah 84117**

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**BRIEFING SESSION/WORK MEETING - 5:00pm**

***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

**City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney - excused

Ryan Bjerke, Legal Counsel

Mayor Webb conducted the briefing session/work meeting which convened at 5:27pm. The Council reviewed the items on the agenda.

## **Council Meeting – 6:00pm**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney - excused

Ryan Bjerke, Legal Counsel

**Citizens:** Susan Mickelson, Michael Pusey, Peter Taillac, Eli Mills, Bruce Newton and Boy Scout members from Troop 391

### **I. *Welcome - Mayor Webb***

Mayor Webb called the meeting to order at 6:03 pm and welcomed those here for this special meeting.

### **II. *Pledge of Allegiance***

The Pledge of Allegiance was led by Ryan Bjerke.

### **III. *Public Comments***

There were none.

Council Member Orton moved to amend the agenda to move Item 8 up to Item 4. Council Member Peterson seconded the motion. The Council voted in the affirmative and the motion carried.

### **IV. *Consideration of Resolution 07-03 Honoring Paul Hansen (former Olympus High Principal).***

Council Member Orton moved to adopt Resolution 07-03. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Peterson, Pignanelli, Diederich and Mayor Webb in favor. Resolution 07-03 was adopted by a unanimous vote.

Mayor Webb read the resolution then honored Mr. Hansen and his family. He thanked Mr. Hansen for all his has done for the citizens and children of the city.

Council Member Orton expressed his appreciation to Mr. Hansen. Mr. Hansen has shown genuine concern for the children's welfare and has contributed to the totality of Holladay.

Council Member Peterson thanked Mr. Hansen for all he has done and for the impact he has had on the community. His family should be very proud of him.

Council Member Pace was touched by the dismay of the students that he was leaving. That is a true testament to the character and affection Mr. Hansen has for the students of Olympus High. Lynn expressed his thanks as both a Council Member and a parent and is grateful for what Mr. Hansen has done for the community and the children. He will be missed.

Council Member Pignanelli has known Mr. Hansen for a number of years and had the opportunity to work as a fellow educator and admires all he has done. It has been wonderful to follow his career and hopes the friendship will continue.

Council Member Diederich thanked Mr. Hansen for his contribution and for making Olympus High such a great asset to the community.

Mrs. Hansen commented on how proud she was of her husband and what a great time it has been for them both. She has enjoyed the association with the students, teachers and administrators. She is excited for this new adventure with her husband but sad to leave behind such a great school.

Mr. Hansen then took a few minutes. He grew up here in Holladay and felt like he was at home at Olympus. This is a wonderful community and he was worked with great parents and students. He has been so lucky to work and live in such a wonderful city. He thanked all the parents for sharing their students with him, he has loved every moment.

**V. *Precinct Update*** – Capt. Steve DeBry

Capt. DeBry reported that the Holladay precinct is fully staffed and operational in city hall. Briefings for Millcreek, Holladay and Cottonwood Heights will be held here two out of the three weeks. A phone will be installed outside that will be used to get people straight to dispatch. All deputies have access to the facility, the speed trailer will be housed here and there is a contract with the State to get an intoxilizer. He asked if the Council needs specific information to please contact him.

**VI. *Public Hearing on 2006-07 Budget Amendments***

**Mayor Webb opened the public hearing at 6:29pm.** There being no public comments, he closed the meeting at **6:29:30pm.**

**VII. *2006 Audit Report***

Manager Fitts introduced the auditors from Osborne, Robbins and Buhler - Dennis Robbins, Ian Robbins and the City Treasurer Fred Wunderli.

Dennis Robbins reported on the audit. He reviewed the report and hit some of the highlights. The financial statements are fairly stable. Unrestricted fund balance shows the financial condition of the city is good. There General Fund balance exceeds that amount state law requires having in that fund.

Council Member Orton reminded the Council that a resolution was passed stating the fund balance should not be more than 12%.

Mr. Robbins went on to report on some items they found but all these issue have been addressed by staff. They include: tracking of building permit surcharges and a report filed every 30 days, reconciliation and tracking of returned checks (keep worksheet of those returned checks), reconciliation of construction bonds and trust funds payable. Bonds are held by the city until work is completed then refunded but there needs to be periodic reconciliation of those bonds and they need to be refunded in a timely manner. City needs to also track the maturity of those bonds. Finally, credit card use by management, just needs to have sign off from the Mayor or Treasurer.

*Fred Wunderli- Treasurer.* Appreciates the work Dennis and his group do and all the help they give us. They are very professional and do a great job.

Council Member Peterson requested that the audit be moved up so it is done within 90 days of the close of the year. Mayor Webb asked for recommendations from Mr. Wunderli on ways to accomplish that goal.

**VIII. *Consideration of Ordinance 07-03 Adopting a New Chapter 2.06 Pertaining to the Travel Policy for the City of Holladay***

Council Member Diederich moved to adopt Ordinance 07-03. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-03 was adopted by a unanimous vote.

**IX. *Consideration of Resolution 07-04 Pertaining to the Preliminary Selection of a Developer for the Purchase and Development of Property Located at 4668-4680 S Holladay Blvd***

Council Member Orton moved to adopt Resolution 07-04. Council Member Peterson seconded the motion.

Council Member Pace clarified that this extends the time period to work with the developer of the Video Verns property. This is the second extension the developer has been given, is 60 days enough time? We need to move forward quickly and get construction started this year.

The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor. Resolution 07-04 was adopted by a unanimous vote.

**X. *Consideration of Resolution 07-02 Appointing a Mayor Pro-tem***

Council Member Orton moved to nominate Hugo Diederich as Mayor Pro-tem and adopt Resolution 07-02. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor. Resolution 07-02 was adopted by a unanimous vote.

**XI. Council Recommendation to City Manager on 30<sup>th</sup> East and Big Cottonwood Rd Vacationi**

Council Member Diederich made a recommendation to vacate. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor.

**XII. Consent Agenda**

**a. Approval of the Minutes of January 18, 2007**

Council Member Pace moved to approve the consent agenda. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Peterson, Pace, Pignanelli, Diederich and Mayor Webb in favor. The consent agenda was approved by a unanimous vote.

**XIII. Legislative Report/Update**

Council Member Pace updated the Council on what was happening in the Legislative session.

- SB 30 – Small School Districts. It was passed by the house and is going to the Senate next week. There is concern on new construction and reconstruction of schools, but this bill will be amended to include an interim task force be created to look at the finance end.
- HB 233- restricts cities ability to regulate flood plains, fault zones and development on steep slopes  
OPPOSE
- There is a bill that clarifies the process for approving street vacations. SUPPORT
- There is a bill that cleans up land use issues
- A number of bills dealing with sales tax, telecommunication tax and restaurant tax
- SB 20- codifies the sale of 2300 East to the City of Holladay
- Bill to restore the right to exercise eminent domain in RDA's

These are just some of the bills of interest to the city.

**XIV. City Manager Report – Randy Fitts**

- \* He made a decision to close Canyon Cove Drive
- \* Met with General Growth and they are making progress. Hope to have an announcement sometime in March
- \* Meeting monthly with the Lochner Group on the Holladay Village Category X study
- \* Beginning work on the budget for next year
- \* Will be meeting with Jim Glascock on preliminary designs for the park behind city hall and he is working with the County on ZAP funding for the park.

**XV. Council Reports**

Council Member Orton reported on the TEC meeting held on Tuesday. It was an annual meeting of the members to receive updates on the EDA and RDA projects.

Council Member Pignanelli commented on the diversity of the neighborhoods in her area. She told everyone to check out Rebecca Cir where homeowners have put up lit palm trees and flamingos.

**XVI. *Adjourn to RDA Meeting***

Council Member Peterson moved to adjourn the City Council meeting and reconvene as an RDA Board. Council Member Pace seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:30pm

## **WORK MEETING – February 1, 2007**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Craig Hall, Attorney - excused

Stephanie Carlson, City Recorder

Ryan Bjerke – Legal Counsel

Paul Allred, Community Development Dir.

Mayor Webb convened the work meeting at 8:00 p.m.

#### **a. Discussion on Home Day Care**

The Council discussed the issue of 16 vs. 12 for a home day care business. Council Members Diederich and Pignanelli would like to come up with some solution for Becky Snowball. Council Member Peterson is worried about the unintended consequences and the precedence it sets. There is no legal way to grandfather her in. Council Member Pace commented that the number of kids is one issue and what accompanies that (traffic, etc). The Council needs to look at what range of activities are acceptable for a home business. This effects more than one person and we need to look at that as well as how it impacts the city.

Becky Snowball was allowed to comment. She stated that she needs time to phase out and get down to 12. She wants to work another five to six years, by then she will have her home paid off. In order to be profitable with twelve children she will need to raise her costs by \$200/month. This is all a financial.

Council would like to have our City Attorney here to discuss the legal issues and what his thoughts are to make this work, if it can. This issue will need to be resolved by August when her state license comes due.

#### **b. Discussion on Personnel Policy – Sick Leave**

Manager Fitts reported on creating a sick leave buyout policy for the employees. Having a high accumulation of sick leave creates a liability for the city and would like to know how the council feels. The Council is agreeable to this and he will get a policy to them for review and will be part of the budget for the next year.

#### **c. List of Candidates & Qualifications for Planning Commission and Board of Adjustment**

The Council came up with names for possible candidates to serve. The Mayor asked Mr. Allred to send a letter to the individuals mentioned and asked if there are interested in serving and then set up a time to interview each of them. Mr. Allred put together a type of job description for a Commissioner and Board member.

**d. Discussion on Sheriff's Dept.**

The Council discussed what types of reports they would like to see from the Sheriff's Department. They discussed such things as trends, serious crimes by district and what COP activities they have been involved in. Would like to get the information beforehand to review and in the reports just hit the highlights. There needs to be more positive interaction with the deputies and the citizens, the deputies need to build relationships.

The Council would like to see monthly reports on specifics as mentioned above as well as underage drinking and then a quarterly report for the citizens.

**e. Discussion on Cottonwood Historic District**

Council Member Diederich passed out a new map that includes the items the Council requested. One comment was to include the Old Mill on the map. He has talked to Cottonwood Heights and Murray and they are waiting for Holladay to adopt then they will go from there. With that change to include Old Mill, this item is ready for council action at the next meeting.

There being no further business before the Council, Mayor Webb adjourned the meeting at 10:00pm

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, February 1, 2007.*

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Stephanie N. Carlson, CMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 3-1-07