

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Tuesday, January 18, 2007  
Council Chambers  
4580 S 2300 E  
Holladay, Utah 84117**

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**BRIEFING SESSION - 5:00pm**

***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson- excused

Grant Orton

**City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

Mayor Webb conducted the briefing session which convened at 5:38pm. The Council reviewed the items on the agenda.

The Council discussed the joint public hearing on the vacation on Big Cottonwood Road. There is already a building on the site and was not caught until the building went up for sale and the title company notified the buyer. The plan is to vacate the land and sell as surplus.

The Council also discussed postponing the election of a Mayor pro-tem until the full council was present.

## **Council Meeting – 6pm**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson - excused

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

**Citizens:** Clytee Gold, Zach Nelson, Joe Hertig, Spencer Tingey, Samuel Watham, Nioclas Ester, Erik Smith, Eli Mills, David Chisholm

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

Mayor Webb called the meeting to order at 11:06 and welcomed those here for this special meeting.

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

The Pledge of Allegiance was led by Erik Smith, from Troop 193.

Spencer Tingey recited the scout oath, while Joe Hertig did the scout law.

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

There were no public comments

### **IV. *Joint Public Hearing on Vacating a Portion of a Roadway Located at Approximately Big Cottonwood Rd and 3000 East***

Mr. Hall provided the Council and public a report on this issue. Portion of old Big Cottonwood Road was never disposed of properly and a developer since then has constructed buildings over that portion of road.

A series of mistakes were made by private individuals, title and mortgage companies to not catch that the road had not been property surplus prior to issuance of a building permit. There is approximately 8500 sq ft. The proposal is to eliminate the road, declare it surplus and at some point the city sell the property to the property owner. The property is landlocked and only has one property owner. Council will make a recommendation to the City Manager to make a decision.

Council Member Pace asked what raised this issue and why didn't it come up in the title search?

Mr. Hall stated that the owner is selling the property. He has had to postpone closing due to this issue.

Mayor Webb clarified that the chain of events has been done correctly and we do have the right to sell.

Mr. Hall stated that the County has informed the city that it has no interest in the property.

**Mayor Webb opened the public hearing at 6:20:35**

*Eli Mills – realtor selling property.* The County will quit claim their interest to Holladay

Council Member Pace asked if they were willing to pay fair market value?

Mr. Mills replied yes. The appraiser (Bill Lange) was picked by Holladay and the seller will pay and not ask for a reimbursement of taxes.

**Mayor Webb closed the public hearing at 6:22:40pm**

**V. Reports**

a. *Sheriff's Quarterly Report*- Capt. DeBry

Mayor Webb stated that he has asked Capt. DeBry to not give his report at this time until the Council can have a chance to review what type of information they would like to receive that would be relevant to the city and its citizens.

Council Member Diederich moved to table this item. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Diederich and Mayor Webb in favor. Motion to table passed by a unanimous vote.

**VI. Consideration of Ordinance 07-02 Adopting a Consolidate Fee Schedule Pursuant to Chapter 2.56 Code of Ordinances**

Council Member Pace moved to adopt Ordinance 07-02 with the following amendments: deposit will be \$300 instead of \$200. Council Member Pignanelli seconded the motion.

Council Member Orton asked for clarification that these charges are for the public but for government there will be no charge. He suggested the following language on the first page, at the send of the second Whereas to add “all fees for private use of selected rooms”.

Council Member Diederich feels we built this building for the citizens and they own it. Are we trying to make money?

The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-02 was adopted by a unanimous vote.

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

Council Member Orton moved to nominate Hugo Diederich and adopt Resolution 07-02.

Council Member Pace made a substitute motion to delay voting on Resolution 07-02 until a full council is present. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Pignanelli and Mayor Webb in favor, with Council Member Orton opposed and Council Member Diederich abstaining. Motion failed.

Council Member Pace moved to go onto the next item.

### **VIII. Consent Agenda**

#### **a. Approval of Minutes of December 14, 2006 and January 4 & 9, 2007**

Council Member Diederich moved to adopt the consent agenda with the changes that were discussed in the pre-meeting. Council Member Pace seconded the motion. The Council voted in the affirmative and the motion carried.

### **IX. City Manger Report - Randy Fitts**

- \* Wayman Pond will be finished by Friday afternoon. They will need to come back pave and finish up curb/gutter and sidewalk in the spring.
- \* Closed on the Sinclair Gas Station with money received from the County Corridor Fund. Need to figure out a plan for the building. There is graffiti and attempts to break in the building.
- \* Working with Pat Jordan on grants and appropriations for trails and storm drains. Need to bring her back out to see what we are doing.
- \* Waiting to hear from UDOT on safe sidewalk funds

Council Member Orton asked about using funds from Homeland Security for the fire station. Manager Fitts replied that it is hard for Holladay to qualify for Homeland Security funds, due to how funds are based and portioned out on a point system. Need to have departments to fund it through.

\* Lochner Group is working on environmental assessment for the Village Center and they are making progress. There may be some new avenues for using the money on acquisition.

\* the redistribution of restaurant tax that the legislature is proposing could be an advantage to us.

There is not formula distribution set up. He has been asked to do some work on this issue and do some coordination. He just needs some direction on this issue from the council.

\* CERT training has begun and we have had a good turnout for the training. He has asked Dave Chisholm to report. Need to discuss reimbursement for ½ the charge for the training and money for a yearly training/get together.

*David Chisholm* reported on the Are You Ready class and the CERT training. The “are you ready” class had a good turnout where citizens were taught about family preparedness by the UFA. CERT is community preparedness. There is a charge of \$35, but that does not begin to cover the costs. Thanked the city for their support on these training classes.

### **X. Council Reports**

Council Member Diederich asked about the status on the letter to the County/UFA regarding the fairness issue on fire stations relative to age of buildings. Manager Fitts would like to meet with the County Council first and he will bring that up at the appropriate time. Council Member Diederich also asked for an update on the UPD. Mayor Webb reported the there have been numerous discussions and we are still meeting monthly on the UPD and it is moving forward. We are in a delicate area right now with the new Sheriff.

He reported on the Local Officials Day that was attended with Youth Council was excellent. He

encouraged the city to work with the schools, teacher and principals to let the youth be available to attend this event. Council Member Pignanelli commented that the youth council is a supplement to their education. School is the first priority for these kids and we can look at taking the youth up another time.

Council Member Pace reported that Paul Hansen, the principal of Olympus High, will be leaving and replaced by Mark Manning, who is a Holladay resident.

Council Member Orton talked about creating a police department and contract with the county. He also talked about the issue of frozen water mains in the city. He was asked to do an article for the next newsletter on this issue. He expressed concern about business licensing and the revenue being down. He feels we need to be more aggressive. Manager Fitts stated that there have been a lot of businesses that have left in the mall, etc.

Mayor Webb reported that he spoke at the Chamber luncheon last week. There are two seats for the Council to attend these luncheons.

**XI. *Adjourn to Work Meeting***

Council Member Pace moved to adjourn to a work meeting

## **WORK MEETING - January 18, 2007**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson - excused

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Mayor Webb convened the work meeting at 7:18 p.m.

#### **a. Discussion on Proposed Travel Policy**

This policy is to identify, in writing, what the travel policy is and to be consistent with what is approved up front by the department heads. Staff will return and report on the training or conference they attended. The city will pay mileage for personnel vehicles, if using the city car there is a gas card that goes with each car that can be used. For the Council, if the city is not paying directly, they need to fill out the paperwork for their travel/expenses. The Council asked for this to be put on the February 1 agenda for approval.

#### **b. Discussion on Proposed Ordinance Regarding Rental Properties -**

Council Member Orton discussed the proposed ordinance and went over a synopsis of what the ordinance intends to accomplish. It will provide livable conditions for renters and prevent "slum" landlords, prevent financial abuse of renters and hopefully help clean up some of the rental units in the city.

Council expressed concern with the registration process. This would require an increase in budget and staff. The Council asked that Grant, Craig, Paul and Randy sit down and review what is already in the current ordinance and how those can be enforced and come back to the Council with an update.

#### **c. Other Business**

The Council discussed the status of development in the Village Center. The Council wants to see a plan before signing a contract. The agreement with Cowboy Partners will need to be extended. Council would also like to have a closed session on Jan. 25 to discuss acquisition of property.

Council also discussed home day care and do not want to change the ordinance. Council directed staff to write a letter to Becky Snowball to come into compliance and they would like to see a draft of the letter before it is sent out.

Council Member Pace reminded the Council of the legislative luncheon tomorrow and went over some issues for discussion. Those items included: small school districts, sales tax distribution, land-use regulations, and election laws among others.

There being no further business Mayor Webb adjourned the meeting at 9:15pm

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, January 4, 2007.*

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Stephanie N. Carlson, CMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 2-1-07