

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 20, 2006
Council Chambers
4707 South Holladay Blvd.
Holladay, Utah 84117**

WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Citizens: Cathy McKittrick, Jim Palmer

Council Member Peterson conducted the briefing session which convened at 5:05 pm. The Council reviewed and discussed the agenda.

1. Discussion on Financing Options for the EDA

Dale Okerlund from Wells Fargo discussed with the Council financial options for the Millrock EDA. He is working for the EDA not the developer. This project is three years ahead of schedule. Building 1 is completed and fully occupied, building #two is under construction and will be completed in Oct. of this year and is mostly lease, building #three will be finished in October 2007 and is already 10% leased, and building #four is due for completion in December 2008. When a building is completed, it goes on the tax roll and increment starts coming in. The total bond is for \$5 million and is tax exempt. Mr. Okerlund reviewed the time table and revenue bond with the Council.

The Council then reviewed the agenda for the meeting. Council Member Orton moved to recess to the City Council meeting.

Council Member Peterson reconvened the meeting at 8:27pm

2. Update on Holladay Village Center

Mr. Neil Lindberg reported that we are still on schedule. The Commission will make a recommendation on August 1st with a joint meeting schedule on August 10th. There are three things that need to be done: adopt the code regulations, adopt concept design as an amendment to the general plan, and adopt a street configuration.

Jim Palmer, Planning Commission Chair. Took the overlay zone and turned it into a zone. The Council will have to make decisions with regards to height and setbacks in the core. Setbacks will come along the parameter adjoining residential and how do we protect the residences and make the Village Center economically viable. Currently there is a 15ft landscape buffer. Need to also discuss square foot limitation and what is the maximum we are willing to allow? This needs to be financially feasible.

The Council discussed how the HVC zone will work. It will be a zone with development standards and procedures. The current proposal is limited in usages allowed in the zone. All commercial retail will be allowed. Also, discussed drive-thrus which can be limited if the Council desires. Only conditional uses, under this proposal, are multiple family residential. In the draft zone there are two sets of standards to get approval. One is development standards (height, setback, parking, etc) and the other is design guidelines. Conditional uses have gone away and the uses become permitted through the design review process.

The Planning Commission and City Council will hold a joint work meeting on August 10 at 5pm to discuss the Holladay Village Center and the recommendations.

There being no further business Council Member Pace moved to adjourn. Council Member Orton seconded the motion and the meeting adjourned at 9:00pm

REGULAR MEETING - 6:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Citizens: Conway Snyder, Leslie Chatelain, Robert Hill Jr., Rebecca Cowder

I. *Welcome* - Council Member Steve Peterson

Mayor Webb called the meeting to order at 6:08 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Captain Steve DeBry.

III. *Public Comments*

Conway Snyder - 2010 Lincoln Cir. Spoke of the temporary regulations that were recently enacted. They are finalizing plans for their home which have been submitted. His plan calls for a height of 35 ft. He understands the ordinance but is upset about it and would've liked to see a phase-in period because neither his builder or architect were aware of what was happening. He may or may not be able to build what he has planned. He is in a very eclectic neighborhood and feels this is an onerous burden.

Council Member Pace responded that we feel this ordinance is important to preserve the character of the neighborhood. If you cannot persuade your neighbors or planning commission then you probably ought not do it. This is not a knee-jerk reaction by the city. We have been studying this issue for six months and it has been on our agenda number of times.

Council Member Diederich understands his concerns but people need to realize this is a temporary ordinance. Appreciates the comments. He doesn't know how else to stop something that has been so abusive in our area. This hurts both sides and we are trying to come up with something fair and equitable to both sides.

IV. *Reports*

a. *Summerdaze Wrap-up*

Suzanne Hanson reported on the recent Summerdaze festival. The committee felt great about the event

and the arts council was very positive and happy. The artists did better this year than in the past and are excited about coming back next year. They did talk about changing the date to the end of summer but getting performers and artists will be harder.

Council Member Diederich felt it was too long of a day with trickles of people. Would like to see them consider having it start later and compact it more.

Ms. Hanson replied that the committee did talk about the length. The artists really like to be done by 7pm and they need to be there long enough to make it worth while. The Arts Council wants to extend it until 10. Thinks doing from 10-6 would be great but the Arts Council is against that. She suggested divorcing the event from the run.

Council Member Peterson commented that the breakfast is an important part of the run, but doesn't feel like it has to start at breakfast and continue on throughout the day. He suggested having most of the events later in the evening when it is cooler. Feel families would come later for dinner, then entertainment and kids could gather around big blow up slide with lights on them.

Council Member Orton suggested staggering the event. Start with run and breakfast and the artists booth throughout the day, then start events in the evening.

The Council would like to see the name changed. The name needs to be unique and have "Holladay" in the title somewhere so people know who is sponsoring the event. Feel we also need to have more advertising in the Holladay Journal rather than sending out individual flyers, which went out late.

b. *Semi-Annual Sheriff's Report* - Capt. Steve DeBry

Captain DeBry presented his semi-annual report to the Council. Capt. DeBry stated that his goal is to provide safety for people and property. The number one complaint he gets is speeding. The citations are a means to the end and is one of the tools used to accomplish a goal which is quite simply comply with the law. Deputies do have discretion on the tickets they write (warning, citations, etc) and do give them a break. There is a baseline he expects from his deputies. Capt. DeBry also commented that a deputies car is their office for 10hours, they write reports and do paperwork.

Council Member Peterson would like to see how these citation numbers compare to last years.

Council Member Orton commended Capt. DeBry for all his work he is doing with the deputies he has. He urged the Council to attend the Citizen's academy or do a ride-along because it is so valuable. He commented that there is a misperception on the part of the Council and the community what exactly the role of an officer is.

V. *Consideration of Resolution 06-25 Recognizing the Contributions of Deputy Michael Ashley*

Capt. DeBry stated that Deputy Ashley is being transferred to the court services division in the drug court.

He has served in Holladay for over six years and been a model deputy. He has done a lot with the community as a COP officer and has been active with the fraud and id theft. This is a career move for him and we will miss him.

Council Member Peterson commented that Deputy Ashley has gone above and beyond the call of duty. We congratulate him and wish you luck. He put the right face on policing in Holladay and we appreciate it very much.

Council Member Orton read the resolution for the public. Deputy Ashley truly cares and is concerned about the juveniles in the city and admires him.

Council Member Orton moved to adopt Resolution 06-25. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Pace, Diederich and Peterson in favor. Resolution 06-25 was adopted by a unanimous vote.

VI. *Consideration of Resolution 06-18 Authorizing the Mayor to Execute a Agreement with Cottonwood Heights for an Easement for the Placement of a Gateway Sign* (7:19)

Council Member Orton moved to adopt Resolution 06-18. Council Member Pignanelli seconded the motion.

Council Member Pace expressed his concern that we are talking about a perpetual easement which is not the appropriate vehicle and is the wrong time due to utility problems. Anxious to maintain positive relationship with Cottonwood Heights.

Council Member Diederich still has a concern and feels this is too far in advance and is binding a future council.

The Council roll call vote was as follows: Council Member Peterson, Pignanelli and Orton in favor with Council Members Pace and Diederich opposed. The motion failed for lack of majority.

VII. *Response to Request by Sheriff's Citizen Advisory Committee on Alternative Traffic Citations (ATC)* (7:27:35)

The Council asked Mr. Hall and the City Prosecutor to review the proposal for the Sheriff's Citizen Advisory Board as to the ATC. He submitted their written opinion to the Council. The proposal as written does not met the provisions of the state statue and they cannot support the implementation.

Council Members Diederich and Pignanelli asked if it would be appropriate for the city attorney to come up with other solutions or explore other options. Let's use the other tools other than tickets and be creative.

Council Member Orton feels we are reacting to a very small minority, while the majority have not spoken

on this yet. We need to try and solicit from our citizens obedience to the law.

Council Member Pace commented that the issue being raised is real but he is not convinced that it represents the view of the majority of our citizens. He gets more complaints that the city is not doing enough to slow down traffic. The Council and city have to resume responsibility for establishing, in some cases, unreasonable traffic regulations. If you leave on a through street don't expect it to be the same as a residential neighborhood. The speed limit on Cottonwood Lane is unrealistic. He feels we have unfairly punished our citizens for driving on the only through street between 6200 S and Murray Holladay Rd because citizens in the area would like it to be a quiet, residential street. Need to have appropriate speed limits for the nature of the street. It is not the outsiders who are the offenders it is our citizens.

Council Member Pignanelli likes the idea the Capt. DeBry will be having a night for citizens to meet with him and discuss issues such as this. Feels it is a good idea to look at the speed limits on some of our streets.

VIII. *Review of Temporary Regulations (Ordinance 06-17) - (7:41)*

Staff expressed concern on the implementation of the ordinance. Over the counter you get the most restrictive, if you want the less restrictive you go the Planning Commission or your neighbors. But under no circumstance do you get anything other than those two options. How do you get a sense of what the development pattern is?? We may need to define a neighborhood or immediate vicinity. The applicant needs to come in and make their case. Mr. Hall asked to give the staff two weeks to see and evaluate what applications are received.

Jim Palmer, Planning Commission Chair expressed concern on getting neighbors to sign off. Also feel a new body will have to be created to handle all these requests.

IX. *Consent Agenda*

a. Approval of Minutes - June 8, June 15 and July 6

Council Member Pace moved to approve the consent agenda. Council Member Orton seconded the motion. The Council voted in the affirmative and the motion carried.

X. *City Manager Report - Randy Fitts*

* Wayman Pond has gone back out to bid, but will not see construction this year.

* The UPD Board took a turn at their last meeting. The Board is looking at options and financing.

We will never get a contract as cheap as we have now with the County, it will go up.

* City hall update. Administration could move in next week. Biggest problem is the wood, cannot get people to finish the trim. We will not be moving until the first of September.

XI. *Council Reports*

There were none.

XII. Closed Session pursuant to Utah Code Section 52-4-5.1 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition

Minutes for the closed session were taken and are now on file.

Council Member Pace moved to adjourn the closed session. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Pace, Diederich and Peterson in favor. The motion to adjourn passed by a unanimous vote.

XII. Adjourn

Council Member Diederich moved to adjourn at 8:11 pm and reconvene to a City Council work meeting.

Thereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, July 20, 2006

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 8-3-06