

**MINUTES OF THE HOLLADAY
CITY COUNCIL WORK MEETING**

Thursday, July 9, 2009

5:00 p.m.

City Hall – Mt. Olympus Room

4580 S 2300 E

Holladay, Utah 84117

ATTENDANCE

Mayor Dennis Webb

Council Members

Lynn Pace – *excused*

Grant Orton

Pat Pignanelli

Jim Palmer

Barry Topham

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

Others: Kris Longson, Les Chatelain, Rebecca Palmer, Raili Jacquet, Marty Slack,
Capt. Chris Bertram

1. Call to Order

Mayor Webb called the meeting to order at 5:21pm.

2. Discussion Regarding Extension of Zoning Approval for Cottonwood Mall

Mayor Webb stated that the city gave them a two-year zoning approval based upon construction starting in that time. Kris Longson commented that the permits we have taken out for demolition and other site work, constitute a building permit. Mr. Longson also proposed removing the time frame of it reverting back to commercial. The Council and Mr. Longson just want something in writing so there are no issues and to reinforce with a resolution at the next meeting. Craig Hall stated in his opinion they have taken out a demolition permit and paid the impact fees and that shows compliance with the two-year requirement. Mr. Longson reported that this Macy's store is one of the best stores in the market and they are trying to lease the TGI Friday's building. Also, they have hydro seeded the entire site and it is now starting to grow.

3. Discussion on Proposed Amendments to the Wireless Telecommunications Ordinance (Ham Radio)

This recommendation comes from the Planning Commission. Mr. Hall reported that he met with David McPhie, who has been involved with ham radios for over 20 years. He gave them some good ideas and technical suggestions. The proposal is for a conditional use permit is required for any facility on less than a ½ acre and 20 ft above the maximum height allowed for a structure in that zone. The Council would like to see the setbacks as far ways as possible from abutting properties from a safety standpoint. One of the standards of the industry is the tower cannot exceed 75% of wind loading and that the height of tower has to be proportional to the wave length. This hobby is a dying hobby. The public hearing next week will be on the recommended language from the Planning Commission. Mr. Hall will work up a second draft for the

Council to consider.

4. Update on Holladay Village

Manager Fitts told the Council he is worried about the schedule. The utility companies are hurting us with unexpected delays (Holiday & SLC Water, Questar, etc.). They may need to begin working 24/7. The leverage we have is that they are in our roads. Mr. Hall and Mr. Kemp will work with the utilities one-on-one and report back to the Council. Concrete is being poured for the new roadway.

5. Discussion on Proposed Commercial Zones

Mr. Allred provided the Council with a brief summary of the proposed changes to the Commercial zones. The C-1 and C-2 zones will be given new names and then we added a new Neighborhood Commercial zone and standards. It gives more flexibility with parking, setbacks and how sites are developed to help encourage commercial. The land-use table has also been redone to separate out permitted, conditional and non permitted uses. The next step is to hold a public hearing which will be scheduled for August 6. Mayor Webb asked that a member of the Planning Commission be present at the hearing. Council and staff then discussed the noticing requirements for the hearing.

6. Letter of Consent for DABC Regarding Liquor License for Café Normandie

Mr. Hall stated that this is directly related to the rezoning issue previously discussed. The property is zoned C-1 so no liquor is allowed. They would like to apply for a limited use alcohol license (wine and beer) on premise through DABC. In order for them to submit a completed application they need a letter from the City stating that we do not have a problem with that type of a license being issued (letter of local consent). Mr. Hall contacted DABC and they will look at a conditional letter of consent with the condition that a license will not be granted until the zone has been changed.

Council Member Topham commented that this establishment doesn't need a liquor license to be successful and is concerned with granting this license. He pointed out that there is a problem with substance abuse in this country and we are sanctioning it.

7. Other Business

Mayor Webb discussed the UPD agreement, version 17. At the meeting today, term and asset ownership was discussed. There was new language added on the term to be in the UPD 18 months with a one year withdrawal notice and be out in 2 ½ years. After five (5) years the municipalities are vested and when you leave you take your assets. They also reviewed the financials and changes will be made and new copies will be available tomorrow for the Council. If we go with the UPD this year we will stay under the old formula but the Board would look at an 80/20 or 70/30 (population and calls for service.) They are aiming to get the agreement done by August 1 and signed by August 15.

The Council discussed when a vote will be taken on police services and August 6 is when it will be on the agenda. This gives the Council time to review the financials and get any questions answered.

Council Member Orton was excused at 6:45pm.

The Mayor also discussed the meeting he had with Norm Olsen on a statue for the plaza. Mr. Olsen thinks

he can get 20-25 residents to commit to \$5,000 each over five years on a pledge basis. The City would do a line of credit based on those pledges. There are already two pledges for \$10,000 and it would show as a line item in the budget. Steve Gilbert will design it at no cost. He would then go out and get proposals from potential artists. The Council was amenable to this idea and the Mayor will follow up with Mr. Olsen and Mr. Gilbert.

8. Open Meeting Training

Mr. Hall provided the Council with the annual Open Meetings Training. He stated that all meetings are open, the noticing requirements, minutes and recordings of those meetings. He discussed closed meetings and that minutes are taken in closed meetings. He also went over the six reasons to hold a closed meeting. Anything discussed in those meetings is not to be disclosed to a spouse or anyone not in the meeting or it is a Class B misdemeanor. Mr. Hall also discussed the changes in State law regarding minutes and when they are available to available to the public.

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

Council Member Palmer moved to go into closed session for the purposes of discussing personnel issues, potential litigation and property acquisition. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the council convened in a closed session at 7:17 pm.

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

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

Council Member Palmer moved to adjourn the closed session and reconvene the work meeting at 7:27pm. Council Member Topham seconded the motion. The Council roll call vote was as follows: Council Members Pignanelli, Palmer, Topham and Mayor Webb in favor. The motion to adjourn and reconvene in the work meeting passed by a unanimous vote.

9. Adjourn

There being no further discussion, Mayor Webb adjourned the meeting at 7:41pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council work meeting held Thursday, July 9, 2009

Stephanie N. Carlson, CMC

Dennis R. Webb, Mayor

Holladay City Recorder

Minutes Approved: 8-6-09