

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, June 15, 2006
6:00 p.m.
Council Chambers
4707 South Holladay Blvd.
Holladay, Utah 84117**

BRIEFING SESSION - 5:00pm

ATTENDANCE

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

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

Council Member Orton clarified Item #5 on the agenda. There has been some minor adjustments with the wording and other housekeeping issues. This ordinance is aimed at the habitability of the structure only and is addressed upon complaint.

The issue of enforcement was discussed and the Council requested discussing this issue in a work session with the Code Enforcement Officer and Community Development Director present.

REGULAR MEETING - 6:00pm

ATTENDANCE

Mayor Dennis Webb

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: Dave & Tonya Meadows, Leslie Chatelain, David Chisholm, Henry Kesler, Jessica Jenkins, Lisa Richards, Gary & Mary Purk, Richard & Eve Bier, Chris Dansie, Michael Pusey, Gary & Vicky Margetts, Heidi Harris, Boyd & Carolee Seal, John & Kris Erickson

I. *Welcome* - Mayor Dennis Webb

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 Randy Fitts.

III. *Public Comments*

Jessica Jenkins - 2707 Kelly Ln. Speaking on behalf of 17 homeowners on Kelly Ln, we are requesting street lamps for the safety, security and beauty of the neighborhood. We would like the city to pay half the cost for street lights and hope money for this program will be allocated in the budget. The lighting proposal is from Bekin Lighting for nine lamps at a total cost of \$12,600 and we are asking for the city to pay \$6,300 and each homeowner will pay \$371.

Council Member Orton commented that the city has talked about this issue for a number of years and even discussed having a project area. This is a city-wide issue, not just one neighborhood.

Gary Purk - 1578 E Bowden. Spoke regarding rezone request along Highland Dr. He appreciates the public process for this rezone request. The project is consistent with the general plan and has the support of the Planning Commission who voted in favor. He has compromised on the number of structures(from 10-8) and no access to Baywood Cir. The neighbors now support the project. The alternative of four paired homes compared to 3 ½ acre homes is inconsistent the with neighborhood and neighbors do not want the building height. The project has received numerous compliments. Need best use of land along Highland Dr and start making improvements. He has done everything asked of them and more and will disappointed if this request is denied.

Henry Kesler - 4597 Aspen Hollow Ln. He publically thanked the city and committee for their time and work on the Summerdaze festival. The festival was a huge success.

Gary Margetts - 1363 E Kings Row Dr. Spoke regarding the house to west of him that there are a # of violations and has under construction going on 18 months. He has complained but nothing is being done and sees no end in sight. The permit was originally taken out in the county and he has been back and forth between the city and county.. There are two ponds in front of house that cause stench and mosquitos. The home is an eyesore and exceeds height requirement. He plead with the city to do something about this house owned by Bob King. The house to east is just as bad and is suffering.

Clarence Kemp commented that he has asked the County to turn the permit over to city - but they denied. The owners permit from the county is close to expiring and once that happens he will have to take a permit out with Holladay unless he calls for an inspection, it is continued for six months. Doug Brewer, the city's code enforcement officer, has requested a four-way inspection and is working on this issue.

Mr. Hall explained that the city can enforce the violations that are on the outside from a zoning enforcement stand point. This is a complicated situation and we are working on it from all angles.

Mr. Allred commented that he is also aware of this issue and has been getting frequent updates from Mr. Brewer on the situation and he is working hard on this issue.

IV. *Consideration of Ordinance 06-16 Amending the Zoning Map Regarding Properties Located at 5310 S Highland Dr (aka Purk's) from R1-21 to R2-10*

Council Member Orton moved to deny Ordinance 06-16. Council Member Pignanelli seconded the motion.

Council Member Pace commented that he is sensitive to the need for greater flexibility for development along Highland Dr. He expressed concern that the need for that flexibility once you go farther into the block from Highland Dr. He would be more receptive to rezoning a portion of the property but he against rezoning the entire parcel. Need flexibility closer to the street.

Council Member Diederich commented that the people who live back there are unreasonable, in his opinion, for not working with the owner and he is opposed to motion.

The Council roll call vote was as follows: Council Members Pace, Orton, Pignanelli, Peterson and Mayor Webb in favor with Council Member Diederich opposed. Ordinance 06-16 was denied by a majority vote.

6:31 Council Member Pace moved to initiate a petition to review and make recommendations regarding the zoning and development for properties along Highland Dr from the Cottonwood Mall to I-215 and other major corridors in the city. Council Member Diederich seconded the motion. The Council voted

in the affirmative and the motion carried.

V. *Consideration of Ordinance 06-10 Enacting a New Chapter Pertaining to Existing Non-Owner Occupied Residential Housing to be Known as Chapter 15.32* (6:36)

Council Member Pace moved to adopt Ordinance 06-10 with one modification: remove references to square footage limitations upon occupancy and authorized the city attorney to make housekeeping adjustments. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Peterson, Diederich and Mayor Webb in favor. Ordinance 06-10 was adopted by a unanimous vote.

VI. *Consideration of Ordinance 06-13 Adopting a Final Budget; Making Appropriations for the Support of the City of Holladay for the Fiscal Year beginning July 1, 2006 and Ending June 30, 2007* (6:38:05)

6:38:30 Council Member Peterson moved to adopt Ordinance 06-13. Council Member Pace seconded the motion.

Council Member Orton would like the city to add sufficient funds for a test lighting project in city in the amount of \$7,000 to be used in a test area at the manager's discretion.

Council Member Pace asked if that money could be taken out of sales tax revenue, which means projecting that there will be an increase of \$7,000. He is not opposed to street lights but the difficulty is who you say yes and no to. Once we start we will get requests that will exceed what we can fund. We need to adopt a program and policy for a 50/50 match and be very careful. He commended the work the neighborhood had done on this project. The question remains though - how does it get funded - is based on need, safety, requests etc.?

Council Member Orton stated that we need to clearly state that this is a demonstration project and we will need to come up with a policy.

Council Member Peterson expressed concern that we wanted to design village center lighting and follow that out through the city. Issue is who do we give the money to?

Mayor Webb commented that this is not a money issue. This is the citizen's money - we have sidewalk, road, water and other type of issues and needs. This is a safety issue but there is only so much money. We need to balance the budget and be fiscally responsible to our citizens. If we do this project it will be at expense of something else. We as a City Council need to prioritize budget needs and constraints.

Manager Fitts suggested that the city could create a Special Improvement District (SID) for a street lighting program if this does take off.

Council Member Pace asked how do you prioritize who gets street lights? The needs on this street are less

compelling(it's a circle, there are sidewalks) than on others in the city. We need to live within the revenues listed and transfer it from "a to b".

Manager Fitts stated the \$7,000 could be taken out of property acquisition on pg 36.

6:57:10 Council Member Pace moved to adopt Ordinance 06-13 with the following amendment - reduce line item on page 36 for land acquisition by \$7,000 and add a new line item identified as street lighting for \$7,000 and funds be used pursuant to policy adopted by the council. Council Member Peterson accepted amended motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Diederich, Peterson and Mayor Webb in favor. Ordinance 06-13 was adopted by a unanimous vote.

VII. Consideration of Ordinance 06-14 Determining the Rate of Tax and Levying Taxes Upon All Real and Personal Property Withing the City of Holladay for the Fiscal Year 2006-07

7:02:06 Manager Fitts explained that due to the rate of growth they decreased the rate of tax. All sister cities are doing increase in property or franchise tax while we are seeing a decrease of about 7%.

Council Member Orton moved to adopt Ordinance 06-14. Council Member Pignanelli seconded the motion.

Council Member Orton commented that in terms of property tax rates we are low. Property values are increasing and that allows us to make reductions.

The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Peterson, Diederich and Mayor Webb in favor. Ordinance 06-14 was adopted by a unanimous vote.

VIII. Consideration of Ordinance 06-15 Amending the Budget for the City of Holladay for the Fiscal Year Beginning July 1, 2005 and Ending June 30, 2006 (7:05:20)

Council Member Pace moved to adopt Ordinance 06-15. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Peterson, Diederich and Mayor Webb in favor. Ordinance 06-15 was adopted by a unanimous vote.

Council Member Peterson was excused at 7:06pm

IX. Consideration of Resolution 06-18 Authorizing the Mayor to Execute an Agreement with Cottonwood Heights for an Easement for the Placement of a Gateway Sign

Council Member Diederich would like some type of visual on where this sign would go.

Council Member Diederich moved to table Resolution 06-18. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Pignanelli, Diederich and Mayor Webb in favor with Council Members Pace and Orton opposed.. The motion to table FAILED.

7:14:40 Council Member Pace made a motion to adopt Resolution 06-18 as a license or lease agreement.

Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Pace, Pignanelli, Orton and Mayor Webb in favor with Council Member Diederich opposed. Resolution 06-18 was adopted by majority vote.

Council Member Pace moved to reconsider the previous motion. Council Member Diederich seconded the motion. A majority of the council voted to reconsider with Council Member Orton opposed.

Council Member Pace moved to table Resolution 06-18 for further consideration. Council Member Diederich seconded the motion. The Council roll call vote was as follows: The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Peterson, Diederich and Mayor Webb in favor. Resolution 06-18 was tabled by a unanimous vote.

X. *Consideration of Resolution 06-21 Reappointing Lynda Shields to the Planning Commission (7:17:04)*

Council Member Orton moved to adopt Resolution 06-21. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Peterson, Diederich and Mayor Webb in favor. Resolution 06-21 was adopted by a unanimous vote.

XI. *Consent Agenda*

a. Approval of the Minutes of April 20, May 18 and June 1, 2006

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

XII. *City Manager Report - Randy Fitts*

Manager Fitts reported on the following:

- * there is a lot of progress being made on the new city hall and we are aiming to move the last week of July.
- * met with Millrock on the EDA and bonding request. Feel positive this will happen quickly.
- * the Environmental Assessment with UDOT on the HVC closed today and a decision will be made early next week.
- * the RFP for the school feasibility study closed today with no response.
- * the city will open bids on Tuesday for Wayman Pond
- * Summerdaze - a lot of time and effort (race numbers were down about 45) but overall it was a success.

- * 4th of July activities are under way with entertainment and booths
- * Complimented Doug Brewer. He is working hard on enforcement issues. There is a lot of documentation, pictures, follow up, coordination and steps to follow on enforcement/complaint issues. Commended Doug for time and effort.

XIII. *Council Reports*

There were none

Mayor Webb stated that he has asked Council Member Pace to chair a task force on education concerns.

XIV. Adjourn

Council Member Diederich moved to adjourn at 7:26 pm and reconvene as an RDA Board.

WORK MEETING

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 7:45pm

a. Review of Summerdaze

Kris Erickson reported that they had 274 racers but there were 295 actually registered. Feel weather the night before might have been a factor. The kids race is a huge success. Would like to know ahead of time if runners have to pay for breakfast so they can be notified. She also asked to be included on the committee if the race coincides with the event next year. The race is always the second Saturday in June.

The council discussed the recent Summerdaze festival. There was a steady stream of people all day and it was a terrific success. The Council is not crazy about the name and would like to see "Holladay" in the name somewhere so people know it is a city event or tie into a central theme "Heart of Holladay, which the council liked. The whole marketing needs help and there needs to consistency on what we are doing (art show, breakfast, concert or what). They like the breakfast and race in the morning, which is a tradition. Talked about maybe doing an arts festival in the fall in order to space the events out more. The booths were far better this year and sales were good.

Need to have an after-action review with the committee within a week after the event. Need to meet with committee and see if out of that committee we can get a chair and vice chair. We also need to decide what events the city is going to have throughout the year.

b. Discussion on Agreement with Upper Canal

Mr. Hall updated the Council on his meeting with Jeff Niemeyer and Chris Bramhall from Salt Lake City. They have meet with the Upper Canal board and are close to getting something back to us.

c. Discussion on Planning Commission Appointments

There is another term that expires at the end of June, which is Cy McKell from District Two. Council Member Pace will explore options and report back to the Council.

Mayor Webb moved to adjourn. Council Member Pace seconded. The work meeting adjourned at 8:20pm

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, June 15, 2006

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 7-20-06