

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, June 4, 2009  
Mt. Olympus Room  
4580 S 2300 E  
Holladay, Utah 84117**

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**BRIEFING SESSION - 5:00pm**

***ATTENDANCE***

Mayor Dennis Webb- *excused*  
Lynn Pace - *excused*  
Patricia Pignanelli  
J. James Palmer, Jr.  
Barry Topham  
Grant Orton

**City Staff**  
Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney  
Clarence Kemp – City Engineer

Council Member Pignanelli called the briefing session to order at 5:25 pm. With both the Mayor and Mayor Pro-tem being absent this evening the Council will need to elect someone to conduct the meetings. Council Member Palmer nominated Council Member Pignanelli. Council Member Orton seconded. The Council voted in the affirmative and the motion carried.

The Council discussed the proposed ordinances and feels that there are too many questions on the livestock and fencing ordinance and would like to see that postponed to a work meeting for further discussion. Also, the campaign finance ordinance is not ready to be voted on as the Council has not had a chance to even see the proposed language. The Council then discussed the polling locations for the upcoming election. Ms. Carlson reminded the Council that it is an all or nothing approval. The county has chosen these locations for consistency with all the elections. The Council would like to see education on the new locations and communication of the changes to our citizens.

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**June 4, 2009  
Council Chambers  
4580 S 2300 E  
Holladay, Utah 84117**

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**Council Meeting – 6:00pm**

***ATTENDANCE***

Mayor Dennis Webb - *excused*  
Grant Orton  
Lynn Pace - *excused*  
Patricia Pignanelli  
J. James Palmer, Jr.  
Barry Topham

**City Staff**  
Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney

**Citizens:** Jo Stoddard, Thomas Breitling, Sue Gardner, Joe Moslander, Helen Redd, David Chisholm, Doug Stark, Danny Schoenfeld, Janet Jenson, Liane Stillman, Robby Russo

**I. *Welcome***

Council Member Pignanelli called the meeting to order at 6:07 pm and welcomed those in attendance.

**II. *Pledge of Allegiance***

The Pledge of Allegiance was led by Robby Russo.

**III. *Public Comments***

*Tom Breitling – 4794 S 2124 E.* Spoke on the proposed campaign finance ordinance. He feels the caps are too high.

*Helen Redd – 2487 Haven Ln.* Spoke on the proposed campaign finance ordinance. This proposal takes away local control. Need to have limits that fairly represent the amounts of money that are appropriate to accept. The limits should be \$100-200 per individual with no contributions from PAC's.

Council Member Palmer noted that there is currently no limit.

*Becky English.* She also spoke on the campaign finance proposal. . With the proposed limits it feels like you are taking away control from the individual. The limits should be lower so people can contribute.

*Jo Stoddard – 5711 Holladay Blvd.* She spoke on the proposed livestock ordinance. She would like to see the definition changed from “over an acre” to “one acre and larger”.

Council Member Pignanelli explained that the public hearing on the proposals for police services is scheduled for June 11, not this evening.

**IV. *Joint City Council & RDA Public Hearing on Proposed 2009-10 Budgets***

**Council Member Pignanelli opened the public hearing at 6:19pm**

Manager Fitts discussed the budget and the difficulties he encountered with this budget. The numbers are constantly changing and no one can predict what will happen in the coming year. This is a lean, balanced budget with no tax increase, additional hires or raises. All departments show a decrease, except for fire and police services. Sales taxes are down by an average of 11%.

*There were no public comments.* **Council Member Pignanelli closed the public hearing at 6:25pm.**

**V. *Consideration of Ordinance 09-06 Amending the City Budget for the Fiscal Year Beginning July 1, 2008 and Ending June 30, 2009***

Council Member Topham moved to adopt Ordinance 09-06. Council Member Orton seconded the motion.

Council Member Orton explained that this is amending this current year's budget.

The Council roll call vote was as follows: Council Members Orton, Topham, Palmer and Pignanelli in favor. Ordinance 09-06 was adopted by a unanimous vote.

**VI. *Consideration of Ordinance 09-07 Amending Chapter 13 of the Code of Ordinances by Amending Sections 13.04.326, 13.14.020(B) and 13.14.030(A) Pertaining to Livestock***

**VII. *Consideration of Ordinance 09-08 Amending Chapter 13 of the Code of Ordinances by Amending Sections 13.14.065 Pertaining to Setbacks on Double Frontage Lots***

**VIII. *Consideration of Ordinance 09-09 Amending Chapter 13 of the Code of Ordinances by Amending Sections 13.76.710 Pertaining to Fencing on Corner Lots & Private Rights of Way***

Council Member Orton moved to postpone Items 6, 7, 8 and 10 until July 2. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Orton, Topham, Palmer and Pignanelli in favor. Items 6, 7, 8 & 10 were postponed until July 2<sup>nd</sup>.

**IX. *Consideration of Ordinance 09-10 Amending Chapter 15 of the Code of Ordinances by Amending Section 15.08.010 Pertaining to Technical Codes***

Mr. Allred explained that this is just a housekeeping matter. The abatement of dangerous buildings and property maintenance are stand alone codes and not part of the International Building Code.

Council Member Orton hates to be a rubber stamp for the State. Mr. Allred will prepare a summary of why this is needed and what the codes do.

Council Member Palmer moved to postpone Ordinance 09-10 until July 2<sup>nd</sup>. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Topham, Palmer and Pignanelli in favor. Ordinance 09-10 was postponed until July 2<sup>nd</sup>

**X. Consideration of Ordinance 09-11 Regarding Campaign Contributions**

*This item was postponed until July 2<sup>nd</sup> (see motion above).*

**XI. Consideration of Resolution 09-20 Establishing the Polling Locations for the 2009 Elections**

Council Member Palmer moved to adopt Resolution 09-20. Council Member Topham seconded the motion.

Council Member Palmer noted that the polling locations are being established by the County Clerk and not the City Council. There are a number of changes in voting locations and we have been told there are intended to become permanent for all elections.

The Council roll call vote was as follows: Council Members Orton, Topham, Palmer and Pignanelli in favor. Resolution 09-20 was adopted by a unanimous vote.

**XII. Consent Agenda**

**a. Approval of Minutes – May 21, 2009**

Council Member Topham moved to approve the minutes of May 21, 2009 with the changes noted in the pre meeting. Council Member Orton seconded the motion. The Council voted in the affirmative and the motion carried.

**XIII. City Manager Report**

Manager Randy Fitts reported on the following:

- \* the safety fair was held last Thursday and was very well attended. The City has received a lot of positive comments about the event.
- \* Leslie's Bakery has opened in its new location and he is very happy. It's been a big improvement. Normandie Bakery has also relocated and is doing well.
- \* The 3900 S project went out for bid. The estimate was \$5.4 million and the low bid came in at \$2.9 million. The City pays 3%.

**XIV. Council Reports**

Council Member Pignanelli received a lot of compliments and felt is was a great community event. Her Celebration Walk was this past weekend. Donations were made for beautification and the money will be used for bike racks, benches. There is a need for community projects and something will be done once a month. Council Member Pignanelli also announced that she will be running again for Council District Three.

**XVI. Adjourn to a Work Meeting**

Council Member Orton moved to adjourn to a work meeting. Council Member Palmer seconded the motion. The Council voted in the affirmative and the meeting adjourned at 6:45:30pm

**The minutes for the work meeting follow**

## WORK MEETING – June 4, 2009

### **ATTENDANCE**

Mayor Dennis Webb - *excused*  
Lynn Pace - *excused*  
Patricia Pignanelli  
J. James Palmer  
Barry Topham  
Grant Orton

### **City Staff**

Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney  
Clarence Kemp, City Engineer

Council Pignanelli convened the Council in a work meeting at 6:46 pm.

### **Holladay Village**

*Clarence Kemp* updated the Council on the Village Center construction process. We have received minimal comments from the business community and are on schedule. This past week they found five underground storage tanks that have been removed and there was no leakage. Federal financing is being sought for the cost of removal. The burial of the power lines is almost done and wires are being pulled. All the poles will come down once the lines are reconnected to the buildings.

### **Discussion on Status of Fire Station**

Manager Fitts reported that the criteria is now available for fire station funding and is due July 1. There are some very positive things that could help Holladay and we have started planning on how to submit that request. We seem to have congressional support.

### **XVII. Recess to RDA Meeting**

Council Member Orton moved to recess to an RDA meeting. Council Member Topham seconded the motion. The Council voted in the affirmative and the work meeting recessed at 7:00pm.

**Council Member Pace arrived at 7:35 pm.** Council Member Pignanelli reconvened the work meeting at 7:36pm.

### **Discussion on Police Services**

The Council reviewed a tentative timeline for discussion and decision. There will be a public hearing on June 11, a special work meeting on June 25 and a decision either on July 9 or 16. The Council also discussed the proposed UPD agreement and staff will get copies to the Council.

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

Council Member Orton moved to go into closed session for the purposes of discussing personnel issues, potential litigation and property acquisition. Council Member Palmer seconded the motion. The Council voted in the affirmative and the council convened in a closed session at 7:54 pm.

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

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

Council Member Topham moved to adjourn the closed session and reconvene the work meeting at 8:43pm. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Pace, Palmer, and Topham in favor. The motion to adjourn and reconvene in the work meeting passed by a unanimous vote.

**Budget Discussion**

The Council reviewed the proposed budget for 2009-10. They discussed eliminating the contract with Valley TV but no final decision was made. The Council reviewed the Capital Improvement projects and began a prioritization process.

***Adjourn***

There being no further business, Council Member Palmer moved to adjourn. Council Member Topham seconded the motion. The meeting adjourned at 10:32 pm.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday June 4, 2009.*

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Stephanie N. Carlson, CMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 7-2-09