

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, May 17, 2007  
Council Chambers  
4580 S 2300 E  
Holladay, Utah 84117**

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**BRIEFING SESSION - 5:30pm**

***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich - excused

Steven R. Peterson - excused

Grant Orton

**City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Mayor Webb conducted the briefing session which convened at 5:37 pm. The Council reviewed the items on the agenda, and then heard a presentation from Babcock Design on proposals for gateway signs.

Babcock displayed ideas and concepts on the signs that contained distinctive elements that reflect Holladay.

A discussion ensued on the type of brick to use and architectural elements. For the Village and city centers signs, the brick will be the key element. The designs presented establish thematic elements and criteria but are flexible enough for different areas.

## **Council Meeting – 6:00pm**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich - excused

Steven R. Peterson - excused

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

**Citizens:** Fred & Sherry Minkevitch, Sundee Listello, Laura Pinnock, Sharron Horsey, David Chisholm, Park Lloyd, Cynthia Collier, Carol Knight, Michael Clapier, Betsy VanDenBerghe, Linda Mariotti, Jim & Terry Palmer, Yassi & Victor Maritsas, Carole Cannon, Allyson Chard, Becky & Doug Farley, Heidi Johnson, John Haglund, John & Sharon Kasteler, Bill Flando, Kelly Wright, Lincoln Steiner, Barry Topham, Juliet Reynolds

### **I. Welcome – Mayor Webb**

Mayor Webb called the meeting to order at 6:05 pm and welcomed those in attendance.

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

The Pledge of Allegiance was led by Cooper Richards of Scout Troop 560.

### **III. Public Comments**

*Sherry Minkevitch – 6290 Holladay Blvd.* She commented on the stress and heartache over their property and the parking issues/problems with Francs, over two years ago. Why was Francs approved without adequate parking? The parking at Tuscany is already overflowing and they are not meeting their conditional use permit. The restaurants are using and abusing an adjoining residential lot owned by the city. The city has refused to enforce the laws against Tuscany. The city has not held the restaurants responsible for parking and the city has allowed angled parking on a residential street. We have lost our peace and quiet and protection of property since we are now consumed by a parking lot and delivery trucks. The bike trail is also congested with cars. She requests that action be taken to force Mr. Easton to buy land for parking.

*Fred Minkevitch – 6290 Holladay Blvd.* He is angry with the system and treatment they have received from the city. The City needs to force Tuscany to comply with the zoning ordinances and regulations. City has devalued the area with this parking lot on Holladay Blvd. Does this Council know what the staff is doing?? Go visit the area on a Thursday, Friday or Saturday and see for yourself what the issue is and what we are dealing with. The City needs to fix Holladay Blvd and restore the value and make Tuscany comply with their conditional use permit. He has asked the Sheriff to help enforce the parking signs for

safety reasons. He is angry people can be treated so poorly by city staff and officials. Give us back our neighborhood.

#### **IV. Reports**

##### **a. Deputy of the Month – Capt. DeBry**

Capt. DeBry introduced the Deputy of the Month for January, February and March.

Deputy Todd Nielson– is the resource officer for the junior highs in the city. He has established a network with the schools and children. He was able develop leads and obtain a confession on a vandalism issue that was occurring in the city. Due to Deputy Nielson’s active participation in the schools he was able to gain insight information.

Deputy Brian Lorke – has built a relationship and reputation with the Holladay Detectives as a Deputy who follows through on his cases, whether it is felony or misdemeanors. During the month of February, Deputy Lorke had two felony fraud cases assigned to him on top of his patrol duties. He took the initiative to follow up on the cases all while maintaining his patrol duties and standards. He was able to gain enough information to file a charge on one of the cases.

Deputy Jason Watkins – is the COP officer for the City. He followed up on a complaint on Stratton Drive of loud parties and underage drinking, which deputies had responded to four times within a month. The tenants were cited but a permanent solution was needed. Deputy Watkins went and introduced himself to the landlord and informed them about the city’s zero- tolerance for alcohol or drug violations. The lease would not be renewed to those tenants and if the Sheriff’s responded to the address for similar complaints, she would begin the eviction process. Due to Deputy Watkins quick action, the tenants lease was not renewed to the problem renters.

#### **V. Public Hearing on Proposed Rezone for Property Located at 2045 E 6060 S (Woodruff Cove) from R-1-10 to R-2-10**

**Mayor Webb opened the public hearing at 6:28pm**

*David Chisholm* – 6018 La Tour St. He is opposed to this rezone. This cove sits at the end of a narrow, private street and it will create a traffic problem.

*Kelly Wright* – 202 E 6060 S. He is also opposed to the rezone. This is a narrow street and congested enough already. There is no good turnaround for fire and garbage pickup. This would be a huge reduction in the size of lots in the area.

*Bill Flando* – 2015 E 6060 S. He is also opposed. It was a unanimous decision by the Planning Commission to deny this rezone.

**Mayor Webb closed the public hearing at 6:32pm.**

**VI. Consideration of Ordinance 07-08 Amending the City of Holladay Zoning Map for Property Located at 2045 E 6060 S from R-1-10 to R-2-10**

Council Member Pace moved to deny Ordinance 07-08. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-08 was denied by a unanimous vote.

**VII. Consideration of Resolution 07-19 Requesting Recertification of the Holladay Justice Court to Reflect the Agreement to Provide Justice Court Services for the City of Cottonwood Heights**

Council Member Orton moved to adopt Resolution 07-19. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, and Mayor Webb in favor. Resolution 07-19 was adopted by a unanimous vote.

**VIII. Public Hearing on Preliminary Small School District Feasibility Study**

Council Member Pace explained the purpose of this hearing is to receive comment on the preliminary feasibility study so it can be finalized. We are just talking about the numbers tonight and if we have the right facts. In June there will be a final report and public hearing and whether or not to put this issue on the ballot.

**Mayor Webb opened the public hearing at 6:41pm.**

*Jennifer Smith – 2136 E Terra Linda Dr.* Feel that having a small school district is one of the most important things we can do. She has been in education for the past 16 years and struggles with the education children are receiving in our schools. She expressed concern that we don't have a voice and we are losing our neighborhood schools. We want a voice in the education of our children. She has met with Granite district and feels that they are not responsive. This issue can make a strong difference in the education of our children and it is the right thing to do. We can make it fair for all.

6.43.43 *John Haglund – 1391 Stillwood Dr.* He is representing the Cottonwood High Community Council. Read a statement by the Council (*see attached*). There are too many unanswered questions to decide for or against at this time such as: school rebuilds in the new district, teacher and employee contracts, programs and services and potential future school closures. Other issues include doing things in proper sequence, equity and fairness across existing district and potential liabilities and unknowns. We urge you to vote against proceeding with a new district at this time.

6.49.30 *Cynthia Collier – 1971 Terra Linda Dr.* She appreciates Holladay's commitment to explore and consider this issue. There is a way to do this fairly and she supports a smaller district. It is the right and best thing to do for everyone. Local control is important in the education of our children.

6.51.36 *Terry Palmer – 2633 E 6200 S.* She is a member of the Oakwood Community Council. We, as a council, support the letter from the Cottonwood Council. Our concern is the Cottonwood High council is not heard as much as others because we are not as vocal. Oakwood feeds into Cottonwood High and

worried that it may end up half full and one of the three high schools may have to close if a small district is formed. If you have to close a school, which one would it be? If you keep them open, would you residents feel comfortable that they are not full? If you cannot answer these questions then we suggest postponing this until you can.

6.53.25 *Laura Pinnock- 4919 Marilyn Dr.* She thanked the city for looking into this issue. We are committed as a community to make sure money is equal on both the east and west. We believe there are solutions to equalize funding and have some suggestions that we are meeting with Karen Wikstrom and others on. Our area is currently sending a greater portion of our tax dollars to the west side than we are serving students. We want to maintain control of our schools and still send that money west. There is a solution to equalize this funding one way or another. Cottonwood High is a great school in this community and according to our analysis will continue to receive children from the Taylorsville area. The valley continues to grow west and the current board district will continue to stretch west. If we feel we don't have a voice now on the school board, in ten years our voice will be negligible.

6.58.10 *Jim Palmer – 2633 E 6200 S.* He brought up a different subject on calling for special elections. We saw that last time the city rushed to the polls because we could did result in a change of government. I am not sure it resulted in the best government we could've had, but at the time we were told it would be better than the one we have now but we can change it in four-years. We are not talking about half of our property taxes to Granite School district and locking in the future of our kids education. Let's make sure we do this right and look at all the options.

7.00 *Betsy VandenBerghe – 4206 Cumberland Rd.* She is grateful for the opportunity to research this issue. There are three main reasons smaller districts are better – smaller schools, smaller class sizes and those elements result in higher academic achievement, parental involvement and more local control. It has been found that the economy of scales that large districts produce can be achieved by smaller districts and can be more economical. Splitting of the districts will happen and is happening. Research and studies on smaller districts have been going on for years and now is the time to make it happen and go forward.

7.05.50 *Matt Steiner – 2017 Lincoln Cir.* He supports smaller districts and the idea of community based education. The community needs to become deeply involved in education. We need to move forward and continue to follow funding issue. It can work.

7.10.20 *Juliet Reynolds – 1338 Hidden Creek Court.* Thanked the Council for their support of Spring Lane and how the community came together to save the school. She fears we will continue to be faced with school closures, especially Cottonwood High. We don't want others to go through what we went through last year with our school.

7.13.05 *Heidi Johnson – 576 E 3735 S, So. Salt Lake.* This should not be an east vs. west issue. She is concerned that equality of all the different communities.

7.15.40 *Barry Topham*. He feels smaller is better in both education and government. Granite district is very bloated and money is being wasted with no local control. He suggested conducting a poll of Holladay citizens to get their feelings.

7.19.20 *Jan McConkey*. She feels there is a disconnect between the current district and the public. This study brought to light the huge need for new schools in the future. We will work to make it equal and make it happen. Feels the west side has different issues than the east side, but we need to all work together.

7.21.50 *Bruce Parker*. Thanked Mayor Webb and Council Member Pace for their commitment to explore all the options and working with other areas.

**Mayor Webb closed the public hearing at 7:22pm**

Council Member Pace thanked everyone for coming and the input received was so valuable. This decision is not being taken lightly. We want to do this right, rather than fast. We need to explore all the options and possibilities. This is the most significant decisions we will make affecting the future of our community. There are no easy answers, but we need to do what is fair and right.

Mayor Webb commented that there are two-parts to the study: feasibility and governance. Public input and involvement is very important in this process. We need to do what is right and protect the education of our children. Schools are a significant part of our community.

Council Member Orton called for a five minute recess. Council Member Pace seconded the motion. The Council voted in the affirmative and the meeting recessed at 7:32pm.

Mayor Webb reconvened the meeting at 7:47pm

**IX. *City Manager Report*** - Randy Fitts

Manager Fitts reported that COG put together criteria for corridor preservation, and Holladay will never be able to receive future funds.

**X. *Council Reports***

Council Member Orton reported on the rat issue in his area.

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

Council Member Pace moved to adjourn the public portion of the City Council meeting and go into a closed session. Council Member Orton seconded the motion. The Council vote was as follows: Council Members Pace, Orton, Pignanelli and Mayor Webb in favor. The council went into closed session at 7:50:40pm.

Those in attendance at this Closed Session were: Mayor Webb, Council Members Pace, Orton and Pignanelli. Council Member Diederich was absent.

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

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

**XII. *Adjourn to Work Meeting***

## WORK MEETING – May 17, 2007

### *ATTENDANCE*

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich - excused

Steven R. Peterson

Grant Orton

### **City Staff**

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Paul Allred, Community Development Dir.

Diane Burandt, Asst. Treasurer

Mayor Webb convened the work meeting at 9:03 p.m.

#### **a. Discussion on Upper Canal Agreement**

The Council reviewed the upper canal agreement, which the canal company has already approved. Council Member Peterson expressed concern with the liability issues. He feels it is shifting responsibility. There will need to be \$15,000-25,000 added to the budget. This agreement will be put on the next agenda for a vote.

#### **b. Update on Planning Commission and Board of Adjustment Appointments**

Paul Allred discussed the need for a replacement in District 4 for the Board. The Council reviewed current members of the Commission and Board. On the next agenda the Council will approve the Planning Commission reappointments of Brad Scott and Paul Shupe and to move Richard Kimball from an alternate to a voting member.

Council Members Pace and Pignanelli will work with Mr. Allred on names for alternates to serve on the Commission.

#### **c. Discussion on 2007-08 Budget**

The City Council discussed the law enforcement budget with Capt. DeBry. The Sheriff's budget is 1/3 of the total budget. The Council discussed the level of service and the number of deputies we are paying for.

There being no further business before the Council, Council Member Pignanelli moved to adjourn with Council Member Orton seconding the motion. The Council voted in the affirmative and the meeting adjourned at 10:00pm

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, May 17, 2007.*

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Stephanie N. Carlson, CMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 7-19-07