

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, May 21, 2009
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION - 5:00pm

ATTENDANCE

Mayor Dennis Webb- excused
Lynn Pace
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

Mayor Pro-tem Pace conducted the briefing session which was called to order at 5:30 pm. The Council reviewed the agenda.

The Council discussed the proposed livestock regulations and the opposition they have received from constituents. There may be some unintended consequences that were not thought about when this proposal was drafted. The Council will hear from the public tonight and review the proposed ordinance in the work meeting following.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**May 21, 2009
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

Council Meeting – 7:00pm

ATTENDANCE

Mayor Dennis Webb - excused
Grant Orton
Lynn Pace
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, E. Farley Eskelson, Stephen Lloyd, Lori Ave, Kris Swenson, David Chisholm, DeeDee & Robert Richardson, Hank Rothwell, Donita & Tom Rasmussen, Diana McKay, Mike Larsen

I. *Welcome*

Mayor Pro-tem Pace called the meeting to order at 6:07 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance

III. *Consideration of Resolution 09-18 Honoring Cyrus McKell*

Council Member Pace called for a moment of silence to honor Cyrus McKell who was tragically killed last week in an accident. Mr. McKell was a Holladay resident and member of the Planning Commission. After the moment of silence Council Member Pace read the resolution.

Council Member Palmer moved to adopt Resolution 09-18. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Topham, Palmer and Pace in favor. Resolution 09-18 was adopted by a unanimous vote.

IV. *Public Comments*

Diana McKay – 6360 Heughs Canyon Dr. Spoke about the bike and trail path that runs past her home and asked for help. The trail is used frequently and there is a need for public facilities and trash containers. Her yard is being used as a latrine and trash is being thrown into her yard. The same problem is happening along the Mt. Olympus trail – who can she contact?

Manager Fitts replied that he will look into getting trash receptacles only the trail on the west side, which is owned by Holladay. As for the Mt. Olympus trail, that is owned by the Forest Service.

V. Public Hearing on 2008-09 Budget Amendments

Mayor Pro-tem Pace opened the public hearing at 6:17pm. There were no comments and the hearing was **closed at 6:18pm.**

VI. Public Hearing on:

a. Various sections of Titles 8, 13 & 14 Regarding Livestock Regulations

Mayor Pro-tem Pace opened the public hearing at 6:19pm. He stated that there will be NO decisions made tonight. Paul Allred, Community Development Dir., reviewed the proposed ordinance which defines livestock and changes the way we count. There are a maximum of four horses allowed – one horse per each ½ acre up to the maximum. Those who already own horses will be grand fathered in at what they have currently.

Farley Eskelson – 185 Bowden Cir. He disagrees with the counting, it should be four horses/per acre. It is up to owners and the health department to keep clean and regulate – not the city.

Jo Stoddard – 5711 Holladay Blvd. You are trying to fix something that does not need to be fixed. She has lived here for 20 years and has invested time and money to build facilities, according to ordinance, to house her three horses. There is a historic precedence that draws people her to the green, open pastoral setting. She also has issues with the counting. Need to leave as is.

Mr. Hall explained the non-conforming/grand fathering clause. So long as the use is not abandoned or expanded the use can continue and runs with the land. If an animal dies, you can replace it and get back to the original number. If the use has been abandoned (more than 12 months), then you have to comply with the current code.

Dorothy Richardson- 1776 E 5600 S. Do not change the number of horses or any other livestock to limit the number. Proper horse management can support four horses/per acre, two per half acre and should be left alone.

Donita Rasmussen – 3094 Whitewater Dr. She is upset over this proposed change. The appeal of Holladay lies in its rural atmosphere. Breeding horses is not a money maker; people do it because they love the animals and the experience. Feels this is unfair and is very opposed. This will ruin Holladay.

Mr. McCarthy – 2409 Haven Ln. He has had livestock operations on his property since 1937 and he will continue to operate and run his business. The number of livestock they have fluctuates. He will maintain his acreage and has no plans to move the animals. His is in the greenbelt and that is what it complies to. He is vehemently opposed.

Lori Cave – 5700 Glenbrook Dr. They own an acre and do not currently have horses and have not for over a year so we have lost the non-conforming use. We would like to have horses eventually and this would affect our plans. Land value is affected by whether or not you can have horses or other livestock.

Hank Rothwell – 2600 Walker Ln. He also does not understand the counting system. Why do you have to be locked into four horses if you own more than two acres? This proposal does not allow for additional livestock.

Robert Richardson – 1776 E 5600 S. He owns an acre of land. If you limit it to two horses that is not enough to do equestrian activities. He can easily support four horses on his property – along with a barn and arena. Do not lose the character and uniqueness of Holladay. There are three acres of greenbelt between him and his neighbors.

John Hayes – 1895 Delan Ln. He is opposed. He has two horses on an acre lot. Like the rural, country feel and the ability to have the children come see the horses.

Mayor Pro-tem Pace closed the public hearing at 6:50pm.

b. Various Sections in Title 13 Regarding Double Frontage Lots and Setbacks in the RM Zones

Mayor Pro-tem Pace opened the public hearing at 6:50:40pm. There were no comments. The hearing was **closed at 6:50:45pm**

c. Fencing on Corner Lots and Private Rights of Way

Mayor Pro-tem Pace opened the public hearing at 6:51pm. There were no comments. The hearing was **closed at 6:51:05pm**

d. Amendment to Title 15 Regarding the Utah State Building Code

Mayor Pro-tem Pace opened the public hearing at 6:51:15 pm. There were no comments. The hearing was **closed at 6:51:30pm**

VII. *Consideration of Resolution 09-19 Appointing Randy Fitts to the Unified Police District Board* (6:52)

Council Member Orton moved to adopt Resolution 09-19. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Topham, Palmer and Pace in favor. Resolution 09-19 was adopted by a unanimous vote.

VIII. Consent Agenda

a. Approval of Minutes – May 7 & 14, 2009

Council Member Palmer moved to approve the minutes of May 7 & 14, 2009. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the motion carried.

IX. City Manager Report

Manager Randy Fitts reported on the following:

* very positive trip to Washington DC. He was able to meet with Sen. Bennett and representatives from Sen. Hatch and Representative Matheson's office. He received positive feedback from all.

* working with FEMA and Homeland Security on the fire station. This is a new program with a lot of interest. They are impressed with how far we are and the work done so far. The one concern was funding match.

X. Council Reports

Council Member Palmer commented on the CERT training. There were about 25 people who spent their entire Saturday here training to be certified. This was the first of three training sessions. He would also like to see the Council have some sort of policy implemented with regards to serving on city task forces.

Council Member Orton updated the Council on the Housing Task Force meeting. This is a fact finding group that will bring information back to the full Council.

Council Member Pace reported that the dumpster program was very beneficial and much appreciated by the residents.

XI. Adjourn to a Work Meeting

There being no further business. Council Member Pignanelli moved to adjourn the Council meeting and convene to a work meeting in the Mt. Olympus Room. Council Member Orton seconded the motion. The meeting adjourned at 7:05.pm

The minutes for the work meeting follow

WORK MEETING – May 21, 2009

ATTENDANCE

Mayor Dennis Webb - *excused*
Lynn Pace
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

Mayor Pro-tem Pace reconvened the Council in a work meeting at 7:12 pm.

City Roadway Projects

Clarence Kemp updated the Council on the road projects. The initial focus is on crack sealing, selective patching, and selective concrete work to stabilize the roads. This work includes curb & gutter repairs, valley pans, patching, and subgrade stabilization. Mr. Kemp also explained the differences between chip and slurry seals. We will also be the poster child for rejuvenation, which is a way to preserve some of the better roads

Discussion on Proposed Ordinance Amendments (update from hearings tonight)

The Council heard loud and clear that residents do not want the livestock ordinance changed. The Council asked staff to remove the cap if they own more than two acres. The Council discussed a permit fee for small livestock.

Discussion on Proposed Campaign Finance Ordinance

The Council suggested looking at something along the lines of the County that states you can donate “x” amount per person per election cycle and we need to figure out what that amount is. Council Member Palmer suggested \$1000. Council Member Topham would rather have no limit than \$1000 and Council Member Orton does not see a need for an ordinance. Three Council Members showed interest in this. Mr. Hall will work up a proposal for a vote at the June 4 meeting.

Discussion on Proposed Term Limit Ordinance

There was no interest from a majority of the Council to pursue this ordinance.

XII. *Adjourn*

There being no further business, Council Member Palmer moved to adjourn. Council Member Orton seconded the motion. The meeting adjourned at 8:32 pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday May21, 2009.

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 6-4-09