

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

Thursday, November 15, 2007

City Council Chambers

4580 S 2300 E

Holladay, Utah 84117

BRIEFING SESSION - 5:30pm

ATTENDANCE

Mayor Dennis Webb- excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

Others: Jim Palmer, Barry Topham,

Council Member Diederich, Mayor Pro-tem conducted the briefing session which convened at 5:40 pm. The Council reviewed the items on the agenda. The Council asked for clarification on the ZAP resolution and the revised condemnation resolution.

Council Meeting – 6:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Citizens: David Chisholm, Jim Palmer, Barry Topham

I. Welcome – Mayor Pro-tem Diederich

Council Member Diederich, Mayor Pro-tem called the meeting to order at 6:04 pm and welcomed those in attendance.

II. Pledge of Allegiance

The Pledge of Allegiance was led by Jim Palmer.

III. Public Comments

Dan Ludlow – 4678 S Highland Dr. Mr. Ludlow is the owner of Dolphin Pools and a Holladay resident. He expressed concern regarding the placement of a new billboard on the east side of Highland Dr, across from his store. There has not been any notice or time to comment when this or any other billboard goes up. Once those billboards are up, they stay up. He knows no one who is favor of billboards and asked the city to do something.

Council Member Pace explained that nothing is a done deal. The City does have a ban on new billboards in the city limits, but the billboard owners have a right to relocate a billboard if it is within a certain radius.

Council Member Orton replied that this is an item for the State Legislature, although they are very billboard friendly. In many cases, the city's hands are tied due to state law.

IV. Consideration of Resolution 07-48 Authorizing the Mayor to Execute an Agreement with Cottonwood Heights for Development Services at Approx. 6600 S 3000 E (Big Cottonwood Creek Assoc, LLC)

Council Member Peterson moved to adopt Resolution 07-48. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Peterson, Pignanelli, and Diederich in favor. Resolution 07-48 was adopted by a unanimous vote.

V. Consideration of Resolution 07-49 Authorizing the Mayor to Execute an Interlocal Cooperative Agreement with Salt Lake County Pertaining to Zoo, Arts & Parks Funding Agreement in the Amount of \$10,000

Council Member Pace moved to adopt Resolution 07-49 Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Peterson, Pignanelli, and Diederich in favor. Resolution 07-49 was adopted by a unanimous vote.

VI. Consideration of Resolution 07-50 Amending Resolution 07-30 Regarding Property Located at 4660 S Holladay Blvd (Little Caesars) Owned by Thomas Barlow, LLC and Barlow Group, LLC

Council Member Pace moved to adopt Resolution 07-50. Council Member Orton seconded the motion.

Council Member Pace clarified that this resolution clarified the public purpose (street alignment & public plaza) for the property and extends the scope.

The Council roll call vote was as follows: Council Members Orton, Pace, Peterson, Pignanelli, and Diederich in favor. Resolution 07-50 was adopted by a unanimous vote.

VII. City Manager Report

Manager Fitts reported on meetings with owners in the Village Center with regards to the new road alignment. Burton Lumber is encroaching 6-9ft into the city property on the east. He met with Dan and had a good meeting. He has purchased the property and requested the billboard to be removed. The parking in front of Gepetto’s was addressed and the 45 degree angle parking will only remove one space and the property to the east can also be used for parking. Our lobbyist’s, R&R informed him that there is extra money in the ZAP Tier 1 fund and they will resubmit for more money to help the city reimburse our costs for the condos. Lastly, he has been meeting with Rocky Mtn Power with regards to the removal of power lines and he is expecting a response by the end of the month. Some poles in the Village Center will have to be moved but burying the power lines will be time consuming and may move the process back a bit. We are still on target for going out to bid on the road in March/April. Council Member Pace stated that transformers can be located underground and that option needs to be explored in the discussions. Manager Fitts reported on the Conference of Mayors meeting he attended. With regards to the school split in Jordan, each entity has 30 days for the day of the canvass (November 20) to approve a transition team which will govern until July 1 when a new Board will be elected.

VIII. Council Reports

Council Member Pace reported on the District 2 Town meeting he held. When it came to traffic calming, it was unanimous that they wanted no speed bumps. A lot of questions on the open space with many expressing that the city not by small parcels but focus on usable open space. They would like the city to explore with the County the open space behind the Lions Club.

Council Member Orton talked about the Messiah program. Attendance has grown so much that they are moving the performance to Olympus High and the city will take over sponsorship under the auspices of the arts council. He also reminded everyone about the Interfaith Thanksgiving Service this Sunday.

It was also reported that demolition has begun on the accessory buildings at the Cottonwood Mall.

IX. *Recess to Work Meeting*

Council Member Pace moved to recess to a work meeting. Council Member Peterson seconded the motion. The Council voted in the affirmative and the meeting recessed at 6:40pm.

The minutes for the work meeting follow.

Council Member Peterson moved to go into closed session for the purpose of discussion personnel issues, potential litigation and property acquisition. Council Member Orton seconded the motion. The Council went into closed session at 9:03pm

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

Those in attendance at this Closed Session were: Council Members Diederich, Peterson, Pace, Orton, and Pignanelli. Craig Hall, Clarence Kemp, and Stephanie Carlson. Mayor Webb was excused.

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 reconvene into City Council Meeting. Council Member Orton seconded the motion. The Council roll call vote was as follows: Council Members, Pignanelli, Pace, Peterson, Diederich and Mayor Webb in favor. The motion to adjourn at 10:00pm

WORK MEETING – November 15, 2007

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Steven R. Peterson

Hugo Diederich

Grant Orton

Others: Susan Mickelson, Jim Palmer, Barry Topham

City Staff

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Pat Hanson, City Planner

Paul Allred, Community Development Dir

Clarence Kemp, City Engineer

Council Member Diederich called the work meeting to order at 6:46pm.

a. Update & Review of Village Center

Manager Fitts reported that Lochner will be making a presentation to the Council on December 6 with regards to the design plans. They want to get input on the direction they are going. Due to the power line issue, we do not know about the funding.

b. Discussion on Proposed Condo Conversion Language

Council Member Pace stated that there is nothing lacking in the proposed ordinance and in actually goes beyond what Salt Lake City has. He passed out the amendments Salt Lake City is considering and felt they could be incorporated (sprinkling, parking and smoke alarms). By doing this he feels we have got the best information and can move ahead.

Council Member Orton stated this is a policy issue – do we want to allow them? He is concerned that many are non-owner occupied and the properties are not well maintained. He feels there is a cost to the city with going this route.

Council Member Peterson is in favor as long as they make them more habitable

The Council is concerned with safety and attraction. They would like them to be owner occupied also. If we can incorporate all these concerns the Council asked that it be placed on the December 6 agenda.

c. Discussion on Upcoming Legislative Issues & Meetings – *Dave Spatafore*

A list of legislative issues was given to the Council and the items were discussed. Major issues for the upcoming session include: revenue, education and public safety. Mr. Spatafore will provide weekly summaries/updates of bills that the city is following or will have an effect on the city.

It was also discussed that the Legislative breakfast scheduled for November 29 be rescheduled. They Council would also like to do a luncheon with the legislators the first of February.

d. Discussion on Proposed Sign Ordinance

Council Member Peterson has not heard back from the realtors on the issue so we can move ahead. His concern in real estate signs staying up so long and would like to have some language in the ordinance with regards to that issue. He will work with staff on language, get it to the Council for review and it will be on the December 6 agenda for a vote.

e. Report on Sheriff's Contract Negotiations

Craig Hall reported on his meeting with the Sheriff and Richard Nixon last week. It was a good discussion. Sheriff Winder stated that he is not able to cap the costs due to some of the costs being beyond his control (i.e. fuel costs and health care costs). The Council would still pursue asking for a 2% cap on the contract except for those two issues. The next meeting is scheduled for November 29.

f. Update on Mall & Timeline

Paul Allred reviewed the timeline for the mall. The Planning Commission held their hearing on the SDMP on November 7 and continued the item to their November 20 meeting. They may make a decision at that time or have a special meeting. The Council is scheduled to have their public hearing on the SDMP on December 6 and can make a decision on December 13 or have a special meeting.

The RDA will meet on December 13 for their plan and budget hearing.

g. Review of Calendar

The 2008 calendar was reviewed with the incoming Council Members. The Swearing In ceremony will be on January 10 at 6pm with a council meeting to follow at 7pm. The Council retreat will still take place on January 5 since there will be no decisions made

There being no further business before the Council. Council Member Orton moved to adjourn with Council Member Peterson seconding. The meeting adjourned at 10:03pm

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, November 15, 2007.

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 12-6-07