

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, November 5, 2009
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION & WORK MEETING - 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 - *excused*
Clarence Kemp – City Engineer
Ryan Bjerke – Legal Counsel

Mayor Pro-tem Pace conducted the briefing session which was called to order at 5:24 pm.

The Council reviewed the agenda. The Council discussed the Amateur Radio ordinance. The Council has discussed this item repeatedly. The draft that is in front of the Council tonight does not include some of the items that were previously discussed and that were asked to be incorporated. There are still some minor technical issues.

Manager Fitts reported to the Council that the pavers in the Village were being installed and the last concrete pour was happening in front of Geppetto's and the Pharmacy. There will be a sweep done of the Village on Monday, weather permitting. There is still no news on the fire station.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**November 5, 2009
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

Council Meeting – 6:00pm

ATTENDANCE

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

City Staff
Randy Fitts, City Manager - *excused*
Stephanie Carlson, City Recorder
Craig Hall, City Attorney - *excused*
Ryan Bjerke – Legal Counsel

Citizens: David Chisholm, Joan Kingdon, Deleene Webb, Boy Scout Troop 181

I. *Welcome*

Mayor Pro-tem called the meeting to order at 6:02 pm and welcomed those in attendance. He excused Mayor Webb and Manager Fitts.

II. *Pledge of Allegiance*

The Pledge of Allegiance was recited by those in attendance.

III. *Public Comments*

Pass-Da-Glass group from Olympus Jr. High. They are participating in the Lexus Eco Challenge and are here to discuss the topic of glass recycling for Holladay. There is currently no system for recycling glass in our area. This would be a very cost effective tool for the city because glass is 100% recyclable. Some of the options for the program would be to have a one day event dumpster program or to have dumpsters in the neighborhoods for a few days every so often. There is a company that will supply the dumpsters and pick them up for a minimal cost.

Council Member Pace commented on the recent election. He thanked all those who participated as candidates in the election and congratulated those who were successful.

IV. *Consideration of Ordinance 09-21 Amending Title 13 of the City Code Regarding Amateur Radio Facilities*

Council Member Orton moved to adopt Ordinance 09-21. Motion failed for lack of second.

Council Member Palmer moved to postpone Ordinance 09-21 until the next work meeting and a vote on November 19. Council Member Topham seconded the motion.

Council Member Orton stated that this issue has been dragging on for over a year and he wants to see a vote taken. He has some philosophical differences with the ordinance. It is an

infringement on private property rights. This is a dying technology that we are trying to restrict when there is no real need. This ordinance will have no practical effect on the issue we are trying to solve. It will only prevent future towers. We are trying to placate a neighbor and adopt an ordinance for a specific person.

The Council roll call vote was as follows: Council Members Pace, Pignanelli, Topham, and Palmer in favor with Council Member Orton opposed. The motion to postpone Ordinance 09-21 passed by a majority vote.

V. *Consent Agenda*

a. Approval of Minutes – October 15 & 8, 2009

Council Member Topham moved to adopt the consent agenda with the edits discussed in the pre-meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the motion carried.

XII. *City Manager Report*

There was no report due to Manager Fitts' absence. However, Manager Fitts reported during the briefing session (pre-meeting) that the pavers in the Village were being installed and the last concrete pour was happening in front of Geppetto's and the Pharmacy. There will be a sweep done of the Village on Monday, weather permitting. There is still no news on the fire station.

XIII. *Council Reports*

Council Member Pignanelli thanked staff and Mr. Kemp for the new sidewalk around Creekside Park on Murray Holladay Rd and the new curb on Highland and Lakewood Dr.

XIV. *Adjourn to Work Meeting*

Council Member Palmer moved to adjourn to a work meeting. Council Member Pignanelli seconded the motion. The Council adjourned to a work meeting at 6:20 pm.

The minutes for the work meeting follow

WORK MEETING – November 5, 2009

ATTENDANCE

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

City Staff
Randy Fitts, City Manager - *excused*
Stephanie Carlson, City Recorder
Community Development Staff
Craig Hall, City Attorney -- *excused*
Ryan Bjerke – Legal Counsel

Mayor Pro-tem Pace convened the work meeting at 6:28pm.

1. Discussion on Holladay Village Center

a. Update on Site Plan

Mr. Allred reported that the Planning Commission met last night to discuss the conceptual site plan Cowboy Partners. There was a lot of opposition to height, density and parking. The Commission did vote to approve the conceptual plan with conditions that there be no ground floor residential, they will work on the location and issues surrounding the mid-block road and that all recommendations from the DRB and TRC be included in the next round of drawings. The mid-block road was the major issue.

Council Member Topham asked why approval was granted when there were so many opposed. Why do the decision makers go against the will of the people?

Council Member Pace stated that there is a process. A public hearing is conducted to get input and decisions are considered and made from that input. Those in opposition are more likely to attend that those who support the project. To some extent, the election was a public referendum and the outcome was different. The site plan will not even come to the City Council. The RDA Board will negotiate an agreement for the sale of the property and terms of the development agreement.

Council Member Orton commented that we need as many public meetings on this project as possible due to all the misconceptions and misinformation that is out there.

b. Discussion on Plaza Design

There is a lot of interest on the plaza and the design. We anticipated putting an article in the December newsletter with a design and dates for a public hearing/input in January. Mr. Lofgren was going to come up with a design and Steve Gilbert was going to do some modifications to his design. Mr. Lofgren passed out a rough draft design. Mr. Gilbert also submitted a revised design that is softer and greener with benches. Further discussion on the designs will be on November 12 and 19.

2. Discussion on Land Use Issues

a. Proposed amendments to the Home Occupation Ordinance

The Council has had a public hearing, now what is the next step. The Council would like to go through the ordinance and asked that it be put on the next work meeting agenda. The two major

issues are employees and allowance for accessory buildings. The Council also asked to have a clean copy of the proposed ordinance.

3. Discussion Regarding Economic Development

This was put on here to start the Council discussing what impediments there are in our ordinance to development.

a. Commercial Zoning Changes

The staff and Planning Commission have given the Council their recommendation for the commercial zones, which is a complete overhaul of the zones. The next step is to have the subcommittee meet and start going through the ordinance.

b. Parking Regulations

Ms. Hanson has done a sampling of other cities in Utah and other states to see how their parking regulations compare to ours. For retail, we are in the mid-range, for restaurant we are on the high side but with the realization that it is now a one-size fits all with restaurant parking. The Council has received a recommendation from the Planning Commission on this item also.

c. Signage

The staff is finding that the signage for the Village may be too restrictive, while there are seldom issues in the commercial zones with the sign ordinance. Temporary signage seems to be the major issue. The staff is currently working on revisions to get to the Planning Commission.

d. Permit Fees

The fees are too prohibitive and have not changed since we incorporated. The fees are too high and are an impediment. There needs to be a greater diversification for the fees. The Council asked staff to research how our fees compare to others and bring back for further discussion.

The parking and commercial zone recommendations will be sent to the subcommittee.

4. Calendar

The Legislative breakfast will be held on Wednesday, December 2 at 7:30am. The Council meetings for December will be the 3 and 10.

XV. Adjourn

Council Member Orton moved to adjourn. Council Member Pignanelli seconded the motion. The meeting adjourned at 7:45 pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday October 15, 2009.

Stephanie N. Carlson, MMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 11-19-09