

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 1, 2009
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION & WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb
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 Webb conducted the briefing session which was called to order at 5:20 pm.

The Council reviewed the agenda and went over the public hearings scheduled. The hearings will be an opportunity for the Council to take input and further discussion will take place afterwards in the work meeting.

Manager Fitts introduced Capt. Brian Stahle from the South Salt Lake Police Dept. He is over animal control. There is no change in the contract with South Salt Lake. Capt. Stahle updated the Council on the new reporting system that is being used by the officers making it easier to follow up on cases and calls. There have been 105 calls to animal control since July 1, not including calls that come into city hall and handled here.

The Council went over the September 3 minutes. The minutes are a reflection and summary of what was said and happens at the meetings. Council Member Topham still has concerns but appropriate language was discussed to help clarify the issues.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**October 1, 2009
Council Chambers
4580 S 2300 E
Holladay, Utah 84117**

Council Meeting – 6:00pm

ATTENDANCE

Mayor Dennis Webb
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
Paul Allred, Community Development Dir

Citizens: Crystal Crawford, Melissa Neddell, Doug Startk, Josh Deifel

I. *Welcome*

Mayor Webb called the meeting to order at 6:06 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Craig Hall.

III. *Public Comments*

There were none.

IV. *6:05pm Public Hearing on Proposed Rezone for Property Located at 4802 S Holladay Blvd from R-2-10 (two-family residential, 10,000 sq ft min) to R-M (residential multi-family)*

Mayor Webb opened the public hearing at 6:09pm

Rick Whiting, City Planner provided a staff report. The applicant wishes to expand his existing business to include employees and to change the zoning from R-2-10 to RM. He owns .45 acres and is surrounded by RM zoning. This RM zoning is consistent with the General Plan.

Nikita Oganov – 4802 S Holladay Blvd. He is requesting the zone change to allow him to hire help with the business when his son goes to school. He has no plans to expand or rebuild. He is open to discussion on deed restrictions but he is concerned that if the restriction was for office use only, he would have to remodel it back to residential to sell. The other option would be to leave this property as commercial and buy a residential home.

Mayor Webb closed the public hearing at 6:18pm.

V. 6:15pm Public Hearing on Proposed Amendments to the Graduated Height Requirements for Flat Roof Residential

Mayor Webb opened the public hearing at 6:18:10pm

Jon Teerlink, City Planner provided the staff report. Staff has been working on this issue since August when an application came in and was denied. The current ordinance favors traditional architecture rather than contemporary styles with flat roofs. The recommendation from the Commission is to clarify what the graduated height line may intersect. This amendment will not encourage more flat roofs in Holladay.

Brigham Wilcox – 2570 Stafford (building home at 5412 S Wayman Ln). He is the applicant that has spurred this discussion. It has been 10 months since he started this process and he has learned a lot. He does not see that this will encourage flat roof houses, they are rare. He wants to stay in Holladay and likes this type of architectural style which our current ordinance does not take into consideration.

Council Member Topham stated that he aesthetically he is opposed to flat roofs. He would like to develop a unified appearance of traditional, pitched roofs. He feels this design will stand out in the area.

Mr. Wilcox commented that in the area he is building there is a variety of architectural design. He chose this style because he got bored with all the same style of home. This style of home is a more efficient design, easier to insulate, easier to build structurally, cost per sq ft is cheaper and it has a more practical use of space. The current ordinance does not prevent flat roofs but the amendments deal with the proximity to the side yard.

Mayor Webb closed the public hearing at 6:25:15pm.

VI. Consideration of Resolution 09-32 Authorizing the Mayor to Execute the 2009 Amendment to the Animal Control Agreement with South Salt Lake

Council Member Orton moved to adopt Resolution 09-32. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Resolution 09-32 was adopted by a unanimous vote.

VII. Approval of Minutes of September 3

Council Member Orton moved to approve the minutes of September 3 with the addition in the minutes to see minutes of October 1st for clarification. Council Member Palmer seconded the motion.

Council Member Topham stated for the record that investigating Detective Hall was not at the September 3 meeting and Capt. Bertram's account was second hand from his discussion with Det. Hall and contained erroneous information. There were no letters, but there were two emails that were sent to his constituents. The first announced his candidacy for Mayor and the second had two city related items about the UPD and the other encouraging them to shop central Holladay and a third item that his pool cover had been slashed within days after one of his constituents forward the email to city hall. He mentioned no names in the email or to Det. Hall and did not ask for an investigation.

The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. The minutes of September 3 were approved.

VIII. *Consent Agenda*

a. Approval of Minutes – September 17, 2009

Council Member Palmer moved to adopt the consent agenda. Council Member Orton seconded the motion. The Council voted in the affirmative and the motion carried.

IX. *City Manager Report*

The City Council stood and sang Happy Birthday to Mr. Fitts.

Manager Fitts reported on the following:

- * he provided the Council with an update on the 3900 S project. They are behind due to utilities. Council Member Pace would like to see left-hand turns restored before the snow falls. Mayor Webb would like to attend a meeting of the construction group.
- * there has been a substantial increase in graffiti in the city and it is getting hard to keep up with but Doug is working hard.
- * He and Tosh Kano drove the city during the past storm to see what storm drain projects were needed. The Council will need to have a discussion on projects and prioritization.
- * Tomorrow marks the 4th Anniversary of our move into City Hall.

X. *Council Reports*

Council Member Pignanelli commented on the new members of the Youth City Council. They are meeting and will continue some of the service projects from last year. We have a good representation of students from area schools.

Council Member Orton commented on the article in the Tribune. He hopes this Council does not fall into the same trap as the Salt Lake Council has in driving the direction of developers and development.

Mayor Webb stated that he attended the Unified Fire Authority Change of Command ceremony this week. Michael Jensen will serve as the new Chief. The ceremony was very nice and well attended. He wished both Michael Jensen and outgoing Chief Don Berry the best of luck.

XI. *Adjourn to Work Meeting*

Council Member Orton moved to adjourn to a work meeting. Council Member Pignanelli seconded the motion. The Council adjourned to a work meeting at 6:53pm.

The minutes for the work meeting follow

WORK MEETING – October 1, 2009

ATTENDANCE

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

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Clarence Kemp, City Engineer
Craig Hall, City Attorney
Paul Allred, Rick Whiting & Pat Hanson –
Community Develop Dept.

Others: Les Chatelain, Dan Lofgren, Lori Khodadad, Gene Carr, Marty Slack, Capt. Bertram

Mayor Webb convened the work meeting at 7:02pm.

1. Discussion on Holladay Village Center **a. Construction update**

Manager Fitts reported that we are 95% done. The last big concrete pour will be on the west side of Holladay Blvd. The sidewalks, curb, gutter and tree grates will be installed. The pavers will be going in next week. The roadwork is still on schedule to be completed by November but they are working to get it done sooner. The power poles are being removed and should be down in the next two weeks.

b. Timeline for decision making

Council Member Pace reviewed the timeline. There are three pieces to the project: code amendments for public hearing at both the Planning Commission and Council, site plan and the real estate purchase agreement done through the RDA.

Council Member Topham stated that he has visited about 2500 homes since September 8 and the citizens are concerned about the 81 apartments. It is not popular and he feels it is a mistake. With the pending election, he would like to the new Council make the decisions and would like to see the process slowed down. He also doesn't see the plaza as a gathering place. He would like have single-story buildings and smaller plaza in order to maximize the commercial. We don't need apartments in the middle of the city.

Council Member Pace commented that there comes a time when you tee it up for a vote and get on board. This plan was adopted years ago by a majority of the Council. The plan calls for three-story mixed use with residential above. This site plan has not been approved and he welcomes input from the public. If we make a decision soon there we can break ground in spring. If we wait until January, the process will conclude in March and we don't break ground until Fall 2010. Let's make a decision and move forward. Citizens are anxious to see progress and he doesn't want to delay this for political reasons.

Council Member Orton stated that we are doing the same thing Salt Lake City is doing with their Marmalade district and that is directing our desire and intent on those who have spent time on money on the project. We have told the developer what we would like and now economics will determine what is feasible. We need to proceed.

Council Member Palmer stated that the Council agreed to the timeline and it is the will of a majority of this Council to move forward. This project has only been approved conceptually and

there is a process in place that needs to start. We owe it to the public to show them what we are doing and the economic realities. Residential, high-end apartments make for an economically viable project. We need to continue with the process.

Mayor Webb also would like to see the public process begin. Good projects sell themselves. He has had several neighborhood meetings and there is an excitement for the project once they fully understand all the aspects and the facts. Let the project stand on its own and let the public begin weighing in.

Council Member Pignanelli stated that the Council has been talking about this for four years, and she would like to see some dirt turned. People she hears from want to see things done. Let's start the process and not keep dragging it out.

Mayor Webb respects the rights and feelings of everyone on this Council, but the majority wants to move this project forward and go with the timeline as proposed.

c. Review plaza design & proposed monument

The Council discussed the plaza and what decisions are needed. The next step is to get some conceptual designs and let the public become involved on what they would like to see and have, just like we did with the City Hall park. We need to get designs in the newsletter and have an open house to get citizen input. The underground conduit for the electrical and water have already been installed.

Dan Lofgren expressed concern with the proposed tree pattern that would cover the store signs and business exposure. Visibility is important to retailers and it needs to be thought out more. He also feels that the grass is not conducive to activity in a shopping district. He would like the see the grass replaced with a landscaping theme.

The Council would like to get more conceptual drawings to present to the public for their input and start that process.

2. Discussion on Status of Agreement with SL County on Acquisition of old Fire Station Property

Manager Fitts reported that he has had two meetings with the County. They were unable to use the dates that were proposed so they proposed contributing \$67,000 to finish the sidewalk project around Creekside Park. The second meeting was "what is the city willing to trade" for the property. They are changing the deal and no one is on the same page.

Mayor Webb asked that a meeting be set up with himself, Mayor Corroon, Ann Ober, Mr. Hall and Council Member Palmer to discuss the agreement.

3. Discussion Regarding School & Education Issues

The main question is does this Council want to take a position on the proposed Granite School District bond and if so we need to discuss drafting a resolution of support. The Council discussed the resolution and what they would like to have in that resolution.

Mr. Lofgren commented that the Boards three largest priorities are the rebuild of Granger High, Olympus High and air conditioning. Holladay has a lot to gain with the rebuild of Olympus and now is the time to encourage the public to speak out on their vision for Olympus, if this bond passes.

Council Member Pignanelli is concerned that if Olympus is rebuilt, Cottonwood may close. She would rather see the schools get the air conditioning. She is concerned about supporting a bond that may adversely affect the citizens in her area.

Mayor Webb and Council Member Orton were excused at 8:20pm

Manager Fitts expressed concern about continuing with the agenda with two members absent. This sets us up for revisiting the items again in order to get input from those not in attendance.

4. Discussion Regarding Highland Dr. Corridor Study

The Council reviewed the proposed mission statement for the study and the parameters for the study. The study will both sides of Highland Dr, south of Murray Holladay Rd and then on the east side north of Murray Holladay Rd. The Council asked for monthly status reports.

5. Proposed Changes to the Commercial Zones

The Council reviewed the memo from Mr. Allred on the purpose for the changes to the zone. The Council would like this on a work session to go through. Manager Fitts commented on the need for a process for zone changes and code amendments. He suggested forming a subcommittee to review the proposed changes and work with staff before bringing it to the full Council. Council Members Palmer and Pace were suggested and then one other Council Member depending on the item, Craig Hall, Paul Allred and a member from the Planning Commission. The subcommittee for the Commercial zone will be Council Members Pace, Palmer and Orton.

6. Discussion on Proposed Amateur Radio Facilities

Mr. Allred reported on the research he did. He spoke with a representative from US Tower, based in California regarding ham radio towers. Lattice towers are more expensive and durable. In order to install a motor the tower would have to be removed and shipped out of state and then reinstalled. The tower telescopes, not the antenna and should be around 22 ft tall when nested.

XII. Adjourn

Council Member Topham moved to adjourn. Council Member Pignanelli seconded the motion. The meeting adjourned at 9:23pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday October 1, 2009.

Stephanie N. Carlson, MMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 10-15-09