

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

Thursday, October 15, 2009

Mt. Olympus Room

4580 S 2300 E

Holladay, Utah 84117

BRIEFING SESSION & WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb – <i>arrived at 5:45pm</i>	City Staff
Lynn Pace	Randy Fitts, City Manager
Patricia Pignanelli	Stephanie Carlson, City Recorder
J. James Palmer, Jr.	Craig Hall, City Attorney
Barry Topham	Clarence Kemp – City Engineer
Grant Orton	

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 rezone request for Holladay Blvd. Council Member Topham would like to see some conditions imposed for the rezone and the Council discussed possibilities of a deed restriction

The Council discussed the Amateur Radio ordinance. The Council just received a draft in the past day and they have not had a chance to review. Also, the Kingdon's and Mr. McPhie have not received a copy for their input. This item will be postponed.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**October 15, 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: Don Skaggs, David Chisholm, Gaylen Young, Jr., Boyd Fullmer, Carol Moss, Steve Doxey, Paul Shupe

I. *Welcome*

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 recited by those in attendance.

III. *Public Comments*

There were none.

IV. *6:00pm Public Hearing on Proposed Amendments to the Development Standards and Sign Regulations in the Holladay Village Zone*

Mayor Pro-tem Pace opened the public hearing at 6:09pm

A staff report was provided by *Paul Allred, Community Development Dir.* The Planning Commission has recommended the following amendments: building height, intrusions into the right-of-way, averaging of building heights and elevators.

Paul Shupe, Planning Commission Chair. He commented that the Commission felt good about their recommendations. These amendments will allow for flexibility in the Village. There were only three people who commented at the public hearing and all were in favor of the project and design.

Dan Lofgren – 6440 S Wasatch Blvd. He feels the amendments are straight forward. The addition of the clock tower will define the center and create a sense of village.

There being no further comments, **Mayor Pro-tem Pace closed the public hearing at 6:18 pm.**

V. 6:30pm Public Hearing on Amendments to Home Occupation Chapter

Mayor Pro-tem Pace opened the public hearing at 6:34 pm

A staff report was given by *Pat Hanson, City Planner*. This is a proposal to change the home occupation ordinance by doing the following: codifying the city's policy on phone and mail business and categorizing all home occupations as conditional uses but with different approval mechanisms. The Commission would review and approve those home occupations that need employees, calls for the use of detached structures and to approve with conditions. It also creates a new section for home day care for 6 or less and 12 or less.

Manager Fitts commented that he gets calls from CPA's, attorneys and others who would like to have employees.

There being no further comments, **Mayor Pro-tem Pace closed the public hearing at 6:40:45pm.**

VI. 6:45pm Public Hearing to Remove Zoning Conditions Imposed by the County on Property Located at 4699 S Highland Dr

Mayor Pro-tem Pace opened the public hearing at 6:45:40 pm

A staff report was given by *Pat Hanson, City Planner*. The Commission recommended removing the conditions imposed by the County. It currently prohibits a restaurant from being on this site. The owner has a restaurant that is anxious to come in and this is an ideal location. The only issue from residents was cut-through traffic. There is no access from this property to any neighborhood streets; the only access is from Highland Drive. The property was originally a reception center so there is adequate parking and minor changes will be made to the interior of the building.

Don Skaggs, owner. He would appreciate the help to move this forward. He feels the restaurant would be a great addition for the city. He plans to use the current monument sign.

Ms. Ellis – 4593 Wellington. She and others are opposed to liquor being served in the area. She is surprised that many of her neighbors are not here to object.

Council Member Orton commented that there was a petition with 67 signatures opposed to changing the use. The City noticed those individuals as well as those within 500 ft and we only have one person here to speak out against. He spoke with some of those who signed the petition and their issues were traffic increase and alcohol being served. He is concerned about limiting private property rights. We are obligated to be good neighbors and don't see how this will negatively impact the area.

There being no further comments, **Mayor Pro-tem Pace closed the public hearing at 6:54:20 pm.**

VII. Consideration of Ordinance 09-19 Amending the Zoning Map of the City of Holladay Regarding Property Located at 4802 S Holladay Blvd from R-2-10 to R-M

Council Member Orton moved to adopt Ordinance 09-19. Council Member Palmer seconded the motion.

Council Member Topham expressed concern about traffic volume on Holladay Blvd. He would like to keep density as low as possible. He feels the RM zone is appropriate but with certain conditions that if the business ends it goes back to R-2-10 zoning.

Council Member Orton stated that this property is surrounded by RM zones and he feels it is an appropriate request. There will be no added traffic or parking issues.

Mr. Hall commented that the applicant has been approached about an agreement, but they were hesitant due to the long term viability of the property.

Council Member Pace noted that the General Plan calls for RM zoning and the applicant is just asking for what the general plan says and what his neighbors already have.

Nika Oganov – 4802 S Holladay Blvd. His son will be going away to college within a year and he wants to be able to have an outside employee help him with the business. There is plenty of parking and space.

Mayor Webb is concerned about the parking and more homes converting to home businesses. The Council is currently looking at different zone designations as well as the home occupation ordinance. If Mr. Oganov could give us some time to go through those ordinances knowing that we would be time sensitive to him.

Mayor Webb made a substitute motion to postpone this Ordinance for further discussion regarding the zoning of office commercial and home occupations. Also, that we review this in a timely manner and bring back in January. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Ordinance 09-19 was postponed for further discussion.

VIII. *Consideration of Ordinance 09-20 Amending the Graduated Height Requirements for Flat Roof Residential*

Council Member Orton moved to adopt Ordinance 09-20. Council Member Palmer seconded the motion. . The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Ordinance 09-20 was adopted by unanimous vote.

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

Mayor Webb moved to postpone Ordinance 09-21 to November 5. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the motion carried.

X. *Consideration of Resolution 09-34 Authorizing the Mayor to Enter into an Interlocal Agreement with Salt Lake County for Aerial Photography*

Council Member Orton moved to adopt Resolution 09-34. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pace, Pignanelli, Topham, Palmer and Mayor Webb in favor. Resolution 09-34 was adopted by a unanimous vote.

XI. *Consent Agenda*

a. Approval of Minutes – October 1 & 8, 2009

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

XII. City Manager Report

Manager Fitts reported on the following:

- * the UPD has hired a Chief Financial Officer and is currently interviewing for Legal and Human Resource

XIII. Council Reports

Council Member Pace reminded those in attendance of his District Two Town meeting on Tuesday from 7-9pm.

Council Member Palmer held his town meeting this past week and had about 50 in attendance. The Village and General Growth's financial condition were the two main questions. Many were mostly curious.

Council Member Pignanelli reported that the Youth Council will again be doing a service project for the Road Home and will be collecting hats, gloves, scarves and donations.

XIV. Adjourn to Work Meeting

Mayor Webb moved to adjourn to a work meeting. Council Member Palmer seconded the motion. The Council adjourned to a work meeting at 7:02 pm.

The minutes for the work meeting follow

WORK MEETING – October 15, 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 : Scott Gilbert, Dan Lofgren, David Pinnock, Don Niske.

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

1. Discussion on Holladay Village Center

a. Construction update

Manager Fitts stated that the road work is wrapping up. The intersection lights have been mounted and will be operational on Monday. The pavers are currently held up in customs once those arrive they would like to work 20 hour shifts to get those installed. A temporary asphalt sidewalk has been placed from the corner, around the perimeter of the plaza and down to Sharon's Café for pedestrian access. It is amazing what we have accomplished in six months.

b. Proposed Code Amendments

Mr. Hall will get a draft ordinance ready for adoption on the 22. Mr. Allred stated that the staff and Commission should have a recommendation on the signage in the next 30 days.

c. Update on plaza design

The concrete base is down now and they wanted to start construction this year. The Council would like to have public input on the design. There seem to be a variety of views on what this plaza should be and look like. The Council would like to present a conceptual plan to the public and get their comments. This is the most visible improvement in the City and we want it to be done right and something that everyone is proud of.

Dan Lofgren expressed concern over the location of the trees and proposed monument. He would like to see less grass and have the area filled with flowers for color and benches. He would also like to see the monument and arcade line up.

The Council, Mr. Lofgren and Steve Gilbert discussed the plaza, tree placement etc. The Council asked for conceptual drawings by November 5.

Mr. Allred reported that the Design Review Board held a very productive meeting today on the site plan.

2. Discussion on Sidewalk Projects & Long Term Storm Drain Plans

The Council began their discussion on sidewalk issues. Council Member Palmer and Mayor Webb stated that sidewalk in front of Cottonwood Elementary needs to be continued further

south. Manager Fitts would like to go out with each Council Member to review sidewalk and storm drain issues in their district.

3. Update on Fire Station Properties

Mayor Webb reported on his meeting with Mayor Corroon. The County will deed the property to the city for a park with a reverter clause that if it is not used for fire station it goes back to the County. The County will get use of the park for seven days, once a year for 10 years, during the end of July or first two weeks of July. The 2210 property also has the same clause but can be sold and the money will have to be used for a public purpose. Also included was \$67,000 from the County for sidewalks along Creekside Park on Murray Holladay Rd.

4. Calendar

Council Member Pace reviewed the calendar. There will be a special Council meeting on October 22 to vote on the Village code amendments and the Richelle's zoning conditions.

XV. Adjourn

Council Member Orton moved to adjourn. Council Member Palmer seconded the motion. The meeting adjourned at 8:48 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: 11-5-09