

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 26, 2006
Council Work Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION & WORK MEETING - 5:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson - excused

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Paul Allred, Community Development Dir.

Clarence Kemp, City Engineer

Alma Haskell, Planner

Council Member Diederich moved to nominate Council Member Orton to conduct the meeting. Council Member Pace seconded th motion. The Council voted in the affirmative and the motion carried.

Council Member Orton conducted the briefing session which convened at 5:21pm. The Council reviewed the items on the agenda and then began the work meeting to discuss the following items:

a. Update on Monster Homes, PUD's

Mr. Allred reported on the progress with the temporary ordinance review. The staff is reviewing the four areas that the Council would like to focus on which include: Outcomes (causes and whereas's in the ordinance)and the consequences, marrying the idea of harmony, character and compatibility to buildings to the neighborhood, concept of private vs. public and they underlying reasons for the moratorium. We need to keep the ordinance changes simple. The Planning Commission will study this item at it's two meetings in November, with a public hearing on November 21. Council Member Diederich asked for time line to help better understand who needs to do what by when. The Council tentatively set December 14 for their public hearing, if the information

Manager Fitts stated there have been some concerns with asking neighbors permission. The other alternative is hard and fast numbers in the ordinance.

Chairman Palmer of the Planning Commission raised some issues to the Council. Having the Planning Commission hearing all of these items has been very time consuming and you may want to look at appointing another body to hear these items. He would prefer to see the ordinance done in black and white and with some flexibility. He also suggested a joint meeting with the Planning Commission and City Council on this matter and tentatively schedule that meeting for November 16.

b. Discussion on Proposed Upper Canal Agreement

Mayor Webb requested this item be removed from the agenda due to it not being ready and the absence of himself and Council Member Peterson.

c. Discussion on Sale Agreement with Cowboy Partners

The agreement expires on November 3. The Mayor, Mr. Hall and others will be meeting with Cowboy Partners on Monday to review the purchase contract. The Council would like to see a development agreement done after the sale.

Council Member Pace moved to recess the work meeting and convene to City Council meeting.. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the motion carried. The work meeting recessed at 5:58pm.

Council Member Pace moved to reconvene the work meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the work meeting reconvened at 7:37pm.

d. Discussion on Proposed Fencing in Holladay Blvd Right-of-Way

The work meeting reconvened at 7:38pm.

The Council discussed the proposed fencing. One of the amenities of the PUD when it was approved was the rock wall and trail as Chairman Palmer said. The rock wall was not constructed the way it was presented and every drawing shows masonry wall on the right-of-way. The Planning Commission will not see this and does not have the authority to grant approval since it is in the city right-of-way. Mr. Kemp feels it would be in the best interest of the public, for safety reasons, to do a fence. If approved it should be a license agreement for easement. The retaining wall should not even be where it is. This problem was self-created and they need to build it as presented.

Council Member Diederich commented that this project has been an issue since day one and they keep pushing the limit.

REGULAR MEETING - 6:00pm

ATTENDANCE

Mayor Dennis Webb - excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson - excused

Grant Orton

City Staff

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Citizens: Sharron Horsey, Katie Abrams, R. Shelby, Kristen Brown, Jim Palmer, Stan Hanks.

I. *Welcome* - Council Member Orton

Council Member Orton called the meeting to order at 6:03 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Jim Palmer.

III. *Public Comments*

Jim Palmer. Spoke on the Holladay Pines fence. When this project was approved it was shown on the plan as a proposed trail. He feels that approving this fence in the public right-of-way would set a bad precedence to endorse sloppy design practices.

Stan Hanks - 6329 Howey Dr. Represents the Oakwood Community Council and spoke on the rebuild of Oakwood Elementary. Rebuilding Oakwood is no longer a focus for Granite School District due to money and new schools being built on the west side. Oakwood is the fourth oldest school in the district. They have put together a letter to the Board and would like the Council's support for their efforts and concerns. Would like a cover letter from the city to go with their letter.

Council Member Orton would like this on the next work meeting agenda when the whole Council is present to discuss. The Council is concerned about education and feels this is a good letter.

Council Member Pace likes the letter and feels they should send it out. The Council is anxious to support our children and schools.

Katie Abrams - 4363 Albright Dr. Spoke on PUD's. Asked that in the new ordinance there is an allowance for unique situations and neighborhoods. The neighbors in the area all have large lots and they would like to develop four homes on 1.75 acres, so they would just be under ½ acre lots. Right now they feel they are limited in what they can do. Keep in mind the context of the neighborhood as well as the compatibility and proportionality of homes and lots. You need to allow for the evolution of

neighborhoods. She suggested getting neighbors consent for smaller PUD's

IV. City Manager Report - Randy Fitts

* Wayman Pond is moving along. He and Tosh Kano drove Wander Lane at two different times of day, yes there is traffic but it is not heavy.

* Bonair sidewalk. Currently is discussion with the contractor. It was his decision not to start now and we cannot contractually force the contractor to start due to how the bid was written. This project will not disrupt traffic. The Council would like to see them slip form the sidewalk now and come back in spring to do the curb and gutter.

* Cottonwood Lane storm drain. Watched a video of the storm drain that is over 15 years old and is rusted out in places. This may be another big project on the horizon.

V. Council Reports

Council Member Diederich would like to use the building on November 11 for a COG sub committee meeting and will need access. He also requested time on the next Council agenda for a presentation from the Cottonwood Historic District.

Council Member Pignanelli talked about the upcoming gingerbread house contest. These will be on exhibit during the open house and then the next day there will be a party for the kids to decorate cookies, etc.. She also talked about an upcoming panel discussion regarding small business vs. big boxes. Council Member Pace will be on the panel and author Stacey Mitchell will be there. It will take place on November 14 at the city library and she encourage the council to attend.

Council Member Diederich moved to go into a closed session to discuss potential litigation. Council Member Pace seconded the motion. The Council voted in the affirmative and the Council went into closed session at 6:51:40pm

VI. Closed Session Pursuant to Utah Code Section 52-4-5.1 to Discuss Potential Litigation

Minutes for the closed session were taken and are now on file.

Council Member Pace moved to adjourn the closed session. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Orton, Pignanelli, Pace, and Diederich in favor. The motion to adjourn passed by a unanimous vote.

VII. Reconvene to Work Meeting

Council Member Pace moved to adjourn to a work meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative at the meeting reconvened at 7:37pm

see above work meeting minutes for continued discussion.

There being no other business, Council Member Pace moved to adjourn the work meeting. Council Member Pignanelle seconded the motion. The meeting adjourned at 8:00pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, October 26, 2006

Stephanie N. Carlson, CMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 11-2-06