

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 4, 2007  
City Council Chambers  
4580 S 2300 E  
Holladay, Utah 84117**

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**BRIEFING SESSION - 5:30pm**

***ATTENDANCE***

Mayor Dennis Webb- excused

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton - excused

**City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

Council Member Diederich, Mayor Pro-tem conducted the briefing session which convened at 5:42 pm. The Council reviewed the items on the agenda for tonight as well as the RDA agenda. There were a numbers of questions raised on the education task force resolution. The Council would like some more information on the task force, its members, etc...

## **Council Meeting – 6:00pm**

### ***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Hugo Diederich

Steven R. Peterson

Grant Orton - excused

### **City Staff**

Randy Fitts, City Manager

Stephanie Carlson, City Recorder

Craig Hall, City Attorney

**Citizens:** Laura Pinnock, Terry Palmer, Jerry Jorgensen, Kris Longson, Fred Minkevitch, Patrick Peterman, Maunsel & Ann Pearce, John Oberst, Steve Glaser, Bob Springmeyer, Elizabeth Cole, Leo Sharp, Dennis Guysell

### **I. *Welcome – Mayor Webb***

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 Maddie Palmer.

### **III. *Public Comments***

*Scott Kiser – Chamber of Commerce.* The Chamber voted to extend their support for the Mall Urban Renewal Project and encourage both business and community support for this development. It is the goal of the Chamber to unite the businesses and community. With the mall and village center redevelopment this is a new era for the residents and businesses in Holladay and with the magnitude of the development we realize their will be some growing pains that will be endured.

Secondly, the Chamber is in need of a home and they would like to be housed in city hall.

*Laura Pinnock – 4919 S Marilyn Dr.* Spoke regarding the Education Task Force. She recommends the Holladay proceed forward to do all we can to provide quality schools for our children. The task force will look at reform education (local control). It is here hope the Holladay will lead out in this area.

*Terry Palmer – 2633 E 6200 S.* Spoke regarding the Education Task Force. Education is the key to the future and parents need to do more to educate their children. This committee is the best thing we can do for the community

### **IV. *Special Presentation to Ken Melby***

Mayor Webb spoke on being here tonight to honor Ken Melby. What an honor and a privilege it is to know Ken and the great love he has for the city and the people it. Ken is an advocate for fitness and wellness and when the city talked about wanting a room in city hall for exercise, Ken stepped up and donated all the equipment that is now in city hall in a room known as the “Ken Melby Fitness Room.” He thanked Ken on behalf of the city and those who will benefit from the use of that equipment and presented him with a plaque. It is people like Ken who really make a difference in a community.

Each of the Council Members also thanked Ken for his donation and for being such a wonderful role model to youth and to physical fitness. They thanked him for his involvement with the city since its inception and for his commitment to the community.

*Ken Melby* took a few moments to thank the Mayor and Council for this honor. He is overwhelmed and humbled by what has been said here tonight. He is dedicated to the redevelopment of Holladay and the Sheriff’s department.

**V. Reports**

a. Deputy of the Month – Capt DeBry

Capt. DeBry honored three deputies for their outstanding service and going above and beyond the call of duty.

*Gary Romero* for July. With the use of a taser, Deputy Romero was able to subdue a suicidal victim in possession of what was thought to be a gun. Turned out the gun the suspect has was a pellet gun.

*Kenneth Melby* for August. Ken has been a special deputy for over 35 years and served under five different administrations. He is a dedicated and loyal supporter of law enforcement and physical fitness for the deputies and others. The donation of the state of the art physical equipment will benefit all.

*Scott Bannon* for September. Scott is a 21 year veteran of the Sheriff’s department and serves in the training unit. He is an example to all in appearance and physical condition. He spends countless hours with injured deputies providing support to them and their families. He truly cares about the officers.

Council Member Pignanelli

**VI. Public Hearing on Proposed General Plan Amendments**

Mayor Webb opened the public hearing at 6:32:20. There were no comments; the Mayor closed the meeting at 6:32:50pm

**VII. Public Hearing on Proposed Rezone from C-2 to Regional/Mixed-Use for the Property Located at 4835 S Highland Dr**

Mayor Webb opened the public hearing at 6:33pm. There being no public comments, the Mayor closed the meeting at 6:33:30pm.

**VIII. Public Hearing on Proposed Adoption of Chapter 13.65 Regional Mixed-Use Zone**

Mayor Webb opened the public hearing at 6:34pm

*Steve Glaser – 2052 Arbor Ln.* Spoke with regards to Section 13.65.080 regarding amendments to a site development master plan. He doesn't feel the draft proposal is as encompassing as it should be and there are certain things that should be considered significant changes that are not included. For example: the change in land use and setbacks. He is also concerned with the criteria for substantive modification for single family homes. There is also nothing in the ordinance about public notification, input and hearings. Feels these items need to be address.

There being no further comment, Mayor Webb closed the public hearing at 6:39:25pm.

**IX. Consideration of Resolution 07-38 Amending the General Plan for the City of Holladay Regarding the Property Known as Cottonwood Mall Located at Approx. 4835 S Highland Dr**

Council Member Diederich moved to adopt Resolution 07-38. Council Member Peterson seconded the motion.

Council Member Pace would like to add the following modifications: clarify limiting vehicle access language between commercial and existing adjacent residential also clarify the use of tax increment funding. Council Members Diederich and Peterson accepted the modifications.

*Mansel Pearce* –reported that Cottonwood Inc and General Growth have reached an agreement. The 100ft buffer zone extends from 4800 S corner of Memory Lane to Highland Dr entrance from Arbor Ln. The new buffer prohibits commercial development within a 100 ft and also prohibits any ingress or egress from any commercial but allows the four single-family residential driveways. Also stated the strip (10ft x 885ft) will be removed from the RDA within in six months.

*Kris Longson- General Growth.* He thanked the Cottonwood Inc Board for all their work. There is access for emergency vehicles. There could also be stipulations on the four family lots or restricted covenants with regards to heights etc.

The Council roll call vote was as follows: Council Members Pace, Peterson, Pignanelli, Diederich and Mayor Webb in favor. Resolution 07-38 passed by a unanimous vote.

**X. Consideration of Ordinance 07-14 Amending Chapter 13 of the Code by Adding a New Chapter 13.65 Regional/Mixed-Use Zoning District**

Council Member Peterson moved to take a five minute recess. Council Member Pace seconded the motion. The Council voted in the affirmative and the meeting stood in recess at 6:54pm. Mayor Webb reconvened the meeting at 7:07pm

Staff reviewed with the Council the changes made to Chapter 13.65.

Council Member Pace reiterated that the sensitivity of this project is in the residential area along the east and south.

Council Member Pace moved to adopt Ordinance 07-14. Council Member Peterson seconded the motion. The Council roll call vote was as follows: Council Members Pace, Peterson, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-14 was adopted by a unanimous vote.

**XI. *Consideration of Ordinance 07-15 Amending the Zoning Map of the City of Holladay Regarding the Properties Located at Approx. 4835 S Highland Dr (57 acres) from C-2 to R/M-U Zone***

Council Member Peterson moved to adopt Ordinance 07-15. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Pace, Peterson, Pignanelli, Diederich and Mayor Webb in favor. Ordinance 07-15 was adopted by a unanimous vote.

**XII. *Consideration of Resolution 07-39 Creating the Holladay Education Task Force, Establishing Its Mission, Purpose and Objectives***

Council Member Pignanelli moved to set aside Resolution 07-39 until the next Council meeting. Council Member Peterson seconded the motion. The Council voted in the affirmative and the motion carried.

**XIII. *Consideration of Resolution 07-40 Granting the Advice and Consent for the Appointment of Patricia Pignanelli to the Board of Directors of Salt Lake Community Action Program***

Council Member Peterson moved to adopt Resolution 07-40. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Pace, Peterson, Pignanelli, Diederich and Mayor Webb in favor. Resolution 07-40 passed by a unanimous vote.

**XIV. *Consent Agenda***

***a. Approval of Minutes of September 6 & 20, 2007***

Council Member Peterson moved to approve the consent agenda. Council Member Pace seconded the motion. The Council voted in the affirmative and the motion carried.

**XV. *City Manager Report***

Manager Fitts reported on the following:

- the kick-off meeting for the Village Center was last Tuesday. We have started on the road design and are on schedule to go out for bid late March
- Demolition is complete on the gas station and the condos should be done by the first of the week
- The contract for the fire station is on the County Mayor's desk waiting to be signed.

**XVI. *Council Reports***

Mayor Webb commented on the tragic accident in our city. Citizens are concerned about traffic and he would like the Council to have a serious discussion on how we protect our citizens.

**Presentation by Tom Nelson**

Tom Nelson made a presentation to the Council regarding signs and sign pollution in the city. He handed out information to the Council (*on file*) and then reviewed the document. He also briefly discussed the problems with graffiti. He feels the city is understaffed in the enforcement area and that more needs to be done.

**XVII. Recess to RDA Meeting and then into a Work Meeting**

Council Member Peterson moved to recess to an RDA meeting. Council Member Diederich seconded the motion. The meeting recessed at 8:00pm.

**The minutes for the work meeting follow.**

Council Member Pace moved to go into closed session for the purpose of discussion personnel issues, potential litigation and property acquisition. Council Member Pignanelli seconded the motion. The Council went into closed session at 10:36pm

**XVIII. 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: Mayor Webb, Council Members Diederich, Peterson, Pace, and Pignanelli. Craig Hall, Clarence Kemp, Paul Allred, Stephanie Carlson and Brett Randall. Council Member Orton 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 Pignanelli 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 11:26pm.

**XIX. Adjourn**

Council Member Peterson moved to adjourn with Council Member Diederich seconding the motion. The meeting adjourned at 11:27pm

**WORK MEETING – October 4, 2007**

***ATTENDANCE***

Mayor Dennis Webb

Lynn Pace

Patricia Pignanelli

Steven R. Peterson

Hugo Diederich

Grant Orton - excused

**City Staff**

Randy Fitts, City Manager

Craig Hall, Attorney

Stephanie Carlson, City Recorder

Clarence Kemp, City Engineer

**Others:** Susan Mickelson, Fred Minkevitch

Mayor Webb reconvened the City Council in a work meeting at 9:28.30 pm.

**a. Discussion on Casto Property and Log Cabin on Walker Ln**

The Council discussed the log home, which is the second oldest home in the area. The home is in good shape and does need to be preserved. The open space on Casto Lane is being sold and they are trying to subdivide the land. The Council wanted to make sure they knew where the open spaces were in the city to prevent development on what few areas of open space we have left.

**b. Discussion on Tuscany Parking**

The Council discussed options for parking near the Tuscany restaurant. The City could do a trade for some of the land or could enter into a shared parking agreement with the city and Tuscany. Finally, the city can make Tuscany comply with their conditional use permit. The Mayor asked that Lynn, Randy and Paul meet with Mark Eaton and come back to the Council with options. This issue needs to be solved soon as we head into the holiday season.

**c. Update on Sheriff's Contract**

Craig Hall reviewed some talking points on the contract and the sub committee will work on meeting with the Sheriff in the coming week. Some of the points to be discussed include: term on contract, personnel matters, control board, office space rent, tracking of calls, level of service and allocation formula. The Mayor wants to see the Sheriff's signature on the contract.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay*

*City Council meeting held Thursday, October 4, 2007.*

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Stephanie N. Carlson, CMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 11-1-07