

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, May 1, 2014  
Mt. Olympus Room  
4580 South 2300 East  
Holladay UT 84117**

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**BRIEFING SESSION - 5:30 p.m.**

***ATTENDANCE***

Rob Dahle, Mayor  
Lynn Pace  
Patricia Pignanelli  
J. James Palmer, Jr.  
Steve Gunn  
Sabrina Petersen

**City Staff,**  
Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney

Mayor Pro-tem Lynn Pace conducted and called the briefing session to order at 5:39 pm. The Council reviewed the agenda. Mr. Hall discussed the proposed bee ordinance and that tonight is just the public hearing.

On the Kentucky Ave subdivision the Council is dedicating it as a public road. Parcel A is labeled as not buildable. The City cannot sell the parcels until the subdivision is approved.

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**Thursday, May 1, 2014  
Council Chambers  
4580 South 2300 East  
Holladay UT 84117**

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**Council Meeting - 6:00 p.m.**

***ATTENDANCE***

Mayor Rob Dahle  
Lynn Pace  
Patricia Pignanelli  
J. James Palmer, Jr.  
Steven Gunn  
Sabrina Petersen

**City Staff**  
Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney

**I. *Welcome.***

Mayor Pro-tem Pace conducted and called the meeting to order at 6:08 p.m.

**II. *Pledge of Allegiance.***

The Pledge of Allegiance was recited by the audience.

**III. *Public Comments***

There were none.

**IV. *Presentation to Mayor Dahle***

Courtney Carlson, Chloe McIntire, Macy Tilk and Andrew Wilson - Captains of the Howard R. Driggs Safety Ambassadors made a presentation to Mayor Dahle for his work in getting the school safety zone lights reinstalled along 4500 S. They thanked him for helping to make it safer for them and the students to cross 4500 S. They presented the Mayor with letters from the students and a small thank-you gift. Christina McGill, Principal and Darci Hall, PTA President also expressed their thanks.

Mayor Dahle thanked the students and appreciates all they do. It was a team effort between the City, the school and UDOT. He also thanked all the parents for their perseverance. He also thanked Ms. McGill for her service as principal and wished her good luck in her new endeavors.

**V. *Public Hearing on Amendment to City Code to Allow for the Keeping of Bees Within the City Limits***

Mr. Hall provided a brief staff report. There are two parts to the proposed amendment: a new chapter to be added to Title 8, outlining the overall rules that would apply to each beekeeper's operations and text listing the number of hives that could be legally placed on a lot in the city. The Planning Commission recommended adoption.

**Mayor Pro-tem Pace opened the public hearing at 6:23 pm.**

*Christopher Stallings – 1918 E. Severn Dr.* He is a third generation bee keeper. He supports the ordinance but expressed concerns with colony density, he feels it is too low and the sq footage requirements. He would like to see them allowed anywhere in the city. If this passed as written he would lose his two hives. The last concern he has with the marking of the queen bee. He would like to see Holladay allow federally approved bee diversity.

*Paul – 2220 E Murray Holladay Rd.* He lives in the end unit with a southwest facing deck and is new to beekeeping. They now have new “mini” boxes that can be used for those in smaller areas. He supports the no lot size restrictions.

**Mayor Pro-tem Pace closed the public hearing at 6:34 pm.**

**VI. *Presentation of Tentative Budgets for 2014-15***

Manager Fitts presented the Council with the tentative budgets. This is a balanced budget with no increase in fees or taxes. He also provided the Council with charts to help them better visualize expenses, sales tax and property tax history as well as monies collected from the franchise tax. He noted that there was a decrease in building permits. Also, the budget is becoming tighter and tighter with the UFA, UPD and public works contracts increasing.

**VII. *Consideration of Resolution 2014-14 Acknowledging Receipt of and Adopting the Tentative 2014-15 Fiscal Year Budgets & Setting a Public Hearing for June 5, 2014***

Council Member Pignanelli moved to approve Resolution 2014-14. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle in favor. Resolution 2014-14 was approved by a unanimous vote.

**VIII. *Consideration of Resolution 2014-15 Approving the Creation and Recordation of the Kentucky Ave Subdivision***

Mr. Hall explained that in 2012 the Council approved the new road alignment for Kentucky Ave. and as a result resulted in created two properties. In order to convey the property the parcels need to create a subdivision. This Resolution dedicates, for public purposes, the alignment of Kentucky Ave. and approves the subdivision plat with two parcels: Lot 1- which is buildable and Parcel A – which is non-buildable. It also directs staff to get the plat signed and recorded upon approval.

Council Member Gunn commented that it was the intent of Mr. Olsen to put a temporary food truck on the south parcel. Does this resolution preclude him from doing so?

Mr. Allred responded that you cannot have an accessory use without a primary use. Since Parcel A cannot have a primary use, it can't have the accessory use. You could do landscaping and parking on it. A food truck on it would not be allowed.

Council Member Petersen thought it was an accessory use to Lot 1.

Mr. Allred stated that is a different issue and would have to be addressed in how the site plan is developed.

Mayor Dahle's understanding is that a food trailer court, which is an approved use in the zone, could be applied for on Lot 1 in which case an application for an accessory use on Parcel A.

Council Member Pace stated that the Resolution approves the subdivision and the road. The plat says Parcel A is non-buildable and Lot 1 is buildable.

Council Member Petersen moved to approve Resolution 2014-15. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle in favor. Resolution 2014-15 was approved by a unanimous vote.

Council Member Pace noted that he was never in favor of the road configuration.

**IX. *Consideration of Resolution 2014-16 Expressing Holladay City Council's Intent Regarding Appendix A, HV Zone, Footnote 14 Pertaining to Residential Uses in the HV Zone (6.57)***

Mr. Allred provided the background. The footnote 14 carried over from C-1 and C-2 zone when we recodified Appendix A and it was unintended and would make residential throughout the Village an accessory use instead of permitted. Residential, clearly by intent and by practice, is not an accessory use.

Council Member Palmer moved to approve Resolution 2014-16. Council Member Petersen seconded the motion.

Council Member Palmer explained that we are sending this back for reconsideration by the Planning Dept. to draft language and go through the process with a public hearing at the Planning Commission.

Council Member Pace is not comfortable with the first "now therefore". The real issue is to amend the text and it needs to go through the process. Then our intent will be clear at that point.

Council Member Petersen made a substitute motion to approve Resolution 2014-16 with the following change: delete the first "Now therefore" paragraph. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pace, Gunn, Pignanelli, Palmer and Mayor Dahle in favor. Resolution 2014-16 was approved by a unanimous vote.

**X. *Consideration of Ordinance 2014-06 Amending Various Sections of Chapter 13.78 Pertaining to Planned Unit Developments and Amending Chapter 13.100- Appendix A Allowed Uses***

Mayor Dahle moved to adopt Ordinance 2014-06. Council Member Petersen seconded the motion.

Council Member Gunn made a substitute motion to table this Ordinance. Motion failed due to lack of second.

Council Member Gunn had some policy concerns. Holladay is a wealthy and aging community with not much turnover. The goal should be to try to attract more families and middle class. This ordinance is a status quo ordinance. There is no PUD "bonus" per say. A PUD is an opportunity to put more units in a space. We should be looking for ways to bring in greater density to our

City. There is no incentive to developers. We need to consider this in the context of the General Plan and how to get more young families into Holladay.

Council Member Palmer disagrees with Council Member Gunn. PUD's are a tool to get a better project, not higher density. The PUD does offer developers incentives to increase density.

Mayor Dahle commented that we will continue to have these debates due to the limited amount of space and demand.

The Council roll call vote was as follows: Council Members Petersen, Pace, Pignanelli, Palmer and Mayor Dahle in favor, with Council Member Gunn opposed. Ordinance 2014-06 was approved by a 5-1 vote.

**XI. *Consideration of Ordinance 2014-07 Adopting Restrictions on the Use of Fireworks Within Certain Areas of the City with Conditions***

Manager Fitts noted that this is not ready for adoption. There are some issues that have been raised and there needs to be more discussion.

Council Member Palmer moved to table Ordinance 2014-07 to a work meeting discussion. Council Member Petersen seconded the motion. The Council voted in the affirmative and the motion carried.

**XII. *Consent Agenda***

**a. *Approval of Minutes – April 3***

Council Member Petersen moved to approve the consent agenda. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the consent agenda was approved.

**XIII. *City Manager Report***

Manager Fitts reported on the following:

- The closing on the Cotton Bottom has been extended 10 days due to some issues with liens.
- The sidewalk on the west side of 2300 E is almost complete
- City has received very positive comments on the bus benches.

**XIV. *Council Reports***

Council Member Palmer reported that he has heard from citizens who are glad that water is flowing in Big Cottonwood Tanner Ditch.

Council Member Gunn reported that he has sent the Stratton Park design plans to the two cell tower companies. Mr. Kemp is working on getting landscaping estimates.

Mayor Dahle reported that there were over 900 volunteers who came out to the Comcast Cares Day at Bonneville Jr. High and Spring Lane, even with the rain. It was a great show of support and a success.

**XV. *Other Business***

**XVI. *Recess to RDA Meeting***

Council Member Petersen moved to recess the City Council meeting and convene in an RDA meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the City Council meeting was recessed at 7:20 pm.

**XVII. *Adjourn City Council Meeting and Convene to a Work Meeting.***

Council Member Palmer moved to adjourn the City Council Meeting and reconvene in a Work Meeting in the Mt. Olympus Room. Council Member Pignanelli seconded the motion. The Council voted in the affirmative. The Council Meeting adjourned at 7:35 pm

## WORK MEETING – MAY 1, 2014

### **ATTENDANCE**

Mayor Rob Dahle  
Lynn Pace  
Patricia Pignanelli  
J. James Palmer - *excused*  
Sabrina Petersen  
Steven Gunn

**City Staff**  
Randy Fitts, City Manager  
Stephanie Carlson, City Recorder  
Craig Hall, City Attorney

Mayor Pro-tem Pace convened the Council in a Work Meeting at 7:45 p.m. in the Mt. Olympus Room.

#### **a. Discussion on Fireworks Amendments**

Chief Slack went over some recommendations and has about five priority areas that are a concern. 1) Walker Ln area; 2) Creekside park; 3) along Big Cottonwood Creek within a 150 ft from the bank; 4) Tolcate area; and 5) Right-of-way along west side of I-215. He will meet with Manager Fitts to go over those areas and get language to Mr. Hall.

#### **b. Discussion of Previous Public Hearing on Bees**

The Council discussed the comments from the public hearing. They would like to take out the queen bee restrictions and change to lot area to 8,000 sq ft lots. They also asked that the table be redone. Staff and Mr. Hall will work on the changes and get a clean draft to the Council for discussion at the May 15 work meeting.

#### **c. Annexation Update**

The Boundary Commission will meet on May 8 when they will receive the final feasibility report. Manager Fitts commented that he has not budgeted anything for this area and with sales tax and property tax running two months behind this annexation will not be able to take place until Jan. 1, 2015.

#### **d. Budget Discussion for 2014-15**

Manager Fitts stated that the budget is now in the Council's hand. He would like to schedule meetings with individual or small group of Council Members to go over the numbers before May 15.

#### **e. Calendar**

Ms. Carlson reviewed the calendar for May and into June. The Council will meet on May 15 in a work meeting and again on May 22. The legislative breakfast is schedule for May 29.

The public hearing on the budget will be June 5 with adoption on June 12.

The UTA open house will be May 7. Council Member Pace would like to present them with a statement outlining the City's concerns.

#### **f. Other Business**

Council Member Pace would like to initiate a petition to the Planning Commission to change the maximum height of buildings in the Holladay Village zone so that no buildings are higher than two stories. This will give the staff and Commission six months to take review and take action.

Mayor Dahle has received a call from the owner of Relics regarding parking. He would like to see parking restrictions or parking signs with two hour max installed. The issue the city has is in monitoring.

**XVIII. *Closed Session Pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition.***

Council Member Petersen moved to go into Closed Session to discuss personnel issues, property acquisition, and disposition. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle voted in favor. The Council convened in a closed session at 9:19 p.m.

Those in attendance at the Closed Session were: Council Members Pace, Petersen, Palmer, Gunn, Pignanelli and Mayor Dahle. Others present included Randy Fitts, Craig Hall, Stephanie Carlson, and Paul Allred.

Minutes of the Closed Session were taken and are now on file as a Protected Record.  
Council Member Petersen moved to adjourn the Closed Session and reconvene the Work Meeting. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle voted in favor. The motion to go out of closed session at 9:41 p.m. passed with a unanimous vote.

**XIX. *Adjourn Work Meeting.***

There being no further business, Mayor Dahle moved to adjourn with Council Member Petersen seconding the motion. The Council voted in the affirmative. The meeting adjourned at 9:42 p.m.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, May 1, 2014.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Robert Dahle, Mayor

Minutes approved: June 12, 2014