

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, May 16, 2013  
Mt. Olympus Room  
4580 S 2300 E  
Holladay, Utah 84117**

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**Council Meeting - 6:00pm**

***ATTENDANCE***

Mayor Dennis Webb  
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

The City Council met at 5:00 pm at the new fire station site and toured the facility.

**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 Chief Marty Slack, UFA.

**III. *Public Comments***

There were none.

**IV. *Public Hearing on Proposed Boundary Adjustment with Cottonwood Heights***

*Paul Allred, Community Development Dir.* provided a brief staff report. This is a half-acre parcel on the south side of the creek at approximately 6360 S 2300 E. Cottonwood Heights is asking for this adjustment because it is isolated on the south side of the creek.

**Mayor Webb opened the public hearing at 6:10pm.** There were no comments and **Mayor Webb closed the public hearing at 6:10:10 pm.**

**V. *Consideration of Ordinance 2013-11 Amending the Zoning Map of the City of Holladay for Property Located at Approximately 5310 S Highland Dr from R-1-21 to R-1-8***

Council Member Petersen moved to adopt Ordinance 2013-11. Council Member Gunn seconded the motion.

Council Member Palmer discussed including a 20ft setback on the west property line in order to give the neighbors more of a buffer and to help address their concerns. The lots are over 10,000 square feet. He would also like to limit the project to six lots.

Council Member Pace would like to do a development agreement that would expire when they receive their certificate of occupancy.

Council Member Pignanelli commented that the neighbors would like a 30ft buffer. She is hearing from constituents that this is not what the Highland Dr. committee wanted and that we are downsizing too much.

Mayor Webb commented that the committee approved this.

*John Phillips – applicant.* If you go more than a 15 ft setback then the project doesn't work. The lot is long and narrow and you need to have the area for the road. There will be some open space on that west corner.

Council Member Petersen modified the motion to approve Ordinance 2013-11 with the following modifications: 15 ft side yard on far west lot and a development agreement. Council Member Gunn seconded. The Council roll call vote was as follows: Council Members Pace, Petersen, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Ordinance 2013-11 was adopted by a unanimous vote.

**VI. *Consideration of Ordinance 2013-12 Amending the Zoning Map of the City of Holladay Regarding the Property Located at Approximately 2000 E 3900 S from RM to NC***

Council Member Pace moved to approve Ordinance 2013-12 subject to a development agreement that includes: single story dental office and if not met within six months, the agreement is void. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Ordinance 2013-12 was adopted by a unanimous vote.

**VII. *Consideration of Resolution 2013-15 Authorizing the Mayor to Execute a Real Estate Purchase Contract for the Sale of Property Located at the Intersection of Kentucky Ave and Holladay Blvd.***

Craig Hall reviewed the contract for the Council. This is the eighth draft and there are three policy points for the Council to discuss which include (1) Indemnification; should there be something environmentally toxic concealed underground; (2) Removal of power pole. The City would coordinate with Rocky Mountain Power for the removal and the cost would be split between the City and Mr. Olsen; and (3) Closing to be no later than Sept. 1, 2013. The Council discussed the indemnification and the details regarding the five-year time frame. Mr. Hall confirmed that responsibility lies with the original owner.

***Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss Personnel Issues, Potential Litigation and Property Acquisition and Disposition – (If needed)***

Council Member Pace moved to go into Closed Session to discuss personnel issues and property acquisition and disposition. Council Member Palmer seconded the motion. The Council voted in the affirmative and convened in a closed session at 6:42 pm.

Those in attendance at this Closed Session were: Mayor Webb, Council Members: Pace, Petersen, Palmer, Gunn, and Pignanelli. Also in attendance: Craig Hall, Randy Fitts, Stephanie Carlson and Clarence Kemp.

Minutes for 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 Pace seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. The motion to go out of closed session at 6:54 pm passed by a unanimous vote.

Council Member Pace moved to postpone item VII on the agenda and move forward until the appropriate parties are ready to rejoin the meeting.

Craig Hall stated the items requested to be changed in the real estate purchase have been accepted by Mr. Olsen and are then prepared to go. He reviewed those items.

Council Member Palmer moved to approve Resolution 2013-15. Council Member Petersen seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Resolution 2013-15 was adopted by a unanimous vote.

#### VIII. *Consent Agenda*

##### *a. Approval of Minutes – May 2 & 9, 2013*

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

#### IX. *City Manager Report*

Manager Fitts has had a request for signage in front of Gepetto's and Maxfield Plumbing for 2 hour parking. The Council asked him to talk to the businesses along the street and get a feel for who is parking there (employees or customers).

Mayor Webb reported that Mr. Hall had rejoined the meeting and return to item VII for discussion.

#### X. *Council Reports*

Council Member Palmer stated that the City's hearing officer has upheld the City's position on the Ric Smith appeal and the residence must be returned to a single family home. Also, we just received the design for the sound wall for Maggie McGee's.

Council Member Petersen discussed the violations along Spring Creek. The homes are being built out right to the creek. She has staff to look at the homes and to notify the neighbors.

#### XI. *Other Business*

Property located on 4500 South, the well site, was discussed. Council Member Gunn stated that the conditional use permit conditions have not been met.

The UPD Awards Banquet is Thursday, May 23 and Capt. Bertram would like to know who will be attending.

New State fireworks regulations were discussed.

#### XII. *Adjourn City Council and Convene in an RDA Meeting*

Council Member Pignanelli moved to adjourn the City Council meeting and convene in as an RDA Board. Council Member Palmer seconded the motion. The Council voted in the affirmative and the Council meeting adjourned at 7:15 pm.

## WORK MEETING – May 16, 2013

### **ATTENDANCE**

Mayor Dennis Webb  
Lynn Pace  
Patricia Pignanelli  
J. James Palmer  
Sabrina Petersen  
Steven Gunn

### **City Staff**

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

Mayor Webb conducted the work session and convened the Council work meeting at 7:56 pm.

#### **a. Update and Discussion on City Hall Park & Casto Home**

Manager Fitts commented that hole has been filled. It took 75 yards of concrete to fill it. The footings are in for the bandstand. They are moving along nicely and the sod and trees will go in within the next few weeks.

#### **b. Discussion on Proposed Boundary Adjustment**

The Council asked staff to look into the issue of the road. This adjustment will make the creek the border.

#### **c. Discussion on Tentative 2013-14 Budgets**

The Council reviewed the budget and went over the Capital Improvement budget line by line. Manager Fitts asked each Council Member to submit a list of projects and priorities for the City as a whole.

The Council discussed the tearing down of the fire station and possible scenarios for the park and what needs to be done to the site.

#### **d. Discussion on Annexation**

Council Member Pace reported that the Annexation Master Plan does not include the area in question. He proposed that the map be extended to 3900 South and from 1300 East to Wasatch Boulevard.

### **XIII. Adjourn Work Meeting**

There being no further business, Council Member Petersen moved to adjourn with Council Member Pace seconding the motion. The Council voted in the affirmative and the meeting adjourned at 9:20 pm.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, May 16, 2013.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: 6-20-13