

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, June 21, 2012
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

BRIEFING SESSION - 5:30pm

ATTENDANCE

Mayor Dennis Webb
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 Webb conducted and called the briefing session to order at 5:38 pm. The Council reviewed the agenda.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, June 21, 2012
Mt. Olympus Room
4580 S 2300 E
Holladay, Utah 84117**

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
Clarence Kemp, City Engineer

I. *Welcome*

Mayor Webb conducted the meeting. He called the meeting to order at 6:11 pm and welcomed those in attendance.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by City Manager Randy Fitts.

III. *Public Comments*

David Chisholm - reported on the Emergency Preparedness Fair this coming Saturday. This is an opportunity for citizens to come and learn how to be more prepared and to take care of themselves in an emergency.

IV. *Consideration of Ordinance 2012-10 Approving the Second Amended Budget for the Fiscal Year Beginning July 1 2011 and Ending June 30, 2012*

Council Member Petersen moved to adopt Ordinance 2012-10. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-10 was adopted by a unanimous vote.

V. *Consideration of Ordinance 2012-11 Determining the Rate of Tax for 2012 Tax Year and Levying Taxes Upon all Real and Personal Property Within the City of Holladay*

The rate of tax is set by the County and there is no tax increase.

Council Member Pace moved to adopt Ordinance 2012-11. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-11 was adopted by a unanimous vote.

VI. *Public Consideration of Ordinance 2012-12 Adopting a Final Budget for the General Fund for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013*

Council Member Pace noted again that there is no tax increase and that there has not been an increase since the city incorporated. There are no new employees and they are doing more with less. There is budgeted a 5% salary/merit increase for employees who have not had an increase in over three years. He expressed appreciation to the staff for all they do. Over 46% of the budget is for public safety (fire and police).

Council Member Pace moved to adopt Ordinance 2012-12 with the following amendments: increase economic development (10-530-615) to \$20,000 and decrease the transfer to capital projects (line 10-900-100) by \$10,000. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-12 was adopted by a unanimous vote.

VII. *Public Consideration of Ordinance 2012-13 Adopting a Final Budget for the Capital Improvement Fund for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013*

Council Member Pace moved to adopt Ordinance 2012-13 with the following amendments: reduce transfer from General Fund (line item 22-38-4000) by \$10,000 and decrease Unrestricted Capital Projects (line 22-510-730) by \$10,000. Council Member Petersen seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-13 was adopted by a unanimous vote.

VIII. *Public Consideration of Ordinance 2012-14 Adopting a Final Budget for the Debt Service Fund for the Fiscal Year Beginning July 1, 2012 and Ending June 30, 2013*

Council Member Petersen moved to adopt Ordinance 2012-14. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-14 was adopted by a unanimous vote.

Mayor Webb thanked Manager Fitts for all his time and effort in putting together this budget. He also thanked the staff for all they do.

IX. *Consideration of Ordinance 2012-15 Repealing Title 12 and 13 of the City Code Pertaining to Zoning and Re-enacting a New Title 13 with Revisions*

Council Member Palmer moved to table Ordinance 2012-15 for further discussion in a work meeting. Council Member Petersen seconded the motion. The Council voted in the affirmative and Ordinance 2012-15 was tabled to a work meeting.

X. *Consideration of Ordinance 2012-16 Repealing and Reevaluating Title 8 of the City Code Pertaining to Animals*

Council Member Pace moved to adopt Ordinance 2012-16 with the following amendment: add the following at a new section that states: In the event of a conflict between any provision of this Title (Title 8) and provisions of Title 13, the provisions of Title 13 shall control. Council Member Palmer seconded the motion.

Council Member Petersen commented that she could not support an unlimited number of pets.

The Council roll call vote was as follows: Council Members Pace, Pignanelli, Gunn, Palmer and Mayor Webb in favor and Council Member Petersen opposed. Ordinance 2012-16 was adopted by a majority 5-1 vote.

XI. *Consideration of Ordinance 2012-17 Amending Chapter 13.46.090 Pertaining to Building Heights in the “P”*

Council Member Petersen moved to adopt Ordinance 2012-17. 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. Ordinance 2012-17 was adopted by a unanimous vote.

XII. *Consideration of Ordinance 2012-18 Amending the Zoning Map for Property Located at 2084 E 3900 S from RM to C-1*

Council Member Pace commented that this is in his district and adjacent to the Black Diamond property. He is supportive of the concept, but is concerned about the location. The general plan calls for RM and they are proposing C-1. He is opposed to the rezone unless the Council revisits the general plan and have community involvement on what they would like 3900 S to look like as it develops. Our standards suggest that we should evaluate zoning amendments in the context of whether or not they comply with the general plan. If we don't like the general plan, then change it before you change the zoning.

Council Member Pace moved to hold this item until the Council could consider an amendment to the general plan and the public can weigh in on how 3900 S should be developed. Motion died for lack of second.

Council Member Gunn shares Council Member Pace's concerns but he is worried about delaying this request.

Council Member Pignanelli is tired of building happening in every other area but Holladay. We need to encourage development and help those who want to build in our city.

Mayor Webb commented that there were two public hearings with very little citizens attending or commenting. We need to find a middle ground and allow for economic growth.

Council Member Petersen asked if C-1 was the only option and has concerns with pocket zoning. She is concerned about the design plan and that Black Diamond has yet to give the applicants permission to use the site.

Kyle Dempster – applicant. The property is being provided by Peter Metcalf of Black Diamond who owns the property and it will be an unlimited lease to them. This coffee shop was a special request by Mr. Metcalf for his employees. We just want to extend the boundary of commercial that is already there. The lease is verbal at this time and is dependent on the zone change.

Council Member Pignanelli asked if the design could be changed.

Mr. Dempster replied it could be changed and they are not married to the shipping container idea. We just wanted something different, unique and look nice. Plans call for solar plans and rooftop seating.

Paul Allred stated that the parking issue has been solved and there would be a net loss of three stalls.

Mayor Webb asked if granting this rezone based on the Commission's recommendation does it affect the whole 3900 S Corridor in the long run. Does it set precedence?

Mr. Allred replied that it does not.

Council Member Palmer asked what the parking requirements are for the new use. The City has supported Black Diamond in the past. This is an incremental expansion of 150 ft and is a continuation of what is already there.

Mr. Allred commented that there is plenty, but we have not gone through the site plan process and done a detailed analysis.

Mayor Webb is supportive of this coffee shop but is concerned if the lease or financing does not happen what are the options so this property does not stay C-1 or for this use.

Council Member Palmer moved to adopt Ordinance 2012-18 with the following: The approval is contingent on the following:

1. Obtaining a lease agreement from Black Diamond
2. Financing
3. Site plan approval for this project
4. items 1-3 will occur within six months of the approval (December 17, 2012)

Council Member Petersen seconded the motion. Council Member Petersen seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor with Council Member Pace opposed. Ordinance 2012-18 was adopted by a majority 5-1 vote.

The Council also instructed the Planning Dept. to initiate a 3900 S corridor study.

XIII. Consideration of Ordinance 2012-19 Establishing a Neighborhood Parking Permit Program

Council Member Pignanelli moved to adopt Ordinance 2012-19. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Ordinance 2012-19 was adopted by a unanimous vote.

XIV. Consideration of Resolution 2012-21 Amending the Allocations for Community Development Block Grant (CDBG) Funding for the 2012-2013 Fiscal Year

Council Member Petersen moved to approve Resolution 2012-21. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Resolution 2012-21 was approved by a unanimous vote.

XV. Consideration of Resolution 2012-22 Appointing Les Chatelain to the Planning Commission

Council Member Pignanelli moved to approve Resolution 2012-22. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Resolution 2012-22 was approved by a unanimous vote.

XVI. Consideration of Resolution 2012-23 Authorizing the Mayor to Execute an Agreement with Salt Lake County for Sharing of Aerial Photography

Council Member Pace moved to approve Resolution 2012-23. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Resolution 2012-23 was approved by a unanimous vote.

XVII. Consideration of Resolution 2012-24 Authorizing the Mayor to Execute an Agreement with Salt Lake County for 2012-13 Fiscal Year Animal Control Services

Council Member Pace moved to approve Resolution 2012-24. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Webb in favor. Resolution 2012-24 was approved by a unanimous vote.

Mayor Webb would like to review all contracts as part of the budget process.

XVIII. Consent Agenda

a. Approval of Minutes – April 19

Council Member Palmer moved to approve the minutes of April 19. Council Member Petersen seconded the motion. The Council voted in the affirmative and the minutes were approved.

XIX. City Manager Report - Randy Fitts

Manager Fitts reported on the following:

- Marked the site for the new Casto Home site for the Council to see
- Need input of the current color for the restroom doors
- We have been working with Salt Lake County on the possibility of a park bond, but that did not pass.

XX. Council Reports

Council Member Palmer reported on the noise issue with Maggie McGee's. Bands are only on the weekend and the next outdoor event is not until August. A letter has been sent to the owner that we are ready to measure the noise levels. He also spent three hours at Knudsen Park spraying poison ivy and there is a lot. It needs to happen regularly.

Mayor Webb reported that the 501c3 paperwork is being filed this week. We are ready to begin seeking funding and putting grants together. The next step is to hold an organizational meeting and get our exempt status.

XXI. Recess City Council Meeting and Convene as an RDA Board

Council Member Pace moved to recess the City Council meeting and convene as an RDA Board. Council Member Petersen seconded the motion. The Council voted in the affirmative and the meeting recessed at 7:22pm

XXII. Adjourn City Council Meeting and Convene to a Council Work Meeting

Council Member Petersen moved to adjourn City Council meeting and convene in a work meeting in the Mt. Olympus Room. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:28 pm.

Council Member Petersen moved to adjourn City Council meeting and convene in a work meeting in the Mt. Olympus Room. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:04pm.

WORK MEETING – June 21, 2012

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
Clarence Kemp, City Engineer

Mayor Webb convened the Council in a work meeting at 7:33 pm.

a. Discussion with Chamber on Economic Development

Julie Jakob & Peri Kinder – Chamber talked to the Council about Celebrate Holladay on September 8 from 4-7:00pm. The focus is on local restaurants. There is room for 24 vendors on the plaza and could be expanded to the grass area if needed. The cost is \$20 and will include a coupon book and entertainment. They are excited to be able to promote Holladay.

The Council took a short field trip to the City Park – restrooms and proposed Casto Home site and to the plaza at 7:47pm. The Council returned at 8:16pm.

b. Discussion on Fire Station & Casto Home

Manager Fitts reported that he is still waiting on final costs. There is a public hearing and open house on July 26.

The Council then discussed the proposed site for the Casto Home and orientation of the building. The Council discussed two options – facing Holladay Blvd or the park. The Council would like to see it face the park with the main entrance on the south and the back paralleling the fence. The area staked off is too big and can be smaller. They would like to see a little park within a park where the home sits.

c. Discussion on Planning Commission Appointments

Council Member Pace is working on an appointment from his district.

d. Discussion on License Agreement for Lease of Plaza Property for Adjacent Businesses

Mr. Hall went over the license agreement with the Council. This is for restaurants to use the plaza. He asked the Council to review and get any comments back to him. Mayor Webb asked that this be mailed to Tom Henroid for his input.

e. Discussion on Proposed Noise Ordinance

The Health Department will adopt the new noise ordinance on August 1. The Council asked Council Members Palmer and Gunn to work with Mr. Hall to address the gaps between our noise ordinance and the proposed ordinance from the Health Dept. Council Member Palmer asked if this could be addressed at COG since it is a valley wide ordinance and it would be nice to have a uniform model.

f. Discussion on Annexation Policy

Council Member Pace discussed the need to update the City’s annexation policy before November. He suggested that it be concept based rather than geography based with two general principles. One, any annexation has to be initiated by the local citizens. It has to be fair financially and make sense for the citizens of Holladay and the County. Second, needs to address self-determination.

Mr. Hall will look into the process to amend the policy and the map.

g. Update of 4th of July

Council Member Petersen stated that food vendors are cancelling. Overall everything else is going well. She asked that the Council be there at 8:15 am for the parade and flag ceremony on the plaza.

h. Calendar

i. Other Business

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

XXIV. Adjourn

There being no further business, Council Member Gunn moved to adjourn with Council Member Pignanelli seconding the motion. The Council voted in the affirmative and the meeting adjourned at 9:25 pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, June 21 2012.

Stephanie N. Carlson, MMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: 7-19-12