

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 10, 2014
Mt. Olympus Room
4580 South 2300 East
Holladay UT 84117**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE

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

City Staff,
Randy Fitts, City Manager
Stephanie Carlson, City Recorder - *excused*
Paul Allred, Community Development Dir.
Todd Godfrey, City Attorney

Mayor Dahle called the Briefing Session to order at 5:38 p.m. The City Council reviewed and discussed the agenda items.

The public hearing on the proposed amendments to the Public Zone (P) was discussed. The only two exclusions were the R-1-43 Zone for the Carmelites and the Evangelical Christian School.

The contract with Hayes, Godfrey & Bell for legal contracts was discussed and billing rates were reviewed.

Mayor Dahle reported issues with the License Agreement. It has been discovered that there is an agreement that was signed previously that supersedes the agreement being reviewed. Postponing action was recommended.

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I. Welcome – Mayor Dahle.

Mayor Dahle conducted and called the meeting to order at 6:07 p.m.

II. Pledge of Allegiance.

The Pledge of Allegiance was led by City Attorney, Todd Godfrey.

III. Public Comments.

Karlynn Smith, 4118 Camille Street, and Jenny Hale, 4942 Cottonwood Lane. They own a gelato truck and would like to be located near the new Holladay Center. They cannot obtain a permit, however, until they find a location. The Council agreed to discuss the matter during the work session.

IV. Special Recognition for Lori Khodadad.

Council Member Palmer recognized Lori Khodadad for her 6½ years of service on the City of Holladay Planning Commission.

Community Development Director, Paul Allred, stated that Ms. Khodadad has been one of the best Planning Commission Members he has seen. He expressed gratitude for her dedication and service. Ms. Khodadad thanked Staff and Council Members.

V. Public Hearing on Proposed Amendments to the P Zone.

Mayor Dahle opened the public hearing at 6:19 p.m.

There were no public comments. **The public hearing was closed at 6:20 pm.**

Mr. Allred detailed the Public Zone (P) and stated there are several public and quasi-public uses within the P Zone. Some schools, churches, and City Hall are not in the Public Zone. It became apparent that there were uses, that if they were to go away, they would automatically have approval or permitted rights under the underlying zone. This would ensure that the properties go through an approval process in order to change the zoning and use.

Mayor Dahle stated that the item is not on the agenda for action and will be added to a future meeting agenda.

VI. Consideration of Resolution 2014-24 Approving a Contract with Hayes Godfrey Bell, P.C for Legal Services

Council Member Petersen moved to approve Resolution 2014-24. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle in favor. Resolution 2014-24 was approved by a unanimous vote.

VII. Consideration of Resolution 2014-26 Approving a License Agreement with Holladay Village Square, LC.

Mr. Godfrey reported that a License Agreement was prepared with the understanding that the information had not formalized a License Agreement for improvements on the public property within the Holladay Village project. The agreement was forwarded to the owners of the property and had not yet been recorded. It deals with improvements on Murray-Holladay Road, but not on 2300 East. In light of the fact that a form of an agreement has already been considered and approved by the Council, was executed by both parties, and is consistent with what will be a reappraised final plat, postponing action was recommended. A simple amendment was to be returned to the Council at a later date.

Council Member Palmer moved to table Resolution 2014-26. Council Member Petersen seconded the motion. The Council voted in the affirmative. The motion passed unanimously.

VIII. Consideration of Resolution 2014-25 Amending the Allocations for CDBG Funding for 2014-25

Council Member Petersen moved to approve Resolution 2014-25. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle in favor. Resolution 2014-25 was approved by a unanimous vote.

IX. Consent Agenda

a. Approval of Minutes – May 15, June 5 & 12, 2014.

b. Reapproval of Amended Plat for Holladay Village Square, LLC.

Council Member Petersen read in the note 7 to the Amended Plat which states that, “Lot 1 is subject to a declaration of easement to permit encroachment agreement regarding operation and maintenance of improvements located in the City right-of-way.”

Council Member Petersen moved to approve the consent agenda. Council Member Pignanelli seconded the motion. The Council voted in the affirmative. The consent agenda was approved by a unanimous vote.

X. City Manager Report – Randy Fitts.

Manager Fitts reported on the following:

- The Fire Station demolition is complete. Additional ideas will be presented and suggestions were welcomed on how that parcel will fit in with the park master plan.

- The Public Works Building is somewhat finished. It was noted that the tile on the stairs needs to be replaced.
- Mr. Fitts suggested the Council visit several parks and playgrounds to help with the design of the City Hall Playground.
- Lori Khodadad reminded the Council that now would be an appropriate time to honor Cyrus McKell with a plaque or tree. Council Member Pignanelli recommended placing a bench for Lynda Shields as well.

XI. *Council Reports*

Council Member Palmer reported that Maggie McGee's has left the City as of June 1, 2014, due to a leasee/tenant issue.

Council Member Gunn stated that the State was supposed to begin turning over lease payments from Crown Castle to the City in 2012. The State has been receiving those payments totaling approximately \$44,000 that should have been coming to the City of Holladay. He also spoke to the State about the remainder of the park property where Stratton Park is located, of which two-thirds has been received. The remaining one-third is not owned by the State and he was unsure about the ownership.

Council Member Pignanelli stated that she received numerous compliments about the plaza and Fourth of July activities.

Mayor Dahle stated that the Smith announcement was a big event but is not an announcement with respect to the Cottonwood Mall as a whole.

XII. *Other Business*

XIII. *Adjourn City Council Meeting and Convene in a Council Work Meeting*

Council Member Petersen moved to adjourn the City Council Meeting and convene in a Work Meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the meeting adjourned at 6:48 p.m.

WORK MEETING – July 10, 2014

ATTENDANCE

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

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder - *excused*
Paul Allred, Community Development Dir.
Clarence Kemp, City Engineer
Todd Godfrey, City Attorney

Mayor Dahle convened the Council in a Work Meeting at 7:02 p.m. in the Mt. Olympus Room.

a. Update on Annexation.

City Manager, Randy Fitts, referred to the Boundary Commission's unanimous decision to support the annexation into the City of Holladay. Mayor Dahle recommended conducting a public hearing on the matter and vote to allow as much time as possible to deal with planning issues involved with the transition.

The Council discussed the noticing requirements for the public hearings.

b. Discussion on Raising Money through a Community Fundraiser for a Playground.

The City Council discussed cost, fundraising, and types of playground equipment. Council Member Petersen suggested selling equipment with name plates or plaques and allowing citizens to make donations. A community fundraiser was discussed.

c. Discussion on the P Zone.

The Council reviewed the P zone amendments and asked that it be put on the next agenda for a vote.

d. Discussion on the License Agreement with Holladay Village Square, LC.

Village encroachment issues were detailed. Mr. Godfrey described the issues and stated that the legal distinction of what was approved in 2013 as an easement and tonight's approval was simply a License Agreement. The easement gives the City a greater property interest. He did not recommend the previous agreement be altered. Mr. Godfrey noted that the new agreement will benefit everyone.

e. Calendar

Mayor Dahle encouraged the Council Members to write about pertinent topics for *The Valley Journal*. The Council preferred the previous format. He confirmed that Cottonwood Heights City has withdrawn.

It was reported that the City Council will meet on August 7 and August 21.

The Blue Moon Festival will be August 22.

The Council suggested a refresher course be held on the Cottonwood Mall project. It was recommended that Kris Longson attend a meeting and give an overview and that the Planning Commission be invited.

f. Other Business.

Council Member Pignanelli raised an issue with the Farmers Market and other events that relate to the Plaza. There was discussion about forming a merchant's association on this and other events.

Council Member Gunn requested a title report for Stratton Park.

Council Member Petersen expressed concern with sidewalks on Murray-Holladay Road near Olympus Junior High School that are in disrepair and a residence that is in need of clean up. The repair of broken tiles on the Holladay Village planter boxes was also needed. She wished to schedule movies in the park with the estimated cost being \$2,600 per movie.

Council Member Peterson asked for information on the gelato issue. Mr. Godfrey recommended first establishing a policy. He suggested there be some considerations and indemnifications and it must also be non-discriminatory.

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

Council Member Palmer moved to go into Closed Session to discuss personnel issues, property acquisition, and disposition. Council Member Petersen seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle voted in favor. The motion passed unanimously. The Council convened in a closed session at 8:12 p.m.

Those in attendance at the Closed Session were: Council Members Petersen, Palmer, Gunn, Pignanelli and Mayor Dahle. Others present included Randy Fitts, Todd Godfrey, Paul Allred, and Clarence Kemp.

Minutes of the Closed Session were taken and are now on file as a Protected Record.

Council Member Palmer moved to adjourn the Closed Session and reconvene the Work Meeting. Council Member Petersen seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle voted in favor. The motion to go out of closed session at 8:25 p.m. passed with a unanimous vote

XV. 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. The motion passed unanimously. The meeting adjourned at 8:27 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, July 10 2014.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: August 7, 2014