

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 14, 2016
Mt. Olympus Room
4580 South 2300 East
Holladay, UT 84117**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE:

Mayor Rob Dahle
Lynn Pace-
Patricia Pignanelli
Mark Stewart
Steven Gunn
Sabrina Petersen - *excused*

City Staff:
Gina Chamness, City Manager
Todd Godfrey, City Attorney
Stephanie Carlson, City Recorder

Mayor Dahle called the Briefing Session to order at 5:38 p.m. The Council reviewed the agenda. The Council discussed the development agreement with Phillips Homes.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 14, 2016
City Council Chambers
4580 South 2300 East
Holladay, UT 84117**

Council Meeting 6:00 pm

ATTENDANCE:

Mayor Rob Dahle
Lynn Pace
Patricia Pignanelli
Steven Gunn
Sabrina Petersen- *excused*
Mark Stewart

City Staff:
Gina Chamness, City Manager
Todd Godfrey, City Attorney
Stephanie Carlson, City Recorder

I. *Welcome* – Mayor Dahle

Mayor Dahle conducted and called the meeting to order at 6:02 pm.

II. *Pledge of Allegiance*

The Pledge of Allegiance was recited by those in attendance.

III. *Public Comments.*

There were no public comments.

IV. *Public Hearing on Proposed Amendments to Chapter 13.46, Standards for Accessory Buildings in the P (Public) Zone*

City Planner, Pat Hanson, presented the staff report and stated that it is a draft for setbacks primarily based on the way accessory building heights are currently measured in the Residential Zone. The previous ordinance was reviewed. The Planning Commission held its public hearing and discussed noticing requirements. It was their opinion that only properties directly affected be noticed rather than all property owners within 500 feet. The proposed change will apply to any P-Zone and will allow for a building not higher than 20 feet within three feet of the property line. It would be subject to site plan approval and apply to any church, school, or park.

Mayor Dahle opened the public hearing at 6:09pm. There were no public comments. **Mayor Dahle closed the public hearing at 6:09:20pm.**

V. *Public Hearing on Proposed Rezone for Property Located at 5751 & 5761 S Highland Dr from R-1-15 (single family) to R-2-8 (twin home zoning)*

Paul Allred, Community Development Director, presented the staff report and stated that the property abuts Hedgewood Court, which has been a controversial piece of property. The applicant, Lamar Gatherum, appeared before the Planning Commission, which resulted in a split vote of 5-to-2 to forward a recommendation of denial. The property is approximately 20% smaller than the adjacent property directly to the south. R-2-10 zoning would not yield the same

result as it would be limited to one single-family home and one twin home. Should the property be rezoned R-2-8, as requested by the property owner, two twin homes would be constructed on the center court and the driveway would come off Highland Drive. The property is in the Highland Drive Master Plan, but is the lowest priority zone within the plan area.

(18:18:50) *Larry Gatherum – 5751 & 5761 S Highland Dr – applicant.* He wishes to do the exact same thing as the adjacent property owner, Rob Reynolds, but on a smaller scale. The request for R-2-8 zoning will allow for two twin homes with access from Highland Drive. In response to a question raised, Mr. Gatherum stated that there is not enough room to zone the property R-2-10. Doing so would require acquiring property from an adjacent property owner. He believed smaller, lower maintenance properties were more desirable.

Sarah Gatherum reported that the neighborhood meeting was not well attended but of those present, the contention seemed to be the ingress and egress from Hedgewood Court. Having considered a redesign, entry from Highland Drive appeared to be the more viable option. It was her intent to occupy one of the proposed residences.

Mayor Dahle opened the public hearing at 6:29 p.m.

(18:29:19) *Lincoln Shurtz -1982 E Cecilia Cir.* He was excited to hear of the potential development; however, after reviewing the adjacent zoning, he found that most is R-1-10 or R-2-10. He expressed concern with the egress and increased density onto Highland Drive and was in favor of development. He did, however, urge caution and recommended the matter be reviewed under a different zone than the one proposed.

Council Member Pace explained that the challenge they are confronted with if they approve the zoning is additional traffic. If the rezoning is opposed, there may be a continuation of what exists there currently. The consequence of an R-1-10 is one twin home and one single-family home.

There were no further public comments. **Mayor Dahle closed the public hearing at 6:34.31pm**

VI. *Quarterly Report from UPD*

Don Hutson, Chief of Police Services for the Holladay Precinct, presented the quarterly report ending June 2016. He reported that one of the major concerns raised by citizens is speeding in residential areas. He emphasized that these areas are a main area of focus of his officers. A map depicting crimes and locations was presented. Chief Hutson informed the Council that in a typical month, there are 900 to 1,200 calls for service. Traffic officers spend approximately 40% of their day with traffic accident tasks and 60% writing tickets. The day shift consists of two patrol officers, detectives and traffic officers. The afternoon and graveyard shifts each have three officers. An incident where active citizens were involved in the apprehension of criminal activity was described.

VII. *Consideration of Ordinance 2016-18 Adopting the Holladay General Plan 2016-2031*

Mr. Allred expressed gratitude to the Steering Committee for their contributions and stated that they displayed a genuine feeling of concern for the community. Growth in a way that doesn't diminish the community identity was identified as a priority.

(19:08:57) Council Member Pace thanked those involved and Mr. Allred for their dedication to the ordinance. He was impressed by the way the document read and how well it was presented.

Council Member Pace moved to adopt Ordinance 2016-18 with the following two modifications:

1. Change the dates from 2015-2030 to 2016-2031.
2. Revise the bicycle map so that both bicycle hubs and all transit hubs are recognized.

Council Member Pignanelli seconded the motion.

Council Member Gunn made a substitute motion to approve the plan with modifications proposed by Council Member Pace with the following additional two modifications:

1. That the provision dealing with Holladay Half Mile include an omission of language on page 18 stating that it “should not encourage further development of retail uses along this corridor”.
2. On Page 19 language shall be adopted to read “a pedestrian-oriented corridor with a mix of commercial pedestrian-friendly multi-family residential and office uses.” The sentence that follows shall read, “street lighting, outdoor furnishings have been coordinated landscape designs.”

Council Member Pignanelli seconded the motion.

Council Member Gunn addressed the Council. Please see Exhibit A.

Council Member Pace shared Council Member Gunn’s vision but believed the issue was not competition. He explained that the interest is where commercial uses are appropriate and he stated that restaurants along Murray-Holladay Road are not. When a commercial use is allowed, it is typically pushed closer to the street to maximize visibility. This in turn, pushes cars, headlights, and dumpsters to the rear of the property, which has a negative impact on the neighbors. He expressed opposition to the substitute motion.

Council Member Stewart commented that the General Plan is an advisory document. They are in no way saying that when it is adopted there can be no retail in that section. If in the future, a proposal is made, it would be up to the Council to accept or deny.

Mayor Dahle indicated that he would not vote to support the substitute motion. His position had remained unchanged and his vote did not represent trying to limit competition. The Council has a responsibility to envision healthy, economic pockets. Their priority should be to create synergistic shopping experiences within the City corridors without having it spread up and down the street and diminish the experience. Although absent, Council Member Petersen also opposed retail along that section. He believed they were doing the responsible thing by limiting the area for retailers.

Council Member Pignanelli pointed out that frequenting a small tea or fabric shop within the City would be beneficial and what she would like to see in the corridor. She wanted to be able to do those types of things within the City.

The City Council roll call vote on the substitute motion was as follows: Council Members Gunn and Pignanelli, voted in favor of the substitute motion. Council Member Pace, Stewart, and Mayor Dahle voted in opposition. Ordinance 2016-18 substitute motion failed 3-to-2.

(19:38:30) The City Council roll call vote was as follows: Council Members Gunn, Pignanelli, Pace, Stewart, and Mayor Dahle voted in favor of the motion. The original motion was adopted with a unanimous vote.

Council Member Gunn expressed gratitude to Council Member Pace for his efforts in helping to create the General Plan.

Mr. Allred also thanked Council Member Pace for his involvement and believed that without him the project would not have gotten off the ground

VIII. *Consideration of Resolution 2016-21 Adopting a Development Agreement with Phillips Homes, LLC*

(19:41:02) Mayor Dahle was of the understanding that the only thing he was reviewing in the Development Agreement was the consensus that the applicant, John Phillips, would limit the parcel to one single-family home. He confirmed that on the lot proposed to be rezoned, the applicant was agreeable to one single-family home.

Council Member Pace moved to adopt Ordinance 2016-21 with the following modifications:

1. Paragraph 2 of the Development Agreement shall read “Development of the affected parcel would be limited to a construction of a single-family home.”
2. Rephrase the paragraph to read “Notwithstanding the rezoning, the owner agrees to the development of a single-family home on the property, but with one exception, the development shall otherwise be consistent with all zoning and city regulations.” In Paragraph 3, amend the Development Agreement to specify that the document will be recorded against the property and will thereafter run with the land.
3. Make whatever changes are necessary to reflect appropriate ownership or entities in the document and signature block.

Council Member Pignanelli seconded the motion. The City Council roll call vote was as follows: Council Members Petersen, Pace, Gunn, Pignanelli, Stewart and Mayor Dahle voted in favor. Ordinance 2016-21 was adopted with a unanimous vote.

IX. *City Manager’s Report –Gina Chamness*

City Manager, Gina Chamness, presented the City Manager’s Report and stated that the sidewalk project on Spring Lane is progressing. They are looking for completion prior to the beginning of school. The Local Government’s Trust is having a golf tournament and invited representatives from the City of Holladay to participate.

X. *Council Reports*

XI. *Other Business*

XII. *Adjourn City Council Meeting and Reconvene in a Work Meeting*

Council Member Gunn moved to adjourn the City Council Meeting reconvene in a work meeting in the Mt. Olympus Room. Council Member Petersen seconded the motion. The Council voted in the affirmative and the meeting adjourned at 6:29 p.m.

WORK MEETING
July 14, 2016

ATTENDANCE

Mayor Rob Dahle
Lynn Pace
Patricia Pignanelli
Mark Stewart
Sabrina Petersen - *excused*
Steven Gunn

City Staff
Gina Chamness, City Manager
Stephanie Carlson, City Recorder
Todd Godfrey, City Attorney
Paul Allred, Community Development Director

Mayor Dahle convened the Council in a Work Meeting at 7:56 p.m.

a. Discussion on Animal Services

Talia Butler, Animal Services Director and Michelle Roach, Finance Manager addressed the Council regarding the contract and services they provide. Salt Lake County Animal Services is a highly-ranked, no-kill facility.

Ms. Roach commented that the City agreed to a 15% increase for three years. This is the second year of that agreement and is still does not cover the costs. She noted that City contract costs are apportioned by each city's population. The actual costs for each program take into account all personnel costs (salaries plus benefits) and operational costs (which includes fleet and the vehicle replacement levy.) Agency and County Overhead are accounted for separately, and that line includes agency administrative costs and ESR. This was found to be the most fair and equitable model. This comes out to about \$9/per person/per year.

The Council asked to see the calls for service and the number of licenses issued in Holladay. They would also like to see what other cities are paying and services they provide to see if we are competitive.

It was noted that the City is pleased with the service we are getting.

b. Discussion on City Hall

Mayor Dahle commented that the Holladay Garden club has \$4,000 to donate to or to help with the city hall park.

Plaques for City Hall - the Council discussed placing a plaque inside city hall recognizing those who helped with the renovation of the building. They also discussed doing a commemorative wall that recognizes donors to the playground, trees, etc. that maybe the foundation could pay for. Ms. Chamness noted that the grant we received from the Land, Water, Conservation Fund requires a plaque noting their contribution to the project. Some members of the Council were not in support of doing donor plaques.

Monuments to City Entries

Mayor Dahle asked for feedback on the monuments in front of city hall. The cost will be about \$35,000. The Council would like to put the monuments at hold at this time. Chief Hutson noted that there is already a plaque inside the UPD office honoring Officer Barney.

c. Discussion on Proposed Ordinance on Park Rules and Regulations

Mr. Godfrey reviewed the draft ordinance. This would allow UPD to cite and for the city to receive the fine money. It also gives the public fair warning. Signs will go up at the parks, playground and plaza.

d. Discussion on Knudsen Park Master Plan

The Council discussed the timeline and how to proceed with the plan for the park. The County Council will make a decision in Aug. on what projects to fund through the ZAP program and then it goes to the ballot in Nov. If approved the soonest the city would receive funds is May 2017. The Council discussed waiting until after the vote in Aug. to start on selecting a consultant and doing design work.

e. Discussion on Cotton Bottom

The Council discussed what they would like to do with the property in the future as we begin work on the master plan. Council Member Gunn sees this corner as a gateway to the city and would like it to be a beautiful development project. A project where the city can dictate architecture, appearance, etc.

f. Discussion on Planning Commission & DRB Appointments

Mr. Allred presented the Council with a memo regarding the Planning Commission and Design Review Board (DRB). There are two vacancies on the Commission that need to be filled – one is from District 2 and the other is an at-large that can be from any district but District 3. As for the DRB all the members terms have expired, but they can be reappointed if the Council would like. The DRB is a 5 member board with one alternate.

The Council was asked to submit names to Ms. Chamness in the next few weeks.

g. Calendar

Ms. Carlson reviewed the calendar. The Council meetings for August are the 4 and 18. In September the Council will meet on the 8, 15 & 22. The Utah League convention is Sept. 14-16 and Ms. Carlson will register those who would like to attend.

h. Other Business

Mayor Dahle reported that Holladay is now a 3rd Class city.

Council Member Pace asked about the Olympus Jr. High sign and if there has been any contact or follow-up to get it removed. He also recommended reposting lower Holladay Blvd from 4500 S to Highland Dr as 25 mph not 30 mph.

Council Member Gunn commented that the 2345 property improvement were next on the list for the parks department.

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

Council Member Pignanelli moved to go into Closed Session to discuss personnel issues, property acquisition and disposition and potential litigation. Council Member Pace seconded the

motion. The Council roll call vote was as follows: Council Members Pace, Pignanelli, Gunn, Stewart and Mayor Dahle voted in favor. The Council convened in a closed session at 9:20 p.m.

Those in attendance at the Closed Session were: Council Members Pace, Stewart, Gunn, Pignanelli and Mayor Dahle. Others present included Manager Gina Chamness, Todd Godfrey, Stephanie Carlson and Paul Allred.

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

Council Member Gunn moved to adjourn the Closed Session and reconvene the Work Meeting. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Gunn, Pignanelli, Stewart and Mayor Dahle voted in favor. The motion to go out of closed session at 10:10 p.m. passed with a unanimous vote

XV. Adjourn

There being no further business, Council Member Gunn moved to adjourn. Council Member Stewart seconding the motion. The Council voted in the affirmative. The meeting adjourned at 10:11 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, July 14, 2016

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: August 4, 2016