

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 11, 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 - *excused*
Craig Kleinman, Legal Counsel

Mayor Webb conducted and called the briefing session to order at 5:42 pm. The Council reviewed the agenda.

The Council discussed the public hearing on Kentucky Ave. Questions were raised about the utilities and who was responsible for relocating.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 11, 2012
Council Chambers
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 - *excused*

I. *Welcome*

Mayor Webb asked Council Member Pace to conduct the meeting. The meeting was called to order at 6:05 pm.

II. *Pledge of Allegiance*

The Pledge of Allegiance was recited by those in attendance.

III. *Public Comments*

Olympus Jr. High 9th graders – They are taking place in the Lexus Eco Challenge and their project is called “Medication Relocation.” They are trying to raise awareness about the medication drop off box for unused medication at the police station. Research has shown that people are putting their unused medication down the drain – 80% of US streams contain amounts of medication. This week they will be collecting data about how many bottles have been collected. We have flyers, posters, a Facebook page and a blog about the medication drop off.

Tracy Stocking- representing Lodge Properties. They are an assisted living/home health care company in UT that has been looking at property in Holladay for a small assisted living project. We are looking at property at 5350 S Highland Dr. Holladay’s zoning ordinance does not allow a very broad spectrum of senior care or senior living. He has met with staff and confirmed that. He would like to know how much support there is from the Council to proceed with a code amendment. Their facility would be a Type II facility with 24-30 beds (like the Beehive house on 2300 E), one-story and residential in design.

Todd Brashear -4982 S Wander Ln. He spoke regarding his request for a variance that he applied for over six weeks ago. He was informed there is no longer a Board of Adjustments and that he will need to go before a hearing officer. He is here to ask for direction and get a resolution on this issue. He has been patient but feels he is owed a decision.

Council Member Palmer commented that this is fallout from our LUDMA ordinance. He suggested using Bob Harrington in the interim until Hearing Officers can be appointed.

Council Member Pace suggests that Council discuss this in their work meeting.

IV. ***Public Hearing on Declaring Two Parcels of Real Property Located at approx. 4730 S Holladay Blvd as Surplus***

Council Member Pace opened the public hearing at 6:18pm.

Clarence Kemp – City Engineer gave a brief staff report. This came about with the re-alignment of Kentucky Ave and the two adjacent parcels of real property. It involves the old Sinclair property and the vacation of a portion of Kentucky. The two parcels contain 9,145 square feet and 2,369 square feet. The bigger parcel is a developable, stand-alone parcel, but the smaller parcel is not and must be combined with the adjacent parcel or parcels to be utilized in the highest and best fashion. There are concerns with utilities. He has talked with several people and the only concerns expressed are with parking.

There were no public comments. **Council Member Pace closed the public hearing at 6:21:15pm.**

V. ***Public Hearing on Proposed Amendments to Section 13.04.040 and 13.82.210 Regarding Sign Regulations in the ORD Zone***

Council Member Pace opened the public hearing at 6:21pm

Paul Allred provided a brief staff report. The Planning Commission has recommended changes in the definitions of signs allowed for the ORD zone only. Some of the significant recommendations include:

- Creates an allowance for ‘crown’ signs on the upper story of tall buildings
- Addresses signs for multi-story buildings that may have non-retails uses in them on the ground floor.
- Allows for ‘planned commercial development signs to identify projects more than 2 acres in area.
- Creates rules for wall signs and monument signs for detached retail/restaurant buildings in the zone that are somewhat more liberal than in other commercial zones.
- Determines method of illumination – LED only.
- Creates definitions for signs that were missing in the ordinance.

Staff has worked the sign companies and a few of the property owners in that area. These recommendations make us competitive with Cottonwood Heights in that area. This area is also different due to the slope, speed and what is around.

Kevin Ludlow- Sequoia. He is comfortable with the proposal and feels it fits the area. He commented that 6200 S is a 50mph zone so the signs need to be big enough to be seen since they will sit back from the flow of traffic.

Steve Petersen – Millrock. He is in favor of the proposed amendments. He is competing with Beckstrand and Cottonwood Corporate Center for tenants. These amendments will allow us to be more competitive and would be a great help.

Kevin Christenson – Young Sign Co. He was involved in the drafting and appreciates being able to give input. This is a good proposal and will help make us competitive with Cottonwood Heights.

There being no other public comments, **Council Member Pace closed the public hearing at 6:42pm.**

VI. *Consideration of Ordinance 2012-23 Amending Sections 13.14.054 and 13.14.071 Pertaining to Residential Building Corridor and Front Setback Requirements*

Mayor Webb moved to adopt Ordinance 2012-23. Council Member Peterson seconded the motion. The Council roll call vote was as follows: Council Members Peterson, Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Ordinance 2012-23 was adopted by unanimous vote.

Council Member Pace thanked staff for all their work on this complex issue.

VII. *Consideration of Resolution 2012-39 Declaring Two Parcels of Real Property Containing 9,145 and 2,369 sq ft Located Adjacent to Realigned Kentucky Ave be Vacated as a Public Road and Declared as Surplus*

Council Member Palmer moved to table Resolution 2012-39. Council Member Pignanelli seconded the motion. The Council voted it the affirmative and Resolution 2012-39 was tabled by a unanimous vote.

VIII. *Consideration of Resolution 2012-40 Authorizing the Mayor to Execute an Agreement for the Granting of a Prescriptive Easement for a System of Irrigation Ditches to the City of Holladay from the Big Cottonwood Tanner Ditch Company*

Council Member Palmer disclosed that he is a Board member of the Big Cottonwood Tanner Ditch Co and the largest private shareholder. The company has formalized the exchange agreement with Salt Lake City whereby SLC now owns all the water rights and there is no further use of the irrigation system. The easement goes away on October 15 at which point the city will assume ownership and a prescriptive easement.

Mayor Webb asked if a trail system could be put along this amenity.

Council Member Palmer commented that a trail system would not be possible, because it does wonder through yards. It is only about 15 ft wide.

Council Member Pace wanted to make sure we only maintain what we need for storm water.

Council Member Gunn asked who owns the water and is there any liability?

Council Member Palmer stated that Salt Lake City owns the water. The water that flows in the ditches is diverted from Big Cottonwood Creek. If we do this the easement will disappear and it supports property values in the area and is used as storm water diversion system. There is some liability. The biggest section runs 6-8 ft wide and 18 inches deep of water. The City does have additional immunity.

Council Member Pace stated that the greater risk if we don't adequately fund the maintenance and it breaks and floods homes. This is the cheapest storm drain system we can find.

Mayor Webb moved to approve Resolution 2012-40 with the following amendment – to authorize the Mayor to sign this agreement in substantially the same form. 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. Resolution 2012-40 was approved by a unanimous vote.

Council Member Pace suggested that the Mayor, City Manager and City Attorney work to determine whether or not the portion we need to maintain is coterminous with what we received.

IX. Consent Agenda – Minutes of September 6, 2012

Council Member Petersen moved to approve the minutes of September 6, 2012. Council Member Palmer seconded the motion. The Council voted in the affirmative and the motion carried.

X. City Manager Report – Randy Fitts

Manager Fitts reported on the following:

- Casto Home is scheduled to be moved this Wednesday at 10am
- We received a check from Salt Lake County for \$190,000. This money was not budgeted and will need to be. The money is for the conservation easement.
- Should the City hold a contest to redesign the City flag??

XI. Council Reports

There was none.

XII. Other Business

a. Discussion on communication policy for website.

Council Member Pace would like to defer discussion on this item until the City Attorney is present.

XIII. 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 7:13 pm.

WORK MEETING – October 11, 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 - *excused*
Clarence Kemp, City Engineer

Council Member Petersen conducted the work session and convened the Council at 7:24 pm.

a. Update and Discussion on City Hall Park Common Area

The Council discussed the design for the Common area. They went over the design and size of the gazebo which will be a focal point. There was discussion on a concession stand and the thought was to check into doing a mobile concession stand. They discussed pavers vs. brick and trees.

b. Calendar

There will be an Emergency Tabletop Exercise on October 25 at 5:30pm with a Council work meeting to follow at 7:30pm. The meeting schedule for November will be the 1, 8 and 15th. The Council also discussed December 6 for the Legislative breakfast and December 13 for a Council Christmas party.

c. Other Business

Council Member Palmer brought up the issue on the variance request. This needs to be noticed and done as soon as possible. The Council discussed calling the Board of Adjustments together for one last meeting.

Mayor Webb brought up the Highland Drive issue and the idea of creating an ad hoc committee. The Council was not in favor of creating a committee; they feel it would undermine the Planning Commission and set a precedence. They discussed holding a town meeting to take input on the proposed new Residential office zone and help educate the community about the Highland Dr. Master Plan. The Council looked at dates. We would then do a mailing to residents and also put an article in the newsletter.

Mayor Webb also brought up SkiLink. The Council expressed concerns with this and they do not support this project. He will notify Ted Wilson in the morning.

Council Member Pace initiated a petition to have staff look at the issue of grade changes in residential buildings. He would also like to invite Gene Carr to come talk to the Council about Master Plans 101. He will work with the Mayor pro-tem on a date. He also expressed concerns with the proposed Public Works Service District and would like to discuss further at a future work meeting.

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

XV. Adjourn

There being no further business, Council Member Gunn moved to adjourn with Council Member Pace seconding the motion. The Council voted in the affirmative and the meeting adjourned at 10:50 pm.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, October 11, 2012.

Stephanie N. Carlson, MMC
Holladay City Recorder

Dennis R. Webb, Mayor

Minutes approved: November 15, 2012