

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, November 1, 2012  
Mt. Olympus Room  
4580 S 2300 E  
Holladay, Utah 84117**

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**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 5:36 pm. The Council reviewed the agenda.

The Council discussed the Rotary presentation and the induction of the Council. There was some discussion on the sign ordinance. The Council interviewed Chris Jensen for a position on the Planning Commission. He is from District Two and recently served on the Board of Adjustments.

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**Thursday, November 1, 2012  
Council Chambers  
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

**I. *Welcome***

Mayor Webb called the meeting to order at 6:07 pm and welcomed those in attendance.

**II. *Pledge of Allegiance***

The Pledge of Allegiance was led by Matt Ginter, Scout Troop 653.

**III. *Public Comments***

*Gary Mangum – 2804 Palm Way.* He spoke in favor of the sign ordinance and the Council adopting it. He has tenants who want to sign leasing but are waiting to see what the city does with signage and he needs a decision.

*Val Bateman – Iverson Woods.* He spoke about the Casto Home. He and his neighbors see it every day. He asked for a timeline on when the home would be spruced up and worked on. He is concerned about how it looks and what will happen to it.

Manager Fitts will meet with Mr. Bateman and keep him updated.

*Kevin Long – Sequoia Development.* He spoke about some concerns and issues he has with the proposed ORD sign ordinance. He just received a copy of the proposed changes and they are different than what was discussed earlier with the Planning Commission and staff.

**IV. *Presentation by Holladay Rotary Club***

Members of the Holladay Rotary Club inducted the City Council and Manager Fitts into the Rotary. They all received a packet of information on the Rotary Club, a pin and membership certificate. The Rotary is a group of business professionals and they are looking to become more involved in the community. The main objective of the Rotary is service and they are looking to help with projects and partnership with the City. They meet every Wednesday at 12:15pm. They thanked Council Member Palmer and Randy Fitts for their involvement.

**V. *Consideration of Ordinance 2012-24 Amending Sections 13.04.040 and 13.82.210 Regarding Sign Regulations in the ORD Zone***

*Paul Allred – Community Development Dir.* He provided a brief staff report on the changes to the ORD sign regulations after last week's public hearing and discussion. There is a better definition of a project identification signs, minimum acreage requirement for those signs, and the other is buildings with multiple signs. He suggested that if they want the maximum size on the project identification sign, then they have a reduction in the monument sign area. LED illumination is also required. The complexity of this came when trying to introduce retail and restaurant use that was strictly office.

Council Member Palmer commented that you can have 20% of an awning sign and wall sign, this needs clarification. It needs to be either/ or.

*Kevin Ludlow – Sequoia Development.* He came in asking for a lot more out of the ORD sign regulations and has been working with staff on the proposed language that worked for everyone. There are four different owners on one lot in the Canyon Slope project and the reduction doesn't work, it would most likely eliminate the project sign and just leave them with a monument sign. What was originally proposed worked for everyone.

Mr. Allred clarified that if you want the project id sign and the maximum allowable at 220 sq. ft., then instead of 64 sq. ft. for each of the pads you would get half that. The owner can determine what tenant goes on what sign. If you choose to go with the max sign on the monuments (64 sq. ft.) then you get a reduction in the project id sign from 55 sq. ft. to 40 sq. ft. per acre.

Council Member Pace expressed concerns with allowing off-premise signage, which is the definition of a billboard by State code. If you sold off the pads it is no longer single ownership. He feels this is not ready to vote on but is sensitive to the need for signage. He is also concerned with the size of monument signs.

*Gary Mangum-* commented that he has an obligation in a lease with a national tenant and if he is unable to deliver to them the wall signage and monument sign, they have the option to terminate the lease. He has spent thousands getting the building ready for them.

Mayor Webb stated he could support what the Planning Commission recommended, but he is concerned and uncomfortable with how this language and table are written, it is unclear on what is allowed. The Planning Commission and staff have done their work. We are trying to be reasonable but not excessive.

*Kevin Christensen - Young Electric Sign.* The City is creating a traffic issue if the signs are smaller due to the location, how far (25ft setback) off the road this project is and the speed in that area.

*Kevin Long – Sequoia.* The way this project has been developed is that the pads for each building, just the physical building area, are sold separately to the owners. The project is held and they have a deeded interest in the common area. They share parking and have a recorded interest in the CC&R's.

Mr. Allred clarified that the blue information is newly added and the red is the recommendation from the Commission. There is a 20 ft max for the project id sign.

Mr. Hall would like to go back and look at the CC&R's and the ingress/egress agreements with regards to creating off-premise signs.

Council Member Petersen commented that the definition of a project id sign answers that question. It states a cohesive development containing multiple lots and sharing common ownership. It is clear what is intended by this definition.

Council Member Gunn moved to adopt Ordinance 2012-24 with the following amendments: 1. Eliminate the blue highlighted language concerning monument and project id signs and go back to what was originally proposed by the Commission; 2. Under project id signs, keep the minimum of two acres, 3. Under awning add a note that says "counts towards calculation of wall signs; and 4. Under crown add "three stories or higher" and delete the word "office". Council Member Palmer seconded the motion.

Council Member Pace made a substitute motion to adopt Ordinance 2012-24 with the following amendment: delete the definition of project identification sign and subsequent columns and hold for further discussion and legal opinion. Motion died for lack of second.

The Council roll call vote on the original motion was as follows: Council Members Petersen, Gunn, Pignanelli, Palmer and Mayor Webb in favor with Council Member Pace opposed. Ordinance 2012-24 was adopted by majority 5-1 vote.

**VI. *Consideration of Resolution 2012-41 Granting the Advice and Consent of the City Council for the Appointment of Appeal Hearing Officers***

Council Member Pace moved to approve Resolution 2012-41 appointing Judy Lever. Council Member Peterson seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Resolution 2012-41 was adopted by unanimous vote.

**VII. *Consideration of Resolution 2012-42 Granting the Advice and Consent of the City Council for the Appointment of a Member to the Planning Commission***

Council Member Petersen moved to approve Resolution 2012-42 appointing Chris Jensen. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Petersen, Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Resolution 2012-42 was adopted by unanimous vote.

**VIII. *Consideration of Resolution 2012-43 Authorizing the Mayor to Execute an Agreement with Lindsay McCarthy and McCarthy Properties LLC Pertaining to a Storm Drain Easement and Construction***

Mr. Hall reported that for many years we have had a storm drain issue on Cottonwood Lane and the City staff, Mr. McCarthy and others have worked hard to come to a mutual solution. Mr. McCarthy will allow the city to relocate the storm drain line that is also used the delivery of irrigation water onto his north property line. This will allow for the elimination of a drainage issue and will resolve some serious flooding issue on the McCarthy property. The solution is a new storm drain/irrigation lateral will be constructed. The bid to perform the construction is not to exceed \$72,000. There is also compensation being paid to Mr. McCarthy to purchase the storm drain easement. We anticipate construction will occur and be completed by Dec. 31, 2012. Mr. McCarthy will pay his share of the cost which is 50% of the cost to the City.

Council Member Petersen moved to approve Resolution 2012-43. 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 2012-43 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 13 & 20, 2012***

Council Member Palmer moved to approve the minutes of September 13 & 20, 2012. Council Member Petersen 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:

- Passed out a new project list for the City Council to review
- He thanked the Council for their participation in the emergency exercise

**XI. *Council Reports***

Council Member Pignanelli reported that she has worked with the County, garden club and tree committee to create a community garden in her area.

**XII. *Other Business***

**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 Palmer seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:31:25 pm.

## WORK MEETING – November 1, 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 conducted the work session and convened the Council at 7:42 pm.

### **a. Update and Discussion on City Hall Park Common Area**

The Council discussed the design for the Common area. There are still no dimensions on the gazebo. The new design shows a 12x18 stair riser on the field side of the gazebo so you can sit but it's not too steep. The Council again discussed the brick and mortar color, with no clear preference. Some members of the Council like the larger, tumbled brick.

### **b. Update on Fire Station and Casto Home**

Manager Fitts reported that masonry work will be starting on the Casto Home. The plans for the fire station have been turned into the building dept. The architect will build a brick wall with the top three choices for the Council (Rustic Sioux, Old Georgetown and Old Denver) along with mortar. Council Member Pace again asked for breakdown of costs/budget.

### **c. Discussion on Kentucky Ave**

Mr. Hall is working on meeting with the utility companies and Holiday Water regarding relocation. Legally, it is the utility responsibility to relocate the lines. We need to have a resolution on this matter soon with sewer, water and gas.

### **d. Discussion on Communication Policy**

The Council feels that website should be for city business and events. If you allow schools or other groups to advertise or put up notices it will open a can of worms. We will have links to the Chamber and Rotary websites.

### **e. Discussion on Traffic Study**

Council Member Palmer discussed how to implement the traffic study. One option is to publicize in the December journal a program by where once a month we take a traffic study area in each district and focus on one problem area, hold a neighborhood meeting (problems, solutions, data) and then by the end of the year we would've hit ten hot spots in the city. Another option is to combine this when each Council Member does a town meeting. We really need to focus on education and data. Council Member Pace is having a town meeting next week and will bring this item up in the discussion.

We now have a baseline for when people come in complaining of traffic issues. The next step is what tools do we have and can we use if there is an issue.

### **f. Discussion on Public Works Service District**

Council Member Pace asked that this item be on the agenda for discussion. He explained that the County is exploring moving public works to a special service district. It would no taxing

authority; there would be a board, much like the UPD, that would establish policy and service levels, etc. After all the discussion and studies, the savings to move would be \$55,000 and it gets the County out of the public works. Snow removal is the most volatile issue. In Holladay thought our citizens are happy with snow removal. If this process moves forward, we will be forced to make a decision on whether to stay with the county/district or shop around for something else.

**g. Calendar**

The next meeting is November 8. There will be a short work meeting at 5:30pm and at 7:00pm will be the Highland Dr. Town meeting. Council Member Pace went over possible dates for the Legislative breakfast. The tree lighting event will take place on November 26 at 7pm.

**h. Other Business**

Council Member Petersen would like to pursue the suggestion of having recycling containers on the plaza, especially when there are events.

Council Member Pace is holding a town meeting on November 13. There are two things on the Village Center. The plan shows no pedestrian access and the other issue is the plan show significant encroachment on the city owned property on the south side. Concern is that we need to go through the process to allow them to use private property for public use.

**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 Pignanelli moved to adjourn with Council Member Gunn seconding the motion. The Council voted in the affirmative and the meeting adjourned at 9:40 pm.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, November 1, 2012.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Dennis R. Webb, Mayor

Minutes approved: November 15, 2012