

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, December 5, 2013
Mt. Olympus Room
4580 South 2300 East
Holladay, Utah 84117**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE

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

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Craig Hall, City Attorney

Mayor Webb called the briefing session to order at 5:31pm. The Council reviewed and discussed the agenda. The Council went over the Norm Dahle rezone on Highland and the development agreement that will go with the ordinance.

The Council also briefly discussed and reviewed the annexation receipt and the next steps.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, December 5, 2013
Council Chambers
4580 South 2300 East
Holladay, Utah 84117**

Council Meeting - 6:00 p.m.

ATTENDANCE

Mayor Dennis Webb
Lynn Pace
Patricia Pignanelli
J. James Palmer, Jr.
Steven Gunn
Sabrina Petersen- *excused*

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Craig Hall, City Attorney

I. *Welcome*

Mayor Webb conducted and called the meeting to order at 6:08 p.m.

II. *Pledge of Allegiance*

The Pledge of Allegiance was led by Stephanie Carlson, City Recorder.

III. *Public Comments*

Josh – Big Cottonwood Marathon. He talked about the 2014 marathon and the race course. There will be changes to the course this year and the impact to Holladay will be a lot less. The race is mostly in Cottonwood Heights with a portion going along Wasatch Blvd to 4500 S and back. So we will not have the problems with Holladay residents as we did this year.

IV. *Audit Report*

Ian Robbins – Osborne, Robbins & Buhler presented the 2013 audit report. He thanked staff for all help in getting the documents and information needed for the audit. There are no serious issues with the audit and there are fewer findings than ever. Mr. Robbins reported that the fund balance is over the statutory limit, but is fluid during the year so it is not a big issue. Sales tax revenue has bounced back and the city received more revenue than it spent.

V. *Consideration of Ordinance 2013-27 Amending the Zoning Map for Property Located at 5559 S Highland Dr from R-1-43 to R-1-10*

Council Member Pace moved to adopt Ordinance 2013-27 with the following changes to the conditions:

- the ordinance is not affective until a development agreement is signed and recorded
- Add language that the approval is assignable

Council Member Pignanelli seconded the motion.

Council Member Pace wants a commitment that we will get what was presented before we rezone. We get that through a development agreement which runs with the land. He is unsure what paragraph four means.

Council Member Pace amended the motion with the following modifications:

- Paragraph four be removed
- In paragraph five add: executed and recorded
- Change the dates in item #5 to December 31, 2015

Council Member Pignanelli accepted the amendments and seconded.

Council Member Palmer noted that we have spent a long of time looking at this area, specifically the Highland Dr. master plan because we found that large lots do not work directly on Highland Dr. The General Plan for the area encourages single family and higher density (not high density). The developer is locked into three R-1-21 half-acre lots as a buffer between the existing neighborhood and eight almost R-1-15 (one-third acre) lots with a min of 13,000 sqft. They are laid out that way due to tree protection. He has met several times with Mr. Dahle on options. We have included fencing that the neighbors asked for including an open fence along Highland Dr. We have guaranteed that will never be more than 11 lots because of the zoning. This conforms to the General Plan and meets most of the neighborhoods concerns.

Council Member Pace feels this is a good proposal and a good balance of what we know needs to be higher density, smaller lots along Highland Dr. and transitioning into the larger, historical lots deeper into the neighborhood. There is no street access to adjacent neighborhoods. It is designed to create a neighborhood feel and will be a highly desirable development that will increase surrounding property values.

Mayor Webb commented that he appreciates the public process that has taken place by the Planning Commission and now the City Council. The developer has sincerely listened to the concerns of the neighbors. He has seen everyone come together in a compromise and he appreciates all who have been a part of this process.

The Council roll call vote was as follows: Council Members Palmer, Gunn, Pignanelli, Pace and Mayor Webb in favor. Ordinance 2013-27 was adopted by a unanimous vote.

VI. *Consideration of Ordinance 2013-28 Pertaining to Regulations of Conduct Within City of Holladay in City Parks, Playgrounds, Plazas or City Owned Property*

Council Member Pace asked about paragraph "L" and what we are trying to prohibit gambling or gaming?

Mr. Hall stated that in practical application, it may not be necessary.

Council Member Palmer moved to adopt Ordinance 2013-28. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Ordinance 2013-28 was adopted by a unanimous vote.

VII. Consideration of Resolution 2013-32 Amending a Previously Adopted Amended and Restated Interlocal Agreement for the Salt Lake Valley Emergency Communications Center (VECC)

Mayor Webb explained that two municipalities were concerned with the decision regarding PSAP and suggested before they would join VECC that there be an adoption of a rule on expenditure.

Council Member Pace moved to approve Resolution 2013-32. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Resolution 2013-32 was approved by a unanimous vote.

VIII. Consideration of Resolution 2013-33 Acknowledging Receipt of Certification of Annexation Petitions for the Proposed Olympus Hills Annexation and Accepts the Petitions for Further Consideration

Mr. Hall thanked the Bradshaw's for their hard work and help. We have certified all the petitions and over 55% have signed. Mr. Hall then went over the process and time lines, should this be approved tonight.

Council Member Pace moved to approve Resolution 2013- 33. Council Member Gunn seconded the motion.

Council Member Pace feels that annexations should not be dictated by the city or county but should be self-determination. He admires the effort of the petitioners to get the signatures needed.

Council Member Gunn agrees with self-determination but that our first responsibility is to the citizens of the city. Is this annexation in the best interest of the citizens of Holladay? In his district and with his constituents it is running two to one against. He would like to get more information because he is still undecided.

Mayor Webb respects both sides of this dialogue. His biggest desire is to create a community. This area has always, historically, been part of Holladay and he enthusiastically supports.

The Council roll call vote was as follows: Council Members Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor. Resolution 2013-33 was approved by a unanimous vote.

IX. Motion to Approve an Extension to the Closing Date for Property Located at Approx. Kentucky Ave and Holladay Blvd.

Council Member Pace moved to approve the motion. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Gunn, Pignanelli, Palmer and Mayor Webb in favor.

X. Consent Agenda

a. Approval of Minutes –October 24, November 7 & 14, 2013

Council Member Palmer moved to approve the minutes with the edits noted in the pre-meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the minutes were approved.

X. City Manager Report

Manager Fitts reported on the following:

- The City did the right thing with regards to staying with the County for snow removal. During this first storm we only received two calls and one was a Cottonwood Heights resident. He is very satisfied with the County and the direction we are going with the new board.
- We have postponed the dedication and open house for the fire station to Jan. 7 in order to get the work done.

XI. Council Reports

Council Member Pignanelli thanked the new assisted living center for donating the cookies for the tree lighting ceremony. They are really trying to be good neighbors and get involved in the community.

Council Member Gunn reported the tree committee trimmed trees and cleaned up Butternut Park. There was a good turnout. He is also meeting with neighbors on the Stratton Park project.

XII. Other Business

XIII. Recess to RDA Meeting

Council Member Pignanelli moved to recess to an RDA Meeting. Council Member Palmer seconded the motion. The Council roll call vote was as follows: Council Members Pace, Pignanelli, Gunn, Palmer and Mayor Webb in favor. The Council meeting was recessed at 7:35pm.

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

Council Member Pace moved to adjourn the City Council Meeting and reconvene in a Work Meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the Council meeting adjourned at 7:56 p.m.

WORK MEETING – December 5, 2013

ATTENDANCE

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

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Craig Hall, City Attorney

Mayor Webb convened the Council in a Work Meeting at 7:57 p.m

a. Update on Current Construction Projects (Village Center, Fire Station, Commons area, and other).

Manager Fitts reported the commons area is complete. They met this week to go over the final punch list. The signage for City Hall will look similar to what is already on the building, with etched lettering and light. The Council asked about putting the handicap parking stalls in the front instead out at the side.

b. Update on Highland Dr. Master Plan and Residential Office Zone (RO)

Council Member Palmer had nothing new to report.

c. Update on Education Focus Group

Council Member Pace reported on the focus group meetings. The first group went for over two hours with parents from Howard Driggs and Crestview elementaries. It was very interesting and fascinating to watch and to hear the comments and feedback. We still need to do two other groups from the Spring Lane, Cottonwood, Oakwood schools in January.

d. Planning Dept. Update

Paul Allred, Community Development Dir. went over the report provided to the Council. Council Member Palmer asked about the Commission field trips. He would like to see those added back. Mr. Allred is still doing research on Pay Day lenders and working with Mr. Hall on proposed language.

e. Report from Mayor and City Manager on Pending Issues

f. Calendar

Ms. Carlson reviewed the calendar for the rest of December and January. The Swearing In will take place on Jan. 9 and the Council retreat will be Jan. 11.

g. Other Business

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

Council Member Pignanelli moved to go into Closed Session to discuss personnel issue and property acquisition and disposition. Council Member Pace seconded the motion. The Council

roll call vote was as follows: Council Members Pace, Pignanelli, Gunn, Palmer and Mayor Webb in favor. The Council convened in a closed session at 8:36 p.m.

Those in attendance at this Closed Session were: Council Members: Pace, Palmer, Gunn, Pignanelli and Mayor Webb. Others present: Craig Hall, Randy Fitts, Stephanie Carlson, and Clarence Kemp.

Minutes of the closed session were taken and are now on file as a Protected Record.

Council Member Pignanelli moved to adjourn the closed session and reconvene the work meeting. Council Member Pace seconded the motion. The Council roll call vote was as follows: Council Members Pace, Pignanelli, Gunn, Palmer and Mayor Webb in favor. The motion to go out of closed session at 9:43 pm passed by a unanimous vote

XVII. *Adjourn Work Meeting.*

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 9:44 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, December 5, 2013.

Stephanie N. Carlson, MMC
Holladay City Recorder

J. James Palmer, Jr., Mayor Pro-tem

Minutes approved: 1-9-14