

**MINUTES OF THE  
HOLLADAY CITY COUNCIL MEETING**

**Thursday, April 20, 2017  
Spring Lane Elementary School  
4580 South 2300 East  
Holladay, UT 84117**

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**Council Meeting 6:00 p.m.**

***ATTENDANCE:***

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

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

**I. *Welcome & Introductions*** – Mayor Dahle

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

**II. *Pledge of Allegiance***

The Pledge of Allegiance was led by Mayor Dahle.

The Council Members and Spring Lane Elementary School Principal, Vicki Ricketts, were introduced.

Mayor Dahle referenced Item XII, which is not typically found on the agenda, however, when meeting in the Districts, the Council likes to open the meeting to questions from residents.

**III. *Public Comments.***

*Tom Kessler- 4949 S Holladay Pines Court*, stated that the Council will be voting later in the meeting to amend an agreement with the Holladay Pines HOA to allow for the addition of six solid panels to replace wrought iron fencing panels. Mr. Kessler's home is approximately 30 feet from Holladay Boulevard and sits 15 feet below the street. The current fencing consists of three-foot solid fencing on the bottom and three-foot wrought iron fencing on top. He has struggled to maintain foliage on the property to provide a buffer and privacy. Mr. Kessler stated that for the past eight years he has respected the decision of the Council and was present tonight to ask them to reconsider the decision made nine years ago and allow him to replace the six panels along his property line.

**IV. *Consideration of Resolution 2017-09 Amending a License Agreement with Holladay Pines.***

Mayor Dahle reported that a public hearing was held previously and input received. As a point of clarification, the vote was delayed from the previous meeting because there was not a full Council present.

Council Member Pace stated that the fence is subject to a License Agreement because it is not built on private property and is actually on the City's right-of-way. The challenge with Mr. Kessler's property is that the property drops down. The developer originally requested to build on the right-of-way, which was allowed. Even if the fence was on private property, the rules would not allow solid fencing except under certain conditions. Council Member Pace was hesitant to grant something simply because it is on City property and allow the request in this case that would not be allowed on private property. He suggested that the agreement be amended subject to obtaining a variance due to the steep slope.

Council Member Pace moved to approve Resolution 2017-09 amending the License Agreement subject to obtaining a variance under a standard variance procedure.

Council Member Petersen expressed concern with creating a tunnel effect and clarified that variances would be considered on a case-by-case basis by the Hearing Officer.

The Council roll call vote was as follows: Council Members Pignanelli, Pace, Petersen, Stewart, Gunn and Mayor Dahle voted in favor of the motion. Ordinance 2017-09 was adopted with a unanimous vote.

**V. *Consideration of Resolution 2017-10 Designating Certain Areas Within the City as Public Parks.***

Manager Chamness stated that during the last Legislative Session, they realized that the City of Holladay has no designated parks. The proposed resolution allows for this to take place.

Council Member Petersen moved to approve Resolution 2017-10 designating certain areas within the City as public parks. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pignanelli, Pace, Petersen, Stewart, Gunn and Mayor Dahle voted in favor of the motion. Ordinance 2017-10 was adopted with a unanimous vote.

**VI. *Consideration of Ordinance 2017-11 Enacting Section 5.24.160 of the City Code Relating to Alcohol Registration Cards for Servers and Facilities Licensed to Provide Service of Alcoholic Beverages.***

Mayor Dahle reported that the above Ordinance transfers the responsibility from the County to municipalities to ensure that those serving alcohol meet State requirements. Council Member Pace considered the proposed language to be overly broad and suggested it be amended.

Council Member Pace moved to approve Ordinance 2017-11 with the amendments to the applicability in the introductory paragraph and the amendment to the effective date. Council Member Stewart seconded the motion.

Council Member Gunn expressed concern regarding the alcohol registration cards.

Police Chief Hutson indicated that he inquired as to why the County would be incentivized to ask for additional fees to allow alcohol to be served in the community. The best answer he received was that the intent is to recoup some of the cost of policing the serving of alcohol. He confirmed that it is a Salt Lake County Ordinance.

Council Member Pace commented that if the jurisdiction passes from the County to the City, he did not want anyone to think that the County cares more about alcohol regulations than the City.

The Council roll call vote was as follows: Council Members Pignanelli, Pace, Petersen, Stewart, and Mayor Dahle voted in favor of the motion. Council Member Gunn was opposed. Ordinance 2017-11 was adopted with a 5-to-1 vote.

**VII. *Update on 2017 Legislative Session – Lincoln Shurtz.***

Lincoln Shurtz reported on the 2017 Legislative Session and stated that they have been working on transportation funding for the City of Holladay. Issues discussed included education funding and transportation and infrastructure funding. This year the Legislature passed a \$1 billion transportation funding package, which is predominately focused on roads. They also included a \$47 million bonding package specifically for Salt Lake County, which Holladay will receive \$1 million for Highland Dr. The proposed improvements were reviewed. Mr. Shurtz emphasized that RDAs were heavily scrutinized this year and the City was encouraged to speak with their legislators and make sure that they understand what redevelopment will do for the community.

Mr. Shurtz next reviewed the action of the Justice Reinvestment Initiative. Over the last two years the Legislature has passed a series of laws decriminalizing certain activities, which has resulted in felonies and misdemeanors being reduced to infractions or misdemeanors. The reasoning behind it was that a felony on someone's record substantially lowers their ability to obtain housing or employment.

Mr. Shurtz also touched on planning and zoning issues that the city will have to deal with over the next year. Short-term rentals (under 30 days) are done on complaint basis and he doesn't see this issue coming to the legislature next year.

Council Member Pace thanked Lincoln for all his help. The City was well represented at the Legislature this year.

**VIII. *Update on Highland Dr. Issues.***

**a. *Highland Dr. Intersections – Manager Chamness.***

Ms. Chamness reported on future improvements along Highland Drive intersections. Construction was expected to begin in Spring 2018. It was reported that much of the development between Arbor Lane and Van Winkle is being reviewed and rezoning is being considered. A grant was received from the Wasatch Front Regional Council to look at improvements the City could potentially make with regard to traffic and land use in the Van Winkle/Highland Drive area.

**b. *Segment B Zoning Text amendment***

The Council inacted a moratorium on R-2 rezones/development on Segment B of the Highland Dr. Master Plan. The staff and Planning Commission are looking at the ratio of single family homes vs. attached dwellings along the corridor, limiting it to one acre or less and other issues. They hope to have a hearing in mid- June.

**c. Highland/Van Winkle Small Area Master Plan**

A public hearing is scheduled for May 5 on the Holladay Crossroads plan. Traffic safety, speed, possible roundabout and reconfiguring the narrow portion of Highland Dr are all part of the plan. Zoning and land use will also be presented and discussed.

**d. Cottonwood Site – Mayor Dahle.**

Mayor Dahle reviewed the Cottonwood Mall development and stated that Ivory Development has entered into an agreement to purchase the property from Howard Hughes Corporation *if* they can obtain the requisite approvals from the City Council. Ivory does not own the property yet. Ivory has partnered with a local commercial developer and are focusing in on approximately 17 acres of commercial mixed use with the balance being residential development. To date, an application had not been submitted. Once received, they will petition the City for either a text amendment to the current zone or a zone change to the property. Both will require a public hearings at the Planning Commission and City Council.

**IX. Consent Agenda**

**a. Approval of Minutes – March 23, 2017.**

Council Member Petersen moved to approve the minutes of March 23, 2017. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the minutes were unanimously approved.

**X. City Manager’s Report - Gina Chamness.**

Ms. Chamness reported that the City is currently experiencing several water-related issues with a collapsed storm drain on Russell St. Staff participated in the Great Shake Out and learned that there are issues that need to be addressed.

**XI. Council Reports.**

**XII. Question & Answer Period.**

Mayor Dahle opened the meeting to public comments and questions.

A citizen asked for clarification on the Alcohol Servers Card. Council Member Petersen stated this is nothing new for those that currently serve alcohol. They will simply now be going through the City rather than the County.

Paul Fotheringham asked the City Council’s position on the current proposed boundary changes to Granite School District. The concern was with potential changes to the Cottonwood High School boundaries and how the Cottonwood Mall development will affect that.

Council Member Stewart reported that he recently attended a Community Council Meeting and a representative from Granite School District reported that although Ivory Development has not presented any plans, they will still consider the issue. He believed the real issue was that if the Granite School District wants the students to go to Cottonwood High School, they need to modify the Special Permit.

Brenda Fassen asked if the roads will be closed for the upcoming marathon. Staff confirmed that they will be closed and described the route. Ms. Fassen asked if the Smith’s grocery store will be moving into the mall. Council Member Petersen stated no commitments with leases have been made.

Council Member Pace reported that the City ordinance technically requires that if a home is built, a certain percentage of the property can be covered by the home. He was unsure if they were proposing to have park space or green space, but commented that it would have to comply with the ordinance requirements.

Mayor Dahle stated that once the plans are submitted, the developers will be anxious to meet with the neighbors. He welcomed citizen input and emphasized that they should be aware that there needs to be a balance with the economics for the developer. They are trying to put together a plan that will work for the market and future as well as anticipate the changing demographic, lifestyles, and trend toward online shopping.

Lucy Smith asked about open space on the mall site and if the City could require more open space. Council Member Pace pointed out that every piece of open space means more height or density elsewhere. Challenges with the property were reviewed. They have been working since the 2008 recession to find the right use for the space. He had heard that Ivory Development has an option to purchase the property if they get approval from the City by the end of September 2017.

Mayor Dahle reported that Ivory Development anticipates an eight-year build out. Phasing is to occur as lots are sold.

A citizen stated that traffic will be an issue with the development and as a City, they need to accept it. Traffic drives business to local retailers and without it the Holladay Village and other retail businesses will fail.

Principal Ricketts stated that one of the challenges the district faces is the absence of sidewalks through the adjacent neighborhood.

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

Council Member Petersen moved to adjourn and reconvene back at City Hall in a Work Meeting in the Mt. Olympus Room. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the meeting reconvened at 7:50 p.m.

**WORK MEETING – Mt. Olympus Room**  
**April 20, 2017**

***ATTENDANCE***

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

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

Mayor Dahle convened the Council in a Work Meeting at 8:20 p.m.

**a. Discussion on Holladay Crossroads Small Area Master Plan - (30 mins).**

The Council reviewed the Plan and wanted a written recommendation from the Planning Commission on what option they approved. The Council is supporting and pleased with the land use and traffic. They feel that anything that is already residential should stay and that commercial should not expand northward.

**b. Budget Discussion - (15 mins)**

Manager Chamness will present the tentative budget at the May 4 mtg. She reported that there is a decrease in many sources of revenue.

**c. Discussion on Home Occupations – (15 mins)**

Due to recent legislation as of May 1 the City can no longer license home occupations. Home occupations are about 40% of the businesses in the city and will be a loss of about \$40-50,000. Title 5 of the City Code will need to be amended and there was discussion on proposed language, types of businesses to license and what constitutes an impact to the neighborhood.

**d. Discussion on Amendment to Sign Code – banners (20 mins)**

Manager Chamness discussed street and pole banners and how the city wants to regulate them. The city can regulate the pole banners and the banners across the street to just government/city speech. Mr. Godfrey will do more research on what is covered under government speech with regards to scope and extent.

**e. Discussion on Proposed Property Disposition Ordinance (10 mins)**

The Council reviewed the proposed ordinance. Any designated public use cannot be sold without council consent. There was discussion on the acreage and amount. A revised ordinance will be reviewed at the May 4 meeting.

**f. Discussion on “Be More” Awards Program – (10 mins)**

Mayor Dahle discussed the program. It is an annual recognition process sponsored by the City Council to recognize 1-3 individuals, groups, organizations, and/or businesses that are actively helping make Holladay great through acts of volunteerism, service, and leadership. He asked the Council to review the draft and give him their thoughts. This item will be back on the May 13 work meeting. The Council would like a better title maybe Holladay Heroes and would like to know who would review the applications.

**g. Calendar – schedule of upcoming meetings.**

April 22 – SLC Marathon  
May 4 – Tentative Budget Presentation, PH on Crossroads SAMP  
May 4- RDA Meeting  
May 11 & 18  
June 1- Hearing on Budget, Budget Amends  
June 1 – RDA meeting and budget hearings

**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).***

Council Member Pace moved to go into Closed Session to discuss personnel issues, property acquisition, and disposition and potential litigation. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Stewart, Gunn and Mayor Dahle in favor. The Council convened in a closed session at 9:39 p.m.

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

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

Council Member Petersen moved to adjourn the Closed Session and reconvene the Work Meeting. Council Member Stewart seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Stewart, Gunn and Mayor Dahle in favor. The motion to go out of closed session at 9:47 p.m. passed with a unanimous vote.

**XV. *Adjourn***

There being no further business, Council Member Stewart moved to adjourn. Council Member Petersen seconding the motion. The Council voted in the affirmative. The meeting adjourned at 9:48 p.m.

*I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, April 20, 2017.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Robert Dahle, Mayor

Minutes approved: August 3, 2017