

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 5, 2017
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

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

Mayor Dahle called the Briefing Session to order at 5:31 p.m.

Mayor Dahle discussed the issue of the inappropriate Halloween decoration that is an issue for many residents. The City is aware of the issue and we have made contact with the home owner to express the concerns. This is a free speech issue.

Troy Holbrook, candidate for District 1 member of the Planning Commission, was introduced. Mr. Holbrook told the Council a little bit about himself and his background. He feels like he can make a difference for not only his area but the city.

The Council reviewed the agenda. Council Member Gunn is still concerned about the membership aspect of the Tree Committee and finding members to serve.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, October 5, 2017
Council Chamber's
4580 South 2300 East
Holladay, UT 84117**

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
Paul Allred, Community Development Dir.

I. Welcome – Mayor Dahle.

Mayor Dahle conducted and called the meeting to order at 6:00 p.m.

II. Pledge of Allegiance.

The Pledge of Allegiance was led by Caleb McKenzie from Troop 584.

III. Public Comments.

Amber DeBirk – 4806 Wander Lane. Ms. DeBirk wished to discuss the Wander Lane “speedway” and reported that she has witnessed numerous incidents from their home. They have notified the Police Department with no action. Ms. DeBirk commented that there is concern throughout the neighborhood and suggested setting up a task force in an effort to start a discussion on how to best mitigate the problem. She understood that speed bumps may not be the solution; however, the longest stretch between Kentucky Avenue and Wren Road has no stop signs and has become a speedway. She stated that the installation of a stop sign may be effective.

Bill DeBirk – 4806 Wander Lane. Mr. DeBirk stated that they have tried to post signs as a result of vehicles that frequently exceed the speed limit by 15 to 20 mph over. He asked that the issue be addressed.

Council Member Petersen recommended the DeBirks meet with Manager Chamness and the Police Department to discuss the matter further.

Jill Christensen – 5140 S 2870 E. Ms. Christensen stated that she was the cause of angry phone calls regarding a Halloween display on Wallace Lane. She stated that the display represented a hanging body and photographs were posted on her personal Facebook page. Ms. Christensen explained that her intent was to attract the attention of members of her social network who might know the homeowner who is responsible. She hoped they could explain to him that some in the community might see the display and recall painful memories perhaps of the suicide or lynching of a loved one. She received multiple angry responses regarding the display from those who

found it to be in bad taste. She thanked the Council for their involvement and responsiveness to the outpouring of the community.

IV. Public Hearing on Proposed Rezone at 5025 South Highland Drive from NC to RM.

Paul Allred, Community Development Director, stated that the Planning Commission voted 5-to-1 to recommend a rezone to RM. The property was the home of Roots Nursery for some time and is currently zoned NC. The General Plan Amendment was rejected by both the Planning Commission and City Council. He believed the applicants did a very good job of organizing public support for their request.

Steve Breitling – 6153 S Carriage Park Cir. Mr. Breitling stated that they have put a significant amount of time and effort into finding the best use for this particular property and have visited with nearby residents. The location is a perfect fit for the townhome community being proposed. He has owned the property since 2004 and the various commercial entities that have located there have not been successful. Some who were originally opposed to the rezone expressed a change of opinion at the Planning Commission Meeting after having received additional information. Mr. Breitling stated that it is their intent to improve the area.

Mayor Dahle asked Mr. Breitling if he would be willing to attach and have recorded a restriction or development agreement that would, if rezoned, restrict the development to the 16-unit townhome proposal.

Mr. Breitling confirmed that the majority of the signatures on the petition are from those who currently live in the townhome development that is adjacent the proposed property as well as other surrounding neighborhoods. Mr. Breitling stated that everyone within a 500-foot radius received a letter from him along with his phone number. In the letter he specifically asked for a vote in favor or opposition.

Mayor Dahle opened the public hearing at 6:32:01.

Amy Lowichik – 2020 Arbor Lane. Ms. Lowichik stated that she lives near the property and has never had a discussion with the applicant. She expressed her opposition to the request. Ms. Lowichik reported that she received a letter from FEMA stating that the flood zone area near the creek has been expanded and her flood insurance premiums will increase. She raised concern about a substantial amount of concrete and 16 townhomes being just three doors away.

Ann Pearce – 2012 Arbor Lane. Ms. Pearce was in favor of the request and after living for 40 years with noise and disruption, she believed the owner needs to do something to make the property viable.

Brooke Iverson – 2102 Pheasant Way. Ms. Iverson expressed opposition to the request due to the high density and believed it is contrary to Holladay represents. She commented that the City seems more rural with more greenery and larger lots. Higher density brings traffic.

Richard Duggar – 6173 Carriage Park Circle. Mr. Duggar identified himself as Mr. Breitling's business partner. He commented that this is an expensive piece of property and the Mall location will bring in enormous amounts of traffic. Once people were educated on what was being proposed they changed their mind.

There being no further comments, **Mayor Dahle closed the public hearing at 6:44:30 pm.**

V. *UPD Quarterly Report – Chief Hutson.*

Chief Hutson presented the quarterly report and stated that it focuses on the investigative unit. He clarified what the unit is responsible for. He reviewed the UPD model for crimes, which are relatively rare and require more extensive training. Chief Hutson reported that in a typical month, the department sees nearly 50 larcenies in the City. Larcenies include vehicle burglaries, drug offenses and theft. Four detectives are assigned to the City of Holladay and they typically get 20 new cases per month of which a small portion get solved unless it is a big ticket item. Procedures for addressing pawn shop and KSL.com research was reviewed. The detectives also do COP functions and are liaisons with the community.

Chief Hutson next described an ongoing case involving fraud. The victim originally thought she had lost \$92,000 but after the department's investigation, they discovered that the loss was actually \$602,000. They are now in federal court and five people are to be criminally and federally indicted who were proven to be associated with this particular fraud. This success was due to the hard work and dedication of their detectives.

VI. *Consideration of Ordinance 2017-23 Amending Title 2- Committees.*

Council Member Gunn moved to adopt Ordinance 2017-23 with the following change to Exhibit E to read: "A Member shall not serve for two consecutive terms unless a suitable successor cannot be found." Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Gunn, Pignanelli, Stewart, and Mayor Dahle in favor. Ordinance 2017-23 was adopted with a unanimous vote.

VII. *Consideration of Resolution 2017-31 Granting the Advice and Consent for an Appointment to the Planning Commission.*

Manager Chamness reported that she interviewed Troy Holbrook and recommended he be appointed to serve on the Planning Commission from District One.

Council Member Petersen moved to approve Resolution 2017-31. Council Member Stewart seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Gunn, Pignanelli, Stewart and Mayor Dahle in favor. Resolution 2017-31 was approved with a unanimous vote.

VIII. *City Manager's Report – Gina Chamness.*

Manager Chamness had nothing to report.

IX. *Council Reports & District Issues.*

Council Member Stewart reported that they presented the Knudsen Park designs to the two neighboring elementary schools during their Parent Teacher Conferences and received a great deal of positive feedback.

Council Member Pace indicated that he has a Town Meeting scheduled for next Tuesday.

Council Member Petersen was awaiting a report from staff regarding the Wander Lane sidewalks. Manager Chamness confirmed that staff was still working on the report.

X. *Adjourn City Council to a Work Meeting.*

Council Member Petersen moved to adjourn the City Council Meeting and convene in a Work Meeting. Council Member Gunn seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:10 p.m.

**WORK MEETING
October 5, 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

Mayor Dahle convened the Council in a Work Meeting at 7:22 p.m.

a. Discussion & Update on Knudsen Park.

Manager Chamness reported that the conceptual site plan will be based on feedback received from the Stakeholder Group and Public Outreach Meetings held at the elementary schools.

Eric ?? from Hughes has visited the site and grouped the trees in obvious groupings to help determine what percentages will remain based on type. The two main trees that are to be removed are Siberian Elms and the Tree of Heaven. An additional 500 trees will be planted on the site and a detailed layout was reviewed. It was reported that the public has requested that there be some shady areas. An extensive discussion regarding types of trees and design took place. It was noted that the removal of trees is necessary and we will need to work on educating the public.

Council Member Stewart suggested posting a sign on the property informing the public of what is taking place and referring them to the City's website.

Council Member Pace stated that not only will they need to remove trees they do not care for, but others will also have to allow more open green space than is currently required. He expressed a need for a large, grassy area.

Manager Chamness reported that the Board has expressed concern with the closure of the bike trail and are interested in directing bike traffic to the bypass road. The potential rerouting of bike paths during construction was also an issue.

b. Discussion on Use of City Space.

Manager Chamness clarified the City Council's intent for how the facilities should be used. Currently, we are not charging a rental fee for outdoor space. She asked for feedback as to whether the Council would like to continue doing that and options. The procedures and fees of surrounding cities were reviewed and discussed.

Mayor Dahle believed that reservations should be available online and that a fee is charged for the space. Otherwise it should continue on a first come first serve basis. He did not want to create an inconvenience for residents.

Michele Bohling described the Consolidated Fee Schedule and deposits required for a reservation. She also recommended having a Certificate of Liability Insurance in place that specifically names the City. Council Member Pace suggested that those who wish to reserve the fields on a weekly basis pay a fee because they put a lot of wear and tear on the field. He discussed dividing the day use by 10 and charging in increments thereafter.

c. Review of Title 10.36 – Camping Ordinance.

Chief Hutson reviewed the City’s campaign ordinance. Those who don’t comply with a Police Officer’s order to leave could be charged with a Class B Misdemeanor. He feels our ordinance covers any concerns.

d. Update on Cottonwood Site Enforcement Issues.

The above matter was not postponed.

e. Calendar & Other Business

The upcoming meeting schedule was reviewed.

The Roots property zoning was discussed. The question is what is really appropriate for this site. Council Member Petersen feels that the developer used fear of what may be with the neighbors and that is just too dense.

Council Member Pace talked about economic development and if we could do more to boost development in our tired commercial areas. Manager Chamness reported that she participated in a panel involved in hiring a Regional Economic Development Director for Salt Lake County and we could work with them.

He also talked about initiating a process to ask planning staff to study prohibiting owners in R-1-4 through R-1-21 zones from combining properties to create a building lot that is more than twice the minimum acreage required in the zone. This would not affect existing lots and after further discussion the council was supportive.

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

Council Member Petersen moved to go into Closed Session to discuss personnel issues, property acquisition, and disposition and potential litigation. Council Member Gunn seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Stewart, Gunn and Mayor Dahle voted in favor. The Council convened in a closed session at 9:12 p.m.

Those in attendance at the Closed Session included Council Members Pace, Petersen, 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, Petersen, Pignanelli, Stewart, Gunn and Mayor Dahle voted in favor. The motion to go out of closed session at 9:37 p.m. passed with a unanimous vote.

XII. Adjourn

There being no further business, Council Member Gunn moved to adjourn. Council Member Stewart seconded the motion. The Council unanimously voted in the affirmative. The meeting adjourned at 9:38 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council Meeting held Thursday, October 5, 2017.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **December 7, 2017**