

**MINUTES OF THE
CITY OF HOLLADAY
CITY COUNCIL MEETING**

**Thursday, November 7, 2024
City Council Chambers
4580 South 2300 East
Holladay, Utah**

Briefing Session 5:30 pm

ATTENDANCE:

Mayor Rob Dahle
Paul Fotheringham
Drew Quinn
Matt Durham
Emily Gray
Ty Brewer

City Staff:

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

Mayor Dahle called the Briefing Session to order at 5:30. The Council reviewed the agenda. It is expected that the public hearing will be opened and closed due to the clarifying information that the staff provided.

Mayor Dahle noted the candidate- elect Mike Kennedy would be joining the Council at 7pm, This will be an opportunity to get to know Dr. Kennedy. So depending on where we are on the agenda we will give him time to introduce himself and for the Council to ask questions.

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Stephanie Carlson, City Recorder
Todd Godfrey, City Attorney
Christian Larsen, Finance Director
Holly Smith, Assistant City Manager

I. *Welcome* – Mayor Dahle.

Mayor Rob Dahle called the City Council Meeting to order at approximately 6:00 p.m.

II. *Pledge of Allegiance.*

Mayor Dahle led the Pledge of Allegiance.

III. *Public Comments.*

Bob Atwell - 4897 Rebecca Circle. His understanding is that in 2020, the City Council approved a storm drain fee and a property tax increase to pay for an \$18 million bond for public service work of which \$10 million was designated for storm drain improvements. Recently, there was a storm drain improvement that began around Kings Row Drive. There have been several reports from engineers hired by the City and members of the engineering team. The reports are reasonably detailed and state that the project is a “replacement of stormwater pipeline and necessary to enhance the resilience and reliability of the stormwater management system to protect public safety during heavy rainfall events.” It is clear that there is City awareness of an issue in that area.

Mr. Atwell reported that there have been two flood infiltrations in his home, which is near this area. Part of the reimbursement has been through insurance companies. However, since there have been two of these infiltrations, insurance companies have canceled his insurance. It is a nuisance to have to look for more insurance when there is a known liability risk in the City. To protect his home, he hired a group called Davenport Foundation Repair for an extensive internal project that cost him approximately \$50,000 out of pocket. He wants to let the Council know that he will be filing a claim against the City to be reimbursed for the money he had to spend out of pocket because of a known City issue. Several other residents have had stormwater problems for the last three years or so.

Kim Duffy - 2195 E Walker Lane. She explained that she is sharing comments as a citizen but also as the Chair of the Historical Commission. Her comments are attached to the minutes.

Trudy Jorgensen-Price shared updates about the library. She thanked those who came out to vote. It was inspiring to see the engagement levels. There will be another Blood Drive held on December 16, 2024. On Saturday, there is a Tree Talk scheduled in partnership with the Tree Committee at 10:30 a.m. The library will be closed on November 11, 2024, for Veterans Day. There is a Holladay Comfort Drive box and there will soon be an Angel Tree set up. In preparation for the holidays, the library will be closing early on November 27, 2024, and will be closed on November 28 and 29, 2024, for the Thanksgiving holiday. Ms. Jorgensen-Price reported that there will be dancers at the library on December 11, 2024, to perform some of the Nutcracker Suite. There will also be a Nutcracker event on December 17, 2024, at 10:15 a.m. where children can participate in the festivities.

Ron Hilton - 2394 Murray Holladay Road and he is at the meeting to support the comments shared by Ms. Duffy. He is a volunteer on the Historical Commission but is not an appointed member. He has been working with the Commission for several years and is passionate about preservation. At the last Historical Commission Meeting, Mr. Hilton noted that the Preservation Ordinance talks about non-complying conditional uses. Under Zone Requirements, it states: "The application meets all the requirements of the base zone in which the property is located." He shared suggested wording and left a hard copy for the Council to review.

IV. *Public Hearing on Proposed Rezone at 5428 South Highland Drive from R-1-21 (Residential Single-Family) to R-2-10 (Residential Two-Family).*

City Planner, Carrie Marsh, presented the Staff Report and explained that this is an existing property that is just under an acre. The property was originally two parcels and it was combined into a single parcel. The existing owner purchased the full parcel and wants to put it back into two parcels. Since the acreage is not high enough to have two half-acre lots, the proposal is to rezone the front half. That parcel is 0.443 acres and the access for that would be on Highland Drive. The house with access from Baywood Drive would be completely separate. There are two different access points.

Mayor Dahle noted that some of the concerns coming from the neighborhood relate to traffic. When that issue was clarified in terms of retaining the R-1-21 Zone on the single-family home that enters off Baywood Drive, that issue was resolved from his point of view. What is proposed will not increase traffic inside of the neighborhood and will keep that zoning in place. The only potential increase in traffic would be off of Highland Drive on the parcel that will be rezoned to R-2-10. There was some public comment received about the increase in traffic, but he is not overly concerned about that on Highland Drive. Mayor Dahle asked why the proposal is for R-2-10 instead of R-1-8. Ms. Marsh explained that the decision is based on the Highland Drive Master Plan, which mentions five units per acre for that segment. Mayor Dahle believed the rezone to R-2-10 would allow for three maximum units. Ms. Marsh confirmed this but noted that once access is accounted for, this could be reduced to two units depending on whether there is a desire to do single-family or attached.

Council Member Paul Fotheringham asked whether the west lot will remain R-1-21. Ms. Marsh reported that it would remain in the Residential Low Density – Protected area. There would be access only from Baywood Drive for that particular property.

John Woolley - applicant representative, He explained that the application is for a rezone to the front half of the property at 5428 South Highland Drive to bring it into compliance with the Highland Drive Master Plan. The property has two separate single-family residences, one towards Baywood Drive and one towards Highland Drive. Approximately 10 years ago, the prior owners purchased the east lot and combined the parcels into a single lot. There is a desire to undo the consolidation to return it to the original two lots, sell the house on Baywood Drive, and keep the house on Highland Drive. Mr. Woolley explained that the house on Highland Drive is a well-preserved 1920 arts and crafts style home that they have put a lot of resources into. Mr. Woolley clarified that there is no new development or changes to the use of the property proposed.

Mayor Dahle reported that an email comment was received from Joan Wolf, who lives on Baywood Drive. Her concerns relate to the traffic that would be generated on Highland Drive if there was redevelopment. There could be a shift from one home to three dwelling units on that property.

Mayor Dahle opened the public hearing at 6:33 pm.

Ron Hilton - 2394 Murray Holladay Road. He is sympathetic to the applicant, as this is similar to an application he submitted several years back. Mr. Hilton explained that he lives in a small historic home on Murray Holladay Road, and at the time, it was in the Medium Density District. He applied for an R-2-10 rezone and that was denied. After that, the City amended the General Plan to carve that property out of the medium-density area. This application caught his eye because of the historic nature of the home. It sounds like the applicant is passionate about restoring and maintaining the home. However, there are concerns about a sale in the future. With the Preservation Ordinance that the Council is considering, there might be another alternative to a rezone. The ordinance could provide the flexibility to add units and still preserve the historic structure. Mr. Hilton is not against the rezone but believes the R-1-8 Zone would be more appropriate in this case.

Marcie -1918 E Lakewood Dr. She lives in one of the old historic homes and also lived in the Brinton Home for eight years. She shared comments about the rezone and asked questions about the number of units that would be allowed on the site. Mayor Dahle clarified that there is no proposal to rezone and allow for multi-family units. It was noted that the west parcel already has access to Baywood Drive.

Bob Grogan - 1891 Baywood Drive. He appreciates that the applicant does not want to add additional units, but his concern is what could happen in the future if the property is sold. In that case, additional units could be added to the parcel and redevelopment could occur.

There were no further comments. **The public hearing was closed.**

V. Reports.

a. Revel Race.

Darrell Phippen - Brooksee, the producers of the REVEL Big Cottonwood Marathon and Half Marathon. Approximately two years ago, he asked the Council for approval to change the route so there could be a loop through Holladay. That was approved and he was present to share an update. Mr. Phippen expressed appreciation for the assistance of City Manager, Gina Chamness,

and Unified Police Department (“UPD”) Police Chief Justin Hoyal in the creation of a route for the race that highlights the City but also minimizes the impacts on residents.

In 2022, before the route was changed, there were 4,100 runners participating in the event. When the course was changed, there was a lot of excitement and the numbers jumped to just under 4,900 participants. 35% of the participants came from out of State. Out of those, 25% use the Big Cottonwood Marathon to run the Boston Marathon the following April. The race that occurred two months ago saw higher participation numbers at 5,100. The majority of hotels that runners stay at are within the Holladay boundaries. The number of Holladay residents running in the race has increased by 50% since 2022. He appreciates the work that has been done and the City's cooperation. Mayor Dahle took time to thank Chief Hoyal, UPD, Ms. Chamness, and City Staff for their efforts.

b. Unified Fire Authority (UFA) – Captain Dan Brown.

Capt. Dan Brown shared the City of Holladay Quarterly Report for Quarter 3 (July 1, 2024 to September 30, 2024). He reported that there were 77 more calls this quarter than the previous quarter. The ambulance response data indicates the responses within the City of Holladay. The top engine/truck responses are from Station 104 at 65.8%. Station 110 and Station 112 have the next highest responses, which highlights the benefit of the shared service model. As for the top ambulance responses, 67.4% of the responses came from Station 104 with Station 110 and Station 101 being the next highest. Station 104 now has a 24-hour ambulance available due to the call volumes at night. Capt. Brown explained that ambulances are considered a shared service.

The top EMS calls were reviewed. Capt. Brown clarified that the advanced life support (“ALS”) calls have been grouped together. It covers a lot of scenarios, such as breathing problems, seizures, cardiac events, and so on. A map was shared to illustrate the call types and locations of the calls.

Capt Brown shared an image of the Urban Search and Rescue Team. UFA is a sponsoring agency for a Federal Emergency Management Agency (“FEMA”) team. Individuals were sent to assist with Hurricane Milton and Hurricane Helene. On September 27, 2024, 45 individuals were sent and 22 of those were from UFA. Council Member Fotheringham asked if the Urban Search and Rescue Team is a FEMA-funded deployment, which was confirmed. Captain Brown reported that it is all FEMA-funded, including the training. Discussions were had about the responsibilities of the Urban Search and Rescue Team. Council Member Emily Gray asked that appreciation be shared with those who served. She is grateful that Holladay is part of a model where there are shared services and work is done to assist others.

Council Member Fotheringham reported that at the UFA Board Meeting, some of the people who participated in the deployment stated that the professional experience was valuable, but that the work was stressful and difficult. Additionally, the fire in Holladay was traumatic. UFA leadership has increased its investment in behavioral health and mental health resources. It is difficult work that can be professionally satisfying but also traumatic. UFA leadership recognizes that and has been investing in resources to assist officers as they work through many different situations. Captain Brown stressed the importance of mental health being prioritized for those serving the public.

c. Unified Police Department (UPD) – Chief Justin Hoyal.

UPD Chief Hoyal shared the UPD City of Holladay Precinct Third Quarter Report – July to September 2024. He noted that UPD Chief Jason Mazuran was also present. Chief Hoyal expressed appreciation for the working relationship between UFA and UPD. He reviewed the call volume from the last three years for UPD. The call volume is down this quarter from 2023. The precinct is down 117 cases from 2023 in this quarter. It is encouraging to see the call volume and caseload decreasing. As for the traffic cases, the numbers are fairly consistent. Holladay patrol response times were shared. Priority 1 calls are the most important and those were 4 minutes in July and August and 2 minutes in September. The Priority 2 and Priority 3 calls were a little bit longer for response times.

Chief Hoyal shared presentation slides with information broken out by the different districts. He reviewed some cases of note with the Council. On August 23, 2024, Holladay Precinct Detectives were investigating an individual who was a restricted person and made specific threats against another person with weapons. Detective John Saulnier obtained an arrest and search warrant for the suspect residence. A search of the home yielded machetes, hatchets, rope, hacksaws, and additional materials found to be illegal for a restricted person to possess. The relationship and knowledge that Detective Saulnier had was beneficial in this case.

On August 10, 2024, the newly formed east side Directed Enforcement Unit (“DEU”) that was formed with the reorganization of UPD (Millcreek, Midvale, and Holladay) was part of an ongoing investigation with Homeland Security. Three individuals were arrested and anabolic steroids, methamphetamine, and a distributable amount of bath salts were seized.

Chief Mazuran explained that he loves the Holladay area and was present to share updates with the Council. This has been a significant year for UPD because of the reorganization that took place. He anticipated there might be some issues as a result of that reorganization, but a lot of the concerns he had have not materialized. Chief Mazuran had concerns about recruiting and how the event would be perceived, but in the last few months, there have been efforts made on staffing. He expects to have a normal staffing level at the beginning of next year. That credit goes to the officers, Board Members, and the various partners and municipalities. Everyone has been very supportive during this transitional time for UPD. There are plans in place and there is a clear vision for the future.

Before the next agenda item, it was noted that the **candidate elect 3rd District Congressman, Dr. Mike Kennedy**, was present at the City Council Meeting. There is now an opportunity to get to know Dr. Kennedy. Dr. Kennedy reported that work is being done to determine how to reach out systematically to collaborate with communities. He feels there should be collaboration and stressed the importance of everyone working together. The Olympic Games will take place in Utah in 2034 and that needs to be taken into consideration. Dr. Kennedy shared his contact information with Council Members and shared information about his professional background. He wants to serve the community and asked Council Members to share their concerns.

Mayor Dahle reported that Holladay works with lobbyist, Ryan Leavitt, who has been terrific. He is someone that the City relies on as a liaison. It is important to have a primary point of contact with the office when there is a need. At some point, there is a desire to share information about the City Hall building and a project on Highland Drive. The plan is to seismically stabilize and remodel the City Hall building so it is possible for it to remain. Council Member Fotheringham

noted that Highland Drive is a major transportation corridor through the City. Work was done with Representative Curtis in the past for some funding for a study, but it will be a long-term project. It has to do with an expansion of functionality, which might include some right-of-way acquisition. That area will need significant redevelopment over the next 10 years or so. Mayor Dahle congratulated Dr. Kennedy and stated that the City looks forward to working together in the future.

VI. *Consideration of Ordinance 2024-19 Adopting Title 13.14.031 - Accessory Dwelling Units.*

Mayor Dahle expressed appreciation for all of the work that City Staff has put into this. This process can allow seniors to remain in their neighborhoods and their communities while maintaining connections to family members.

Council Member Fotheringham moved to ADOPT Ordinance 2024-19 – Adopting Title 13.14.031 – Accessory Dwelling Units. Council Member Gray seconded the motion. Vote on Motion: Council Member Gray-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Council Member Brewer-Aye; Mayor Dahle-Aye. Ordinance 2024-19 as adopted by unanimous vote.

VII. *Consent Agenda.*

a. *Approval of Minutes – August 15 and 22, September 5, 2024.*

Council Member Quinn moved to APPROVE the Consent Agenda. Council Member Durham seconded the motion. The motion passed with the unanimous consent of the Council.

VIII. *City Manager Report – Gina Chamness.*

Manager Chamness attended the Utah City Managers Association conference. She noted that three and a half hours was focused on affordable housing and home ownership. Some useful perspective was provided during that presentation. For example, there was information shared about the average ratio of income to housing prices. Historically, that has been approximately 2.5 to 3 times income. If someone was earning \$100,000, then they would historically purchase a \$300,000 home. That ratio has changed for those able to enter the market to 5.9 to 6.2 times the income. Some information about the average age of homeowners was also shared. The average age of first-time homebuyers is 38 years old. Attendees were asked to consider the long-term implications of a move from communities that are primarily homeowners to communities that are primarily renters. A lot of useful perspective was shared during the presentation.

IX. *Council Reports and District Issues.*

Council Member Gray sits on the Cottonwood Community Council. She reported that Cottonwood High School had an after-school dinner program and there is a desire to re-fund that program. The school is reaching out to members of the community for donations so there can be a dinner in place for students. This encourages students to stay involved in after-school programs and receive the academic assistance that is needed to graduate. Cottonwood High School also has an annual Christmas Extravaganza program to help students provide gifts. Donations can be made as part of this program.

Council Member Drew Quinn shared an update on the Community Renewable Energy Agency. Work has been done to get the filing before the Public Service Commission. She is pleased that Rocky Mountain Power and the Agency have agreed that the bulk of it will be filed on January 21,

2024. It was supposed to have been done approximately one year ago, so it is nice to see that move forward. Council Member Quinn is also working with Churchill Junior High School on their safe walking route for the students who walk from the south side of 4500 South. That safe route is an ongoing effort.

Council Member Fotheringham had nothing to report.

Council Member Matt Durham reported that the Tree Committee is looking for more volunteers and members. Last week, he was invited to attend a 4th-grade class at Crestview Elementary School. He spoke about City government, which was a positive experience. The students had good questions.

Council Member Brewer reminded everyone about 25th Anniversary event on November 18, 2024, at 7:00 p.m. There will be an open panel with those who have served as Mayor and the City Manager. He also asked Council Members to pay attention the next time they go southbound on I-215 and get off on 4500 South, as there could be a request made from the Council on that matter. As for the ADU Ordinance that was voted on, that was a lengthy process, but it was beneficial. Council Member Brewer shared a comment about the home-based business discussion that occurred previously. He wanted to discuss the start time for businesses where there are no adverse impacts.

X. *Recess City Council in a Work Meeting.*

Council Member Fotheringham moved to ADJOURN the City Council Meeting at 7:40pm and RECONVENE in a Work Meeting after a short break. Council Member Quinn seconded the motion. The motion passed with the unanimous consent of the Council.

Mayor Dahle convened the Council in a work meeting at 7:50 pm

a. *Options for Funding Spring Lane and City Hall – Laura Lewis.*

Ms. Chamness explained that there is a desire to have a conversation about how to fund the two projects the Council has been talking about the opportunity to convert Spring Lane Elementary into a park and the seismic upgrade and refresh of the City Hall building. Ms. Chamness reviewed some of the proposed plans for the City Hall building. There have been discussions about seismic reinforcement of key portions and a refresh of the building. The latter includes an exit on the administrative side, improvements to different rooms, such as the Community and Economic Development area upstairs, improvements to the Justice Court, improvements to the space downstairs for employees, and an enhanced entrance to the Big Cottonwood Room.

Information about phasing was shared with the Council. Ms. Chamness noted that there have been previous discussions about phasing and different phasing options were reviewed. The direction from the Council during the last discussion was that this is the priority project for the City and it makes sense to move forward with all of the phasing elements at one time. Council Member Fotheringham asked about the possibility of moving elsewhere during the construction work. Ms. Chamness confirmed that there are options available.

The cost estimate of the work discussed is \$7.9 million, but that is with a number of exclusions, such as improvements to the HVAC system. All of those elements are an additional \$1 million. The relocation and temporary facility costs were discussed. Based on the guidance received during

the last discussion, City Staff put together the total project estimate, which is approximately \$10.4 million. That includes a \$1 million contingency for inflation because the costs will vary based on the start date. It also includes approximately \$600,000 for the temporary relocation during the construction work. Mayor Dahle asked if the cost of new furniture is included in the cost estimate. Ms. Chamness confirmed this. As part of the budget for Fiscal Year 2025, the City Council approved \$300,000 for some ongoing work refining the estimate and creating a more complete design. That work is underway and that should be completed by early February.

Ms. Chamness next shared information about the Spring Lane site. Significant progress has been made on the terms so far, but nothing is finalized at this time. The hope is that the terms will be finalized within the next few months.

The school district has agreed to pay for the demolition and site remediation. However, there are some elements that the City will ask the school district to preserve. The school district has requested that the City pay for that component of the work, so that has been included in the project numbers. Council Member Fotheringham pointed out that the intention was to save certain design elements and the beams. It only makes sense to preserve certain pieces if that results in cost savings. Ms. Chamness reported that there are approximately \$5 million of potential wish list items. Those items can be added at a future date, but are not currently included in the Phase 1 or Phase 2 work.

The assumptions were reviewed. Ms. Chamness explained that these assumptions have been included in the scenarios that will be shared. It is anticipated that the lease will be paid from the operating budget and not capital. What has been included in most of the scenarios is \$7.5 million for the park. In a few of the scenarios, there is a placeholder of \$2 million for some of the wish list items. Council Member Durham asked if the \$7.5 million amount includes the wish list items, which was denied. .

Ms. Chamness discussed funding possibilities for the City Hall project and Spring Lane project. The City has some Fund Balance available from the General Fund and Capital Projects Fund. There is also the option to pursue bonds. What is included in the scenarios is a 20-year repayment of the bonds. That timeline can be adjusted as well as the type of bond that the City Council is interested in. There are some American Rescue Plan Act (“ARPA”) funds available and earmarked in the General Fund.

Ms. Chamness reviewed information about the Fund Balance and the Capital Projects Fund. There is approximately \$10 million of spendable money in that fund. Discussions were had about the budget and how the projects could be funded. Ms. Smith reviewed some other potential funding sources for the City Hall project, including grants. The Tourism, Recreation, Culture, and Convention (“TRCC”) program is something the City is looking at for some improvements downstairs and improvements to the south entrance. The Office of Energy Development has an energy efficiency grant that might be useful for HVAC improvements. The City will also look for rebates and anything that might apply to energy-efficient appliances. It is the seismic work that the City is likely to receive grants for as a lot of the other work is more cosmetic. Since the City does not own the Spring Lane property, it will be more difficult to obtain grants there.

Council Member Gray asked about the timeline for the earmark and the grant. Ms. Smith explained that the earmark depends on the budget. There needs to be work done through the Federal process,

so there is no definitive timeline. Ms. Chamness reviewed some of the scenarios. The scenarios assumed the earmark would be received, but there is no assumption that any other funding will be received.

In terms of the operating budget, there are some increases associated with the operation and maintenance of the Spring Lane site. For that site, there will likely need to be additional employees, equipment, and a vehicle for the employees to use. In addition, the increased water for the site needs to be taken into account, but there are no clear numbers from the school district at this time. Ms. Chamness stated that she recommends that the City maintains flexibility to respond to various needs. That is the reason the recommendation is a mixture of cash and bonding to pay for the proposed projects.

Laura Lewis introduced herself to the Council. There are several ways to finance the projects that have been discussed. Whenever a client is thinking about using cash versus bonding, she advises them to think about the other projects there will be in the near future. If all of the cash is used to pay for one project, there will not be anything left to address other needs in the community. If the Council draws down all of the Fund Balance and there is an unexpected expense, that could create some issues. A balanced approach is best. There are several other options available to the Council. Under State Law, there can be a Lease Revenue Bond, which is a structure that works almost like a mortgage. She shared information about a Local Building Authority that can be created, which is a mechanism where the Building Authority issues the bond and the City leases the facilities from them until it is paid off. Ms. Chamness reported that Holladay created a Building Authority in 2004. It was never used, but the mechanism is in place.

Ms. Lewis stressed the importance of thinking about the different options in terms of risk versus return. It is necessary to think about how to best use the options that are available to the City. The Council was encouraged to think about the capital projects that are anticipated in the future. If a Local Building Authority is used, the benefit of combining the projects is that more bondholders will be interested in the bond. There are also economies of scale to consider in terms of the underwriter, bond counsel, and Staff time. A bond requires a meaningful amount of Staff time and combining both projects into one bond reduces the time spent on the process. The potential drawback is that there needs to be a reasonable expectation for spending the proceeds. Ms. Lewis believes bonds should be issued when there is a project need.

Ms. Lewis further reviewed the different options and the choices that are available to the City Council. It is likely best to have a bond that is greater than \$5 million. It is possible to do something smaller, but the underwriter costs need to be taken into consideration. The Council discussed the bond size that is being contemplated.

Mayor Dahle noted that based on the information presented, it is cheaper to finance through sales tax obligation. He wondered why the Council would not pursue that. Ms. Lewis explained that it has to do with capacity for other projects. A lot comes down to what the Council has planned for the future. Mayor Dahle believes the Council ultimately needs to decide what type of bonding should be pursued. Nothing can be executed until the City Hall and Spring Lane projects are finalized. Ms. Chamness believes the bond should be issued in spring or early summer. That process should ideally start three months in advance, which means it should begin in March or April. Mayor Dahle pointed out that the timeline will allow the Council to determine how much

Fund Balance there is comfort utilizing for the projects. He explained that there is a desire to have some flexibility in the fund.

Council Member Fotheringham pointed out that the City Hall building and Spring Lane Park are both long-term assets to the City and merit long-term funding. It makes sense for the park to be funded out of future dollars because it is an asset that residents will enjoy in the future. He does not necessarily feel the current Fund Balance should be used for assets that are for future benefit. Council Member Fotheringham does not want to see the City have another bond for annual maintenance. The current Fund Balance should be preserved for road projects moving forward.

Mayor Dahle reported that the City Council will need to make some decisions about the funding and what work will be done on the Spring Lane site. It sounds like the Lease Revenue Bond is likely. Ms. Chamness shared additional scenarios with the Council and noted that the scenarios have different assumptions. The first scenario is for all phases of City Hall and Spring Lane Park with no wish list. It assumes an earmark of \$1.7 million, \$1.8 of ARPA, use of \$7.7 million of Capital Projects, and \$1.5 million of the Fund Balance from the General Fund. That would be a \$4 million bond.

The second scenario staff looked at was all phases of the City Hall building and Spring Lane Park using less Fund Balance from the General Fund, which would increase the bond amount. That would shift the debt service payment on sales tax. Council Member Fotheringham pointed out that both scenarios are making use of Capital Projects. He does not want to spend that much of the existing funds on Spring Lane, because the park does not exist yet and it does not benefit current residents. He feels that the existing funds need to be available for different maintenance needs in the City and does not want to use a lot of existing funds for future debt. Ms. Chamness believes there is a desire to see a scenario that decreases the use of Capital Projects Funds and increases the bond amount. Council Member Fotheringham thought that was important to see for at least the park portion. Council Member Gray pointed out that there is extra sales tax revenue. Mr. Larsen explained that a portion will be transferred into Capital Projects to ensure that the General Fund remains under 35%.

Mayor Dahle the roads and storm drain needs should be part of annual budgeting. Typically, there is not a desire to use Fund Balance for ongoing maintenance. That should be budgeted instead. Ms. Chamness explained that the Fund Balance has been built for a reason and the Council can ultimately decide how it is used. Council Member Fotheringham pointed out that there are sometimes large road and storm drain projects. The Fund Balance can be used to cover the larger and more costly projects that arise.

Mayor Dahle believes the Council needs to determine how much Fund Balance there is a desire to have available. He agrees that it makes sense to stay close to that 35% amount, but it makes sense to have some Capital Improvements as well. Ms. Chamness pointed out that there are some unknowns, as the City is dependent on certain partners. As a result, it makes sense to have flexibility.

Ms. Chamness explained that the third scenario looks at Phase 1 of Spring Lane Park, which results in the need for a smaller bond. On the other hand, the fourth scenario looks at everything and \$2.2 million of the Spring Lane wish list items. Discussions were had about the wish list items for the Spring Lane site. She noted that one suggestion was already made by Council Member

Fotheringham, which would reduce the amount of Fund Balance that was utilized. Council Member Gray pointed out the sales tax number and wondered whether some of that could be dedicated to the projects. Ms. Chamness believed she was requesting a scenario where the assumptions were increased, which was confirmed.

Council Member Gray believed the philosophy of Council Member Fotheringham comes down to current taxpayers versus future taxpayers. Council Member Fotheringham stated that he believes it makes more sense for future funds to pay for the park. He wants to ensure there are enough funds remaining to handle the current needs.

Council Member Quinn wanted to see where the other bonds were. Ms. Chamness believes the direction from the Council is there is a desire to look at scenarios that take less from Capital Projects and scenarios that take more from Capital Projects. Additionally, there is a desire to receive more information about feasibility and payments. She offered to bring all of that back to the Council. Mayor Dahle believes it comes down to the amount of Fund Balance there is comfort using for the project. At that point, it will be possible to determine the amount of bonding and the payments. Ms. Chamness reiterated that additional scenarios will be run and presented to the Council in early 2025. Council Member Gray pointed out the community need for a dog park and asked that it be considered.

b. Historic Preservation Discussion.

Discussions were had about the proposed rezone at 5428 South Highland Drive and whether a rezone to R-1-8 might be more appropriate. It was noted that the applicant was directed to apply for the R-2-10 Zone because of the Highland Drive Master Plan. The applicant wants to preserve the current building. Ms. Marsh reported that the R-2 Zone provides flexibility to keep the building. If it is R-1-8 and someone purchases the property in the future, the lot will likely be split right down the middle. With the R-2 Zone, there is enough frontage that a small structure could be placed to the front and side of the existing house. That zone will make it more likely that the existing house will be preserved.

The Historic Preservation Ordinance was discussed. Council Member Brewer reported that he shared information with the Historical Commission about the ordinance. He asked Commissioners to provide input. The Brinton House that was discussed earlier was an unfortunate situation because had this ordinance been in place at the time of that process, it might still be there. He believes the ordinance is ready to be voted on. Council Member Fotheringham pointed out that the property owner never reached out to him. Additionally, the City did not prevent that owner from accomplishing the goals mentioned during the public comment period. Council Member Fotheringham stated that the City Attorney is going to look at an area of concern in the current version of the drafted ordinance.

c. Calendar.

- *Council Meetings – November 21 and December 12, 2024.*
- *Interfaith Service – November 17 at 7:00 PM.*
- *25th Anniversary – November 18 at 7:00 PM.*
- *Tree Lighting – December 2 from 5:30 to 7:00 PM*

The calendar items were reviewed and discussed.

XI. *Closed Session Pursuant to Utah Code Section 52-4-204 and 205 to Discuss the Physical or Mental Health or Professional Competence of an Individual, Potential Litigation, Property Acquisition and Disposition.*

There was no Closed Session.

XII. *Adjourn.*

Council Member Fotheringham moved to ADJOURN. Council Member Quinn seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 9:40 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held on Thursday, November 7, 2024.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **December 12, 2024**

Kim Duffy's comments:

I read the Development Review for the Historic Site Designation, twice, to see if I could find mention of the Historical Commission's role. There is not a mention of an historic commission. So I reached out to a few historic commissioners from a consortium that I initiated a year ago. These include commissioners from Provo, Park City, Brighton, Draper, Cottonwood Heights, Sandy, Taylorsville, Murray, Millcreek, and Farmington. I asked them about their preservation ordinances and their historic commissioners' roles.

You could say that comparing one city to another is pointless. But you could also say that one city could learn from another's success and failure. These commissioner comments are from cities which are roughly the size of Holladay.

One city maintains an historic sites list, as our ordinances describe. But their list is designated, prepared, and maintained by their commission. Owners may obtain an historic site certificate from the historic preservation commission. Any application for a building permit pertaining to an historic resource designated on the register shall be forwarded by the zoning administrator to the historic preservation commission for its determination prior to the issuance of the requested permit.

Another city's ordinances state that their historic committee shall conduct or cause to be conducted a survey of the historic, architectural, and archaeological resources normally evaluated by professionals, and if that discipline is not represented on the committee -- the committee shall seek expertise in that area before rendering its decision. The committee shall act in an advisory role to other officials and government departments regarding the identification and protection of local historic resources. The committee may designate historic properties in the city to the historic site register. The committee will review and consider properly submitted nomination to the city's historic site register. Owners of officially designated historic sites may obtain an historic site certificate from the committee. Proposed exterior work on the register's structures requiring a building permit is subject to the committee's prior review in order to ensure the preservation of such structures.

I attended a meeting of the Cottonwood Heights historic commission a month ago. They voted on a letter their chair had drafted to the city, giving their opinion on the demolition of the Old Mill, outlining various scenarios, and giving their advice on them. I asked the chair afterwards if this was allowed and he said yes.

Another city goes further. And these are lessons that we could learn from the year-long exercise in frustration with the Brinton House, a two-story intact adobe house built 14 years after the Civil War ended, that was demolished, and the land sits empty. The city I mentioned above says properties designated to the city's historic landmark register may receive special consideration in the granting of zoning variances or conditional use permits in order to encourage their preservation. Their local building officials will consider waiving certain code requirements that deal with historic buildings. Owners of structures on the city's historic landmark register may seek assistance from the committee in applying for grants or tax credits for rehabbing their properties. Proposed modifications to any structure on the city's

historic

register requires prior review of the committee, AND the prior approval of the city's planning committee.

This IS what we aspired to when we found out that the most important historical resource in our city was destined for demolition. Of course, we found out after the demolition was a *fait accompli*, and we naively tried everything we could to save it. We were interviewed in the Tribune and on the local TV news. A petition circulated that got 600+ signatures pleading to save the building. We looked for someone to write a nomination to the National Register, confident it would pass, so the developers could apply for tax credits. We engaged an architect who has done dozens of adaptive reuse projects, to meet with the owners of the building. The architect drew rough plans for the land use that the project manager thought were superior to their own plans, and drew plans to adapt the historic building into two condos. This plan would require some special consideration of zoning variants like the ones noted above. One resident made some suggestions for zoning changes which we gave to a council member. The owners of the property said they liked the suggestions and were willing to work with the city to envision zoning variants to save the historic property. But we never heard back from the council or from the city about the ideas. We didn't know how to get the two sides together, so this idea went nowhere. I understand private property rights. But this owner seemed genuinely interested in finding a way to save this building and making his project "pencil in". We're not developers. We're not attorneys. We don't know how to write ordinances. I barely know how to read them, which I've been doing for the last few days. We needed communication with the city to to find solutions. And we don't know what this could look like, but you do.

We were told by someone in a meeting that an historic commissioner in another city somewhere in Utah walked up to a door and told the homeowner that he had the authority to come in and look at their house – something we would never do. The city could have been sued they said! And therefore, our commission shouldn't have any authority or Holladay may be sued. (As I recall in this anecdote, their city was not sued.) So as a result of this knucklehead commissioner in some other city – and for doubtless other reasons I don't understand -- we have none of the roles I've described in other cities.

I've lived in Holladay for 36 years. Since becoming active in the historic commission, I care more about this city than I ever have. I see the hard work of the mayor, the council, and the staff that go into making a city, and I appreciate their work more than ever. I see the need for more and denser housing, I do. But that doesn't always have to come at the expense of our irreplaceable historic resources, like the Brinton House. We could work together. I know we're not elected officials, but honestly, we meet with hundreds of residents who would like to see a blend of old and new in Holladay. With our eyes always on historic properties, we can bring ideas forward, work with the city to find creative allowances so that developers' projects can "pencil in" while maintaining a part of the charm of Holladay. I believe a majority of our residents want that.