

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 16, 2015
Mt. Olympus Room
4580 South 2300 East
Holladay, UT 84117**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE:

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

City Staff:
Randy Fitts, City Manager
Todd Godfrey, City Attorney
Stephanie Carlson, City Recorder
Clarence Kemp, City Engineer

Mayor Dahle called the Briefing Session to order at 5:38 p.m. The Council reviewed the agenda and went over the public hearing.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

**Thursday, July 16, 2015
Council Chambers
4580 South 2300 East
Holladay, UT 84117**

Council Meeting 6:00 p.m.

ATTENDANCE:

Mayor Rob Dahle
Lynn Pace – *arrived at 7:15 p.m.*
Patricia Pignanelli
J. James Palmer, Jr.
Steven Gunn
Sabrina Petersen

City Staff:
Randy Fitts, City Manager
Todd Godfrey, City Attorney
Stephanie Carlson, City Recorder
Paul Allred, Community Development Director

I. *Welcome* – Mayor Dahle.
Mayor Dahle conducted and called the meeting to order at 6:03 p.m.

II. *Pledge of Allegiance.*
The Pledge of Allegiance was led by Charlie Christensen from Scout Troop 553.

III. Public Comments.

Jean Lloyd - 2119 East Pheasant Lane. She expressed concern with the abundance of deer living on her property and would like to see some action.

Heidi Tward - 6247 Canyon Cove Court. She lives in the Canyon Cove Development and asked why signs prohibiting fireworks have not been placed this year. They need to be put up at the entrance to the Cove.

Mayor Dahle commented that he will follow up with UFA.

Tom Nelson - 2155 Pheasant Way. He expressed his appreciation for City Planner, Rick Whiting, who recently retired and stated that he will be greatly missed.

Jared Brockman - Holladay Blvd. He stated that he would like to open a restaurant in a building that has an existing drive thru that hasn't been in use for 15 years. He asked if the Council would consider the use as being grandfathered.

Todd Schmidt – 2744 Kentucky Ave. He voiced his support for the wildlife that exists in the City of Holladay and stated that not everyone sees the deer as a nuisance.

Nadine Nelson - 2155 Pheasant Way. She concurred with Jean Lloyd's comments and considered the deer to be problematic. They eat everything!

Mitchell Smoot - 2886 Naniloa Cir. He expressed concern with the upkeep of the City's bicycle lanes and considered them to be a safety hazard.

Council Member Palmer reported that state law prohibits the City from doing anything about the deer problem.

IV. Public Hearing on Proposed Rezone from R-1-15 (Single Family Residential 15,000 sq. ft.) to RO (Residential Office) for Property Located at 1992 East Hedgewood Court (5760 South).

City Planner, Rick Whiting, presented the proposed rezone as detailed in the staff report. He explained that the property owner would like to take advantage of the Residential Office Zone that allows him to convert his property to a limited business professional use and retain the residential appearance of the property. The Planning Commission addressed the matter on December 9, 2014, and unanimously recommended approval to the City Council.

Burt Carson – applicant. He stated they purchased the property as an investment. A homeowner at the end of Hedgewood Court granted consent to allow Granite School District to use the lane as an exit for school buses. He indicated that he did not receive notice and was not contacted. He noted that the significant change to their driveway was done without his consent. Finding tenants had been difficult since there is a school on one side and a bus exit on the other. He explained that they are trying to put something at this location that will fit in with what most residents would approve of and be aesthetically pleasing. He read a letter from Walter Parra, the property owner at 2015 Hedgewood Court, expressing support for the rezone. It was reported that the address was always 5779 South Highland Drive and once Hedgewood Court was named, the address was changed through the post office.

Mayor Dahle opened the public hearing at 6:37pm.

Andrew Hegewald - 2045 Hedgewood Court. He stated that he has only seen two buses at any given time and the lane is used strictly for those buses. He agreed with the applicant's assessment of the deterioration of the property and believes it has negatively affected the curb appeal. He would be in favor of the rezone if conditions included eliminating access from Hedgewood Court, ensuring that the structure has the appearance of an attractive residence, signage is small, landscaping is well maintained, and the office has low traffic.

Dana Williams - 2044 Hedgewood Court. Expressed concern with the state of the property and believed no one will rent it due to its lack of upkeep.

Bernardo Sahegun - 2044 Hedgewood Court. She asked if there is a development agreement in place indicating that the property will be upgraded prior to issuing permits. Mr. Carson is not being the "ideal" neighbor.

Tom Nelson - 2155 Pheasant Way. He stated that he served on the Highland Drive Master Plan Committee and is in favor of Mr. Carson's proposal subject to the conditions agreed upon by Mr. Carson and the neighbors listed on the document presented to the Planning Commission and City Council last year. He would support the proposal only if the conditions are satisfied. He believed most would consider the proposal to be better than the current condition of the property. He recommended they meet with the City Attorney to assess how attach the conditions to the property along with a time limit. This is a win/win situation and the RO Zone along Highland Drive can be a positive if handled with care. Mr. Nelson confirmed that the neighbors would agree to the rezone with conditions that are consistent with the RO zoning requirements.

Council Member Palmer stated that the Planning Commission's recommendation was simply a unanimous recommendation to approve the rezone. The conditions were discussed.

Barbara Nation- 5799 S Highland Dr. He stated that she owns the duplex east of the applicant's property and was opposed to having a parking lot near her front door. The house could be fixed up, right now it looks like a slum dwelling.

Mr. Carson confirmed that part of their tenants' contract is to maintain the landscaping. The condition of the home is of concern and he would not let the property go downhill. His position was that if they can get it rezoned, they will begin marketing it and attempt to sell it as residential office and let the buyer create their own design. He agreed to the conditions proposed by the Planning Commission at a previous meeting.

Mayor Dahle indicated that the public hearing would remain open.

V. *Recognition for Les Chatelain.*

Mayor Dahle recognized Les Chatelain for his six years of service on the Planning Commission.

Paul Allred, Community Development Director, stated it has been a pleasure to work with Les Chatelain and recognized his commitment to the City. Mr. Chatelain served as Chair and Vice Chair and was a very valuable Member of the Planning Commission. His leadership skills and ability to lead a meeting were invaluable.

Council Member Pignanelli presented Mr. Chatelain with a recognition award. She thanked him and his family for being such an important part of the community.

Les Chatelain thanked the City Council and the City of Holladay for their support during his years of service.

VI. *Consent Agenda.*

a. Approval of Minutes – May 14 & 21, June 4, 11, and 18, 2015.

Council Member Petersen moved to adopt the consent agenda. Council Member Palmer seconded the motion. The Council voted in the affirmative and the consent agenda was approved.

VII. *City Manager’s Report*

a. Monthly Financial Update.

Manager Fitts provided the Council with a financial update. The financial report shows that \$63,000 has been generated. Justice Court revenue has increased.

He also reported on the following:

- Stop signs went in on Kentucky Avenue.
- The Oakwood Elementary design will be ready to go and should be done when school starts.
- The concrete has buckled along the front of Melby’s office. There is also curb and gutter that is deteriorating. Water line leaks have been taken care of.
- The Justice Court trend was expected to continue to rise as more are paying fines.
- It was reported that City Planner, Rick Whiting, would be retiring due to health issue. His last day will be July 31, 2015.
- The Blue Moon Festival will be taking place on July 31.

VIII. *Council Reports.*

Council Member Palmer reported they have come to a solution regarding the 5340 South situation.

Council Member Pignanelli commended Mr. Fitts on a successful Fourth of July.

IX. *Other Business.*

X. *Adjourn City Council Meeting and Convene in a Council Work Meeting.*

Council Member Gunn moved to adjourn the City Council Meeting and convene in a work meeting. Council Member Pignanelli seconded the motion. The Council voted in the affirmative and the meeting adjourned at 7:30 p.m.

WORK MEETING
July 16, 2015

ATTENDANCE

Mayor Rob Dahle
Lynn Pace
Patricia Pignanelli
J. James Palmer
Sabrina Petersen
Steven Gunn

City Staff
Randy Fitts, City Manager
Stephanie Carlson, City Recorder
Todd Godfrey, City Attorney
Paul Allred, Community Development Director
Clarence Kemp, City Engineer

Mayor Dahle convened the Council in a Work Meeting at 7:52 p.m. after visiting the playground site.

a. Discussion on Deer Policy.

Mayor Dahle introduced Urban Wildlife Specialist, Channing Howard.

Ms. Howard stated she has specifically been working on the Bountiful Trap and Relocation Program. They have recently updated their Urban Deer Control roll. The new rule that was passed June 4, 2015 and becomes law 45 days later, allows cities to create their own deer management plans. She detailed the capture and relocation process and reported that there is an 80% survival rate in wild populations. The Division of Wildlife Resources will be involved with each individual city's trap and relocation program. Trapping takes place during winter months, where the offspring is old enough to be on their own should their mother be trapped. The burden of the cost will fall mostly with the city.

Council Member Palmer expressed concern with this program affecting roughly one percent of Holladay's population, yet all of the taxpayers would be involved with the cost of the trap and relocation effort. He asked if this will mitigate the problem or if others will just take its place.

Mayor Dahle wished to receive further information regarding the trap and relocation program and the financial burden that comes with it.

Ms. Howard recommended a no feeding ordinance be implemented and discussed additional steps prior to implementing a program.

b. Discussion on Earlier Rezone Public Hearing for Hedgewood Court.

Mayor Dahle confirmed the public hearing is still open on this item and will appear on the August 13, 2015 agenda for vote. The layering of additional conditions over what is already a strict zone was of concern. Neighboring resident's additional conditions were reviewed. If the Planning Commission has gone through this item and feels as though it meets the standard created in the RO Zone, he would be in favor of the rezone. Mr. Whiting provided the Council with a comparison of the RO zone to Mr. Nelson's request.

c. Update on City Hall Park/Playground.

Manager Fitts reported that playground railings are moving along more quickly than expected. Asphalt work will be completed by July 31. The Council discussed the timeline for park completion. The Council would like to wait to do a "formal" opening until all the work is done. The Council went over signage for the park and playground and asked the Manager to work on

getting language and the signs in place.

d. Discussion on Speed Limits in the Village.

The above item is being generated by the new food truck court. It was suggested that the signs posted showed a decline in speeds from 40 mph to 25 mph. The need for an additional 30 mph zone between the two posted signs was debated. The signs have already been ordered and should be up in a week.

e. Review of Planning Commission Appeal Conditional Use Permit Approval for SOHO Mobile Food Park.

The Council discussed the appeal and procedural issues. Materials will be provided prior to the hearing which will include a staff report. The matter will be on the August 13, 2015 agenda.

f. Review Selection Process for new Chief of Police.

It was reported that nine individuals submitted applications for the position. The nine were narrowed down to four applicants. The remaining applicants were discussed.

g. Mid-Year Review of Goal Setting from January.

The above item was not discussed.

h. Calendar.

Mayor Dahle stated the August 6, 2015 City Council meeting has been cancelled. The Blue Moon event is scheduled for July 31st. Upcoming agenda items were detailed.

i. Other Business.

A raised speed crosswalk near Mark Olsen's property was discussed. The Council asked who has financial responsibility of the proposed speed bumps. Mayor Dahle read the addendum to the REPC and stated that City "at its sole expense shall cause to be installed during the reconstruction of Kentucky Avenue, two additional street lights near the intersection of Kentucky Avenue and Holladay Boulevard with an additional park bench to be located on Holladay Boulevard." He did not find any requirements indicating they were to put in a new raised crosswalk.

Council Member Petersen reported that she was contacted by a resident on Wren Rd who would like to construct a small guest house for her mother-in-law. Council Member Petersen also reported that she has received multiple requests for a City Movie Night and received calls regarding the maintenance of existing speed bumps. She stated that the existing speed bumps either need to be maintained correctly or taken out.

Mayor Dahle reported that he was pleased with the meeting that took place between the City and the Cottonwood Mall project applicant. Food trucks within the City were discussed.

XI. 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 Palmer moved to go into Closed Session to discuss personnel issues, property acquisition, and disposition. Council Member Pignanelli seconded the motion. The Council roll call vote was as follows: Council Members Pace, Petersen, Pignanelli, Gunn, Palmer and Mayor Dahle voted in favor. The Council convened in a closed session at 10:18 p.m.

Those in attendance at the Closed Session were: Council Members Pace, Petersen, Palmer, Gunn, Pignanelli and Mayor Dahle. Others present included Randy Fitts, Todd Godfrey, Stephanie Carlson, Paul Allred and Clarence Kemp.

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

Council Member Palmer 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, Gunn, Pignanelli, Palmer and Mayor Dahle voted in favor. The motion to go out of closed session at 10:46 p.m. passed with a unanimous vote.

XII. Adjourn Work Meeting.

There being no further business, Council Member Palmer moved to adjourn. Council Member Gunn seconding the motion. The Council voted in the affirmative. The meeting adjourned at 10:48 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council meeting held Thursday, July 16, 2015.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: 9-17-15