

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

Thursday, October 11, 2018

**Mt. Olympus Room
4580 South 2300 East
Holladay, UT 84117**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE:

Mayor Rob Dahle
W. Brett Graham
Steven Gunn
Mark Stewart
Sabrina Petersen
Paul Fotheringham

City Staff:

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

Mayor Dahle called the Briefing Session to order at 5:35 p.m. The Council reviewed the agenda and went over the questions on the grading ordinance.

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**City Council Chambers
4580 South 2300 East
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Council Meeting 6:00 p.m.

ATTENDANCE:

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I. *Welcome* – Mayor Dahle.

Mayor Dahle called the meeting to order at 6:03 p.m.

II. *Pledge of Allegiance.*

The pledge was recited by those in attendance.

III. *Public Comments.*

There were no public comments.

IV. *Public Hearing on Proposed Tree Canopy Sustainability Ordinance.*

Mayor Dahle reported that the matter will not appear for a vote until November 1.

Mayor Dahle opened the public hearing at 6:07 p.m.

Tom Kamlowsky - 4137 S Clover Ln. After reading the City ordinance he identified specific concerns. He reported that their property is on the upper canal, which transitions through their property. He noted that he has trees that are on the bank of the canal, which are the ones he is concerned about. He was most concerned about a very large Cottonwood tree that he has spent thousands of dollars on over the last several months. It is a dying tree and will have to be removed. He saw very little in the ordinance that addresses dead, dying, or dangerous trees. Mr. Kamlowsky stated that in the past when the tree has dropped limbs it has torn out power lines and could potentially completely close off the canal. He estimated that it is 12 feet in diameter. When it falls it will do tremendous damage and will cost him \$5,000 or more to have it removed. He was willing to do that, however, it now seemed as though there are new onerous requirements he will have to comply with. Mr. Kamlowsky asked the City to consider the situation from a monetary perspective and the onerous canopy requirement.

Camille Pierce - 2052 E Arbor Ln. She stated that the City has and continues to experience a loss of tree canopy due to clear-cutting of properties. This has occurred on at least four properties within one block of her home. Also, construction trucks on shallow roads kill trees. Sometimes trees are not adequately watered or diseases and insect infestations destroy them. While some new trees are planted, it is typically not in the same numbers as those that are lost. Trees absorb air pollution and carbon, which causes climate change. When trees are destroyed, stored carbon is released into the air. This causes worse fires, larger storms, and flooding. Trees retain moisture in the soil and limit soil evaporation. Trees also reduce the cost of air conditioning in the summer and provide habitat for birds and animals. Ms. Pierce urged the Council to take action to improve air quality, impact climate change, limit flooding, and reduce utility costs. She expressed her support for the proposed Tree Ordinance.

Diana Johnson - 1635 E Lone Peak Dr. She reported that she moved to Holladay two years ago for the beauty of the area. Since that time, nine homes have been torn down near her. All of the lots were clear-cut and the homes replaced by larger ones that fill up the lot. She was concerned with the trees that were lost. She was worried that the natural beauty of her neighborhood is disappearing, which will have long-term effects. She reminded the Council that Holladay is a Tree USA City and stressed the need to protect the tree canopy. She recommended that there be proper oversight when trees are removed.

Carolyn Giffin - 5300 S Blue Spruce Cir. She expressed her support for the proposed Tree Ordinance. She considered what is being required of developers applying for new construction to be fair. She noted that people have the ability to remove trees on their property that are impinging on the safety of their home or property but they should be willing to replace them. She felt that the Tree Committee had gone to great lengths to be fair and equitable.

Dennis Roach spoke on behalf of the majority of the Tree Committee. He identified some benefits of trees as clean air, environmental improvement, water filtration and retention, wildlife habitat, and economic benefits. He explained that communities and business districts with healthy tree cover attract new residents, industry, and commercial activity. Homes landscaped with trees sell more quickly and are worth five to 15 percent more than homes without them.

Trees enhance economic stability by attracting businesses and people linger and shop longer when trees are present. Where canopies of trees exist, apartments and offices rent more quickly and have a higher occupancy rate. Workers report more productivity and less absenteeism. Mr. Roach conducted research and found that there are over 25 different major U.S. cities that already have tree protection ordinances in effect. He believed it was time for the City of Holladay to join the cause and preserve their unique and natural resource, which gives the City its special character. He noted that the Tree Committee fully endorses the most recent version of the draft and believe it strikes a fair balance for helping to maintain the rights of property owners and developers while helping to protect the valuable resource of Holladay's urban forest.

Ron Hilton - 2121 Kayland Way. He expressed support for the current version of the ordinance. He believed it strikes a good balance between individual property rights and making sure that development practices preserve the tree canopy.

Douglas Stark - 2698 East Wren Rd. He serves on the Tree Committee and they have been working on the ordinance for the last three years or more. They listened to the concerns of the Council and the citizens and tried to address them and compromise. He addressed the issue of personal and private property rights versus community rights. He felt that the community has a right to a great urban forest canopy and suggested they be more concerned about community rights than individual property rights. He read recently that trees provide psychological benefits and decrease depression. He expressed his support for the proposed Tree Ordinance.

There were no further public comments. The public hearing remained open.

Mayor Dahle reported that a vote would not be taken until November 1 and wished to allow for further public comment. He thanked the Tree Committee for their work.

V. *Consideration of Ordinance 2018-16 Amending Chapters 13.07.030 and 13.76.700 Relating to Residential Grading.*

Mayor Dahle reported that a public hearing was held the previous week and the Council has worked with staff on clarifying issues.

Council Member Petersen moved to adopt Ordinance 2018-16 with the following amendment: Item F8 add to a max of 2 feet after abutting properties. Council Member Graham seconded the motion. The Council roll call vote was as follows: Council Members Graham, Fotheringham, Petersen, Gunn, Stewart, and Mayor Rob Dahle in favor. Ordinance 2018-16 was adopted by a unanimous vote.

VI. *City Manager Report – Manager Chamness.*

Manager Chamness reported that Salt Lake County has begun distributing ballots. She explained that Proposition 14 is on the ballot and a postcard from the City will be sent out the following day to all residents letting them know that a Voter Information packet is available by mail or on the City's website.

Staff participated in security training earlier in the day on assessing threats. It was very informational and identified issues that need to be addressed.

Ms. Chamness recirculated the Wander Lane Sidewalk Report from last year for the Council's review.

Ms. Chamness reported that questions have been posed about the flashing light crosswalk installation on 3900 South and Woodcrest. Millcreek City agreed to pay for their half of the cost. The light has been ordered and installation was expected within the next six weeks. The foundations for the lights were expected to be installed the following Monday.

VII. Council Reports and District Issues.

Council Member Stewart commented that he is hearing from residents about an increase in burglaries around Cottonwood Elementary and requested more patrolling of the area. Also, with the recently paved 2300 East, paving was done over the crosswalk from the church to Haun Avenue and he asked that it be stripped.

Council Member Gunn reported that Herriman City recently conducted a review of services for Wasatch Front Waste and Recycling with two other providers in Salt Lake County. Herriman found Wasatch Front Waste to be competitive while Council Member Gunn considered the service they provide to be superior. Council Member Petersen agreed that the service provided is superior.

Council Member Fotheringham reported that he attended the Bonneville Community Council Meeting earlier in the day. They were thrilled with the safety enhancements the City is providing. While they like the cleanup bins, they want input on where they are placed, particularly on Matteo. Council Member Petersen stated that they used to put more cans out but found that the cost was escalating and the cans were not being filled. They instead opted to place cans more strategically so that they are better utilized.

Council Member Fotheringham commented on the crosswalk near Bonneville that is in the middle of a street where the gutter has collapsed across the intersection.

Council Graham asked about sidewalks and the potential to improve sidewalks on Lincoln Lane between 2300 East and 2700 East. He also inquired about street sweeping and when it is scheduled. Ms. Chamness reported that street sweeping is budgeted to be done twice per year; once in the fall and once in the spring. They also budget bi-weekly service from the Village to Knudsen Park along Holladay Boulevard for bikers.

Mayor Dahle reported that he had a conversation with a resident of Far Down Avenue who is concerned about speeding there. He asked that the Chief have officers patrol there at least a few times per week.

VIII. Recess to City Council Work Meeting.

Council Member Gunn moved to recess at 6:54pm and reconvene in a Work Session. The motion was seconded by Council Member Stewart. The motion passed with the unanimous consent of the Council. The Council convened in a work meeting at 7:04 pm

1. Discussion with UFA Chief Peterson.

Mayor Dahle reported that a difficult period was experienced a few years earlier with UFA that is ongoing. He was intimately involved in the situation, which resulted in an audit where 135 findings were identified. The matter was ultimately referred to the Attorney General's Office. The entire command staff was ultimately changed out over a period of a few months and the UFA went through an extensive search for a new Fire Chief. As a result, they were able to hire

Chief Dan Peterson who has been with the department for the last two years. During that time he has changed the culture of UFA. Mayor Dahle reported that the City spends about 50% of their budget on police and fire services so it is appropriate that once per year the leaders of each organization meet with the Council.

Chief Peterson reported on his time with the department and the progress made. He commended Mayor Dahle for what he has brought to the UFA. Key accomplishments and goals were identified as follows:

- Making the budget process more transparent and establishing a member fee that makes sense.
- Managing the level of risk tolerance.
- The community-driven Strategic Plan was converted into goals.
- In preparation for the budget, in December every decision will update their action items.
- Establishment of effective policies that have curtailed previous behaviors. Checks and balances put in place.
- Strengthening of the Liaison Program.
- Additional focus on service delivery.
- Identifying a sustainable Capital Replacement Plan and cost saving efforts.
- Improved morale and pride among personnel.
- Increasing the efficiency of pooled services.

In response to a question raised, Chief Peterson described regional services and stated that the services they provide are available and used by every community. Ambulances cover multiple areas and represent a regional service. The engines and trucks symbolize a service delivery directly into the community and the fire prevention division is a shared regional service. The advantage is that they can bring in specialists as needed to ensure that a project moves quickly. Chief Peterson explained that the City is paying for a Fire Marshall but are getting a staff of 10 in return. He noted that requests for mutual aid are monitored and efforts to balance it were described. Chief Peterson reported that a Strategic Data Manager was hired to analyze information properly. He now gets needed answers and is engaged with neighboring chiefs.

2. Discussion with UPD Chief Mazuran.

Mayor Dahle reported on the departure of Chief Winder and stated that Sheriff Rosie Rivera was appointed and is now running against Justin Boyle. The prior chief retired and Chief Mazuran was selected as the new chief.

Chief Mazuran indicated that last year SB 376 was passed by the Legislature and allowed Class 1 counties with a law enforcement organization, such as UFA, to select their CEO. Management practices were reviewed and discussed. It was clarified that with the potential new model for the jail will remain within the purview of the Sheriff.

Chief Mazuran reported that UPD is facing challenges, which have created an opportunity for them to make changes and evolve. As Sheriff Rivera's new executive team came on line one of the first things to be addressed was the budget. The new CEO has taken the current budget and is reformatting it into something that is much more valuable and easy to understand. She is also preparing a balance sheet for each partner entity. Other changes to the department were described.

Mayor Dahle described the internal workings of the department and stated that the goal is to focus on delivering the best model possible at the best possible price. Council Member Petersen stressed the importance of other agencies pulling their weight. The budget process was described as well as the specifics that will be provided. Mayor Dahle commented on detail that has been lacking in the past that he hoped to get resolution on going forward.

In response to a comment made about limiting spending, Chief Mazuran stated that the Council can determine the level of service for its precinct. He was optimistic that they will find deficiencies and areas of improvement. The desire was to address pooled services and provide as much efficiency as possible. Another need was to increase the officer pay. He stressed that that needs to be a priority in order to remain competitive. Chief Mazuran reported that 78% of the law enforcement budget is salaries and personnel.

Mayor Dahle commented that he had always been very concerned about officer pay in the market. At one point they were in the bottom one-third and now they are in the top one-third. That has been accomplished by maintaining a 3 to 4 percent increase. He stressed the importance of retention and bringing new officers in.

3. Knudsen Park Update.

Assistant to the City Manager, Holly Smith, presented the most recent design of the water feature. She reported that the building materials will consist of stone and wood and coordinate with the rest of the park. The various details of the feature were described. The total estimated cost was \$325,000 with a remaining contingency \$106,000. With regard to the entry signage, Ms. Smith stated that \$49,000 was set aside and included in the current budget. In all, it was a \$3.1 million project with the only overage possibly being \$20,000. Ms. Smith commended Hughes Construction for their work and stated that they have completed the job on budget and on time. She stated that the Superintendent has gone above and beyond. The Mayor suggested that the Council make a final decision by the November 15 meeting.

In response to a question raised, it was noted that the water to the water feature will be on only when activated and will be off completely from Labor Day to Memorial Day. The space is flexible and will accommodate small or large groups of children. The official park opening was scheduled for the weekend before Memorial Day.

4. Discussion on Proposed Tree Ordinance.

There was discussion on ways to best handle dead and dying trees, particularly those of a protected variety. Issues to be considered were discussed such as specific circumstances. Council Member Stewart clarified that someone who wants to cut a tree down in their backyard will still be able to do so. The City would only be involved in instances where someone was obtaining a permit at which time there would be an inventory of trees. Council Member Petersen thought that was less clear in the current draft. She also expressed concern with enforcement and was hesitant to adopt something that the City does not have the ability to enforce. The ability of staff to provide proper enforcement was addressed.

Mayor Dahle was concerned about the aquifer dropping in a ditch and trees getting stressed. He asked if the City has a role to play in better managing the tree canopy.

Commissioner Graham felt that if the ordinance is unenforceable, the result will be something that has little or no impact.

Council Member Petersen commented that often when new homes are built, homeowners plant new trees. It is, however, not recognized as an impact to the tree canopy now since the impact will not be seen for many years.

Council Member Graham suggested that the City offer suggestions on the species of trees that do best in Holladay and encourage builders to think more about trees and identify specific ways to benefit and preserve the tree canopy.

Council Member Gunn was optimistic about the City's ability to enforce the Tree Ordinance.

Council Member Petersen stressed the value of the Tree Voucher Program. It was suggested that funding for the program be increased in the budget. Ways to make the requirements clearer were discussed. Timing and procedural issues were discussed regarding potential adoption of the ordinance.

5. Calendar – Schedule of Upcoming Meetings.

Council Meetings: October 25, November 1, 8 and 15. The Interfaith Service is November 18 at 6:30 p.m. History Night – November 15 and the Tree Lighting on November 26. The Council Christmas Social is Wednesday, December 5 at 6:00 p.m.

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

There was no Closed Session.

X. Adjourn City Council Meeting.

Council Member Gunn moved to adjourn. Council Member Petersen seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at 9:37 p.m.

I hereby certify that the foregoing represents a true, accurate and complete record of the Holladay City Council Meeting held Thursday, October 11, 2018.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **January 17, 2019**