

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

**Thursday, November 19, 2020  
Meeting Conducted Remotely**

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**ATTENDANCE:**

Mayor Rob Dahle  
Paul Fotheringham  
Daniel Gibbons  
Sabrina Petersen  
Drew Quinn  
Matt Durham

**City Staff:**

Gina Chamness, City Manager  
Stephanie Carlson, City Recorder  
Paul Allred, Community Development Director  
Todd Godfrey, City Attorney  
Jared Bunch, City Engineer  
Holly Smith, Assistant to the City Manager

**I. Welcome – Mayor Dahle.**

Mayor Dahle called the meeting to order at approximately 6:00 p.m. He read into the record the Order on Public Meetings of the City Council of the City of Holladay.

**II. Public Comments.**

*Patrice Arent - 3665 E 3800 S in Millcreek.* She thanked the Council and staff for their hard work. She commented that their contributions made her a better Utah State Representative. Ms. Arent informed the Council that she would be working as a legislator until the end of December 2020. Doug Owens would be taking her position on the Legislature and she was confident that he would do a tremendous job of representing the City of Holladay.

Council Member Fotheringham expressed his admiration for Ms. Arent. He praised her sense of duty and enthusiasm. Council Member Gibbons noted that Ms. Arent is the epitome of public service and wished her the best in future endeavors. Council Member Quinn had enjoyed working with Ms. Arent and appreciated her support. Council Member Durham commented that Ms. Arent was always prepared, informed, accessible, civil, and fair. He felt she represented the community well and made it a better place. Council Member Petersen made note of Ms. Arent's passion for the community. Mayor Dahle looked forward to working with Ms. Arent over the next few months and wished her well.

**III. Continued Public Hearing on Proposed Storm Water Utility Fee Ordinance.**

Mayor Dahle reported that the public hearing remained open to ensure that citizens were able to share comments. Mayor Dahle noted that a vote could be taken on the item on December 3, 2020.

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

**IV. Public Hearing on Proposed Amendments to the 2020-21 Fiscal Year Budget.**

Manager Chamness reported that there were three items included in the proposed budget amendments. The first was recognition of the second portion of Coronavirus Aid, Relief, and Economic Security ("CARES") Act funding received from Salt Lake County for \$913,879. Ms. Chamness noted that there had been final clarification regarding the fund uses. Some funding could go toward Unified

Police Department (“UPD”) and Unified Fire Authority (“UFA”) services. The funds would be used for those purposes in addition to the direct costs expended by the City.

The second item included in the proposed budget amendment related to additional use of the Fund Balance, pending a Federal Emergency Management Agency (“FEMA”) declaration. Ms. Chamness asked that the City Council authorize \$60,000 for emergency wind storm expenses. Staff was hopeful regarding reimbursement from FEMA but it was not a guarantee. Ms. Chamness noted that there could be a decision about whether the windstorm qualified as an emergency before the end of the year. The third item included in the proposed budget amendments was to formally appropriate \$150,000 to handle bridge repair work in the City that was previously agreed upon.

**Mayor Dahle opened the public hearing at 6:21pm.** There were no public comments. **Mayor Dahle closed the public hearing at 6:23pm.**

**V. *Public Hearing on Proposed Amendments to Chapter 2 of the City’s General Plan.***

Community Development Director, Paul Allred reported that amendments to Chapter 2 of the City’s General Plan began last fall. Mr. Allred noted that the draft contained language that the Planning Commission wasn’t comfortable with and they moved the amendment to 2020. Staff completed another draft of the amendments and the Planning Commission forwarded a recommendation of approval on the current draft.

**Mayor Dahle opened the public hearing at approx.. 6:26pm.**

*Ron Hilton- 2934 Murray-Holladay Rd.* He submitted a comment via email with suggested language for Principle 1 – Supporting Stable Neighborhoods.

There were no further comments. **Mayor Dahle closed the public hearing at 6:28pm.**

**VI. *Reports:***

**a. *Financial Audit Report for Fiscal Year 2019-2020 – Rob Wood, HBME, LLC.***

Rob Wood from Hansen, Bradshaw, Malmrose & Erickson reviewed the Financial Statements and Independent Auditor’s Report for the fiscal year that ended on June 30, 2020. Mr. Wood noted that on page two there was an Opinion paragraph that indicated that there were no material misstatements. Mr. Wood noted that was the best opinion he, as an independent auditor, can give an organization.

Mr. Wood discussed the Management’s Discussion and Analysis section of the report that included comparative numbers from 2019 and 2020. During that time, the net position had grown from \$92.2 to \$93.4 million. The report also outlined program revenues and general revenues throughout the City. Mr. Wood reported that there was a slight decrease in revenue from \$19.6 to just over \$19 million. However, the expenditures grew slightly, from \$17.1 to \$17.8 million.

Governmental Funds were discussed. Mr. Wood stated that the four funds the City operates on consists of the General Fund, the Capital Projects Fund, the Redevelopment Agency (“RDA:”), and Debt Service. The unassigned fund balance was \$3.6 million, which meant those funds were available to the organization to spend. Mr. Wood reported that the percentage in the General Fund compared to the current year revenues should not exceed 25% as it related to State compliance. The City of Holladay was at 22.9% and within the range accepted by the State.

Mr. Wood noted that on the Governmental Funds that the RDA had a deficit balance. He reported on net changes in fund balances. The General Fund had a slight decrease or operating loss of \$236,284 while the Capital Projects had an increase of \$620,424. Refunding bonds were issued in the amount of \$5.2 million. Mr. Wood explained that the City had refunded their Series 2011 bond debt with a new Series 2020 bond debt to save approximately \$300,000 to \$400,000. The proceeds were sent to an escrow agent who would refund the bonds when they were fully callable. The remaining obligation with the Series 2011 bond debt included payments for the next two years.

Mr. Wood discussed the Long-Term Debt as of June 30, 2020. The report showed all of the debt currently on the books. It included Series 2011, which had \$915,730 remaining and Series 2015, which had \$810,000 remaining. Both would be paid off within the next two years. Mr. Wood noted that property had been sold, so the capital lease obligation would be paid off earlier than specified in the report. He believed the City had done a good job of unloading some of the debt to free up funds for other projects and developments within the City.

Council Member Gibbons wondered if there was other property the City could consider selling in order to retire more debt. Ms. Chamness stated that the City owns approximately 15 acres of property near Hughes Canyon. However, there were access and grading issues with that particular parcel.

Mr. Wood discussed compliance and identified the following three issues related to State law and State Code compliance:

- Deficit Fund Balance in the Redevelopment Agency Fund of \$1,672,494 as of June 30, 2020;
- Budgetary compliance due to bond refunding that was not properly recorded within the fund as revenues and expenses; and
- Justice Court costs due to Court Clerks that were trained incorrectly to properly code court costs. When payments were receipted to court costs in error, trust funds were not properly accounted for and revenue was not correctly categorized.

Council Member Fotheringham commented that the City of Holladay generally has had a clean opinion in the past. However, there were occasionally material weaknesses or significant deficiencies in the Financial Audit Report. He noted that the latest audit contained only three extremely minor issues. Council Member Fotheringham felt this reflected a high level of financial management in the City. He thanked the financial team for their efforts.

Mayor Dahle believed that a few years ago, the net position had been closer to \$30 million. Mr. Wood clarified that this was due to the Governmental Accounting Standards Board (“GASB”) requirements. There was a requirement for cities and governmental entities to start recognizing their capital assets and long-term debt. When Hansen, Bradshaw, Malmrose & Erickson came on board as independent auditors, assets were added to the books, such as the land under roads, park assets, and buildings. He noted that the net position in 2017 was \$34 million and the debt was just under \$15 million. In 2018, the fixed assets standards added approximately \$40 million to the books.

Mayor Dahle reported that he has served as Mayor for seven years. When he was first elected, the debt was around \$20 million. Within the next two to three years, depending on bonding for infrastructure, the debt would be around \$6 million. Mayor Dahle reported that the City debt had been dramatically reduced, the Fund Balance had grown each year, and the City had stayed within

budget. He felt that the financial health of the City was strong and thanked the Council Members, Ms. Chamness, and her staff.

Council Member Gibbons thanked Mr. Wood and his office for their work. He noted that the issue related to the Justice Court was difficult to deal with as the City Council did not necessarily have the knowledge or authority to direct Court Clerks. He reported that there was a Task Force at work that would dramatically revamp the Justice Court system and pull the Justice Court away from the municipalities and toward the State.

**b. Wasatch Front Waste and Recycling District – Pam Roberts, General Manager.**

Wasatch Front Waste and Recycling District General Manager, Pam Roberts reported that the CARES Act reimbursement was received and would help cover unexpected costs. She thanked Council Member Gibbons for his support. Ms. Roberts discussed the WFWRC District's 2021 Budget. She reported that the Administrative Council Board approved the budget that included fee increases and a modified area cleanup.

The District raised the following fees:

- Bulk trailer rentals were increased from \$145 to \$175 to help offset the full costs; and
- Curbside green waste collections were raised from \$9.50 per month (\$114 annually) to \$10.50 per month (\$126 annually) to cover costs for services related to can repair and replacement as well as customer service. This was the first fee increase since the program rolled out in 2014.

Due to staffing issues and the COVID-19 pandemic, a modified version of the Area Cleanup Program began in May 2020. Residents were given the option of reserving a container and have it parked in their driveways. It was initially met with opposition but there had been many compliments from those who participated. As a result, modified clean-up would continue into 2021.

Ms. Roberts shared a chart titled, Results and Comparisons for Communities. The statistics compared the number of homes per municipality and the number of containers delivered in 2019 and 2020. For the City of Holladay, there were an estimated 9,084 single-family dwellings and 960 containers delivered in 2020 for a total of 879.23 tons. In 2019, there were an estimated 8,785 single-family dwellings with 1,176 containers delivered for a total of 1,298 tons.

The staff and budget were discussed. Ms. Roberts reported that money was saved because there weren't as many staff members and the number of trucks was reduced. She noted that the modified program began on May 11, 2020. There had been a slight delay to safely provide training for the onboarding process. Ms. Roberts noted that there was a CDL driver shortage in every industry and that had created some challenges. However, the Board approved a salary market adjustment coming into 2020, which had been helpful with recruitment. Ms. Roberts commented that \$349,147 was saved in 2020. That money would carry into 2021 and be used as part of the budget.

Ms. Roberts shared feedback from residents related to the modified cleanup. There had been 2,735 responses district-wide with 320 from the City of Holladay. 78.3% of Holladay residents were satisfied with the program and 83% were satisfied district-wide. In 2019, there was an 81.6% satisfaction rate district-wide. Feedback largely related to:

- Scheduling challenges and confirmation of reservations;
- Needing more advanced notice;

- Having the service more often; and
- Concerns about containers damaging the driveways.

Planned improvements included working with a new website designer to improve the scheduling tool and reservation system.

Council Member Gibbons noted that the modified clean-up was prepared quickly by Ms. Roberts and her team. He felt it was remarkable that the program was able to continue given the COVID-19 restrictions and concerns. Many of Board Members felt this may be a better model to move forward with. Council Member Gibbons believed it needed to continue into 2021 due to the continued impacts of COVID-19. It would be a test case to see how well the system worked and whether it could continue to be refined and improved.

Council Member Petersen commented that she received the service and it was fantastic. She liked the fact that the containers were off the street and that there was less clutter. Council Member Petersen also praised Ms. Roberts for her ability to listen to feedback and make improvements. Council Member Fotheringham appreciated the fact that Ms. Roberts had been flexible and delivered an alternative solution. He noted that some sort of outreach may be beneficial to communicate that residents would need to make reservations in the future. Mayor Dahle thanked Ms. Roberts for her work.

**VII. *Consideration of Ordinance 2020-15 Imposing Temporary Zoning Regulations Relating to the Enforcement of City Code Provisions Governing the Noise, Height, and Placement of Accessory Structures.***

Council Member Petersen explained that a resident in her district was fined and told that they would need to take down a skateboard ramp on their property before Thanksgiving. The main complaint related to the noise caused by the ramp. Council Member Petersen noted that the family was willing to make concessions. The moratorium would prevent the family from having to tear down the skateboard ramp until the City Council reaches a final decision. She felt that the situation allowed the City Council and staff to look at some of the ordinances and determine whether they were still serving the residents in a positive way. City Attorney, Todd Godfrey suggested a moratorium on the enforcement of this particular use. It would last for 180 days and allow the City Council and staff to determine whether changes should be made.

Mayor Dahle wondered what codes were violated when someone built a skateboard ramp on their property. Mr. Godfrey believed there were zoning regulations that governed the placement and height of recreational structures. There were also noise regulations to consider. Council Member Petersen commented that there were properties in the City that had more than enough room for recreational structures. She noted that the decibel level may need to be looked at rather than the actual use. The family that initially brought the issue to Council Member Petersen's attention found that the decibel level of a skateboard and skateboard ramp was lower than that of a private swimming pool in a backyard. Mayor Dahle stated that the City's noise ordinance would need to be followed, regardless of the recreational activity.

Mr. Allred reported that Title 9.48.100 lists skateboard ramps as a prohibited use. Additionally, if a structure is large enough, building codes would need to be considered as well. Council Member Petersen reminded the Council that the purpose of the discussion was related to the moratorium.

Detailed discussions related to the ordinance would occur later. She felt at that time that it would be appropriate to address concerns related to structure size, lighting, and noise. Mr. Allred commented that certain questions would need to be answered such as:

- How late can you use your backyard?
- How noisy can the use be?
- How does the City Council regulate structures?

Council Member Gibbons believed the moratorium should not be so broad that it will impact Code Enforcement Officer, Warren Dallof in his enforcement efforts. Council Member Gibbons expressed his support for redline changes made by Mr. Godfrey. He noted that this was a good time of year to consider the issue because there will not be a lot of skateboard ramps being constructed at this time.

Mayor Dahle wondered if the moratorium would prevent residents who wanted to build a pool from receiving building permit approval. Mr. Godfrey believed there were specific ordinance regulations related to pools. They would be separate from the recreational structures currently being discussed. Mayor Dahle noted that the intention of the moratorium was not to hold up permits. He did not want pools to be included in the temporary restriction. Mayor Dahle wondered if the residents with the existing skateboard ramp would be permitted to use it once the moratorium goes into effect. Mr. Godfrey noted that they could as long as the noise ordinance is followed.

Possible motion language was discussed. Mayor Dahle asked if the redline changes needed to be included in the motion. Mr. Godfrey felt it would be a good idea to include them. He added that this vote would relate to a temporary zoning regulation. Although the main complaint in this particular instance was related to noise, the noise was a separate issue from the zoning regulation. Staff was directed to continue to discuss appropriate wording.

Council Member Petersen moved to adopt Ordinance 2020-15 including the redline additions made by City Attorney, Todd Godfrey. Council Member Fotheringham seconded the motion. The Council roll call vote was as follows: Council Members Gibbons, Fotheringham, Petersen, Quinn, Durham and Mayor Dahle in favor. Ordinance 2020-15 was adopted by a unanimous vote.

#### ***VIII. Consideration of Resolution 2020-30 Adopting a License Agreement with Google Fiber for the Use of City Streets for the Provision of Internet Service within the City.***

Commissioner Quinn noted that the intention was to have Internet only but she wondered if the fiber would be capable of carrying video. Mr. Godfrey was not certain but suspected that the lines could be used for joint purposes. Google would need authorization to run a video service through the City due to the nature of the agreement.

*Jacob Brace, Google representative* explained that a fiber optic cable is a small, hair-like strand of glass that transmits data. It would be used specifically to provide Internet access. Council Member Fotheringham wondered how micro trenching would impact the roads. Mr. Brace noted that there had been a one-off issue in another city related to the construction site. It had been addressed and crews now have enhanced barriers around any type of open trench. He noted that Google would work with the City if there are issues.

Council Member Fotheringham wondered how the fiber service works. Mr. Brace stated that per the agreement, the intention was to be in the right-of-way. The fiber would be installed underground in

front of the homes. There is typically a small access box between two homes. From there, a network installation unit (“NIU”) box would come out of the soft scape into the home. They would work with the homeowners during installation and do their best to leave everything the way it was found. Mayor Dahle asked about the timeline. Mr. Brace explained that upon approval, Google engineers would begin work immediately. All plans would be shared with the City Engineer. Construction was to begin the first or second quarter of 2021, depending on weather.

Council Member Gibbons wondered which criteria was used to determine where the Google Fiber would be installed. Mr. Brace noted that there were many factors to consider, including permitting, private versus public roads, and access. The intention was to build out as much of the City as possible. However, there may be lots where it would be unreasonable to install.

Council Member Fotheringham asked about the depth of the micro trenches how it will impact standard road maintenance, repaving, and reconstruction. City Engineer, Jared Bunch believed the trench would be at least one foot deep, which would be underneath asphalt and the road base. He asked Google in the past what would happen if a roadway needed to be reconstructed. Google verbally agreed to relocate the fiber in that scenario. However, Mr. Bunch noted that roadways are not reconstructed frequently. Mr. Brace expressed his appreciation for Mr. Bunch and his level of experience. He added that Google wanted to work hand in hand with the City. Relocation requests occur often and are par for the course. Google would coordinate with the City and the construction crews in those instances. Mayor Dahle felt that the announcement of Google Fiber in the City would be well received.

Council Member Fotheringham moved to approve Resolution 2020-30. Council Member Gibbons seconded the motion. The Council roll call vote was as follows: Council Members Gibbons, Fotheringham, Petersen, Quinn, Durham and Mayor Dahle in favor. Resolution 2020-30 was approved by a unanimous vote.

#### ***IX. Consideration of Resolution 2020-31 Accepting the FY 2019-2020 Moderate-Income Housing Report for the City.***

Ms. Chamness reported that two years ago, the Legislature encouraged cities to develop affordable housing in their communities by tying affordable housing provisions to eligibility for federal transportation dollars. As a result, the City needed to do the following:

- Amend the General Plan in chapters related to Land Use, Transportation, and Housing; and
- Choose three strategies from a list of options.

A progress report was required by December 1, 2020, to discuss the implementation of the three items chosen. Ms. Chamness noted that the City Council needed to approve the 2019-2020 Moderate-Income Housing Report.

Mr. Allred informed the City Council that this was the first year they were required to report on their progress. He noted that the chapters related to Transportation and Housing had already been amended and sent to the State. Mr. Allred discussed the three chosen strategies, which included:

- Reduced parking in residential areas;
- The allowance of higher densities; and
- Accessory Dwelling Units (“ADU”).

Mr. Allred indicated that the City was fully compliant in the first two areas but the ADU work was still underway. They would inform the State that the third item would be finished as soon as possible in 2021. Chapter 2 amendments also needed to be submitted to the State.

The Findings Report was summarized. Mr. Allred reported that the City of Holladay has studied affordable housing for at least 15 years. Past studies showed that 18% to 28% of dwellings in the City are moderately priced. He noted that there were many condos, townhomes, apartments, and duplexes. One in five of all dwellings in the City are multiple family. Mr. Allred stated that those numbers are not far off of the statewide average. Mr. Allred noted that housing costs are fairly stable. Many of the dwellings in the City are attainable by people who make 80% of the Area Median Income (“AMI”) in Salt Lake County. The State looked at the following numbers: 80% (moderate), 50% (low income), and 30% (very low income). He noted that there was a lack of housing in many cities at the 30% ratio. Based on the 2020 numbers, there was a shortage of housing in the 30% bracket in the City of Holladay. However, there was an improvement when comparing data from 2016 and 2020. Mr. Allred noted that the challenge moving forward was related to building new affordable housing. He commented that the State allows cities to work with one another. It was not out of the realm of possibility that the City could work with a neighboring city to develop affordable housing options.

Council Member Fotheringham discussed a constituent who lives in a historic house on 0.485 acres of property. The City Council previously discussed amending the ADU ordinance as it relates to the need for one-half acre. The discussion indicated that an amendment could be made to include a provision where if the housing footprint within a zone allows the property to be split and subdivided, even if it is under one-half acre, there could be an ADU in lieu of subdividing. Mr. Allred corrected Council Member Fotheringham and noted that ADUs were not currently permitted in the City but guesthouses are permitted. The distinction was that guest houses could not be rented where ADUs could be rented. Council Member Fotheringham noted that ADUs may be preferable to subdividing as they would allow the character of the neighborhood to remain intact and provide added affordability. Ms. Chamness reported that in mid-September she discussed pending items that would require considerable public engagement including stormwater fees, ADUs and Holladay Crossroads. Given the fact that the Legislature was going to make changes, staff elected to hold off on the ADU update.

Council Member Fotheringham moved to approve Resolution 2020-31. Council Member Quinn seconded the motion. The Council roll call vote was as follows: Council Members Gibbons, Fotheringham, Petersen, Quinn, Durham and Mayor Dahle in favor. Resolution 2020-31 was approved by a unanimous vote

#### **X. City Manager Report – Manager Chamness.**

Ms. Chamness discussed the Financial Report included in the packet. It included reports through the end of September 2020 and October 2020. She overviewed the October 2020 Financial Report. Ms. Chamness pointed out that property tax actuals were \$63,764 but the City expected to receive \$4.5 million. She noted that property taxes are due at the end of November and there would be a large distribution in December and additional property tax revenues through the end of March 2021 when there would be a final reconciliation of the property taxes.

The sales tax figures reflected two months of sales tax revenue because sales tax runs a few months behind. The City was at approximately \$1 million after two months. Ms. Chamness stated that the overall sales tax number was lowered by 10% but if revenues continued to be strong, the revenue would likely exceed the budget by \$300,000 to \$400,000. Ms. Chamness reported that franchise tax runs a month behind but noted that cable video franchise revenue was behind this year. That was the only area of concern in terms of the tax revenue. Business licenses continued to be strong and there would likely be a large amount of business license revenue at the end of the year. Building permits and plan check fees continued to be strong as well.

Ms. Chamness noted that one line item that appeared to be slightly over budget was the Sequoia Development and Loan Payment to Salt Lake County. Until the City was three-quarters of the way through the year, that item would appear to be over budget even though it was not. Ms. Chamness reported that the Arts Fund was doing well. The RDA Fund – Millrock reflected the sale of the Cotton Bottom and the payoff of a lease payment discussed earlier in the meeting. The budget would need to be amended before the end of the year to reflect that.

The Retirement Health Savings Accounts were discussed at the last City Council Meeting. The Council requested information from other jurisdictions. Ms. Chamness reported that she sent requests to other City Managers regarding their policies. She shared some of the responses and pointed out that there is not one clear standard from one city to the next. It would come down to what the City of Holladay decides to do. The proposed policy for this item was that all employees would be eligible to participate in the Retirement Health Savings Plan. Upon implementation, employees with an accrued balance of 180 or more sick leave hours may be paid 50% for any hours above 180 at their hourly rate of pay. There was an estimated cost of \$12,000 to \$20,000 for the first year. The annual costs would be reduced in the future and likely be within the \$5,000 to \$6,000 range. The program would incentivize people to not abuse sick leave and provide a way to save for retirement health.

Mayor Dahle noted that the intention was to clean up and standardize benefit structures in the City. It was important not to have a system that incentivizes people to accumulate sick hours. The proposed Retirement Health Savings Plan would be an asset to employees down the road. Ms. Chamness stated that the City would buy out hours in excess of 180 annually. Mayor Dahle explained that employees would have 180 hours to use in case of illness but anything in excess of 180 would be bought out at 50% and put into the Retirement Health Savings Plan.

If the City Council was comfortable with the approach, the Policy Manual change would be added to the December 3, 2020, City Council Meeting agenda. Ms. Chamness noted that she would also need authorization to enter into an agreement with a third-party administrator who would run the administration side of things and help employees figure out how to make investment choices. Council Member Gibbons felt this approach would be of benefit to employees and the City.

#### ***XI. Council Reports and District Issues.***

Council Member Fotheringham reported that a constituent reached out to him regarding Frontier Road. He informed the constituent that it was not on the current year project list because the projects had already been budgeted for. However, he noted that Mr. Bunch shared a cost estimate for the road of approximately \$15,000. Mr. Bunch clarified that the \$15,000 estimate was for pavement in front of one address and not for the entire street. He noted that the road was missing curb and gutter. Mr. Bunch believed it would cost an additional \$25,000 for the rest of the street. Council Member

Fotheringham understood that road management was determined by the pavement quality index but wanted to put Frontier Road on the City Council's radar.

Council Member Fotheringham reported that the Arts Council met and were pleased with what they had been able to accomplish in 2020. He noted that planning the calendar for next year would be challenging since much was still unknown about the lingering impacts of COVID-19. The drive-in concerts had been a success and could be done again next year, if necessary. The Chalk Our Walk event was a success and there would be a Fine Art Show in March 2021. The Arts Council appreciated the support of the City Council.

Council Member Petersen reported that a family reached out to her with a public comment about the skateboard ramp issue. She informed them that there would be an opportunity to speak publicly about the item in the future.

Council Member Gibbons had nothing to report.

Council Member Quinn reported that she sat in on Zoom meetings for the Community Council of Churchill Junior High and Morningside Elementary. She asked the Principal of Churchill Junior High about mask compliance. There had been a few instances at the beginning of the year where students needed to be reminded to wear their masks. However, the majority had been cooperative. Council Member Quinn reported that there were ongoing traffic issues taking place at Morningside Elementary. According to the Granite School District, the cost of putting in a road for buses along the west side of the property would cost more than \$1 million. It would be at least two to three years before that was done. The principal reached out to UPD Chief, Justin Hoyal to ask if officers could be stationed at the school a few times a week. This would prevent dangerous U-turns that put the safety of the students at risk.

Council Member Quinn reported that one section of Olympic Way was repaved last year. That section was chosen because another section had numerous water main breaks. The water main would be fixed within the next fiscal year. Council Member Quinn informed the City Council that the section of road could be added to the repave list a year after the water main was replaced.

Council Member Durham reported that the Tree Committee had a service project at Knudson Park on November 7, 2020. The work involved cleanup and shaping of various trees in the park. He asked for an update on the canal leak. Mr. Bunch reported that a bid was received from a contractor and a variance was approved by the Planning Commission. The City would reach out to the property owner and enter into discussions.

Mayor Dahle reported that the final version of the program for the Interfaith Service was forwarded to the Council. He asked that they share the live-streamed event. There was a Virtual Tree Lighting Service scheduled for November 30, 2020. It would be streamed on Facebook. Mayor Dahle commented that the City was doing its best to acknowledge the holidays given the current circumstances and limitations.

## **XII. *Recess City Council to a Work Meeting.***

Council Member Fotheringham moved to recess the Council Meeting and reconvene in a Work Meeting. Council Member Petersen seconded the motion. The motion passed with the unanimous consent of the Council.

**a. Discussion on Previous Public Hearing Items:**

**• Budget Amendments;**

Mayor Dahle noted that the Tree Committee wanted to launch Arbor Day with an event at the end of April related to a 1,000 tree giveaway to replace trees lost in the windstorm. He believed the necessary budget would be approximately \$50,000 but would likely be closer to \$30,000 due to fundraising efforts. The Tree Committee had already begun to look at various species that would be available. Mayor Dahle was not sure what would be needed in terms of a budget amendment. Ms. Chamness noted that the City Council might want to appropriate the full \$50,000 with the expectation that if funds were raised, the total would still not exceed \$50,000. If the City Council was supportive of the concept, it could be added to the budget amendment for adoption at the December 3, 2020, City Council Meeting. All were in support.

Assistant to the City Manager, Holly Smith reported that she had worked with a firm to come up with a conceptual design for a skate park. Ms. Smith explained that Spohn Ranch prepared two preliminary designs for the public to look at. The designs were released on October 19, 2020, and there had been over 470 public comments. In addition, there had been a virtual public input meeting with 30 people in attendance. For the preliminary designs, one was a bowl design and the other was a streetscape design. 46% of public comments were from residents under the age of 19, 35% were from residents in their 20s, and the remainder were from residents in their 30s and above. Most of the public comments stated that they preferred the streetscape design or a combination of the streetscape and bowls. The final design concept was a combination and would attract skateboarders of all levels. The total cost was estimated to be approximately \$400,000. Ms. Smith noted that there had been a lot of support from the public.

Council Member Petersen added that many people from the community expressed gratitude for the skate park concept. She noted that members of the community were willing to fundraise to ensure that the skate park comes to fruition. Council Member Petersen believed the skate park would alleviate pressure on the plaza and be of benefit to the community.

Mayor Dahle wondered about the process of moving forward with the skate park. Ms. Smith reported that the design concept was shared with the Council but it was not the final design. If the City Council chooses to move forward, there would be a Request for Proposal (“RFP”) for a design-builder. A firm would be selected, a final design would be created, and there would be an additional opportunity for public comment. She suggested that a committee may be formed to engage some of the skateboard community at a deeper level. Ms. Smith believed the earliest the skate park could be constructed was by the summer of 2021. The Council discussed potential design details.

Ms. Chamness noted that glass recycling is currently in the proposed area. Another location in the City would need to be determined. If the City Council were to approve funding as part of the budget amendment, the project could move forward. Potential fundraising could be discussed once the process is fully underway. Council Member Petersen noted that \$350,000 was set aside for the extension of City Hall and put back into the Capital Projects Fund Balance. Ms. Chamness stated that the budget amendment could add \$300,000 to the \$100,000 previously appropriated in the RDA.

Council Member Fotheringham raised concerns about the timing of the project. He noted that there may be pushback from the public about spending money on a skateboard park at the same time the City is looking into a property tax increase. Council Member Fotheringham felt that the skateboard park was a long-term asset for the City but acknowledged that there may be questions and concerns about the timing. Council Member Gibbons echoed those concerns. Mayor Dahle stated that access to the outdoors is an issue and creating outdoor opportunities was important. Council Member Petersen felt it would be beneficial to see that amenities are going in to improve the community.

Ms. Chamness reported that the budget amendment would include an additional \$300,000 from the Capital Projects Fund Balance and \$50,000 from the General Fund for a tree giveaway.

- **Chapter 2 Amendments.**

Council Member Durham asked about the initial public resistance to the Chapter 2 amendments. Mr. Allred reported that last fall he had drafted an update to Chapter 2 that matched the direction the State was going in as it related to moderate-income housing. The intent was to create more opportunities in the City to have moderate-income housing. COVID-19 slowed down discussions on the Chapter 2 amendments. Mr. Allred had asked Jim Carter, who has a legal background and experience as a land use planner, to draft the language. Over a series of meetings, the Planning Commission agreed to the current draft.

Council Member Durham wondered whether the current version provided enough flexibility for the City to make progress on affordable housing. Mr. Allred did not believe so and noted that the language may make it more difficult to achieve flexibility in land use. However, there was a reference on page 14 that stated that there needed to be more opportunities for affordable housing. Mr. Allred explained that the current update would accomplish what it needs to but did not go as far as the previous language had. He noted that there were specific barriers in the community that made it difficult to build moderately priced units. He explained that there was a lot of infill development and infill development was contingent upon changing zones to allow for more density. That process could be difficult. Mr. Allred felt that in the next few years it will be beneficial to revise Chapter 2 to make it more in line with the goals of the State.

Council Member Quinn commented that in the section, Key Land Use and Urban Design Issues, it states the following: "Preserving what is best about Holladay and avoiding the negative impacts of future growth..." Council Member Quinn expressed concerns that the language defined future growth as negative. Mr. Allred shared concerns but noted that this was the recommendation forwarded by the Planning Commission. Council Member Quinn felt that the Chapter 2 amendments failed to move anything forward. Council Member Gibbons agreed and wondered whether a vote was necessary. He asked if it would be possible to table the item until there is more clarity from the State Legislature. Mr. Allred informed the Council that there is a timeline and it needs to be submitted to the State. Although the amendment was required to be submitted by December 1, 2020, Mr. Allred reported that he communicated with David Fields, from Housing and Community Development at Utah Department of Workforce Services. He was informed that Chapter 2 would be submitted as soon as possible after the submission date.

Mayor Dahle suggested that minor tweaks be made to the chapter before the vote takes place at the December 3, 2020, City Council Meeting. The City Council could then explore further amendments in the spring. The Council Members agreed.

***b. Discussion on Storm Water Fee Ordinance and Policy Manual.***

Mayor Dahle noted that the Storm Water Fee Ordinance and Policy Manual would be voted on at the December 3, 2020, City Council Meeting. Council Member Gibbons compared the Equivalent Residential Unit (“ERU”) to neighboring cities. If the City of Holladay does not move forward with the Storm Water Fee, they would be the only municipality in Salt Lake County, other than Brighton, not to pass a Storm Water Fee or have a Storm Water Fee pending. Council Member Gibbons stated that he liked what had been presented.

It was reported that the proposed rate for Holladay is a \$6.50 monthly base rate per 5,200 square feet. The proposed model would include two residential areas and a non-residential area. The divisions were based on the impervious surface area and use characteristics of the surveyed parcels. The different customer classes included:

- Customer Class 1: Residential Area A (Typical Residential Property);
- Customer Class 2: Residential Area B (Estates); and
- Customer Class 3: Non-Residential.

Mayor Dahle commented that a constituent asked about properties without curb and gutter. He wanted to know whether the fee would still be applicable. Mayor Dahle believed it would as it is was City-wide Storm Water Fee. It was not possible to individually assess each lot. Mr. Bunch reported that if there was an installed facility on the property that retained stormwater, the resident could apply for a 50% reduction of the fee. He added that commercial sites under the current ordinance would retain a significant portion of stormwater on-site. That formula in the policy program could be used and the 50% reduction could be applied.

Council Member Gibbons wondered if wording should be added to the Policy Manual to specify that Mr. Bunch would have the power to grant a credit if there is a low level of impervious surface. He believed that if a lot is undeveloped, there should not necessarily be a fee imposed. Council Member Gibbons suggested providing a credit or reduction in those cases.

Mr. Godfrey pointed out that that the fee related to the impact each property had on the storm drain system. However, the City also provides a service. Even lots with low levels of impervious surface would receive some level of service from the City’s stormwater system. Council Member Fotheringham clarified that the fee was not just for stormwater that affects personal property. Stormwater also needs to be dealt with once it reaches the public roads and public spaces.

Mr. Bunch discussed possible boundary changes for Residential Areas A and B. Based on discussions from the previous City Council Meeting, staff took another look at the boundary between Residential Areas A and B. Options were explored to either expand or reduce the boundary. The proposed map was included in the packet. Mr. Bunch noted that the current boundary would likely lead to a number of applications to change the designation from Residential Area B to Residential Area A. Instead of handling the individual application reviews, one option was to adjust the boundary and move some of the smaller one-half-acre lots into Residential Class A.

Mayor Dahle believed it would be appropriate to relocate the boundary line for areas with smaller lots. Council Member Fotheringham pointed out that there may be larger lots surrounding the smaller lots. He wondered if the fee could be based on lot size rather than location. Mr. Bunch explained that it would be much easier to create a boundary. Council Member Durham asked if there would be revenue impacts. Ms. Chamness clarified that it would result in less revenue. The City Council discussed where the boundary should be. Mayor Dahle felt that the boundary should be altered to cut out some of the smaller lots. He asked that the boundary be looked at further and finalized.

Mr. Godfrey noted that changes were made to the enacting ordinance based on Council comments. Council Member Durham discussed refining the description of how the impervious surface is calculated on commercial and residential properties. Mr. Godfrey reported that he cleaned up some items related to that. The ordinance would be included in the packet for the December 3, 2020 City Council Meeting.

**c. *Calendar.***

- November 22 – Interfaith Service
- November 30 – Tree Lighting
- City Council Meetings

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

There was no Closed Session.

**XIV. *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 10:05 p.m.

*I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, November 19, 2020.*

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Stephanie N. Carlson, MMC  
Holladay City Recorder

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Robert Dahle, Mayor

Minutes approved: **January 7, 2021**