

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

**Thursday, October 7, 2021
6:00 p.m.
City Council Chambers**

ATTENDANCE:

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

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

I. *Welcome* – Mayor Dahle.

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

II. *Pledge of Allegiance.*

The Mayor led the Pledge of Allegiance.

III. *Public Comments.*

Lorenzo Lopez - 3936 South 2300 East. He reported that he serves as the Homeowners Association (“HOA”) President in that area. The neighborhood was concerned about the northernmost crosswalk in front of Olympus High School. He noted that two high school students were hit the previous week. Mr. Lopez hoped the City would consider putting red flashing lights above the crosswalk rather than the small yellow lights that are there currently.

Trudy Jorgensen-Price shared updates regarding the Library. In October, art will be featured in the Large Meeting Room. Every Tuesday, Story Time will take place outdoors at 10:15 a.m. Teen Thursdays will take place at 3:00 p.m. and there will be yoga classes on Saturdays. Ms. Jorgensen-Price also noted that the Great Reads Book Club is scheduled for October. It is a book club for children aged 8 through 12. Registration was required to receive a craft kit but the book club itself will take place online. There will also be Trick or Treating at the Library on October 29 and 30, 2021. Additionally, on November 2, 2021, voting will take place at the Library.

IV. *Public Hearing on Proposed Amendments to Title 13 Regarding Sensitive Lands Development Standards Update - FEMA Floodplain and Fault Study.*

Planning Manager, Jonathan Teerlink reported that Federal Emergency Management Agency (“FEMA”) updated its Flood Insurance Rate Maps (“FIRM”) for Salt Lake County. The last time it was been done was in 2009. Mr. Teerlink noted that the latest update involved one panel, which was a section of Big Cottonwood Creek where some floodplains had been updated. In the ordinance where FIRM is referred to, there was a revision date listed. That needed to be updated to November 2022.

Utah Geologic Survey (“UGS”) in collaboration with the Utah Division of Emergency Management released a New Seismic Report consisting of updated fault mapping that spans the length of the Wasatch Front Fault Zone. The new study expanded the mapped faults from 451 to 739 miles. Much of the new fault lines targeted the Salt Lake Valley, specifically the east bench along Millcreek, the City of Holladay, Cottonwood Heights, and Draper. Mayor Dahle wondered what that meant for the City. Mr. Teerlink explained that it would expand the areas where they will be required to do a geotechnical study. He noted that a lot of the technologies for studying fault areas had evolved. He also discussed the process and procedures involved with fault study report reviews. Council Member Durham wondered if there should be similar processes for the floodplain. Mr. Teerlink explained that there were State-mandated processes in place for that.

City Attorney, Todd Godfrey reported that much of the fault study and appeal provisions in the ordinance are required by State Code. They are not required for other sensitive lands, because those processes are expensive and imposed expense for the City. The Legislation that required some of the appeal procedures was a reaction to certain development situations that occurred in Salt Lake County. The intention was to balance municipality reactions to existing faults and landslides with private property owner rights.

Mayor Dahle opened the public hearing. There were no comments. The public hearing was closed.

V. Public Hearing on Proposed Amendments to Title 13.77 Regarding Parking Lot Shade Tree Standards.

Mayor Dahle reported that the above item relates to proposed amendments to Title 13.77. He explained that the Parking Lot Shade Tree Standards were part of the discussions during the creation of the Holladay Crossroads Zone Small Area Master Plan. Members of the Tree Committee were present and an expanded discussion would take place during the Work Meeting.

Mayor Dahle opened the public hearing.

Travis Jones - 4733 South Ichabod Street. He is speaking on behalf of the Tree Committee. He noted that the proposed amendments were due to Staff efforts as well as feedback shared by members of the Tree Committee. The Committee intended to preserve the trees but it was also important to consider businesses and storefront appeal. The Parking Lot Shade Tree Standards were not intended to block businesses. Mr. Jones explained that the proposed amendments have the full support of the Tree Committee.

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

VI. *Consideration of Ordinance 2021-25 Amending the Zoning Map for Property Located at 4409 South 2300 East from R-1-10 to R-2-10.*

Mayor Dahle wondered if there was any further information related to the Salt Lake City Public Utilities corner lot. City Manager, Gina Chamness reported that she and Mr. Godfrey had a productive conversation with Salt Lake City about possible options. Salt Lake City stated that the next step would be to invite representatives from the City of Holladay and the developer to sit down and discuss different options for the site. She hoped the meeting would be set up within the next week. Mayor Dahle felt there was a desire from both Council and Staff for the corner to be cleaned up with redevelopment.

Council Member Durham moved to approve Ordinance 2021-25 amending the Zoning Map for property located at 4409 South 2300 East from R-1-10 to R-2-10. Council Member Fotheringham seconded the motion. Vote on motion: Council Member Fotheringham-Aye; Council Member Durham-Aye; Council Member Gibbons-Aye; Council Member Quinn-Aye; Mayor Rob Dahle-Aye. The motion passed unanimously.

VII. *Consent Agenda.*

a. *Approval of Minutes – July 8, August 5, 17, 26, 2021.*

Council Member Fotheringham moved to approve the minutes from July 8, August 5, 17, 26, 2021, with the amendments shared by Council Member Quinn. Council Member Quinn seconded the motion. The motion passed with the unanimous consent of the Council.

VIII. *City Manager Report – Gina Chamness.*

a. *Update on 3900 South.*

Ms. Chamness shared updates related to construction projects in the City. She noted that the Highland Drive Project was initially anticipated to be completed by August 2021 to minimize the impacts to the schools off of Highland Drive. However, the Highland Drive and the 3900 South Projects were impacted by the Utah Department of Transportation (“UDOT”). Ms. Chamness explained that UDOT was managing the projects on behalf of the City and had made a decision in April 2020 that City was not aware of until very recently. UDOT issued communications in April 2020 that stated any delay in existing contracts would be excusable. As a result of the COVID-19 pandemic, both of the projects had been delayed.

The contractors on the Highland Drive Project missed the anticipated deadline of August 2021 but were looking to complete the project by the end of October 2021. Ms. Chamness explained that it was possible that some micro-surfacing would need to be done in the Spring of 2022.

Ms. Chamness reported that the original plan for the 3900 South Project was to complete work by the end of the season. In mid-September, the contractor informed the project team that work would likely not be completed by the end of the season. Public Services Director, Jared Bunch pushed back against the extended deadline and asked that the contractor provide a plan to complete the work during the current season. Two weeks earlier, the contractor provided that information but gave Staff three hours to decide whether a complete shutdown between 2300 East and 2700 East would be possible. The reason for the quick turnaround was that they needed to line up their subcontractors and materials. Ms. Chamness thanked Mayor Dahle, Council Member Durham, and Council Member Quinn for their prompt responses. She explained that there would be a temporary closure in mid-to-late October

that may last up to four weeks. Horrocks Engineers had an outreach plan prepared and would reach out directly to residents, schools, and churches along the corridor.

b. Update on Skate Park.

Ms. Chamness shared updates related to the Skate Park. She reported that there had been a lot of progress over the last few weeks. The contractor was contractually required to be done by October 15, 2021. However, although progress had been made, it was clear that the date would not be met. The contractor asked Staff to extend the deadline to November 30, 2021, due to difficulties obtaining concrete in the current market. The City was likely to agree to that change, provided that November 30, 2021, was a date certain and that the work of the subcontractors would be complete by that date.

IX. District Issues and Board Reports.

Council Member Fotheringham reported that the Holladay Arts Council had an event scheduled to take place on the weekend. The Plaza Fest would happen on October 9, 2021, from 9:00 a.m. to 1:00 p.m. He also reported that the Unified Fire Authority (“UFA”) was hosting the Firefighter Chili Cookoff. It would take place on October 9, 2021, at South Town Mall from 11:00 a.m. to 3:00 p.m.

Council Member Durham noted that there had been a lot of questions related to 2300 East recently. He wondered if there could be discussions about those issues during a future Work Meeting. Ms. Chamness confirmed this. She noted that there would be a challenge with the crosswalk because it was so close to the intersection at 3900 and 2300. However, there were options to consider, from removing the crosswalk entirely to providing a pedestrian refuge in the middle of the street. Council Member Durham asked for an update on the arborist position. Ms. Chamness stated that based on the conversations that the Council and Tree Committee had in the spring, the order of priority was tree maintenance, tree inventory, and then the arborist position. Staff met and reviewed those priorities recently and tree maintenance was planned to be completed within the next month.

Council Member Durham reported that he attended the Utah League of Cities and Towns (“ULCT”) conference and there was a presentation on middle-end housing. He felt that public education was an essential part of that discussion. It was important for the public to understand that everything that was not single-family housing was not automatically high-density housing. Council Member Durham wondered if the Council would be open to doing some public education related to density.

Council Member Quinn reported that there had been a neighborhood meeting in District 4 regarding the frequent water main breaks in the northeast corner of the City. Four representatives from Salt Lake City Public Utilities presented information. Council Member Quinn explained that Salt Lake City Public Utilities was aware of the situation but since that meeting, there had been two more major water main breaks. She would be reaching out again to see what could be done. Council Member Quinn stated that she had also attended the ULCT Conference, which focused not only on housing issues but also on drought issues as well.

Council Member Gibbons reported that he served on the Board of the Wasatch Front Waste and Recycling District. About one year ago, they conducted an inventory of all the private lanes where garbage collection occurred. The mandate was to provide garbage collection on public streets but not necessarily on private lanes. 20 to 25 percent of the total service was on private lanes. There were a lot of concerns about liability and the practicality of continuing the service. As a result of the inventory, letters were sent out to individual owners who live on private lanes. Those letters indicated

that there needed to be an agreement with the HOA for residents on the private lane to continue to receive service. It also needed to be practical for the trucks to drive on the lane.

Mayor Dahle shared an update related to the Unified Police Department (“UPD”). He explained that the Budget and Finance Committee met to discuss the wage increase. He believed that UPD would likely land in the fourth or fifth position. Mayor Dahle anticipated there would be a public hearing for a budget amendment at the November 4, 2021, City Council Meeting. There would likely be a vote at the November 18, 2021, City Council Meeting. He believed the budget amendment would be in the \$500,000 range for a mid-year budget adjustment with an ongoing cost of between \$600,000 and \$700,000. He felt it would be received favorably by the members of UPD.

Mayor Dahle reported that elections were completed at the local elementary, junior high, and high schools for the Community Council Chairs. He wanted to see members of the City Council reach out to the Community Council and potentially sit in on the initial school meetings. Mayor Dahle also stated that he planned to move forward with a City Council dinner scheduled to take place on December 9, 2021. He understood that some people may not feel comfortable attending at that time. He and Ms. Chamness would start to work out the details.

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

Council Member Fotheringham moved to Recess the City Council Meeting and Reconvene in a Work Meeting. Council Member Durham seconded the motion. The motion passed with the unanimous consent of the Council.

a. *Discussion on Previous Public Hearings.*

There was discussion regarding the FEMA Floodplain and Fault Study. Council Member Quinn asked about the definition of well-constrained. Mr. Teerlink explained that well-constrained meant there was evidence of fissures or fractured lines on the fault study. Those were areas that were known to be highly susceptible to finding new fault fractures. Mayor Dahle noted that there would be a chance to further discuss the item at the October 14, 2021, City Council Meeting.

Mayor Dahle discussed the proposed amendments to Title 13.77. He believed they initially intended to address the Parking Lot Shade Tree Standards at the same that the Holladay Crossroads Zone was being considered. However, they wanted to expand the standards to include other areas. Mr. Teerlink stated that if there was a development or redevelopment of commercial property and/or the reconstruction of a parking lot, there were currently no requirements regarding how many trees need to be placed or replaced. The proposed amendments would create a new standard, which would create significant canopy coverage. There were some elements of landscaping requirements included as well. Mr. Teerlink felt the amendments established regulations that could be enforced.

Council Members discussed landscaping requirements. Mayor Dahle wondered if there were landscaping requirements related to the addition of grass. Mr. Teerlink explained that there was nothing specific to grass. He noted that Mayor Dahle previously expressed concerns about environmental sustainability issues that could prevent a property owner from trying to achieve water efficiency standards. The landscaping definitions did not specifically state that grass was needed and there was flexibility as it related to landscaping. Mr. Teerlink noted that there was a provision to replace 50% of the required landscape area with other elements such as rocks, boulders, or ornamental

features. In the draft before the Council, that section was proposed to be removed. He felt that in light of recent conversations, that the language should be left in the final draft.

Council Member Durham noted that the Tree Committee debated tree plantings in front of businesses. Mr. Teerlink explained that on Murray Holladay Road, trees have the potential to block signage as the trees continue to grow larger. It was important to consider visibility. Mayor Dahle expressed concerns that developers would not be happy about tree planters taking away from the parking ratios. He wondered if the City should reexamine the ratios. It was determined that the ordinance would be presented at the October 14, 2021, City Council Meeting. The ordinance would include the provision to replace 50% of the required landscape area with other elements.

b. Discussions on Priorities for Proposed Federal Lobbyist Request for Proposals.

Ms. Chamness stated that she was looking for guidance from the Council as she prepared a request for proposal (“RFP”) for a Federal Lobbyist. In the budget, \$50,000 was allocated for Federal lobbying. That line item had been a long-standing item in previous City budgets but had been eliminated four years ago when it was clear that earmarks at the Federal level had disappeared. Assuming there would be a change in that process, the budget had added the funds back in. Ms. Chamness reported that as she prepares to write the RFP, she wanted to know if there was anything in particular that the City Council would like her to highlight. She shared several examples.

Council Member Gibbons wondered what kinds of Federal grants had been received in the past. Ms. Chamness reported that a major project that was funded with Federal dollars related to utility relocation and road reconfiguration. The Council suggested that the focus be on infrastructure. Additional suggestions included economic development, possible redevelopment areas, affordable housing, and sustainability. Ms. Chamness noted that she would include those items in the RFP.

c. Calendar.

- ***Council Meetings – October 14, November 4, and 18, 2021.***
- ***October 26 – Trick or Treat – 5:30 p.m. to 7:00 p.m.***
- ***November 21 – Interfaith Thanksgiving Service.***
- ***November 29 – Tree Lighting.***

The calendar items were reviewed and discussed. Mayor Dahle reported that Council Member Durham would run the October 14, 2021, City Council Meeting, as he would be out of town.

XI. 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).

Council Member Fotheringham moved to adjourn the Work Meeting and reconvene in a Closed Session pursuant to Utah Code Section 52-4-204 and 205 to discuss personnel issues, potential litigation, and property acquisition and disposition. Council Member Quinn seconded the motion. The Council roll call vote was as follows: Council Members Quinn, Gibbons, Durham, Fotheringham and Mayor Dahle in favor. The Council convened in a closed session at 8:41 p.m.

Those in attendance in the Closed Session included Council Members Durham, Fotheringham, Quinn, Gibbons and Mayor Dahle. Others present included Gina Chamness, Todd Godfrey, Stephanie Carlson, Jared Bunch and Jon Teerlink.

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

Council Member Quinn moved to adjourn the Closed Session. Council Member Gibbons seconded the motion. The Council roll call vote was as follows: Council Members Durham, Fotheringham, Quinn, Gibbons and Mayor Dahle in favor. The motion to go out of closed session at 8:04 p.m. passed with a unanimous vote.

XII. Adjourn.

Council Member Fotheringham moved to adjourn. Council Member Durham seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 8:05 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, October 7, 2021.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **Nov. 4, 2021**