

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

**Thursday, January 20, 2022
6:00 p.m.
City Council Chambers**

ATTENDANCE:

Mayor Rob Dahle
Paul Fotheringham
Drew Quinn
Matt Durham
Ty Brewer
Dan Gibbons (participated virtually)

City Staff:
Gina Chamness, City Manager
Stephanie Carlson, City Recorder
Holly Smith, Assistant City Manager
Jared Bunch, Public Services Director
Jayme Blakesley, City Attorney
Jonathan Teerlink, Community & Economic
Development Dir.

I. *Welcome* – Mayor Dahle.

Mayor Dahle called the meeting to order at approximately 6:00 p.m. The City Council recited the Pledge of Allegiance. Mayor Dahle noted that Council Member Gibbons had joined virtually.

II. *Public Comments.*

There were no public comments.

III. *Consideration of Ordinance 2022-01 Amending the Zoning Map for Property Located at 4681 South through 4685 South Highland Drive for Approximately 0.5 acres from Residential Multi-Family (RM) to Professional Office (PO).*

Mayor Dahle reported that the request was to rezone the property from Residential Multi-Family (RM) to Professional Office (PO). Council Member Fotheringham stated that the item is straightforward and the zone was created for that type of change.

Council Member Brewer moved to adopt Ordinance 2022-01. Council Member Fotheringham seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Rob Dahle-Aye. Ordinance 2022-01 was adopted by a unanimous vote.

IV. *Consideration of Ordinance 2022-02 Amending the Zoning Map for Property Located at 4049 South Highland Drive for Approximately 0.31 Acres of Property from Residential Multi-Family (RM) to Commercial (C2) Zone.*

Mayor Dahle did not have concerns about the application due to buffering on the east end of the lot. Mayor Dahle stated that if someone applies for a C2 use, certain parking requirements need to be implemented. Those parking standards would ensure that the use does not overtax the abutting properties. Council Member Durham commented that he was initially concerned about parking but those concerns had been addressed.

Council Member Durham moved to adopt Ordinance 2022-02. Council Member Quinn seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Rob Dahle-Aye. Ordinance 2022-02 was adopted by a unanimous vote.

V. *Consideration of Ordinance 2022-03 Amending Title 13.76.020 and 13.100 Appendix A for Commercial Preschools in the P (Public) Zone.*

Mayor Dahle reported that the above ordinance involves an amendment that was brought forward by Buttons ‘N Bows Preschool and Childcare and is related to their partnership with Our Saviour’s Lutheran Church. That partnership has been in place for many years. However, the preschool wanted to make sure that the use aligns with City Code. The majority of the Council was in favor of the amendment, not only for the particular site but for many sites within the City.

Mayor Dahle noted that daycare is needed in the City and certain public spaces are appropriate to provide that type of care. He supported the amendment. Council Member Fotheringham agreed with the comments expressed by Mayor Dahle but wanted to keep the commercial uses in the P (Public) Zone fairly narrow. While commercial preschools are an appropriate use, he did not believe the City should dramatically expand the uses allowed within the P (Public) Zone.

Council Member Fotheringham moved to adopt Ordinance 2022-03. Council Member Quinn seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Rob Dahle-Aye. Ordinance 2022-03 was adopted by a unanimous vote.

VI. *Consideration of Ordinance 2022-04 Amending Title 13.04 – General Retail Definition and Title 5.92 Specialty Tobacco Retailer.*

Mayor Dahle explained that specialty tobacco is not allowed as a primary use in the City. There could be specialty tobacco sales in a General Retail zone, but the percentage needs to be less than was laid out in the State Code. The new language would clarify that. Council Member Quinn noted that at the last meeting, there were discussions about a business that appeared to be specialty tobacco. She wondered if the new language addressed signage. Economic and Community Development Director, Jonathan Teerlink, reported that the content of a sign is protected under freedom of speech laws. As a result, the language on a sign cannot be used to enforce the ordinance. Enforcement needs to be done through a direct inspection of the premises.

Council Member Fotheringham moved to adopt Ordinance 2022-04. Council Member Durham seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Rob Dahle-Aye. Ordinance 2022-04 was adopted by a unanimous vote.

VII. *City Manager Report – Gina Chamness.*

a. *Financial Report Thru December 2021.*

City Manager Chamness shared updates with the Council and reported that the City of Holladay FY 2021-2022 Financial Report as of 12/31/2021 was included in the packet. The report included an update regarding the first six months of the fiscal year. Ms. Chamness discussed the General Fund Revenues. Property tax was primarily collected in November and would continue to trickle in until

April. The City is currently at 95% through the primary payments and was on track to meet that goal. Ms. Chamness explained that sales taxes are collected in arrears, so six months of the fiscal year would reflect four months of sales tax. The City is at 37% and was running slightly above budget for sales tax. Franchise taxes were delayed by one month and the City was on track. More Franchise Tax revenue is received during the winter months than in the spring and summer months.

Ms. Chamness reported that the revenue sources looked good, but there was one exception, which was Justice Court Revenue. The City was running at approximately one-half of the planned Justice Court Revenue for the first six months of the fiscal year. This had been a topic of conversation for the last several years and it was something that she would look into further over the next several weeks.

Ms. Chamness discussed the General Fund Expenses and reported that the expenses were generally trending under budget in most departments. Council Member Durham questioned what would happen to the Holla Dollars funds that were not paid out to community businesses. Ms. Chamness explained that the Council could direct Staff to run the program again or the funds could become part of the Fund Balance to be used on another program.

Ms. Chamness next discussed the RDA Funds. At the Cottonwood Mall, there are some planned roadway projects, which would eventually be reimbursed to the City by the developer through increment. It would be \$2.5 million for the intersection and right-of-way work. That work had not begun and likely would not happen in the fiscal year. Recognizing there may be some expenses in the current year, the full amount had been budgeted for. She noted that the City was starting to see a small amount of increment in the project area. For the Holladay Village, the City had received \$500,000 worth of tax increment to date. The plan was to grow that Fund Balance by approximately \$400,000 this year.

The Capital Projects Fund was overviewed. It was noted that most of the projects will take place during the spring and summer months. There was discussion regarding the bonds. Ms. Chamness explained that during the spring and summer, a lot of work would be done with the bond proceeds but the City has three years after the bonds are issued to use all of the funds. Council Member Gibbons suggested that there be a Work Session dedicated to bonding

Ms. Chamness shared additional information with the Council. At a meeting in February, the Council would see some options related to redistricting. She reported that the information from the census was starting to come in. Though the information was not complete, there was data that provided guidance on redistricting. The City has six months after the State Legislature approves redistricting to incorporate any changes. Ms. Chamness believed that gives the City of Holladay until the end of April to implement changes. Options would be presented at a future meeting for review.

Updates were shared related to Staff. Ms. Chamness reported that some employees are working from home more often than they had in the recent past but the staffing levels remain consistent. Council Member Fotheringham wondered if the lower Justice Court revenues were due to fewer sessions being held during the pandemic. Ms. Chamness explained that the court had been operating in a hybrid fashion and the reduced revenues were unlikely to be attributed to COVID-19 delays. Mayor Dahle pointed out that Cottonwood Heights used the Justice Court as well and the downward trend was similar in Cottonwood Heights. It was important to look into the matter further.

VIII. Consent Agenda

a. Approval of Minutes of October 14, 2021.

Council Member Durham moved to approve the Consent Agenda. Council Member Fotheringham seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Rob Dahle-Aye. The consent agenda was approved by a unanimous vote.

IX. Council Reports and District Issues.

Council Member Gibbons reported that a resident from his district reached out regarding an issue with the old nurse property on Highland Drive, just south of the mall. There were derelict buildings as well as vacant property. Homeless individuals have been staying at the property long-term. Council Member Gibbons explained that he had spoken to Ms. Chamness, Mr. Teerlink, and the Unified Police Department (“UPD”). There had since been interactions with the landowner who was looking to develop the property, which would likely be the best solution. Mayor Dahle noted that there had also been issues with break-ins at the old Macy’s space. At least two people were apprehended and he hoped the arrests would slow down issues in the area.

Council Member Brewer had a constituent reach out regarding the cycling race that was held last year. He believed an application had already been submitted for the event and assumed the application would be addressed in the near future. Ms. Chamness explained that Staff would ask for Council direction on that event and other large events. She noted that one issue with that particular application was the fact that it would conflict with the summer concerts. Further direction was needed.

Council Member Durham informed the Council that the Utah Community Forest Council awarded the Holladay Tree Committee with the Citizen Forester of the Year Award. The award recognized the hard work of the Committee Members, specifically as it relates to their efforts on the Parking Lot Ordinance, which would include more shade in parking lots.

Council Member Fotheringham reported on several upcoming events, including the Paul Draper Magic Show on January 21, 2022, the Tiny Art Show would take place between February 7 and February 12, 2022, downstairs in the City Hall Art Gallery. Council Member Fotheringham stated that he attended his first Rotary Club Meeting. Additionally, his four-year term on the South Salt Lake Mosquito Abatement District Board would end after the May 2022 Meeting.

Council Member Quinn reported that the Community Renewable Agency Board had moved forward. She serves on the Program Design Committee and there had been a meeting that afternoon with Rocky Mountain Power. She noted that it would be an interesting process to see how it all comes together. The Committee hoped to have something in front of the Public Service Commission by May 2022.

Mayor Dahle hoped there would be a tour of the remodeled UPD precinct in the near future to see what had been done. Mayor Dahle reported that he participated in a Zoom meeting with six mothers from Crestview Elementary School. The group wanted to convert the Crestview Elementary playground into a fully accessible one, not only in terms of the surface but also the equipment. A public fundraising campaign was underway and a marketing package was being prepared. Mayor Dahle noted that a lot of work had been put into the idea and he had encouraged the group to address

the City Council during a future public comment session. He thanked Staff for all their work during the pandemic.

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

Council Member Quinn moved to recess the Holladay City Council Meeting and reconvene in a Work Meeting at 6:42 pm. Council Member Brewer seconded the motion. The motion passed with the unanimous consent of the Council.

a. *Open and Public Meetings Training – Jayme Blakesley*

- Ethics
- Conflict of Interest Forms

City Attorney, Jayme Blakesley reported that he would present information related to the Open and Public Meetings Training. He recognized that those present had received the training several times for the various Boards and Commissions that the Council Members serve on. As a result, he intended to move through the information fairly quickly. Mr. Blakesley shared examples of instances where elected officials and appointed officials raised the attention of the news media. The intention of the training was to learn to spot those types of issues ahead of time.

Whenever Council Members are together to conduct City business and there was a quorum present, it needs to be an open meeting. Open meetings have specific laws and rules. In the City of Holladay, a quorum is four City Council Members and those members needed to be present in person or by electronic means. Mr. Blakesley reported that public notice is required for all meetings and that notice is typically 24-hours. Exceptions were possible, however, for emergency meetings. Additionally, every meeting must have written minutes and every meeting must have a recording. There were a few exceptions related to recordings, which largely relate to Closed Sessions. In those situations, the Chair of the Public Body can sign an affidavit to indicate that no recording was kept of the conversation.

Ms. Chamness noted that one of the earlier slides mentioned the presence of a quorum via other electronic means, such as email or text chains. Mr. Blakesley explained that discussions that took place over email could be construed as a violation of the Open and Public Meetings Act. He also advised the Council Members to be mindful of social media comments. He noted that if four Council Members comment, that could be considered a meeting. More than one Council Member commenting would not constitute a quorum but it could become problematic. It is also important to be careful of text messaging or electronic communication while an open meeting is held.

Mayor Dahle often emails informational items to the entire Council. He wondered if that was considered appropriate. Mr. Blakesley explained that discussion in the email chain is not a good idea. However, informational items are appropriate. Conversations can take place between Council Members through one-on-one email exchanges or phone calls, but the Council needs to be mindful of whether there is a quorum. Mr. Blakesley explained that there are some limitations related to Closed Sessions. For instance, if there is an interview for an elected position, those interviews need to take place in an Open Session. He overviewed the Disclosure Form and explained that anything that might constitute a conflict of interest must be disclosed.

Council Member Gibbons referenced the Salt Lake City School Board and the records request for private text messages on private cell phones. He wondered if cell phone records are subject to a

records request. Additionally, he asked that moving forward, all information shared via email be flagged to state ‘For Informational Purposes Only’ to discourage discussions in the replies. Mr. Blakesley explained that text messages sent while in a public meeting could be construed as a public record, especially if they relate to public business. However, there were still discussions about whether text messages are records or transitory. Email is much more decided and email records are public records. He advised the Council to be mindful of any text or email communications during a public meeting. City Recorder, Stephanie Carlson reminded the Council Members to conduct all Council business through their City of Holladay email addresses.

b. Fraud Training Checklist – Gina Chamness

Ms. Chamness reported that the Open and Public Meetings Training, Fraud Risk Assessment, and Policy Review were done at the start of each year. She discussed the Fraud Risk Assessment and stated that the City added 20 points to their score was due to the creation of a formal Audit Committee. The overall fraud risk was low according to the checklist. Mayor Dahle brought up concerns related to hacking and wondered if the City of Holladay was at risk of someone trying to ransom City files. Ms. Chamness noted that there is always a risk and the City is doing everything possible to assess and minimize that risk.

c. Review of Council Policies – Gina Chamness

- ***Mileage***
- ***Newsletter Articles***

Ms. Chamness reviewed the Council Internal Policies document. She noted that Section 4.2 referenced reimbursement for reasonable expenses. The language implied that expenses like mileage would be eligible for reimbursement. Currently, Council Members receive \$75 quarterly as a mileage allowance and that could be considered as not being consistent with the policy. She wanted to know if the language should be clarified or if Council Members would prefer mileage reimbursement. The Council was in support of maintaining the mileage allowance rather than moving to reimbursement. Ms. Chamness noted that it was an easy change to make.

Newsletter articles were discussed, which were in Section 9 of the Council Internal Policies document. Currently, the Mayor writes an article monthly, but Staff wondered if other Council Members may be interested in contributing once or twice per year. If Council Members were interested, a rotating schedule could be made. Ms. Chamness stated that she would prepare a draft schedule for review.

Council Member Fotheringham suggested that all official City events and meetings be added to a calendar for review. He could copy items to his personal calendar as needed. Ms. Carlson stated that she could send out calendar invites to the Council. Ms. Chamness thanked the Council for their feedback. She noted that the direction was for more appointments and for the packet distribution to remain as-is. Mayor Dahle informed those present that all Council Members have access to the medical insurance offered through the City if desired.

d. Discussion on Direction for Special Events – Gina Chamness.

Ms. Chamness reported that Staff was looking for direction on several issues related to special events. Last year, three large events led to questions. For instance, did the Council want to host special events that close off access to City facilities and City Hall Park. One of the challenges with the closures was that it became difficult for UPD to access the areas. Council Member Durham wondered if the

question related only to City Hall Park or to Knudson Park as well. Ms. Chamness noted that there had not been a lot of interest in using Knudson Park for special events, but there was some interest in the park for filming permits. As a result, the policy direction would include all City of Holladay parks.

Mayor Dahle believed the issue was that large events closed off access to the park. However, there are also logistical issues where resources were being used to close off and block streets. He wondered how those events benefit the City. The park is a major amenity for residents and there should be a good reason to close it down. Ms. Chamness noted that some of the larger events in the past paid for some of the police services but there was nothing in the Consolidated Fee Schedule to charge the event organizers to rent out the park. Council Member Brewer noted that large events could lead to economic benefits within the City. He loved the idea of community events as long as all members of the community are welcome.

Council Member Fotheringham agreed with Council Member Brewer but believed there needs to be a balance. He wanted to see special events in the City, but the park is an important public space and should be open most of the time. It is an amenity that can be used for special events but there needs to be a balance to ensure that the events do not occur too frequently. Council Member Quinn reported that she attended the bicycle race last summer and there were hundreds of people lining the streets. Even though the park is inaccessible, it is beneficial to the community. There was discussion regarding the bicycle race

Council Member Durham wondered how other cities handle events. Ms. Chamness reported that Park City classifies events by type and has caps. For instance, there could be three events that would close Main Street per year. Mayor Dahle felt that was a realistic policy and it established that larger events are exceptional and not normal circumstances. Ms. Chamness stated that Staff could draft language and bring it back to the Council for review. She added that Park City prioritizes historical special events. New events are behind the historical special events in terms of priority. Mayor Dahle asked how the City would vet an application and determine whether it justifies the use of resources. Council Member Durham suggested there be a higher rental fee for the entire park. Smaller events would likely not attempt to rent out the full park. Council Member Brewer stressed the importance of community events in Holladay.

Council Member Fotheringham believed the Council was in favor of hosting high-quality special events to keep the park open to the public for its primary purpose the majority of the time. Mayor Dahle believed it was important that the City determine which events would be a good fit for the community. He also felt there should be some sort of limit in place. Ms. Chamness appreciated the feedback and asked the Council about what should happen when there was a special event request on the date of a City-sponsored event. Council Member Fotheringham believed that City events should be prioritized. Mayor Dahle stated that two events could take place on the same date as long as the special event ended before the City-sponsored event.

Ms. Chamness believed the Council was comfortable with a Park Rental Fee for the entire park. She would work on that language and bring a proposal back to the Council. Ms. Chamness noted that the field and baseball diamonds were utilized by historic sports groups. Those groups have used the field for many years and the City did not charge a fee or schedule the use of those fields. She explained that the groups worked out the schedules themselves. However, when larger special events took

place, there was some confusion, because the City did not necessarily know who was planning to use the field at that time. She wondered if the Council was in favor of a reservation process.

Council Member Fotheringham suggested that there could be a calendar listing all of the special events. Mayor Dahle wondered if scheduling is currently an issue. Ms. Chamness explained that there has been a disruption during the United in Love special event. The primary contact was informed of the event but the team coaches were not. Mayor Dahle noted that the teams are currently handling scheduling on their own. He did not know that the City should necessarily take over the scheduling. Council Member Quinn stated that the City could inform the teams at the beginning of the season that the City calendar would list all special events. It would then be the responsibility of the teams to check the calendar and handle any conflicts. The Council liked the idea.

Ms. Chamness asked the Council about vendors at special events. The general policy was that the facilities cannot be used to sell merchandise, with some exceptions. She wondered if the Council was interested in allowing vendors to sell products on park property. Council Member Fotheringham supported vendors as long as it is connected to the special event. The sale of certain goods could enhance an event. Mayor Dahle noted that there could be language that restricts the sale of goods to items that are related to the event. For instance, he did not want special events to be able to bring in food trucks, as that would negatively impact nearby businesses, but apparel and items associated with an event would be appropriate. Council Member Fotheringham suggested that there could be a separate license fee for a vendor. That would allow the City to be aware of what is sold at the event.

Ms. Chamness appreciated the guidance from the Council. Staff would work on an ordinance and bring it back within the next six weeks or so. From there, the City Council could share comments and provide Staff with additional guidance. There were discussions regarding the United in Love event. It was noted that there had been a conflict with the artist's schedule. Had that artist appeared, the event would have been highly attended. Mayor Dahle wondered if it would be possible to vet the special event applications to determine whether the events are appropriate. Ms. Chamness noted that there is a process in place that included application reviews. In addition, the UPD and the Unified Fire Authority ("UFA") review the applications to examine potential challenges.

e. Playground Surface Discussion – Gina Chamness.

Ms. Chamness discussed the playground surface. She reported that the City would need an additional \$120,000 to complete the project as envisioned. The City applied for a State grant using American Rescue Plan Act ("ARPA") funds but did not receive the grant. If the Council wanted to proceed, the City could use their own ARPA funds or money from the Capital Projects Fund – Fund Balance. Council Member Fotheringham asked about the lifespan of the playground surface and the ability to maintain it. Public Services Director, Jared Bunch stated that the lifespan is approximately 10 years, but it could be extended with regular sealing treatments.

Mayor Dahle noted that there is a difference between an accessible playground and an inclusive playground. He wondered what the next step was to make sure there was accessible equipment as well as an accessible surface. Ms. Chamness noted that while some of the equipment is accessible, it is not specifically designed to be accessible. She pointed out that Knudson Park has some specifically designed pieces. The issue was whether the City wants to replace the wood chips with a surface that would make the playground itself accessible. Council Member Durham asked if the City was considering the new surface to comply with a legal requirement or if it was a policy decision related

to inclusion. Ms. Chamness clarified that it was a policy decision. She added that the construction proposed would provide more direct access to the restrooms as well.

Mayor Dahle asked about maintenance costs for the existing wood chips. Ms. Chamness reported that wood chip replacement cost is \$2,000 to \$4,000 annually. There were also Staff costs associated with raking the wood chips to a level surface. Mayor Dahle inquired about the potential timeline. Mr. Bunch stated that the work would need to be done by June 30, 2022, to meet the current year fiscal budget. There was a contractor who was able to meet that schedule and the playground would be closed for three to four weeks. He added that the work could be done when the temperature is 50 degrees or above. It would likely start in May, depending on the weather.

Council Member Brewer asked if any residents had complained about the existing playground surface. Ms. Chamness reported that there was not a steady stream of complaints, but there was feedback from parents about the condition of the wood chips, the exposed mesh, and accessibility to the restrooms. Council Member Fotheringham asked to see a plan outlining how construction would impact restroom accessibility. Mr. Bunch explained that there will be a surface from the ADA ramp to the grass. Then there will be a concrete walkway along the western edge of the existing curb, which would address the access ramp down. Ms. Chamness noted that a graphic was shared in September that illustrated what the layout would look like.

Council Member Fotheringham pointed out that the total cost is \$285,000. The \$120,000 was the additional cost beyond what had already been budgeted. He wondered if it made sense to provide better accessibility to playground facilities that were not particularly inclusive. Ms. Chamness noted that as the playground equipment ages and needs to be replaced, inclusive equipment could be selected during the replacement process. Council Member Quinn added that the playground surface will allow a parent or grandparent in a wheelchair to be closer to their child or grandchild at the park. Council Member Brewer wondered if there could be outreach for charitable donations that might offset some of the associated costs. Ms. Chamness believed that would be successful if there were Staff resources to dedicate to fundraising, but Staff resources are limited.

Mayor Dahle asked about the decision timeline. Mr. Bunch noted that the intention was to have the work done during the current fiscal year. Direction was needed within the next few weeks since Staff needs to come back with a budget amendment to fund the project. Mayor Dahle wondered if it would be possible to move forward before the budget amendment is approved. Ms. Chamness explained that they can as long as there is clear guidance from the Council. The City had issued a Request for Proposals (“RFP”) and there had been responses. The longer the City waits to make a decision, the more difficult it will be to get the work done in the current year. Council Member Quinn asked if the costs will increase if the Council chooses to wait. Mr. Bunch believed the contractors would hold their price for a few weeks. However, if the RFP goes out to bid again, there would likely be price increases of \$50,000 to \$60,000.

Mayor Dahle asked if the Council was ready to vote on the item. Council Members Quinn and Durham were in support of the playground surface. Council Members Fotheringham, Brewer, and Gibbons were concerned about the cost. Mayor Dahle suggested that the item remain on the City Council Meeting Agenda for February 10, 2022. The Council would commit to making a decision one way or another on that date. Mr. Bunch added that it would be possible to reduce the cost by approximately \$25,000 if the Council does not choose the full-color option. He explained that

Knudson Park has a black and brown surface. The black surface costs slightly less but tends to make the surface hotter. It was something for the Council to consider before making a decision at the next meeting.

f. ARPA Direction and Update – Gina Chamness.

Ms. Chamness shared information related to ARPA funds. She explained that the previous guidance did not have a lot of clarity about whether stormwater is an eligible use of the funds. The new rules clarified that stormwater projects were considered an eligible use. Additionally, the ARPA funds can be used for staff retention purposes. Ms. Chamness stated that Staff would prepare an updated Capital Plan and share it with the Council on February 10, 2022.

Ms. Chamness reported that the City will receive \$3.6 million in ARPA funds. That could pay for a lot of the stormwater projects that were planned for in the Capital Projects Fund. It could also potentially reduce the bond amount. Ms. Chamness noted that there are also ongoing costs related to the public health emergency to consider. Some of the ARPA funds were planned to be used for the Bailiff/Mental Health Detective and there were opportunities related to housing. Ms. Chamness asked the Council to discuss how much of the ARPA funds should be committed to stormwater. She noted that there are approximately \$10 million worth of stormwater projects to be completed within the next 10 years. The more that is allocated toward stormwater, the less that will need to be bonded for, and the less the stormwater rate will need to be increased.

Council Member Fotheringham believed as much money as possible should be dedicated to stormwater. Ms. Chamness suggested that half of the ARPA funds be dedicated to stormwater projects to start. There would be more project-specific information at the next City Council Meeting. Mayor Dahle agreed with Council Member Fotheringham that as much of the money as possible should be committed to stormwater. However, the Council could start with 50% of the funds and increase that number in the future. The City has until 2024 to commit the funds. Ms. Carlson noted that the internet connection was lost and Council Member Gibbons was no longer participating in the meeting.

g. Special Assessment Area (“SAA”) Discussion – Holly Smith.

Ms. Smith shared information related to the Special Assessment Area (“SAA”) with the Council. She reported that an SAA is a tool that can be used. When there is a project that benefits a specific area of a community, an SAA could be set up for the property owners in the area to contribute financially to the project. Information related to the Assessment Area Act from the Utah State Code was included in the packet. Ms. Smith reviewed the steps involved in setting up an SAA.

Ms. Smith reported that in the City of Holladay, there was an SAA in 2004 for curb, gutter, and stormwater facilities. The third page of the Staff Memo outlined the pros and cons related to the implementation of an SAA as well as mitigation strategies. Additionally, there were alternative options listed. She explained that an SAA is not something that is usually recommended due to complications. While an SAA may not be the best fit there are other options for the Council to consider. If the Council wanted to move forward with the SAA, there would need to be an evaluation to determine whether the desired improvements would be appropriate for the area.

Ms. Chamness explained that the SAA is a tool that is available to the City under Utah law. It is not a tool that the City exercises often.

Mayor Dahle believed the discussions were appropriate for future scenarios, but right now, there was not enough Staff to consider moving forward with an SAA. Whatever the Council decides to do, the tool would likely not be able to be implemented right away as there was a lot involved in the SAA. Ms. Carlson read a text message from Council Member Gibbons. After reading the Staff Memo, he was reluctant to move forward with the SAA and preferred that the Cost Participation Agreement or another option be considered. The Council agreed. Mayor Dahle suggested that the SAA may be a tool to consider in the future. When appropriate, the Council could be re-engaged on the matter.

h. Discussion on Staffing Concerns – Gina Chamness.

Ms. Chamness reported that there were several Staff vacancies. She shared possible strategies, such as a hiring bonus and an additional bonus if the employee stays for more than six months as well as a retention bonus for existing Staff and acting pay. The latter would allow the City to adjust pay when one person was accommodating for other vacancies. When those vacancies are filled, the acting pay would stop.

Council Member Fotheringham wondered if it would be possible to contract with commercial providers for some of the more generic services, like lawn mowing or snow removal. Ms. Chamness stated that it was something the City could look into during the summer. However, those costs are typically 30 to 40 percent higher. Ms. Chamness explained that the City uses a database that other cities and districts update to assess market conditions. Based on that data, the City is fairly competitive and has some flexibility. There are currently over 200 positions posted on the Utah League of Cities and Towns (“ULCT”) website, so staffing is an issue everywhere.

Council Member Durham wondered if Ms. Chamness could put together a proposal or budget for signing bonuses and retention bonuses. Mayor Dahle believed it was important to use every tool available to attract new employees and retain existing employees. He liked the idea of a retention bonus and noted that ARPA funds could be used for that purpose. It is also essential that the City communicate with existing employees. The City was aware of the issues and had every intention of addressing them. Mayor Dahle reported that there would likely be a four to five percent Cost of Living Adjustment (“COLA”) this year to handle inflation, but a full market analysis would be done for every position in the City to determine where the City of Holladay is in the market.

i. Review of 2021 Accomplishments – Gina Chamness.

Mayor Dahle reported that there was a 2021 Accomplishments list included in the packet. He was impressed by all of the work that had taken place, including the Skate Park, the Truth in Taxation process, and the Stormwater Fee. He congratulated the Council and Staff for their hard work. Council Member Fotheringham suggested that some of the accomplishments be added to the City’s website. Ms. Chamness noted that a condensed version of the 2021 Accomplishments would be included in the Holladay Journal, but it would also be worthwhile to add them to the City website.

j. Calendar.

- ***February 10 and 17, 2022 – City Council Meeting – 6:00 p.m.***

The calendar items were reviewed and discussed. Mayor Dahle reported that the next City Council Meetings were scheduled for February 10 and February 17, 2022, at 6:00 p.m.

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).

There was no Closed Session.

XII. Adjourn.

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

The City Council Meeting adjourned at approximately 9:08 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, January 20, 2022.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **February 10, 2022**