

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

**Thursday, March 3, 2022
6:00 p.m.
City Council Chambers**

ATTENDANCE:

Mayor Rob Dahle
Paul Fotheringham
Dan Gibbons
Matt Durham
Drew Quinn

City Staff:
Gina Chamness, City Manager
Stephanie Carlson, City Recorder
Holly Smith, Assistant City Manager
Jonathan Teerlink, Community Dev. Director
Todd Godfrey, City Attorney

I. *Welcome* – Mayor Dahle.

Mayor Rob Dahle called the meeting to order at approximately 6:00 p.m. He reported that Council Member Quinn was attending the meeting virtually.

II. *Consideration of Resolution 2022-07 Supporting the People of Ukraine.*

Mayor Dahle referenced the war in Ukraine. He felt it was appropriate for the City Council to make a statement on behalf of the City and offer support to the people of Ukraine. He reported that Council Member Gibbons spent many years working in Ukraine. Council Member Gibbons explained that while serving as the Justice Court Judge in the City of Holladay, he began to work for a non-profit organization, the Leavitt Institute for International Development. On an annual basis, he would travel at his own expense to Ukraine to teach law school students. The subject he taught was the American Justice System. The intention was to teach lawyers what it means to live in a democratic society. He reported that made approximately a dozen trips to Ukraine and had taught at many different law schools. Additionally, he has many friends who live in both Ukraine and Russia.

Council Member Gibbons was grateful that Mayor Dahle had suggested the Resolution. He noted that the Council does not often discuss politics, but he felt this transcends politics and is a humanitarian issue. Resolution 2022-07 – A Resolution of the City Council of the City of Holladay Supporting an Independent and Democratic Ukraine Against Russian Military Invasion was read.

Council Member Gibbons moved to APPROVE Resolution 2022-07 supporting the people of Ukraine. Council Member Fotheringham seconded the motion. Vote on motion: Council Member Quinn-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Gibbons-Aye; Mayor Dahle-Aye. The motion passed unanimously.

III. *Pledge of Allegiance.*

Council Member Gibbons led the Pledge of Allegiance.

IV. Public Comments.

Trudy Jorgensen-Price shared updates related to the Holladay Library. She thanked everyone who attended the Seeds Library Grand Opening. There were activities and a lot of residents attended the opening. However, additional seeds were still available for residents to plant. Ms. Jorgensen-Price reported that the Library has been able to start holding programs again. The Library will start holding a Family Game Night on the second Monday of every month and on March 28, 2022, there will be a Red Cross Blood Drive. She noted that an appointment could be made with AARP to assist with taxes.

V. Public Hearing on a Proposed Rezone for Property Located at 5661 South Highland Drive from R-1-43 Zone to R-2-8 Zone (a Proposal from Silicon Slopes, LLC to Amend the Holladay Zone Map for Approximately 0.66 Acres of Property).

Mayor Dahle stated that the applicant was unable to attend tonight's meeting and would speak at the next City Council Meeting instead.

Jonathan Teerlink, Community Development Director reported that the application was for a .66-acre property located at 5661 South Highland Drive. If the requested R-2-8 Zone is approved, the property would yield approximately five homes. The Planning Commission reviewed the application and unanimously moved to deny the proposal based on the recommended density and land use guidance in the General Plan.

Council Member Gibbons noted that it is rare to see a unanimous vote for denial from the Planning Commission. He asked for additional information about that decision. Mr. Teerlink explained that the zone density was greater than what was recommended in the General Plan. The Planning Commission felt that the rezone should be denied as a result.

Council Member Durham understood that the owners had exhausted unclaimed densities for the property. He wondered if there were other options to pursue beyond a rezone. Mr. Teerlink did not believe that unclaimed density would be an option since the property is substandard in terms of lot size in the zone. The majority of the properties on Pheasant Lane and Pheasant Way are non-conforming because they have smaller lot sizes than what the zone allows for. That was done intentionally when the City incorporated to prevent further subdivision. For the applicant to gain extra land, they would need to purchase property from other abutting property owners. Since those properties are already non-conforming, that would not be a possibility.

Mayor Dahle noted that zone changes occurred on one side of the street and wondered if access to Highland Drive was a factor. Mr. Teerlink explained that the mid-block rezones contain lots that only have direct access onto Highland Drive. The subject property is on a corner and has primary access onto Pheasant Lane. That was a very different scenario and was considered by the Planning Commission during their deliberations.

Mayor Dahle opened the public hearing. He reported that email comments were received from Dan and Cathy Price, Peggy Jensen, Laurel Smith, Lenette Casper, and Sheetal and Rajiv Shah.

Rick Clark - 2270 Pheasant Way. He noted that some residents planned to hear from the applicant before sharing comments. Mr. Clark reported that the developer held a neighborhood meeting that

was well attended. After a presentation and much discussion, the neighbors were unanimously opposed to the project. The Planning Commission also decided to unanimously reject the proposal. Mr. Clark stated that the parcel serves as one-half of the gateway into the Pheasant Way neighborhood. There had been a lot of Council discussions over the last several years about gateways into the City of Holladay. Just as those gateways are important when entering the City, they are also important for neighborhoods.

Mr. Clark stated that much of the discussion during the neighborhood and Planning Commission Meetings pertained to whether the property is a Highland Drive or Pheasant Way property. It has a Highland Drive address, but the egress is on Pheasant Way. A lot of comparisons were made to recent developments on Highland Drive, but those developments enter off of Highland Drive and do not impact other neighborhoods. Mr. Clark noted that a Traffic Study was not conducted for the development. However, there would be significant traffic impacts. The development could increase traffic exiting off of Pheasant Way and onto Highland Drive by 10 to 20 percent depending on the number of additional residents. Mr. Clark read the rezone approval standards and stated that the proposed rezone does not meet those standards. Additionally, the proposed rezone does not match the intention of the General Plan. He asked that the City Council deny the application and preserve the gateway into the neighborhood.

Council Member Gibbons noted that the applicant failed to attend the public hearing that was set. He wondered if the applicant should be allowed to speak at a subsequent meeting. He expressed his support for closing the public hearing after hearing from the public. Mayor Dahle suggested that the Council hear the rest of the public comments and discuss the matter further.

Kristopher Standiford - 1992 E Pheasant Way. He stated that he will lose privacy if the development is approved. He noted that he purchased his home due to the amount of privacy in the area. Mr. Standiford was also concerned about the number of vehicles and the amount of traffic the development will bring to the neighborhood. He noted that it could impact safety.

Michael Nelson - 2071 Pheasant Way. He believed the additional homes will impact traffic in the area. The homeowners will likely drive up Pheasant Way to Pheasant Circle and around to the light. That would add even more traffic to the neighborhood. Often, it is difficult to get out on Pheasant Way and additional vehicles could create further blockages. He felt that more traffic will negatively impact area residents. Mr. Nelson agreed with the concerns expressed by Council Member Gibbons and felt that all residents should be able to speak again if the applicant is permitted to comment at the next City Council Meeting.

Brooke Iverson - 2075 Pheasant Way. She reported that the developer previously referred to the development as a Highland Drive property. That is incorrect, as it is a Pheasant Way property. She pointed out that the property at the entrance to the neighborhood was zoned the same as Pheasant Way and the access was off of Pheasant Way. The application needs to be considered as a Pheasant Way property rather than a Highland Drive property.

Ms. Iverson referenced the Highland Drive Master Plan (“HDMP”) and stated that Segment B specifies that single-family homes are still part of the Master Plan. As a result, single-family homes are harmonious in the existing area based on the HDMP. There was no need for a rezone. Ms. Iverson did not believe the rezone request fits with the existing character of Pheasant Way. In addition, she

expressed concerns about how the rezone will impact neighborhoods within the R-1-43 Zone. She stated that it will set a precedent for Pheasant Way, Walker Lane, and Cottonwood Lane.

Tom Nelson - 2155 Pheasant Way. He pointed out that Highland Drive is in the middle of the community. He discussed difficulties accessing certain areas in the City of Holladay. The traffic in the east-west direction is intense and the intersection is dangerous. Mr. Nelson also noted that the homes between Pheasant Way and Pheasant Circle are currently zoned for single-family dwellings. The subject property is part of the Pheasant Way neighborhood and it is not appropriate to have development there that could jeopardize the safety and well-being of the area.

David Wells - 2011 Pheasant Way. He explained that he lives across the street from the subject property. He encouraged the Council Members to drive onto Pheasant Way to better understand the concerns expressed by residents. Mr. Wells stated that all previously shared comments from the developer and seller were financially motivated. He had never seen economic value drive a rezone request and did not feel money was an adequate justification to rezone the property. Mr. Wells did not believe the subject property was a distressed property. It is an adequately sized lot in a good neighborhood. He noted that the rezone will set a dangerous precedent. It was important to consider the interests of the neighbors who live in the area rather than the interests of the developer.

George Frioux - 1990 E Pheasant Cir. He thanked the City Council for Resolution 2022-07 and shared comments related to the rezone. Mr. Frioux noted that based on the plat the developer designed, there will be a gate. It will be 50 to 75 feet off of Highland Drive and anyone without a gate code will be on the street waiting for permission to access the subdivision. That was of concern because it could create backups and blockages. He agreed with the comments shared by Ms. Iverson about the precedent the rezone will set. Mr. Frioux reported that neighbors met with the applicant previously. At that time, the applicant shared his plan and neighbors had asked to see alternatives. However, no alternatives were shared. The applicant did not seem open to other designs and did not appear to be flexible.

Landon Beales reported that he and his wife have lived on upper Pheasant Lane for over 52 years and are directly east of Oakwood Elementary School. The playground exits to the east of the school and the children that attend Oakwood Elementary School traditionally walk from the school playground through the neighborhood to reach their homes. This was done because of safety. Additional traffic in the neighborhood will create safety concerns for those children. Mr. Beales referenced previous accidents and speed issues on Highland Drive. He believed the proposed development would increase traffic and create safety hazards for both children and adults in the area.

Andy White - 5690 Pheasant Lane. He shared a comment on behalf of Nancy and Jerry Sonkens who live at 2076 Pheasant Lane. The Sonkens drive Pheasant Lane daily to access their home and felt there were already too many vehicles and excessive traffic. Mr. White shared his own comments and stated that while he saw positive circumstances for the developer and seller, the development will negatively impact families in the area. He did not believe the applicant had demonstrated that the project will positively impact the neighborhood. Mr. White asked that the City Council deny the rezone request.

Tony McQuinn - 2163 Pheasant Way. He stated that he purchased his property approximately two years ago and is currently building. His family was thrilled to find the neighborhood. When they

purchased the property, their main concerns were safety and access. His family moved from California because the neighborhood became less safe after an apartment building was constructed without adequate parking. While this was not the same situation, adding five or six houses to the property as well as a gate will result in inadequate parking to accommodate the individual homes and visitors. Pheasant Way has a small lane and he was concerned about hazards caused by additional vehicles. He urged the Council to deny the request.

Mike Rosas - lives across the street from the applicant's property. He discussed the six-foot wall that was built across Highland Drive and noted that it had not been the correct decision, because it impacted the line of sight. Half the wall was cut down as a result. Mr. Rosas explained that people drive very fast down Highland Drive and he was concerned that there will be further safety issues if the application is approved.

Annette Wells - 2011 Pheasant Way. She stated that 5661 Highland Drive is the gateway to the neighborhood. She reported that there are 65 homes in the neighborhood and both entrances extend to Highland Drive. The applicant was trying to rezone the property so that it is similar to other Highland Drive zoning. However, to rezone it from R-1-43 to R-2-8 would skip over R-1-21, R-1-15, R-1-10, and R-2-10. She did not feel that was appropriate. Though the property was addressed as Highland Drive, it does not gain access from Highland Drive. It is part of a larger neighborhood.

Candace Frioux - 1990 E Pheasant Cir. She explained that she had the same piece of property relative to the other side of the gateway. The five homes there have double the amount of property the subject property has. While the subject property needs to be cleaned up a bit, it is not the eyesore that the developer claims it is. Ms. Frioux stressed the importance of the gateway into the neighborhood and noted that most neighbors bought property with the intention of living in a beautiful neighborhood that is safe. She was also concerned about the precedent the rezone would set and how it will continue to impact the neighborhood in the future.

Liane Stillman - 2149 East Pheasant Way. She noted that she was also speaking on behalf of other neighbors at 2113 Pheasant Way. Ms. Stillman addressed the reason the Planning Commission denied the application. Marty Banks made the motion and stated that the rezone request should be denied based on the fact that the application was not consistent with the goals and policies of the General Plan, it is not harmonious with the overall character of the existing development, there will be adverse impacts on the abutting properties, and the roadway is inadequate. On those grounds, the Planning Commission unanimously voted against the rezone. Ms. Stillman praised the City Council and City Staff for their hard work and dedication. She was pleased that the latest version of the General Plan identified protecting property as one of the primary goals.

Ms. Stillman distributed a Land Use Map and noted that the City previously adopted the Land Use Map, which projected what City growth will look like in the future. The subject property was highlighted on the map. There was a dark green area identified as Low-Density Residential – Protected. The General Plan defined that zone as preserving the existing one-half acre development, the mature tree canopy, and the ambiance created by single-family development. New development should be appropriately accommodated to utilize unclaimed density by subdivision and not by rezone. She believed there are properties that are appropriate for rezone, but the subject property is not one of them.

Dane Smith - 2174 Pheasant Way. Expressed his support for the comments expressed. He expressed his objection to the rezone request.

Chad Iverson - 2075 Pheasant Way. He thanked the Council for taking the time to listen to the residents. Mr. Iverson noted that the developer did not show up for the City Council public hearing and was also not present for the first Planning Commission public hearing. As a result, the Planning Commission public hearing was rescheduled. The neighbors dedicated a lot of time to this issue and are passionate about protecting the area. While the developer previously stated that the R-1-43 Zone is a minority zone, that was the reason that the neighborhood was so highly valued. It was unique to the area and beloved by many. He felt it was important to preserve the uniqueness of the area. The developer stated that he wants to create more affordable housing, but he was buying something listed at \$1.25 million and will sell the houses for \$1.5 million. Mr. Iverson did not believe that taking an existing home and selling new, more expensive homes, creates affordable housing. The developer also stated that the only way for the City to remain solvent is to raise taxes or density. He did not believe that was an accurate statement and urged the Council to deny the rezone request.

There were no further comments.

Mayor Dahle noted that normally when there is a public hearing, the issues raised are discussed during a Work Meeting. The proposed rezone could be the first item discussed during the Work Meeting. He did not recall an instance when an applicant was not present for the public hearing, but he was compelled by the earlier comments shared by Council Member Gibbons. City Attorney, Todd Godfrey, reported that he had seen this happen a handful of times in the past. A letter from a representative of the developer had been submitted. The applicant requested that the hearing be moved to the March 17, 2022, City Council Meeting. However, it was appropriate that the hearing be held as scheduled and noticed. Mr. Godfrey was not concerned about whether the City Council chose to close the public hearing at the current meeting. He did believe there would be a request from the developer to reopen the public hearing or to address the Council.

Council Member Gibbons thanked Mr. Godfrey for his expertise. Closing the public hearing would prevent further input from the public, with the exception of the developer, at the next City Council Meeting. He wanted to ensure that residents can address the applicant at that time. Mayor Dahle was empathetic to the residents who had taken time out of their schedules to attend tonight's meeting. He was also concerned that the developer had not attended a public hearing at the Planning Commission level in the past. He stated that the applicant had been inconsiderate of the residents' time.

Mr. Godfrey clarified that in some cities it is the practice to not hear from the developer during the public hearing. In those cases, the staff presents, then the developer, and then the public hearing takes place. Sometimes, the developer can address concerns expressed during the public hearing afterward. The process that the City has in place is fair and he did not believe the City was legally required to give the developer time to address the Council. There was a properly noticed meeting, and a public hearing and the applicant was adequately informed. Council Member Gibbons wondered if it would be appropriate for the Council to close the public hearing tonight. Mr. Godfrey stated that if the Council intends to hear from the developer at the next City Council Meeting and wants the public to be able to respond, it would likely be best to leave the public hearing open.

Council Member Gibbons was not in support of the rezone. He stated that there was a unanimous recommendation of denial from the Planning Commission, which is rare, and there was overwhelming opposition from the neighbors. He believed the rezone was not compatible with the General Plan. Council Member Fotheringham agreed and did not believe R-2-8 makes sense for the parcel. He was open to something other than R-1-43 since the property is already non-conforming with that zone, but not R-2-8. Council Member Durham agreed. The proposed change to R-2-8 was deemed to be incompatible with the neighborhood. Given the Planning Commission recommendation and the comments shared by the public, he was not inclined to support the rezone. He would be open to hearing other proposals but this application, in particular, did not seem appropriate.

Council Member Quinn agreed with the comments shared by her fellow Council Members. She reported that her family lived on Pheasant Way several years ago and confirmed that the street is narrow. She did not believe the rezone application was appropriate for the area. Mayor Dahle felt that the driving document for the rezone is the Highland Drive Master Plan. Based on the plan, there were many reasons the rezone application should be denied. Since the lot needs to be entered from Pheasant Way, it is part of the Pheasant Way neighborhood. If the zone was changed to increase the density, it would change the overall nature of that community. Mayor Dahle expressed his support for closing the public hearing tonight.

Council Member Quinn stated that she would be more comfortable closing the public hearing if the City had a policy in place to specify that the applicant needs to speak during the scheduled public hearing. Mayor Dahle did not feel that it was a policy issue. Mr. Godfrey believed Council Member Quinn wanted the comfort of a policy to back up the decision. Mayor Dahle reiterated that he was comfortable closing the public hearing. Council Member Fotheringham wondered if the developer had been told that he could present at the next meeting. Mr. Godfrey did not believe the communication was clear on that. If that was a concern, the developer could be asked to share comments in writing for the Council to consider. Council Member Gibbons wanted to make sure the Council was careful and did not want to close the public hearing.

It was determined that the public hearing would remain open. At the March 17, 2022, City Council Meeting, the public hearing would continue, be closed, and the item would be voted on.

VI. *Public Hearing on Proposed Rezone for Property Located at 5025 South Highland Drive from Neighborhood Commercial (NC) Zone to Commercial (C-2) (Proposal by Orange Properties, LLC to Amend the Holladay Zone Map for Approximately 1.2 Acres of Property).*

Mr. Teerlink presented the Staff Report and stated that the rezone application was for property on the corner of Highland Drive and Arbor Lane. He explained that prior to 2012, the site was used for a nursery business. The land was deemed legal non-conforming at that time. However, when the nursery went out of business, the property was left vacant for several years and the grandfathered status was lost.

In 2012, the City Council approved a request to amend the zone map to Neighborhood Commercial (“NC”) for a nursery to begin similar operations. That nursery also went out of business and in 2017, a developer requested that the City revert the property to the original RM Zone to construct senior residential townhomes. However, since Segment B of the HDMP specifies that no new RM zones

should be allowed, this was in conflict and the request was denied. Additionally, a request to amend the boundary between Segments A and B to exclude the property from Segment B was denied.

Mr. Teerlink reported that the property is currently vacant and under new ownership. The owner would like to discard the nursery use and all associated buildings to redevelop a mixed-use residential/residential campus. The primary use for the campus was a brewery, which is only allowed in the C-2 Zone. The Planning Commission unanimously voted to approve the proposal. Mayor Dahle was surprised to see that there was unanimous approval from the Planning Commission since there would be a change in the intensity on the site. He was also surprised that there was general support from the neighbors. Mr. Teerlink believed the support was due to the applicant's attitude toward the property and the use being proposed.

Mayor Dahle asked if the development could be restricted to the proposal. He feared that a C-2 Zone would be approved and the building plans would change afterward. Mr. Teerlink noted that this concern had been discussed by the Planning Commission. Legal counsel was present at that meeting and described the situation that could occur. The implementation of a sunset clause was suggested. Mr. Godfrey noted that it had been done in the past and was possible for the application.

Mayor Dahle opened the public hearing.

Bret Laughlin, he applicant, - 2045 Walker Lane. Over the years, he had seen the property become more and more dilapidated. It was an eyesore and as a resident, he wanted to do something there that would benefit the community. Mr. Laughlin wanted a high-end development with a nice restaurant and brewery. He hoped that there would be a gathering place for the community. It took some convincing for the previous owners to sell him the property and he ultimately paid a high price for the land. Mr. Laughlin stated that he did not pay a high price because he was looking for a financial return. He did so to create something special for the City of Holladay. His friend owns Emigration Brewery and would assist with the restaurant operation.

Mr. Laughlin wanted to add four townhomes to the development to break up the commercial and residential. The townhomes would subsidize much of the structural building of the restaurant. As a result, the restaurant would not have a lot of expenses which would allow it to operate cost-effectively. He would own the property and perform the restaurant operations. The Planning Commission suggested that conditions be added to the use.

Mayor Dahle asked Mr. Laughlin if he would be opposed to entering into a Development Agreement that would restrict the development to what was proposed. There would also be a sunset clause with a set timeframe. Mr. Laughlin was in favor of conditions and an agreement but was nervous about a specific timeframe because he did not know what may happen with the economy. If the rezone is approved, work would begin with the Planning Commission to finalize the concept. He could then demolish the existing buildings to eliminate the transient use that is currently taking place on the site. Mayor Dahle asked if a site plan had been created. Mr. Laughlin reported that a site plan had been explored and shared with Mr. Teerlink. There was discussion about the placement of the townhomes. A map was shared with the Council for reference.

Council Member Gibbons wondered if a Development Agreement should be in place prior to a vote being taken on the matter. Mr. Godfrey explained that there were a number of ways to accomplish

the same goal. In the past, a sunset clause was added to a rezone to state that if a site plan was not approved within one year it would revert to the previous zone. At the next City Council Meeting, the rezone could be adopted subject to the specific condition that a Development Agreement be entered into at the time the site plan is approved, or a sunset clause applied. Mr. Godfrey favored the Development Agreement over a sunset clause. He suggested that the Council tie the Development Agreement to approval of the site plan. Doing so would allow the Development Agreement to fix the terms of the site plan in a way that is comfortable for both parties.

Mayor Dahle reported that one email comment was received from *Christie Marinari*, who was opposed to the rezone. She wanted to see the zone remain as-is to allow for local small businesses.

Rick Clark - 2270 Pheasant Way. He was in support of the proposal. He felt that the development would benefit the community.

David Wright - 5047 Cotton Tree Lane. He reported that a petition was circulated among Cottonwood Cove residents. There were 14 signatures opposing the rezone and the current proposal. Many of the objections had to do with miscommunication and misinformation. He was supportive of the sunset clause and felt it was fair. After speaking to Mr. Laughlin, he was much more open to the proposal than he had been before.

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

City Recorder, Stephanie Carlson asked that the petition be shared with Staff so it could be included in a future packet. Mr. Wright offered to share the petition.

Council Member Gibbons noted that there had been serious issues related to homelessness and rodents on the property. The Unified Police Department (“UPD”) Chief of Police Services, Justin Hoyal, had been involved with the applicant to address those concerns. Council Member Gibbons expressed his support for the proposal if a Development Agreement is in place. Council Member Fotheringham wondered if it would be better to have a Development Agreement in place or to allow brewery uses in the NC Zone. Mr. Godfrey explained that both options were possible. Mayor Dahle believed the challenge there had to do with building size limitations in the NC Zone. Additionally, the NC Zone was typically placed in close proximity to neighborhoods and an amendment could be problematic in the future.

There was discussion about the difference between the C-2 Zone and NC Zone. The building height limit in the C-2 Zone was 35 feet, which was the same as the residential. Alternatively, the NC Zone would have a 40-foot building height limit for the property. The C-2 Zone would be less intrusive in terms of the maximum building height. Mr. Teerlink reported that the NC Zone requires a high level of architecture that the Design Review Board (“DRB”) would need to approve. Council Member Fotheringham wondered what would happen if the brewery opened, operated, but closed at some point in the future. He felt that the NC Zone with a text amendment might offer more protection long-term. However, it was noted that the text amendment would apply to the NC Zone in general and not only to the subject property. The Council reviewed other NC Zone locations in the City.

Council Member Gibbons was supportive of a text amendment for the NC Zone since there was not a substantial amount within the City. Mayor Dahle asked if residential was allowed as an accessory

use in the NC Zone. This was confirmed. Mr. Godfrey explained that if an amendment was made to the NC Zone, the amendment would need to go through the Planning Commission and then come back to the City Council for review. It would be a lengthier process. Mayor Dahle asked Mr. Laughlin about the anticipated size of the restaurant. He stated that it would exceed the 5,000 square-foot limit allowed in the NC Zone.

Mr. Godfrey pointed out that a Development Agreement could be recorded against the property to ensure that all future developments fit within the same use. That was fairly restrictive, but he had seen them put in place before. Mayor Dahle preferred a Development Agreement to an amendment to the NC Zone. Council Member Quinn was afraid there would be unintended consequences if zones were altered to suit specific developments. Council Member Gibbons stated that a Development Agreement would be specific to the lot and would not impact other NC Zone properties in the City. It was determined that a Development Agreement was preferred.

VII. *Council Reports and District Issues.*

City Manager, Gina Chamness shared updates with the Council. She reported that the City had extended an offer for the Planner Tech position and there would be a new employee in the Planning Department on March 14, 2022. Additionally, a vacancy was filled in the Parks Department. Ms. Chamness reported that an open house was planned with Millcreek on March 21 from 5:30 p.m. to 7:00 p.m. The open house was related to the Wasatch Boulevard Study Project and would take place in the Mt. Olympus Room.

Ms. Chamness discussed the Council Retreat on March 14, 2022, in the Mt. Olympus Room. The intention was to provide dinner as long as everyone was comfortable. Ms. Chamness noted that starting at the first meeting in April 2022, the prior schedule would return, which included dinner and an agenda review before the City Council Meeting. The dinner and agenda review would take place in the Mt. Olympus Room.

Council Member Quinn reported that she had several conversations about zoning with her constituents. There is one home on Majestic Drive that was adding a second story and the surrounding neighbors were unhappy about it. She tried to explain that the addition was allowed within that zone and the property owner had the right to add to the home.

Council Member Durham met with the Community Councils at Skyline High School and Crestview Elementary School. Skyline High School had a question about banners on the street. He noted that the City did not have the same kind of lamppost infrastructure that there is on the Millcreek side. Ms. Chamness stated that there is only electricity on the Millcreek side, so there was no streetlighting, with the exception of a few spaces. She hoped to have a conversation about banners in the future. Council Member Durham reported that there was a presentation at Crestview Elementary School by the Granite School District about school boundaries. The Granite School District was studying schools along the Van Winkle corridor, which would impact some of the schools in the City. In the next few months, the Granite School District would coordinate with the City. No decisions had been made yet and there would be opportunities for discussion.

Council Member Durham reported that the Tree Committee was planning an event for Arbor Day on April 29, 2022. The last two Arbor Day events had been canceled because of the COVID-19

pandemic, so the Committee was excited about the event. There were activities planned and coordination was taking place with the Holladay Library and local schools.

Council Member Fotheringham reported that the Fine Arts Show was scheduled to run from March 21 to March 25 in the downstairs art gallery. The Holladay Arts Council was also getting into the initial planning stages for the Summer Concert Series and the Blue Moon Festival. Council Member Fotheringham noted that the Work Meeting had an agenda item related to the plaza sculpture. The Plaza Sculpture Committee would consist of several Holladay Arts Council Members as well as a City Council Member. Further discussions would take place during the Work Meeting.

Council Member Gibbons thanked Assistant City Manager, Holly Smith for setting up a meeting with a Museum Consultant and the leadership of the Historical Commission. He reported that Wasatch Front Waste & Recycling received grant money for a pilot program related to food waste recovery. In East Millcreek, 100 subscribers would be given special containers that would be picked up every two weeks. Residential food waste would be used in an anaerobic digester system to produce biogas for power and biofertilizer. If the program was successful, it could be implemented elsewhere.

Mayor Dahle reported that representatives from the Granite School District would be at the March 17, 2022, City Council Meeting. It was important to keep the boundary issue out of the discussion. Currently, the Granite School District was in the process of accumulating a lot of information and would come back in July 2022 to discuss the boundary issues during a Work Meeting. Mayor Dahle noted that inflation would be one of the issues addressed during the budget discussions. He felt that the City was in a good position to address inflation but there was a lot to work through. Mayor Dahle also reported that a Dance Concert was scheduled for April 9, 2022.

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

Council Member Fotheringham moved to recess the Holladay 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. *Continued Discussion Redistricting.*

Mayor Dahle believed the Council had agreed to Option 5A. That option pushed a little bit more area into Council Member Durham's district, but Council Member Brewer's district would likely grow by 3,000 to 4,000 residents due to Holladay Hills and other buildouts. He felt that was the best option. Council Member Quinn expressed her support for Option 5A. Council Member Gibbons liked the proposed change in his district because it would clean up a difficult boundary. Ms. Carlson asked if the Council wanted to have an open house or if a newsletter article and public hearing would be sufficient. The Council determined that a newsletter article and public hearing would be best. Ms. Carlson reported that a website would be created, an article would be written for the April 2022 *Holladay Journal*, and there would be a hearing and adoption in May 2022.

b. *Update on Holla Dollars.*

Ms. Smith shared updates related to the Holla Dollars program which was the voucher program that was launched in the fall of 2021 and was funded with pandemic recovery dollars. Every household in the City was given \$40 to spend in \$10 increments at local businesses. The program ran for approximately three months. A vendor partner was selected through a Request for Proposals ("RFP") process. The vendor partner created a software program to implement the Holla Dollars program.

We had 72 local businesses signed up for Holla Dollars and 1,085 resident households redeemed their digital codes. However, 426 of the vouchers were not used. Ms. Smith believed the unused vouchers had been forgotten. In total, 1,758 vouchers were redeemed and the program cost \$32,154, which was substantially less than the \$450,000 originally approved for the program. Council Member Fotheringham pointed out that the \$450,000 was set aside with the assumption that all residents would use all of the vouchers. He felt the program had been a success overall, but there was room for improvement in terms of follow-up promotion. Ms. Smith agreed and added that the program introduced residents to different local businesses. Additionally, she reported that 535 new residents opted in to receive emails from the City.

Ms. Smith explained that the City wanted to hear from businesses that participated in the program. A five-question survey was issued and there were 29 responses. The first question related to the overall experience with Holla Dollars. 54% rated their experience as either satisfied or very satisfied. Some were in the middle and 21% were dissatisfied or very dissatisfied. She noted that some of the frustrations had to do with the number of residents that participated. As for ease of use, over half rated it as easy to use and 11% rated it as difficult or very difficult. When asked about areas of improvement, marketing and promotion were at the top of the list. There were also comments about business support and the need for a paper voucher for added accessibility. Something else to consider was the possibility of a longer program period. Ms. Smith reported that 78% of businesses would participate in the Holla Dollars program again.

Several possible options were shared with the Council, which included running the Holla Dollars program again, letting businesses offer their own promotions, and implementing a promotional campaign to encourage residents to visit local businesses. Council Member Fotheringham asked if all of the options would utilize the existing app. Ms. Smith confirmed that they would. Mayor Dahle asked if the \$10,000 cost for the software was a one-time fee. Ms. Smith explained that there would be a cost to set things up again, but it would not be the full amount. Mayor Dahle thought this was something to consider doing again in the future with increased marketing to increase participation.

c. *Discussion on Public Art.*

Holladay Arts Council Executive Director, Sheryl Gillilan shared information about Holladay Village Plaza public art. She noted that informational materials were provided in the packet, and she was available to answer questions. Council Member Gibbons believed that based on previous discussions, a live water feature was not appropriate. There had been discussions about something with trees and water, but he found it difficult to imagine a sculpture about water without actual water. Ms. Gillilan explained that a lot could be done. One suggestion was to broaden the subject matter slightly by using words like tree canopy, urban forest, or shelter from the mountains. Mayor Dahle asked if this would be a branding piece or a standalone plaza piece. Ms. Gillilan noted that it was a standalone plaza piece, but it was possible to use it broadly in the future.

Mayor Dahle asked about the budget. Ms. Chamness reported that it was budgeted in Fiscal Year 2020, but the money allotted was not spent. Given the timeframe, she did not believe the City Council commitment was needed before the beginning of the next fiscal year. She intended to include the amount in the Fiscal Year 2023 budget. Discussions were had about the sculpture location. Ms. Chamness noted that two years ago there were conversations about what would happen to the tree lighting. The two options identified at the time were lighting the plaza or holding the tree lighting

in the common area of the City Park. Council Member Fotheringham asked when the Committee would be formed. Ms. Gillilan explained that it had yet to be determined. Many Holladay Arts Council Members were interested in joining the Committee and Ms. Chamness would also participate. Council Member Fotheringham offered to serve as the City Council representative on the Committee.

d. Calendar.

March 14 – Council Retreat – 5:00 p.m.

March 17- Council Pictures – 4:30 p.m.

March 17 – Council Meeting – 6:00 p.m.

April Council Meeting Scheduled – April 14 and 21.

The calendar items were reviewed and discussed. Mayor Dahle reported that the Council Retreat would take place on March 14, 2022, at 5:00 p.m. and Council photos would be taken on March 17, 2022, ahead of the City Council Meeting. Mayor Dahle asked if a determination had been made about Precinct Tour. It was determined that the tour would take place at the second meeting in April.

IX. 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.

X. 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 9:07 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, March 3, 2022.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **May 5, 2022**