

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

**Thursday, March 17, 2022
6:00 p.m.
City Council Chambers**

ATTENDANCE:

Mayor Rob Dahle
Drew Quinn, Mayor Pro Tempore
Paul Fotheringham
Matt Durham
Dan Gibbons
Ty Brewer

City Staff:
Gina Chamness, City Manager
Stephanie Carlson, City Recorder
Jonathan Teerlink, Community Dev. Director
Jayme Blakesley, City Attorney

I. *Welcome* – Mayor Dahle.

Mayor Pro Tempore Drew Quinn called the meeting to order at approximately 6:00 p.m.

II. *Pledge of Allegiance.*

Mayor Pro Tem Quinn led the Pledge of Allegiance.

III. *Public Comments.*

Rick Clark - 2270 Pheasant Way. He was disappointed to see that the agenda items related to 5661 South Highland Drive had been withdrawn as he hoped there would more finality. It was likely that the applicant would return to the City Council with a request for slightly less density than originally proposed. The current owner and all future owners of the lot had the right to ask for a zone change but he felt it was important to remember that it was a single-family lot as well as a gateway into the neighborhood. He thanked the Council for their service.

IV. *Continued Public Hearing on Proposed Rezone of Property Located at 5661 South Highland Drive from R-1-43 to R-2-8. The Application was Withdrawn by the Applicant.*

The above application was withdrawn by the applicant and removed from the meeting agenda.

V. *Consideration of Ordinance 2022-05 Amending the Zoning Map for Property Located at 5661 South Highland Drive from R-1-43 to R-2-8. The Application was Withdrawn by the Applicant.*

The above application was withdrawn by the applicant and removed from the meeting agenda.

VI. *Consideration of Ordinance 2022-06 Amending the Zoning Map for Property Located at 5025 South Highland Drive from the Neighborhood Commercial (NC) Zone to Commercial (C-2) (Proposal by Orange Properties, LLC to Amend the Holladay Zoning Map for Approximately 1.2 Acres of Property).*

Community Development Director, Jonathan Teerlink reported that the City’s legal counsel had drafted an agreement. It required the applicant to enter into a Development Agreement with the City Council within six months of adoption of the Resolution. Within two years, the applicant would also need to apply for and receive Site Plan approval from the Planning Commission. Otherwise, the rezone would revert to the Neighborhood Commercial (“NC”) Zone. The agreement was forwarded to the applicant and no comments were received. Mayor Pro Tem Quinn noted that the agreement was discussed at the last City Council Meeting. Mayor Dahle believed that six months for a Development Agreement and two years for Site Plan approval was a reasonable amount of time.

Council Member Durham wondered if the vote should be postponed since the Council had not heard back from the applicant. Mr. Teerlink explained that the applicant understood that this would be the arrangement. The timelines included in the agreement were fairly generous. Council Member Gibbons read the condition in section three as being subject to both the Development Agreement and approval of a Site Plan. This was confirmed. He was pleased with the language that was written into the agreement and felt it would lead to a positive result.

Council Member Fotheringham moved to adopt Ordinance 2022-06. Council Member Gibbons seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Gibbons-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Ordinance 2022-06 was adopted by a unanimous vote.

VII. *Consideration of Resolution 2022-07 Authorizing the Issuance and Sale of not more than \$19,000,000 Aggregate Principal Amount of Sales Tax Revenue Bonds, Series 20022; Fixing the Maximum Aggregate Principal of the Bonds, the Maximum Number of Years Over which the Bonds May Mature, the Maximum Interest Rate which the Bonds May Bear, and the Maximum Discount from Par at which the Bonds May be Sold; Providing for the Publication of a Notice of Public Hearing and the Bonds to be Issued; Providing for the Running of a Contest Period; Authorizing the Execution by the City of a Supplement Trust Indenture, Bond Purchase Agreement, and Other Documents Necessary for the Issuance of the Series 2022 Bonds; Approving a Preliminary Official Statement and an Official Statement; Authorizing the Taking of all Other Actions Necessary to the Consummation of the Transactions Contemplated by this Resolution; and Related Matters.*

Financial Advisor, Laura Lewis reported that the Resolution in front of the Council would authorize the issuance of bonds as long as the bonds remain within the parameters listed in the Resolution. If the bonds stay within those parameters, the Pricing Committee would be able to take action without returning to the City Council. Ms. Lewis overviewed the parameters, which were as follows:

- Issuance and sale of not more than \$19 million;
- The interest rate will not exceed 4.5%;
- The bond will not exceed 21 years; and
- To be sold at a price not less than 97% of the total principal amount.

Ms. Lewis explained that the 21 years listed in the Parameters of the Series 2022 Bonds section allowed the amortization to be done over 20 years. The parameters allow the bonds to go up to \$19 million. If \$18 million was funded in a Project Construction Fund, the expectation was that the paramount of the bond would be \$16 million. This was because public finance bonds are frequently sold at a premium. Under current interest rates, it was expected that the true interest cost would be between 2.7% and 3%. There would be a bit of flexibility to adjust the pricing date as it came closer.

Mayor Dahle asked about the reference to 97% in the Resolution language. Ms. Lewis clarified that this was if the bonds were sold at a discount. The underwriter was paid with a discount to sell the bonds. Mayor Dahle wondered if the City would pay 3% to get the bonds issued. Ms. Lewis explained that was listed as a cap. Her best guess was that the underwriter would come in at about 0.5%. It was important to leave extra room within the parameters so there was a sufficient amount of flexibility to move forward.

Council Member Gibbons noted that the second last page of the proposed Resolution states that the bond is secured by revenues. He believed there were ample funds available through fund balances and future revenues to service both the outstanding bonds as well as the new bonds. City Manager, Gina Chamness confirmed this. While the bond would be secured by sales tax, it was anticipated that payment would be made with sales tax, General Fund resources, and the Storm Water Fee. Ms. Lewis noted that there were covenants within the bond documents that limited how much debt could be issued relative to the availability of sales tax revenue. The City of Holladay is well within the threshold. Ms. Lewis believed the minimum coverage is usually two times on a sales tax bond and Holladay is in the 3.5 times coverage range. The City is well above the level of coverage that is needed. Mayor Dahle believed the bond payment would be approximately \$90,000 per month. The sales taxes were closer to \$500,000 per month. He believed the ratios provided more than enough coverage.

Mayor Dahle identified a reference to a Master Trust Indenture dated November 1, 2004. He assumed the bond would be issued through Zions Bank Corporation but wondered if there was some type of initial agreement. Ms. Lewis explained that the original bonds had an indenture. The new bonds would be a supplement to that indenture. Ms. Chamness felt it would be beneficial for future flexibility if the Council broadened that definition slightly. Mr. Blakesley noted that the Council could add that the cost of the project included:

- Physical facility improvements, in addition to road improvement, stormwater system improvements, and other related improvements.

Ms. Lewis explained that if the Resolution was adopted, a public hearing would need to be set for members of the public to share comments. The public comment period would take place before pricing. She reported that the Notice of Intent to Issue Bonds needed to be published. The hearing would likely take place three to four weeks after the adoption of the Resolution. The intention was to go to market in early May 2022. However, she noted that the timeline was not finalized at this point.

Council Member Durham moved to APPROVE Resolution 2022-07 with the amendment to add “Physical facility improvements, in addition to road improvement, stormwater system improvements, and other related improvements” where indicated by Legal Counsel. Council Member Gibbons

seconded the motion. Vote on motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Gibbons-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Resolution 2022-07 was approved by a unanimous vote.

VIII. Consent Agenda.

a. Approval of Minutes – February 10 and 17, 2022.

Council Member Durham moved to APPROVE the Holladay City Council Meeting Minutes from February 10 and 17, 2022. Council Member Fotheringham seconded the motion. The motion passed with the unanimous consent of the Council.

IX. City Manager Report – Gina Chamness.

Ms. Chamness reminded the Council that the Wasatch Boulevard Study Project Open House would take place on March 21 from 5:30 p.m. to 7:00 p.m. in the Mt. Olympus Room. She reported that the City applied for a grant for a Feasibility Study that would look at an active transportation path along I-215. The City received funding for approximately \$70,000. Ideally, that pathway would connect the City of Holladay, Cottonwood Heights, and Murray to Knudson Park and the Big Cottonwood Bike Trail.

The City signed a contract for overlay work, which the new bond would pay for. That work was likely to begin in mid-May 2022. Two additional contracts would also be issued for work in June and then further along in the summer. Ms. Chamness reported that the Historical Commission had been exploring the idea of a speaker series. Their first speaker would be former City of Holladay Mayor, Liane Stillman. It was to take place on May 16, 2022.

Council Member Durham noticed that the State Legislature adopted Juneteenth as a State holiday. He wondered if the City had given any consideration to recognizing that holiday. Ms. Chamness reported that the Federal Government recognized Juneteenth as a holiday last June and the State followed. If the City wanted to recognize it as a holiday in June 2022, City Staff would bring a modification of the Employee Handbook to the Council for consideration. She noted that the City Manager Group discussed the topic recently and it sounded like most communities were leaning in the direction of recognizing the holiday. Council Member Durham wondered if there would be a budget impact related to the decision. Ms. Chamness explained that since the City was fairly small, there would not be much of a budget impact. Council Member Durham felt it would be beneficial to explore the possibility of recognizing the holiday and asked City Staff to look into it.

X. Council Reports and District Issues.

Council Member Gibbons reported that he had spoken to residents who live along 6200 South about traffic. This included David Harrison, who recently spoke to the Council and presented a petition from neighbors related to speeding in the area. Mr. Harrison asked about putting up an electronic speed sign as an experiment. He felt that 6200 South would be a suitable location for that type of sign. Council Member Gibbons noted that the speed limit is currently 35 MPH. He was not sure that it was possible to reduce the speed limit, as it is a major collector between the two freeway entrances, but it may be worthwhile to look into the electronic speed signs. Ms. Chamness explained that there were three or four signs like that in various locations throughout the City. The last installation cost \$7,000. It was something to consider for the area.

Council Member Fotheringham reported that the Fine Arts Show was scheduled to run from March 21 to 25, 2022 in the downstairs art gallery. The gallery was open from 9:00 a.m. to 5:00 p.m. and all pieces in the show were for sale. Council Member Fotheringham noted that on April 11, 2022, the Holladay Arts Council-sponsored dance concert will take place at Olympus Junior High School at 7:00 p.m. Additionally, he reported that he attended a Community Council Meeting at Bonneville and Spring Lane Elementary Schools.

Council Member Durham reminded the Council about the Arbor Day Celebration that was scheduled to take place on April 29, 2022. The event would be held at Olympus Junior High. He believed there would be music and he would share some comments at that time as well.

Council Member Brewer reported that there had been a lot of inquiries in his district about road maintenance. He asked for further information about the road work. Ms. Chamness reported that moving forward the intent was to have roads on a regular maintenance schedule so there would not be as many issues happening at one time. Council Member Brewer had a constituent reach out expressing frustration about obscenities coming from the Skate Park and the proximity of the noise to the playground. He asked the Council to think about how that could be addressed.

Mayor Pro-tem Quinn reported that several constituents reached out to her expressing gratitude for the online class about the Flip Your Strip program. The online class would also take place on March 19, 2022. Mayor Pro-tem Quinn also noted that she attended the Community Council Meeting for Morningside Elementary School. There were concerns about the safety of children walking to school as well as the continued traffic jams around the school area. She hoped those issues would be addressed and noted that appreciation was expressed to Chief Hoyal and his officers for keeping an eye on the traffic.

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

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

a. *Discussion with Granite School District – Superintendent Rich Nye.*

Mayor Pro-tem Quinn reported that several representatives from the Granite School District were present including Superintendent, Dr. Rich Nye; Chief of Staff, Ben Horsley; Board Member, Julie Jackson; and Board Member, Clark Nelson. Dr. Nye noted that there was a unique partnership between the Granite School District and the City of Holladay and it was important that both serve the community. He shared information about his past positions and reported that the Granite School District has approximately 60,000 students and 90 schools. As a newer Superintendent, he had an opportunity to take a fresh look at the direction of the Granite School District. It was important that everyone pull together to benefit the students, teachers, and communities.

Dr. Nye reported that the Granite School District hopes to better determine what role the district plays in preparing a child for graduation. Parents trusted the district to provide a safe, nurturing environment, and help children advance in their learning. As a result, it was important to consider what it means to be a graduate of the Granite School District. Dr. Nye reported that some strategic planning was taking place. The district was identifying priorities and deliverables. For instance, increasing the number of students who graduated with a diploma. He noted that the district was

engaging with City Councils and Community Councils to further determine priorities. Some suggestions were resilient students and dependable graduates with a great work ethic.

Education could be broken down into three priorities consisting of academics, emotional intelligence, and talent development. Dr. Nye explained that moving forward, the Granite School District would continue to receive feedback, present that feedback to the Board, build out a conceptual plan, and go into the communities to ask families for feedback on the plan. From there, it would be possible to determine whether the allocation of resources was appropriately tied to the priorities. There would be definitions and measures in place to track progress. Additionally, each school would have a Continual Improvement Plan to refer back to.

Mayor Dahle thanked Dr. Nye and noted that the Council Members had been fairly engaged with the public schools in the City of Holladay. He commented that the last two years had been difficult due to the COVID-19 pandemic and politics that entered into community discussions. He asked how this had impacted teachers in the district. Dr. Nye reported that the teachers were exhausted but extremely dedicated. The teachers were doing the right things for the right reasons. He acknowledged that the last two years have taken a toll and it was especially important to have wellness resources in place and to find different ways to support staff. Dr. Nye was optimistic about the future and noted that fewer teachers are leaving or retiring early. He felt that spoke volumes about their dedication. There may be learning gaps for some students caused by the pandemic and it was important to assist those students as much as possible. Dr. Nye stressed the importance of increasing student literacy.

Council Member Fotheringham noted that his children had fantastic experiences within the Granite School District. There are numerous ways that children connect with the world and it is important to have a variety of classes and extracurricular activities to choose from. Dr. Nye wanted to make sure those positive experiences continued. Council Member Gibbons had spoken to several constituents in the south part of the City and few residents in the Cottonwood High School district went to Cottonwood High School. He wondered what the district could do to strengthen that school. Dr. Nye reported that there are three high schools in the area and it was important to create three robust campuses. There was some disparity in terms of enrollment numbers between the three and the Granite School District would look at population analysis to inform future decisions. Additionally, it was important to consider curriculum offerings. Council Member Brewer hoped that before any boundary changes are made that there would be improvements.

There was further discussion about Cottonwood High School and the public perception of the school. It was noted that the lower test scores did not account for the details behind the data. The goal was that when Cottonwood High School was discussed, all of the benefits would be shared. For instance, the diverse student body and the opportunities to learn and grow. There was much more to the school than test scores. Dr. Nye felt it was important to change the narrative through communication and marketing in the area. He asked Mr. Horsley to further discuss marketing and promotion. Mr. Horsley explained that mailers were sent to certain parts of the community where the perceptions about the school may not be accurate. He was preparing a mailer to introduce some of the teachers and the new principal. It was important to share positive information about the school.

Mr. Horsley reported that the most common reasons students left Cottonwood High School in favor of another school pertained to false perceptions about academic opportunities and to attend the same school as a friend. The Granite School District started looking at special enrollment permits to

determine where students were going to explore specific challenges. While there were inaccurate perceptions about Cottonwood High School, he did not believe the issue was as significant as some believed. Direct mail was a good way to connect with communities as was word of mouth. The goal of the boundary studies was to create three robust school communities.

Council Member Brewer hoped that a diligent effort would be made to retain all of the wonderful teachers at Cottonwood High School. He was encouraged to hear that there was a communication effort to shift the perception of the school. It was important to take all of the data about the school and present it to residents in the most compelling way possible. Ms. Jackson appreciated everything that the City Council does for the City of Holladay and the schools. She noted that the Skate Park and green space are beneficial for mental health. It was part of the solution and the results were seen within the school system. She also praised *The Holladay Journal* and the communication efforts there.

Council Member Durham inquired about land use planning. Dr. Nye explained that each property was assessed as well as the condition of each school. This determined how capital improvements and investments were prioritized. He reported that each building was evaluated for different characteristics. Depending on the upgrades that were needed, the buildings fell into different tiers. For example, Tier 1 would be related to safety improvements and it scaled down from there. The tiers made it possible to outline what needed to be replaced and when. It recognized that budgets were finite and ensured that tier one issues would be addressed sooner than other tiered issues.

b. Discussion on Parley's Gravel Pit.

Mayor Dahle reported that the above discussion item had to do with the Save Parleys website that had been created. There was an effort to speak out against an application by Tree Farm, LLC for a gravel pit. He noted that this was a State directed application and the land use was governed by Salt Lake County. Millcreek City weighed in on the application and filed a complaint. Mayor Dahle was not sure whether the City of Holladay should be involved in the process. Council Member Gibbons noted that the Council Members may have strong individual opinions about the mine proposal. However, as a Council, he did not believe it would be wise to weigh in on a land use issue in another jurisdiction. Council Member Fotheringham suggested that the Council be open-minded about weighing in.

Mr. Blakesley did not believe it was advisable at the current time for the City of Holladay to intervene. He explained that Tree Farm, LLC applied with the State to permit two related mining operations. One was a low-impact mining operation and the other was a high-impact mining operation. It was unusual for both applications to be done simultaneously. The Utah Division of Oil, Gas, and Mining had denied the low-impact mining operation application and had decided to process the application as a high-impact mining operation. Tree Farm, LLC had appealed that decision. There was an intervention process for interested parties and Millcreek had filed a motion to intervene. Millcreek was downwind from Parleys Canyon and the mine could result in fugitive dust. Mr. Blakesley did not believe the City of Holladay should weigh in at the current time.

Council Member Gibbons noted that while the City of Holladay had not experienced fugitive dust from Parleys Canyon, it had been caused by a different gravel pit in Cottonwood Heights. The neighbors in the Canyon Cove area experienced significant issues from that. Mr. Blakesley agreed that whenever there is a mining operation, there are associated dust concerns. Council Member

Durham asked about the data Millcreek was using for the motion to intervene. Mr. Blakesley explained that it was more anecdotal than data-driven. The evidence included an affidavit from residents and the Mayor of Millcreek as well as photographs, which could be shared with the Council for review.

c. Calendar.

March 21-25 – Fine Art Show

April 11 – Dance Concert

April 14 – Council Meeting – 6:00 p.m.

April 21 – Council Meeting – 6:00 p.m.

April 23 – Salt Lake City Marathon

April 29 – Arbor Day Celebration

May 5, 12, and 19 – Council Meetings

The calendar items were reviewed and discussed. The date of the dance concert was originally listed as April 9, 2022, but was corrected to the correct date, which was April 11, 2022.

XII. 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.

XIII. Adjourn.

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

The City Council Meeting adjourned at approximately 7:45 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Work Meeting held Thursday, March 17, 2022.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **May 5, 2022**