

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

**Thursday, May 18, 2023
6:00 p.m.
City Council Chambers
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Mayor Rob Dahle
Dan Gibbons
Drew Quinn
Ty Brewer
Matt Durham *-excused*
Paul Fotheringham *- excused*

City Staff:
Gina Chamness, City Manager
Todd Godfrey, City Attorney
Jonathan Teerlink, Community Dev. Director
Jared Bunch, City Engineer

I. Welcome – Mayor Dahle.

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

II. Pledge of Allegiance.

Mayor Dahle led the Pledge of Allegiance.

III. Public Comments.

There were no comments.

IV. Public Hearing on Right-of-Way Street Vacation – 4987 Fairbrook Lane (Vacation of an Unused Portion of the Landscaped Right-of-Way at the Intersection of Fairbrook and Arbor Lane. The Area is Proposed to be Added to the Re-Described Property Description of the Applicant’s Abutting Lot).

Community Development Director, Jonathan Teerlink, informed the Council that street vacations are rare. He explained that this is an application from the property owner on the corner of Arbor Lane and Fairbrook Lane. Adjacent to the property is a landscape island. In 1946, when the plat was recorded, it was recorded with a wide sweeping curve in the street. In the mid-1990s, a landscape island was added to slow traffic coming around the curve of Arbor Lane down to Fairbrook Lane.

For the past few years, the previous property owner expressed a desire to add the landscape island to his property description. Doing so would not change any of the aesthetics or the curvature of the street but it would add 2,764 square feet to the land of the abutting property owner. The Technical Review Committee (“TRC”) submitted the application to vacate the area. Work was done with the applicant’s engineer to create an area that is appropriate for the landscape island but also to ensure that the 50-foot-wide right-of-way is maintained appropriately for a residential road. Mr. Teerlink reported that the Planning Commission unanimously recommended approval of the request.

Council Member Brewer noted that the stop sign was not installed until 10 or 15 years ago and is not very visible. He expressed concerns about traffic. Mr. Teerlink explained that if the curvature is

deeded back to the property owner, a clear view would be extended along the newly described right-of-way. Council Member Brewer supported the application but wanted to know what the implication was for a similar parcel on the opposite side of the street. Mr. Teerlink explained that if an application was submitted for the parcel on the opposite side of the street, the City would be unlikely to approve that because it would narrow the intersection down too far. It would be below the necessary 50-foot right-of-way. Council Member Brewer suggested not deeding as much to the owner of the subject property. Mr. Teerlink explained that the area that had been decided on encompasses quite a bit of space but left some room.

Council Member Gibbons asked if traffic ever goes on the southeast side of the landscape island. Mr. Teerlink explained that prior to the installation of the landscape island, traffic flowed through the area. After installation, a new traffic pattern was established. Council Member Brewer asked about adverse possession. City Attorney, Todd Godfrey explained that generally, it is not possible to gain a prescriptive right against a government entity. He clarified that the choice to vacate the portion of land was discretionary and would be determined by the City Council. Mayor Dahle wanted to make sure it was clear that if the property owner on the other side of the street applies for something similar, the same situation would not occur due to the necessary 50-foot right-of-way.

Council Member Gibbons believed that the space between the island and the residence is paved and looked like it was possible to drive through that area. Mr. Teerlink clarified that it is quite narrow and not possible to drive through. There is a landscaping boulder at the end that prevents that as well. Mr. Teerlink informed the Council that the normal driveway standards would apply to future applications. He noted that there could be enough area left over for a narrow sidewalk that went along the backside. That was something the City Council could consider. Council Member Brewer believed there should be a safe walking shoulder on Arbor Lane.

Council Member Gibbons asked if the blind corner would be dangerous for pedestrians who are turning right from Fairbrook Lane onto Arbor Lane. Mayor Dahle reminded the Council that clear view requirements will be in place. Council Member Brewer was supportive of the application as long as the walkability is not negatively impacted on Arbor Lane.

Mayor Dahle opened the public hearing at 6:14 pm.

Courtney Lords – property owner. The home was purchased over one year ago and the plan was originally to remodel it. After she began looking into the remodeling work, it was discovered that the home needed to be razed and rebuilt. Ms. Lords reported that two days before closing it was discovered that the previous homeowners applied for the right-of-way vacation. She had not followed through with that until it was discovered that the home would need to be rebuilt. Based on the history shared by the previous homeowner, she learned that the kitchen window is 21 feet from the intersection. In the past, vehicles would cut through the area and there were frequent close calls. She moved a boulder there and started to beautify the area. Landscaping was then installed and the City later reimbursed them for it. Ms. Lords explained that the intention was to keep the landscaping as-is.

There were no further comments. **The public hearing was closed at 6:12 pm.**

V. *Consideration of Resolution 2023-17 - Approving an Interlocal Cooperation Agreement Between the City of Holladay, Salt Lake County, and Other Salt Lake County Governmental Entities Relating to the Distribution of Community Development Block Grant and Other Grant Funding.*

Mayor Dahle reported that the above item relates to the Community Development Block Grant (“CDBG”) Program funding. Each year, there is a certain amount of CDBG funding that can be applied for. Cities of a certain size can administer the federal money themselves independently but he did not believe the City of Holladay is large enough to have that option. He explained that Resolution 2023-17 will make a legal declaration that the City wants the money administered through the County. City Manager, Gina Chamness stated that it is difficult for the City of Holladay applications to meet the criteria.

Council Member Brewer moved to APPROVE Resolution 2023-17 – Approving an Interlocal Cooperation Agreement between the City of Holladay, Salt Lake County, and other Salt Lake County governmental entities relating to the distribution of Community Development Block Grant and other grant funding. Council Member Gibbons seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Dahle-Aye. Resolution 2023-17 was approved by a unanimous vote.

VI. *City Manager Report - Gina Chamness.*
a. Flood Update.

Manager Chamness reported that the City of Holladay declared a State of Emergency earlier in the week based on the volume of water that was seen through Big Cottonwood Creek and what was expected to be seen next week. Over the last week or so, the volume of water had approximately doubled. The projections showed that doubling again over the next week. She hoped that within 30 days those conditions would end and it would be possible to return to a more normal state.

Mayor Dahle wondered what would happen if flooding starts to occur and water needs to be redirected. Mr. Bunch explained that there are several contingency plans. He reported that several concrete blocks were placed in at-risk areas such as Knudsen Park. If there is an issue, the road will be closed and concrete barriers placed across the roadway. There will also be contact with Salt Lake County which has resources. Mr. Bunch reported that a backhoe will be placed nearby to deploy the barriers and clear grates as needed. There was the Community Emergency Response Team (“CERT”) as well if the City and County are unable to manage the situation. Volunteers from across the valley will be brought in if that occurs.

Mr. Bunch reported that there had been some discussions about evacuation contingencies as well with both the Police and Fire Departments. People will be directed to the Hyatt for a stay of one to two nights where there will be a medical rate. There had also been discussions with Salt Lake County Animal Control about the temporary housing of pets. Mr. Bunch believed there would be a precarious situation for approximately two weeks. Some of the modeling had changed so there would be Staff present to assess the situation on Monday and Tuesday. If it seemed that the roadways needed to be closed off on Tuesday in preparation for a surge at night, that would be done.

Ms. Chamness discussed the Salt Lake County coordinating call that took place earlier in the day. County Flood Control indicated that Creekside Park, which is a detention basin, will likely start to be used for that purpose next week. The plan was to close that park and have it filled. There would be

coordinated messaging for residents to reiterate that it is being used as appropriate. As far as peak flows, there was a 50% chance it would hit 803 Cubic Feet per Second (“CFS”), 25% that it would hit 884 CFS and a 10% chance that it would hit 970 CFS. It was clarified that 970 CFS is when the major flooding stage occurs. The peak would likely occur on June 2, 2023.

VII. Council Reports & District Issues.

Council Member Brewer attended the Awards Ceremony at Olympus High School recently where students were awarded scholarships. It was an inspirational evening. Council Member Brewer shared information about the Michael Bailey Scholarship. Mr. Bailey was a teacher at Olympus High School for his entire 34-year teaching career and retired in 2011. He passed away in 2015. Before his death, he expressed a desire to have a portion of his estate set aside for scholarships at Olympus High School. He believed in giving back to the community. The scholarship reflected his belief in education and giving back. It was a \$10,000 annual scholarship. With that particular scholarship, the recipient receives \$5,000 upfront and \$5,000 at the end of their first year. Council Member Brewer was amazed at the level of generosity and charity.

Council Member Brewer discussed the sandbagging efforts that had taken place. It was wonderful to see people dedicate time and energy to that effort. He praised everyone who participated, including City Staff. All of the recent efforts highlighted the power of community. Council Member Brewer discussed the flood resources and wondered if the City had done everything possible to distribute the forecasts and the most up-to-date information. Ms. Chamness reported that the County has a Runoff Ready website that was shared via social media and email blasts.

Council Member Quinn heard from a constituent about the Landscaping Ordinance. That constituent wanted it to be amended so it would comply with the Central Utah Water Conservancy District requirements to obtain funding. She understood that there were concerns about the requirements but she informed the resident that the matter would be discussed once the budget was completed. Ms. Chamness reported that the discussion was tentatively scheduled to take place at the June 8, 2023, City Council Meeting. Additional costs needed to be considered as well as outstanding concerns related to future enforcement.

Council Member Quinn reported that she pulled out of the Olympus High School parking lot recently to make a right-hand turn. Someone on a motorized scooter came out quickly in front of her on the sidewalk. She did not believe scooters belong on sidewalks. Chief Hoyal, reported that it depends on the size and scope of the motorized scooter. Generally speaking, if it is a standing kick type of scooter, it can be on a sidewalk. It depends on the specific type. Chief Hoyal felt it would be good for there to be additional messaging on that matter. Each spring, there are conversations about the different types of motorized vehicles. He thanked her for bringing the issue to his attention and stated that he would write an article about scooters.

Council Member Gibbons stated that on Highland Drive, someone passed him in the outside lane on a motorized skateboard. The person was weaving in and out of traffic at a fairly high rate of speed. He expressed concerns about vehicles being able to see a rider in such a situation and safely navigating around them. That was something that should be discussed as well since the issue does not just involve scooters.

Mayor Dahle reported that he recently attended a scholarship event. Six schools were also visited earlier in the day for a Police Department-related event. He thanked the Unified Police Department (“UPD”) team for their efforts as it was a wonderful day. Mayor Dahle thanked all who were involved in Officer Appreciation Week. Donations were received from private citizens and there was also a donation made by the City Council. A lot went into the care buckets and he hoped they would make the officers feel appreciated for their work. Mayor Dahle noted that there are banners in the Village for Officer Appreciation Week and there will be a Pancake Breakfast on Saturday from 8:00 a.m. to 11:00 a.m.

VIII. *Reconvene City Council in a Work Meeting.*

Council Member Quinn moved to recess the City Council Meeting and reconvene in a Work Meeting at 6:50 pm. Council Member Gibbons seconded the motion. The motion passed with the unanimous consent of the City Council.

a. *Continued Discussion on the 2023-2024 – Tentative Budgets.*

i. *Community and Economic Development Department – Jon Teerlink.*

Mr. Teerlink shared information related to the Community and Economic Development Department. He reported that there is finally a full staff in the department. He introduced New Community Development/Housing Manager, Ann Garcia, who was a California native before coming to work for Salt Lake City Corporation as a Grant Manager. Mr. Teerlink reviewed proposed department expenditures. The 2023-2024 Tentative Budget includes a \$50,000 reduction in the Small Business Assistance Program. Ms. Garcia would take care of that program in the future. There were changes listed for public notice due to an increase resulting from new State requirements. Due to an increase in construction activity at Royal Holladay Hills, there was an influx of costs related to plan review and inspection services. These are high-level, commercial-intensive inspections that need to be performed for all development taking place in the area. Mr. Kennard can only do so much, so the city entered into a contract with West Coast Consultants, who handles both the plan review for all of the buildings as a third-party reviewer and most large building inspections. This allows the City to concentrate on residential construction in the City. It also ensures that the property owners at Royal Holladay Hills have exclusive access to an Inspector they can work with directly to keep construction moving forward. As a result, there has been an increase in contracting costs and billing, which was shown in the Tentative Budget.

Mayor Dahle asked about the increase in expenses for inspections and wondered how it ties into the revenue side of things and offsetting costs. Ms. Chamness explained that Permit Revenue has remained consistent within the budget because there has been a slowdown in non-Royal Holladay Hills development.

Council Member Gibbons noted that \$25,000 was budgeted for Professional Services. He asked what the different components of that are. Mr. Teerlink reported that Professional Services include third-party reviewing for engineering and geotechnical services. Those costs will likely increase because of the increase in areas that require fault study review and soil testing. Ms. Chamness noted that there is a separate line item in the amount of \$5,000 related to traffic studies.

Council Member Brewer asked what the \$8,000-line item was for. Mr. Teerlink reported that it relates to software and associated hardware and supplies. Mayor Dahle explained that the budget realized full staffing levels that were planned for previously. Council Member Brewer asked for more

information on the Economic Development Study. Ms. Chamness reported that the Council set aside funding last year to study economic development opportunities in the City. The Council discussed it as a way to find out if there are businesses that are desired in the City and if there are opportunities in specific corridors. Mayor Dahle believed it was a way to survey the businesses inside the City of Holladay to see what the inventory looks like. It would be possible to better understand the opportunities there were.

ii. Public Services (Public Works, Parks, and Engineering) Jared Bunch, City Engineer.

Mr. Bunch shared an organizational chart that included himself, Joe Bolton, and a Parks Supervisor. There were two full-time parks employees and two to five seasonal employees. Overall, that portion of the budget was dropping because there were not a lot of new projects being added. He clarified that the bond money was being spent down. Mr. Bunch shared information about the contract with Salt Lake County and they had done a good job of trying to keep the costs low but the City was also pushing them to provide additional services. Last year's contract with Salt Lake County was just over \$2.5 million and this year it was just under \$2.8 million. That was an increase that needed to be considered.

Council Member Quinn noted that there was a lot of snow removal over the winter and asked about the cost of the salt. Mr. Bunch explained that the salt that was used was paid for by the City. If it exceeds the estimate, there would be an adjustment. Ms. Chamness clarified that there was a reconciliation process with respect to materials. That typically rolls forward unless the amount is excessive. However, it sounded like there would be a credit rather than a need to cover the additional material costs.

Mr. Bunch reported that the Parks Budget is fairly consistent with the budget from last year. Mayor Dahle discussed parks and explained that if more is needed to maintain the various public spaces, additions could be considered. Mr. Bunch believed that efficiency had improved in the Parks Department recently. He reported that the spring season is always the busiest for the department. Once the necessary cleanup is done, he believed it would be possible for Staff to maintain as necessary. There was additional discussion regarding park-related resources. Mayor Dahle reiterated that if there are not enough resources available, the Council could discuss making budget changes. .

Additional items from the General Fund were discussed. Council Member Brewer asked about the timeline for Spring Lane Elementary. Ms. Chamness stated that the school district sent a flyer out to the neighborhood to inform residents that the intention was not to dispose of the property but to work with the City for future open space or a park. During the meeting with the school district in February, it was reported that it will be a lengthy process. Mr. Bunch requested that Mayor Dahle asked about the continued landscaping of the property.

Ms. Chamness shared information about the Fund Balance. She reported that there are a few restrictions on the Fund Balance. It was approximately \$9 million as of the last audit. \$1.7 million of that was restricted as part of the American Rescue Plan Act ("ARPA"). That is money that needs to be spent purposefully based on what ARPA permits. The remainder of the Fund Balance could be spent at the direction of the City Council. State Law requires that 5% of overall revenues be maintained in the Fund Balance with a maximum of 35%. The Council has a policy that Fund Balance

can be transferred to Capital Projects. There is an additional \$6 million in Capital Projects for potential capital investments. The park was one of the capital investments identified.

iii. Non-Departmental.

Ms. Chamness shared information about Non-Departmental aspects of the budget. She explained that it is mainly composed of contributions and transfers. For instance, the transfer from the General Fund to Capital Projects was included there as was the transfer to Debt Service for the bond. Those two items made up \$2.2 million. The Capital Projects transfer amount was an area where the General Fund was balanced, so that number changed over time. Also included in Non-Departmental was the cost of the Election that is held every other year and Animal Services. A few other payments were funded as well such as one to a developer in the Millrock area and a Salt Lake County loan.

The Salt Lake County loan was related to the construction of a hotel. That loan would balloon in 2026 and there will be a \$350,000 payment. The debt will then be eliminated. Council Member Brewer asked for additional details about the hotel scenario. She believed there was some level of participation in the funding at a low-interest rate that the City paid back over time. Before the City started to make payments to Salt Lake County, the amount paid to Sequoia Development was higher. Once the payments to Salt Lake County came due, that was subtracted from the sales tax that was shared.

Mayor Dahle reported that there is a healthy Fund Balance. He wondered if it would make sense to retire the liabilities and remove them from the books. Ms. Chamness offered to look into that but believed the interest payment to Salt Lake County is favorable. Mayor Dahle asked when the Council will discuss the RDA liability. Ms. Chamness responded that it will be discussed with the Council at the RDA Meeting scheduled for June 1, 2023.

In terms of other Non-Departmental items, there was a glitch in the programming for community events. As for the Fourth of July Celebration, there was a decrease shown in that line item, from \$34,000 to \$25,000. That was not a decrease, but the Arts Council would program the concert funding so further down in the Summer Concert transfer to the Arts Fund, there was an increase to reflect that difference. Another change was that \$15,000 would be added for Happy Healthy Holladay as a placeholder. It was a token amount to help provide funding to that group. The Summer Concert Series was discussed. Council Member Quinn asked about the Arborist position shown. Ms. Chamness explained that there are three different line items. It was left at \$30,000 but was reflected in different budget sections.

iv. City Council.

Ms. Chamness reported that there were a few changes in the City Council section. She had included a 4% Cost-of-Living Adjustment (“COLA”) for the Council and the Mayor, which had been done in past years. Another change in the budget was an increase in the cost of the Utah League of Cities and Towns (“ULCT”) dues. Council Member Quinn had raised the idea of a City Council field trip to the National League of Cities Conference, which was something that both Millcreek and Cottonwood Heights had done. If that was something the Council wanted to prioritize, it could be added before the adoption of the Final Budget. Mayor Dahle was supportive of the Council Members attending conferences and training and suggested adding \$7,500 in case someone is interested.

v. City Attorney.

Ms. Chamness reported that City Attorney costs were proposed to be reduced by approximately \$40,000, which was based on actuals over the last several years. The budget reflected where the actuals have been over the last several years. Ms. Chamness informed the Council that there was a desire to do a Code cleanup in the next year and a half. There are sections of the Code that are identical to when the City of Holladay was incorporated in 1999 and an update would be worthwhile.

IX. Closed Session pursuant to Utah Code Section 52-4-204 & 205 to Discuss the Physical or Mental Health or Professional Competence of an Individual, Potential Litigation, Property Acquisition, and Disposition.

There was no Closed Session.

X. Adjourn.

Council Member Quinn moved to ADJOURN. Council Member Brewer seconded the motion. The motion passed with the unanimous consent of the Council.

The City Council Meeting adjourned at approximately 8:00 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, May 18, 2023.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: July 13, 2023