

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

Thursday, October 19, 2023

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

ATTENDANCE:

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

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

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.*

Trudy Jorgensen-Price shared updates about the Library. She reported that a Costume Swap took place where a lot of costumes were collected, and she appreciated the generosity of residents. A Blood Drive was also held, and the unit goals were surpassed by over 20%. Ms. Jorgensen-Price informed those present that there were still a few leaf bags left and there were still free COVID-19 tests available. A family-friendly Spook Alley was scheduled for Saturday. The event would run from 10:30 a.m. to 12:30 p.m. A Magical Halloween Night was scheduled for October 27, 2023, at 4:00 p.m. It was a sing-along family-friendly event.

Ben Bennett - 4627 S Locust Hills. He commented on signs he has seen recently related to lighting the Skate Park. Mr. Bennett was supportive of skateboarding and thought it was a wonderful way to recreate. That being said, he had noticed a fair bit of noise, litter, and criminal activity taking place around the Skate Park. Those activities are coming from a small minority of users. His 17-year-old stopped skating at the Skate Park because of the crowds, garbage, and the kinds of people who are there at times. His son often drives to the Skate Park in Sandy instead. Mr. Bennett asked the Council to think about more than lighting the Skate Park and to look into ways to mitigate the existing issues.

IV. *Presentation.*

a. *UPD Incentive Awards – Chief Hoyal.*

Chief Hoyal presented the Unified Police Department (“UPD”) Incentive Awards. He reported that the UPD Incentive Award recipients receive a certificate as well as \$100.

On August 11, 2023, Officer Troy Siebert was off duty and came across a male that he had spoken to on many occasions in the Hidden Meadows apartment complex. During the off-duty interaction, Officer Siebert was informed that there was a group of young male adults in the complex with firearms. Contact was made with the three suspects who were detained without incident. The subjects were actively using drugs with a firearm in plain view. The fully loaded firearm was found to have been previously reported as stolen. Money and distributable amounts of narcotics were seized. As a result of the incident, the males were transported to the Holladay Precinct where Detective Shane Laycock was called to assist with the interviews. The suspects were found to be involved in several unsolved cases in the Holladay area.

The UPD Incentive Award recipients were presented with their certificates. Chief Hoyal and Lieutenant Ackerman thanked Officer Siebert, Officer Rasmussen, and Detective Laycock for their work. Mayor Dahle echoed his appreciation for everything the awardees do for the community.

V. *Consideration of Ordinance 2023-14 - Amending the Holladay Zone Map for Property Located at 4980 and 4990 South Holladay Boulevard from the R-1-43 Zone to the R-1-10 Zone.*

Council Member Gibbons moved to ADOPT Ordinance 2023-14 – Amending the Holladay Zone Map for Property Located at 4980 and 4990 South Holladay Boulevard from the R-1-43 Zone to the R-1-10 Zone. Council Member Fotheringham seconded the motion. Vote on Motion: Council Member Gibbons-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. Ordinance 2023-14 was adopted by a unanimous vote.

VI. *Consideration of Ordinance 2023-15 - Amending the Holladay Zone Map for Property Located at:*

- a. *4437 Butternut Road, from R-1-8 to the R-2-8 Zone.***
- b. *2475 East 4500 South from R-1-10 to the R-2-8 Zone.***
- c. *2485 East 4500 South from R-1-10 to the R-2-8 Zone.***

Mayor Dahle stated that this is a unique situation where there was a recommendation from City Staff to approve the rezone application and a recommendation from the Planning Commission to deny the rezone.

Council Member Quinn believed a request was made for City Staff and the Planning Commission to look at the ADU ordinance again and wondered if that work would move forward. Community Development Director, Jonathan Teerlink, reported that the first discussion would take place at a Planning Commission level in the next month or so. Council Member recognized that a lot had been done to find a workable alternative. This was a unique situation where the recommendation from the Planning Commission was different than the recommendation from City Staff. He made note of the concerns expressed by the neighbors. Council Member Durham encouraged City Staff to assist the residents in the neighborhood so that some of the existing issues could be addressed.

Council Member Durham moved to DENY Ordinance -2023-15 – Amending the Holladay Zone Map for Property Located at 4437 Butternut Road, 2475 East 4500 South, and 2485 East 4500 South. Council Member Quinn seconded the motion. Vote on Motion: Council Member Gibbons-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. Ordinance 2023-15 was DENIED by a unanimous vote.

VII. *City Manager Report – Gina Chamness.*

Manager Chamness shared updates with the Council and reported that both she and Assistant City Manager, Holly Smith, were able to attend the International City/County Management Association Annual Conference. It was a good conference that allowed them to learn about a wide range of topics including preserving democracy, housing, public safety, and equity. Underlying all of the information was a focus on mental health for employees and members of the community. Given that focus, she felt good about the work being done with the Happy Healthy Holladay Coalition. That would be a priority in the future.

Ms. Chamness reported that a road map was created to track work taking place in the City. Ms. Chamness shared the road map and reported that the items shown in red were priority projects. That included UPD, the two bond projects, the development of the park opportunity at Spring Lane Elementary School, affordable housing options and implementation, and the plan for City Hall. The road map included the name of the employee who was the lead on that particular project as well as the anticipated timeline. Every quarter or so, it would be reviewed by the Council to track the progress made.

Ms. Chamness reported that preparations were occurring for the upcoming Legislative Session. The Utah League of Cities and Towns held a Legislative Policy Committee Meeting on Monday and there was an emphasis on cities providing affordable housing and ensuring that housing is available. She stressed the importance that those on the Legislative Policy Committee attend those meetings regularly. The Committee actively reviewed bills that impact municipalities during those meetings. It is valuable to hear the broader perspective of the ULCT Legislative Policy Committee. Mr. Godfrey stressed the importance of engagement during the Legislative Policy Committee meetings. The meetings take place once a month leading up to the Legislative Session. The meetings are held year-round but during the Legislative Session, meetings take place every Monday. Ms. Chamness noted that the ULCT shared materials that she would forward to Council Members. The materials provided some details about The Dignity Index. It states that local leaders have a responsibility to set an example of civility and dignity in all interactions with others. Ms. Chamness expressed appreciation for the way City Staff and Council Members behave and acknowledged that not all cities have that.

VIII. *Council Reports and District Issues.*

Council Member Durham discussed the Happy Healthy Holladay Coalition. He reported that mental health is one of the priorities the Coalition is focused on. The Coalition is working to draft the Strategic Plan and mission statement, which will be a beneficial tool to use as activities are planned. The Coalition is also working on is Naloxone training for the community.

Council Member Fotheringham reported that he spent the day in interviews for the Arts and Culture Manager position. There were a lot of wonderful applicants and several dozen were reduced to seven applicants. From there, the applicants were reduced to three finalists. The final decision would be difficult to make but all of the finalists were impressive. Council Member Fotheringham acknowledged that the environment for the Arts Council would change as a result of the new leadership, but he reassured the Council that the applicants were strong.

Council Member Fotheringham reported that he and Mayor Dahle attended the annual Rotary Club Fundraiser event. At that time, former Senator Jani Iwamoto was honored, and funds were raised to address food insecurity throughout the County. It was a wonderful event that continued to grow.

Council Member Quinn reported that the annual Holla-Ween event is scheduled for October 25, 2023. She attended the Holladay Youth Council Meeting, and the Youth City Council Members will assist in running the event. The Holla-Ween event was to take place at 5:30 p.m. at City Hall.

Council Member Gibbons reported that he attended the recent History Night with the Historical Commission. There were approximately 150 attendees, which was impressive given the circumstances and it was a successful and educational night. The Historical Commission had done a wonderful job of putting together an exhibit of historical photographs, diagrams, and artifacts. Council Member Gibbons informed those present that he participated in the interviews with candidates for the Request for Proposals (“RFP”) for the Historical Experiences exhibit.

Council Member Gibbons discussed a question from a resident on Holladay Boulevard about the No Parking signs that appeared in the bicycle lane there. He wondered when that happened. Ms. Chamness clarified that there had not been a decision-making process related to the signs. Previously, there were discussions about enlarging the size of the bicycle lane. When the County did that work, they followed their normal process of installing No Parking signs along the clearly marked bicycle lane. The City was surprised by the signs but could see advantages to leaving the No Parking signs to continue to encourage bicyclists on that route. She had noticed an increased number of bicyclists on that route since the repaving project took place. Alternatively, it would be possible to remove the signs.

Mayor Dahle asked if there were a few locations along that stretch where the No Parking signs could be removed. Council Member Durham asked if there was a process used in the past to make decisions about the interplay between parking and bicycle lanes. Ms. Chamness explained that this was an issue that the City had struggled with. There had been a similar conversation about 3900 South in the past. Mayor Dahle asked the Council if there was a desire to remove all of the signs or if it made sense to look into the placement of the signs. Ms. Chamness suggested taking a thoughtful look at where the signs were placed and where the most appropriate locations might be for the signs.

There was additional discussion about bicycle lane signage. Council Member Gibbons believed it made more sense to have the signs on the east side of the street. The west side is narrow, and the bicycle lane is right against the landscaping. However, on the east side, there is a wide shoulder. Mayor Dahle agreed that it made sense to look at the locations of all of the signs before the City considered any potential sign removal.

Council Member Gibbons reported that he had interactions with residents in Canyon Cove about Gun Club Road. He knew that the City Attorney was conducting research on that, and the matter might be discussed at a future Work Meeting. Council Member Gibbons informed the City Council that there was continued concern about the trucks there. He was interested in exploring whether there was an avenue to dedicate a strip of land on the south side of Gun Club Road, similar to what was done with Memory Lane. This would provide the residents in Canyon Cove relief from the ongoing truck traffic. Mr. Godfrey reported that some facts needed to be confirmed about the boundary of the City.

Mayor Dahle discussed the Skate Park comments made during the public comment period. He explained that it is an issue the City Council, City Staff, and Police Chief are engaged in. There had been discussions about policies to put in place to make sure that the skate park remained a healthy

environment for the community. More updates about the Skate Park will be shared in the future. Mayor Dahle reported that the TRCC Board approved the application from Holladay for \$120,000 with a \$30,000 match. The funds for the \$30,000 match had already been raised through donations. Mayor Dahle reminded those present that the intention was to light the Skate Park and replace the fiberglass pillars with a stone that matches the bleachers. Although the TRCC Board approved the application, it still needed to move forward to the County Council which would grant final approval.

IX. *Recess City Council in 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. The Council convened in a work session at 6:45 pm.

a. *Discussion on City Hall Remodel.*

Dwight Yee from Process Studio was present to review information related to the City Hall remodel. He reported that a Renovation Decision Tree was shared with the City Council approximately one month ago. In terms of the Renovation Decision Tree, the idea was to think about the level of seismic upgrades that were desired. Level One upgrades would provide basic life safety. Level Two upgrades would provide enhanced life safety, where it would most likely be possible to repair and reuse the building. Level Three upgrades would ensure that the building will almost immediately be usable after a large seismic event. Once the Council has an idea of what upgrade level is desired, more of the renovation decisions could be made.

Based on the report from the Structural Engineer, Level One would include anchoring the roof to the exterior walls. This was a connection that was done from the top. Over the administrative wing, the wood tresses would need to be reinforced. For the concrete tresses that run across the building, it was recommended that there be seismic upgrades to the interior masonry walls that are tied to the roof. Mr. Yee explained that a few options were considered for the Level One work. Instead of having to deconstruct and reconstruct the interior masonry wall, it would be possible to add one more layer of CMU and reinforce it that way. He noted that the roof portion of the work could be done at any time so that work could be done separately from any of the interior work that was needed.

Level Two would involve full reconstruction of all of the interior walls. After speaking to the Structural Engineer, he did not believe that was worth the cost. Even with Level Two, there was no guarantee that the building itself would be usable after a seismic event.

After looking at all of the information and having a more in-depth discussion with the Structural Engineer, the recommendation was to explore Level One. It would be possible to have more discrete projects with that approach. Mr. Bunch asked that the drawings include the seismic information so the work could go out to a cost estimator. Since Level One would include the upgrades of the walls around the Planning Department, the architecture for just the Planning Department renovations would be brought to the schematic design level so that could be priced as well. Mr. Yee explained that the proposal would engage a mechanical, electrical, and plumbing contractor for guidance. The intention was to allow City Staff to continue to utilize the building while the renovations take place.

The Process Studio recommendation was to focus on Level One work. From there, it would be possible to look into how to execute the different projects and share cost estimates with the Council.

The City could then discuss how to execute the necessary work. There were discussions regarding the difference between Level One and Level Two work. Mayor Dahle believed the recommendation was for Level One seismic and it was now time for the plans to move forward so there would be more accurate cost estimates. Mr. Yee confirmed this. Once the cost estimates were received, it would be time for the City Council to look at the numbers and determine how the work could be executed.

Ms. Chamness reported that the process could move forward if the City Council was comfortable with the approach outlined. City Staff could look into what it would cost to receive the Level One cost estimate. That would then be included in the budget amendment that would come to the Council in November. Mayor Dahle believed the step after that would be discussing how to execute the work. Mr. Yee reported that there is more flexibility in how the Level One work could be executed. It does not have to be done all at once, which was the case for the higher levels of seismic upgrades.

b. *Discussion on Crit Race/Special Event Scheduling.*

Ms. Chamness reported that two years ago a Crit Race took place along Holladay Boulevard and 2300 East. The event took place on a Sunday, and it created some problems for residents. The Crit Race approached the City last year and proposed moving the event to a Saturday but that conflicted with the Summer Concert Series. At the time, the Council expressed a desire to limit events that require road closures to three events annually. Ms. Chamness explained that the Crit Race organizers wanted to hold the event on the first Saturday of July. The hope was that the City would be open to Summer Concert Series programming that would be more appropriate for a race event, such as a cover band. Their argument for the event was that the racers brought economic activity to the area and that was a benefit that Holladay should consider.

Council Member Brewer and Ms. Chamness met with the Crit Race organizers recently. At that time, she asked if any significant changes had been made from prior events and mentioned some of the concerns that were raised by the City Council last year. There were no significant changes identified. However, she agreed to bring the Crit Race request to the Council for consideration.

Council Member Fotheringham did not object to the Crit Race and thought it was a worthwhile event. That being said, he did not want it to impact the Summer Concert Series. A lot would depend on whether there is a conflict with the scheduled concert. He thought it was worth discussing because it is a potentially exciting event, however, the concert should be a priority.

Ms. Chamness asked if the Council was still supportive of limiting road closure events to three per year and not allowing conflict with City events. Council Member Durham questioned why the race organizers wanted to move from Sunday to Saturday. Ms. Chamness responded that it was proposed by the organizers because the races are held at two different venues with one on Saturday and one on Sunday. A few years ago, the City of Holladay held the Sunday event, but it led to issues with church access. In recognition of that issue, the organizers proposed Saturday.

Mayor Dahle expressed concerns about the Crit Race. It seemed that there would be more issues with conflicts on a Saturday as that is a busy day of the week and it is also an all-day event that is being proposed. He was not convinced that the Crit Race would benefit the City of Holladay. Council Member Quinn remembered attending the race two years ago. She thought it was a beneficial event and asked if it was possible to consider the last Saturday in June rather than the first Saturday in July.

Ms. Chamness asked about the scheduling, but there was a national schedule that was considered. It was noted that there are different categories and age groups, so the event lasts all day long.

Mayor Dahle asked for additional details about how the event will function. He asked if it would be possible to hold a concert if there are races taking place at night. Council Member Fotheringham thought the proposal was worth further discussion but would need to speak to the Arts Council. He wanted to protect the existing Summer Concert Series. Council Member Gibbons thought it would make sense for the new Arts and Culture Manager to weigh in on the decision.

Ms. Chamness acknowledged that a range of opinions had been expressed. It sounded like there was direction to proceed with conversations and find out whether there was a way to make the event work. Council Member Durham did not mind having additional discussions about the matter but pointed out that there are still a lot of unanswered questions that need to be addressed. Mayor Dahle did not think it was appropriate to adjust the Summer Concert Series to accommodate the Crit Race event, but the Council could look at different options.

c. *Discussion on Naming Rights - Gina.*

Ms. Chamness reported that during the summer, there was discussion about having something in the ordinance that defines contributions that can be made to the City. This was discussed at the suggestion of the Fundraising Consultant who was looking for guidelines about sponsorships. The proposed ordinance was based on work that both Salt Lake City and Lehi had done but was more closely modeled on the Lehi ordinance. Ms. Chamness explained that the ordinance set up four different kinds of sponsorships consisting of (i) sponsorship for an amenity, (ii) sponsorship for trees, (iii) sponsorship for a site-specific event, and (iv) fixed-term sponsorships or naming rights. It set some standards for naming and talked about how an asset name would either be changed or removed if necessary.

Ms. Chamness noted that there had been previous discussion about whether it was possible to limit who is allowed to donate to the City but there were some difficulties associated with that. Mr. Godfrey explained that there are First Amendment concerns related to that approach. The ability to restrict needs to be content-neutral and he was not sure how to craft a content-neutral regulation on who sponsorships would be accepted from. That needed to be factored into the decision.

Council Member Fotheringham asked if it was possible to limit donations by entity type. Mr. Godfrey confirmed this but was not certain that it would be an effective limitation. Council Member Gibbons referenced the Purpose section of the language that addresses the types of amenities or assets that can be named, including walkways and gathering spots. He thought of the Historic Experience exhibit where there was a desire to raise funds. If the language was crafted correctly, this would dovetail into a lot of other initiatives. A lot of positives could come from the ordinance, but he shared some of the concerns expressed by Mr. Godfrey. Council Member Fotheringham agreed that there was a lot of potential but some risks to consider.

Council Member Durham asked if sponsorships need to involve a monetary contribution. Mr. Godfrey noted that in other places certain parks were named after families who had historically made significant contributions to the community, so it was not necessarily a monetary donation in one instance. Mayor Dahle believed there was support to move forward and suggested that there be something in the ordinance before the end of the calendar year.

d. Discussion on Community Renewable Energy Utility Agreement – Drew Quinn.

Council Member Quinn shared information about the Utah Renewable Communities (“URC”) program and the Community Renewable Energy Utility Agreement. She noted that the process had taken much longer than originally anticipated. Holladay was one of 18 participating communities. The Governance Agreement had been signed and the next step was the Utility Agreement. Council Member Quinn explained that the Utility Agreement was a significant step. It was an agreement required by the statute and would form the basis of the relationship between Rocky Mountain Power and the participating communities. Council Member Quinn further discussed the required opt-out notices. There had been discussions about whether one of the two notices could be emailed to those who had signed up for paperless billing. She believed one of the notices needed to be mailed to every single Rocky Mountain Power customer in the 18 participating communities, but the second notice could be emailed to those with paperless billing. The Holladay share of the noticing was estimated to be \$19,530.78. That number might decrease if it was determined that part of the notices could be emailed rather than mailed.

Mayor Dahle noted that there would be a robust communication effort with residents. Council Member Quinn believed there needs to be clear communication with residents about how the program would work. The City needs to make it clear to residents that it is possible to opt-out but there is a certain procedure to do so. Mayor Dahle reported that there would be information shared on social media and in the newsletter. The intention was to keep residents informed. All of the participating communities needed to sign the Utility Agreement. It was part of the application that Rocky Mountain Power would make to the Public Service Commission. At that point, the program would be looked at by the Public Service Commission, the entity that would set the rates. After that happens there would be discussions about whether it was still beneficial to residents. Council Member Gibbons noted that this process involves an automatic opt-in with a limited time opt-out, which was unusual. As part of the education process, he felt it would be important to widely advertise the public hearing and wants people to understand the unusual automatic opt-in feature. If there was overwhelming public opposition to what was proposed, the Council could consider that, but he felt it made sense to proceed.

Mayor Dahle noted that in the last survey, residents wanted the City to focus on these kinds of issues. He expressed disappointment that there were only 18 participating communities in the program, but he still believed this was the right thing to do and that it was the appropriate direction for the City of Holladay.

e. Calendar

- **Council Meetings – November 2 and 16, and December 14.**
- **Holla-ween Event – October 25.**
- **Skate Park Cleanup – November 2**
- **Interfaith Service – November 12.**
- **Tree Lighting – November 27.**
- **Holiday Dinner – December 5.**
- **Board of Canvassers Meeting – December 5 or 6 at 4:30 p.m.**

The calendar items were reviewed and discussed. It was noted that the Board of Canvassers Meeting date would be finalized and shared with the Council. City Staff would look into a virtual option.

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

Council Member Fotheringham moved to go into Closed Session Pursuant to Utah Code Section 52-4-204 and 205 to Discuss the Physical and Mental Health or Professional Competence of an Individual, Potential Litigation, Property Acquisition, and Disposition. Council Member Quinn seconded the motion. Vote on Motion: Council Member Gibbons-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. The motion passed unanimously.

The Council convened in a closed session at 7:50 p.m. Those in attendance in the Closed Session included Council Members Fotheringham, Durham, Quinn, Gibbons, and Mayor Dahle. Others present included Gina Chamness, Todd Godfrey, Stephanie Carlson and Jon Teerlink.

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

Council Member Quinn moved to adjourn the Closed Session. Council Member Gibbons seconded the motion. The Council roll call vote was as follows: Council Members Fotheringham, Quinn, Gibbons, and Mayor Dahle in favor. The motion to go out of closed session at 7:53 p.m. passed with a unanimous vote.

XI. *Adjourn.*

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

The City Council Meeting adjourned at approximately 7:55 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, October 19, 2023.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **December 14, 2023**