

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

Thursday, October 5, 2023

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE:

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

City Staff:

Stephanie Carlson, City Recorder
Carrie Marsh, City Planner
Jonathan Teerlink, Community Dev. Director
Todd Godfrey, City Attorney

Mayor Rob Dahle reviewed the agenda items for the City Council Meeting, which included a proposed rezone for properties on South Holladay Boulevard from the R-1-43 Zone to the R-1-10 Zone . Mayor Dahle noted that it was a fairly straightforward application. There was another public hearing on the agenda, which he believed would be more controversial. It was a proposed rezone for three properties from the R-1-43 Zone to the R-2-8 Zone and from the R-1-10 Zone to the R-2-8 Zone.

Mayor Dahle further discussed the second public hearing on the agenda. He pointed out that it is not often that there is a negative recommendation from the Planning Commission and a positive recommendation from City Staff. There could be an extended Council discussion before the public hearing opens so anyone who attends the meeting specifically for that item can hear some of the conversations ahead of the Work Meeting discussion.

Mayor Dahle stated that there would be a report from Horrocks Engineers related to the I-215 Shared Use Path. He noted that the Work Meeting would include an update on the Unified Police Department (“UPD”) transition as well as additional discussion on the public hearings.

Mayor Dahle reviewed the calendar items, which included City Council Meetings on October 19, November 2, November 16, and December 14, 2023. Council Member Gibbons shared information about History Night, which was scheduled to take place on October 9, 2023. He reported that there would be a presentation that would honor a Holladay resident who is 102 years old.

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REGULAR SESSION

I. *Welcome* – Mayor Dahle

Mayor Dahle called the City Council 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 a Proposed Rezone for Property Located at 4980 and 4990 South Holladay Boulevard from the R-1-43 Zone to the R-1-10 Zone.*

City Planner, Carrie Marsh, presented the Staff Report. The proposal is to rezone the properties from R-1-43 to the R-1-10 Zone. The two properties do not currently conform to the R-1-43 Zone as the lots are less than one acre and the rezone would enable the property owner to move the lot line between a neighboring property on Cottonwood Boulevard. This would increase the size of the property on Cottonwood Boulevard and decrease the two properties on Holladay Boulevard to approximately 0.4 acres each. The property owner wanted to increase the size of the Cottonwood Boulevard property because of a large accessory building that is planned. There was already a Conditional Use Permit for that accessory building. The rezone would increase some area behind the accessory building so there is a larger buffer area.

Council Member Gibbons noted that there is a property immediately to the south on the same side of Holladay Boulevard. It appeared to be an even smaller non-conforming lot. He wondered if there were other non-conforming lots to the south. Ms. Marsh had not looked at the properties further to the south but stated that there are likely other properties in the R-1-43 Zone that are non-conforming. That was a fairly consistent issue within all of the zones. Some parcels are smaller in size and would be considered legal non-conforming. Council Member Gibbons asked about the two Holladay Boulevard lots and if they will be combined in the future. Ms. Marsh clarified that they will remain

as two separate parcels. That was the reason that the rezone to the R-1-10 Zone had been requested as opposed to the R-1-43 Zone.

Mayor Dahle opened the public hearing. There were no comments. The public hearing was closed.

V. Public Hearing on Proposed Rezone for Three Properties Located at:

- **4437 East Butternut Road from R-1-43 to the R-2-8 Zone.**
- **2475 East 4500 South from R-1-10 to the R-2-8 Zone.**
- **2485 East 4500 South from R-1-10 to the R-2-8 Zone.**

Mayor Dahle reported that the above item pertains to a proposed rezone for three properties. An extensive Staff Report and summary of the Planning Commission hearing were provided to the Council.

Ms. Marsh presented the Staff Report and stated that the proposal was to rezone three properties located at 4437 East Butternut Road, 2475 East 4500 South, and 2485 East 4500 South. Three separate property owners had submitted the application together to rezone to the R-2-8 Zone. The main reason for City Staff support of the application was that in the General Plan, the area along 4500 South was referred to as Medium-Density Residential – Transitional, which included the R-2-8 Zone. There were multiple zones in the Medium-Density Residential – Transitional, including R-2-10, R-2-8, and R-1-4. City Staff felt the R-2-8 Zone enabled the best use of each individual property based on lot sizes. She noted that parcels would not be combined and separate ownership would be retained.

Ms. Marsh reviewed the first property, which was located at 4437 East Butternut Road. It was 0.18 acres and was less than 8,000 square feet. It did not meet the requirements to have two units on the property so that property would not be able to have two rentable units. The R-2-8 Zone did not enable them to utilize the property for more than a single-family home. If the property owner was able to obtain additional land or move lot lines between neighbors, it might be possible to add a second unit. Council Member Fotheringham expressed confusion about the Planning Commission recommendation and the City Staff recommendation. He was confused about there being a recommendation to proceed from City Staff when the lot could not have two units. Ms. Marsh explained that it was possible to have a single-family dwelling in the R-2-8 Zone. However, that particular property would only be able to have a single-family dwelling due to the size of the lot.

Council Member Quinn noted that the property owner at 4437 East Butternut Road stated that there was a desire to rent the Accessory Dwelling Unit (“ADU”) that is under the garage. She wondered if that could be done without the zone change. Ms. Marsh explained that the ADU in question is an External Accessory Dwelling Unit (“E-ADU”). The property owner cannot rent the E-ADU unless the property is twice the minimum lot size in the zone. The E-ADU is attached to the garage and not the house, so the zone change would not allow the use. Ms. Marsh reported that the rezone could create an opportunity in the future but currently, the lot size only qualifies the property for one unit. Council Member Durham asked for clarification. Ms. Marsh explained that the owner could potentially obtain additional property in the future.

Ms. Marsh shared information about the second property, which is located at 2475 East 4500 South and is 0.41 acres. It was most applicable to the unclaimed density that was mentioned in the General Plan. At 0.41 acres in an R-1-10 Zone, it cannot be subdivided and cannot have any additional units placed on the property since it is a single-family zone. There could be an Internal Accessory Dwelling

Unit (“I-ADU”) that would be rentable, but not an E-ADU. However, within the R-2-8 Zone, the property could potentially add three detached units or two buildings with two units in each. There is already an existing home on the property and there was a desire to add at least one detached unit for a family member. In the R-2-8 Zone, it would be possible to make that rentable or purchasable in the future. Those units could be split into separate ownership according to the zone regulations.

Ms. Marsh shared information about the third property, which is located at 2485 East 4500 South and is 0.26 acres in size. With the rezone to R-2-8, it would be possible for the property owner to build a separate detached unit. Currently, there was a desire to use that for family. That being said, in the future, there was ownership potential that could be divided out for separate ownership.

The Packet included a map that showed some existing duplexes in the City. Ms. Marsh identified areas where there are duplexes. Historically, duplexes are allowed in the area and the surrounding neighborhood as those were permitted at one point in Salt Lake County. There were a lot of legal non-conforming duplexes on side streets or interspersed in the neighborhood immediately to the south. Council Member Durham referenced the major arterial on 4500 South. He asked if that was considered to be part of the same neighborhood. Ms. Marsh noted that there was a map in the Staff Report that showed the R-2 Zone on the north side of 4500 South. That was changed in the 1960s to an R-1 Zone. There were similar building patterns. Council Member Durham asked if the middle home was previously a duplex. Ms. Marsh confirmed that the existing home was once a duplex but the former property owners converted it to a single-family home at some point. When that occurred, it lost any non-conforming status.

Council Member Brewer asked for background information about the General Plan as well as what the City Council did in 2020. Ms. Marsh reported that two properties were purchased and rezoned to place three homes on what was originally two properties. Essentially, in that case, the two properties were combined, a rezone was done to R-1-8, and then it was divided into three. The change made at that time was a rezone from the R-1-10 Zone to the R-1-8 Zone.

Council Member Gibbons wondered why Staff recommended something different than the Planning Commission. He pointed out that the Planning Commission forwarded a negative recommendation and it is uncommon for the Staff recommendation to differ from the Planning Commission. Ms. Marsh explained that the Staff recommendation was made based on the General Plan. The General Plan identified areas close to the transit corridor of 4500 South as areas to rezone to Medium-Density Residential – Transitional. In addition, rezoning is a best practice to enable affordable housing. Although it does not fall directly onto 4500 South, rezoning typically involves minor arterial roads as well. Often rezones do not fall right on the main road but involve minor roads that are nearby. As for this particular application, the property owners wanted to utilize the properties themselves. It was not a developer who came in with the desire to combine the lots and create a larger development. The Planning Commission’s primary concern had to do with pedestrian and bicyclist safety as there is a lot of use on that narrow roadway. The City Engineer found that the increase in traffic from vehicles accessing three to five more units would be negligible, so City Staff did not see the impacts there.

Council Member Quinn asked about the width of the street. Ms. Marsh explained that when she measured it on the aerial view shown on the County Assessor’s website, it was 20 feet. The property owner measured it at approximately 18 feet. She confirmed that it is quite narrow. On the park side, no parking is allowed. The property owner has property described up to the edge of the asphalt, so

there is some parking on the north side but that was created by the owners on private property. Sometimes vehicles park on private property thinking it is public.

Council Member Fotheringham referenced I-ADUs and noted that the City has not assessed how the General Plan will be impacted as a result of the new regulations. He understood that City Staff needs to make decisions based on the existing General Plan but he felt that the General Plan needed to consider the impacts of the decision made by the Legislature about I-ADUs. He felt that might account for the difference between the City Staff and Planning Commission recommendations. Council Member Gibbons pointed out that there are also affordable housing mandates to consider.

Ms. Marsh shared information about E-ADUs and explained that E-ADUs are accessory buildings and can be built much closer to the property line. Depending on the lot size, they can be five to 10 feet away from the property line. The R-2 Zone, on the other hand, has 20-foot setbacks. Since the R-2 Zone has those regulations, the buildings would be moved further inside the lot. She pointed out that there might be less of an impact on neighbors by requiring the units to be pulled in further.

Mayor Dahle reported that when he first saw the application in the Meeting Materials Packet, he sensed that there would be a lot of conversation and debate. The City Council takes it seriously when additional density is requested through a rezone. He believed there would be a lot of debate about the issue during the Regular Session and Work Meeting. It appeared that City Staff had forwarded a data-driven recommendation to the City Council based on the General Plan and traffic data. Mayor Dahle pointed out that the three properties enter on the short stretch off of Butternut Park. As a result, they do not penetrate the neighborhood. He also noted that the application meets many objectives of the General Plan. The Council needed to think about whether the proposed amendment was harmonious with the overall character of the existing development in the vicinity of the properties.

Dan Kemp identified himself as the property owner of 4437 Butternut Road. He shared background information about the application and stated that his property was an 8,000-square-foot lot when it was built by Ivory Homes but a small piece was taken for the sidewalk which reduced it to approximately 7,900 square feet. Before Mr. Kemp purchased the home, he contacted the City to find out if it would be possible to rent out the ADU underneath the garage. He was told that he could because it is on 4500 South. That, however, was ultimately not the case. Mr. Kemp wanted to find a way for the use to occur legally and thought the R-2 Zone might be the answer.

A joint application was filed with two other property owners to the east. It was determined that since his lot is 100 feet short of the 8,000 square feet it had previously, he would not be able to rent the ADU within the R-2 Zone but it would be possible to purchase 100 feet of property from a neighbor. Unfortunately, that was not true either because the ADU is external. As things stand, the only way that he could use his ADU was to have someone from his family live there. It was unfortunate that he could not utilize his property the way he was told he could and the way he planned to. Mr. Kemp stated that the neighbors to the east still want the flexibility of the R-2. He requested that the City Council consider amending the text on the General Plan for ADUs because the lot size requirement for E-ADUs is not something most lots in the City can accommodate.

There was discussion about the requirements for E-ADUs. Mr. Kemp explained that to utilize his E-ADU properly under the City Code, he would need to have a 16,000-square-foot lot. He did not believe that made sense and reiterated his request for the City Council to look into the matter.

Choompone Watchalotone gave his address 4387 Ashford Drive and stated that he owns the middle property. The reason the property was purchased two years ago was for his children. He has three children and two currently live on the property. He wanted to have an additional unit for family use. There was no desire to rent to anyone. Mr. Watchalotone reported that he and his wife want to support their children and provide housing. In terms of traffic, he understood the concerns that were expressed but he felt there was more that could be done on the street to provide additional safety for pedestrians. The street is 20 feet wide, which is narrow, but he reiterated that more could be done to increase safety. The rezone to the R-2-8 Zone would not create any more issues than what already exists in the area, which the City Engineer confirmed.

Mayor Dahle opened the public hearing. He noted that some comments were received via email from the following:

- Chris Brussow - 2393 East 4500 South;
- Sarah and Tom Collins - 2461 Melony Drive;
- Mark Crockett and Alicia Derr - 2413 East Butternut Circle;
- Lynn Woodruff, Amanda Hales, Britney Minuchin, Joan Molimer
- Chris Toomer - 4405 South Briarwood Circle.

Mayor Dahle reported that all of the comments submitted were in opposition to the application. There were some comments received in favor of the application but those were part of the Planning Commission summary and were not submitted for the public hearing at the City Council level.

Alicia Derr gave her address as 2413 East Butternut Circle. In the General Plan, there are four goals. She did not believe that the proposed rezone fits any of those goals. The first was to maintain the established pattern of development of the City. She explained that this is a street that connects the lower neighborhood to the upper neighborhood. It was an important lane that was used to access Wander Lane safely without having to pull out onto 4500 South. Ms. Derr appreciated having the lane available to be able to access Wander Lane safely. Though the City Engineer stated that the additional traffic would not have an impact, this is already a problematic street and she felt there would be a noticeable impact. The current owners have a vision but if the R-2-8 Zone is approved, there could be long-lasting impacts if the properties are sold in the future. Ms. Derr noted that the General Plan also referenced retaining the natural character of the City and its neighborhoods. There are no R-2 properties north of 4500 South. There is a difference between the north and south sides of 4500 South that she felt needed to be taken into consideration.

Ms. Derr pointed out that three lots were rezoned to R-1-8 Zone three years ago and she questioned why rezones are being revisited so soon afterwards. As for the middle property, it had not been a duplex for many decades so there was no history of duplexes in the neighborhood. The last concern related to parking. It is a narrow street and additional units will result in more parking needs that cannot be met in the area. Ms. Derr understood allowing increased density on a wide road of 65 feet but this is much less than that.

Ben Buzilow gave his address as 2419 East Butternut Circle and expressed opposition to the request. In addition to there being parking issues and the fact that the rezone does not match the character of the neighborhood, he thought that making a change to R-2 would create a complex pattern of

ownership. It would shift from three current owners to potentially six or seven if the land is fully developed as R-2. Mr. Buzilow did not understand why so much property was needed for an E-ADU. It is important to provide low-cost housing and owner-supervised rentals and ask for additional information about the current ADU requirements. Mayor Dahle informed those present that the City Council does not normally answer questions during public hearings. This was an opportunity for residents to address the City Council.

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

VI. Reports.

a. I-215 Shared Use Path – Horrocks Engineers.

Alexis Verson from Horrocks presented the I-215 Shared Use Path Feasibility Study. It was a high-level study that the City chose to move forward with that utilizes a grant from the Wasatch Front Regional Council (“WFRC”) to look at opportunities to create a separated walking and bicycling pathway adjacent to I-215 in some of the Utah Department of Transportation (“UDOT”) rights-of-way that were not currently being utilized. Data was collected over the summer and Horrocks Engineers looked at the adopted plans and community goals. There were three meetings with stakeholders over the summer and into the fall to discuss the vision for active transportation in this area. Additionally, there was a public survey conducted as part of the study.

A map of the study area was shared with the City Council. The goal of the Mid-Valley Active Transportation Plan was to build a regional active transportation network that transcends City boundaries and connects people to commercial and recreation areas. The Mid-Valley Active Transportation Plan came up with the alignment as a recommendation based on public feedback. WFRC worked closely with UDOT and the City to incorporate that into the latest version of their Regional Transportation Plan. It was noted that there was a high-level cost assumption associated with the project.

One of the goals was to look at how to connect people to local and regional destinations. For instance, Wheeler Farm, the trails in the Cottonwood Canyons, daily destinations, and future active transportation facilities. Another goal was to provide safe and direct connections for people of all ages and all abilities. Separated and paved pathways did that well because they were comfortable, safe, and made it possible to avoid conflicts with other users. If there was a safe and direct connection for walking and bicycling, people would be more likely to utilize that than drive. This was important to the residents of the City of Holladay. It was also heard a lot during the stakeholder meetings and through the online survey results. Some of the concerns expressed by residents relate to privacy to the adjacent properties and parcels along I-215, so it was important to make sure that whatever alignment is designed will be considerate of private property, privacy, and safety.

Sample images were shown. There was a desire to design the shared use path so it was private, protected property owners, and was still aesthetically pleasing. At the first stakeholder meeting, the focus was on visioning and goals for the corridor. The meeting included Cottonwood Heights, UDOT, and other special interest groups who had ownership or interest in the area. A mapping exercise was done at that time to look at potential alignments. Concerns about private properties and intersection connectivity were documented as part of the information-gathering phase. From there, a vision statement was crafted as a group. The intention was to develop a backbone facility that provided safe east/west access for people walking and biking that connected to existing and future

active transportation networks. A public survey was also launched. There was a Knudsen Park event, information was shared on social media, and flyers were distributed to promote the survey.

Information was shared about the survey results. 187 responses were received and 100 emails were collected. A copy of the flyer that was distributed was shared with those present. The survey included some open-ended questions as well as multiple-choice and select questions. Respondents wanted to use the connection to recreate, access businesses on Highland Drive, and to create a more complete bicycle network that avoided busy roadways. Most people who took the survey lived around the park and that portion of I-215. Most respondents wanted to access businesses, the park, and utilize the shared use path for recreation. It was most important to people that the path be wide enough for anyone walking or bicycling to avoid conflicts. Trails were heavily used, which meant the width needed to be sufficient. There was also a desire to see safe pedestrian crossings at intersections that introduced vehicles to the pathway. Landscaping, beautification, and separation between I-215 and the path were prioritized.

Ms. Hamilton explained that there were four alternatives. There was a desire to provide access to the park as well as the trail networks to the east. Various goals guided the alternatives. For Alternative #1, the intention was to take the feedback received about having two separate paths for both bicycles and pedestrians. The option was approximately \$2.4 million for just the park section. For the park plus the area to the west, it was \$11.1 million.

Alternative #2 this particular option was intended to be as cost-effective as possible, so the existing topography was utilized. With that, it was only possible to achieve one route with the 5% meandering path grade. Any connections there would not be able to have a direct path. That option would be \$1.2 million for the park area and \$9.9 million total. All of the options would require retaining walls and that was driving a lot of the associated costs.

Alternative #3 was intended to avoid the easement altogether, which was shown in the darker green section on the presentation slide image. In that case, it would stay within the UDOT right-of-way and there would be a steeper grade of 8%. This alternative could be somewhat uncomfortable for bicyclists due to the steep grade. The cost of the segment was \$1.6 million and the cost of the total project was \$10.3 million.

Alternative #4 would have a grade of 5% or less through the route, it would stay within the UDOT right-of-way, and involve a bridge over the existing road. This was the most expensive alternative with a segment cost of \$8.5 million and a total project cost estimated to be \$17.2 million. The benefit was that there would be a comfortable grade and it would stay out of the conservation easement.

The alternatives were narrowed down to two options. One of the preferred alternatives was a combination of the first two alternatives. There could still be the meander but there would also be an option for a more direct route with a stairway option that connected down. The other preferred alternative was Alternative #4 because it would stay out of the conservation easement.

VII. *Consideration of Ordinance 2023-13 Amending the Holladay Zone Map for Property Located at 4930 South Westmoor Road from P (“Public”) to R-1-10 (“Residential Single-Family”).*

Council Member Fotheringham moved to ADOPT Ordinance 2023-13 – Amending the Holladay Zone Map for Property Located at 4930 South Westmoor Road from P (“Public”) to R-1-10 (“Residential Single-Family”). Council Member Gibbons seconded the motion. Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Council Member Gibbons-Aye; Mayor Dahle-Aye. Ordinance 2023-13 was adopted by a unanimous vote.

VIII. *Consideration of Ordinance 2023-11 Amending Provisions of Title 13 Related to Internally Illuminating Fuel Price Signs within the Holladay Village Zone.*

Council Member Gibbons was concerned about other merchants of various types being able to utilize internally illuminating signs. As currently drafted, he was not comfortable voting in favor of the item because he did not like the idea of there being a regulation for one industry. Council Member Fotheringham agreed with those comments. He also had concerns about electronic billboard signs. In the past, the Legislature tried to force electronic billboards if cities have electronic signs. It was the lack of electronic signs in the City of Holladay that allowed the City to avoid having electronic billboards. Although that had not come to fruition, it was important to consider moving ahead.

Council Member Durham felt similar to Council Members Gibbons and Fotheringham. He noted that community stakeholders asked for electronic signs in the past and those requests had been denied. It would be difficult to explain why the carve-out was appropriate for a gas station in the Holladay Village Zone but nowhere else. Council Member Brewer appreciated what the other Council Members expressed. This was a difficult decision because almost all gas stations show their gas prices somehow. He appreciated the desire to minimize the impacts of electric signs but felt the City had a responsibility to find an acceptable solution. Mayor Dahle thought that was a fair statement. If there was a broader way to address the issue, he might be supportive of an amendment, but the way the ordinance was written was difficult to support. Council Member Quinn had a hard time treating one gas station in the Holladay Village Zone differently from one that was outside of that zone. On the other hand, it did not make sense for a gas station to do be able to something that another business was not permitted to do in the zone.

Council Member Fotheringham moved to APPROVE Ordinance 2023-11 Amending Provisions of Title 13 Related to Internally Illuminating Fuel Signs within the Holladay Village Zone. Council Member Quinn seconded the motion. Council Member Brewer-Nay; Council Member Durham-Nay; Council Member Fotheringham-Nay; Council Member Quinn-Nay; Council Member Gibbons-Nay; Mayor Dahle-Nay. Ordinance 2023-11 was DENIED.

IX. *Council Reports and District Issues.*

Council Member Brewer reported that he attended Chalk Our Walk. It was impressive to see the talent that was on display. He liked events that create a sense of community and thanked all involved in that event. He also discussed the Police Academy that takes place once a week for 10 weeks. It had been very informative and he had learned a lot about the work that was done by the department.

Council Member Brewer stated that a constituent reached out to him about the Salt Lake City subsidized grass seed program for a seed blend that uses 30% less water. From a water conservation standpoint, informing people about that might be worthwhile after the winter season. Council Member Brewer reported that a fundraising effort was underway and Pathway Associates was assisting with that effort. The push was to fund video surveillance and lights at the Skate Park, but

there was also fundraising being done for the gazebo and historical walk. Council Member Brewer shared concerns about off-leash dogs around the elementary schools and waste pickup. A constituent reached out to him about that issue and expressed frustration.

Council Member Durham attended the Crestview Community Council the previous week. There is a new Principal and the new officers were elected. Additionally, he attended the Tree Committee Meeting earlier in the day. With the reconstruction of the entryway, some trees were lost that the Tree Committee believed could have been salvaged and replanted elsewhere. It was suggested that other construction projects or demolition projects on City property include coordination to account for the existing trees. Concerns were expressed about the Flip Your Strip Program and what would happen to the trees in the park strip or tree areas if the turf is removed. There was a desire to protect the irrigation for the trees and educate citizens about necessary watering.

Council Member Fotheringham thanked City Engineer, Jared Bunch, as well as Chief Hoyal and his team. No Parking signs were placed on the lower portion of Lakewood Drive, adjacent to the Cottonwood Country Club. Generally, when there are larger events, there is parking on both sides of the street, which makes it too narrow for emergency vehicles to access. The placement of No Parking signs on the one side has been effective in addressing that issue so far. Council Member Fotheringham discussed the sculpture in the Village Plaza. Everyone on the Arts Council was excited about that installation and he felt it was a wonderful addition to the City of Holladay.

Council Member Quinn was able to attend the Morningside Community Council recently. She also attended the Morningside PTA Carnival. She was able to be in a booth with the Librarian and they encouraged students to read. As for the Library, she was there last Saturday and realized that preparation was being done for the eclipse. She praised everyone who works at the Library. Crafts were available for children, glasses were being handed out, and telescopes were set up.

Council Member Gibbons reported that he met with the Request for Proposals (“RFP”) Committee for the Holladay Historical Exhibit Experiences Project. \$850,000 was budgeted for that including some grant money. On Tuesday morning, there would be interviews with three firms that submitted proposals. He believed a recommendation would come to the City Council shortly after that. Council Member Gibbons noted that Ms. Chamness; Assistant City Manager, Holly Smith; and Historical Commission Chair, Sandy Meadows also serve on the RFP Committee.

Mayor Dahle appreciated that the Council Members are engaged and attend various Community Council Meetings. That direct engagement was worthwhile.

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

Council Member Durham 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. *Update on UPD Transition.*

Mayor Dahle reported that a transition was taking place at the UPD. It has been taking place for a while but there is now more clarity about the situation, so it seemed appropriate that an update be shared. It started with Legislation that came out of the last Legislative Session. When the UPD was formed in 2010, the Sheriff was connected to the UPD as the Legislative CEO. The Sheriff was

running the Sheriff's Legislative duties as well as being the CEO of UPD. That created ongoing issues that came to a head during the last Legislative Session. The Legislature wanted to sever the Sheriff as the CEO of the UPD. That was pushed out to July 1, 2025, but the Sheriff announced that she would be separating from the organization on July 1, 2024. There was now an unusual situation where the Sheriff and the County needed to separate from the shared services piece of the UPD. He believed that some economies of scale would be lost in the reorganization process.

Mayor Dahle explained that the costs associated with the UPD will likely increase as a result of the transition. He still believed that the UPD was the best way to police the community. It was not just about cost but also had to do with value. For instance, there are quality officers available to the community. The City of Holladay has always enjoyed the relationship with UPD. The officers who police the community are appreciated and it is beneficial to have the shared services available. It was important to discuss what the new reorganizational infrastructure would look like with the County not involved. The Board worked with Chief Jason Mazuran to separate him out and make sure there was someone who would specifically focus on the reorganization. Chief Wayne Dial was running the operational side. Chief Dial is focused on police work in the communities while Chief Mazuran is focused specifically on the reorganizational function of UPD.

Mayor Dahle reported that a lot of time has been spent preparing for the July 1, 2024, date when the Sheriff will separate from the organization. There needs to be a new Interlocal Agreement put in place. He believed City Attorney, Todd Godfrey, would start work on that shortly and bring it forward in December or January. The new Interlocal Agreement would redefine participation. There was now a better idea of what the organizational structure would look like.

Chiefs Hoyal and Mazuran were introduced. It was noted that the UPD has a good team of people and everyone in the Holladay Precinct cares deeply about the community. Chief Hoyal explained that Chief Mazuran has worked hard on this project to make sure something positive comes out of the UPD transition. He noted that Chief Randy Thomas from Midvale was present as well and has been very involved in the reorganization process. Richard Moon and Debbie Sanchez from the Fiscal Team were also present.

Chief Mazuran shared information about the reorganization of the UPD. He shared a document with the Council and explained that it is a living document that is constantly being refined. The intention was to handle the reorganization in the best way possible, which means making changes when necessary. He shared a chart that was effective as of September but noted that the chart would change over time as additional input is received. Everything shown in yellow on the chart indicates the shared services. Those are fundamental services that ensure that law enforcement is working in the community. The columns showed the contract cities with UPD. He reviewed information related to personnel goals. The blue shown on the chart indicated the basic precinct service levels while the orange indicated add-ons. The latter allowed a precinct to determine how different possible services should be tailored to the community to meet the existing needs.

There was discussion about response times and shared services. Council Member Fotheringham wondered if there would be more operational separation from Millcreek than there was currently. This was denied. Council Member Fotheringham clarified that he did not want to lose that connection. Chief Hoyal shared information about personnel and the interconnectivity that is in place. Council Member Gibbons asked about the precinct facilities. He wondered if there would be cost

sharing between the City of Holladay and the Town of Brighton for a share of the office space. Chief Hoyal explained that a lot of the costs that had been worked out so far were personnel-related and there were still ongoing conversations about cost-sharing opportunities. Information was shared about Brighton.

Mayor Dahle reported that many cities have stated that there was a desire to remain with the UPD. However, there was still some uncertainty about Copperton and Emigration Canyon. It was noted that the entities could contract elsewhere but the idea behind UPD was to work together to benefit all of the communities involved. It is more cost-effective and more effective in terms of overall law enforcement. Additional discussions were had about the services offered in Brighton. Chief Mazuran explained that those details were still being refined. There were a few different ways that UPD could function within Brighton and there would be continued discussions about that.

Chief Mazuran shared documents related to finances. He explained that everything shown was subject to change and the numbers were reflective of the model used. The wages and benefits were still being worked through. He also noted that the numbers shown did not include operational costs as Ms. Sanchez was still determining what the operational costs would look like specifically. Ms. Sanchez clarified that the numbers shown included the operational costs as they currently stood but did not include the adjustments that needed to be made as a result of the UPD reorganization. Chief Mazuran pointed out what the City of Holladay paid directly to the precinct as well as the costs of the shared services. The Board suggested there be a 7% increase in operational costs. With the loss of the Salt Lake County revenue, adjustments need to be made. He explained that it is necessary to maintain safe and effective service levels but it is also important to be mindful of the budget.

Council Member Fotheringham wondered if the separation of the Sheriff's Office resulted in a loss of assets. Chief Mazuran explained that nothing had been taken yet but there is a formula that would be used to determine how the assets are separated. Meetings were taking place currently to determine which assets would return to Salt Lake County and which would remain with the UPD. Council Member Fotheringham expressed concerns about assets and fair value. Chief Mazuran believed that the UPD would receive fair value. The County should receive the assets that they paid for. What was paid for by the UPD precincts should remain within the UPD organization. He shared information about leased square footage within Salt Lake County buildings. The UPD was looking at other properties. There were several contingency plans to separate out from the County. However, it was acknowledged that certain contracts would be beneficial to UPD.

Chief Mazuran explained that the Metro Gang Unit would return to the County but that did not prohibit Chief Hoyal from calling the Metro Gang Unit about an issue. It was still possible to reach out for those County-wide services when needed. He explained that it is possible to utilize those County-wide services because County taxes were paid. There was confidence in the path forward. Council Member Fotheringham expressed concerns about the loss of revenue and economies of scale.

Council Member Gibbons wondered if there would be fewer personnel under the new model than the existing model. Chief Mazuran noted that some shifts were being made out of the precincts and into the shared services. Historically, there had been a Domestic Violence Detective in each of the precincts but they would be moved out of each of the precincts and back to shared services. That way, it would be possible to serve all of the communities. Something else that would be moved out of the precinct was a Fraud Detective. He explained that fraud suspects do not stay within

jurisdictional boundaries, so it made more sense to centralize that kind of service within UPD. Something else moved out of the City of Holladay was the Traffic Unit. There was a desire to centralize the Traffic Unit so it would be more of a regional service. Chief Hoyal felt it was still important to have a Traffic Officer in the City of Holladay to address ongoing traffic-related issues.

By shifting some of the items out of the precinct and into the shared services, the precinct budget would be reduced and the shared services budget would increase. Mayor Dahle noted that there had been a lot of complaints from residents about traffic. He wondered if the Council felt it was best not to have a net loss in the actual on-street patrolling within the community. That did not need to be determined at the current time, but it was important for Council Members to consider what was desired and needed within Holladay. There would still be access to the shared services. Chief Hoyal confirmed this and explained that the precinct would have access to the Fraud Unit and the Domestic Violence Unit. There would be access to more resources. Council Member Fotheringham referenced the shared services allocation formulas. It was noted that those were still applicable.

Council Member Gibbons asked about Cost-of-Living Adjustments (“COLA”). He assumed that whatever COLA applies to personnel would need to be entity-wide. It would not be possible for the City of Holladay to pay more than other cities within the UPD. Council Member Gibbons wondered if the number listed included a COLA increase for 2024. It was noted that the number did not include COLA. Council Member Gibbons was concerned about UPD remaining competitive. Mayor Dahle brought that up to the Board previously. He pointed out that there were transitional costs, which were related to the loss of economies. There would also be a budget discussion where things like COLA would be discussed. He wanted to make sure everyone involved in UPD was prepared for those kinds of discussions. Clear communication was necessary as everything moved forward. Chief Mazuran explained that it is important to pay attention to what is happening in the market.

Council Member Fotheringham believed the challenge would be to maintain the service levels while sharing services that were previously not shared. He stressed the importance of maintaining the service levels and making the most of the opportunity to reconfigure the UPD model. Mayor Dahle noted that there were problems with the other model. As a result, the new model was taking the previous issues into account. There was a desire to fix those problems and improve things overall. This would become a straightforward model for other cities to look into and consider. Mayor Dahle explained that the goal was to have an Interlocal Agreement prepared in the near future. Chief Mazuran reported that there was a generalized transition plan and a lot of progress had been made.

b. *Discussion on Previous Public Hearing.*

There was discussion about the previous public hearing item related to the proposed rezones at 4437 East Butternut Road, 2475 East 4500 South, and 2485 East 4500 South. Mayor Dahle noted that there had been some debate about whether the houses reside on 4500 South or not. Council Member Durham noted that there were some infrastructure challenges to consider as well. There is a narrow street that is utilized by pedestrians so there were some safety concerns to think about.

Mayor Dahle explained that part of the argument residents made was that the rezone, which could add three to four net units, would impact the road. If people are coming off of 4430 South onto Wander Lane or Butternut Road to access the residences, those would be accessed on 4500 South. There would not be entry into the neighborhoods and traffic would not impact the neighbors. He was not sure if a valid argument was presented during the hearing about the potential addition of three to

four additional units. There was uncertainty about whether those units would adversely impact the area. Council Member Quinn understood the concerns that had been expressed by residents. Council Member Durham pointed out that there were very different neighborhoods north of 4500 and south of 4500. It was not appropriate to compare the duplexes south of 4500 to the neighborhood to the north. Discussions were had about the location and the surrounding area.

c. Calendar

- **Council Meetings – October 19, November 2 and 16, and December 14.**
- **Plein Air – September 28-October 7.**
- **History Night – October 9.**
- **Holla-ween Event – October 25.**
- **Interfaith Service – November 12.**
- **Tree Lighting – November 27.**
- **Holiday Dinner – December 5.**

The calendar items were reviewed during the Briefing Session held before the City Council Meeting.

XI. 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.

There was no Closed Session.

XII. Adjourn.

Council Member Fotheringham 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 9:22 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, October 5, 2023.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **December 14, 2023**