

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

Thursday, March 7, 2024

5:30 p.m.

**Mt. Olympus Room
4580 South 2300 East
Holladay, Utah**

BRIEFING SESSION - 5:30 p.m.

ATTENDANCE:

Mayor Rob Dahle
Paul Fotheringham
Matt Durham
Ty Brewer
Drew Quinn
Emily Gray - *excused*

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

Mayor Rob Dahle began the Briefing Session at 5:30 p.m. Connie Roller and Brent Halliday were introduced as candidates to serve on the Tree Committee. Mayor Dahle thanked them for their willingness to serve on the Committee. Council Member Durham was excited for them to join the Committee.

The agenda items were reviewed. Mayor Dahle noted the continued public hearing on the creation of Public Infrastructure Districts (“PID”). Mayor Dahle referenced the document with City Staff concerns and it was understanding was that those concerns have been addressed.

Mayor Dahle explained that according to the information provided, the hard cost to build the parking garages is approximately \$51 million while the ceiling is proposed to be \$80 million. He wanted to better understand the rationale and planned to ask clarifying questions during the meeting. There was additional discussion about the PID and what is proposed in the Governing Documents. Mayor Dahle reiterated that there is a desire to understand the numbers. There will be a discussion on this item before the public hearing takes place to ensure that there is clarification received before residents speak.

The other items on the meeting agenda were reviewed. There was a brief discussion about the definition of owner-occupied. City Attorney, Todd Godfrey, stated that the City Council wants the person operating the Home Occupation business to live in the residence. There is a fairly simple adjustment that can be made to the text to establish that. With that adjustment, whoever is living in the residence can operate a business out of the residence.

**MINUTES OF THE
HOLLADAY CITY COUNCIL MEETING**

Thursday, January 18, 2024

6:00 p.m.

**Mt. Olympus Room
4580 South 2300 East
Holladay, Utah**

ATTENDANCE:

Mayor Rob Dahle
Paul Fotheringham
Matt Durham
Ty Brewer
Drew Quinn
Emily Gray - *excused*

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

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.*

Trudy Jorgensen-Price shared updates about the Library. She reported that on Monday, the Library will be hosting a program with the Health Department called Stepping On, which is a fall prevention program for seniors. Registration is required and can be done on the website. It is two hours per class for seven weeks and there are two sessions. On the second Monday of the month, there is Game Night. Board games are a great way for children to learn strategy, planning, and social skills. The Game Night event will run from 5:00 p.m. to 8:00 p.m. On March 13, 2024, there will be Slumber Story Time at 7:00 p.m. On March 25, 2024, there will be a Red Cross Blood Drive hosted from 1:00 p.m. to 7:00 p.m. This month, the Thrills and Chills Book Club will take place on March 26, 2024. There are copies of the book for the club available to check out at the library.

David Billings - applicant representative for the Korean church. He explained that he is an attorney and there is a desire to discuss the proximity statute that was mentioned at the last City Council Meeting. He referenced the language found in Utah Code 32B-1-202. He believed if the application made by the Korean Presbyterian Church of Utah is denied, that decision would violate the Religious Land Use and Institutionalized Persons Act, a Federal Statute that preempts the State Statute and applies to municipalities like Holladay. A State Law that is designed to benefit religious institutions by keeping them away from places serving alcohol should not be used to harm churches by making it difficult or impossible to locate in the City.

Mr. Billings noted that the grounds to recommend denial, as stated in the staff report, has to do with potential future harm or a decrease in property value for C-2 Zone owners. However, the case law clearly states that economic development and tax revenue are not compelling State interests that

override the Statute. If the City is still not inclined to grant the application, as requested, it was suggested that Holladay consider allowing the use a Conditional Use. That would conform with what is done in many other municipalities, where churches are allowed in commercial zones on a conditional basis. Mayor Dahle thanked Mr. Billings for his comments and explained that the City Council will discuss this matter further before a motion is made on the proposed amendments to Title 13.100.010.

IV. Continued Public Hearing Regarding the Creation of Public Infrastructure Districts (“PID”) at Royal Holladay Hills. (i) Whether the Requested Service is Needed in the Area of the Proposed Districts, (ii) Whether the Service Should be Provided by the City or the Proposed Districts, and (iii) All Other Matters Relating to the Proposed Districts.)

Mayor Dahle reported that the public hearing remained open at that time because a lot of information needed to be clarified prior to bringing the item to a vote. At the last meeting, there was a letter from City Manager, Gina Chamness, identifying a number of issues. Since that time, a lot of those issues have been resolved and there is agreement that the Governing Documents are now acceptable to the City.

Mayor Dahle asked for clarification about the financials. The Governing Documents reference a ceiling of \$80 million bonding capacity and hard costs for the three parking decks as approximately \$51 million. He wants to better understand what the additional \$30 million is for. He noted that the City has no liability for the bond issuance, but there is a desire to understand.

Aaron Wade with Gilmore Bell addressed the Council via phone. He explained that there will always need to be a higher borrowing amount than the project costs. Typically, that is because there will be a reserve fund that is funded with the bond. Normally, 10% of what is issued goes into a reserve fund to ensure that debt service can be paid in a bad year. Since this project will take some time, the district will fund a year or two of capitalized interest. That will be funded upfront.

Mayor Dahle wanted to better understand the justification for the proposed amount above the hard costs of the parking decks. He thought that could be narrowed down more and better justified.

Benj Becker with Piper Sandle. He stated that in order to create \$50 million in usable proceeds, a bond in the range of \$67 million to \$70 million is needed because of the other associated costs. Three years set aside for capitalized interest is needed to pay those bonds. Bond buyers require roughly 10% of the par amount to set aside for the debt reserve fund. The other reason is to provide some level of flexibility for increased costs. Mr. Becker noted that it is only possible to issue debt on what can be used for public infrastructure. Asking for the \$80 million when the cost is approximately \$51 million will take care of what is needed and provide some flexibility.

Council Member Fotheringham thought having such a large amount of contingency was an interesting choice. Mr. Wade clarified that this was a maximum number, but it is not necessarily an expected number. Where there are multiple districts, it is likely there will be a phased approach, and some of the bonds may not be issued at the same time. Mayor Dahle reminded those present that the money needs to be used for a very specific use. However, he reiterated that it is important for the City to understand the difference between the \$51 million and \$80 million that is being requested.

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

V. Consideration of Ordinance 2024-02 - Amending the Zone Map for Property Located at 2051 and 2061 East Murray Holladay Road from the Residential Multi-Family (RM) Zone to the Professional Office (PO) Zone.

Mayor Dahle noted that there is language inside the motion that talks about a 10-foot setback off of Murray Holladay Road and a 20-foot setback off of Sycamore Drive. That is not a change to what was previously required of the applicant. The only change that is really occurring relates to the building height. It is being dropped down on the north side of the property at the 55% line across the property for Murray Holladay Road. This drops it from 40 feet down to 35 feet to help transition the use into the neighborhood to the north. There is already a 30-foot rear setback in the PO Zone.

Council Member Fotheringham made a motion. Mr. Godfrey suggested an amendment to the motion language, specifically to Section 3B of the ordinance. The suggested amendment was to alter the language so that in the third line, it would read, “subject to the rezone at a point that is 55% of the depth of the parcels, as measured from Murray Holladay Road,” instead of, “subject to the rezone at a point that is half of the depth of the parcels as measured from Murray Holladay Road.” Council Member Fotheringham noted that he mentioned 55% in the original motion. Mr. Godfrey clarified that the actual ordinance language references half. He asked that the language of the ordinance be amended. There was discussion about the proposal to amend the ordinance language. Mr. Godfrey explained that as currently drafted, the text of the ordinance language is inconsistent with the conditions.

Council Member Fotheringham moved to ADOPT Ordinance 2024-02 – Amending the Zone Map for Property Located at 2051 and 2061 East Murray Holladay Road from the Residential Multi-Family (RM) Zone to the Professional Office (PO) Zone, subject to and conditioned on the following:

- That the City and Developer, by a date not more than 90 days from this date, approve a Development Agreement that:
 - a. Permits the construction of an office building(s) that comply with the zone restrictions and steps back in height such that any portion of the building that is beyond 55% of the lot’s depth, up unto the rear setback on the combined properties is not more than 35 feet in height;
 - b. That the setback for the building fronting on Murray Holladay Road shall be a minimum of 10 feet from the right-of-way line for the Murray Holladay frontage and not less than 20 feet on the Sycamore frontage.
- With an amendment to Section 3B, Line 3, of the ordinance to state: “...subject to the rezone at a point that is 55% of the depth of the parcels, as measured from Murray Holladay Road.”

Council Member Brewer seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Ordinance 2024-02 was adopted by a unanimous vote.

VI. Consideration of Ordinance 2024-03 - Amending Title 13.100.010 Adding Quasi-Public (Churches) as a Permitted Use in the C-2 Zones.

Mayor Dahle reported that there is an updated staff report included packet. He explained that the Council had issues with the proposed amendment, because of the distances required for alcohol-related businesses. The concern is that the amendment will create a burden for existing property

owners. As for the comments made during the public comment period, he asked Mr. Godfrey to speak to the Council about what was said and how to move forward.

Mr. Godfrey stated that he is familiar with the Federal Legislation and the associated case law. He has a different opinion than Mr. Billings on how that impacts what is before the City. However, it might make the Council more comfortable to take action if he explains his view of the Federal Legislation first. If that is the desire of the Council, the item can be continued to the March 21, 2024, City Council Meeting, and he can prepare something for Council Members to review. Mayor Dahle asked whether the suggestion is to make a motion to continue the application until the next City Council Meeting. This was confirmed. There was no objection from the other Council Members.

Council Member Fotheringham moved to CONTINUE Consideration of Ordinance 2024-03 – Amending Title 13.100.010 Adding Quasi-Public (Churches) as a Permitted Use in the C-2 Zones, to the March 21, 2024, City Council Meeting to consider information regarding Federal Legislation. Council Member Quinn seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Consideration of Ordinance 2024-03 was continued by a unanimous vote.

VII. *Consideration of Ordinance 2024-06 - Providing for the Creation of the Holladay Hills Public Infrastructure District Nos. 1-3 (Collectively, the “Districts”) as Independent Districts; Authorizing and Approving a Governing Document; Appointing Board of Trustees; Authorizing Other Documents in Connection Therewith; and Related Matters.*

Council Member Fotheringham moved to ADOPT Ordinance 2024-06 – Providing for the Creation of the Holladay Hills Public Infrastructure District Nos. 1-3 (Collectively, the “Districts”) as Independent Districts; Authorizing and Approving a Governing Document; Appointing Board of Trustees; Authorizing Other Documents in Connection Therewith; and Related Matters. Council Member Brewer seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Ordinance 2024-06 was adopted by a unanimous vote.

Mayor Dahle noted that City Staff and the City Attorney have put a lot of time and effort into this. He thanked everyone for their hard work as the PID discussions took place in a timely manner.

VIII. *Consideration of Resolution 2024-07 - Amending the Moderate-Income Housing Element of the General Plan. (The Proposed Amendment does not apply to any Specific Location but Would Apply Generally throughout the City and Include Additional Strategies and Tasks that will Comply with Requirements Adopted by the State Legislature During the 2022 Legislative Session).*

Council Member Quinn pointed out that the Legislative Session recently ended and wondered whether any changes were made to the requirements. It was noted that there were no known changes.

Council Member Durham moved to APPROVE Resolution 2024-07 – Amending the Moderate-Income Housing Element of the General Plan. Council Member Quinn seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Resolution 2024-07 was approved by a unanimous vote.

IX. Consideration of Resolution 2024-08 - Approving and Authorizing the Execution of a Franchise Agreement with Teleport Communications America, LLC.

Mr. Godfrey stated that this is largely the standard form that has been approved previously, but a few changes have been made based on concerns received from prospective franchisees. Those are non-substantive in terms of the requirements for an operator and relate more to the audit provisions.

Council Member Quinn moved to APPROVE Resolution 2024-08 – Approving and Authorizing the Execution of a Franchise Agreement with Teleport Communications America, LLC. Council Member Durham seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Resolution 2024-08 was approved by a unanimous vote.

X. Consideration of Resolution 2024-09 - Granting the Advice and Consent for the Appointment of Members to the Tree Committee.

Council Member Durham moved to APPROVE Resolution 2024-09 – Granting the Advice and Consent for the Appointments of Members to the Tree Committee. Council Member Brewer seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. Resolution 2024-09 was approved by a unanimous vote.

XI. Consent Agenda.

a. Approval of Minutes – November 16 and December 14, 2023. January 4 and 11, 2024.

Council Member Fotheringham moved to APPROVE the Consent Agenda. Council Member Brewer seconded the motion. Vote on Motion: Council Member Brewer-Aye; Council Member Durham-Aye; Council Member Fotheringham-Aye; Council Member Quinn-Aye; Mayor Dahle-Aye. The minutes were approved by a unanimous vote of the Council.

XII. City Manager Report – Gina Chamness.

Ms. Chamness reported that the website relaunch went live on Tuesday. It was the culmination of a two-year process and the City website now works on mobile devices, tablets, desktops, and laptops. It will be a continual work in progress, so if Council Members find something that is not working or does not look right, she asked that staff be informed.

Ms. Chamness thanked City Recorder, Stephanie Carlson, for coordinating this effort over the last two years. As part of the website relaunch, the address has changed and it is now holladayut.gov. She explained that the City is in the process of changing the email address as well to align with the new website address. It will take time to make that change and there will be at least a six-month transition. She thanked all who participated in the new website design work and contributed additional content.

Ms. Chamness reported that an award was received to fund a part-time public health position for three years. That award was received three days after the application was submitted. The grant will become effective in May. Additionally, an award of slightly more than \$700,000 was received from Safe Routes to School for Phase 2 of the 2700 East sidewalk project. The award will go a long way towards improving pedestrian access and connectivity. Phase 1 construction is scheduled to start later this

spring and Phase 2 will start next year. Mayor Dahle asked if there was a match needed for that award. Ms. Chamness confirmed this.

Ms. Chamness reported that the \$3.6 million earmarked for Highland Drive is still included in the Transportation Appropriation Bill that the House of Representatives approved yesterday. The Senate should approve that in the next couple of days. This is for the Federal Fiscal Year 2024 that started in October. Once it is approved, there will still be a process before the funds are received, but that is still on track. In addition, from the State Legislature, this year, \$1.23 million was received in direct appropriation for Highland Drive.

Wasatch Front Regional Council (“WFRC”) released a ranking of active transportation and trails programs. Holladay has two projects that are ranked in the top 13 on that list. One is a multi-city project along 3900 South. The Holladay section from 2300 East to Highland Drive along the south side will likely be a complicated and expensive portion of that project. As a result, other sections will probably be done first. Another project is the I-215 pathway that would connect Knudsen and Big Cottonwood Trail to Highland Drive. It is anticipated that State funding will be available shortly.

In terms of staffing, the new Emergency Manager, Allison Jester, started on Monday. She comes from Utah County and there is excitement to have her on the team. The City Council will meet Ms. Jester in the next few months. Ms. Chamness reported that the search is narrowing for the Finance Director. In the meantime, an outside financial consultant is handling some work.

XIII. Council Reports & District Issues.

Council Member Ty Brewer referenced the History of Radio with Doug Wright. It was scheduled to take place on March 11, 2024, and was part of the Historical Commission Speaker Series.

Council Member Durham reported that there will be a Tree Talk at the library on Saturday at 10:30 a.m. It is about planting trees that will attract birds to a yard. The Tree Committee is currently busy planning Arbor Day activities. This year, four trees will be planted at Morningside Elementary School. That will take place on April 26, 2024, at 2:00 p.m. Council Member Durham stated that Happy Healthy Holladay is continuing to work on the Strategic Plan. A community needs assessment is currently underway as are interviews that will inform how the plan will be drafted. There is an upcoming event for the new signage at the Big Cottonwood Trail. That will take place in mid-May.

Council Member Fotheringham reported that a week from Saturday is the Fine Art Show from the Arts Council. Art will be hung and displayed for residents to enjoy for a week starting on March 16, 2024. There will be a reception on the first Saturday from 6:00 p.m. to 8:00 p.m. for those interested.

Council Member Quinn shared information about the Community Renewable Energy Agency, or as it has been rebranded, Utah Renewable Communities. In the Legislative Session that just ended, Senate Bill (“S.B.”) 214 was a bill only targeting the Community Renewable Energy Agency. Luckily, it was changed from the original intent, but it did make one change, which is that new communities are able to join. She believed this was a positive change. Hopefully, if the program goes well, more communities will want to join. Council Member Quinn discussed a recent Morningside Community Council Meeting. She reminded Council Members when the announcement was made about the Spring Lane closure. At that point, the plan was to next look at the schools that were east of that boundary study. The district felt there was an area that had more immediate needs,

which is the 3500 South Corridor on the west side of the valley. Schools to the east will be looked at in a year.

Mayor Dahle reported that there was a ribbon-cutting ceremony last night. There was a great showing at the ceremony. He shared information about a field cleanup that will be done next Saturday from 9:00 a.m. to 12:00 p.m.

XIV. *Recess City Council in a Work Meeting:*

Council Member Fotheringham moved to RECESS the City Council Meeting and RECONVENE in a Work Meeting. Council Member Brewer seconded the motion. The Council meeting recessed at 6:58 pm.

Mayor Dahle called the work meeting to order at 7:05 pm

a. *UPD Organizing Restructuring.*

Mayor Dahle reported that the first item on the Work Meeting agenda relates to the restructuring of the Unified Police Department (“UPD”). There have been a lot of unknowns recently, but things are starting to solidify. He stated that there will be a special Board Meeting on March 13, 2024, and it is anticipated that there will be an Interlocal Agreement to vote on after that point. Signing onto the Interlocal Agreement is what binds a community to the organization and is necessary to do before the budget discussions take place.

Chief Jason Mazuran and Chief Justin Hoyal were present to share information about UPD. Chief Mazuran explained that he is working on the reorganization of UPD. He introduced *Chief Wayne Dial*, who is currently conducting the day-to-day operations, and *Debra Sanchez*, who is the CFO.

Chief Mazuran shared presentation slides with those present. He pointed out the Vision and Mission Statement and then reviewed the Organizational Chart. That version of the chart is approximately one month old, but it is close to being finalized. There will be some changes, as it is still a draft, but it is close to the final version. Everything on the left is in yellow and that indicates the shared services or municipal police services. He explained that those are the items that everyone on the right side of the chart uses. Since everyone pays for those services, it creates some economies of scale. There was discussion about SLVLESA, the agreements in place, and the different economies of scale.

Council Member Fotheringham expressed concerns about too much generosity of the shared services with neighboring cities that are not part of UPD. There has to be a membership value. Chief Mazuran stated that if there is an emergency, UPD will assist when needed, but in 2018, there were a number of areas where UPD was allocating resources to help others when it was not an emergency. Some changes were made after that point.

Ms. Sanchez presented the budget information. She explained that a lot of work has been done on the budget so far. It has been a challenge because some assumptions had to be made. The budget was based on all of the cities moving forward with the organization. If anyone decides not to continue on, then there will need to be a reallocation. Currently, there are estimated revenues included in the budget. Those will be updated when there are more accurate figures received. It is projected that there will be a 9.7% increase in health insurance, but there will be a meeting with the health brokers next week to receive a more accurate figure.

Ms. Sanchez reported that the budget includes the changes in the Utah Retirement Systems (“URS”) rates. The sworn amount went up by 1% and the civilian went down by 1%. Information about VECC was shared. Their final numbers were sent out, but this needs to be approved by the trustees. Ms. Sanchez explained that what was shown was based on the 70/20/10 formula, which is 70% cases, 20% population, and 10% property taxes. The shared services formula will be looked at to see if there is a more equitable way to determine the member fees. There is uncertainty about whether this will be applied to the upcoming budget, but there is a desire to continue working on it moving forward.

The budget is based on actual wages and benefits. In the past, were averages used. Ms. Sanchez explained that it does not include any merit increases that happened throughout the year and it does not include any cost of living adjustments (“COLA”). The preliminary budget increase maximum will be presented to the UPD Board next week. She noted that the budget has been tightened as much as possible. She believes that by next week there will be a solid budget that can be reviewed.

Ms. Sanchez stated that she has worked for many cities throughout the State and many police departments. However, she was excited to work in this position. There was additional discussion about merit and COLA increases as well as competitive wages.

Chief Hoyal shared information about Holladay. He noted that there is a suggestion to have a partnership between Holladay and the Town of Brighton for cost savings and economies of scale. The base model was 80% of the cost to Holladay and 20% of the cost to Brighton for the following: Precinct Chief, Executive Lieutenant, Administrative Assistant, and Victim Advocate. There is also a base model of 75% cost to Brighton and 25% cost to Holladay for Sergeant (patrol and investigations supervisor).

It makes sense to have some sharing of resources between the two municipalities. Chief Hoyal explained that assisting Holladay detectives will be equipped with appropriate vehicles for the canyon and equipment for canyon operations. Information about the Holladay/Brighton Precinct was shared. The chart shown indicated the Brighton allocations, Holladay allocations available to Brighton, Brighton allocations available to Holladay, and the shared Holladay and Brighton allocations.

Chief Mazuran discussed SPIDR Tech, which is a program that has been implemented. It is possible for people to rate the response of the department. Some example responses were shared. He noted that there were a lot of highly rated responses, which there is a lot of pride in because it is not always easy to satisfy people in this line of work. Chief Hoyal noted that Mayor Dahle previously asked where UPD ranks across the country because many police departments subscribe to this technology. UPD went back and pulled the statistics from the last part of the year and looked at agencies that received at least 1,000 responses. Of the top 20 police departments, UPD came in at number four. The highest department had a ranking of 4.77 whereas UPD is ranked at 4.7.

Mayor Dahle referenced the Interlocal Agreement. He clarified that it is a Revised and Restated Interlocal Cooperation Agreement. Ms. Chamness reviewed the scope, which looked at what the committee has been working on for the last six months or so. This includes service delivery, governance, merit systems, and so on. There is a lot that is anticipated to stay the same within UPD. For instance, the concepts of precinct services and shared services as well as the process to determine member fees, weighted voting, the preliminary budget increase maximum, merit system, and

dissolution process. Mayor Dahle shared additional information about weighted voting and the merit system. Though the existing merit system will no longer be required after UPD separates from the Sheriff, he noted that UPD will continue the existing merit system for officers and civilian staff. Mr. Godfrey stated that the Interlocal Agreement allows the Board to adopt a merit system policy.

Mr. Godfrey discussed the dissolution provisions. Those were complicated previously, but what is proposed in the revised agreement looks to be simpler. Ms. Chamness reviewed some of the differences proposed. The governance structure is proposed to be simplified, with the UPD Chief and CEO reporting directly to the UPD Board rather than the Sheriff reporting to the UPD Board.

Council Member Fotheringham asked whether there is a difference between a complete dissolution as opposed to one member exiting. It was confirmed that there is a difference, as dissolution refers to the entire organization. Ms. Chamness further reviewed the governance structure and reiterated that there is no Sheriff. Mayor Dahle stated that it has always been the choice of the members to choose their own Precinct Chief, but some members wanted a bit of a say in whether a Precinct Chief will be removed or not. Ms. Chamness noted that the new agreement will provide some clarity around member fund balances. It clarifies that members may use their own fund balance to reduce the member fee. Alternatively, it can be requested that the amount be returned. The fund balance will also be paid out to a vested departing member. Mayor Dahle discussed the Holladay Precinct Fund Balance. Ms. Chamness next reviewed changes to the amendment process. There are provisions about the admission of new members to the model, provisions around withdrawals, and there are also penalties for failure to pay the member fee.

The next steps were reviewed. Ms. Chamness reported that the UPD Board will likely ratify the agreement on March 13, 2024. It will then be sent back to all of the members for consideration. The hope is that this will be done quickly. As a result, there have been discussions about holding the public hearing during a City Council Meeting and then voting on the agreement at the same meeting. Mayor Dahle explained that normally, the public hearing and vote are held during separate meetings, but in this case, there is a desire to move this forward fairly quickly to ensure that it is finalized. Mayor Dahle thanked everyone at UPD for their hard work and professionalism throughout this process. There was additional discussion about shared services and resources available to Holladay.

b. 2024 Paving Program.

Jared Bunch, City Engineer reported on the total percentage of pavement preservation in the City. He noted that this year, the work will be dialed down, as a lot of the money allocated in the bond for road pavement has been spent. He explained that there will be some mill and overlay work in several locations, including 2000 East (3900 South to Lincoln), Woodside Drive, Alison Circle, Sands Drive, Osage Orange Avenue, Nations Way & 5685 South, and Hillsden Drive (Holladay Boulevard to bend). There will also be level course and micro surface work on 6200 South. A map was shared.

Mayor Dahle noted that at some point, in front of Apollo Square, it will be repaved from where the cement ends to the new overlay. Mr. Bunch explained that a lot of that work will be done by the developer. Some small sections are not required to be done within the Development Agreement, so there will likely be conversations with the developer to address those sections.

c. Curb and Gutter Replacement Priorities.

Mr. Bunch shared information about curb and gutter projects for 2024. There are a few possible projects the bond money can be spent on. He will share some of the options as well as a recommendation. Some of the funds budgeted for curb and gutter have already been spent. He explained that the City tries to focus on the streets that are being repaved, so a re-pavement program is created, and then the curb and gutter on those streets is looked into. The budget approved for the bond was \$850,000. \$340,000 of that has been spent and \$510,000 remains for additional work.

There are three possible options to consider. Mr. Bunch explained that the first is to continue to do spot repairs of damaged or sunken gutter sections between 10 feet and 99 feet. The different areas would be prioritized so the worst sections were addressed first. Citizen requests would also be taken into consideration. Another option is to address the long runs. Mr. Bunch stated that this is where the curb and gutter are flat, meaning that it does not drain. Those sections of the gutter are longer than 100 feet.

Mayor Dahle asked if there is an estimated cost per foot to replace curb and gutter. Mr. Bunch stated that the average is \$65 per foot. He explained that the third option to consider is new construction. Normally, there is a new curb and gutter when a house is torn down and rebuilt or redevelopment occurs. He noted that there are some places in the City where he would prefer to see concrete curb and gutter put in.

When the assessment was done, \$896,000 of possible repair work was identified. Since that was over budget, it was narrowed down to the higher priority items. That resulted in a total of \$504,000. Most of that would be spent on 4,200 linear feet of spot repairs. 2,745 linear feet of the long runs could be done and 315 linear feet of new construction could be done. Mayor Dahle asked about the budget with the County and how much of that went towards road work. Ms. Chamness stated that this was accounted for in the \$200,000 of pavement work that was identified previously. City Staff can look into some possible options if the City Council is interested in funding all of the repair work.

Mr. Bunch explained that the curb and gutter work would be put out to bid in a week or two. The contractor could then start on the projects at the end of April and work through July or August. If there is a desire to do the full amount, then there will need to be additional discussions. Council Members and staff talked about the possible timeline for the curb and gutter work. Mayor Dahle thought it made sense to wait and see what the initial budget numbers looked like before deciding whether or not all of the curb and gutter work should be done or only the \$504,000 amount should be. A list of proposed spot repair locations proposed long-run locations, and proposed new construction locations was shared. Each location was ranked by priority level and improvement type.

d. Discussion on Proposed Amendments to Home Occupations.

Mayor Dahle believed there was clarity about the proposed amendments to Home Occupations. Mr. Godfrey explained that the impact on the neighborhood needs to be considered for a Home Occupation. He shared information about the parking standards. The parking is now more tailored to the kind of use as opposed to being uniform across commercial businesses and Home Occupations. Council Members wanted the person running the Home Occupation to reside in the residence.

e. Calendar

Council Meetings – March 21, April 11 and 25, May 2 and 16.

The calendar items were reviewed and discussed during the Briefing Session.

XV. *Closed Session Pursuant to Utah Code Section 52-4-204 and 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.

XVI. *Adjourn.*

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

The City Council Meeting adjourned at approximately 8:30 p.m.

I hereby certify that the foregoing represents a true, accurate, and complete record of the Holladay City Council Meeting held Thursday, March 7, 2024.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **April 25, 2024**