

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

Thursday, September 19, 2024

6:00 p.m.

City Council Chambers

4580 South 2300 East

Holladay, Utah

Briefing Session 5:30 pm

ATTENDANCE:

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

City Staff:

Gina Chamness, City Manager
Stephanie Carlson, City Recorder
Jayme Blakesly, Legal Counsel.

Mayor Rob Dahle began the briefing session at approximately 5:30 p.m. Jayme Blakesly briefed the Council on the Salt Lake County Bond issues and what the Council can and cannot do or say. They should not use city email or phone to advocate for the bond, don't speak on behalf of the city or as a council member. The City can provide factual information (ie direct them to websites, etc.) Tonight is to just listen.

The Council then interviewed the nominees for the Arts Council. Susan McFarlane, Alene Schweri and Carol Spackman Moss. All are very excited to serve on the Arts Council and get involved with the City.

The Mayor reviewed the agenda.

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I. Welcome – Mayor Dahle.

Mayor Rob 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.

Andy White - 5690 S Pheasant Lane and reported that he sent an email to the City Council earlier. His concern relates to the Lighting Ordinance in the City as he was previously told there is no ordinance for residential. He believes there should be one in place for both residential as well as commercial. The properties that caught his attention are on Walker Lane. There are three relatively new homes there and one has 24 lights against a solid fence. There needs to be a City-wide ordinance in place to address these kinds of light-related issues. Mr. White suggested darksky.org as somewhere to start. For example, how to ensure that lights are shining in an appropriate direction and light trespass is kept to a minimum.

Kim Duffy - 2195 Walker Lane. She often hears about private property rights, but when someone installs lights that shine into her bedroom, it is important to ask where their private property rights end and hers begin. There are two empty lots to the east and one empty lot to the south of her property. If lighting is installed on those properties like it has been elsewhere on Walker Lane, that will impact her home. She asked that the City Council consider what can be done there.

IV. Consideration of Ordinance 2024-15 - Amending the Zoning Map for Property Located at 6571 South Big Cottonwood Canyon Road from Residential Multi-Family (RM) to Office, Research, and Development (ORD) Zone.

Council Member Durham moved to ADOPT Ordinance 2024-15 – Amending the Zoning Map for Property Located at 6571 South Big Cottonwood Canyon Road from Residential Multi-Family (RM) to Office, Research and Development (ORD) Zone. Council Member Gray seconded the motion. Vote on Motion: Council Member Gray-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. Ordinance 2024-15 was adopted by a unanimous vote.

V. *Consideration of Resolution 2024-28 - Granting the Advice and Consent of the Council for the Appointment of Members to the Holladay Arts Council.*

Mayor Dahle explained that these are three-year terms, starting October 1, 2024, and ending September 30, 2027.

Council Member Fotheringham moved to APPROVE Resolution 2024-28 – Granting the Advice and Consent of the Council for the Appointment of Members to the Holladay Arts Council. Council Member Gray seconded the motion. Vote on Motion: Council Member Gray-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. Resolution 2024-28 was approved by a unanimous vote.

VI. *City Manager Report – Gina Chamness.*

Manager Chamness shared updates with the Council. She reported that at the urging of Council Member Gray, City Staff met with representatives from the Meals on Wheels program. The City will be partnering with that organization twice a month and that will be supported by City Staff and Council Members. Any Council Members interested in participating can reach out to City Staff.

Ms. Chamness reported that she will be out of town from September 27, 2024, to October 14, 2024. As a result, she will miss the next City Council Meeting. Assistant City Manager, Holly Smith, will be Acting City Manager during that time. She can address any issues that occur in her absence.

VII. *Council Reports and District Issues.*

Council Member Gray reported that there are changes taking place at Cottonwood High School. The first is that the AMES Charter School which is housed in Cottonwood High School will now be under the offices of the Granite School District. One of the results of that will be that Cottonwood High School students will be able to take classes from AMES Charter School and vice versa. There will be more interaction and the student cap will increase by 200 students. This will increase the class offerings for Cottonwood High School students and there will not be as many class conflicts. The second change is that Granite School District has just finalized an agreement with Salt Lake Community College to offer a full Associates Degree Program at Cottonwood High School through Salt Lake Community College. There are a lot of benefits for the students at that school.

Council Member Fotheringham stated that the Arts Council had a dance event last Friday evening, which was a dance concert from SB Dance. He was unable to attend but heard it was well received and approximately 160 people attended. On September 27, 2024, the postponed Summer Concert Series show will take place at 7:00 p.m.

Council Member Durham was able to attend the ribbon cutting for Real Taqueria. The new patio was opened and there were members from the Business Advisory Committee in attendance. It was wonderful to meet with the owner, who started the restaurant when he was 20 years old at the beginning of the COVID-19 pandemic. The business has lasted for five years and now there is a new patio. Council Member Durham also attended the Happy Healthy Holladay Coalition Meeting this week and informed those present that there will be an organ donation informational event held at City Hall on September 26, 2024. It will be at 7:00 p.m. for those interested in learning more.

Mayor Dahle reported that the Youth Council met last night and representatives from the Unified Police Department (“UPD”) attended. There was a presentation by the Special Victims Unit and there was a K9 Officer present. He looks forward to increased messaging about the shared services model. There will be a presentation from Jim Ehleringer from the University of Utah at the Speaker Series. Mayor Dahle expressed appreciation for the Historical Commission and the organization of the presentations.

Mayor Dahle also noted that there were discussions about the Promise Program that started in South Salt Lake and Millcreek. The overarching goal is to reach 100% graduation rates, especially in the Title 1 schools in Millcreek and South Salt Lake. However, there is a desire to expand that conversation to Cottonwood High School to see if there is a role the City can play in participation there.

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

Council Member Fotheringham moved to ADJOURN the 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 a work meeting at 6:55 pm.

a. *Salt Lake County Public Safety Bond Presentation – County Council Member Ann Granato and Associate Deputy Mayor Katherine Fife.*

Mayor Dahle reported that there will be a Salt Lake County Public Safety Bond presentation by County Council Member Ann Granato and Associate Deputy Mayor Katherine Fife. Associate Deputy Mayor Fife reported that Salt Lake County is moving a bond question to the public to finance significant County-wide criminal justice needs and improvements. This has been years in the making. The Salt Lake County Jail has not had a single bed added since 2001 despite the population growth that has occurred.

There has been a lot of conversation about criminal justice reform and how various issues are addressed in Salt Lake County, such as mental health, substance use, and behavioral health needs. There was discussion about what the County needs to do as far as collaboration with municipal and State partners, private non-profits, and other experts in the area to address the holistic needs and intersecting issues related to criminal justice. It was noted that there is a desire to address all of the issues and better understand how those issues intersect.

Although there are solutions outlined as part of the overarching plan, what is being discussed at the current meeting is the bond. Associate Deputy Mayor Fife reported that there are a few different components to the bond: Build Justice and Accountability Center and Expand and Improve County Jail Mental Health Access. She shared information about the Justice and Accountability Center. There are individuals who are involved in smaller crimes or low-level

crimes. Often, these are people who are in crisis or are using substances. It is important that these individuals do not become more involved in the criminal justice system, but are provided with resources, treatment, and behavioral health support. The Justice and Accountability Center will be a place for stabilization. Part of the Justice and Accountability Center will include at least 16 residential treatment beds. It will be possible to better serve them and connect them with resources.

There is also a need to address the jail. Associate Deputy Mayor Fife reported that two facilities make up the County jail. Part of what the bond will do is look at expanding the existing adult detention center. There will be new beds to account for population growth. Part of the adult detention center will include doubling the mental health unit. There will also be some step-down beds.

Mayor Dahle asked if there is data that will show whether the bond will impact the existing homelessness issue. County Council Member Granato explained that it is an integrated population. For a large number of people who are homeless, it relates to mental illness issues. This will make it possible to bring them in, help them find stable housing, help them receive appropriate mental health treatment, and be aware of their location. The Mayor has looked at different programs to assess their effectiveness. Based on that information, this is the proposal that has been made.

Mayor Dahle acknowledged that homelessness is a complicated and multi-faceted problem but noted that this could be a beneficial piece. He believed the report mentioned bringing on 12 DEAs and asked if that was an expansion of the current DEA allocation in the County. The proposal is 10 additional DEAs over a period of five years.

County Council Member Granato shared additional information about the waiver. By bringing in the Medicaid piece, some of the mental health treatment will be covered. Council Member Fotheringham believed the bond component is primarily related to facilities and beds rather than programs and Medicaid funding. He agrees that continuity of mental health treatment is a serious issue, but there is a bit of disconnect between that and what the bond itself will cover. The bond is about funding. County Council Member Granato clarified that there is a combined solution envisioned to address gaps. The intention is to highlight how the Medicaid waiver and bond complement one another.

Council Members relocated across the hall for the remainder of the Work Meeting discussions.

b. *Community Emergency Management Plan – Allison Jester.*

Ms. Chamness introduced the New Emergency Management Coordinator, Allison Jester. She provides support on a part-time basis. Ms. Jester explained that she started in Emergency Management in 2018 when she was working in Utah County under the Emergency Manager there. She learned a lot during her time there and continues to learn more during her time in Holladay. During the Work Meeting, she will share a high-level overview of Emergency Management.

Emergency Management is based on priorities whenever an incident happens. This includes:

- Life Safety;
- Property Preservation;
- Environmental Conservation;
- Incident Stabilization; and

- Continuity of Operations.

The reason Emergency Management is important has to do with the fact that emergencies are local. There are also State and Federal requirements that need to be met. Additionally, if the City ever requires disaster assistance or wants reimbursement, certain boxes need to be checked off to submit for that reimbursement or assistance. Ms. Jester reviewed the requirements that are covered in the Comprehensive Emergency Management Plan (“CEMP”): to have a plan, interim successors, emergency alert authority, designation of an Emergency Manager, and reassign personnel in a disaster. She shared information about the Support Annex A City Roles and Responsibilities shown in the Meeting Materials Packet.

Ms. Jester discussed the Integrated Public Alert and Warning System ("IPAWS") which is a national system that taps into the cellular network and sends out warnings. That was used back in April. In order to have access to this, the City must reach out to the County and request that something be sent out. She next spoke about the designation of the Emergency Manager. Reassignment of Staff in Emergencies has to do with ensuring there is the ability to ask employees to do something else for a short time to support the disaster if there is a disaster declared. This is called out directly in the CEMP.

The elements of the CEMP were reviewed. Ms. Jester explained that it includes Introduction, Concept of Operations, Financial Management Maintenance, Roles, and Responsibilities. She reviewed the phases of the Concept of Operations and the Emergency Coordination Organization. She explained that there is some future training that will occur

Ms. Jester offered to answer questions about the CEMP document and what has been presented. Mayor Dahle stressed the importance of the planning that has been done and the future training. Ms. Jester explained that having a plan and knowing what needs to happen reduces the stress levels in an emergency. There is a reason for the structure and framework that has been created.

c. *Discussion of Proposed Amendments to the City Employee Manual – Gina Chamness.*

Ms. Chamness reported that the Meeting Materials Packet includes an updated version of the City of Holladay Employee Handbook. There are several redline changes for the Council to review:

- Clarification in the definition of temporary/seasonal employees;
- Clarification in the description of employee performance review storage location;
- Addition of language reflecting temporary employee reassignment during an emergency;
- Addition of language reflecting the date of celebration of the Juneteenth holiday;
- Clarification regarding the use of bereavement leave for miscarriage;
- Addition of parental leave as a paid leave category;
- Addition of language reflecting current practice for remote work;
- Clarification of language regarding appropriate use of City vehicles;
- Addition of guidance regarding co-mingling of personal and City social media and accessing of personal social media using City equipment;
- Addition of child/vulnerable adult protections;
- Clarification of discipline for alcohol or drug use on the job.

Ms. Chamness noted that in June, the City Council provided direction to recognize Juneteenth in the way that the State recognizes Juneteenth, which is the closest Monday to June 19th. Ms. Chamness reviewed the proposed bereavement leave language. On Page 26, most of the language reflects the policy that Midvale has adopted for parental leave, but the term is shorter. The previous direction from the Council was integrated into the section. Council Members discussed what is proposed in the Parental Leave section of the Employee Handbook. Mayor Dahle noted that there were previous conversations about an appropriate amount of time. He asked whether Council Members felt four weeks was the right number. Ms. Chamness believes the four weeks reflect the previous discussion, but there is a wide range of options offered in other cities.

Council Member Fotheringham believed the parental leave time could be more generous. He pointed out that Holladay has a smaller staff than some other cities. Council Member Durham noted that since there is such a small staff in place, one absence is more noticed here. Council Member Fotheringham reported that during the previous Work Meeting discussion, there was interest in allowing the leave to be staggered. That could offset some of the impacts of parental leave time. Mayor Dahle asked if six weeks would unduly burden City Staff. Ms. Chamness encouraged the City Council to make the policy decision that they feel is best. Additional discussions were had about the policy and certain circumstances that might arise. The Council expressed support for six weeks' leave.

There was additional guidance on remote work added to the document. Ms. Chamness reported that some employees in some departments, depending on their job responsibilities, can work remotely one day per week. The proposed language mirrors what is happening in practice currently. It also clarifies that no job will be fully remote and there is an expectation that employees will be in the office four days per week. However, that can be changed depending on the needs of the City.

Council Member Gray asked about a situation where an employee has a long-term caretaking need. She wondered whether it might be possible to work with someone in that situation so they could work remotely more than one day a week. It was noted that language could be added that would encourage dialogue between the supervisor and employee. Remote work might be able to address their personal situation. She noted that the City Attorney can determine the appropriate kind of language for this.

There is language on Page 43 about Personal Social Media Participation. Attorney, Jayme Blakesley, shared information about court cases that have occurred. Council Member Gray asked if there is a distinction between reposting and engaging in dialogue. Mr. Blakesley stated that based on the lawsuit, reposting announcements seems to be acceptable. However, if something is posted and dialogue or feedback is invited, this can be problematic. It was clarified that messages like those can be deleted. The requirements for employees are similar in some ways to the requirements for elected officials, but there are differences as well.

The Council discussed policies in place for personal electronic devices and public records requests. Mr. Blakeley noted that if a phone is set to routinely delete old text messages, then there would not be records that remain on the phone as text conversations. As long as it is set to do routinely and it is not only certain topics that are being deleted, then that is an appropriate and defensible practice under GRAMA. The Council next reviewed the Secondary Employment language in the document.

Language was added under the Child and Vulnerable Adult Protection section. Addressing that in policy is important to ensure there is zero tolerance for abuse and that there is a policy to report suspicious or inappropriate behavior. There is also language about background checks.

Ms. Chamness reported that the City of Holladay Employee Handbook will be brought back to the City Council for consideration at the City Council Meeting scheduled for October 3, 2024.

d. Calendar.

- ***Council Meetings – October 3 and 17, November 7 and 21, December 5, 2024.***

The calendar items were reviewed and discussed. Mayor Dahle asked if it is possible to switch the December 5, 2024, City Council Meeting to December 12, 2024, instead. This was confirmed.

IX. 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.

Council Member Durham moved to go into Closed Session Pursuant to Utah State Code Section 52-4-204 and 205 to Discuss Property Acquisition and Disposition. Council Member Quinn seconded the motion. Vote on Motion: Council Member Gray-Aye; Council Member Quinn-Aye; Council Member Fotheringham-Aye; Council Member Durham-Aye; Mayor Dahle-Aye. The motion passed with the unanimous consent of the Council.

The Council convened in a closed session at approximately 8:20 p.m. Those in attendance in the Closed Session included Council Members Durham, Fotheringham, Quinn, Gray, and Mayor Dahle. Others present included Gina Chamness, Jayme Blakesley, Stephanie Carlson, and Holly Smith.

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

Council Member Fotheringham moved to adjourn the Closed Session. Council Member Gray seconded the motion. The Council roll call vote was as follows: Council Members Durham, Fotheringham, Quinn, Gray, and Mayor Dahle in favor. The motion to go out of closed session at 8:28 p.m. passed with a unanimous vote.

X. Adjourn.

Council Member Fotheringham moved to ADJOURN. Council Member Gray 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, September 19, 2024.

Stephanie N. Carlson, MMC
Holladay City Recorder

Robert Dahle, Mayor

Minutes approved: **November 21, 2024**