



# MINUTES – CITY COUNCIL

**Tuesday, March 19, 2019**

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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## City Council Policy Meeting

**Call to Order:** Mayor Jim Miller called the Meeting to order at 6:06 p.m.

### **Roll Call:**

**Present** Mayor Jim Miller, Council Members Ryan Poduska, Stephen Willden, Shellie Baertsch, and Chris Porter.

**Staff Present** City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, City Engineer Gordon Miner, Planning Director David Stroud, Public Works Director Jeremy Lapin, Senior Planner Nora Shepard, and Deputy City Recorder Kayla Moss, Finance Director Chelse Rawlings, Budget and Debt Administrator Justin Sorenson.

Invocation by Council Member Poduska.

Pledge of Allegiance by Council Member Porter.

**Public Input:** None.

### **REPORTS:**

Council Member Baertsch advised that the affordable housing bill was passed at the legislature with no punitive items. The PID possibility passed as well. The Council should discuss to see what wants to be done with it.

Mayor Miller discussed the fact that the tobacco buying age being raised to 21 is being passed in surrounding cities. He thought it would be good to discuss what the City can do and looked into.

### **PUBLIC HEARING:**

**1) Smith Freeland Annexation and Development Agreement, D.R. Horton Applicant, Saratoga Road; Ordinance 19-12 (3-19-19).**

Nora Shepard advised that the staff has been going back and forth with D.R. Horton on the agreement. She asked that the public hearing be opened and then the item be continued.

Krisel Travis advised that she thinks they addressed the concerns Council had.

City Attorney Thurman advised that changes were made by D.R. Horton on the day packets were due so staff hasn't had enough time to review the changes.

Mayor Miller opened the public hearing at 6:18 p.m. No comments were made.

Motion by Council Member Porter to continue the Smith Freeland Annexation and Development Agreement, D.R. Horton Applicant, Saratoga Road; Ordinance 19-12 (3-19-19) to a future meeting, was seconded by Council Member Baertsch.

Vote: Council Members Willden, Poduska, Baertsch, and Porter – Aye

Motion carried 4-0.

**2) FY 2019-2020 Tentative Budget; Resolution R19-11 (3-19-19).**

Budget and Debt Administrator Justin Sorenson advised that this includes all of the requests that the City Manager is suggesting to approve. There were over \$3.5 million of requests and they were able to reduce that to \$1.4 million.

Council Member Baertsch asked if Bluffdale should help pay for some of the new Assistant Deputy Chief in the Police Department. The need for the position is greater because of the Bluffdale police contract.

Council Member Porter advised that the cost of school resource officers is increasing and may need to be subsidized even more in the future and he has concerns about it. Alpine School District does not reimburse as much as other school districts in the state. He has attempted to talk to the district about it without much success.

Council Member Willden is comfortable with everything in the budget. He asked that changes in expense be highlighted so that the public can see it. He also asked to see if staff can look into the cost of a data analyst for the 2020-2021 budget.

Motion by Council Member Willden to approve the FY 2019-2020 Tentative Budget; Resolution R19-11 (3-19-19), was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, Baertsch, and Porter – Aye

Motion carried 4-0.

**BUSINESS ITEMS:**

**1) Resolution Supporting and Encouraging UDOT to Acquire, Develop, and Operate Pony Express Parkway; Resolution R19-12 (3-19-19).**

City Manager Christensen advised that 80% of the road use on Pony Express Parkway is from a different City because of the traffic going to Eagle Mountain. The general fund currently has to take care of repairing and expanding the road. It seems to be very appropriate to have it become a state road.

Council Member Baertsch asked if there is any way to make sure the City can still get things done on the road such as putting in lights if necessary without any hang ups in the future.

City Manager Christensen suggested a line could be put in the resolution to say UDOT would work with the City to develop a corridor plan.

City Attorney Thurman advised that we would still have land use controls around the road.

Motion by Council Member Porter to approve the Resolution Supporting and Encouraging UDOT to Acquire, Develop, and Operate Pony Express Parkway; Resolution R19-12 (3-19-19) adding a line directing staff to work with UDOT to develop a corridor plan was seconded by Council Member Baertsch.

Vote: Council Members Willden, Poduska, Baertsch, and Porter – Aye

Motion carried 4-0.

**2) 2019 Public Works Expansion Contract Amendment, SIRQ Construction; Resolution R19-13 (3-19-19).**

Public Works Director Jeremy Lapin advised the Council that the City already entered into a contract to expand the public works building. The existing shop does not have a fire suppression system. There are already waterlines run to shop so it isn't as expensive to add a suppression system. There is a lot of expensive equipment in the shop that could be lost if a fire started after hours.

Motion by Council Member Baertsch to approve the 2019 Public Works Expansion Contract Amendment, SIRQ Construction; Resolution R19-13 (3-19-19), was seconded by Council Member Willden.

Vote: Council Members Willden, Poduska, Baertsch, and Porter – Aye

Motion carried 4-0.

**City Council Member McOmer arrived at the meeting at 6:48 p.m.**

**3) 2019 Gravity Sewer Improvements Project Contract Amendment, CRS Engineers; Resolution R19-14 (3-19-19).**

Public Works Director Lapin advised that this has been a complicated project. The scope of work has been expanded since CRS was first hired for the project. This isn't only to complete design, it is also to do contract administration. There is about 6 more months of work that are included in the fees.

Motion by Council Member Baertsch to approve the 2019 Gravity Sewer Improvements Project Contract Amendment, CRS Engineers; Resolution R19-15 (3-19-19), 2019 Gravity Sewer Improvements Project Contract Amendment, Newman & Nolan Construction; Resolution R19-15 (3-19-19) and the Suburban Land Reserve (SLR) Sewer Infrastructure Development and Reimbursement Agreement; Resolution R19-17 (3-19-19) was seconded by Council Member Porter.

Vote: Council Members Willden, Poduska, McOmer, Baertsch, and Porter – Aye

Motion carried 5-0.

**4) 2019 Gravity Sewer Improvements Project Contract Amendment, Newman & Nolan Construction; Resolution R19-15 (3-19-19).**

This includes the actual contractor work for the sewer improvements.

Motion by Council Member Baertsch to approve the 2019 Gravity Sewer Improvements Project Contract Amendment, CRS Engineers; Resolution R19-15 (3-19-19), 2019 Gravity Sewer Improvements Project Contract Amendment, Newman & Nolan Construction; Resolution R19-15 (3-19-19) and the Suburban Land Reserve (SLR) Sewer Infrastructure Development and Reimbursement Agreement; Resolution R19-17 (3-19-19) was seconded by Council Member Porter.

Vote: Council Members Willden, Poduska, McOmer, Baertsch, and Porter – Aye

Motion carried 5-0.

**8) Suburban Land Reserve (SLR) Sewer Infrastructure Development and Reimbursement Agreement; Resolution R19-17 (3-19-19).**

This resolution is to reimburse the City for sewer improvements that are being made for the SLR development site.

Motion by Council Member Baertsch to approve the 2019 Gravity Sewer Improvements Project Contract Amendment, CRS Engineers; Resolution R19-15 (3-19-19), 2019 Gravity Sewer Improvements Project Contract Amendment, Newman & Nolan Construction; Resolution R19-15 (3-19-19) and the Suburban Land Reserve (SLR) Sewer Infrastructure Development and Reimbursement Agreement; Resolution R19-17 (3-19-19) was seconded by Council Member Porter.

Vote: Council Members Willden, Poduska, McOmer, Baertsch, and Porter – Aye

Motion carried 5-0.

**5) NRCS Funded Environmental Assessment and Preliminary Engineering Design Services Ranking of Proposals and Award of Engineering Contract; Resolution R19-16 (3-19-19).**

Public Works Director Lapin advised that this would give staff the ability to negotiate the award. It is currently ranked out of the top three right now.

Motion by Council Member Willden to approve NRCS Funded Environmental Assessment and Preliminary Engineering Design Services Ranking of Proposals and Award of Engineering Contract; Resolution R19-16 (3-19-19), was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

**6) Western Hills 2 and 3 Final Plat Extension Request, Susan Palmer Applicant, ~150 West Aspen Hills Boulevard.**

Planning Director Stroud advised the final plat is going to expire in April. They have a buyer for the property currently so they are asking for a 12 month extension.

City Attorney Thurman advised the City is dealing with a rollback tax issue on the property. The county had assessed the tax to the City for the portions of the property that the City owned. The property owner was placed on notice for this with no response. The City paid for it without reimbursement. The property owner never paid their portion of the rollback taxes and their portion of the property is going to auction. He recommended that if this is approved the council include a requirement for the property owner to reimburse the City.

Motion by Council Member Baertsch to approve the Western Hills 2 and 3 Final Plat Extension Request, Susan Palmer Applicant, ~150 West Aspen Hills Boulevard including condition that the payback of the rollback taxes happen within 30 days and including all other staff findings and conditions, was seconded by Council Member Willden.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

**7) Telecommunications Franchise Agreement, FirstDigital Telecom LLC; Ordinance 19-13 (3-19-19).**

City Attorney Thurman advised that this is a standard franchise agreement. They are required to pay municipal franchise tax. The City also has the option to have the business install parallel conduit instead of paying fees.

Motion by Council Member Willden to approve the Telecommunications Franchise Agreement, FirstDigital Telecom LLC; Ordinance 19-13 (3-19-19), was seconded by Council Member Baertsch.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

**9) Willow Glen Reimbursement Agreement, U DA MAN, Inc., LLC Developer; Resolution R19-18 (3-19-19).**

This item wasn't discussed at the meeting.

Motion by Council Member Baertsch to table the Willow Glen Reimbursement Agreement, U DA MAN, Inc., LLC Developer; Resolution R19-18 (3-19-19), was seconded by Council Member Porter.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

**MINUTES:**

1. March 5, 2019.

Council Member Porter advised there was a part of his comments that were left out of the minutes. He asked that they be tabled.

Motion by Council Member Porter to continue the Minutes of March 5, 2019 to the next meeting, with the submitted and posted changes, was seconded by Council Member Willden.

Motion carried Council Members unanimously In Favor.

**REPORTS:**

City Manager Christensen advised that the department updates were put in the packet. He asked if the Council could make a motion to include the slides as public record instead of having the department directors give their presentations.

Motion by Council Member Porter to include the slides as part of public record, was seconded by Council Member Willden.

Motion carried Council Members unanimously In Favor.

**CLOSED SESSION:**

Motion by Council Member Willden to enter into closed session for the purchase, exchange, or lease of property, discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual, was seconded by Council Member Baertsch.

Motion carried Council Members unanimously In Favor

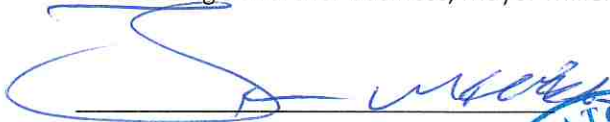
The meeting moved to closed session at 7:01 p.m.

Present: Mayor Miller, Council Members Willden, Baertsch, McOmber, and Porter, Poduska, City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Deputy City Recorder Kayla Moss.

Closed Session adjourned at 7:35 p.m.

**ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 7:35 p.m.



Jim Miller, Mayor

Attest:



Cindy LoPiccolo, City Recorder

Approved: 4-14-19

