

**CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING**

Tuesday, April 27, 2010

Meeting held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

CITY COUNCIL MINUTES

WORK SESSION – Commencing at 6:35 p.m.

Present:

Council Members: Mayor Love, Councilman Poduska, Councilman McOmber, Councilman Miller, Councilman Call, Councilman Tuley

Staff: Lori Yates, Ken Leetham, Spencer Kyle, Jim McNulty, Mark Edwards, Fire Chief Tim Hay, Police Chief Gary Hicken, Mark Chesley, Mark Edwards, George Leatham, Chris Pavia, Jeff Francom, David Funk, Jeff Randall, Travis Clegg

Others: Andrea Sims, Elissa and Merrill Hammond, Aaron Evans, Daren Bender, Aaron Medford, Jackson Medford, John Medford, Kyle Durrant, Justin Buhman, Cole Buhman, Andrew Burnett, Austin Broadbent, Kevin Nelson, Gerald Kammerman, Kaylon Draney, Brandon Thompson, Brian Hadlock, Jay Nelson, Ana Estrada, Nadya Ugarte, Heather Rapp, Jen Klingonsmith

1. Reports:

b. City Council Members

Councilman McOmber announced that the Saratoga Springs pageant will be held on Saturday, May 1, 2010 and he welcomed everyone to attend.

b. Staff

Ken Leetham reminded staff and City Council of the Economic Summit meeting which will be held on Thursday, April 29, 2010 and the Council retreat will be held on Friday, April 30, 2010. Ken also stated that Eagle Mountain City will be holding a joint work meeting with the Council on May 18, 2010.

Andrea Sims, a resident of the City stated that she is opposed to having a ramp located near the Harvest Hills subdivision. Mayor Love indicated that on May 20, 2010 a meeting will be held with the residents of Harvest Hills, there will be representatives from the Utah Department of Transportation and representatives from the Mountain View Corridor which will provide an understanding of this upcoming proposal.

POLICY SESSION – Commencing at 7:00 p.m.

Present:

Council Members: Mayor Love, Councilman Poduska, Councilman McOmber, Councilman Miller, Councilman Call, Councilman Tuley

Staff: Lori Yates, Ken Leetham, Spencer Kyle, Jim McNulty, Mark Edwards, Fire Chief Tim Hay, Police Chief Gary Hicken, Mark Chesley, Mark Edwards, George Leatham, Chris Pavia, Jeff Francom, David Funk, Jeff Randall, Travis Clegg

Others: Andrea Sims, Elissa and Merrill Hammond, Aaron Evans, Daren Bender, Aaron Medford, Jackson Medford, John Medford, Kyle Durrant, Justin Buhman, Cole Buhman, Andrew Burnett, Austin Broadbent, Kevin Nelson, Gerald Kammerman, Kaylon Draney, Brandon Thompson, Brian Hadlock, Jay Nelson, Ana Estrada, Nadya Ugarte, Heather Rapp, Jen Klingonsmith

- **Call to Order by Mayor Love.**
- **Roll Call.**
- **Invocation / Reverence given by Councilman Poduska**
- **Pledge of Allegiance led by a Troop 109**
- **Public Input.**

Mayor Love opened public input.

Elissa Hammond, a resident of Saratoga Springs, stated that she would like to see a library built within the City. She stated that she would like to see a place where residents can be a part of the community.

Aaron Evans addressed the proposed annexation which includes his property. He asked the Council what benefits will be provided to property owners by annexing. He asked if their uses are grandfathered in with this annexation. Ken Leetham stated that the residents should work with City staff to determine their grandfathered status and on the establishment of clear rights that these property owners would have upon annexation. Leetham stated further that the City is willing to document those rights in writing.

Mayor Love closed public input.

Chief Gary Hicken presented citizen commendations to Jody Wright, Anna Estrada and Heather Rapp for their time as a volunteer victim advocates.

1. Presentation by Envision Utah regarding the Blueprint Jordan River.

Jim McNulty introduced Gabe Epperson, with Envision Utah. Gabe presented a proposal on the feedback from surveying, workshops and case studies. He also addressed the board structure of a proposed Jordan River Commission. The purpose of the Commission would be to purchase land, propose the possibility of re-creating the Jordan River and improve the quality of life to residents. Gabe presented a formula of the proposed budget for the investment to the Blueprint Jordan River.

Councilman Tuley stated that we might not see the preservation of those lands if the City does not participate.

Councilman Miller asked if the garbage fish will be addressed in this plan. Gabe stated that the report at this time does not address this issue.

2. Proposed Interlocal Cooperation Agreement between Utah County and the City of Saratoga Springs relating to the Community Development Block Grant Program.

Ken Leetham stated that Michelle Crowell, with Mountainland Association of Governments, is here to discuss the agreement and answer any question the Council might have. Ken then turned the time over to Michelle.

Michelle Crowell gave the Council background information on how the Community Development Block Grant program works. She stated that the County has asked that all surrounding Cities sign an agreement for a three year commitment. She also went through those who would qualify for the CDBG program.

Mayor Love indicated that the City should be a part of this program.

Councilman Poduska pointed out concerns with the civil rights and how this is connected. Michelle Crowell stated that those rights are address in the agreement because this is federal money with federal rights.

Councilman McOmber asked if the City would have control of the applications. Michelle Crowell stated that to be correct.

Councilman Call asked if the program would need to comply with the City's building codes. Michelle Crowell stated that the code compliance would still be expected.

Motion was made by Councilman McOmber and seconded by Councilman Call to approve the Proposed Interlocal Cooperation Agreement between Utah County and the City of Saratoga Springs relating to the Community Development Block Grant Program. Aye: Councilman McOmber, Councilman Call, Councilman Miller, Councilman Poduska. Nay: Councilman Tuley

3. Final Warranty Bond Release for Harvest Hills Plat GG, HH, L, MM and R/S.

Mark Edwards addressed the bond status. Mayor Love asked that issue be resolved before bonds are released. McOmber appreciated the detail described.

Motion was made by Councilman Poduska and seconded by Councilman Miller to approve the Final Warranty Bond Release for Harvest Hills Plat GG, HH, L, MM and R/S. Aye: All

4. Proposed Conditional Use for a shaved ice stand located at approximately 240 East State Road 73, Benders Shaved Ice, LLC, applicant.

Sarah Carroll presented to the Council the proposed temporary conditional use of a temporary shaved ice stand in the Summer Village Commercial parking lot. The stand would operate from May 1, 2010 to September 15, 2010 from 10:00 a.m. to 11:00 p.m., Monday through Saturday.

Councilman Tuley asked if there was electrical outlet near the proposed stand. Mark Chesley indicated that there is a street light pole near the area that they would hook into. Councilman Tuley asked if the parking stalls used for this temporary business would still comply with Code requirements. Ken Leetham stated that there are typically additional stalls to commercial development and that the Code does meet those requirements.

Motion was made by Councilman McOmber and seconded by Councilman Poduska to approve the Proposed Conditional Use for a shaved ice stand located at approximately 240 East State Road 73, Benders Shaved Ice, LLC, applicant. Aye: All

5. Public Hearing: Proposed Revisions to the Land Development Code.

Jim McNulty discussed the revision to the Planning Commission Bylaws. Jim also addressed a reduction to enclosed garage parking standard. This would allow 35 percent reduction to the enclosed parking and carports be allowed 35 percent reduction in covered parking.

Mayor Love opened public input.

Gerald Kammerman, a resident of Saratoga Springs suggested that a separate storage area be provided to the residents of the proposed apartment project.

Mayor Love closed public input.

Councilman Call agreed with allowing a seven voting Commission. He also agreed with the proposed parking.

Councilman Poduska agreed with the recommendations by the Planning Commission. He stated that this is a nice compromise.

Councilman McOmber asked if there has been a consistency in attendance. Jim McNulty stated that we have had the majority of the Commissioners present. Councilman McOmber asked if the existing term dates would stay the same. Jim McNulty indicated that they would. Councilman McOmber also asked if the developers had agreed with the

reduction to the enclosed garage parking. Jim McNulty stated that the developer had proposed a 50 percent reduction at the beginning, but is fine with the current proposal.

Councilman Miller stated that he agrees with a seven member Planning Commission and is fine with the garage proposal.

Councilman Tuley agreed with a seven member Commission. Councilman Tuley asked Ken Leetham about the history and vision of the enclosed garage requirements. Ken Leetham stated that the council in the past had requested that at least on covered garage parking be provided. With this there is some justification to the market.

6. Ordinance No. 10-5 (4-27-10): An ordinance adopting amendments to the City of Saratoga Springs Land Development Code and establishing an effective date.

Motion was made by Councilman Call and seconded by Councilman Poduska to approve Ordinance No. 10-5: An ordinance adopting amendments to the City of Saratoga Springs Land Development Code and establishing an effective date. Aye: All

7. Final Plat and Development Agreement for Just 6 Lots.

Sarah Carroll presented the proposed final plat for Just 6 lots. This particular plat has expired as of September 2008. The applicant is requesting the Council consider reducing the application fee. The applicant feels that the previous fee was adequate and that the current application requires much less attention. Staff is recommending that the Council consider allowing an application fee reimbursement of \$300.00. The applicant is also requesting that the Council waive the requirement for a one year warranty bond.

Councilman Call asked if the secondary water is indefinite. Sarah Carroll indicated that they will need to connect to a secondary water source when provided to the area.

Councilman Poduska asked if the developer would be required to construct the piping for the secondary water. Staff indicated that the developer would be required to install those improvements. Councilman Poduska agreed with reducing the application fees and to waive the warranty bond.

Councilman McOmber stated that he sees no problem with reducing the fee.

Councilman Miller excused himself from this project, due to a conflict of interest.

Councilman Tuley stated that he is fine with the fee reduction. He asked if there would be a second access into the development. Sarah Carroll indicated it might be a possibility in the future. Councilman Tuley asked Chief Tim Hay if he felt that the roads would provide access for the fire vehicles. Chief Tim Hay stated that he is comfortable with the road access.

Motion was made by Councilman Tuley and seconded by Councilman Call to approve the Final Plat and Development Agreement for Just 6 Lots. Money left over from not to exceed \$300.00 Aye: Councilman Tuley, Councilman Call, Councilman McOmber, and Councilman Poduska. Abstain Councilman Miller.

8. Presentation of Quarterly Financial Status Reports by Department.

Travis Clegg, a member of the Citizen Finance Committee spoke briefly on the forecast model. Councilman Miller asked Travis how involved would the committee be with the City audit. Travis indicated that the Committee would like to be involved when the audit is taking place. Councilman Call expressed his appreciation for the time that has been put into this Committee.

Mayor Love suggested a work meeting with the Finance Committee which would be to review the 5 year forecast. She also expressed her appreciation for the service and time that has been put in by the Committee.

Ken Leetham briefly discussed with the Council the current revenue and expenditures for the general fund. He also pointed out that the revenues from the building permits are strong.

Jim McNulty presented to the Council the Planning department expenditures.

Mark Edwards presented to the Council the Engineering department expenditures. General question were asked by the Council at this time.

Mark Chesley presented to the Council the Building departments expenditures.

George Leatham presented to the Council the Public Works departments expenditures.

Chief Gary Hicken presented and reviewed the Police department's expenditures.

Chief Tim Hay presented to the Council the Fire departments expenditures.

9. Consent Calendar:

- a. **Warrant Register.**
- b. **Ratification of Planning Commission Bylaws**
- c. **Final Warranty Bond Release for Bank of American Fork**
- d. **Minutes**
 - i. **March 9 and 30, 2010.**

Motion was made by Councilman McOmber and seconded by Councilman Poduska to approve the consent calendar as written. Aye: Councilman McOmber, Councilman Poduska, Councilman Call and Councilman Tuley. Councilman Miller abstained from item 9.c.

Motion was made by Councilman Poduska and seconded by Councilman McOmber to enter into closed session for the purpose of discussing authorized personnel matters at 9:42 p.m.

The closed session was held at the City of Saratoga Springs City Office 1307 North Commerce Drive, Saratoga Springs, Utah. Present: Mayor Love, Councilman Tuley, Councilman Miller, Councilman McOmber, Councilman Poduska, Councilman Call, Ken Leatham.

Adjourned from closed session at 10:14 p.m.

Motion to adjourn at 10:14 p.m. was unanimous.

Date of Approval

Lori Yates, City Recorder