

**CITY OF SARATOGA SPRINGS  
CITY COUNCIL MEETING**

Tuesday, June 8, 2010

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

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**CITY COUNCIL MINUTES**

**WORK SESSION – Commencing at 6:03 p.m.**

**Present:**

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

**Staff:** Lori Yates, Ken Leetham, Spencer Kyle, Mark Edwards, Fire Chief Tim Hay, Police Chief Gary Hicken, George Leatham, Chris Pavia

**Others:** Lance Madigan, Shellie Baertsch, Bruce and Laurie Champagne, Micah Raventos, Sandra and Amelia Burnett, Brooke King, Darcey Williams, Miss Saratoga Springs Royalty, Jennifer Klingonsmith, Natasha Hodder, Gailen Vick, Crystal Harris, LeAnn Taylor

**1. Discussion of proposed Tentative Budget for Fiscal Year 2010-2011.**

Ken Leetham discussion with the Council the Interdepartmental fund which includes the GIS Technician, Data Collector and a part-time Administrative Assistant. He also touched on the water, sewer and storm drain funds.

The Council discussed the budget and the reserve funds. They also discussed and suggested that the Finance Committee strategize a general reserve fund.

The Council then reviewed the general fund. Councilman Tuley, Councilman Miller and Councilman Call supported the Police Detective. Councilman McOmber and Councilman Poduska did not support the approval of an additional Police Detective.

Councilman Poduska spoke briefly of a library proposal for the City of Saratoga Springs. Mayor Love suggested that a committee be created. Council voiced their support.

**POLICY SESSION – Commencing at 7:03 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, Sarah Carroll, Mark Edwards, Fire Chief Tim Hay, Police Chief Gary Hicken, Chris Pavia

**Others:** Lance Madigan, Shellie Baertsch, Bruce and Laurie Champagne, Micah Raventos, Sandra and Amelia Burnett, Brooke King, Darcey Williams, Miss Saratoga Springs Royalty, Jennifer Klingonsmith, Natasha Hodder, Gailen Vick, Crystal Harris, LeAnn Taylor

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

**Mayor Love opened public input.**

Gailen Vick, with the Stillwater Home Owners Association, stated that the builders within the subdivision are not complying with the architectural guidelines. He asked if there anything that the City can do to be apart of this issue. Ken Leetham suggested that the HOA be a part of the building permit approval process. The City is willing to assist with the HOA, Mark Chesley, the Building Official, is willing to work with the HOA on how the permits are issued.

Natasha Hodder, a resident of the City spoke briefly on creating a library committee.

Micah Raventos, a resident of Harvest Hills suggested that the park within the subdivision have amenities for older children that live in the neighborhood. He suggested having basketball courts.

Sandra Burnett asked the Council for an update with the water treatment. Mayor Love stated that bacteria tests were negative. She also stated that the water contamination could have been from cross connections. The water is being chlorinated at this time with all water wells.

Derek Warren, a resident of Sunset Haven asked if there was any update with the park in the Sunset Haven subdivision. Mark Edwards stated at this time the park is moving forward.

Devar Klingonsmith, a resident of the Sunrise Meadows Subdivision stated that the Alpine School District has extended the distances for which the students will be walking to the nearest schools. He asked if the City is working with district for a walking path. Ken Leetham stated that they have addressed the school district with a status on the walking path. The understanding was that the district is waiting for property right-of-ways. Ken stated that the district has committed to installing the walks. Devar also asked the Council to reconsider the bus garage near the Sunrise Meadows. He feels that this would benefit the residents. Councilman Tuley stated residents are welcome to express their concerns to the Alpine School District as well.

**Mayor Love closed public input.**

Mayor Love commented on the Miss Saratoga Springs pageant. Darcey Williams, with Civic Events, introduced Shalee Allen, as Miss Saratoga Springs, Katrina Kropushek as 1<sup>st</sup> attendant, Kirrah Ottosen as 2<sup>nd</sup> attendant.

Councilman McOmber also commented on the pageant.

Natasha Hodder gave an update on the Triathlon that was held Saturday, June 5, 2010.

Chief Hicken introduced the new officers for the Bluffdale Police Department. He also introduced the Police Records Clerks for both Saratoga Springs and Bluffdale.

Mayor Love then swore in the new police officers.

**1. Public Hearing: Tentative Municipal Budget for Fiscal Year 2010-2011.**

Ken Leetham briefly spoke of the proposed budget and the process the budget goes through prior to adoption.

**Mayor Love opened public input.**

Shelly Baerstch thanked the council for being so frugal and for addressing the current issues within the Harvest Hills subdivision.

**Councilman Poduksa closed public input.**

**2. Proposed Conditional Use for TNT Fireworks located in the parking lot of the Smith's grocery store at approximately 1320 North Redwood Road, American Promotional Events doing business as TNT Fireworks, applicant.**

Sarah Carroll presented to the Council a Conditional Use request to operate a temporary fireworks sales tent in the Smith's parking lot. TNT Fireworks is proposing a 20 by 40 foot sales tent with attached signs. This year an 8' x 20' storage container will also be placed on the site to help with storage and security of the fireworks. The contract the

applicant has secured with Smith's indicates that Smith's will allow them to operate a tent from June 20 to July 8 and July 21 to July 28, 2010. Staff recommends approval.

There was no comment from Council at this time.

**Motion was made by Councilman Call and seconded by Councilman Poduska to approve the proposed Conditional Use for TNT Fireworks located in the parking lot of the Smith's grocery store at approximately 1320 North Redwood Road, American Promotional Events doing business as TNT Fireworks, applicant. Aye: All**

**Subject to staff recommendations dated June 8, 2010.**

**3. Proposed extension of time for completion of improvements in the Saratoga Town Center development project, Phillips Edison and Company.**

Mark Edwards stated that this is a request of an extension of the two-year warranty period from the developer Phillips Edison and Company. Staff recommends approval of this request.

**Motion was made by Councilman Poduska and seconded by Councilman Miller to allow extension time for completion of the Saratoga Town Center development project, Phillips Edison and Company. Aye: All**

**4. Proposed Consulting Agreement for the Saratoga Springs Marina Park Master Plan.**

Jim McNulty presented to the Council a consulting agreement for the Marina Park Master Plan. The Marina Park Selection Committee would recommend that the City Council award this consulting agreement for the Marina Park Master Plan to Landmark Design, Inc.

The Council supports this proposal.

**Motion was made by Councilman McOmber and seconded by Councilman Tuley to approve the Consulting Agreement for the Saratoga Springs Marina Park Master Plan with Landmark Design. Aye: All**

**5. Proposed transaction for the replacement of vehicles in the Police Department.**

Chief Gary Hicken briefly gave an explanation of a proposal which would allow for upgraded vehicles.

Councilman Poduska asked for an understanding on the options presented. Chief Hicken explained the options.

Councilman Call stated that he supports this proposal.

Councilman McOmber stated that he supports this proposal.

Councilman Miller expressed concern with going over the mileage at the end of the lease. But he feels that this is a direction the City needs to take.

Councilman Tuley asked for understanding of the costs of the 2 year lease.

**Motion was made by Councilman Poduska and seconded by Councilman Call to approve the Municipal Lease Proposal. Aye: Councilman Poduska, Councilman Call, Councilman McOmber and Councilman Miller. Nay Councilman Tuley.**

**6. Proposed Right-of-way encroachment agreement between the Bureau of Reclamation, Direct Communications Cedar Valley and the City of Saratoga Springs.**

Mark Edwards stated the Bureau of Reclamation is requesting a three way agreement between the three entities.

**Motion was made by Councilman Miller and seconded by Councilman Poduska to approve the Right-of-way encroachment agreement between the Bureau of Reclamation, Direct Communications Cedar Valley and the City of Saratoga Springs. Aye: All**

**7. Proposed Right-of-way encroachment agreement between the Bureau of Reclamation, City of Saratoga Springs and Desert Peak Management Group LLC. (Western Hills Subdivision)**

Mark Edwards stated that Bureau of Reclamation is requesting that the City enter into an agreement that would make the City responsible for the long term maintenance of that structure canal crossing and any City owned utilities buried under these improvements.

Councilman Tuley asked if there are any fees associated with agreement. Mark stated no, but the City will be responsible for paying the maintenance fees.

**Motion was made by Councilman Tuley and seconded by Councilman McOmber to approve the Right-of-way encroachment agreement between the Bureau of Reclamation, City of Saratoga Springs and Desert Peak Management Group LLC. (Western Hills Subdivision). Aye: All**

**8. Resolution No. 10-18 (6-8-10): A resolution authorizing the Mayor to sign an interlocal agreement between Utah County and the City of Saratoga Springs for the purpose of reimbursement for expenditures made by the City for the Pony Express Parkway Highway Project and establishing an effective date.**

Ken Leetham indicated that the City needs to be reimbursed for expenditures on this project and this agreement will allow this to take place.

**Motion was made by Councilman Call and seconded by Councilman Miller approving Resolution No. 10-18 (6-8-10): A resolution authorizing the Mayor to sign an interlocal agreement between Utah County and the City of Saratoga Springs for the purpose of reimbursement for expenditures made by the City for the Pony Express Parkway Project and establishing an effective date. Aye: All**

**9. Bid award for repairs to Saratoga Road.**

Ken Leetham stated that this repair is to treat problem areas on the road and is short of a comprehensive re-build of the road which may be needed in the future.

**Motion was made by Councilman Tuley and seconded by Councilman Miller awarding the bid to Preferred Paving for the repair of Saratoga Road for an amount of \$46,089. Aye: All**

**10. Bid award for the Welby-Jacob Canal Trail Landscape Project.**

Mark Edwards presented the bid to complete the landscaping along the Welby-Jacob Canal Trail.

**Motion was made by Councilman Miller and seconded by Councilman McOmber awarding the bid to Odyssey Landscape Inc. for the Welby-Jacob Canal Trail Landscape Project in the amount of \$57,795.00. Aye: All**

**11. Review of funding options for secondary water service for Westlake High School and Middle School properties.**

Mayor Love presented this item and indicated that the time had come to address the school secondary water service. Ken Leetham discussed the options that were presented by the school district. The district has agreed to pay for the water but does not agree with paying the impact fees. Ken Leetham suggested to the Mayor and Council that the City enter into an agreement with conditions that were presented to the Council.

**Motion by Councilman McOmber and seconded by Councilman Miller authorizing Mayor Love and Ken Leetham, City Manager to present these conditions to the Alpine School District. Aye: All**

**12. Consent Calendar:**

- a. Warrant Register.
- b. Resolution No. 10-19 (6-8-10): A resolution adopting a Municipal Wastewater Planning Program and establishing an effective date.
- c. Final Warranty Bond Release for Benches Plat 7.
- d. Minutes:
  - i. April 13, 27 & 29, 2010.
  - ii. May 18, 2010.

**Motion was made by Councilman McOmber and seconded by Councilman Poduska to approve the consent calendar as written.**

**Motion was made by Councilman McOmber and seconded by Councilman Poduska to enter into closed session for the purpose of acquisition of real property at 9:22 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 Leetham, City Manager and Spencer Kyle, Assistant City Manager, Mark Edwards.

Adjourned from closed session at 9:46 p.m.

Councilman Tuley asked the Mayor and other Councilmember's if he could discuss the intent of a resolution that was approved in July 2009 next week in the Council work meeting. The Council and Mayor agree to have it placed on the agenda as an item.

**Motion to adjourn at 9:56 p.m. was unanimous.**

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Date of Approval

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Lori Yates, City Recorder