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CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING MINUTES

Tuesday, September 20, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Work Session

There was no Work Session discussion. Informational reports were submitted as follows:

1. Planning Memo: New Applications and Resubmittals.
2. Staff Update: Active Mining and Dynamite Permits.

Policy Meeting

Call to Order: Mayor Jim Miller called the Policy Session to order at 7:00 p.m.

Roll Call:

Present Council Members Shellie Baertsch, Chris Porter, Bud Poduska, Stephen Willden, and Michael McOmer.
Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Public Relations Economic Development Manager Owen Jackson, Police Corporal Merrick Pack, Planning Director Kimber Gabryszak, Finance Manager Chelese Rawlings, Fire Chief Jess Anderson, City Engineer Gordon Miner, Senior Planner Kara Knighton, City Recorder Cindy LoPiccolo

Invocation by Council Member Porter.

Pledge of Allegiance led by Scout Troop 1361.

Public Input:

Mayor Miller invited public input – None.

Reports:

Council Member Porter reported Utah's Fallen Heroes Family Day on September 10, 2016 was well attended, the ceremony included the National Guard and fireworks, and families were appreciative to the City for its involvement.

Council Member Willden reported he is committed to attend a portion of the Joran River Commission Annual Strategic Planning Retreat on September 29, 2016 along with City Planning staff.

Council Member McOmer commented concerning Council's review and action taken on the projects during his absence and noted he concurred with many comments particularly in regard to signage. Council Member McOmer reported receiving several emails and comments concerning secondary water billing issues primarily involving inconsistent meter readings and billing cycles, requested when a substantial amount is owed the benefit of the doubt be given to the resident and requirement for payment deferred until determination of actual water use. Council Member McOmer noted school traffic is substantially improved from last year, and appreciates the coordinated efforts and communication.

Water Open House - Assistant City Manager Kyle presented an overview of the September 13, 2016 Public Open House that provided information concerning water projects and system, the new water rates, tips to reduce water usage, and answered questions concerning irrigation/secondary water billing. Manager Spencer addressed the

54 testing and warranty of the meters advising incorrect readings have not been found, however, higher water use
55 may result from filling pools, using slip and slides, and letting a hose run which will additionally impact sewer
56 fees. He reported utility billing codes are being corrected this billing cycle for approximately 100 older meters,
57 also during the period of the recent installation of 4500 meters there was a delay in transmitting data, residents
58 were only charged base rates, and calls to these residents are now being made to advise future billings will include
59 usage in addition to base rates.

60
61 Council and staff discussed comprehensive outreach on City website outlining tips to reduce water use, noted
62 rebate availability, and that the water system pays for water system costs with the goal to break even with a little
63 set aside for times needed. Staff was requested to inform residents during the calls what the average is for their
64 neighborhood and allotment. Council further discussed the new water rates established to charge higher fees to
65 those using in excess of their allotment, base rates are however lower, and these rates reflect the actual cost to
66 maintain the system and keep the capacity for the residents. City Manager Christensen noted Saratoga Springs is
67 a model currently being looked at by the State who will likely be pursuing similar type of water metering projects
68 for all cities across the state in the future. Assistant City Manager Kyle noted it is a several year process to
69 determine where usage stabilizes, there were some reductions last year and more this year, and believes it will be
70 lower when residents change their watering habits and shift landscaping expectations. In response to Council
71 Member Baertsch, City Manager Christensen reported acre allotments were derived from State standards by the
72 City Engineer. In response to Mayor Miller's inquiry concerning the possibility of someone paying double the
73 impact fee for additional water, City Attorney Thurman advised impact fees only cover system improvement not
74 project improvements and this would not cover the City's costs; Assistant City Manager Kyle noted the City is
75 continuing to charge impact fees to developers to help build the system, impact fees are analyzed every two years,
76 and this partnering allows for new growth to pay for new growth infrastructure and current residents are paying
77 rates to maintain the current system. Council Member McOmber thanked staff for working with the residents,
78 recommended recordation of calls for quality and customer service improvement, and appreciates the residents
79 attending the open house.

80
81 **POLICY ITEMS:**

82
83 **PUBLIC HEARINGS:**

84
85 **1. Budget Amendments; Resolution No. R16-50 (9-20-16).**

86
87 Finance Manager Chelese Rawlings presented the staff report and recommendation for FY 2016-2017 Budget
88 amendments, and outlined the proposed amendments within the General, General Capital, Culinary Impact and
89 Secondary Impact funds.

90
91 Mayor Miller opened the hearing and invited public comment. There being none, closed the hearing.

92
93 Council thanked staff for the recommendation concerning a Public Works Director and focus on necessary water
94 projects.

95
96 Motion by Council Member Baertsch to approve the FY 2016-17 Budget Amendments and Resolution R16-50
97 (9-20-16), was seconded by Council Member Willden

98 Roll Call Vote: Council Members Baertsch, Poduska, McOmber, Willden and Porter - Aye.
99 Motion carried unanimously.

100
101 **2. Water Revenue Bonds, Series 2016 – Consideration for Adoption of a Resolution of the City Council**
102 **of the City of Saratoga Springs, Utah, Authorizing the Issuance and Sale of Its Revenue Bonds, Series**
103 **2016, in the Aggregate Principal Amount of Not to Exceed \$13,000,000; and Related Matters;**
104 **Resolution No. R16-51 (9-20-16).**

105
106 City Manager Christensen presented the staff report and recommendation for adoption of the Resolution
107 authorizing the issuance and sale of water revenue bonds in order to finance the construction of improvements to

108 both the secondary and culinary water facilities of the water system, and outlined proposed City water projects
109 and improvements. City Manager Christensen advised final documents for the Preliminary Official Statement
110 and Bond Purchase contract will be presented at a later date.

111
112 Jonathan Ward, representing Zions Bank Public Finance, reported in regard to the City's water system credit
113 rating, the project list cost has been reduced by half with a large portion funded by developers or others outside
114 of the City, current funds and sources, putting the actual bond issuance approximately ten million dollars. Mr.
115 Ward advised a plan will outline what is borrowed, the annual payment and interest cost, and noted with level
116 payments over a twenty year amortization period the interest cost to the City would be at 2.5%. Mr. Ward noted
117 the borrowing market is currently very inexpensive, the interest rate is at a historic low with marginal impact
118 making it helpful to accomplish more projects at less cost. He noted future discussion will be necessary
119 concerning water rates, a flexible model developed to address how the City will repay these bonds, and it is
120 estimated an additional payment of \$2.5 to \$3 dollars per month over a six year period will be required for
121 repayment.

122
123 Council discussed a plan for level amortization smoothing rate ratios over a period of time preferably beginning
124 next fiscal year, development of a conservative payment structure factoring in growth, noted the option of paying
125 the bonds off ahead of schedule after the tenth year and there is no prohibition from buying the bonds off the
126 market in the event the interest rate goes up. City Manager Christensen noted new impact fees cannot be pledged
127 or counted as a revenue stream toward bond payment. Council Members concurred that water infrastructure is
128 necessary and beneficial to the City to provide for current and future service, and bonding is the fiscally correct
129 means for the provision and getting ahead.

130
131 Mayor Miller opened the hearing and invited public comment

132
133 Kurt Swenson, Bailey Drive, commented in regard to secondary water bill issues, billing inconsistencies and
134 increase. Mayor Miller requested staff and Council Member Willden meet with Mr. Swenson to review his billing.

135
136 There being no other comment, Mayor Miller closed the hearing.

137
138 Motion by Council Member Poduska to approve Resolution R16-55 (9-20-16) authorizing the issuance and sale
139 of its Water Revenue Bonds, Series 2016, in the aggregate principal amount of not to exceed \$13,000,000, and
140 related matters, was seconded by Council Member Willden

141 Roll Call Vote: Council Members Porter, Baertsch, Willden, Poduska, and McOmber - Aye.

142 Motion carried unanimously.

143
144 Resolution No. R16-51 (9-20-16) - A Resolution of the City Council of the City of Saratoga Springs, Utah (The
145 "Issuer"), Authorizing the Issuance and Sale of Its Water Revenue Bonds, Series 2016, In the Aggregate Principal
146 Amount of Not to Exceed \$13,000,000; Delegating to Certain Officers of the City the Power to Approve the Final
147 Terms and Provisions of the Water Revenue Bonds, Series 2016, Within Certain Parameters Previously Adopted
148 By a Resolution of the City; Providing for the Pledging of Certain Revenues for the Payment of Said Bonds;
149 Authorizing the Execution By the Issuer of An Eleventh Supplemental Indenture of Trust, An Official Statement,
150 A Bond Purchase Agreement and Other Documents Required In Connection Therewith; and Authorizing the
151 Taking of All Other Actions Necessary to the Consummation of the Transactions Contemplated By This
152 Resolution; and Related Matters.

- 153
154 3. **Saratoga Springs Commercial – Rezone; Ordinance No. 16-19 (9-20-16)**, Applicant WPI Enterprises
155 (Daniel Schmidt), Owner Utah Valley Turf Farm.

156
157 Planner Kara Knighton presented the staff report and recommendation concerning Saratoga Springs Commercial
158 subdivision and the Applicant's request to rezone from Agriculture to Regional Commercial approximately .63
159 acres located at approximately 1347 North Exchange Drive. Planner Knighton reported a plat amendment was
160 reviewed and approved by the Planning Commission to expand the parcel for the proposed Papa's Express carwash
161 site plan, the west property line is proposed to be extended approximately sixty seven feet (67') to the west into

162 property currently zoned Agriculture, thus both a rezone and plat amendment are required to accompany the site
163 plan.

164
165 Mayor Miller opened the hearing and invited public comment, there being none, closed the hearing.

166
167 Motion by Council Member Porter to approve the Saratoga Springs Commercial rezone and Ordinance 16-19 (9-
168 20-16), was seconded by Council Member McOmber

169 Roll Call Vote: Council Members Poduska, Baertsch, Porter, Willden, and McOmber - Aye
170 Motion carried unanimously.

171
172 **4. Code Amendments – Land Development Code Sections 19.06 Landscaping & Fencing, Clear Site**
173 **Triangle, 19.14.03 Site Plans, and 19.18 Signs; Ordinance No. 16-20 (9-20-16).**

174
175 Planning Director Kimber Gabryszak presented the staff report and recommendation regarding proposed Land
176 Development Code amendments addressing landscaping and fencing, clear site triangle, site plans and signs.
177 Director Gabryszak reported the amendments primarily clarify and resolve missing provisions and contradictions
178 identified through a recent Site Plan application review.

179
180 Council Member Baertsch noted the slatting on the semi-private fencing along the Redwood Road corridor and
181 within new developments is narrow and essentially private in nature. Director Gabryszak responded the standard
182 is within the engineering code and is one inch (1”) gap and three inch (3”) slat. Council Member Baertsch
183 requested a code amendment to open that requirement wider, and Council requested staff and Code Enforcement
184 review general subdivision fencing for compliance.

185 Council Member Baertsch noted in the clear sight triangle section, the requirement is that the tree canopy be
186 trimmed to an eight foot (8’) clearance and that the trunk be less than twelve inches (12”). She explained a
187 mature tree with a trunk well over 12” may easily have a canopy that extends over the right of way or clear sight
188 triangle and that, as long as the trunk is not itself in the sight triangle, a larger trunk is not a problem. She
189 requested consideration of additional language “and that the trunk, at maturity be less than 12” if the trunk of the
190 tree is located within the clear-sight triangle”.

191 Mayor Miller opened the hearing and invited public comment, there being none, closed the hearing.

192
193 Motion by Council Member Porter to approve the Code amendments for Land Development Code Sections 19.06
194 Landscaping and Fencing with amendment within the clear site triangle section to include language “and that the
195 trunk, at maturity be less than 12” if the trunk of the tree is located within the clear-sight triangle”, Section 19.14.03
196 Site Plans, and Section 19.18 Signs with amendment there may not be more than two (2) directional signs per
197 intersection, the findings and conditions within the staff report, and Ordinance 16-20 (9-20-16), was seconded by
198 Council Member Baertsch

199 Roll Call Vote: Council Members McOmber, Willden, Porter, Baertsch, and Poduska - Aye
200 Motion carried unanimously.

201
202 **5. Papa’s Express Car Wash – Site Plan, CUP, Applicant Mark Phillip, Owner Utah Valley Turf Farm**
203

204 Planner Kara Knighton presented the staff report and recommendation regarding Papa’s Express Car Wash and
205 the Applicant’s request for approval of a Site Plan and Conditional Use Permit for a 4,646 sq. ft. full service
206 carwash on a 1.39 acre parcel at 1347 North Exchange Drive. Planner Knighton noted this agenda item is not a
207 public hearing, reviewed the comments and recommendation of the Development Review Committee, and
208 identified landscaping changes. Planner Knighton affirmed directional signage would be conditioned upon Code
209 section 19.18.

210
211
212 Council discussed possible variance on vaccumes and parking or reduction of parking by one space as the best
213 scenario for the parking requirement as the requirement for this business it is low, concurred preference for the

214 faux windows on the southern exposure under the two awnings for consistency and quality product, however,
215 noted it is a business decision. Council reviewed renderings depicting proposed vacume station canopies and
216 thanked the Applicant for coming to the City and working with the recommendations and requirements.

217
218 Applicant Mark Phillip commented they are looking forward to begin business in the City and they had a good
219 working experience with the Planning and Engineering staff. In regard to the faux windows, commented the
220 vacuums and landscaping will run along that side and hopes this will be satisfactory without going to the additional
221 cost, however, will include the windows if that is wanted. Mr. Phillip introduced Gary Peterson, Premier Car
222 Wash Distributor, reported they have worked with the City Engineer and decreased water use to 18 gallons per
223 car wash, the business will support non-profit organizations, and they hope to begin construction by end of year.

224
225 Amended motion by Council Member Baertsch to approve the Papa's Express Car Wash Site Plan and Conditional
226 Use Permit (CUP), staff findings and conditions, with the added conditions that staff will verify the vacume
227 canopy materials coordinate with the facility, and if it is found the southern exposure is not sufficiently broken up
228 it be required that faux windows be added under the two canopies, and inclusion of a finding that vending machines
229 are allowable outside at the proposed location, was seconded by Council Member McOmber
230 Roll Call Vote: Council Members Baertsch, Poduska, McOmber, Willden, and Porter - Aye
231 Motion carried unanimously.

232
233 **BUSINESS ITEMS:**

- 234
235
236 1. **Madison Meadows (Mountain View II) Ordinance No. 16-21 (9-20-16) Approving a Rezone.**
237 2. **Cowboys Ordinance No. 16-22 (9-20-16) Approving Conditional Rezone.**
238 3. **Legacy Farms Village Plan 1 Plats E and F – Lighting Special Improvement District (SID) Resolution**
239 **No. 16-52 (9-20-16).**

240
241 Planning Director Gabryszak reported public hearings were held concerning the next two ordinances for Madison
242 Meadows and Cowboys, however, as the ordinances were not provided in the packet at the time of hearing and it
243 is requested they be considered for adoption at this time. City Attorney Thurman reported Business item 4 is also
244 a housekeeping item.

245
246 Motion by Council Member McOmber to approve Madison Meadows Ordinance No. 16-21 (9-20-16), Cowboys
247 Ordinance No. 16-22 (9-20-16), and Legacy Farms Village Plan 1 Plats E and F Lighting SID Resolution No. 16-
248 52 (9-20-16), was seconded by Council Member Baertsch
249 Roll Call Vote: Council Members Poduska, Baertsch, Porter, Willden, and McOmber - Aye
250 Motion carried unanimously.

- 251
252 4. **Saratoga Springs Zone 1 North Pond Project Engineering Services Agreement with Hanson, Allen &**
253 **Luce, Inc. (Engineers), for design, engineering, and construction management services, not to exceed**
254 **\$210,500. Project Work Plan SCOPES, 0-5 Year Capital Projects for Water Systems – Priority**
255 **Secondary System and Culinary System Preliminary Cost Estimates.**

256
257 City Manager Mark Christensen presented the staff report and recommendation concerning the contract for the
258 Zone 1 North Pond Project, and reported five other project agreements will be presented to Council for approval
259 at the next Council meeting. City Manager Christensen advised the City is moving forward with several projects
260 for design work getting ready for construction, the design projects will be completed as quickly as possible, and
261 there is a good plan in place. Assistant City Manager Kyle explained the mechanism for contractual incentives
262 and noted the City Attorney's recommendation for inclusion of a provision that the City will receive
263 reimbursement of actual damages in the event a deadline(s) was not met.

264
265 Motion by Council Member Baertsch to approve the Saratoga Springs Zone 1 North Pond Project Engineering
266 Services Agreement with Hanson, Allen & Luce, Inc. (Engineers), for design and engineering services during
267 construction, not to exceed \$210,500, was seconded by Council Member McOmber

268 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, and Baertsch - Aye
269 Motion carried unanimously.

270
271 **APPROVAL OF MINUTES:**

272
273 **August 30, 2016.**
274 **September 6, 2016.**

275
276 Motion by Council Member Baertsch to approve the minutes of August 30, 2016 and September 6, 2016, with
277 changes as emailed and posted, was seconded by Council Member Porter
278 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, and Baertsch - Aye
279 Motion carried unanimously.

280
281 **CLOSED SESSION:**

282
283 Motion by Council Member Willden to enter into closed session for the purchase, exchange, or lease of property,
284 discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent
285 litigation, the character, professional competence, or physical or mental health of an individual, was seconded by
286 Council Member Baertsch
287 All In Favor: Council Members Willden, Baertsch, Poduska, McOmber and Porter - Aye.
288 Motion carried unanimously.

289
290 The meeting moved to closed session at 9:18 pm.

291
292 Present: Mayor Miller, Council Members Porter, Willden, McOmber, Baertsch, and City Manager Mark
293 Christensen.

294
295 Closed Session Adjourned at 10:21 p.m.

296
297 **ADJOURNMENT:**

298
299 There being no further business, Mayor Miller adjourned the meeting at 10:22 p.m.

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306 Jim Miller, Mayor



306 Attest:

307
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309 
310 Cindy LoPiccolo, City Recorder

311
312 Approved: *10-4-2016*