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**CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING MINUTES**

Tuesday, October 4, 2016
City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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City Council Work Session

11 **Call to Order:** 6:31 p.m. by Mayor Jim Miller
12 Present Council Members Stephen Willden, Chris Porter, Shellie Baertsch, Michael McOmber, and
13 Bud Poduska.
14
15 Staff City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager
16 Spencer Kyle, Planning Director Kimber Gabryszak, City Engineer Gordon Miner, Public
17 Relations Economic Development Manager Owen Jackson, Senior Planner Sarah Carroll, City
18 Recorder Cindy LoPiccolo
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Code Amendment, Section 19.05.16 – Accessory Dwelling Units (ADUs)

22 Planning Director Kimber Gabryszak opened work session for review of proposed code amendments concerning
23 ADUs as response to numerous public inquiries if an addition of an ADU is allowed in the City, and in review of
24 limitation of new multi-family dwellings to comply with State and Federal moderate income housing
25 requirements. Director Gabryszak reviewed benefits, impacts, and options for specific restrictions and
26 requirements.

27
28 City Manager Christensen explained the Good Landlord Program sponsored by the Utah Apartment Association
29 provides seminars, training, legal documents to assist landlords and managers.
30

31 Council members Porter, Willden and Poduska commented in general acceptance with specific restrictions and
32 requirements in regard to lot size, parking, ADU size, owner occupancy, building and design standards, unit and
33 occupancy limitation, owner leave of absence may not lease to second party, and half acre lot requirement for
34 detached unit; Council Member Porter noted lessees in military service have extraordinary protection. Council
35 Members McOmber and Baertsch commented in opposition to a code amendment concerning ADUs noting formal
36 request has not been submitted by residents, residents are clear they do not want additional multi-family, expressed
37 concerns with enforcement, increase in occupancy counts, allowance and impacts of Air B&Bs; Council Member
38 Baertsch noted if amendment were to pass she recommended, in addition to all other restrictions and conditions,
39 a detached unit setback be the same as the house, an absent homeowner not be allowed longer than a year, and
40 parking be covered as currently required.
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City Council Policy Meeting

44 **Call to Order:** Mayor Jim Miller called the Policy Session to order at 7:05 p.m.
45

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47

Roll Call:

48 Present Council Members Chris Porter, Stephen Willden, Michael McOmber, Bud Poduska, and
Shellie Baertsch.
49 Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager
50 Spencer Kyle, Public Relations Economic Development Manager Owen Jackson, Police
51 Chief Andrew Burton, Planning Director Kimber Gabryszak, Fire Chief Jess Anderson, City
52 Engineer Gordon Miner, Senior Planner Sarah Carroll, City Recorder Cindy LoPiccolo
53

54 Invocation by Council Member McOmber.

55 Pledge of Allegiance led by Scout Connor Monson of Troop 1458.

56

57 **Public Input:**

58 Mayor Miller invited public input.

59

60 Scott Gill, Aspen Hills, noted other Aspen Hills residents in attendance at this meeting, their attendance at the
61 UDOT open house, and advised the neighborhood consensus is that local roads should not be designed to connect
62 into Mountain View Corridor.

63

64 **Presentation:**

65 Swearing in of Youth Council Members was continued to November 1, 2016.

66

67 **Reports:**

68

69 Council Member Willden reported he attended a portion of the Jordan River Commission Annual Strategic
70 Planning Retreat on September 29, 2016, Planner Kara Knighton also attended on the City's behalf bringing up
71 several good points, and noted many of the planned future projects will be of direct benefit to the City. Director
72 Gabryszak advised a copy of the meeting summary will be provided to Council for their information.

73

74 Council Member McOmber reported he attended the Chamber of Commerce luncheon today noting the speaker's
75 presentation was on business engagement, interaction and communication skills; recommended similar business
76 communication training for front and customer service staff.

77

78 Council Member Baertsch advised she attended the Alpine School District bond meeting and reported the District
79 is seeking a bond that would in part provide for an Eagle Mountain high school, a middle-school in Saratoga
80 Springs, elementary schools and she noted in response to residents in American Fork, Orem and Lindon as to why
81 they should vote for the bond, the School District said our west side growth pays for their Title 1 programs; a
82 support sign up sheet and detailed information is available on the District web site.

83

84 Council Member Baertsch reported Cameron Martin of Utah Valley University (UVU) advised they will present
85 their final Master Plan on Friday from noon to 1 pm, and extended an invitation to attend.

86

87 Council Member Baertsch presented a reminder that Friday is the Great Pumpkin Fall Festival at Shay Park,
88 running from 5:30 pm to 8:30 pm with the train and activities; requested staff watch traffic and parking as this is
89 the first festival being held at the park; Chief Burton noted an officer is specifically assigned to this event.

90

91 Council Member Willden reported he has received neutral public feedback concerning the City's use of recording
92 of phone calls. City Manager Christensen advised staff has begun to record calls which were audited by Finance
93 Manager Rawlings and customer service training will be initiated, noted long term issues were found concerning
94 the cataloguing and management of recordings in a searchable capacity, the current retention of recordings is three
95 years which can be amended and staff will bring the data management issue back to Council.

96

97 Director Gabryszak announced new Planner I Jeffrey W. Attermann was recently hired and has begun work in the
98 Planning Department.

99

100 Police Chief Burton presented Aspen Hills Boulevard and Stillwater Drive traffic monitoring reports; Mayor and
101 Council requested the City share information with concerned citizens and post on media. Council Member
102 McOmber requested staff review the matter of buses from Eagle Mountain and possible Thunder Ridge taking a
103 short cut to get back to the bus yard and they are going 30-35 mph through the Sunset Haven neighborhood to
104 avoid 4th South and the Lake View Academy, most are empty; and review for addition of a no parking red curb
105 on one side of Marie Way corner/dead end to defray congestion.

106

107 City Manager Christensen requested Council consider extension of the Market Street soil removal contract to
108 December, 2017 to allow transfer of soils for use at the sports complex; Council concurred.

163 Zone 2 North Pond and Pump Station, not to exceed \$315,000
164 Zone 2 South Pond and Transmission Line, not to exceed \$271,300

165
166 City Manager Christensen presented the staff report and recommendation for service agreements for water projects
167 related to the development of the systems to meet the City's needs, and noted a water project and fiscal impact
168 summary is provided in the written report.

169
170 Motion by Council Member Porter to approve the secondary and culinary water system project agreements with
171 Hansen, Allen & Luce, Inc. (Engineers), for design services and contract management as stated on the agenda,
172 and Resolution R16-53 (10-4-16), was seconded by Council Member McOmber
173 Roll Call Vote: Council Members Baertsch, Poduska, McOmber, Willden, and Porter - Aye
174 Motion carried unanimously.

175
176 **2. Marina Pump Station – Site Plan and Conditional Use Permit (CUP).**

177
178 Senior Planner Sarah Carroll presented the staff report and recommendation regarding the Marine Pump Station
179 Site Plan and CUP applications for the construction of a secondary irrigation pump station at the Marina to collect
180 water from Utah Lake for irrigation in the southern part of the City, and a review of the site, proposed structure
181 design and landscaping.

182
183 In response to Mayor Miller, City Manager Christensen reported the City will be conducting substantial dredging
184 of the lake at its current low level to create a channel to allow water flow, and staff is also working on acquiring
185 additional water rights; he noted the City included a bid alternative to dredge the entire Marina, and staff will be
186 asking Utah Lake Commission to amend the City's application to allow the dredging within the existing grant.

187
188 In response to discussion, Senior Planner Carroll commented she will check if the cupola included on the restroom
189 structure has purpose.

190
191 Council Member Baertsch noted inclusion of sidewalk was beneficial and recommended the timing and decision
192 for the landscape plan coincide with the other half of the marina project, do all at once.

193
194 Motion by Council Member Willden to approve the Marina Pump Station Site Plan and CUP, with all staff
195 findings and conditions, was seconded by Council Member Poduska
196 Roll Call Vote: Council Members Poduska, Baertsch, McOmber, Willden, and Porter - Aye
197 Motion carried unanimously.

198
199 **3. Communities That Care – Interlocal Cooperation Agreement with Utah County for Substance Abuse**
200 **Prevention Services and Communities That Care Prevention Model; Resolution R16-54 (10-4-16).**

201
202 Public Relations Economic Development Manager Owen Jackson presented the staff report and recommendation
203 for adoption of the standard, annual renewal of the Communities That Care agreement with Utah County. Council
204 Members McOmber and Baertsch noted the purpose and services to the community.

205
206 Motion by Council Member McOmber to approve the Interlocal Cooperation Agreement with Utah County for
207 substance abuse prevention services and Communities That Care Prevention Model, and Resolution R16-54 (10-
208 4-16), was seconded by Council Member Baertsch
209 Roll Call Vote: Council Members Poduska, Baertsch, McOmber, Willden, and Porter - Aye
210 Motion carried unanimously.

211
212 **4. Special Assessment Bonds, Series 2016, Mt. Saratoga Assessment Area.**

213
214 A Resolution of the City Council of the City of Saratoga Springs, Utah (the "City"), Designating An Assessment
215 Area for the Purpose of (i) Levying Assessments Against Properties Within the Assessment Area to Finance the
216 Acquisition, Construction and Installation of Road, Storm Water, Sewer, Culinary and Secondary Water, and

217 Related Improvements, (ii) Estimating the Amount of the Assessments To Be Levied and the Method or Methods
218 of Assessments, and (iii) Generally Describing the Period Over Which the Assessments Are to be Paid and the
219 Manner in Which the City Intends to Finance Said Improvements; and Related Matters. Resolution No. R16-55
220 (10-4-16).

221
222 An Ordinance of the City of Saratoga Springs, Utah, Confirming the Assessment List and Levying An Assessment
223 Against Certain Properties In the Mt. Saratoga Assessment Area (the "Assessment Area") to Finance the Costs of
224 Acquiring, Constructing and Installing Road, Storm Water, Sewer, Culinary Water, and Related Improvements;
225 and Related Matters. Ordinance No. 16-24 (10-4-16).

226
227 City Manager Christensen introduced the Resolution and Ordinance for the purpose of moving the bond series
228 process forward.

229
230 Jonathan Ward, representing Zions Bank Financial, reported the Special Assessment Bonds will provide for \$6.5
231 million of public infrastructure improvements within the 500 acres of the Mt. Saratoga Assessment Area which
232 will include a major trunkline, water and sewer lines and some roads in order to further the development of the
233 City. Mr. Ward noted the purpose of the proposed Resolution is to identify the Assessment Area, the Ordinance
234 is a tool for lien of the property, and further legal documents will come before Council at a future meeting in order
235 to authorize the issuance and sale of the bonds.

236
237 City Attorney Thurman reported a last minute amendment was prepared for the proposed Ordinance to provide
238 the City additional protection in the event of default. City Manager Christensen advised the changes are relative
239 to the 2016 legislation providing specifically for easement for access or clear ownership of infrastructure by the
240 City in the event of default, which was a past circumstance and problem. Mr. Ward noted the Indenture of Trust
241 agreement will further clarify this provision.

242
243 In response to Council Member Baertsch, staff and representatives discussed the intent of Section 8 of the
244 Resolution with note that homeowners or builders will not be assessed or affected; City Attorney Thurman
245 recommended review of that section with the Bond Counsel and there was agreement the reference should be
246 made to ERUs in general, and not specific state single family ERUs, which was of concern to Council Member
247 Baertsch.

248
249 Amended Motion by Council Member Baertsch to approve Special Assessment Bond Series 2016, Mt. Saratoga
250 Assessment Area Resolution No. R16-55 (10-4-16) designating an Assessment Area, Ordinance No. 16-24 (10-
251 4-16) Confirming the Assessment List and Levying An Assessment, directing staff to consult with Bond Counsel
252 and change verbage in Section 8 as necessary, and incorporate the changes made today in the Ordinance, was
253 seconded by Council Member McOmber

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

256
257 **APPROVAL OF MINUTES:**

258
259 **September 20, 2016.**

260
261 Motion by Council Member Porter to approve the minutes of September 20, 2016, with changes as emailed and
262 posted, was seconded by Council Member Willden

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

265
266 **CLOSED SESSION:**

267
268 Motion by Council Member Willden to enter into closed session for the purchase, exchange, or lease of property,
269 discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent

270 litigation, the character, professional competence, or physical or mental health of an individual, was seconded by
271 Council Member Porter
272 All Council Members were In Favor.
273 Motion carried unanimously.

274
275 The meeting moved to closed session at 8:30 pm.

276
277 Present: Mayor Miller, Council Members Porter, Willden, McOmber, Baertsch, and City Manager Mark
278 Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, and City Recorder Cindy
279 LoPiccolo.

280
281 Closed Session Adjourned at 8:47 p.m.

282
283 **ADJOURNMENT:**

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285 There being no further business, Mayor Miller adjourned the meeting at 8:47 p.m.

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290 
291 Jim Miller, Mayor

292 Attest:

293
294 
295 Cindy LoPiccolo, City Recorder
296
297 Approved: *11-1-2016*
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