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

Tuesday, May 17, 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

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Call to Order: 6:02 p.m. by Mayor Jim Miller

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Present Council Members Bud Poduska, Shellie Baertsch, Chris Porter, Stephen Willden and Michael McOmber.

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Staff City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Spencer Kyle, Planning Director Kimber Gabryszak, Public Relations Economic Development Manager Owen Jackson, City Engineer Gordon Miner, Recreation Director Heston Williams, Senior Planner Sarah Carroll, City Planner Kara Knighton, City Recorder Cindy LoPiccolo

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Boundary Adjustment and Service Areas in the North – Jacobs Property.

Senior Planner Sarah Carroll presented the staff report concerning the request from Jacobs Property Owner/Development Analyst Boyd Brown for consideration of a boundary adjustment shifting approximately 14.48 acres of property from Saratoga Springs to Lehi City for approximately as a solution for servicing the property due to this property sitting below the Utah Lake Distributing Canal with an elevation change of approximately 32 feet. Planner Carroll reported Mr. Brown states the closest sewer line to connect is 1,400 feet to the south and due to the elevation the only option to service the property by Saratoga Springs would be construction of a pump station or adjusting the boundary with services coming from Lehi.

City Engineer Minor confirmed areas south of the canal can be gravity serviced, property north would need to be lifted, and noted flows are highly dependent upon use, some commercial industrial uses are less than residential.

City Manager Christensen advised the majority of the area slopes to the north, property below the canal would require a lift station and there are no plans for this in immediate future. In response to City Manager Christensen's inquiry concerning the Applicant's request for rezone to R-6 and housing as an option for this acreage, Council Members concurred preference to neighborhood commercial, business park, light industrial.

City Attorney Kevin Thurman advised the boundary adjustment is a legislative decision, the options and the right of the Applicant to bring this matter back to Council for vote if they decide to move forward.

Council Members discussed impact to adjacent properties and schools, the value of land and its future tax revenue to the City and expressed a high degree of concern with adjustment of this boundary and possible cascade of other properties going over to Lehi, noted issues with peninsulas, other unresolved property boundaries, and the substantial amount of land that needs to be serviced.

Council Members concurred as a boundary adjustment may have possible broader ramifications this is worth review as a developable area, requested staff return with additional information in regard to costs, operation and maintenance, benefit to the City, possible effects concerning other properties, and analysis of costs versus potential future revenue; Mayor Miller requested the information be brought back sooner than later.

Applicant representative Boyd Brown commented it was their preference to keep the property in Saratoga Springs, however, noted approximate cost of a regional pump station and inquired next step. Director

53 Gabryszak stated the City can take an application, this would involve working out some of those details over the
54 process, however, staff can work with the property owner.

55

56 **Sports Complex Naming/Theme.**

57

58 Assistant City Manager Kyle opened discussion concerning the naming and/or theme of the Sports
59 Complex, reported a military theme was discussed during subcommittee meeting and the Mayor had a
60 good point it should not be named the same as the Lehi Veterans Memorial Park.

61

62 Council Member McOmber concurred with the military theme and recommended architecture with
63 clean modern lines, beams, noting typically lower cost.

64

65 Council Member Porter suggested an architectural theme drawing inspiration from the old resort, is in
66 agreement with the Mayor's name recommendation, noted military bases typically incorporate a local
67 feel and design, understands the desire for lower construction and design costs.

68

69 Council Member Willden concurred with the suggestions on naming, noted a design combination
70 could be done and possible participation of Camp Williams in events.

71

72 Council Member Baertsch commented they should be careful about too much of a modern and
73 industrial feel, prefers a mix and craftsman architecture, natural woods along with the steel beams;
74 suggested possibly connecting Miss Saratoga Springs Sierra William's veterans memorial project.

75

76 Council Member Poduska concurred the military theme is appropriate, should be honored.

77

78 Mayor Miller advised the design team can build anything with a direction or theme, noted Council
79 Member McOmber's idea for display of military logos.

80

81 **Sign Code Draft Changes.**

82

83 Planning Director Gabryszak introduced discussion concerning electronic signs and snipe signs, reported staff
84 canvassed area cities and presented a table identifying which cities permit these two types of signs, their
85 standards and criteria; reported snipe signs are prohibited in the City with the exception of temporary
86 advertisements such as grand openings with placement on the business property, code enforcement is frequently
87 involved in picking these signs up; businesses are reaching out for permission.

88

89 City Manager Christensen noted these types of signs generally pop up during events such as the Parade of
90 Homes, can be a challenge when a company puts the signs all over, and staff is looking for direction or
91 feedback.

92

93 Council Members concurred in opposition of use of snipe signs for reasons of inability to control placement,
94 number of signs, and content, discussed possible development of permitting for events such as Parade of Homes,
95 with restrictions addressing location and number, requirement for deposit. Director Gabryszak noted the majority
96 of Council is not in support of allowing snipe signs and staff will proceed with that direction at this time, with
97 possible future review of some type of appropriate permitting process.

98

99 Planning Director Gabryszak reviewed the responses and specific restrictions submitted by other cities in regard
100 to electronic signs.

101

102 Council Member McOmber commented he was not in favor of electronic signs noting Saratoga Springs is
103 unique, the decision was made a long time ago the City did not want to look like State Street, the signs are
104 difficult to regulate and control, noted difficulty with control of ticker sign content, once allowed electronic

105 signs would need to be allowed in all commercial areas and business parks, and pointed out people moved to
106 Saratoga Springs because it has less of a heavy commercial feel.

107
108 Council Member Poduska commented he was reluctant in the past to allow these signs, however, now sees it as
109 something in the 21st century, he has become aware restrictions may be imposed and this signage can be
110 regulated and managed with good taste, can be a form of communication, and he would be in favor of it.

111
112 Council Member Baertsch commented she sees enforcement issues allowing electronic signs, standard light
113 metering gear would be necessary, there are few electronic signs currently out that would be within the limits
114 they would find acceptable, the majority of resident she heard from do not want them advising they do not want
115 the City to look like Vegas or other cities that allow them, the signs distract drivers, weary of seeing them in
116 other areas, believes they would be a waste of money and not be beneficial to the mission of Camp Williams and
117 its night trainings. Council Member Baertsch further noted signs would need to turn off by 11 pm to meet the
118 City's dark sky ordinance, and if the City is going to do this she would only want to allow monument signs, not
119 billboards, there should be size restrictions, the City cannot regulate content or graphics and believes there are a
120 lot of things Council is not considering and may be problematic.

121
122 Council Member Porter commented he originally envisioned regulations similar to the City of Bountiful, limit
123 monument signs to a single side and percentage, not every business would be entitled, believes decision about
124 benefit is up to the businesses, as far as Camp Williams restrictions within the overlay make sense, the City
125 would need to regulate, noted businesses have requested some changes in the sign code opening up advertising
126 signage in a limited fashion and believes this would be beneficial to the City.

127
128 Council Member Willden commented he is okay under limited circumstances, requirements in regard to
129 percentage, minimum display, automat dimming, no white background, no flashing, limited candles, limited to
130 commercial areas with sufficient spacing, under specific circumstances does not think there would be a
131 significant impact, businesses can make a determination. Noted Council is only giving comment tonight, not
132 voting, some of the concerns may overwhelm the use, but the City owes it to the businesses to at a minimum
133 consider it.

134
135 Mitch Holiday, Directional Sign Company, South Jordan, representing several builders, clarified the weekend
136 directional signs are posted responsibly for approximately twelve hours, the signs serve to assist people trying to
137 locate the model homes and developments, his business currently serves approximately fifty cities and counties,
138 hoping the door will not be shut as is a benefit to the builders, would be willing to work with staff on options.

139
140 Cameron Allay, representing Edge Homes, Mapleton, commented the issue is these sites do not show up on GPS
141 and assist people, people get upset when they cannot find the homes, requested consideration to allow them to
142 do it in a respectful manner, would regulate them and pick them up within a specified timeframe, hoping to
143 find a way to work this out.

144
145 Mayor Miller requested staff look at the program in South Jordan; Director Gabryszak noted staff will work on
146 this and return to Council.

147
148 **Bicycle and Pedestrian Study Master Plan.**

149
150 Mayor Miller continued this matter.

151
152 **Adjournment:** The Work Session adjourned at 7:08 p.m. to the Policy Session.

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159 **Policy Meeting**

160
161 **Call to Order:** Mayor Jim Miller called the Policy Session to order at 7:08 p.m.
162

163 **Roll Call:**

164 Present Council Members Chris Porter, Stephen Willden, Michael McOmber, Bud Poduska, and
165 Shellie Baertsch.

166 Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager
167 Spencer Kyle, Police Chief Andrew Burton, Fire Chief Jess Campbell, Planning Director
168 Kimber Gabryszak, Finance Manager Chelese Rawlings, Economic Development/Public
169 Relations Manager Owen Jackson, City Engineer Gordon Miner, Recreation and Parks
170 Director Heston Williams, City Planner Kara Knighton, City Planner Jamie Baron, City
171 Recorder Cindy LoPiccolo
172

173 Invocation by Council Member Baertsch.

174 Pledge of Allegiance led by Scout Karlin Mortenson, Troop 1281
175

176 **Public Input:**

177
178 Mayor Miller invited public input.
179

180 Rachel Roberts, Fox Hollow resident, encouraged support and involvement against President Obama's directive
181 for transgender bathrooms.
182

183 Jennifer Klingensmith, Saratoga Springs, commented concerning the ABC Great Beginnings development,
184 expressed opposition to multi-family; requested Council honor the intent of Proposition 6.
185

186 **Presentations:**

187
188 **Eagle Scout Jaden A. Taylor – Talon's Trail Project Proposal.**
189

190 Eagle Scout Candidate Jaden Taylor, sophomore at Westlake High School, presented background and a
191 comprehensive overview of his Eagle Scout project proposal for Talon's Trail mile markers. Scout Taylor
192 reported this project came about from his passion for running and was the idea of a fellow runner, he met with
193 City Manager Christensen, Parks Superintendent Kennington and Assistant City Manager Kyle and the scope
194 for the first phase was ultimately determined to include a trail with half-mile markers running from Westlake
195 High School for 3.5 miles, with future phases covering all the way along Redwood Road. Scout Taylor
196 presented maps prepared by GIS Administrator Brian Gallegos identifying Phase 1 of the trail project and the
197 future trail, marker signage description, and shared pictures of diverse trail users, views from the trail, and
198 scenery along the trail.
199

200 Scout Taylor outlined the City benefits and project cost proposal with a total cost of approximately \$500 for
201 Phase 1 covering materials for five posts and signs, elastomeric paint coating, noting post hole digging and sign
202 artwork is being donated by volunteers. The markers will include the City of Saratoga Springs logo, and if
203 approved, the project can be completed by the end of this summer; inquired if the City would be willing to fund
204 Phase 1 for \$500.
205

206 Council Members concurred this was an excellent project, supported cost of Phase 1, however, encouraged
207 Scout Taylor to additionally reach out to Talons and others that may be willing to donate funds or materials.
208 City Manager Christensen advised the City does not typically fund Eagle Scout projects, however, there is City
209 funding available because this is a trails project and it is distinguished as a trail improvement. Assistant City
210 Manager Kyle clarified the 0 point was decided to be at Pony Express, the markers are movable; Council
211 Member Baertsch recommended staff speak to the new Business Park concerning association of a trailhead.

212 Mayor Miller noted Scout projects add to the community and thanked Jaden Taylor for his research and work;
213 requested Scout Taylor continue working with Assistant City Manager Kyle.

214

215 **3rd Quarter Financial Update.**

216

217 Finance Manager Chelese Rawlings presented the 3rd Quarter budget financial statements for fiscal year 2015-
218 2016, reports include actuals in comparison to the budget up to March 31, 2016, and analysis/overview of the
219 General Fund revenues and expenditures in comparison to last year third quarter.

220

221 Council Members expressed appreciation for the color coding, time spent meeting with them in review and
222 answering questions, making the financial information understandable and easy to read through, caution in
223 regard to expenditures. Council clarified status of the lighting SID program, reporting of contributions and
224 transfers, and adjustment to the election fund. Mayor Miller thanked Finance Manager Rawlings for her work.

225

226 **POLICY ITEMS:**

227

228 **REPORTS:**

229

230 Council Member Porter reported he attended the Camp Williams Community Partnership with Mayor Miller and
231 Planning Director Gabryszak, participated in activities and the meeting afterward, and had the opportunity to
232 have discussion with some neighboring cities; would like to talk with Saratoga Springs developers concerning
233 possible partnership to purchase land or provide easement for preservation and protection up against the border,
234 noting the City would receive funding to maintain the land in perpetuity as an open space or park, and this
235 would additionally assist Camp Williams as they often put up tents right next to the border.

236

237 Council Member Willden reported he was contacted by Fire Department staff concerning neighborhood
238 meetings being scheduled in regard to the training facility. He was interested in how the float the river went –
239 he had a conflict and could not join.

240

241 Council Member McOmber:

242 - thanked staff for arranging fixing the big dip on Riverside Road while the work was still under warranty.

243 - requested staff reach out to UDOT for timing of lights; Assistant City Manager reported staff has contacted
244 UDOT to advise some continuity timing has been lost traveling down Redwood Road, Pony Express changing
245 very quickly and losing natural flow, noting this correction to regulate that three light segment should assist with
246 preventing the traffic build up, knows at Grandview they do not have the ability to change the timing until the
247 expansion comes in and fiber installed.

248 - requested staff additionally seek correction of the light turning into Café Rio and Vasa off Redwood Road
249 programming a green arrow between 5 and 7 pm, many people doing quick u-turns. Council Member Baertsch
250 noted that intersection still has flashing yellow in one direction, south bound needs flashing yellow yielding
251 turn.

252

253 Council Member Poduska reported he had the opportunity to talk to Michael Hawthorn and Wade Williams at
254 Boyer and it was suggested a joint meeting with the Mayor, City Council, City Manager be scheduled
255 concerning the design of The Crossing and the walkable retail area.

256

257 Council Member Baertsch reported:

258 - the Float the River on Saturday excellent, attended by Planning staff and family, included review of river
259 features;

260 - the Annual Utah Lake Festival is Saturday, June 4, from 10am to 2pm at the State Park in Provo; free
261 games, boat rides, information about the current Lake cleanup process and improvement of the species inlet
262 spawning area;

263 - a resident reported graffiti on pedestrian crossing Aspen Hills Blvd west of the school – possibly it has just
264 been cleaned up;

265 - the public comment period for Eastern Lake Mountains Planning Effort on an environment assessment
266 analyzing alternatives for managing target shooting in the Eastern Lake Mountains area was extended to May
267 31; there was an open house at Talon's Cove Golf Course on May 11, many people attended, however, there is
268 still time until May 31 to get on line and make comments on the options: A let the current closure expire, B
269 make the current closure permanent, or C expand the current closure. Council Member Baertsch requested
270 Council and Mayor determine if a desired option should be submitted as a Council/Mayor or individually;
271 advised her preference for option A, believes they are over reaching and there is an enforcement issue with only
272 two BLM officers for eleven counties, they cannot enforce closure. Council Member Baertsch reported their
273 next step is a travel plan for the lake mountain area taking out the extra spider roads that are all over the place
274 and maintaining a better trail system – but it is also the next step to take away ATV traffic noting first they are
275 taking away shooting options then they are taking away ATV options believe if we push for the no closure at all
276 in the hopes that they only close a smaller more strategic area around the petroglyphs; she noted they asked at
277 one of the meetings if they would consider only protecting the petroglyph areas and naming it a destination, they
278 said no there is no other option, the choice is this or that, no other option in between because of that they are
279 forcing us, believe they are over-reaching.

280

281 Mayor Miller reported:

282 - he attended the shooting range ribbon cutting and had the opportunity to address some issues on behalf of
283 residents and others in the community for a request for longer ranges out to 1000 yards, 1200 yards, even to a
284 mile, designed for those participating in special shoots and bigger sports for the area, noting the north end of the
285 county currently does not have this, however, there are many participants residing in Saratoga Springs and
286 vicinity.

287 - he spoke to Mayor Pengra, Eagle Mountain, and is interested in finding out what both cities are considering in
288 regard to continuity of the trail system between the two cities.

289 - North Point Solid Waste Special Service District looking to purchase a new landfill, noted the advantage is it
290 keeps price down and is a good long term strategy for them.

291

292 City Manager Christensen reported the Spring Clean Up report was included at the end of agenda as requested
293 by a couple of the Council Members.

294

295 **PUBLIC HEARINGS:**

296

297 4. **ABC Great Beginnings Rezone & Concept Plan; ABC Great Beginnings Holdings, LLC (Johnny**
298 **Anderson) applicant, SOA Investments LTD owner, Ordinance 16-11 (5-17-16).**

299

300 Mayor Miller introduced the public hearing concerning ABC Great Beginnings Rezone and Concept Plan.

301

302 Planner Kara Knighton presented the staff report and recommendation, reporting the applicant, on behalf of the
303 property owner, is requesting a Rezone from Agriculture to Mixed Use consistent with the Land Use Plan
304 designation of Mixed Use in the General Plan for approximately 3.63 acres located at the northwest corner of
305 Aspen Hills Boulevard and Redwood Road. In conjunction with this request, the applicant is also requesting
306 input on a concept plan for a mixed use development comprised of apartments, retail, and office space,
307 presented and referred to zoning and land use maps. Following the Planning Commission and City Council
308 work sessions, the concept plans were amended reducing the number of apartments from 41 to 31 and 41 to 16.

309

310 Planner Knighton noted the general plan is advisory and not binding, the proposed development plan is
311 generally consistent with the general plan vision for the mixed use zone, the rezone is a legislative matter and
312 Council has significant discretion, and reviewed the two concept plans, densities, proposed elevations, parking
313 requirements and requests for reduction, and options for Council action. Both applicant representatives are here
314 if there are any questions.

315

316 Planner Knighton reported staff received several public comments between the Planning Commission timeframe
317 and this meeting which were compiled and provided to the Mayor, Council and City Recorder – one comment
318 was received twenty minutes ago from Jake Meyer and read into the record as follows:

319 “Please reconsider reducing the parking and keeping the residential unit numbers the same. The streets
320 are narrow and the location is close to a school. Reducing parking would only increase street parking
321 which we definitely do not need. Please do not increase the parking dilemma in our great
322 neighborhood. Jake Meyers “

323
324 Fred Cox, Architect, representing the Applicant, noted the proposed Concept Plan 2 reduces proposed apartment
325 units to 16 and replaces it with office, however, this does not improve the parking requirement, staff was sent a
326 traffic study showing it would work with 15% reduction, as mentioned in the last meeting they could make the
327 retail building slightly smaller and make it office or retail and that would get it down to 15%. They have done
328 whatever they can to minimize impact, rezoning would generate additional taxes for schools and the community,
329 and stated the Owner is willing to go with the 2nd proposal even though losing 11,000 sf, willing to go with the
330 16 units, and willing to remove the restaurant and go to office and retail. Because of deadlines, it would be most
331 helpful if the rezone was approved and conditional upon an approved concept plan.

332
333 Mayor Miller opened the public hearing and invited public comment:

334
335 Patrick Costin, W. Aspen Hills Blvd. commented in opposition of high density, requested keeping the
336 commercial use and eliminating the housing.

337
338 Brandon Beatty, N. Lindy Lane, expressed concern regarding a reduction in parking and possible impact to
339 neighborhood by parking spilling onto Aspen Hills Blvd., and safety from children being dropped off; in support
340 of a sit down restaurant.

341
342 Mayor Miller invited Applicant response to public comment

343
344 Johnny Anderson, Owner, clarified parents would not be allowed to drop children off, with a licensed facility
345 the children must be checked in, and advised they are proposing this mixed use development and would have
346 pride of ownership with an onsite manager ensuring they are maintained and attractive.

347
348 James Anderson, Applicant and Attorney for the Applicants, commented concerning the condition for burying
349 of power lines, would want to talk to staff and Rocky Mountain Power concerning proximity of one of the lines
350 to earthen canal which could be problematic, could bury two of the three lines. City Manager Christensen noted
351 staff would be happy to have a conversation and find out about that, believes there are viable options that can be
352 considered.

353
354 Council Member McOmber commented in regard to high density, if considered, it must be for greater impact,
355 the only high density he has approved was the Wildflower development and with that he felt the density
356 reasonable there because of the Mountain View Corridor freeway that was coming through, voted down all
357 others; knows the land use map shows mixed-use although this is not binding, is a recommendation, he is not
358 favorable of the mixed-use zone and has tried to eliminate it, would prefer to see this as a Neighborhood
359 Commercial (NC) development; noted restaurants do very well, however, even if they have met their parking
360 requirement without reduction they still do not have sufficient parking, reduction is primarily seen with a transit
361 system which the City does not have so he is 0% reduction, his opinion is the best way to make property
362 valuable is to make it NC zoning which allows opportunity for a day care center, retail stores, restaurant, offices,
363 other commercial.

364
365 Council Member Baertsch commented she appreciates the changes decreasing the number of residential units
366 and increase in usable landscape/open space, while this is a product we do not have in the City finds it
367 problematic in regard to approving a lower parking requirement for mixed-use residential as the reason for
368 reduction is typically for transit oriented areas, the City has only one bus which does not stop anywhere near this
369 project. She further commented although this is an interesting concept she does not think this is the right place
370 for this mixed use, pointed out this is a legislative decision and the residents have come out in mass, 90% have

371 come out against having any kind of multi-family with the passage of Proposition 6; believes it is a good
372 concept, however, does not believe this is the right area for the mixed-use zone.
373

374 Council Member Porter concurred with Council Members McOmber and Baertsch, is more in favor of a purely
375 commercial concept, believes this particular lot is not feasible for mixed-use, and he can only support NC.
376

377 Council Member Willden expressed appreciation for the job done trying to do what is possible, believes it to be
378 a good product and can work well, however, promised when elected not to support higher density, and as this is
379 a legislative decision he is in favor of continuing and bringing it back as NC so they don't have to go through an
380 entire new application process; in approval of the rest of the concept with exception of the high density portion.
381 Council Member Willden commented to expedite this as quickly and legally as possible, appreciates it is a good
382 product.
383

384 Council Member Poduska commented Concept 2 is excellent until you get to the word apartments, noted the
385 City is short of office space and supports that, also supports the architecture and elevations.
386

387 Fred Cox commented they are working to meet the due diligence deadline, inquired in this particular case if
388 instead of approving a mixed-use we took the second building that is three stories and dropped a floor putting
389 office on that second floor, eliminate all the residential, does the master plan need to be changed or can Council
390 approve a different zone; or if they drop that other floor and went to office and got parking ratios to work could
391 Council approve a mixed-use with a development agreement specifically saying no residential and that would
392 allow a rezone but fix it so that you are not approving residential.
393

394 Council concurred if possible to make what they are trying to do work at this time, if possible to do so, as a
395 Council, they want to help the developer.
396

397 City Attorney Thurman proposed working with the applicant, waive the application fee for the general plan
398 amendment, notice it for the next meeting or hold a special council meeting to have this approved, that way we
399 can work with applicant meet all the legal requirements and hopefully meet their due diligence deadline.
400

401 Council and staff discussed possible approval as a mixed-use zone with inclusion of an additional condition that
402 there would be no residential. Director Gabryzak noted from a planning perspective they have not recommended
403 this because there would be a zoning map that future property purchaser may refer to and it would say mixed use
404 but it is not mixed use it is a special zone that got created through a condition of approval and the City would
405 have to remember the ins and outs of the development when someone calls in doing their due diligence on a
406 project, however, noted it is possible to do but do not support as good practice. Director Gabryzak determined
407 although it may be problematic with future development it is not in this particular circumstance a huge problem
408 because Council is going to review and address this in the next general plan review and it will be changed, with
409 the Concept use grandfathered non-conforming.
410

411 Council and staff discussed the use and parking requirements. Fred Cox suggested reducing the restaurant to a
412 smaller B restaurant. Planning Director Gabryszak reported the deli requirement is 5 parking spaces/1000 sq.
413 ft., a sit down restaurant requirement is 10 parking spaced/1000 sq. ft., with 15% reduction could still get food
414 served there just not as big of a place, advised the applicant would still be required to come back with a site plan
415 and any parking reduction is approved at that time; recommended approving the mixed-use rezone with
416 condition 3 stricken and replaced with one eliminating the residential, then the applicant proceed into site plan
417 and the 15% parking reduction is okay. Council concurred.
418

419 Motion by Council Member Baertsch to approve the ABC Great Beginnings Rezone and Concept, Ordinance
420 No. 16-10 (5-17-16) with staff findings and conditions, changing Condition 3 to strike the conditional upon an
421 approved site plan and adding a condition that there be no residential as part of the development and direct staff
422 to work with appl on the parking and also that Council might then look at the zoning afterward, was seconded
423 by Council Member McOmber.
424

425 Director Gabryszak requested striking approval of the concept plan, only approving the rezone.

426

427 Amended Motion by Council Member Baertsch to approve the ABC Great Beginnings Rezone, Ordinance No.
428 16-10 (5-17-16) with staff findings and conditions, changing Condition 3 to strike the conditional upon an
429 approved site plan and adding a condition that there be no residential as part of the development and direct staff
430 to work with appl on the parking and also that Council might then look at the zoning afterward, was seconded
431 by Council Member McOmber

432 Roll Call Vote: Council Members Baertsch, Poduska, McOmber, Willden and Porter – Aye
433 Motion carried unanimously.

434

435 **Recess:**

436 Council recessed at 8:43 p.m. and reconvened at 8:49 p.m.

437

438 **ACTION ITEMS:**

439

440 **3. Lake View Terrace PUD, Fence Variations.**

441

442 Senior Planner Sarah Carroll presented the staff report and recommendation concerning a request for variations
443 to fencing requirements in the Lake View Terrace development, a PUD. Planner Carroll reported the lot layout
444 in this development creates a unique challenge where front yards abut side yards on lots at the end of the private
445 drives. The residents and HOA would like approval of a variation under the PUD ordinance to allow fencing
446 that is six feet tall in the front yard for lots on the ends of the private drives.

447

448 City Manager Christensen noted a concern if fencing would preclude the continuation of the trail connection and
449 requested clarification concerning the western boundary requirement addressing the trail.

450

451 Angie Carley, Lake View Terrace, commented she serves on the HOA Board and one other Board members said
452 she would disapprove because of the Ordinance unless it is in writing; noted there is an HOA boundary between
453 the canal and property lines, residents still fence their back but there is still a barrier between the HOA and the
454 canal so you are not butting clear up to that. Council Member Baertsch advised according to City Code you
455 have to leave the trail open, you can only put semi private fencing, if the builder has put in a fence that is not
456 technically Code Enforcement should require removal. Planner Carroll noted if the builder installed the fence at
457 the time of the original development there is a possibility it may have been approved at that time under a
458 different code – we would have to check.

459

460 Council Member Baertsch noted this may have previously been addressed in regard to a similar circumstance
461 with corner lots and it was decided they can fence up to the back of the sidewalk even though that is technically
462 in the neighbors front yard, believes the City needs to give them a variance as it is the same theory and often
463 seen on flag lots.

464

465 Council Member McOmber concurred and recommended approving it as a variation because it is a private
466 street, there should be less of an impact here and it would provide Ms. Carley with the paperwork she needs,
467 Code Enforcement would need to check that it has been done correctly.

468

469 Motion by Council Member McOmber approve the variations to front yard fencing in the Lake View Terrace
470 development, based on the findings and conditions outlined in the staff report, was seconded by Council
471 Member Poduska

472 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, Baertsch – Aye

473 Motion carried unanimously.

474

475 Mayor Miller requested Code Enforcement work with the HOA to make sure if a portion of the development is
476 on that trail corridor and the trail is not blocked and the fence is semi private. Planner Carroll noted she will
477 write a letter to the HOA advising City Council action concerning this matter.

478

479 **4. Heron Hills Park, Design Parameters and Design Cost.**

480
481 Senior Planner Carroll presented the staff report and recommendation reporting the applicant has submitted the
482 final plat application for Phase 4 which includes a park that will be dedicated to the City. The park has not yet
483 been designed and applicant has asked for the parameters of the design, and how that will be funded. The
484 applicant is allocating \$3.33 per square foot to a total of \$528,000 for park improvement costs, has developed a
485 concept plan for the park, requests further direction in order to formalize the parameters for the park design, and
486 proposes the cost of the design be shared.

487
488 Senior Planner Carroll reported the applicant would like to proceed with the infrastructure for Phase 4 while the
489 park design is being finalized, would take his budget and go as far as possible with the improvements and then
490 the City would do the remainder which was determined at previous City Council work sessions.

491
492 Council discussed and concurred with removal of the play structure from the list of improvements. Council
493 directed the applicant/consultant to work with staff and the Parks Design Team in regard to bidding for the
494 design, cost estimate, review and recommendation.

495
496 Motion by Council Member Willden to authorize consultant to proceed with the design of the park in
497 consultation with the City's Park Design Team, with the conditions as listed in the staff report, and removing
498 item 5e the playstructure from the design priority listing, was seconded by Council Member Porter
499 Roll Call Vote: Council Members Porter, Baertsch, Poduska, McOmber, Willden – Aye
500 Motion carried unanimously.

501
502 **1. Fox Hollow Final Plat, N6-8.**

503
504 Senior Planner Carroll presented the staff report and recommendation concerning the request for final plat
505 approval of The Villages at Saratoga Springs (Fox Hollow) Neighborhood 6, Phase 8 which includes six lots as
506 approved within an MDA amendment on May 3, 2016 allowing six lots to be exchanged between Neighborhood
507 6 and 12. Noted the applicant is requesting a variation for a minimum real setback of 20' (an 80% reduction) as
508 was granted for the other phases in Neighborhood 6.

509
510 Motion by Council Member Porter to approve Fox Hollow Neighborhood 6, Phase 8 final plat with inclusion of
511 findings and conditions as outlined in the staff report, was seconded by Council Member Poduska
512 Roll Call Vote: Council Members Willden, Baertsch, McOmber, Poduska, Porter – Aye
513 Motion carried unanimously.

514
515 **2. Western Hills Preliminary Plat, Phases 2 & 3.**

516
517 Planner Jamie Baron presented the staff report and recommendation for the request for approval of the Western
518 Hills Phases 2 & 3 Preliminary Plat, a 39 lot subdivision consisting of 16.025 acres (2.5 lots/acre), in the R-3
519 zone at approximately 150 W. Aspen Hills Blvd. Planner Baron reported the Planning Commission forwarded
520 a positive recommendation with the additional condition that the trail would extend behind lot 211 and connect
521 to the sidewalk on Aspen Hills Blvd.

522
523 Susan Palmer, Applicant, inquired concerning the extension of the trail if the sidewalk was planned for an 8'
524 width, and if the crossing was still required. Planner Baron advised the trail width is required to be 15' wide
525 with 8' hard surface connecting and matching the sidewalk, and the intersection crosswalk striping is required.
526 City Manager Christensen advised there are specific standards for the crosswalk and painted striping, there will
527 be a raised crosswalk there, and the City already provides a school crossing guard a few hundred feet away from
528 that location.

529
530 Council Member Baertsch advised she has one major concern on this plat and that is connectivity, referring to
531 development map explained if you have a right in right out that would negate connectivity, and recommended
532 connection between Rosewood Drive and Aspen Hills Blvd. which would require losing a lot to bring the road

533 through, however, would provide the required connectivity. Council Member Baertsch additionally reminded as
534 that trail section is not wide enough (50') must have semi private fences along the trail corridor.
535

536 City Attorney Thurman noted Council can make that motion based on the connectivity code section.
537

538 City Manager Christensen recommended allowing the developer to determine the location of that connection to
539 an area less apt to draw traffic through the subdivision.
540

541 Motion by Council Member Baertsch to approve the Western Hills Preliminary Plat, Phases 2 & 3, with all staff
542 findings and conditions, and include an additional condition that pursuant to code section 19.12.06 (1)(c)
543 connectivity be established through the neighborhood at the location worked out by staff and the applicant, was
544 seconded by Council Member McOmber

545 Roll Call Vote: Council Members Porter, Willden, McOmber, Poduska, Baertsch – Aye

546 Motion carried unanimously.
547

548 **5. City Street Lighting Special Improvement District (SID) – Adding Saratoga Springs Alpine School**
549 **District Subdivision, Lot 3, Vista Heights Church, Resolution R16-31 (5-17-16).**
550

551 Motion by Council Member Baertsch to approve City Street Lighting Special Improvement District adding
552 Saratoga Springs Alpine School District Subdivision, Lot 3, Vista Heights Church, Resolution R16-31 (5-17-
553 16), was seconded by Council Member Willden

554 Roll Call Vote: Council Members Porter, Willden McOmber, Poduska, Baertsch – Aye

555 Motion carried unanimously.
556

557 **6. Spring Cleanup - Discussion.**
558

559 Assistant City Manager Kyle reported this year's Spring Cleanup just wrapped up, there were ten dumpsters
560 located at Public Works and this year had an increase in tonnage taken to the landfill, it went 71.9 to 84.4 tons a
561 17% increase. City Manager Christensen reported they were also able to reduce man hours from 150 down to
562 44 hours, a significant reduction.
563

564 Mayor Miller noted one reason dumpsters were empty there was room, the guys were able to keep it moved and
565 have it pushed down instead of spilling, it was easier and much more efficient. City Manager Christensen noted
566 it helped staff's ability to keep the dumpsters in view, they did not have contractors using them, only residential
567 stuff.
568

569 Council Member Baertsch commented she is surprised because many residents advised her they could not get
570 out to Public Works.
571

572 Council Member McOmber reported a lot of people were doing loops in the park parking lot, recommended
573 better directional signs, also there was a complaint that certain items were excluded believe furniture etc. and
574 they were turned away, should be allowed.
575

576 Assistant City Manager Kyle responded staff will readdress this next year and change signage, believes the
577 person overseeing this used the same rules as last year when dumping at Pecks had limitations on what could be
578 accepted, however, now going to North Point so next year we will accept everything except hazardous.
579

580 Mayor Miller recommended placement of a separate bin for scrap metal for people to recycle it, saw metal
581 shelving and other metal stuff dumped. Assistant City Manager Kyle concurred that was a good idea and will
582 do that next year, does not want staff to sort through stuff but will have a designated bin.
583

584 Council concurred May to be a good time, gives residents more time to get stuff cleaned up. Assistant City
585 Manager noted they will also consider provision for a future punch pass in addition.
586

587 Mayor Miller thanked Assistant City Manager Kyle and Public Works staff for the Clean Up Program.

588

589 **PUBLIC HEARINGS (Continued):**

590

591 **1. FY 2016 Budget Amendments, Resolution R16-30 (5-17-16).**

592

593 Mayor Miller introduced the public hearing concerning FY 2016 Budget Amendments.

594

595 Finance Manager Rawlings presented the staff report and recommendation concerning additional budgeted
596 expenditures as outlined in the 2015-2016 Budget Amendment Supplemental #6, most of these result from
597 additional monies received from revenue and grants that must balance on the expenditure side. Also included
598 are the roads Impact Fee projects and water meters that were previously reported to Council.

599

600 Mayor Miller invited public comment, being none, Mayor Miller closed the public hearing.

601

602 Council Member Poduska requested indication that a holding number is shown as opposed to an actual number.

603

604 Council Member Baertsch noted Council approved the Foothill Blvd. Alignment Study in the amount of
605 \$64,901 and that amount should be shown in place of the budget holding number of \$50,000, this needs to be
606 changed to the actual amount.

607

608 Motion by Council Member Baertsch to approve FY 2016 Budget Amendments Resolution No. 16-30 (5-17-16)

609 including the change in the Foothill Blvd. Alignment Study to the actual approved bid amount, was seconded by

610 Council Member Porter

611 Roll Call Vote: Council Members Porter, McOmber, Baertsch, Poduska, Willden – Aye

612 Motion carried

613

614 **2. FY 2017 Budget.**

615

616 Mayor Miller introduced the public hearing concerning the FY 2017 Budget.

617

618 Finance Manager Rawlings presented the staff report concerning the Budget Document created using the current
619 budget requests and previous final budget document as a template. Reported the Budget Document is
620 essentially the same, the only information changed in the document from the last meeting is the salary
621 adjustment for Civic Events to include four more hours a week for FY2016-17, and updated the fiscal first aid
622 techniques policy on pages 135-136 to not have x's and just have a list of fiscal first aids that we would apply if
623 those conditions applied.

624

625 Mayor Miller invited public comment, being none, Mayor Miller closed the public hearing.

626

627 Council Member Baertsch noted under Parks capital projects expenditures did not have anything budgeted for
628 the parks expenditures, believes part of that is because there are no numbers yet for example for the sports
629 complex, however, knows there are projects so surprised to not see them included. City Manager Christensen
630 reported Council had prioritized parks and once the projects get further will have some numbers and do a budget
631 amendment, probably utilize some of the five year CIP that we have been setting aside in our capital projects
632 budget to fund a portion of the police station, parks and some other things, so will be having some of those
633 conversations further down the road.

634

635 Council Member Baertsch inquired if Herron Hills costs should be included. City Manager Christensen
636 responded at this point that will come through reimbursement and will include it with the final June amendment.

637

638 Council Member McOmber expressed appreciation for getting that four hours in for the one time 20th
639 celebration, and noted that can assessed that going forward.

640

641 Council Member Willden noted Saratoga Springs is a conservative city through the budget, does not have to
642 increase taxes or fees and provides services where we can; requested semi-annual review the revenue shortfall
643 figures and positions.
644

645 Council Member Porter referred to the bottom of page 45 general fund expenditures showing a change from
646 prior period of 443%. Finance Manager Rawlings responded she will look at what happened and believes the
647 previous cell formula did not pull forward correctly.
648

649 Council Member Porter further noted it appears throughout the document we are projecting a slowing,
650 everything in 2017 negative, and a lot of revenues are expected to drop slightly. Finance Manager Rawlings
651 explained that this is based on economic reports that the City has received, staff does not know yet if that will
652 affect our City. Council Member Baertsch commented we are always conservative in regard to our revenues,
653 we project low revenues. Mayor Miller noted that is a good approach because market is going to potentially
654 drop, it is a conservative philosophy.
655

656 The final public hearing for the FY 2017 budget is scheduled for June 7, 2016.
657

658 **3. Land Development Code Amendments 19.06, Landscaping Large Lot, Ordinance 16-10 (5-17-16).**
659

660 Mayor Miller introduced the public hearing concerning the matter of Code Amendments to Section 19.06–
661 Landscaping Large Lot for public hearing.
662

663 Planning Director Kimber Gabryszak presented the staff report and recommendation reporting this is to fix the
664 issue concerning landscaping requirements increasing the required landscaped area from 1/3 acre to ½ acre on
665 lots ½ acre or greater, any remainder can be left in its native state, however, it is required to comply with
666 nuisance ordinances, the timing remains the same.
667

668 Mayor Miller invited public comment, being none, Mayor Miller closed the public hearing.
669

670 Council Member Willden commented as far as the changes he would like it to be 1/3 acres instead of ½. 1/3
671 acre was the recommendation coming from the original subcommittee. Everyone on the subcommittee
672 supported the 1/3 acre except for one individual. 1/3 acre was what was presented to the Planning Commission
673 and for some reason the proposal was changed during the Planning Commission from 1/3 to ½ with limited
674 discussion. The only comments in the minutes were about water rights. The argument that smaller lots are
675 subsidizing larger lot water rights or bills is false considering larger lots have a higher base rate. ½ acre, staff
676 recommended 1/3, and Council Member Willden is correct that the subcommittee majority recommended 1/3.
677

678 Council Member Baertsch requested staff make sure residents understand this is not going to change their water
679 rights they have to purchase, still going to have the same base rate because we still have infrastructure in for
680 their potential use, and want to make sure residents understand they do not have to fully landscape their entire
681 property. Council Member McOmber concurred that staff communicate that property owners are still
682 responsible for the full amount of water for the required landscaping.
683

684 Motion by Council Member Willden to approve the Land Development Code Amendment to Section 19.06,
685 with the exception of replacing ½ acres changes to 1/3 acres throughout the document, the findings and
686 conditions outlined in the staff report, and Ordinance No. 16-10 (5-17-16), was seconded by Council Member
687 Porter
688

689 In response to Council Member Baertsch, Director Gabryszak Kimber clarified the property owner has to
690 basically draw a 1/3 acre area within their property, they can choose to do the backyard more and front yard less
691 or vice versa, what falls within their front they have to do within a year and what falls within their back they
692 have to do within two years. Council Member Baertsch noted then technically they can landscape just their
693 back yard and not their front yard, does not have a problem with this in a rural area, however, has a problem

694 when you are in a neighborhood with curb and gutter and do not have a fenced front yard, would prefer that it is
695 a requirement to include landscaping in your front yard within that 1/3 acre. Council concurred.
696

697 Amended Motion by Council Member Willden to approve the Land Development Code Amendment to Section
698 19.06, with the exceptions of replacing ½ acres changes to 1/3 acres throughout the document and require
699 inclusion of front yard landscape within that 1/3 acre, the findings and conditions outlined in the staff report, and
700 Ordinance No. 16-10 (5-17-16), was seconded by Council Member Porter

701 Roll Call Vote: Council Members Willden, McOmber, Poduska, Baertsch, Porter – Aye

702 Motion carried unanimously
703

704 **APPROVAL OF MINUTES:**

705

706 **May 3, 2016.**

707

708 Council Member Baertsch changes were posted. Council Member Porter identified his changes as follows:
709

710 Line 40:

711 Council Member Porter thinks that Neptune Park *or the Sports Complex* would be an ideal location for
712 this *monument*. Then perhaps a carriage return, the rest of the paragraph is Mark Christensen's
713 comments, but it sometimes sounds like they are attributed to me.
714

715 Line 133:

716 Council Member Porter mentioned *the Mountain Estates development, which was required to form an*
717 *HOA in order to maintain a small* detention basin in their neighborhood.....Council Member Porter
718 *asked if it was possible to combine park impact fees and water impact fees to make the regional*
719 *detention ponds, if they were also being purposed as a park.*
720

721 Motion by Council Member Baertsch to approve the minutes for May 3, 2016 with corrections as submitted and
722 posted, was seconded by Council Member Porter

723 Roll Call Vote: Council Members Porter, Poduska, Baertsch, McOmber, Willden – Aye

724 Motion carried unanimously.
725

726 **CLOSED SESSION:**

727

728 Motion by Council Member McOmber to enter into closed session for the purchase, exchange, or lease of
729 property, pending or reasonably imminent litigation, the character, professional competence, or physical or
730 mental health of an individual, was seconded by Council Member Willden

731 Roll Call Vote: Council Members Porter, Willden, Poduska, McOmber, Baertsch – Aye

732 Motion carried unanimously.
733

734 The meeting moved to closed session at 9:45 pm.
735

736 Present: Mayor Miller, Council Members Porter, Willden, McOmber, Baertsch, City Manager Mark
737 Christensen, City Attorney Kevin Thurman
738

739 Closed Session Adjourned at 10:15 p.m.
740

741 **ADJOURNMENT:**

742

743 There being no further business, Mayor Miller adjourned the Policy Meeting at 10:15 p.m.
744
745
746

747
748
749
750
751
752
753
754

Attest:

Cindy LoPiccolo
Cindy LoPiccolo, City Recorder

Approved: *6-7-14*



Jim Miller

Jim Miller, Mayor

SWORN STATEMENT

As the Mayor, I presided at a closed meeting of the Saratoga Springs City Council on May 17, 2016.

Pursuant to Section 52-4-206(6)(a) of the Utah Code Annotated, I hereby sign this sworn statement and affirm that the sole purpose for closing the meeting was to discuss (check applicable box):

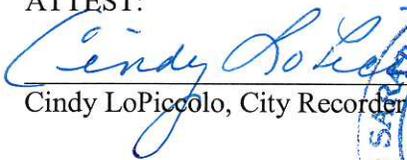
- The character, professional competence, or physical or mental health of an individual.
- The deployment of security personnel, devices, or systems.

SWORN to this 17th day of May, 2016.



Mayor Jim Miller
City of Saratoga Springs, Utah

ATTEST:


Cindy LoPiccolo, City Recorder

