CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING

Tuesday, April 29, 2014
Meeting held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

CITY COUNCIL MINUTES

WORK SESSION-Commencing at 5:45 p.m.

Present:
Council Members: Mayor Miller, Councilwoman Baertsch, Councilwoman Call, Councilman McOmber, and Councilman Willden, Councilman Poduska
Staff: Lori Yates, Mark Christensen, Spencer Kyle, Kevin Thurman, Owen Jackson, Kimber Gabryszak, Jeremy Lapin
Others: Chris Porter, Ryan Poduska, Karalyn Becraft

1. Agenda review:

Councilwoman Call asked staff questions regarding the franchise agreements that are schedule to be review and possibly approved during the policy session tonight. She then discussed several budget questions she had with staff as well.
Councilman McOmber, Councilwoman Baertsch and Councilwoman Call expressed their concerns with adding additional funds to the library budget.

The Council gave direction to Jeremy Lapin to have an RFP for the secondary water meters.

2. Interview potential candidate for the City's Urban Design Committee.

The Urban Design Committee has an opening for a builder representative. Ray Dawson, an employee with Edge Homes had submitted an application. The Council asked Ray many questions with regards to the City's future growth and design of the City. The Council felt the Ray would be a great asset to the City.

3. Discussion of possible adoption of new private road standards.

Jeremy Lapin discussed the revised private road standards and indicated that he would like to see the adoption of these amendments be placed on an upcoming Council agenda.
The Council was fine with staff's proposed private road standards.

4. Discussion of City Code Amendments to Title 18 adding grading permit requirements.

Jeremy Lapin discussed the grading permit amendments with the Council.
The Council had no comment concerning this item.

Adjourned to policy session at 7:08 p.m.

POLICY SESSION- will follow Work Session.

Present:
Council Members: Mayor Miller, Councilwoman Baertsch, Councilwoman Call, Councilman Poduska, Councilman McOmber, and Councilman Willden
Staff: Lori Yates, Mark Christensen, Spencer Kyle, Kevin Thurman, Kimber Gabryzsak, Chief Jess Campbell, Sarah Carroll, Owen Jackson, Chelese Rawlings, Chief Andrew Burton
Others: Chris Porter, Karalyn Becraft, Ryan Poduska, Julie King, Bryan King, Rob Haertel, Vance Twitchell, Kenny Johnson, Tony Mowt, Terri Smart, Beverly Richins, Brandon Richins, Andy Schreyer, Shauna Brown, Bruce Baird, Tiffany Barney, Darren Wright, Jon Tills, Gavin McClellan, Cari Krejci, Bob Krejci, LeeAnn Galloway, Gordon Cook, Elaine Dahle

- **Call to Order by Mayor Miller**
- **Roll Call.**
- **Invocation/Reverence was given by Councilman Poduska**
- **Pledge of Allegiance was led by Jeremy Lapin**

Mayor Miller swore in Jerry Lund, Tyson Frazier and Kenny Johnson as Captains for the Saratoga Springs Fire Department. Chief Jess Campbell gave a briefly biography of each of the Captains.

Mayor Miller opened the public input.

Julie King said that when Riverview Elementary was built, the understanding was that a crossing guard would be provided to assist those students attending the school. That has yet to happen and is asking the Council to follow through with that promise. The city had guaranteed a budget for the crossing guard. We are here to ask that a crossing guard is hired as soon as possible for this location.

Ruth said students that walk to school everyday fear for their lives. They believe that a crossing guard would be best for the area. She asked that the council consider hiring on for this location is a good idea.

Mayor Miller closed the public input.

POLICY ITEMS

1. **Consent Calendar:**
   a. **Resolution R14-23 (4-29-14): Appointing members to the Urban Design Committee.**
   b. **Adopting the Arbor Day Proclamation.**

Councilwoman Call made a motion to approve the consent calendar including the resolution that will appoint Ray Dawson to the Urban Design Committee and was seconded by Councilman Poduska. Aye: councilwoman Call, Councilman Poduska, Councilman Willden, Councilman McOmber and Councilwoman Baertsch. Motion passed unanimously.

2. **Public Hearing: Adopting the Culinary and Secondary Water Impact fee Facilities Plan and Analysis and enacting Culinary and Secondary Water Impact Fees.**

Mayor Miller opened the public input.

No public input at this time.

Councilwoman Baertsch motioned to closed the public input and was seconded by Councilman McOmber. Aye: Councilwoman Baertsch, Councilman McOmber, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.

Councilman McOmber appreciates the work that has been done to complete this plan.

Councilman Poduska asked when the ordinance would take effect.
Kevin Thurman said in 90 days.

Councilman Willden indicated that he supports both ordinances.

Councilwoman Baertsch asked if language needs to be added to address the adjustments.
Jeremy Lapin indicated that he would need to follow through with legal counsel before making any changes.

Councilwoman Call mentioned that both ordinances should be effective in 90 days along with adopting the credit but should decrease the fees later.

Councilwoman Baertsch motioned to approve Ordinance 14-6 (4-29-14): An Ordinance adopting the Culinary Water Impact Fee Facilities plan and Analysis and Enacting Culinary Water Impact Fees. Motion was seconded by Councilman McOmber. Aye: Councilwoman Baertsch, Councilman McOmber, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.

Councilwoman Baertsch motioned to approve Ordinance 14-6 (4-29-14): An Ordinance adopting the Secondary Water Impact Fee Facilities plan and Analysis and Enacting Secondary Water Impact Fees which will take effect in 90 days as per City Code. Motion was seconded by Councilman Willden. Aye: Councilwoman Baertsch, Councilman Willden, Councilman McOmber Councilman Poduska and Councilwoman Call. Motion passed unanimously.

3. Resolution R14-24 (4-29-14): A resolution adopting the Tentative budget for Fiscal Year 2014-2015 and setting a date and time for the public hearing.

Chelese Rawlings appreciates the Council efforts with their thoughts and changes to the tentative budget.

Councilwoman Call appreciates the effort that has gone into this document. She reflected on where we were 4 or 5 years ago and is amazed by the improvements.
She commented that the budget is not perfect and is always going to be changing but appreciates the effort of the finance director to make it into what it is now. She would appreciate the changes mentioned the work session to be incorporated and the research being done and brought back to council. All in all she felt this was a fantastic document, goes to prove why we have received budget awards the last few years and ti was not because of the council. She again thanked staff.

Councilman Poduska is amazed by Chelese Rawlings completion of the budget and commenced her for her work.

Councilman Willden thanked staff for their hard work and how detailed the budget is. Well done!
He requested the staff to explore the need for a project manager to oversee large internal projects during the 2015-2016 budget process.

Councilwoman Baertsch said there is work to still be done to the budget, but will be finalized in the near future.

Councilman McOmber appreciates staff's efforts with preparing the budget. He asked the Council if they would like to see that a recreation director be implemented to the recreation budget and would they support this request.

Councilwoman Call if it pays for its self then she could support it. Has no other question with the tentative budget at this time.

Councilman Willden said that hiring a recreation director would be great thing for the City.

Mayor Miller indicated that this is the direction the City needs to go with the position and suggested it be a place holder.

Councilwoman Baertsch agrees only if the recreation department can sustain its self. Also, we should consider capping the number of children who can play soccer until we know that we have enough coaches for each of the created teams.

Councilman Poduska said that the increase in sports participation would be well worth it and self-sustaining.

Mark Christensen indicated that if the Council is comfortable budgeting the position then we would to come up with a plan on how the funding would occur. The first few years might need to be substitution by other programs but is confident that the program would be self-sufficient.

Councilman McOmber appreciates the efforts of our Civic Events Committee and would like to see a budget for fireworks for Splash days. A budget possibly less than $7,000.

Councilwoman Baertsch stated that the residents have expressed concerns over fireworks and would like to have the Fire Chief provide information regarding fire liabilities if our fire department was to do the fireworks or we hire a professional company.

Councilwoman Call stated that she like the idea of fireworks but not the cost of the fireworks. She's not ok to add the item to the budget but would be willing to go out and find sponsors to fund the fireworks.

Councilman Poduska indicated that the residents need a fireworks show.

Councilman Willden supports adding the fireworks and suggested working to have the fireworks sponsored in the future.

Councilwoman Baertsch indicated that she is not keen on the pay increase for the Council. Our position is to serve the residents.

Councilwoman Call stated that the council had adopted a pay philosophy and it had been discussed in work session. She mentioned scrutinizing pay costs and she mentioned that she struggled with that but was not okay with outliers. She felt stuck between that philosophy and the council pay. There are meetings she is required to pay to attend. A lot of times staff will pay if they go also but she is required to pay for the others. A lot of her meetings are in Taylorsville or Provo and mileage is accrued. She mentioned that it's costly when she has to go 4-6 times a month out of town. She has never submitted for reimbursement for mileage because of her committee assignments she would be the only (council member). She also stated she is not eligible to deduct it on taxes due to IRS regulations. She errs on the side of "we don't need it" but would like to hear from the rest of the council on future stipends.

Councilman McOmber stated that the Council needs to make sure that they are reimbursed of their travel expenses. He would also like to see that the Council be included in the 65 percentile pay plan.

Councilman Willden agrees to support this as a long term solution especially for future candidates.

Councilman Poduska said that as he has reviewed the budget, the pay increase for the Council doesn't seem too substantial.

Councilman Miller would like to see the Council reimbursement for travel expenses.

Councilwoman Call pointed out that this is an uncomfortable conversation for anyone to have. No one wants to vote on their own salary but we don't want to disqualified people. Most of her assignments are out of the city and she has been put on executive and leadership committees that require additional meetings. If someone were not as flexible as she is with work noting that if she had her previous job, she would not be able to do this (fulfill those committee assignments). She does not want to discourage anyone from (fulfilling assignments) by compromising their family finances. She proposed that under 50 miles or lunches.

Mark Christensen what I am hearing is the Council would like to keep the pay increase. The majority of the Council was fine with adding the fireworks to the budget but to put a place holder on the recreation coordinator for now.

Councilman McOmber motioned to approve Resolution R14-24 (4-29-14): a resolution adopting the Tentative Budget for Fiscal Year 2014-2015 and setting a date and time for the public hearing. Seconded by Councilman Poduska. Aye: Councilman McOmber, Councilman Poduska, Councilman Willden, Councilwoman Baertsch and Councilwoman Call. Motion passed unanimously.

4. Approval of Franchise Agreement with CentraComm Interactive, and Avative, LLC.

Kevin Thurman presented both franchise agreement which included the changes made by both the City and both companies.

Councilman Poduska asked if it was possible to change the terms from 10 years to 5 years.
Kevin Thurman stated that the Council is allowed to make revision to these agreements, so if you would like the term to change then staff will make that change.

Councilwoman Call asked that the agreements be consistent and would prefer a 5 year term.

Councilman McOmber appreciates the language in the agreements and he too would ask that the agreements be consistent.

Councilwoman Baertsch said she fine with the 5 year term.

Councilman Willden stated that he is fine with what has been suggested with consistency.

Councilwoman Call made motion to approve Ordinance 14-8 (4-29-14) granting a nonexclusive franchise to operate an Internet Services Network in the City of Saratoga Springs for CentrComm Interactive with staff recommendations and adopting the franchise fee. Seconded by Councilman Willden. Aye: Councilwoman Call, Councilman Willden, Councilwoman Baertsch, Councilman McOmber and Councilman Poduska.

Councilwoman Call made motion to approve Ordinance 14-9 granting a nonexclusive franchise to operate an Internet Services Network in the City of Saratoga Springs for Avaive, LLC including the that the term is changed to 5 years instead of 10 years for autorenewal and adopting the language suggested by legal counsel for franchise fee. Seconded by Councilman Poduska. Aye: Councilwoman Call, Councilman Poduska, Councilman Willden, Councilwoman Baertsch and Councilman McOmber. Motion passed unanimously.

5. Settlement agreement with Capital Assets regarding development of Plat 17 of Saratoga Springs Development (Green Springs).

Kevin Thurman indicated that after several months of negation between both parties a settlement agreement has been agreed to. This will benefit the unimproved area and Capital Assets will improve sections of the open space. Staff finds this agreement to be favorable and recommends approval.

Councilman Willden agrees that it's time to move forward with this development.

Councilwoman Baertsch and Councilwoman Call had no comments at this time regarding this item.

Councilman McOmber stated that he likes the idea.

Councilman Poduska said he is glad to see a mutual agreement between the City and the developer.

Councilman Willden motioned to approve the Settlement Agreement with Capital Assets regarding development of Plat 17 of Saratoga Springs Development. (Green Springs) Seconded by Councilman Poduska. Aye: Councilman Willden, Councilman Poduska, Councilman McOmber, Councilwoman Baertsch and Councilwoman Call. Motion was unanimous.

6. Preliminary Plat for Green Springs Plat 17 of Saratoga Springs Development located at approximately 1855 South Centennial Boulevard, Capital Assets, applicant.

Sarah Carroll presented the Preliminary Plat for Green Springs Plat 17.

Councilwoman Baertsch is pleased to see this development moving forward. She wishes that there was more internal open space but understands the prior requirements. She understands that the residents have expressed concerns with sidewalks be installed but this is a matter that needs to be addressed with the HOA and not the City since the roads are private.

Councilman McOmber stated that he is happy to see single family homes. The soils in this area are horrible and bring great concern because of it. He suggested that Lot 26, 27, 30, and 35 have additional soils testing done prior to a home being built because they are directing located on top of the old wash or make it noted to those lots. He is fine with the proposed trail. For the record we are working on the classification for golf courses.

Councilwoman Call asked staff to direction to the Council regarding the wash issues.

Mark Christensen stated that typically with all construction a Geo Tech report must be completed, this identifies the general conditions on site and then mitigate the outlined conditions. As far as fill or compaction is identify in the Geo Tech reports.

Jeremy Lapin indicated that the building department requires a Geo Tech report and requires imported dirt to be on location.

Councilwoman Call said this development as a whole is great. If the HOA is willing to install sidewalks and trails then she would support that request.

Councilman Poduska and Councilman Willden both stated that they were fine with the plan.

Councilman Poduska motioned to approve the Preliminary Plat for Green Springs Plat 17 of Saratoga Springs Development located at approximately 1855 South Centennial Boulevard, Capital Assets, applicant including the findings and conditions listed in the staff report dated April 29, 2014. Seconded by Councilman Willden. Aye: Councilman Poduska, Councilman Willden, Councilman McOmber, Councilwoman Baertsch and Councilwoman Call. Motion was unanimous.

7. Sign permit for Young Family Dental located at 1416 Redwood Road, Universal Signs, applicant.

Sarah Carroll presented the sign permit plan for Young Family Dental building. Staff has provided three options but the Council can add their own option.

Councilman McOmber said he favors all three requested signs.

Councilwoman Call said that the Council is trying to accommodate the needs of the business and would be willing to support three or four signs but not of fifth sign as our code does not allow it.

Councilman Poduska said our primary concern is to be business friendly. We don't want to see the businesses lose opportunities for advertising and would support the wall sign that faces Redwood Road.

Councilman Willden feels that the proposed signs won't clutter the building and is fine with the proposal.

Councilwoman Baertsch supports what was stated by Councilwoman Call and feels that we are business friendly and would support a total of four signs.

Councilwoman Call wants to make sure we allow businesses to advertise and would support four signs allowing the business owner to place the signs anywhere on the building but only allowing two sign per side.

Councilwoman Call motioned to approve the sign permit for Young Family Dental located at 1416 Redwood Road, Universal Signs, applicant allowing a total of 4 wall signs with the stipulation of no more 2 sign on any one side of the building along with option #2 of the staff findings but removing condition #10 from those findings and allowing for monument sign. Seconded by Council Baertsch Aye: Councilwoman Call, Councilwoman Baertsch, Councilman Willden and Councilman McOmber. Nay: Councilman Poduska. Motion passed.

Sarah Carroll asked the Council to clarify the size limitation for the signs. Councilwoman Call indicated that she is fine with the size limit listed in condition #7.

8. Approving the Israel Canyon drainage channel landscaping and maintenance options.

Jeremy Lapin briefly discussed the previously option and asked that the Council provide direction to staff.

Councilwoman Call said she would be in support of building a trail but suggested that the park subcommittee review this item as far as prioritization.

Councilman Poduska supports building a trail but understands the difficulties of making all property owners happy.

Councilman Willden indicated that he favors option #2 of staff's recommendations.

Councilwoman Baertsch said the connectivity of the trail is great opportunity and to be able to connect the neighborhoods more fully along with increasing the possibilities of recreation.

Councilman McOmber said he is struggling with both option 1 and 2. The purchase of the property would need to be necessary. He would like to see what the cost of the trail would be along with a timeframe.

Kevin Thurman indicated that any sale of property would require a lengthy process and requires some effort. The license agreement could have language that would reduce liability with the City but doesn't mean the court will guarantee the commodification claws.

Mayor Miller said that he would like to see the trail corridor stay the same size if we were to take that direction.

Councilwoman Call asked if selling the current open space in Jacobs Ranch would create a problem with the required open space. The liability of the license agreement is far exceeding what the City would be willing to take in consideration. There needs to be one solution for the entire situation. We have to have continuity.

Councilwoman Baertsch said that also along those lines we need to consider the future maintenance of the area and having access to the area.

The Council agreed to allow the property owners to provide public input regarding this time.

Gavin McClellan said that he recently was made aware of these options. A trail already exists to the area and putting an additional public walkway near our homes brings great security and safety concerns. This brings quick and opportunities for those walking behind their homes. When he bought the house a trail wasn't part of the proposal. The maintenance of the trail is a concern also.

Brandon Richins stated that he would like to see his fence reinstalled. He expressed concerns with the seeds on both sides of his lot. Adding additional fencing will not improve the area. The proposed trail doesn't make since.

Beverly Richins, indicated that she is unhappy with the proposed trail and feels that their property may be vandalized.

Councilman Willden mentioned that he would supports turning the property over to the surround property owners.

Councilman McOmber said he would like to see cost options first before making a decision.

The Council would like staff to provide cost analysis and timing of this proposal.

Gordon Cook expressed concerns with the City wanting to install fencing in certain area. This is a concern along with the maintenance of the trail. As a resident and homeowner there is a lot of holes with this proposal and would like to know how this proposal is going to work.

Councilman McOmber motioned to table the Israel Canyon drainage channel until additional information from staff is gathered. Seconded by Councilwoman Call. Aye: Councilman McOmber, Councilwoman Call, Councilman Willden, Councilwoman Baertsch, and Councilman Poduska. Motion was unanimous.

9. Ordinance 14-10 (4-29-14) Approving the amended Standard Technical Specification and Drawings Manual.

Jeremy Lapin briefed the Council with the amendment which addresses the City's street lighting standards.

The Council and staff discussed the cost of replacing the lights. The Council was fine with the proposed changes.

Councilwoman Baertsch motioned to approve Ordinance 14-10 (4-29-14) approving the amended Standard Technical Specification and Drawings Manual. Seconded by Councilman Willden. Aye: Councilwoman Baertsch, Councilman Willden, Councilman McOmber, Councilwoman Call and Councilman Poduska. Motion was unanimous.

10. Approval of Reports of Action.

Kimber Gabryszak reviewed the approved development items with the Council.

The Council read the report and made a few minor changes to the reports.

Councilman McOmber motioned to approve the report of actions for Green Springs and Young Family Dental. Seconded by Councilman Willden. Aye: Councilman McOmber, Councilman Willden, Councilman Poduska, Councilwoman Baertsch and Councilwoman Call. Motion was unanimous.

***Reports from Council and staff:**

Councilwoman Baertsch reported that the fees with MAG executive committee were received and are remaining at 25 per capita. The general assessment will be a total $9,055.00 there might be a decrease in the fee but no increase will occur. Also, the Iron Will event is coming up and the City will have a booth there. They have asked that a City Council member be present.

Councilman McOmber stated that on May 1, 2014 the Communities that Care will be having a presentation that is open to the public. This event will be located that Eagle Mountain City Council Chambers.

Councilman Poduska report that Platinum Car Wash near Wal-Mart and Times Square have been reviewed by the Urban Design Committee and are ready to be reviewed by the Planning Commission.

Owen Jackson reported that a ribbon cutting will be held on Friday, May 2, 2014at 10:00 a.m. for Lance Dome's Marriage and Family Therapy business located in the Sergeant Court development.

Councilman Mcomber appreciates the budgets transparency.

Motion was made by Councilman McOmber to enter into closed session at 10:08 p.m. for the purchase, exchange, or lease of property, pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual. Motion was seconded by Councilwoman Baertsch.
Present: Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Mark Christensen, Lori Yates, Kevin Thurman, Jeremy Lapin and Spencer Kyle.

Closed session ended at 10:15 p.m.

Motion to adjourn the policy session at 10:15 p.m. was unanimous.

June 17, 2014
Date of Approval

Jim Miller, Mayor

City of Saratoga Springs Corporate Seal State of Utah

Lori Yates, City Recorder