**City of Saratoga Springs**
**City Council Meeting**
**May 6, 2014**
Meeting held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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## City Council Minutes

**Present**:

Mayor: Jim Miller
Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska
Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin, Lori Yates, Nicolette Fike
Others: K. Becraft, S. Alexander, Larry Whiting, Chris Porter, J. Klingonsmith, Lars Anderson, Christian Or, Bruce Baird, Susan Palver, Ronald Johnston, Brandon Beutlie, Larry N. Johnson, Vance Twitchell, M.Brown, Mark Babbit, John Kollman, Gary Kirschbaum, Sydney Jacques, Greg Haws, Boyd Martin, Kristl Travis

### Work Session

**Call to Order** - 5:57 p.m.

1. **Agenda Review - item moved to later in the meeting.**
   a. Discussion of current City Council agenda staff questions.
   b. Discussion of future City Council policy and work session agenda items.

2. **Discussion the draft Public Involvement RFP for Secondary Water Phase 2 meter retrofit project.**
   Sydney Jacques - Civil Engineer Jacques & Associates. She brought a presentation on Public Relation Issues with Water Projects. The presentation showed need for public outreach, public relations, and public involvement.
   Jeremy Lapin - Presented an agenda on Phase 2 Secondary Meters, Discussion was held to clarify and answer these questions. He felt it helped provide insight as to why it was beyond the ability of the staff to handle alone. It's about scope and how much service is needed. Discussion was held on the following items:
   i. *Public Relations/Public Information Summary*
   ii. *What is the PR/PI Audience?, All residences or only those in phase 2?*
   After discussion, Council was in general agreement to only including Phase 2 as the target audience.
   *iii.* *Open House*
   Staff noted they will probably not be requesting one. Council agreed.
   *iv.* *Project Website*
   Councilwoman Call - Said she is happy to implement a website.
   Discussion continued on whether the city could host the site on its servers or if it would be better to have it on another site/server.
   Direction from Council is that we do the website, but want to do it as a separate website.
   v. *Project Hotline?*
   Jeremy Lapin - feels it's something that the project really needs to have and we would expect the consultants to host.
   Discussion continued as to what information would need to be in the proposal and how fast of a

response time. Any inquiries that do not apply to hotline would be directed to Owen, to deal with on case by case basis. Response time should never be longer than 24 hours.

vi. *Public Information*

Jeremy Lapin - How much do we want them to help us with?
Mayor and Council felt that if we were hiring them we should be using them and they should work with Owen to know what information is needed.
Sydney Jacques – answered as to what they would need in a proposal as far as scope. Examples would be; what answers do you know right now, defining what we are ready to tell people and what is wait and see. Want them to prepare FAQ sheets and update that, prepare info flier, content for website.
She sought clarification who they would be working with, it would be Owen Jackson.
Council/Staff will work with firm to make sure it's the right message.
Councilwoman Call - wants the contractor to know that we're going to be doing a lot of the legwork on the questions and answers. She prefers that we get them the information and they make it understandable for residents and then disseminate the information in an understandable way. Make sure we convey that message in proposal for bids.
Mayor Miller - we will put those things from item 6 into the proposal.

vii. *Schedule Management*

It was felt that we needed someone that could focus their attention on all this. Construction would dictate the schedule and PI firm would have to try and stay ahead of that and make sure residences get the info ahead of time. Someone would be needed to coordinate with contractor and PI firm.

*viii. Does the City want the PI/PR firm to have someone available on the ground during the project?*

Councilwoman Call - felt periodically was sufficient.
Jeremy Lapin - to clarify we'll be out doing about 25-30 homes a day.
Councilwoman Baertsch – felt that if the PR firm is going to be out there handing out fliers anyway can they answer the questions because they are going to be getting the questions.
Sydney Jacques - Thinks they should make it a requirement that the person doing the notification be the same person that has the Hotline. One of the biggest questions on the scope is "How much does public need to be contacted?" She would require 2 notifications, one overall that this is starting period and a specific one 48 hours ahead.

Jeremy Lapin - needs two members to serve on selection committee, to sit with staff, look over proposals and making a selection. Councilman Willden, and Councilwoman Call as she will be doing website.

**3. Discussion of the modified Legacy Farms Community Plan and Village Plan.**

Kimber Gabryszak - Summarized plan. Showed original plan with two church sites and school site. Change to school site further and Village plan changes a bit. Application was originally planned this Thurs. moved to June 12th.
Greg Haws - showed presentation for Legacy Farms, starting with side by side comparison of plans. He went over changes and some reasons for them. Took 20 ft out of green way and relocated Tickville wash to along 400 S. It includes 12' concrete lined channel with guardrail and berm, sidewalk and curb. Expanded school site close to 11+ acres. They are negotiating joint use of 3-4 acres for open space. In regards to Leisure Village, it's a senior restricted project, no basements. The presentation showed examples of other similar communities. Green way acreage has maintained the same.
Council Baertsch questioned not doing a pool/clubhouse anymore. She and several Council members reminded applicants that they had promised the neighboring communities on that issue.
Boyd Martin, D.R. Horton Homes – explained that they looked at clubhouse and pool hard and their management company and sales team felt the size of pool/clubhouse was not enough to service the large

community. They thought there were better uses, such as splash pad or skate park, things the city lacks, and felt it would better serve community. They have put a lot of thought and research into it.
Councilman McOmber - Asked if they were building it or if they wanted the city to build it.
Boyd Martin - said he had 8 acres of land he would like to donate to the city, along with the cost he would be putting in.
Councilman McOmber - expressed concern that residences were not aware of these changes, and would be frustrated.
Councilwoman Call- noted previously there would be parking at clubhouse. Now how would there be parking for splash pad in current configuration.
Boyd Martin - there would still be parking in both spots, it wouldn't change.
Councilwoman Call - wondered if the Tickville realignment, the original overall open space width was still in the plan.
Boyd Martin - It's there in berm.
Councilwoman Call – on the open space, how would it work with current code if they realign?
Kimber Gabryszak - If they were subject to current code tit would be applicable, but since they are in district area plan this would all qualify as open space.
Mark Christensen - feels it will be a far better space maintenance wise, a good concession.
Councilman Willden - likes the added features of it, and contiguous nature or green space makes it more usable.
Councilman Poduska - thinks it's going to be a "showplace" for the city and the citizens coming to live in it don't know about pool or club house and feels if the applicant's consultants did the studies than that was probably a good decision.
Councilman McOmber - concern that neighboring residents will not like proposed changes. They need to have another public meeting to show new layout.
Jeremy Lapin - wanted City Council to understand that staff wanted the contractor to show a baseline point on conditions. So it would be a better starting point for discussion on decisions.
Councilwoman Baertsch - noted the increase of shared lanes.
Councilman Call – asked the developer to clarify the statement if the city participates. Does the developer plan on spending the money to put in a public splash pad?
Boyd Martin - said the city would pay the difference.
Kristl Travis - they would be doing shrubs, trees, green space and trail, planters etc. and a little bit of amenities for smaller things within the pad.
Councilman Poduska - No comment at this time.
Councilwoman Call- On lower west portion, larger lots, concern where it goes into cul-de-sac, driveways would be on busy road, does code currently allow for that width for r/w, could planning staff look into that. Likes the thought put into implementing the newer-type features and is appreciative on not a larger number of homes. Appreciates willingness to work with council and staff and community and ultimately if it meets our code and requirements, that we can work together and all be proud of it. Council still has concerns but feels like we are moving along to see some actual building. Wants to work to mitigate the disappointments and use staff as assets.
Councilman McOmber - feels disappointed.
Councilwoman Baertsch – also feels disappointed. She feels that it doesn't meet definition of traditional neighborhood. Density has increased and promises to residences around the area are not being followed through with especially the clubhouse and pool. She feels the HOA needs a place to meet, a clubhouse. She wants the trail and 20' buffer. She likes leisure village. Concerned with road, with 13.5' to back of curb, makes it difficult for cars to manoeuver. She would like to see it brought back city standards. Tickville wash is a great change for the city. She doesn't mind school change. (Information on traffic study for change to that road has been submitted to Jeremy.) Cannot see approving Village plan or Community plan until they have nailed down the FEMA flood plains there. Echoed Planning Commission comments about parking etc. and feels there is a lot of work to do.

Councilman Widen - thinks restructuring of parks is an improvement, likes shared space with school as long as the agreement is obtained. Wanted clarification on how much the density has actually increased. Plan currently is 740 by D.R. Horton and 116 Leisure Village.
Councilwoman Baertsch - noted that early version pulled out reference to apts.
Staff clarified that the new version will not have reference to apartments.

Mayor Miller - Due to time further work session items will be postponed.

**4. Discussion of the Lakeside Trail with Laura Ault. - Postponed**

**5. Discussion of Proposed Amendments to Title 20, Administrative Code Enforcement.**
Kevin Thurman asked about fees.
Mayor Miller - asked if there were any outstanding concerns from council that they let Kevin know.

**6. Reports: Postponed**
a. Mayor
b. City Council
c. Administration communication with Council

**Adjourn to Policy Session.** 7:15 p.m.

## Policy Session

**Present**:

Mayor: Jim Miller
Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska
Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin, Sarah Carroll, Chelese Rawlings, Jess Campbell, Andrew Burton
Others: K. Becraft, S. Alexander, Larry Whiting, Chris Porter, J. Klingonsmith, Lars Anderson, Christian Or, Bruce Baird, Susan Palver, Ronald Jonhston, Brandon Beutlie, Larry N. Johnson, Vance Twitchell, M.Brown, Mark Babbit, John Kollman, Gary Kirschbaum

**Call to Order** - 7:18 p.m.
**Roll Call** - Quorum was present
**Invocation / Reverence** - Given by Councilman Poduska
**Pledge of Allegiance** - led by Officer Beglarian

**Awards, Recognitions and Introductions**

Swearing in of Special Functions Officer Nicholas Judson by Mayor Jim Miller.

**Public Input** - Opened by Mayor Miller

Larry Johnson - concerning Saratoga Splash, dates June 9-14 - years ago we used to have the parade in Saratoga Springs Dev., He thought we would get more reception if we moved it back, maybe on a rotating year. Offered to work on that board next year to feel the option out. Thank you to Council for their work and trying to follow laws and rules set up.

**Public Input Closed** by Mayor Miller

**Policy Items**

1. **Financial Quarterly update**

Chelese Rawlings - revenues are healthy and over budgeted, expenses less than budgeted. Added extra sheets thanks to Councilman Willden, it made it easier to see.
Councilman Willden - no questions.
Councilwoman Baertsch - agreed with new highlights. She asked for clarification why the drop in licensing and permitting? Chelese said the drop includes all permits.
Councilman McOmber – wanted to make sure residents are getting all different licenses Our budget is conservative when budgeting and there is concern that it will continue to go down year after year as the economic engine is slowing.
Councilwoman Call - believes the process is to send out reminder (for licensing) 30 days prior to expiration, and one more once it's expired. We need to make sure process in place that notifies them and audit them. Asked for clarification on how much was transferred from general fund to fund 35, and to make sure that when money is transferred that we don't spend it automatically.
Mark Christensen said what we transfer is in excess of the 25%.
Councilman Poduska- questions were answered previously by Chelese Rawlings over the phone.
Mayor Miller - are we paying for cans over time?
Mark Christensen - we did purchase recycle cans; it enabled us to reduce overall payments. They are still providing garbage cans, all new accounts added they are providing. All can stock will be ours at end of contract period.

2. **Consent Calendar:**
   a. Award of Engineering for the Riverside Drive and Pioneer Crossing Connection road project.
   b. Approval of Minutes:
      i. January 14, 2014.
      ii. January 21, 2014.
      iii. January 31, 2014.
      iv. February 18, 2014.
      v. February 25, 2014.

**Motion by Councilwoman Baertsch to approve Consent Calendar including award of Engineering for Riverside Drive and Pioneer Crossing Connection road project to PEPG in the amount of $176,000 and Approval of Minutes for January 14, 2014, January 21, 2014, January 31, 2014, February 18, 2014, and February 25, 2014, including all minutes changes sent through email and minor adjustments. Seconded by Councilman McOmber. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion was unanimous.**

3. **Public Hearing: Revisions to the Land Development Code. (Section 19.12.06, Private Roads)**
   a. Ordinance 14-11 (5-6-14): an ordinance adopting the amendments to the City of Saratoga Springs Land Development Code.

Scott Langford - presented changes, amounts to a small change in title 19. There are 4 cross-sections for council to review, taken on case by case basis.

**Public Input was opened by Mayor Miller**

Larry Johnston - noted his HOA has the privatized roads and they have found they create an unsafe condition. People hiking tend to hike on the roads, parking on both sides is very dangerous. He feels any time the city can ask that roads be standard size for safety would be appreciated.

**Motion to close public input made by Councilwoman Baertsch and seconded by Councilman Willden. Motion passed unanimously.**

Councilwoman Call - liked the incorporation of trails on each side of the street. She asked for more information on current travel lanes throughout the area.
Jeremy Lapin - these all have 26' of drivable surface, which is the same a public road. Councilwoman Call - Does agree that driving, an especially larger vehicle, on these roads is difficult. Just because it meets current standards doesn't mean we can't evaluate it and make sure it is the best decision.
Jeremy Lapin - indicated that they have the option in case that is really what the developer wants.
Councilman Poduska - agrees with Larry Johnson, once you start parking on these private roads, the travel lane is really restricted.
Councilwoman Baertsch - those are same as her neighborhood, and you can park on both sides of the street but only one car can fit through.
Jeremy Lapin - decreases speeds and cheaper to maintain, meets fire codes, but does require people to be considerate to their parking. They are trying to strike a fair balance between accommodating vehicles and pedestrians.
Kevin Thurman - council should take into consideration, if you read this language it doesn't create standards as to when developer can use these vs. other roads. There are no criteria set.
Councilwoman Call - her understanding is that these can be selected at site plan but it has to have council approval, but they aren't going to save much money. It's whether they are privately maintained or publicly maintained.
Kevin Thurman - it requires less land dedication so the developer could pick it to save money.

Jeremy Lapin - feels they would lose too much open space in trade for park strips.
Councilwoman Baertsch - In open space definition, on smaller lot sizes it calls out that driveway structures are not included in open space and specifically open space between driveways and structures, so on smaller areas they wouldn't count anyway.
Scott Langford - correct, Jeremy is talking more in general layout and design. It would help create more contiguous open space and gives more flexibility to the developer. It helps create more contiguous open space.
Councilman Willden - likes the change, that we are making it easier to build the private roads and larger lots.
Councilwoman Baertsch - question on code section 19.12.06.1d says this would happen at preliminary plat, why not preliminary and final?
Kimber Gabryszak - once they seek preliminary, they can go in and begin to install their improvements so we need to know at that time which it is.
Councilwoman Baertsch - we should reiterate it in final plat. Do we need to stipulate this in the code then?
Kimber Gabryszak - replied that we can always make that a condition and when the final comes through compare it to the preliminary.
Councilwoman Baertsch - as far as the roads, one section included rural 1 the other didn't, we need to make sure we include R1 in there. Staff asked about the naming of these?
Jeremy Lapin - replied that it will be what detail number they are, staff will get it figured out.
Councilman McOmber - with existing private roads approvals, are they held to this new standard or are they grand fathered in?
Scott Langford - many are under existing MDA's and would be allowed to continue. New Lakeside would also be grand fathered in.
Councilman McOmber - with trail on both sides, the HOA doesn't want that, if MDA expires then they would lose that right, correct?
Kimber Gabryszak - just because there is a private road and new developer connects to it, we did not build anything in that would allow them to continue that cross hatch, they would have to clear it and meet current standard.

**Motion by Councilman Poduska to approve ordinance 14-11 (05-06-2014): adopting the amendments to the City of Saratoga Springs Land Development Code, including the R1 zone, and staff findings and conditions. Seconded by Councilwoman Call. Aye: Councilman McOmber, Councilman Poduska, Councilwoman Baertsch, Councilman Willden and Councilwoman Call. Motion was unanimous.**

4. **Amendments to the Engineering Standards Specification and Drawings Manual pertaining to private roads standards.**
   a. Ordinance 14-12 (5-6-14): an ordinance adopting amendments to the Engineering Standards Specification and Drawings Manual adopting private roads.

Jeremy Lapin - noted this is the same discussion

**Motion made by Councilman Willden to approve Ordinance 14-12 dated May 6, 2014: an ordinance adopting amendments to the Engineering Standards Specification and Drawings Manual adopting private roads including any findings and conditions. Seconded by Councilwoman Baertsch. Aye: Councilman Poduska, Councilman McOmber, Councilwoman Baertsch, Councilman Willden and Councilwoman Call. Motion was unanimous.**

5. **Final Plat for Ironwood (formerly Green Springs) located at approximately 1855 South Centennial Boulevard, Capital Assets, applicant.**

a. Resolution R14-25 (5-6-14): addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Ironwood)

Sarah Carroll – the applicant requested on sewer easement, to approve current location or revised location (5 feet). They have not totally decided which location it will be. Staff recommends approval as proposed with conditions that it meets conditions of City Engineer and Fire Chief.
Councilwoman Baertsch - ok on most requirements. What they were referring to in their letter. They did have a couple items that will probably be covered by code requirements. Is the sewer line actually what they were referring to in her letter?
Sarah Carroll - it's a separate item. They are asking for details on how to access the offsite detention basin storm drain. It could be along Centennial and their landscape plan indicates they will do a hard surface along the detention to be cleared with golf course. An easement is included in plat also for storm drain.
Councilwoman Baertsch - wanted to verify that all permissions and easements were complied to?
Sarah Carroll - all agreements are in place; the easements are not yet recorded but will be before the final plat.
Jeremy Lapin - would be uncomfortable with City Council approving anything that involved engineering without him reviewing design.
Councilman McOmber - said the conditions include that it meets all engineering requirements so they would be covered.
Councilman McOmber - on the Corner lots, when we get individual building permits make sure that it meets setback requirements and other things.
Sarah Carroll - staff will make sure it will meet all code requirements.
Councilman McOmber - feels all conditions will be met.
Councilwoman Call - the easement in-between lots 24 and 21, notes the easement is to be dedicated, we need to make sure SSOA is accepting of it.
Jeremy Lapin- feels it would be better as a separate parcel so no fence would be built.
Kevin Thurman – the easement would cover no encroachment. Doesn't feel dedication is necessary, might be nice.
Councilwoman Call- wants to make sure those homeowners on that easement are fully aware of the easement; maybe place it on their title.
Sarah Carroll - a plan was sent today that noted the access would be through the golf course so the access would not be over lots, but the easement would still need to be there.
Councilwoman Call - the open space goes completely out to centennial so it could be accessed through there in perpetuity.
Councilman Poduska - concerns have been addressed already. Appreciating all parties concerned.
Mark Christensen - asked that comments be open to applicant to address issues. No comments were made.

**Councilwoman Baertsch made a Motion to approve the Final Plat for Ironwood (formerly Green Springs) located at approximately 1855 South Centennial Boulevard, Capital Assets, applicant. And Resolution R14-25 dated today May 6, 2014: addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Ironwood) also including that the city engineer will determine the location of sewer and easement placement and all findings and conditions of staff and engineering. Seconded by Councilman Poduska. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.**

6. **Preliminary Plat and Final Plat for Western Hills 1-C located between 200 West and 400 West Aspen Hills Boulevard, Ron Johnston, applicant.**

   a. **Resolution R14-26 (5-6-14): addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Western Hills 1-C)**

Sarah Carroll – this is the preliminary and final in same report. Original project approval expired. Development agreement is still in effect. Staff reports that it meets all city engineer and fire requirements. The applicant would like open space of 0.9 acres to be accredited to future development.
Councilman McOmber - has no problem with .9 acres being credited to future development because it's the same landowner.
Councilwoman Call - has no issues, also ok with future credit.
Councilman Poduska - does this mean we will be able to get crossing guard? Staff said Yes. He wondered how this fragmentation took place where church/school built.
Mark Christensen - noted it was purely a phasing issue. It's been a challenge with all of bonding requirements etc., it has been a complex project and they saw many demands throughout project.
Councilman Willden - happy with the park and to get going on it.
Councilman Baertsch - good.
Jeremy Lapin - they have already deeded all property for Shay Park.

**Motion made by Councilwoman Baertsch to approve Preliminary Plat and Final Plat for Western Hills 1-C located between 200 West and 400 West on Aspen Hills Boulevard, Ron Johnston, applicant. And Resolution R14-26 dated today May 6, 2014: addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots Western Hills 1-C) with all staff and engineering findings and conditions. Seconded by Councilman Willden. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.**

7. **Final Plat for Landrock Connection located at 1600 South 400 West, Clay Peck, applicant.**

   a. **Resolution R14-27 (5-6-14): addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Landrock Connection)**

**Mark Christensen - stated this item needed to be pulled from tonight's agenda. No certain time stated.**

8. **Final Plat for Sergeant Court Phase 3 located at 1675 North 95 West, Bach Homes, applicant.**

   a. **Resolution R14-28 (5-6-14): addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Sergeant Court Phase 3)**

Scott Langford - Continued item - Staff worked with applicant, approval expired, now seeking final plat approval, includes 41 town home units. Previous questions brought up by council addressed:

1. If continued in this phase, will the practice of fencing off common areas as private backyards create a development that does not meet the required minimum 25% open space? No.
   Scott Langford - Update to staff notes. As mixed use minimum is 25% but this has a PUD overlay which moved the requirement to **30%.** If all backyards are fenced the applicant calculated that it

would drop open space from 35.5% to 33.75%. Applicant can address how they got those numbers. If they don't hit 30% there may be a need to look at number of units.

2. Does the modification to the width of the existing landscaped median at the entrance to the development and additional fire lane striping provide sufficient emergency access? Answer: Per the explanation of the Fire Chief during the April 15th meeting. Yes.
   Scott Langford - Not the best case scenario, but they are improving what they control, the do not own property to the north.
3. Are all of the garages setbacks the required 20 feet, in order to provide driveways of sufficient depth to park a standard vehicle? Yes
4. Does the width of the private trail connection meet the minimum standards? Answer: yes. The public trail standards do not apply to private on-site paths.

Scott Langford - 3 different options in staff report for trails. There is nothing they feel they can really "hang their hat on" at this point.
Councilwoman Call - is curious as to how open space was calculated, quick calculations don't match applicants numbers. Does not like access for emergency issues, it's not well integrated. If SW corner was true cul-de-sac it could allow another unit and stub out to the north. She is not comfortable putting in another 41 units on the backside of the development where we've had emergency issues before.
Bruce Baird, for applicant - appreciated meeting with staff and working with all issues. They have run new plans and emailed them to Jeremy just this evening. It's not legal to fence those back yards, so feels the fenced area can't be counted against them. Two calculations were done on open space and on the first with 9x7.5' fenced porch they still wind up with 32.22% open space. With a bigger porch, 11'x12' feet still gives 30.65% open space. As to trail issue - They will put a trail in where City Council would like at request of staff, they don't care where to put it or not.
Councilman McOmber – indicated that we can't hold developer accountable for what future homeowners will do. Why isn't code enforcement making the illegal fences come down? They do meet all the requirements, so we need to go in and get the fences down, perhaps requiring it in the contract/title for the homeowners, that they can't have a fence. (Developer is happy to do so.) He has seen better advancements in city by getting yards put in by working with staff and all requirements. Likes the trail option in the corner, the most direct route. We inherited something not ideal and we all need to do the best we can. When development comes in to the north then we can re-address the connection between the two developments, esp. the secondary fire access.
Councilman Poduska - would like to recommend the corner trail. In the report he would like to note that all concerns of the city council were all answered and yet still delayed a month. Would like to recommend that in the future we don't table (postpone) an item but approve it with conditions that items in question be addressed and met. And if they are not met then the approval is denied. We need to be more business friendly and work with developers and not be delayed by a few questions that can be answered by staff.
Councilwoman Baertsch - thanked the staff for pros and cons on trail options, and for showing drives and demarcations. Still has a question on calculations. Also feels fences need to come down, and that it needs to go back to HOA to make sure they come down, it shouldn't be a police issue and if they don't take them down then the HOA should be fined. Trail - does not like 4 driveways coming together with trail, realizing it meets code. Second access, not ideal, but does meet code.
Councilman Willden- does not want to punish developer for fences, feels HOA should manage themselves. He likes the corner trail option (1). If Fire Chief is ok with address to fire code, he is alright with it.

**Motion by Councilman McOmber to approve Resolution R14-28 dated today May 6, 2014 and Final Plat for Sergeant Court Phase 3 located at 1675 North 95 West, Bach Homes, applicant and the addendum to the resolution of the City of Saratoga Springs amending the street lighting special improvement district to include additional subdivision lots. (Sergeant Court Phase 3) including on the title for this phase that no fences are allowed in the backs of their property and all staff and**

**engineering findings and conditions. Seconded by Councilman Poduska. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska. Nay: Councilwoman Call. Motion passes 4 to 1.**

i. Councilwoman Call - would like on record that the reason for her vote is because she does not feel the development "promotes the health, safety, convenience and general welfare of the present and future inhabitants of the city."

ii. Councilwoman Baertsch – would like it on record - "Aye, only because it barely meets code."

9. **Site Plan for West Saratoga Transportation Hub located at approximately 200 West 400 North, Alpine School District, applicant.**

Sarah Carroll - review of plan, staff recommends approval with the conditions in report to be met.
Rob Smith for applicant - recommend approval as all requirements have been met.
Councilman Poduska - feels all requirements have been met and meets code, it's' good.
Councilman Willden - also feels it has met all requirements.
Councilwoman Baertsch - Thanks for working with us, not ideal location as a city but feels district has made it look good.
Councilman McOmber - likes landscaping plans, and going above on extra fascia on canopies etc. It makes it easier to talk to and explain to people. Feels like it will be a model facility.
Councilwoman Call- appreciates applicant working with us. Happy with landscaping. Question on retaining wall, center one by the drain.
Jeremy Lapin - noted it is actually going away.
Councilwoman Call – on the plan it says future buildings, making sure there are not temporary buildings, and thinks the city ought to define "earth tone" not red, general agreement.
Mayor Miller - thanks for all that was done to help.

**Councilman Poduska made a motion to approve the proposed West Saratoga Transportation Hub Site Plan located at approximately 200 West 400 North, Alpine School District, applicant, subject to findings and conditions listed. Seconded by Councilwoman Call. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.**

Rob Smith - answer to question of completion time: hope to have it finished for Governors day for Military function.

Kevin Thurman - Point of Order - in rules of procedure, you first hear from staff, then applicant, then council comment. If there is public hearing then you hear from applicant a second time.

10. **Concept Plan for Lakeside Estates located at approximately 2800-3000 South Redwood Road, Curtis Leavitt, applicant.**

Sarah Carroll - Review of Plan.
Councilwoman Baertsch - clarification - with road coming in from Redwood Road, does it connect with wildlife blvd and where would it be?
Sarah Carroll - road will be stubbed to be completed at some time, to connect when future development comes in.
Councilman Poduska - individual homes along lakefront, wind-surfers use a point along there and wonders if there is access.

Sarah Carroll - shows access on plat in 3 locations. Cul-de-sac will have parking as well as lake access.
Councilman Poduska - recommends that it does stay preserved.
Sarah Carroll, clarification on possible road shift to line up with other subdivisions as per UDOT.
Councilman Willden- agrees with Planning Commission recommendations and agrees it will be great to have lake access there.
Councilwoman Baertsch - as long as driveways are as far as possible from Redwood Road it won't be as problematic. With open space with trail head at north end and w here none of the detention areas are very usable, wonders if they could be combined. A trail head would be more convenient nearer a main road, and not have as much traffic through so much of the neighborhood.
Councilman McOmber - if the road does move, he would like to see it go all the way through, with lots shifting as well and not jog, as it becomes a view corridor. There is already a development already called Lakeside, so it will need to be changed.
Councilwoman Call- asked on some of the open space is sensitive land so does credit still meet requirement?
Sarah Carroll - Sensitive lands can be up to ½ of required space.
Councilwoman Call - thanks to staff for reports that clarify. Agrees with Councilwoman Baertsch on trail head in the corner, feels neighbors would not like it. Appreciates incorporation of lake shore. Feels it's a great subdivision for the city.
Mike Kelly, Applicant - on trailhead, he is clarifying there are 3 trail head access, parking at the one on the end of view corridor. Another is a little north with no parking, and one on the end at the cul-de-sac where people can park off the road. What would council like to see in the trail heads
Councilwoman Baertsch - parking is necessary because it will draw people from all over. Perhaps move it from the cul-de-sac to a more efficient access area with less impact on residents. It might open view corridor more.
Councilwoman Call – they could maybe take out a lot and incorporate it into detention basin for trail/parking. We don't want to deprive developer of buildable lots but looking into the future we don't want residents complaining about too many people through the neighborhood and creating parking problems. She feels the developer has already done a great job with thinking of several access points. Glad that development is embracing the lake.
Sarah Carroll - asked applicant to explain their reason for choosing areas they did.
Mike Kelly - selected the location of trails based on the roadway, the detention basin, which is already a spot that needs little grade change, and the corner trail is based on configuration of lots.
Sarah Carroll - could the detention be moved and still provide drainage that is needed?
Councilwoman Call - on detention basin off center, could the front of it be parking stalls?
Mike Kelly - said if they would allow parking spaces that back onto street it would work better.
Jeremy Lapin – there is concern by Public Works because of road plows, but that was when the stalls were directly off asphalt, if there was an extended drive approach they may find it more acceptable. Council felt it should be looked into.
Sarah Carroll - basically the goal is to possibly create a park at the view corridor, increasing parking there and out of the cul-de-sac.
Councilwoman Call – if the north corner could be turned into building lot, she is suggesting that as a trade for other parking and a trail move.

**11. <u>Amendments to contract with Shoreline Wetland and Cultural Resource Study.</u>**

Jeremy Lapin – we awarded wetland contract to SWCA. Around $4,500 could be reimbursed total.
Councilman Poduska – asked if this had to do with recent government controls over waterways?
Jeremy Lapin - no, it's just taking advantage of a crew already here and helps us to understand what is possible in future development along the river. Total requested change amount is $8212 of which $4500 would be reimbursed to us.

Councilwoman Call- the $2500 is a grant, she is willing to help put together grant. The deadline is coming up soon. Remember the grant is not a done deal.
Mark Christensen - application is ready to go for the grant and will speak with Councilwoman Call tomorrow to go over the grants.
Councilwoman Baertsch – noticed on study area that it crosses over to Lehi, are we working with them?
Jeremy Lapin - they are responsible for notifying and documenting that, if homeowner denies access, they simply won't do that property. It is a more regional project with Jordan River Commission.
Councilwoman Call- speaking with consultants in phase 1 they informed us that they try to encompass all contiguous wet lands so they would not do just the Jordan River and west. This study is an asset to the Jordan River Commission and it helps our future build-ability.

**Motion by Councilwoman Baertsch to approve adding a wetland and cultural resource survey of the Jordan River to the existing study in the amount of $8,212 to SWCA and instruct staff to seek after those grants as soon as possible. Councilwoman Call second, Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously**

**12. Amendments to the Development Agreement and Reimbursement with SCP Fox Hollow, LLC.**

Kevin Thurman - entered development agreement with SCP Fox Hollow, sometimes called Henry Walker Homes. It is separate LLC. dated November 2012. They agreed to start construction on Swainson Ave. and they have run up against a few things, mainly a pump station taking longer so they have asked for extension of time and have given city a schedule. Staff report that the developer has not received permits from the state to build yet, so obligation has not begun yet.
Mark Christensen - the need to build pond here is a necessity, part of the caveat of needing the pond was based on the number of permits they obtained and the number of permits would cap out based on using the tank for secondary water. They are not close to capping out in this extension time.
Councilman Poduska - residences have asked about Swainson ave. they would like to be able use for school access by next fall.
Jeremy Lapin – they have done a re-submission and will get it done soon. Completion is hoped to be done before school.

**Motion by Councilman McOmber to approve the amendments to the Development Agreement and Reimbursement with SCP Fox Hollow, LLC. As outlined with all findings and conditions. Seconded by Councilman Willden. Aye: Councilman McOmber, Councilman Willden, Councilman Poduska, Councilwoman Baertsch and Councilwoman Call. Motion passed unanimously.**

Discussion held.

Councilwoman Baertsch - one of the recommendations in report includes a condition to authorize the City Manager to sign with the condition that Developer deposit in escrow any outstanding amounts due per the Agreement.
Staff - that is part of the original agreement so in the conditions, you can clarify that when they receive building permits in the future that they deposit that in escrow.
Councilwoman Call- clarification, there is no obligation to date because they haven't received building permits yet?
Jeremy Lapin – this is just for the extension.

**Councilman McOmber made Amended Motion to approve the amendments to the Development Agreement and Reimbursement with SCP Fox Hollow, LLC. As outlined with all findings and**

**conditions, *Including the recommendation in Staff report.* Seconded by Councilman Willden. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously**.

**13. Approval of Reports of Action.**

a. Kimber Gabryszak - Sergeant Court - Review of Action
   i. Councilwoman Call - in item 6 she would add "To meet open space requirements, no fences are allowed in the backs of the property, and the rule shall be recorded on the title."
b. Kevin Thurman - Ironwood
   i. Councilwoman Baertsch - did we want to include "no concerns raised by the public?" Because we did receive documentation by HOA.
   Kevin Thurman - City Council Discussion addressed those issues.

**Motion to approve the Reports of Action by Councilman McOmber, Seconded by Councilwoman Baertsch. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously.**

**14. Staff and Council Reports**

Owen Jackson - SPAC committee meeting Next Tues 6pm. Letters of notification went out today.
Councilwoman Call- Lehi Area Chamber has restructured some things so that every penny we give to them we get back through SSBA or in-kind services. She recommends continuing on with Lehi Chamber and not continuing with Utah Valley Chamber. Council members were in agreement.
Councilwoman Baertsch - Some concerns about end of trail in Aspen Hills, trail on South of aspen runs into canal. In the same area, there are tumble weeds blowing into yards, she reported that it was asked if fire dept, could practice field burning to cut down on tumbleweeds. There have been concerns from the residents of Sunset Haven that the Lacrosse teams have been using their field and are overwhelming to the neighborhood with parking and residences don't get to use the detention basin/park.
Councilman Willden - Mayor and he went to Camp Williams. They are a great partner and have put in a lot of effort to mitigate fire issues. It has been effective.

**Councilwoman Baertsch made a motion to enter into closed session at 9:37 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. Seconded by Councilman McOmber. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously**

## Closed Session

Present: Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Mark Christensen, Lori Yates, Kevin Thurman, Spencer Kyle, Nicolette Fike

**Closed Session Adjourned at 9:51p.m.**

**Motion to adjourn Policy Session, Motion passed unanimously.**

**Policy Meeting Adjourned at 9:51p.m**

June 3, 2014
**Date of Approval**

**Jim Miller, Mayor**

**Lori Yates, City Recorder**