

Policy Session Minutes

Present:

Mayor: Jim Miller

Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska

Staff: Scott Langford, Kimber Gabryszak, Kevin Thurman, Jeremy Lapin, Sarah Carroll, Chelese Rawlings, Jess Campbell, Andrew Burton

Others: Amryn Scott, Jason Scott, Sue Alexander, K. Becraft, Ryan Poduska, Cole Peck, Clay Peck, Tess Collins, Ronald Johnston, Nathan Johnston, Del Elmer, Randy Henderson, Fran McCorkel, Justin Balls, Jonathan Abbott, Jack Carrick, Gavin Carrick, Sterling Jacobsen

Excused: Mark Christensen, Spencer Kyle, Owen Jackson

Call to Order - 7:15 p.m.

Roll Call - Quorum was present

Invocation / Reverence - Given by Councilman McOmber

Pledge of Allegiance - led by Councilwoman Baertsch

Awards, Recognitions and Introductions

- Swearing in of Police Officer, John Hill – by Mayor Miller.
- Recognition of the C.E.R.T. graduates. The graduates introduced themselves and were applauded for their effort. One graduate, took a moment to share his experience.

Public Input - Opened by Mayor Miller

Ryan Poduska commented that Pine trees do not do as well in our area and he thought the number planned for item 3 on the agenda was too high. A lot of residents in his area are asking about Swainson being completed on time and how it affects busses and school starting.

Fran McCorkel was here in June and shared her concerns about the irrigation water. She had her water tested again and it did not show improvement. She noted that she has been watering with culinary water and it did a better job. She has not been contacted by City staff who was supposed to follow up with her.

Public Input Closed by Mayor Miller

Policy Items

1. Consent Calendar:

a. Award of Bid for the 2014 City Wide Pavement Preservation.

b. Approval of Final Plat for Landrock Connection located south of the intersection of Valley View and Grandview Court, Lakeview Land and Development Company/Clay Peck, applicant.

i. Resolution R14-34 (7-15-14) Addendum to resolution of the City of Saratoga Springs pertaining to the City Street Lighting Special Improvement District to include additional subdivision lots. (Landrock Connection)

c. Approval of Minutes:

i. July 1, 2014.

ii. July 8, 2014.

Councilwoman Call had a question on the bid, that only one was received and it was over the Engineering estimate.

Jeremy Lapin responded that he had done some research. Riverton had a bid at about 17 cents a sq. foot, draper about 16. We are doing more than them and we were about 15 cents square feet. This bid was comparable to what other cities have received for the same size area.

Councilwoman Call asked if it would be advantageous to have the seal done at different time of year, perhaps for future bids. She would be in favor of putting an earmark or projected based on previous years in the budget, especially if we could get a better price at a different time.

Jeremy Lapin said for this year it's better to do the work now before the winter would have more damage. They could possibly delay it next year, but this year they needed to wait for the budget.

Councilwoman Baertsch wanted clarification on condition # 5 in the Landrock piece with the fee in lieu of open space.

Scott Langford said the applicant and city are still going through the huge stacks of files. The condition gives them the needed flexibility.

5 Motion made by Councilman McOmber to approve the Consent Calendar with the award of bid for the
6 for the 2014 City Wide Pavement Preservation as outlined in City Staff recommendations, schedule A,
7 Slurry Sealing, to Intermountain Slurry Seal in the amount of \$547,865.25 and schedule B, micro
8 surfacing, to Geneva Rock Products Inc. in the amount of \$208,143.12 with city staff recommendation
9 and approving the minutes with changes submitted via email from Councilwoman Call and
0 Councilwoman Baertsch. Second by Councilman Poduska. Aye: Councilman Willden,
1 Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion
2 passed unanimously.

4 2. Sewer Collection Facilities Impact Fee.

5 a. Public Hearing Regarding the Proposed Sewer impact Fee, Sewer Impact Fee Facilities Plan, and
6 Sewer Impact Fee Analysis.

7 b. Consideration of Ordinance 14-19 (7-15-14): Ordinance Enacting and Adopting Amended Sewer
8 Impact Fee a Sewer Impact Fee Facilities Plan, and the Sewer Impact Fee Analysis in the City of
9 Saratoga Springs, Utah.

0 Jeremy Lapin reviewed the proposed impact fees. Overall in the city the fees will be going down. The existing
1 fee in the South Service north area is actually about \$2100 and in the south area it's about \$4800.

2 **Public Hearing Open** - by Mayor Miller

3 No input was given at this time.

4 **Public Hearing Closed** - by Mayor Miller

5 Councilman Willden asked about updating with future development.

6 Jeremy Lapin noted that they intended to update the plan every 3-5 years. At some point they feel they can't
7 get so far south pumped all the way up north.

8 Councilwoman Baertsch noted that the packet makes things a little more transparent and clear.

9 Councilwoman Call appreciated the work done by staff. She was concerned with verbiage in the ordinance.

0 Kevin Thurman noted that the part she indicated was taken verbatim from the state statute and was required by
1 law.

2 Councilwoman Baertsch asked could we have a developer come back and say you have to reimburse me. Is
3 there a way to protect the city from undue burden?

4 Kevin Thurman said we could add clarification for any impact fee paid in the future the city shall adjust. He said
5 state statute should apply to only up to one year. We can provide additional protections that the State statute
6 doesn't cover. We could add the clarification, but thinks for the most part we are ok. He said this is the
7 language that was recommended they adopt for the least amount of opposition.

8 Councilwoman Call would like it to reference a time period.

9 Councilman McOmber appreciated all the work put into the project. He would like the final document to have
0 the corrected numbers in the table for the South service district areas of the table to show true amounts, so
1 that it shows that everything is seeing a reduction. It's impact fee plus service or reimbursement for service
2 agreement.

3 Councilman Poduska echoed the concerns of Councilman McOmber.

4 Kevin Thurman reviewed the statute and it says "at the time an impact fee is charged." He added a clause that
5 "at the time an impact fee is charged, the city shall adjust the calculation."

6 Motion by Councilwoman Baertsch that the City Council approve Ordinances 14-19, dated today July 15,
7 2014, Ordinance Enacting and Adopting Amended Sewer Impact Fee a Sewer Impact Fee Facilities
8 Plan, and the Sewer Impact Fee Analysis in the City of Saratoga Springs, Utah. Including the changes
9 in wording offered up by Kevin Thurman to clarify the reimbursement and also the changes to the
0 fees listed by Jeremy Lapin to appropriately show not only the fees but also the reimbursement
1 amounts. Second by Councilman McOmber.

2 Councilwoman Call indicated that there were two separate sections for reimbursement and refund.

3 Kevin Thurman noted he added it to subsections 1 and 2.

4 Councilwoman Baertsch amended the motion to direct staff to take care of all indicated sections for
5 reimbursements and refunding.

6 Councilman McOmber seconded the amendment

7 Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,
8 Councilman Poduska. Motion passed unanimously.

3 including all findings and conditions. Second by Councilman Poduska Aye: Councilman Willden,
4 Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion
5 passed unanimously.

7 **5. Hillcrest Condominium Phase 3 located at approximately 1900 North Crest Road, Nate Hutchinson,**
8 **applicant.**

9 **a. Consideration of Preliminary Plat and Site Plan Amendment.**

10 Sarah Carroll presented the site plan and changes, and recommendations from Staff and Planning Commission.
11 Applicant was not present.

12 Councilwoman Baertsch thought it was a much improved parking layout. She thanked the Planning
13 Commissioners for their work. She is ok with the landscaping changes and the tot lot to a basketball court.

14 Councilman McOmber agreed that it was a much stronger plan. He asked when the landscaping was to be
15 finished and noted that some of it was not completed in earlier phases as needed. He is fine with the little
16 corner detention basin being finished with the last phase. Other than that he is fine with the plan.

17 Sarah Carroll noted that this is not the original developer and that the new owners have fixed some things but
18 they would be apprised of the need to complete it. Enforcements would need to go to the HOA at this point.

19 Councilman Poduska agrees that the plan is much improved and likes the changes in amenities and roads and
20 parking.

21 Councilman Willden appreciated staff and zplanning Commission and their recommendations He likes the
22 amenities and is ok with the more units due to their vested rights.

23 Councilwoman Call likes the changes in amenities, especially the basketball courts. She reiterated the thought
24 that they had the vested rights to build to this density. She appreciated everyone's efforts in the project.

25 Mayor Miller commented that he would see the value in keeping the two parking stalls.

26 Kimber Gabryszak commented that they didn't see any harm in leaving them, they wouldn't be required but
27 they would see what they could do to keep them.

28 Kevin Thurman said standards in this section shall apply to all parking areas, not all required, but they would try
29 to make it work

30 **Motion by Councilman Poduska that the City Council approve the Site Plan Amendment and**
31 **Preliminary Plat for Hillcrest Condominiums, Phase 3, located at approximately 1900 North Crest**
32 **Road, based on the findings and conditions listed in the Staff Report. Second by Councilwoman**
33 **Baertsch.**

34 Councilman McOmber would like to see with the final plat that they take into consideration for getting the
35 landscaping for the building in phase one completed and would prefer not to approve final plat without
36 that as a condition. And also he would like the parking for final plat as well.

37 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**
38 **Councilman Poduska. Motion passed unanimously.**

39 **6. Public Hearing: Harvest Heights located between Redwood Road and Fall Harvest Drive, Fieldstone Utah**
40 **Investors, applicant.**

41 **a. Concept Plan and Possible Rezone from A, Agricultural to R-4, Low Density Residential, R-6, Medium**
42 **Density Residential and RC, Regional Commercial.**

43 **b. Consideration of Ordinance 14-20 (7-15-14): An Ordinance of the City of Saratoga Springs, Utah,**
44 **adopting amendments to the Saratoga Springs City's Official Zoning Map and Rezoning Harvest**
45 **Heights property from A, Agricultural to R-4, Low Density Residential, R-6, Medium Residential and**
46 **RC, Regional Commercial; instructing the City staff to amend the City Zoning Map and other official**
47 **zoning records of the City; and establishing an effective date. (Harvest Heights)**

48 Kimber Gabryszak presented the rezone and concept plan. She noted that some public notice was not done
49 correctly and they would have to re-hear the plan in the future. She reviewed current zones and proposed
50 rezone. She reviewed Staff and Planning Commission recommendations. The Concept plan is based on the
51 rezone plan.

52 Jason Harris, for applicant, had a presentation and gave his reasons for the plan and rezone that they are asking
53 consideration for. He noted the natural typography and how that would work in the current plan. He felt the
54 new zones helped with the transition to the current neighborhood. He indicated that it made sense to
55 continue the trail system from Harvest Hills through the new subdivision. He showed neighboring lot sizes

1 and that what they are proposing is larger than existing lots. Their project total is 2.85 dwelling units per
2 acre.

3 Blaine Walker, for applicant, addressed the commercial section and the reason they are requesting Regional
4 Commercial, of the 10 business types that could be allowed by that zone, 6 would not work there at all due
5 to location etc. He felt the other 4 often worked well in NC anyway. He felt the quality of the product
6 needed to be looked at, not just the size of the lot.

7
8 **Public Hearing Open by Mayor Miller**

9 Sue Alexander is ok with the R-4 not the R-6 and would like it to stay NC, not RC. She would hope it is a
0 better product than she has seen in other areas (Hawks Landing) and that they would be easier to work
1 with than she found years ago.

2 **Public Hearing Closed by Mayor Miller**

3
4 Jason Harris responded that he was not familiar with the area Ms. Alexander referred to; he hasn't been with the
5 company as long.

6
7 Councilwoman Baertsch appreciated the presentations. She noted that she had received several comments from
8 residents through phone and email and listed several names. They were not in favor of R-6 and RC. She
9 wanted to wait to hold the hearing until the residents could come and hear the comments.

0 **Motion was made by Councilwoman Baertsch that they table the rezone item to Aug 5th with additional
1 public hearing. Second by Councilman McOmber.**

2
3 Councilman Willden wondered if they gave them some feedback tonight could they come back with a
4 different plan for next time. That would be his preference that they give them some comments so they
5 could move forward with any modifications. He voted nay because of this.

6 Kevin Thurman noted that the Councilwoman's motion only applied to the rezone.

7
8 **Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Nay:
9 Councilman Willden. Motion passes 4-1**

0
1 Councilman McOmber encouraged applicant to hear feedback from council members outside of this meeting for
2 a better discussion.

3 Councilman Willden supports this and feels the applicants are going to want to listen to feedback.

4 Kevin Thurman feels it is fine that they give feedback but want to caution that when speaking with public that
5 they let applicant know those concerns.

6 Kimber Gabryszak said if they are going to set up meeting and revise the plan than it would have to be a longer
7 delay, it wouldn't be able to come back by Aug. 5th. Also the concept plan is not a public hearing so they
8 can proceed with comments on that.

9 Councilman Poduska wanted clarified the style of the buildings and size of lots along Redwood Road.

0 Jason Harris responded it would be single family homes on minimum of 6000 square feet lots. Across the street
1 would be similar product. About 2500-3500 square foot homes.

2 Councilman Poduska asked about the elevation change from Redwood Road to the lots. (about 20 feet) He likes
3 the R4 but doesn't see the need for R6 other than fitting in more lots. He would like to see if it would be
4 commercially viable to zone the R6 to an R4. He does not have as much resistant to the RC change because
5 of the RC across the street.

6 Councilman McOmber likes the trail corridors. He feels there could be larger lots along Redwood Road that
7 would have nice views. He would like to keep the NC.

8 Councilwoman Baertsch indicated that this does not fit with the vision of the general plan that the city has. She
9 likes the trails. She does not think the comparison to harvest Hills is so valid. She does not like the
0 exchange from sales tax producing land to more housing when there are not as many sales tax producing
1 opportunities in the city.

2 Councilman Willden would personally rather see homes as opposed to commercial. He likes the trail systems.

3 Councilwoman Call agrees with keeping the area NC and echoes Councilwoman Baertsch's comments about
4 the general plan.

5
6
7 Mayor Miller noted that Saratoga Shores asked if they could get street signs for their 10 yr. celebration and
8 passed letter to Jeremy Lapin to get the ball rolling.

7. Motion to enter into closed session 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 made by Councilman Poduska to enter into a closed session for the purpose of litigation. Second Councilman Willden. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.

Meeting Adjourn to Closed Session 9:37 p.m.
A 5 minute break was taken at this time.

Closed Session

Present: Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska, Kimber Gabryszak, Jeremy Lapin, Kevin Thurman, Nicolette Fike

Call to Order – 9:45 p.m.

Kevin Thurman led discussion for reasonably imminent litigation.

Closed Session Adjourned at 9:52p.m.

**Motion to adjourn Policy Session, Motion passed unanimously.
Policy Meeting Adjourned at 9:53p.m .**

August 19 2014
Date of Approval

Lori Yates
Lori Yates, City Recorder



Jim Miller
Mayor Jim Miller