

3 Policy Session Minutes

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5 **Present:**

6 Mayor: Jim Miller
7 Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska
8 Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy
9 Lapin, Sarah Carroll, Chelese Rawlings, Nicolette Fike
10 Others: Sue Alexander, Roxanne Beal, Corbin Catmull, Blaine Walker, James Berndt, Trey Berndt, Heather Berndt,
11 Tom Scribner, Andy Flamm

12 **Call to Order** - 7:17 p.m.

13 **Roll Call** – Quorum was present

14 **Invocation / Reverence** – Given by Councilman McOmber

15 **Pledge of Allegiance** – led by Councilwoman Call

16 **Public Input Opened** by Mayor Miller

17 Thad Steins had concerns about a trail going in behind his house. He was concerned with traffic behind his
18 house with no barrier and he hasn't received any notification or it's being built. He is asking if there would
19 be any barrier put in place.

20 **Public Input Closed** by Mayor Miller

21 **Policy Items**

22 **1. Departmental Quarterly Updates from the Finance Department, Planning Department, Public Works
23 and Engineering Department (engineering is postponed).**

24 Chelese quickly reviewed the budget report It was current as of last Tuesday.

25 Councilman Poduska was surprised that the building permit income was less with the amount of building he has
26 seen this year.

27 Mark Christensen responded that it is dependent upon when they actually come and pull permits. We are on a
28 good trend right now averaging about 50 per month.

29 Chelese also responded that we received more than was budgeted; it just wasn't as much as last year.

30 Councilwoman Call thanked Chelese for her effort. She also had similar question to Councilman Poduska. She
31 thought that some investigation in that area may be helpful. She also brought up the numbers on revenue
32 and expenditures showing up the way they were probably because of the way the accounting was forced to
33 work.

34 Chelese Rawlings responded it appeared that way because the category was beginning fund balance collected in
35 previous years, when it gets included in the revenues it diminishes the percentages. She already has it on
36 her to-do list to change the way it is shown on future documents.

37 Councilman McOmber also had the same thoughts. He would like to see a paragraph on the website that would
38 help explain it to the public. He is concerned with the trending and that if we were to continue with this
39 trend than he has no problem with reducing the budgets of what they already approved. He is concerned
40 with another recession and would like make sure there is cushion.

41 Councilwoman Baertsch had the same questions and asked about the operating costs fund

42 Chelese Rawlings responded it was because of a loan to cover the meters that were not budgeted

43 Councilman Willden said all his questions had been answered.

44 Kimber Gabryszak reviewed the Planning Department report. She had some comparison on the amount of
45 applications turned in. She had a summary of projects the department has been working on over the past
46 year. She shared ongoing goals for the department.

47 Councilwoman Call asked if communication between Planning Department and Economic Development could
48 be improved.

49 Spencer Kyle presented a few items from Public Works. He noted some restructuring changes; it now has three
50 divisions, parks, public utilities, and infrastructure. They have completed the first phase of secondary meter
51 installation and are beginning phase 2. He reviewed some current and ongoing projects that are currently
52 happening around the city in those departments. He brought up an issue at the marina with the low water
53 level. A drop off has been created by props at the end of the launch and they are awaiting approval from
54 State to get in there and get it fixed.

55 Councilwoman Baertsch had a question on the meters, she would like the irrigation usage listed on the utility
56 statements.

Councilwoman Call shared an email from Dave Lifferth, he has received complaints because of hazards in and out of the marina. The average depth of the lake is at 5 feet now. Once the boats are in the water there are complaints of boulders and items around the marina and outside of. She asked if Spencer Kyle could touch on how many of public owned facilities had moisture sensors

Spencer Kyle responded that there were 6-8 Parks.

Councilwoman Call had some concerns she passed onto Jeremy earlier that the pr firm had not notified people of when the contractors would be out. There were some areas where the contractor got ahead.

Staff responded that it was being addressed.

Councilwoman Call had a question on a culvert on the S side of SR 73 at 400 e that was open

Mark Christensen said that it was washed out in one of the recent storms. They are aware of it.

Councilwoman Call wanted to know if council could get a tour of pioneer crossing to help answer public questions.

Spencer Kyle thought they could work something out. He also said next month TSSD would be having a tour of the expanded facility he is inviting council to attend.

Councilwoman Call also wanted to have Spencer Kyle pass along thanks for all the work public works does.

2. Consent Calendar:

a. Approval of Minutes:

i. July 15, 2014.

Councilwoman Call was uncomfortable with an area of the minutes and wanted Kevin Thurman to review it.

Motion by Councilwoman Call to table the Consent Calendar and bring it back to the next meeting. Second by Councilman Willden. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.

3. Concept Plan and Possible Rezone of Harvest Heights located between Redwood Road and Fall Harvest Drive, Fieldstone Utah Investors, applicant.

a. Concept Plan.

b. Public Hearing on Possible Rezone from A, Agricultural to R-4, Low Density Residential, R-6, Medium Density Residential and RC, Regional Commercial.

c. Consideration of Ordinance 14-20 (8-5-14): An Ordinance of the City of Saratoga Springs, Utah, adopting amendments to the Saratoga Springs City's Official Zoning Map and Rezoning Harvest Heights property from A, Agricultural to R-4, Low Density Residential, R-6, Medium Residential and RC, Regional Commercial; instructing the City staff to amend the City Zoning Map and other official zoning records of the City; and establishing an effective date. (Harvest Heights)

Kimber Gabryszak presented the concept plan and reviewed previous discussion and recommendations. A revised plan was presented by the applicant that represented R4 throughout and NC. Total of 66 lots, 2 of those commercial.

Andy Flamm for applicant was present.

Public Hearing Open by Mayor Miller

Sue Alexander is impressed with the changes and effort the developer has put into working with the City and thinks it looks good.

Public Hearing Closed by Mayor Miller

Councilman Willden likes all the changes and thanked the developer for working with the city. He is ok with doing a conditional rezone on approval of the plat.

Councilwoman Baertsch appreciates that the developer came back with changes made to meet Council recommendations. She would like to see more amenities with the trail system. She is wondering about care of the detention basin and would like if detention basins did not need to require HOA's.

Councilman McOmber Appreciated the changes made. He likes the houses along Redwood Road. He thinks the lot width differences in the plan will make the house setbacks more appealing. He would potentially like to see if these residences could be a part of Harvest Hills HOA. He feels they would pay more for a HOA management company than it would cost for the maintenance of the detention basin. That needs to be revisited by the city.

4 Councilwoman Call also appreciated the changes to the plan and echoed previous councilmembers about
5 amenities. She encouraged pedestrian connectivity in-between the stretch of homes along Redwood Road. She
6 was curious if the lot sizes would have met and R3 zone.

7 Kimber Gabryszak responded no it did not.

8 Councilwoman Call said she would be fine with a conditional rezone or along with the plat. She doesn't like
9 them with concept plans.

0 Councilman Poduska also appreciated the changes to the plan. He likes the trail. He liked Councilman
1 McOmber's idea of working with Harvest Hills HOA if possible.

2 Mayor Miller appreciates the changes made to accommodate larger lot sizes. He would like staff to look at the
3 connectivity break.

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5 **Motion by Councilwoman Baertsch to approve Ordinance 14-20 dated today(8-5-14): An Ordinance of**
6 **the City of Saratoga Springs, Utah, adopting amendments to the Saratoga Springs City's Official Zoning**
7 **Map and Rezoning. Conditional that the rezone shall not be recorded until Preliminary Plat is approved**
8 **according to the R4 and Neighborhood Commercial plat that was shown to us in the newest concept plan**
9 **including all staff findings and conditions in Option 2 of the staff report. Second Councilwoman Call**
0 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**
1 **Councilman Poduska. Motion passed unanimously.**
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3 **4. Consideration of Amendment to the approved Final Plat of River Heights.**

4 Sarah Carroll presented the amendment of a smaller play structure and had comparison pictures. They now have
5 an alternative of a 3 platform playground. She showed what was done in similar developments.

6 Councilwoman Call had a question if the minimum requirements and needs were being met with the sizes in
7 those similar developments comparisons.

8 Staff replied that they did not have hard and fast numbers on that, only what was being said from those who
9 lived there.

0 Councilwoman Call thought if the needs were not being met in other areas than her recommendation would be
1 to not downgrade the size.

2 Councilwoman Baertsch appreciated that the new system had more heights but didn't think it would
3 accommodate the number of kids and that there was nothing for older kids to do on it. She asked if they had
4 plans to add something to make up the difference

5 Ben Blacker for applicant said the sports court was going in just south of their property and that kids above 12
6 are really getting off of playground equipment. An issue is that there is nothing that defines sq. footage for
7 play courts. They are working together with the other community on the HOA as of now and they should
8 have access to the sports court.

9 Councilwoman Baertsch is more inclined to approve it if they do have the access to the sports court.

0 Councilman McOmber said kids don't know HOA lines so kids are going to be using the other equipment
1 regardless of which area they live. He is ok with this change and feels is there is concern in the future they
2 can go to their HOA to change it.

3 Councilman Poduska felt it was essential that they had something that would really work with them. He was a
4 little concerned but feels it will be sufficient and functional.

5 Councilwoman Call is not in favor because of what other developments have done and their needs not being
6 met.

7 Kevin Thurman made a comment that the code is not very clear on what the minimum recreational requirements
8 are and this is something we need to take into consideration. He cited State Code 10-9a, any condition that
9 is imposed has to be expressed in our code.

0 Councilwoman Call mentioned that if we are defining every minimum need than we are walking a slippery
1 slope of excluding types of uses etc.

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3 **Motion made by Councilman McOmber to approve the Amendment to the approved Final Plat of River**
4 **Heights with the 3-platform most current version of the playground as received today with findings and**
5 **conditions listed in the staff report. Second Councilman Willden Aye: Councilman Willden,**
6 **Councilwoman Baertsch, Councilman McOmber, Councilman Poduska. Nay: Councilwoman Call,**
7 **Motion passed 4-1.**
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5. **Proposed Advertising/Sponsorship Policy for Civic Events.**

Kevin Thurman presented the proposal. He said there are some free speech issues involved with advertising and sponsorships. This forum is a non-traditional public forum so we can put some reasonable restrictions in place. If we don't have those policies in place than we cannot say yes or no to somebody. You can regulate broad categories.

Councilwoman Baertsch said as long as ads were tasteful and not risqué she was ok with the advertisements.

Councilman McOmber similarly said it was more not the company that was advertising but what they say in the ad. He feels as long as the company can meet the family friendly environment they should allow the advertising.

Kevin Thurman said this isn't necessarily us saying this is it has gone through the civic events committee

Councilwoman Call agrees with the other council members and thinks we are covered the way we would like it in item 9. She thought it could be defined a bit better about the type of language not allowed.

Councilman Poduska feels much the same as the other council members. To say that certain products can't advertise should not be allowed.

Councilman Willden thinks that we could cover anything with items 7 through 9 as previously discussed.

Mark Christensen said that Communities that Care has a similar policy and that we could ask them to look at it before we make the decision.

Mayor Miller said it was tough to balance the freedom of speech and freedom from speech.

Kevin Thurman thought they were great comments. He had thought that for the larger events it would be good to regulate the broad categories.

6. **Consideration of Sunrise Meadows Secondary Well Reimbursement Agreement.**

Jeremy Lapin briefly reviewed the settlement agreement.

Tom Scribner for developer was present and said he was proud of this development.

No comments from council at this time.

Motion by Councilwoman Call to approve the Sunrise Meadows Secondary Well Reimbursement Agreement with Sunrise Meadows Development Company, L.L.C. in the amount of \$79,000. Directing Mark Christensen to sign on mayors behalf. Second by Councilwoman Baertsch. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed unanimously.

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.**

Councilman McOmber made a motion to enter into closed session for the purchase, exchange, or lease of property, pending or reasonably imminent litigation. Seconded by Councilwoman Call. Aye: Councilman McOmber, Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call. Motion passed unanimously

Meeting Adjourn to Closed Session 8:39 p.m.

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Closed Session

Present:

Mayor: Jim Miller

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

Staff: Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman, Jeremy Lapin,
Nicolette Fike

Call to Order – 8:40 p.m.

Closed Session Adjourned at 8:50p.m.

Policy Meeting Adjourned at 8:50p.m

August 19, 2014
Date of Approval

Lori Yates
Lori Yates, City Recorder



Jim Miller
Mayor Jim Miller