

## City of Saratoga Springs City Council Meeting

July 21, 2015

Regular Session held at the City of Saratoga Springs City Offices  
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

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### Policy Session Minutes

#### **Present:**

Mayor: Jim Miller

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

Staff: Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Jeremy Lapin, Sarah Carroll, Jess Campbell, Andrew Burton, Nicolette Fike

Others: Chris Porter, Cathy and Art Flinton, Cheyenne Taylor, Carl Ballard, Ron Edwards, Barbara Poduska

**Excused** Stephen Willden

**Call to Order** 7:04 p.m.

**Roll Call** – A quorum was present

**Invocation / Reverence** - Given by Councilman McOmber

**Pledge of Allegiance** - led by Allen Ivey

**Public Input - Opened** by Mayor Miller

No input at this time.

**Public Input - Closed** by Mayor Miller

#### **Awards, Recognitions and Introductions**

- Life Saving awards presented to Officers of the Saratoga Springs Police Department. Chief Burton presented certificates and ribbon bars to Detective Kevin Flinton and Officer Derek Dalton.

### POLICY ITEMS

#### **1. PUBLIC HEARING ITEMS:**

- a. Public Hearing: Rezone, General Plan Amendment and Concept Plan for the Saratoga Springs 4 church located at the NW corner of Redwood Road and Old Farm Road, North of Hillside Ridge, Evans and Associates Architecture, applicant.**
  - i. Ordinance 15-22 (7-21-15): Amending the Zone and General Plan from Planned Community (PC) to Low Density Residential (R-3), for Real Property 77.1135 acres, Located at the NW corner of Redwood Road and Old Farm Road and North of Hillside Ridge.**

Kimber Gabryszak presented the plans. The applicant is requesting approval of a Rezone and General Plan amendment to facilitate future subdivision and site plan approvals for an LDS meetinghouse. The current zone is Planned Community; they are proposing an R-3. The application will remain subject to the City Center District Area Plan. An updated Legal Description shows it is 6.465 acres. The applicants need to provide an updated traffic study.

**Public Hearing - Opened** by Mayor Miller

No input at this time.

**Public Hearing - Closed** by Mayor Miller

Councilwoman Baertsch got clarification on where the nearest collector would be. (It would line up with Parkway Blvd.) She is concerned with the 56' road size. She knew some residents were hoping for a light at that intersection on Redwood Road or perhaps a right-in right-out turn only.

Jeremy Lapin said they needed to look back at the last study from UDOT. It's technically too close to Grandview but if the warrant is there they may choose to put one in. It is also why they need to have an updated study.

Councilwoman Baertsch thought the concept looked great. It is a different layout of a stake center. It appears they are complying with all the code so she has no problems.

Councilman McOmber also had concerns with transportation. He thinks the light option is better at Parkside. He would not like a temporary light because they tend to not go away. He is hoping that because it's a church the busy time will

be different than the school and commuter traffic. He thinks you need to know where the wards are coming for this church and where people will be driving from to help with the traffic study. He believes they are really looking at east side west side stakes. He likes the new design and would like to pass that along to the developer.

Councilwoman Call shares some of the concerns with the traffic patterns. She would like to see the asphalt width go back to 13' for traffic lanes. The narrower width does slow people down but she would like to see the older cross sections here and this type of area in the future. She does appreciate the 9' park strips and wider walkways. She is not as concerned with the design of the building, all the buildings are nice. She would appreciate the new traffic study. She is concerned that this is part of the Planned Community with a vested right to a certain number of units and she doesn't want to see them come back with less than 44-51 units reduced.

Kimber Gabryszak noted she didn't put in the density calculation. The non-residential bucket is based off of the size of the church.

Councilwoman Call would prefer the commercial base and reduce the density of the number of houses. She is not concerned with the rezone but what they may get stuck with because of the rezone.

Councilman Poduska was also concerned with the traffic pattern. He will wait to see what the new study shows. He likes the design; it's innovative to bring it in before the surrounding area is developed. He has no concern with design or placement.

Mayor Miller is happy to see the new design as well.

**Motion made by Councilwoman Baertsch to approve the General Plan Amendment and Rezone of 6.465 acres of parcel 58:041:0183 from Planned Community to Low Density Residential and R-3 as identified in Exhibit 1, with the Findings and Conditions in the Staff Report. Seconded by Councilman McOmber. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

## 2. ACTION ITEMS:

- a. **Inter-local Agreement with Utah County for Substance Abuse Prevention Services and Communities That Care Prevention Model.**
  - i. **Resolution R15-29 (dated 7-21-15): Approving the Inter-local Cooperation Agreement Between Utah County and the City of Saratoga Springs.**
- b. **Inter-local Agreement with Utah County for Community Prevention Services (Guiding Good Choices Program Grant).**
  - i. **Resolution R15-30 (dated 7-21-15): Approving the Inter-local Cooperation Agreement Between Utah County and the City of Saratoga Springs.**

Owen Jackson spoke on these items briefly. The first is the same agreement but the County gave more money this year for the coordinator position. Last year they had 3 sessions for guiding good choices, they added a mental health/first aid option.

Councilwoman Baertsch asked if our portion was the same, \$5000.

Owen Jackson stated yes.

Councilwoman Call asked if Guiding Good Choices was in conjunction with Communities that Care, or is it separate.

Owen Jackson said it is in conjunction, Karen is one of the trainers and they have contracted with another as well so it doesn't take all her hours.

Councilwoman Call asked how many prescription take backs we were planned for this year.

Owen Jackson said they did not have any planned because it was determined they were not effective. We could have kept the collection but we would have had no way to take care of the substances

**Motion made by Councilwoman Call to approve Resolution R15-29 (dated 7-21-15): Approving the Inter-local Cooperation Agreement Between Utah County and the City of Saratoga Springs. And also Resolution R15-30 (dated 7-21-15): Approving the Inter-local Cooperation Agreement Between Utah County and the City of Saratoga Springs. Second Councilman Poduska.**

Councilwoman Call clarified 15-29 was for Communities That Care and 15-30 was for Guiding Good Choices.

**Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

- c. **Storm Drain Agreement between the City of Saratoga Springs and Richard Chui.**

Jeremy Lapin presented the agreement. It is for a storm drain easement for the Market Street outfall. Councilman Poduska asked if they had gotten permits earlier because they were already digging. Jeremy Lapin replied they gave them the easement a month ago knowing they were working on the terms. He has been great to work with.

Councilwoman Call appreciates the work and liked the Riverside Drive on the exhibits.

Councilman McOmber thanked Richard Chui for the easement and we wanted to continue this positive relationship. He wanted to forward his appreciation.

Councilwoman Baertsch would like to echo the thanks to Mr. Chui. She has looked at the requirements and thinks they are great and appropriate to get ahead and not require more of him out of the ordinary.

**Motion made by Councilman Poduska to approve the Market Street Storm Drain Easement Agreement with Richard Chui. Seconded by Councilwoman Call. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

- d. **Final Plat for Heron Hills Plat B located at approximately 3250 South Redwood Road, Steve Larson, applicant.**
- i. **Resolution R15-31 (7-21-15): Adding Lots to the City Street Lighting Special Improvement District for Heron Hills Plat B.**
- Mark Christensen noted this was adding more subdivisions to the lighting SID.

**Motion made by Councilwoman Call to approve the Final Plat for Heron Hills B, and Resolution R15-31 (7-21-15): Adding Lots to the City Street Lighting Special Improvement District for Heron Hills Plat B. Seconded by Councilwoman Baertsch.**

Kimber Gabryszak wanted to clarify they were two separate items the Final Plat and the SID.

**Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

- e. **Resolution R15-32 (7-21-15): Adding Lots to the City Street Lighting Special Improvement District for Fox Hollow Neighborhood 6 Phase 2, 4A, 4B, 5 and 7.**

**Motion made by Councilman McOmber to approve Resolution R15-32 (dated 7-21-15): Adding Lots to the City Street Lighting Special Improvement District for Fox Hollow Neighborhood 6 Phase 2, 4A, 4B, 5 and 7. Seconded by Councilwoman Baertsch. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

- f. **Updates to Engineering Standards.**
- i. **Ordinance 15-23 (7-21-15): Amending the Engineering Standard Technical Specifications and Drawings Manual for the City of Saratoga Springs.**

Jeremy Lapin noted that there have been no substantial changes, mainly cleaning and fixing errors. It is a fluid type document that changes from time to time.

Councilwoman Baertsch noted that in one place it said stockpiling materials location needed to be approved by the City Engineer. There are other places where it doesn't say it needs to be approved. She wondered if that could be added to those places where it is not. Especially so it's as far away from homes as possible.

Jeremy Lapin said that the Legal department had them strip several of those because without clear standards they could not require that they comply with direction not based on clear criteria. They removed or left things in as suggested by the Legal dept. They perhaps should define some standards that could be enforced.

Councilman McOmber noticed those points as well. We should have standards on what should be acceptable, it should be consistent.

Jeremy Lapin noted it will be something to further look at. They would also need clear parameters on where stock piles were unacceptable.

Mark Christensen said they would look at it to make sure it was more on big projects and not just small lots. In a small lot there is no way they could have piles 20 feet away from the project.

Councilwoman Baertsch asked about the 4' to 5' sidewalks, while it may help with traffic calming, she is concerned that they have done some harm where they have a park in place or a church in place, things with higher uses, like a school.

Jeremy Lapin noted one reason they had done that reduction was that it was also a cost saving in asphalt maintenance. Perhaps we could come back with a new road cross section and see where it is best applied.

Councilwoman Baertsch had concerns with the roundabouts and that we are not allowing actual lanes in the roundabouts, we need to make sure the cross sections for multiple lanes are correct.

Jeremy Lapin there are probably 30 details in the road section and a lot of them he has never seen, they could probably trim those and when they are applicable they would fit better with custom designs.

Councilwoman Baertsch wants to make sure it is handled in the new Riverside Drive roundabouts.

Councilman McOmber thinks it would be nice when given these packets to communicate better what the changes were so they wouldn't have to go through all of it. He asked if there was a way to put in if you are going to do a large roundabout that you need to work with the City Engineer with Custom standards. This needs to be an opportunity to be more developer friendly.

Jeremy Lapin asked if they would be comfortable with passing this tonight and coming back with a new road section as soon as they can.

Mark Christensen wanted to point out that when a unique situation comes we have the ability to have a developer's engineer make recommendations to us and we can work with them and incorporate those changes into this document.

Councilwoman Call commented that she is concerned with a new road cross section. We don't always know if a park is going in on an adjacent plat and what the connecting road would need. If we do a 56' r/w and a new road qualifies for a 58' that may be a concern.

Jeremy Lapin thought if they had clear criteria and standards it would be unlikely.

Councilman Poduska wondered if the Engineering dept. had national standards, like the fire department and building inspectors.

Jeremy Lapin noted that the Utah chapter of the APWA has a published set of standards. Some cities have strictly adopted that and added supplementary things. They may have a few references but a lot of our standards are unique to our city and the land here and may exceed those standards.

Mark Christensen commented that it gives us some flexibility.

**Motion made by Councilwoman Baertsch to approve Ordinance 15-23 (dated 7-21-15): Amending the Engineering Standard Technical Specifications and Drawings Manual for the City of Saratoga Springs. And directing staff to work on road cross section discussed earlier. Seconded by Councilwoman Call. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

**g. Resolution R15-33 (7-21-15): Appointing Election Poll Workers to serve for the August 11, 2015 Primary Election.**

Councilwoman Call commented that the governing body shall have 4 per polling location and this was not enough people.

Mark Christensen replied we have these people now and he will check on that and they can make an amendment if necessary.

**Motion made by Councilwoman Baertsch to approve Resolution R15-33 (7-21-15): Appointing Election Poll Workers to serve for the August 11, 2015 Primary Election. Directing staff that if we need 3 additional poll works that it be taken care of at our next meeting. Seconded by Councilman McOmber.**

Councilwoman Call would like to have Lori forward the Council's thanks to the poll workers for their work.

**Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

**h. Ordinance 15-24 (7-21-15): Repealing 13.03 of the City Code Pertaining to the Regulation of Street Legal ATV's.**

Mark Christensen commented that was an example of state passing regulation and so we do not need our ordinance, we just refer to State Code.

Councilman McOmber wanted to say this is an example of Saratoga Springs working with the residents and working through the concerns to find a solution. We were one of the first Cities to do this and other cities followed and

when the State sees multiple communities doing it then they should put the legislation forward. He appreciates all the effort the City put into getting their own ordinance passed.

Councilwoman Call asked Chief Burton, now that ATV's are allowed on the larger roads, how does that impact our officers?

Chief Burton noted the officers were aware and they wouldn't be treating them different than any other street legal vehicle. They have to comply with all the laws. There is not a minimum speed limit placed by the state on Redwood Road. There is a vaguely written law about impeding traffic.

Mark Christensen reiterated that if it is not street legal you will be cited.

Mayor Miller asked with 8 year olds that are licensed if they are on the street on the way to the canyon is that illegal.

Chief Burton said they have to have a regular Utah State Drivers License to be legal.

Councilwoman Call noted that a license is required by state to operate on a street. She would like to direct Owen Jackson to inform the residents that the new law says they have to be licensed.

**Motion made by Councilwoman Baertsch to approve Ordinance 15-24 (dated 7-21-15): Repealing 13.03 of the City Code Pertaining to the Regulation of Street Legal ATV's. Seconded by Councilwoman Call. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

- i. City Council Minutes:
  - i. July 7, 2015.

**Motion made by Councilwoman Baertsch to approve the Minutes of July 7, 2015 including previously emailed changes by Councilwoman Baertsch and Councilwoman Call. Seconded by Councilman Poduska. Aye: Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 4 - 0.**

### 3. REPORTS:

#### a. Mayor

Mayor Miller noted last week he went to Camp Williams and toured the new PEQ quarters that are very nice. It was great for the Camp to involve the community.

#### b. City Council.

Councilwoman Baertsch announced that there will be an open house on a potential shooting range on Soldier Pass Aug 4<sup>th</sup> here at Talons Cove, and Aug. 5<sup>th</sup> in Sandy at the Hilton Ballroom. It will talk about the closure of Lake Mountain and the potential for a new range. She asked about the secondary water rights, if it was divided by 6 or 12 months. [6]

Councilman McOmber said in Saratoga Springs Development there is a lot of talk about not turning over the road maintenance to the City because they feel the standards aren't as high. He thinks the majority of the neighbors are open to opening it up more to police patrolling. He asked the City Engineer where to find the Master sewer and storm drain plans and if in Saratoga Springs Development it was public or privately owned.

Jeremy Lapin wasn't sure of the history of the system but the storm drain system is owned by the City.

Councilman McOmber said there are some major problems with the drain that cause hazards particularly in the winter. One in particular, the homeowner is willing to take care of it but want to make sure they don't get in trouble. He would like to work with Jeremy on that.

Jeremy Lapin said someone needs to determine if it's a storm drain issue or a private road issue.

Mark Christensen said they would be happy to work with them on it but its not real clear cut.

Councilwoman Call noted that Aug. 4<sup>th</sup> is also the Night-Out Against Crime. Lakeview Terrace HOA wants to have a discussion with staff about roads. Code enforcement is a topic that needs to be discussed. She thanked staff for getting the video out on how to check the water meters. Aug. 6<sup>th</sup> is their annual growth meeting with all the schools. There had been a suggestion that it might be good direction to talk with the LDS stk. Presidents for similar growth concerns like they do with the schools.

Councilman Poduska noted the Urban Design Committee meets tomorrow to discuss The Crossing.

Councilwoman Baertsch wanted people to notice they are laying the first pipe for the Tickville wash.

Mayor Miller noted that since they have gotten the two parks there on Saratoga Road, Inlet and the RC Park, that the signs need to be looked at for replacing and branding them as part of the City.

Councilwoman Call noted they had talked to the RC people about the signs and they are amenable to changing them. She would be happy to put something together to work with the sign company.

- c. Administration communication with Council.
- d. Staff updates: inquires, applications and approvals.

Kimber Gabryszak noted there are several items added to UDC; Harbor Bay Church, Jacobs Ranch Church Tractor Supply Site Plan Sargent Court Townhome Amendment. The next meeting here is just a work session on The Crossing and following will be Talus Ridge D and other projects coming through the pipeline.

**4. REPORTS OF ACTION:** No reports tonight.

**5. 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.**  
No Closed Session.

**Policy Meeting Adjourned at 8:30 p.m.**

August 18, 2015  
Date of Approval



Mayor Jim Miller

Lori Yates, City Recorder