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**City of Saratoga Springs
City Council Meeting
September 15, 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

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Present:

Mayor: Jim Miller

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

Staff: Mark Christensen, Kimber Gabryszak, Spencer Kyle, Owen Jackson, Kevin Thurman, Jeremy Lapin,
Kara Knighton, Chelese Rawlings, Jess Campbell, Nicolette Fike

Others: Chris Porter, K Becraft, Sherri Haab, Sandra Steele, Stan Steele, Amber Blasdell, Tennille Perry,

Micah Raventos, Darcey Williams, Jason Williams, Joe Baird, Karson Burton, Sam Peart, Ty Poyen,

Jason Wood, Brian Burton, Scout Troop 1124, Tyson Cabljagn, AJ Baadsgaard, Cathy Collard, Cub

Scouts 416, Ron Edwards, David Cannon

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Excused:

Call to Order 7:00 p.m.

Roll Call – a quorum was present

Invocation / Reverence - given by Councilman Willden

Pledge of Allegiance - led by Zack Baldry from Scout troop 435

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Public Input – Opened by Mayor Miller

Sherri Haab would like to bring to the attention of City Council that many people in the south of the city are still having problems with sewer and gas in the lines. A chemical dispensary was added to the system but with the dry weather the gas has continued to be bad. It is on both sides of Redwood Road. They checked on their neighborhood Facebooks and many people responded with the same problem. She believes it is because there is not enough water in the system. They are hoping the city will still pay attention to the issue and find a solution sooner rather than wait til more houses are built. She noticed it is worse on days that are clear.

Spencer Kyle noted they had been working with her, they did a chemical treatment to reduce hydrogen sulfide levels. They will go out soon to re-measure the system, and do testing throughout the city. They have also done more sulfur testing on the water and have not shown any.

Sandra Steele wanted to bring to their attention that the City Municipal Code does not have a pooper scooper law. She has provided a possible start to the ordinance to Owen Jackson to help address this. She thinks any public property should be included, not just sidewalks and thinks it is something for discussion.

Mayor Miller said they have had other complaints from residents on that issue and asked Mark Christensen to bring it back to them in a work session.

Public Input - Closed by Mayor Miller

POLICY ITEMS

1. Departmental Financial Update.

Chelese Rawlings shared the Budget update. The report shows the actuals in comparison to the budget up to June 30, 2015 before year end closing entries. They only spent \$103,000 more than the last fiscal year.

This last year they brought in 1.8 million more revenues. She noted that their credit card fees are getting higher because more people are using their cards to pay for utilities.

Councilwoman Call had a question about the summary page and where they have an expenditure with a revenue coupled to it, is there a way for it to be broken out.

Chelese Rawlings said it's in other revenue so it's totaled together but she can see about breaking it out.

54 Councilwoman Call wanted to look at the cost of Bluffdale's contract with their population compared to
 55 ours, if we could bring that back and look it over, to see if they need adjusted.
 56 Mark Christensen commented that the level of service they are contracting for is significantly less.
 57 Councilwoman Call asked about paying with credit card, are the fees recouped?
 58 Chelese Rawlings said there are laws that protect from passing on those fees to consumers. They would have
 59 to assess a fee to all, not just pick and choose. She would have to do more research. Right now they have
 60 it capped at \$1500 that can be charged on a credit card.
 61 Councilwoman Call commented that if our other utility customers are supplementing the credit card users
 62 then maybe we need some adjustment and if we can nip it now it would be better.
 63 Mayor Miller would be curious what our delinquency rate is between those that pay by credit and the others,
 64 as we pay more to collect from those that aren't paying.
 65 Councilman McOmber appreciates the reports. He didn't feel there was anything he needed to alert the
 66 auditor to this year. It's much better than when he came in 6 years ago.
 67 Councilwoman Baertsch commented on the impact fees, the actuals are much lower than budgeted. She
 68 would like to know what that is due to.
 69 Chelese Rawlings some of the impact fees adjusted down throughout the year. We didn't adjust it because
 70 we assumed with the growth we would still bring in the balance.
 71 Councilwoman Baertsch thinks with those types of things it might be good to adjust those. She had some
 72 other questions she will go over with Chelese Rawlings at a later time. She asked about the street light
 73 SID fund where we are over, is that a fund balance thing? Are we charging too much for those fees?
 74 Chelese Rawlings said we pulled in that many more.
 75 Mark Christensen said typically we are not over charging. With impact fee funds we collect and save up for
 76 capital and turn around and spend it on bigger projects. He hasn't seen an excessive growth in any area.
 77 Councilwoman Baertsch said let's make sure we are adjusting those budgets as we go.
 78 Councilman Willden really appreciates that we are very conservative in our revenue projections and what we
 79 put in our expense requests. Staff doesn't push for things; they come in with what they need. If the city
 80 implemented a charge for credit cards more people will send in a check to save the two or three dollars.
 81 In the future it's going to cost more to process a check than credit.
 82 Councilman Poduska appreciates the color coding in the report.

83
 84 **2. PUBLIC HEARING ITEMS:**

- 85 **a. General Plan, Land Use and Code Amendments-Mixed Lakeshore to Mixed Waterfront**
- 86 **Designation and Zone.**
- 87 **b. Amendments to the City of Saratoga Springs Land Development Code.**
- 88 **i. Ordinance 15-26 (9-15-15): adopting amendments to the Saratoga Springs Land Development**
- 89 **Code and General Plan.**

90 Kimber Gabryszak presented the proposed changes.

91 **GENERAL PLAN**

92 Change Mixed Lakeshore Designation to Mixed Waterfront, including a few cleanups.

93 **CODE**

94 19.02 – Definitions

- 95 • Clean-up definition to avoid confusion, and replace graphics

96 Councilwoman Call suggested that when we add a graphic could we give it an image reference number
 97 and then reference it when it's talked about in the code.

98 Multiple sections, removal of "Gateway": 19.02, 19.04, 19.15, 19.18, 19.23

- 99 • Remove the Gateway definition and references from Code, as the defined Gateway is no longer the
 100 primary entrance into the City
- 101 • Sections impacted: 19.02, 19.04, 19.15, 19.18, 19.23

102 19.04 – Land Use Zones – Mixed Lakeshore

- 103 • Change name to from Mixed Lakeshore to Mixed Waterfront to permit application along Jordan
 104 River as well as Utah Lake
- 105 • Add several clarifications, and modify feathering and commercial location standards.

106 • Proposal includes higher density in interior of development, with density transition to match adjacent
 107 developed residential areas
 108 19.05 – Supplemental Regulations
 109 • Standards for Auto Sales and Large Parking Lots and Vehicle Storage
 110 ○ Require an additional 30’ buffer and displays subject to certain limitations.
 111 Councilman McOmber asked if there was a limit to the number of car lots that could be in our
 112 commercial zones.
 113 Kimber Gabryszak replied there is not.
 114 Councilwoman Baertsch asked if we could something along the lines of there needs to be a spacing
 115 requirement, or so many lots per so many residents.
 116 Councilman McOmber is concerned that several lots (like Lehi Main Street) would be unattractive.
 117 Councilwoman Call said one thing where we have an advantage is we have standards and the ability
 118 to put in proper documentation up front and limiting the display. A 30’ buffer is going to look
 119 better.
 120 Mark Christensen said he, Councilwoman Baertsch, and Owen Jackson met with Auto Dealers of
 121 Utah to see what they could do for long term planning. He would caution about putting to many
 122 restrictions as of yet, we want some flexibility for the future to be able to deal well with car
 123 dealerships.
 124 Councilman McOmber commented that new car dealerships are not the same as used car lots. He is
 125 more concerned with the used car lots.
 126 Kimber Gabryszak this is a pretty high standard that most used car dealers you see are not meeting.
 127 This should cover what we need for now.
 128 Councilwoman Baertsch didn’t notice a cemented pad for the display areas. We want to avoid them
 129 parking on the landscaping. If there is not an actual pad designated then they can add more
 130 vehicles and it becomes a code enforcement issue.
 131 Kimber Gabryszak responded that they do have to designate the pad as part of their site plan.
 132 Councilman McOmber said the cement pad is helpful to make it obvious for code enforcement.
 133 Councilwoman Call asked for clarification on display height limit.
 134 Councilwoman Baertsch said this is to limit the entire height so they can’t have a 10 foot display
 135 then a 10 foot vehicle on top of that. It’s the display and vehicle combined.
 136 Councilwoman Call then noted that it calls out that vehicles can’t be over 10 feet not vehicle and
 137 display together.
 138 Kimber Gabryszak made a note for that change.
 139 Councilwoman Baertsch noted the setback was a significant distance from the buffer area. She would
 140 be fine if they wanted to put their building up against the display area and have the main part of
 141 the parking behind the building she would be ok with that option, if they are not going to have
 142 parking right there.
 143 Kimber Gabryszak remarked that the landscape buffer is only required for parking and sales lot so if
 144 they don’t have a parking lot then it would be the typical building setbacks. That option is
 145 available.
 146 Councilwoman Call suggested in the wording that we clarify which direction from the back of the
 147 sidewalk for a display area so they don’t go into the buffer.
 148 Councilwoman Baertsch mentioned on the exhibit there is back of curb and edge of ROW which is
 149 not always the same thing.
 150 Kimber Gabryszak noted where there are two types of roads, and noted consistency changes that
 151 needed to be made.
 152 19.06 – Landscaping and Fencing
 153 • Minor change to planting standards to clarify caliper height. Industry standard is caliper is measured
 154 about 12 inches from root ball.
 155 • Identify location where fencing should drop to 3’ height for corner lots – they have to keep a clear
 156 view triangle when the street side yard is adjacent to a driveway.
 157 Councilwoman Call suggested that when we are looking at new applications we can look out for a
 158 driveway that could be switched to the other side.

159 Councilman McOmber commented that it's important when we have situations like that, that the
 160 developers are informing owners of the consequences of where they place a driveway.
 161 Ultimately we have to consider safety. We need to figure out how to maintain site triangles and
 162 people also need to be cognizant when they back out.
 163 Councilwoman Baertsch noted this was an interesting discussion in Code Committee. We were able
 164 to get a pretty good compromise here. And she agrees to working with developers that they try to
 165 make sure the driveways are on the correct side.
 166 Kimber Gabryszak is more worried about side yards that are short.
 167 19.12 – Subdivisions - 19.13 – Process - 19.14 – Site Plan
 168 • Delegate several types of approvals to better streamline processes. Most of the changes are to follow
 169 direction given in Work sessions.
 170 Councilman McOmber is hesitant and wants to make sure that if a developer is coming in again and
 171 again with Site plan changes to really look at it, and make notes of why it's happening. If it
 172 continues to be a problem he thinks City Council would need to be brought in again.
 173 Kimber Gabryszak commented that the way it's written, if the final plat is consistent with the
 174 preliminary staff can approve it but if it's not or it has a deviation it would have to come back to
 175 Council. She said they could put those concerns into the update memo.
 176 Councilwoman Baertsch said we need to be careful to be specific which plat they are talking about,
 177 e.g. on b.3.i it says plat but not preliminary or final. She is not sure "if no deviations are
 178 requested" needs to be there, it's redundant.
 179 Kimber Gabryszak summarized the changes for this section listed in the staff report.
 180 19.26 – Planned Community Zone
 181 • Change Mixed Lakeshore to Mixed Waterfront. They are proposing to increase the allowable density
 182 and adding language in the code that requires density transition from existing residential.
 183 Councilwoman Call said this makes her nervous. She understands what we are trying to accomplish
 184 but she doesn't think that moving it up to 10 units per acre will do that. She feels uncomfortable
 185 throwing in high density right now until we research more communities of this type. We have
 186 lost a lot of this to single family homes but she would rather first look at code that is
 187 implemented in other areas that are successful with this.
 188 Councilman McOmber had concerns here as well, that maybe it needs a little more attention to find
 189 the right balance. He agrees that in order to encourage commercial developers they need the
 190 density for an incentive but they don't want to give too much.
 191 Kimber Gabryszak said they could just not include the number changes, but recommended they
 192 make some of the name and transitional changes now. They plan on overhauling it more
 193 completely down the road. They are already working on the research requested now in other
 194 vibrant river walk communities.
 195 Councilwoman Call doesn't necessarily see the need for commercial within 200 feet of single family
 196 residential buffer.
 197 Kimber Gabryszak responded that was a request from Planning Commission as well as some
 198 residents. If they are comfortable they can remove 10 and 14 and c.1.
 199 Councilwoman Baertsch mentioned other areas they may want to look at minimum of commercial,
 200 there may be areas where they want more.
 201 Councilwoman Call wondered if one developer comes in and their property is not suited for
 202 residential or commercial do they have to wait until someone comes in to provide the 20 or 80
 203 percent.
 204 Councilwoman Baertsch said it may be too specific in some areas and not specific enough in other
 205 areas. We need to be specific in setting out the open space. When looking at some of those other
 206 cities, they seem to have set out 50-100 feet from the shoreline for public seating and walking
 207 areas. If you look at some of those areas they have the ability to put some of those homes or
 208 commercial right against some of those seating areas but they never put a road between housing
 209 and the riverside so it creates a very walkable environments, it's always to the back. We may
 210 need to do an overlay or just definitions to put more specific guidelines in. There may be a
 211 situation where there is commercial near the main road and it funnels down to the water front.

212 Kimber Gabryszak asked if City Council would like to just approve the name change tonight. With
213 all the changes she would recommend they continue it to the next meeting.
214

215 **Public Hearing Open** by Mayor Miller.

216 Darcey Williams noted that several people from her neighborhood were present tonight (Dalmore
217 Meadows). They want to be cautious with this because of The Crossing directly west of them, the
218 medical directly south of them and the commercial north of them. They are concerned their
219 neighborhood would be an island surrounded by commercial, and their property values would go
220 down. There is so much traffic there right now at certain times of the day they cannot turn left
221 (south) out of their neighborhood. There are big concerns with this and they would like to see more
222 housing by them.

223 **Public Hearing Closed** by Mayor Miller.
224

225 **Motion made by Councilwoman Call to continue these items to our next meeting of October 6th 2015**
226 **for further discussion and allow staff to make changes and bring back recommendations.**
227 **Seconded by Councilwoman Baertsch. Aye: Councilman Willden, Councilwoman Baertsch,**
228 **Councilman McOmber, Councilwoman Call, Councilman Poduska. Motion passed 5 - 0.**
229

230 **Item 3.a. was moved forward to this time.**

231 **3.a. Amending the Cul-de-Sac details in Engineering Standards Technical Specifications and Drawings**
232 **manual.**

233 **i. Ordinance 15-28 (9-15-15): adopting a modified Cul-de-Sac detail for certain projects in the**
234 **City of Saratoga Springs.**

235 Jeremy Lapin presented the item for the adoption of a modified cul-de-sac detail that is compliant with the
236 International Fire Code.
237

238 **Motion made by Councilwoman Baertsch to approve the Cul-de-Sac details in Engineering Standards**
239 **Technical Details, Specifications and Drawings manual. Ordinance 15-27 dated today (9-15-15)**
240 **including all Staff Findings and Conditions. Second Councilman McOmber. Aye: Councilman**
241 **Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call, Councilman**
242 **Poduska. Motion passed 5 - 0.**
243

244 **c. General Plan, Land Use Map, and Zone Map Amendments (Rezone) from Low Density Residential**
245 **and R-3 to Mixed Waterfront located between Redwood Road and Jordan River, north of Dalmore**
246 **Meadows; City of Saratoga Springs, applicant.**

247 **i. Ordinance 15-27 (9-15-15): adopting amendments to the City's Official Zoning Map and Land**
248 **Use Map of the General Plan.**
249

250 **Public Hearing Open** by Mayor Miller

251 Darcey Williams noted her earlier comments were also in conjunction with this item.

252 **Public Hearing Closed** by Mayor Miller
253

254 **Motion made by Councilman McOmber to delay the General Plan, Land Use Map, and Zone Map**
255 **Amendments to a future date. Seconded by Councilwoman Call.**
256

257 Councilwoman Baertsch said from their July meeting they were pretty specific that the easement granted
258 was tied into putting the road on the transportation capital facilities plan and the zone change was
259 tied to the annexation to some other property and she wondered where we were at.

260 Kevin Thurman there was some confusion because the Engineers staff report said we would do one thing
261 and the owner would do another, but the actual Agreement reads different, they are not tied to each
262 other, it wasn't a quid pro quo. The Waterfront designation has to be rezoned within 120 days from
263 signing the agreement.

264 Councilwoman Baertsch believes that generally they don't do a rezone unless they have a reason with an
265 application and plans.
266 Mark Christensen said sometimes they do that. The rezone request was for this particular parcel not the
267 parcel they are bringing into the city. There is still some flexibility on that parcel. They have begun
268 some conversations with the neighbor to the east regarding that property and they are beginning
269 preliminary conversations and they are moving forward and doing their due diligence. They would
270 like it rezoned by the time they are ready to do something with it at some point in the future.
271 Councilwoman Baertsch said some councilmembers were concerned about the tax implications. If they
272 were to put it on the Land Use Map and not do the zone change, it wouldn't have the tax implications
273 a zone change would have. While it is the applicants desire to have this it may be a discussion you
274 want to have with him.
275 Mark Christensen replied that they would do that.

276
277 **Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman Call,**
278 **Councilman Poduska. Motion passed 5 - 0.**
279

280 **3. ACTION ITEMS:**

- 281 **b. Final Plat for Talus Ridge Plat F located at approximately 1100 West Talus Ridge Blvd; Edge**
282 **Homes, applicant.**
283 **i. Resolution R15-41 (9-15-15): adding lots to the City Street Lighting Special Improvement**
284 **District for Talus Ridge Plat F.**
285 **c. Final Plat for Talus Ridge Plat G located at approximately 1100 West Talus Ridge Blvd; Edge**
286 **Homes, applicant.**
287 **i. Resolution R15-42 (9-15-15): adding lots to the City Street Lighting Special Improvement**
288 **District for Talus Ridge Plat G.**

289 Kara Knighton said she would be happy to answer any questions.
290

291 **Motion made by Councilman Willden approve the Final Plats for Talus Ridge Plats F & G**
292 **including the Resolutions R15-41 & R15-42 (9-15-15) adding lots to the City Street Lighting**
293 **Special Improvement District. Including all staff findings and conditions. Second from**
294 **Councilman Poduska. Aye: Councilman Willden, Councilwoman Baertsch, Councilman**
295 **McOmber, Councilwoman Call, Councilman Poduska. Motion passed 5 - 0.**
296

- 297 **d. Code Enforcement Extension Fees.**
298 **i. Resolution R15-43 (9-15-15): amending the Consolidated Fee Schedule to add fees for code**
299 **enforcement extensions.**

300 Kimber Gabryszak presented the amendment. This is a proposal to enable an extension process and still
301 make sure the City's time is covered for cost and that it's a fair system to grant extension. The first
302 extension is free, the second has a charge to cover half the city's cost and any further requests cover
303 approximately the full cost. That way those that are coming into compliance are not being fined and
304 those that are not are covering the costs.

305 Councilman Poduska had no difficulties, it seemed fair, to have the cost of the processing transferred to
306 the user makes sense.

307 Councilwoman Call thinks for the first request it could be designated to just the code enforcement officer
308 and not the Planning Director and Police Chief. She also wants to change the term CEO and
309 use code enforcement officer due to possible confusion. There shouldn't need to be a site visit.
310 On the second one we could send just the inspector out and charge the \$50. And the third attempt
311 everyone does what is outlined by staff. She doesn't think the first time needs to have the Planning
312 Director and Police Chief to look at the application and make sure it is all status quo.

313 Mark Christensen commented that we are trying to create a process where it's not just the officer, it may
314 be best for them to not try and negotiate.

315 Councilwoman Call doesn't think it puts the City in a good light if the first time you just need two more
316 weeks because your sod can't be delivered you shouldn't have to come into and be reviewed by the
317 Police Chief.
318 Mark Christensen replied that it doesn't make sense to escalate it to the top but they are trying to catch
319 more complex issues.
320 Councilwoman Call appreciates that, but if the issues are going to be resolved in the first request then
321 they are not very complex, by them being more complex it will require more requests and they will
322 have the Chiefs eyes on them.
323 Kevin Thurman commented that they don't just have Code Enforcement Officers in the Police
324 department. They are also in Building, Planning, and Engineering. We could just say supervisors can
325 sign off, that way the Chief of Police doesn't need to see each one.
326 Councilwoman Call thought they could change it to a 30, 60, 90 day request. We shouldn't need the
327 Chief to sign off on something simple like my sod can't come for a month.
328 Kevin Thurman thinks they probably need a more robust policy that covers certain situations where the
329 officer shouldn't have that much discretion and other times when he should. There may be times
330 when we don't want that discretion to protect the officer and avoid conflicts with residents.
331 Councilwoman Baertsch clarified that they are mostly talking about landscape issues. This wouldn't
332 really apply to building issues.
333 Kimber Gabryszak this would apply to anything that is Code Enforcement. It's not only CEOs that can
334 issue citations. If they wrote a citation and then they requested an extension then this would apply.
335 So this would be outside the scope of normal re-inspection fees etc.
336 Kevin Thurman said you could direct us to only use the actual policy where the CEO signature is
337 required for enforcement actions under the police department.
338 Councilman McOmber thought it made sense at first but then said if the first extension that is free but
339 still costs the city \$103 with so many people's eyes on it, the concern is if you have an impact you
340 should pay the fee for that impact. We don't need to jump through so many hoops. He would be ok
341 with free if they remove so many of the eyes on it and kept the first request simple for the first
342 extension request. Once you get into a second request then it gets more complicated and more
343 people. Third request get more complicated with people on site and so many hours. But if just the
344 officer is able to grant the extension then it makes more sense and keeps it simple.
345 Kimber Gabryszak is happy to work with Chief of Police and Code Enforcement to revise the form and
346 process. This resolution is just for the fees and not the policy. They can make the changes to the
347 policy.
348 Councilman Willden asked if the first one was an automatic approval, his concern is you are putting an
349 officer in a difficult situation. If it's automatic he would be ok with it.
350 Kevin Thurman thinks it hard for a one size fits all on this situation. Really it should be left to the
351 discretion of the supervisor. If someone violates and comes in and pays the judgement, and they are
352 violating again you may not want to give them an extension.
353 Councilwoman Call would say it would be for someone that doesn't have a code enforcement issues in
354 their past they should be granted an automatic extension and then it's virtually free. The next one
355 where they need to go out and inspect has a fee on that because it costs us more money to administer
356 that.
357 Kevin Thurman commented that we will add it to the actual policy.
358 Councilwoman Baertsch wondered if there is going to be a time when it shouldn't be an automatic
359 extension. She is aware of one situation that has been brought up and he just kept going and the city
360 gave a variance they shouldn't have and it's caused problems.
361 Mark Christensen there are possibly times when they wouldn't want to do that automatic extension. If
362 they are ok adopting the fees and bring back the policy for them to see they can do that.
363

364 **Motion by Councilwoman Baertsch to approve Resolution R15-43 (9-15-15): amending the**
365 **Consolidated Fee Schedule to add fees for code enforcement extensions and directing staff to**
366 **discuss and revamp the policy and bring back to work session. Seconded by Councilman**

367 McOmber. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,
368 Councilwoman Call, Councilman Poduska. Motion passed 5 - 0.
369

370 e. **Culinary Water Leak Forgiveness Program:**

371 i. **Resolution R15-44 (9-15-15): adopting a Culinary Water Leak Forgiveness Policy.**

372 Spencer Kyle presented the program. The item was discussed at the August 25, 2015 City Council work
373 session. He listened to the audio from that meeting and put together a resolution based on the
374 suggestions and recommendations from Council. He clarified that the policy would be retroactive to
375 include the usage in July and August, billed in August and September.
376

377 Motion by Councilwoman Call to approve Resolution R15-44 (9-15-15): adopting a Culinary Water
378 Leak Forgiveness Policy with all staff findings and recommendations. Seconded by Councilman
379 Poduska. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,
380 Councilwoman Call, Councilman Poduska. Motion passed 5 - 0.
381

382 f. **City Council Minutes:**

383 i. **August 25, 2015.**

384 ii. **September 1, 2015.**
385

386 Minutes changes emailed by Councilwoman Call were read. Councilwoman Baertsch shared changes.

387 Councilman McOmber indicated that he was excused for the Closed Session.

388 Councilman Willden clarified with Mark Christensen that going forward we would post the changes at
389 the door.

390 Kevin Thurman said if there are substantial changes we may need to spend more time and thought before
391 adopting those changes in the future.
392

393 Motion made by Councilwoman Call to approve the minutes for August 25, 2015 and September 1,
394 2015 with changes read by Nicolette and offered by Council members. Seconded by
395 Councilwoman Baertsch. Aye: Councilman Willden, Councilwoman Baertsch, Councilman
396 McOmber, Councilwoman Call, Councilman Poduska. Motion passed 5 - 0.
397

398 g. **Discussion Central Utah Water Purchase Agreement Amendment.**

399 Mark Christensen noted that the old contract required the city and partner to acquire 62 million dollars'
400 worth of water and after that then the annual operation would be paid for by PRI until the water's
401 being used in the City's system. The result is that the city would gradually pick up the cost on that.
402 They looked at different ways to structure the deal. The alternative they proposed to us would enable
403 the cities to pay the upfront and operating and maintenance costs on a different draw-down schedule
404 instead of paying the upfront buy-down of the entire allotment. Whoever the developer is that
405 purchases the water would pay more for the contract price but only pay the operating and
406 maintenance for the water they are actually using in their system. They adjusted the rates so you are
407 paying a higher purchase price for the water, and redistribute the operating and maintenance costs. It
408 transfers the cost. The city's cost would be the operating and maintenance cost. The operating and
409 maintenance decreases significantly in the first 10 year period compared with the original deal. At
410 the end of the 30 years it's more if you take the second alternative but differs depending on how
411 quickly the water is taken down. If we go with the alternative it would grant a little more flexibility
412 in trying to remarket the water in the community. If we don't go with the alternative, the incentive
413 for PRI is to try and sell it off faster. It's something we are looking at. Central Utah Water has asked
414 that we take a look at it. We have a meeting set up with Eagle Mountain to discuss the way they
415 would like to move forward. All the purchasers will need to essentially agree. It's pretty break even
416 for us, although the end number is bigger with the alternative, but you don't need to drop as much at
417 the front end of the purchase nor would the total operating and maintenance fees be as high. On the
418 current contract the operating and maintenance fees start to diminish towards the end of the contract
419 for PRI because the City will ultimately pay more and more as we use the water.

420 Councilman Willden likes the alternative because it's a zero impact for the city. There is a higher
421 likelihood that the water will stay with the city and not get sold elsewhere. It's important to retain the
422 water rights. The only cost is the price per acre fee which would be a development fee and in 30
423 years we would expect water prices to go up.
424 Mark Christensen said they have it that the water is graduating based on the different tiers. It's about a
425 half an acre foot per household and potentially could be \$15,000 impact fee per home by 2045.
426 Councilman McOmber said looking at the principle standpoint would like to see the 10,000 acre feet stay
427 within the city. He would also encourage plan c that is not such a large impact with a compromise in
428 the middle. Continue those discussions as you are working with the other cities to find the better
429 alternative.
430 Councilman Willden would recommend time to go through the spreadsheet with Mark in a work session.
431 Mayor Miller had a chance to talk to Mark yesterday and agrees with finding a balance between the two.
432 Mark Christensen said last night they weren't sure if they were going to have to pay the full acre foot
433 operation and maintenance. Under the amendment they are only charging for the portion we are
434 using so it is significantly less.
435 Councilman McOmber it makes sense that you should pay what you use.
436 Councilwoman Call would like to see this in work session. So we can have the input while they are
437 looking at all the information.
438 Councilman McOmber would also like to have the work session and gain from Councilman Willden's
439 financial perspective.
440 Councilman Poduska would want to retain the \$10,000 feet and redistribute to the other developments as
441 necessary. The discrepancies seems like it should be able to be negotiated.
442
443

444 4. REPORTS:

445 a. Mayor.

446 Mayor Miller commented that some cites have got back flow preventers on homes to protect the water
447 source. It's certified every year.
448 Spencer Kyle said they used to have an inspection but now they say it's not allowed.
449 Mayor Miller thought they could do it on new construction moving forward.
450 Kevin Thurman mentioned that Title 8 prohibits that from occurring, but it doesn't say at the house.
451 Mark Christensen said he is not aware of any but one circumstances of that that happening.
452 Mayor Miller suggested they look at what So. Jordan is doing.

453 b. City Council.

454 Councilwoman Call reminded them that she is leading the service project on the 19th at Inlet Park. The
455 meeting for the appropriation will be next month. The lake commission has gone to a quarterly
456 meeting schedule. Oct. 20th is the Legislative Lake hoopla at Talons Cove and she would like to
457 request that Council attend that in lieu of their regularly scheduled meeting. She announced that she
458 is withdrawing from the upcoming election. Her husband is accepting a position in Ohio. She
459 thanked Council and Staff for the time they have worked with her.
460 Councilman McOmber thanked Councilwoman Call and her attention to detail. He asked if the Recorder
461 could look into how that affects the candidates listed on the ballot. He wants to thank Staff for
462 getting the grass cut at Neptune Park. It is still long for soccer at about 4 inches. It is better but it
463 could still be shorter.
464 Spencer Kyle responded that the field portion is getting mowed twice a week now.
465 Councilman McOmber commented on 400 south, it is open now; they took out some of the road and did
466 not replace it from trenching on the side. He is worried it no longer meets the City standards.
467 Mark Christensen said they will be extending it out when the canal goes in.
468 Councilman McOmber thinks they should require the developer to stripe it so it is safer.
469 Councilwoman Baertsch wanted an update from a transportation meeting that Kimber and Mark attended
470 and let the council know that they will be bringing a work session forward on that information. She
471 asked if they could get an update on the north Shay Park sidewalk and berm trail and where they
472 were on all that.

473 Spencer Kyle did not have updates yet.
474 Councilman Willden was in touch with the Library Board and has asked them to put together a long term
475 analysis to project the growth and at what point would a library building make sense. So they can
476 start planning about it. He thanked Councilwoman Call for her services.

477 **c. Administration communication with Council.**

478 Mark Christensen commented that where they are doing more work on 400 South he will have to check
479 with them. On the concerns with the trail and the park, Mark Edwards is looking into that, there are
480 some concerns with steep grades. He said they should keep an eye out for an email from Melissa
481 Grygla from the library. They will talk more about the backflow preventer in the home.

482 Owen Jackson shared that this weekend they will be doing a lane shift on Redwood Road as they install
483 the Tickville storm drain across the road. On Sunday it will be only one lane with flaggers.

484 Councilwoman Call had a concern that if they are working on the weekend if there is a problem how
485 residents would get a hold of the city.

486 Mark Christensen said they just discussed creating a voicemail box that will help take care of that.

487 **d. Staff updates: inquires, applications and approvals.**

488 Kimber Gabryszak updated the Council of New Applications & Resubmittals & Staff Approvals. (memo
489 included in packet.)

490
491 **5. REPORTS OF ACTION:** No Reports tonight.

492
493 **6. Motion to enter into Closed Session for the purchase, exchange, or lease of property, pending or**
494 **reasonably imminent litigation, the character, professional competence, or physical or mental health of**
495 **an individual.**

496
497 Motion made by Councilman McOmber to enter into closed session for pending or reasonably
498 imminent litigation. Seconded by Councilwoman Call. Aye: Councilman McOmber,
499 Councilwoman Baertsch, Councilman Willden, Councilman Poduska and Councilwoman Call.
500 Motion passed unanimously

501
502 **Meeting Moved to Closed Session 9:20 p.m.**

503
504 **Closed Session**

505
506 **Present:** Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilman McOmber, Councilwoman
507 Call, Councilman Poduska, Mark Christensen, Kevin Thurman, Spencer Kyle, Nicolette Fike

508
509 **Closed Session Adjourned at 9:30p.m.**

510
511 Mayor Miller mentioned that Stevens Henagar College has a Mayor's Choice award that is \$1500 off of tuition.

512 It doesn't cost the city anything for it. They look at residents who are attending and meet certain criteria.

513 Councilwoman Call is okay for those that are attending but doesn't want high school kids to apply not knowing
514 what they are getting into cost wise.

515 Councilman McOmber thinks that maybe we should have some of these kids apply. A college like this is a good
516 option for some kids.

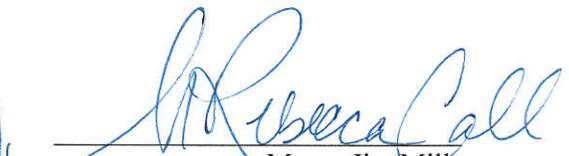
517 Councilwoman Call doesn't want them going in not knowing the price tag.

518 Mayor Miller said they have to sign a disclosure and they don't get it until they graduate. It sounds like they will
519 move forward with it.

520
521 **Policy Meeting Adjourned at 9:32p.m**

522
523 October 6, 2015
524 Date of Approval



525

Rebecca Call, Mayor Pro Tempore
~~Mayor Jim Miller~~

526
527



Lori Yates, City Recorder (or deputy)
Nicole He Fike