



## MINUTES – CITY COUNCIL MEETING

**Tuesday, July 20, 2021**

City of Saratoga Springs

City of Saratoga Springs City Offices

1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

---

### City Council Policy Meeting

**Call to Order:** Mayor Jim Miller called the meeting to order at 6:01 p.m.

### **Roll Call:**

**Pursuant to the COVID-19 Federal Guidelines, this Meeting will be conducted electronically.**

**Present** Mayor Jim Miller, Council Members Stephen Willden, Chris Porter, Michael McOmber, and Christopher Carn.

**Staff Present** City Manager Mark Christensen, Assistant City Manager Owen Jackson, City Attorney Kevin Thurman, Senior Planner Sarah Carroll, Community Development Director Ken Young, Public Works Director Jeremy Lapin, Budget Analyst Spencer Quain and City Recorder Cindy LoPiccolo.

**Invocation:** Council Member Willden

**Pledge of Allegiance:** Council Member Porter

**Public Input:** None

**REPORTS:** Council Member Willden mentioned that when we are looking at new parks there is a lot of resident interest. It may be worth considering having a group of citizens selected to discuss the park at the beginning stages. Mayor Miller suggested the Community Advisory Board may be a good group to have for that.

### **CONSENT ITEMS:**

- 1) Northshore Phase 4 Reimbursement Agreement; Resolution R21-48 (7-20-21).**
- 2) City Council Meeting Minutes: July 6, 2021.**

Motion by Council Member Willden to approve items 1 and 2 of the consent items as specified in the staff report was seconded by Council Member Porter.

Vote: Council Members McOmber, Porter, and Willden - Aye

Motion carried unanimously.

### **PUBLIC HEARINGS:**

- 1. FY 2021-2022 Budget Amendments; Resolution R21-49 (7-20-21).**

Budget Analyst Spencer Quain advised that we received a grant for the library. The City is also creating new line items for the hot springs and the cemetery. They are also going to move forward with the gravity sewer in the City.

Mayor Miller opened the public hearing at 6:07 pm. There were no comments so the public hearing was closed.

City Manager Mark Christensen advised that the State is opening ARPA funding and applications for that will be due by September. The funding can only be used for water and sewer projects. They will be moving forward to try and acquire those funds.

Motion by Council Member McOmber to approve the FY 2021-2022 Budget Amendments; Resolution R21-49 (7-20-21) with all staff findings and conditions was seconded by Council Member Porter.

Vote: Council Members McOmber, Porter, and Willden - Aye

Motion carried unanimously.

**2. Ordinance Vacating a Drainage Easement, Wander Village 1 Plat C3; Ordinance 21-26 (7-20-21).**

City Manager Christensen advised that this drainage is no longer needed so it will be vacated.

Mayor Miller opened the public hearing at 6:10 pm. There were no comments so the public hearing was closed.

Motion by Council Member Willden to approve the Ordinance Vacating a Drainage Easement, Wander Village 1 Plat C3; Ordinance 21-26 (7-20-21) with all staff findings and conditions was seconded by Council Member McOmber.

Vote: Council Members McOmber, Porter, and Willden - Aye

Motion carried unanimously.

**BUSINESS ITEMS:**

**1. Alpine Acres General Plan Land Use Map Amendment and Rezone from Institutional/Civic and Medium Density Residential to Low Density Residential, and Rezone from Land Use Agriculture to R1-10, and Development Agreement, Randy Smith Applicant, 800 West Marie Way; Ordinance 21-25 (7-20-21). (Cont. from 7-6-21)**

Senior Planner Sarah Carroll advised that this came back from the last council meeting. The changes made since last meeting are that the open space will be maintained by an HOA, the surface of the canal trail will be maintained by the City. The developer would like to pay fee-in-lieu of open space. They will also not have to widen Marie Way.

Council Member McOmber thanked the developer for working so well with staff and addressing all of the concerns the Council had.

Motion by Council Member Porter to approve the Alpine Acres General Plan Land Use Map Amendment and Rezone from Institutional/Civic and Medium Density Residential to Low Density Residential, and Rezone from Land Use Agriculture to R1-10, and Development Agreement, Randy Smith Applicant, 800 West Marie Way; Ordinance 21-25 (7-20-21) with all staff findings and conditions was seconded by Council Member McOmber.

Vote: Council Members McOmber, Porter, and Willden- Aye

Motion carried unanimously.

**3. A Resolution of Intention to Approve Annexation of 5.589 Acres of Land Pursuant to Section 10-2-419 of the Utah Code, Willow Creek (Broadhead) Annexation; Resolution R21-50 (7-20-21).**

City Attorney Kevin Thurman advised that this is some land that would be annexed into the City. The developer that came in and did Willow Glen wishes to develop this land. This property is immediately East of the new charter school.

Motion by Council Member Willden to approve A Resolution of Intention to Approve Annexation of 5.589 Acres of Land Pursuant to Section 10-2-419 of the Utah Code, Willow Creek (Broadhead) Annexation;

Resolution R21-50 (7-20-21) with all staff findings and conditions was seconded by Council Member Porter.

Vote: Council Members McOmber, Porter, and Willden- Aye

Motion carried unanimously.

### **City Council Work Session**

#### **1. Discussion Concerning H.B. 82 Single-Family Housing Modifications.**

City Manager Christensen advised this legislation was passed at the last session. This allows ADU's to be anywhere in the City unless the City decides to determine where they can't be, up to 25% of the City zoned for residential use. Some HOA's currently have CCNR's that do not allow accessory dwelling units. City Staff would like to know what the 25% would look like. Is it HOA's that comprise the 25% or not.

Council Member Willden would like to include the HOAs.

Council Member McOmber agrees that HOA's should be part of the 25%, he knows that Council Member Carn has expressed similar sentiments.

City Attorney Kevin Thurman advised that the bill allows the Council to invoke different requirements for ADU's. Some of the requirements that could be allowed is to have one extra parking space per ADU, the lot has to be larger than 6,000 square feet.

Council Member McOmber would like to require anything extra that is allowed. He would also like to look into whether the City can require any ADU's to have a secondary access out of the basement.

City Manager Christensen advised that another thing could be that the rental has to be owner occupied. This will be an opportunity for the City to legitimize the rentals that are already existing. This could be done as an annual business license. He hears from the Council that the concerns are parking, safety, size and owner occupation.

Mayor Miller advised that they need to look at all existing homes and protect the rights and expectations they had when purchasing and building their homes.

Community Development Director Ken Young advised that he has been involved in ADU ordinances in other cities. In his experience people don't flood in to have an ADU in their homes.

### **City Council Policy Meeting**

#### **BUSINESS ITEM:**

#### **2. Transportation Master Plan Amendment; Ordinance 21-27 (7-20-21).**

Public Works Director Jeremy Lapin advised that there were a few changes made to the Transportation Master Plan. One of the big changes was to include the Underpass that is trying to get funding. One of the requirements for selection is to have it in the Master Plan. They added a signal at Pony Express and Saratoga Road. There used to be a roundabout on Market Street but that was removed. There are some other changes that need to be made before approval so he suggested it be brought back another night.

Motion by Council Member Porter to continue the Transportation Master Plan Amendment; Ordinance 21-27 (7-20-21) to a future meeting was seconded by Council Member McOmber.

Vote: Council Members McOmber, Porter, and Willden- Aye

Motion carried unanimously.

**CLOSED SESSION:**

Motion by Council Member McOmber to enter into closed session for the purchase, exchange, or lease of property, discussion regarding deployment of security personnel, devices, or systems; pending or reasonably imminent litigation, the character, professional competence, or physical or mental health of an individual, was seconded by Council Member Porter.  
Motion Carried Council Members Unanimously in Favor

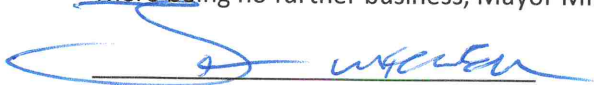
The meeting moved to closed session at 6:56 p.m.

Present: Mayor Miller, Council Members Willden, Porter, McOmber, City Manager Mark Christensen, Public Works Director Jeremy Lapin, City Attorney Kevin Thurman, City Recorder Cindy LoPiccolo, and Assistant City Manager Owen Jackson.

Closed Session adjourned at 7:25 p.m.

**ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 7:25 p.m.

  
Jim Miller, Mayor

Attest:

  
Cindy LoPiccolo, City Recorder  
Approved: 8-3-21

