



MINUTES – CITY COUNCIL

Tuesday, April 16, 2019

City of Saratoga Springs City Offices

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

City Council Work Session

Call to Order: Mayor Jim Miller called the Meeting to order at 6:00 p.m.

Present Mayor Jim Miller, Council Members Ryan Poduska, Stephen Willden, Michael McOmber, Shellie Baertsch, and Chris Porter.

Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, City Engineer Gordon Miner, Planning Director David Stroud, Public Works Director Jeremy Lapin, Senior Planner Sarah Carroll, Fire Chief Jess Campbell, Library Director Melissa Grygla and Deputy City Recorder Kayla Moss.

1) Municipal Campus Visioning Workshop.

City Manager Christensen advised that there is a consultant working on this but was unable to make it tonight. There will be a first draft ready by the May retreat.

City Council Policy Meeting

Call to Order: Mayor Jim Miller called the Meeting to order at 6:02 p.m.

Roll Call:

Present Mayor Jim Miller, Council Members Ryan Poduska, Stephen Willden, Micheal McOmber, Shellie Baertsch, and Chris Porter.

Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, City Engineer Gordon Miner, Planning Director David Stroud, Public Works Director Jeremy Lapin, Senior Planner Sarah Carroll, Fire Chief Jess Campbell, Library Director Melissa Grygla and Deputy City Recorder Kayla Moss.

Invocation by Council Member McOmber.

Pledge of Allegiance by Council Member Porter.

Public Input: Patrick Beeker 2472 S Astor Way, the fence in their back yard is going to be taken down. He lives in the Summerhill neighborhood. He is concerned that there won't be a fence so close to Redwood Road for the safety of kids. He does not understand why the fence won't be replaced.

REPORTS:

City Manager Christensen followed up with items from previous meetings.

City Attorney Thurman advised that the State passed a bill to step up the minimum age for tobacco and vaping to 21 over the next couple of years. He asked what the City Council would like to do.

Council Member Baertsch advised that she thinks the City should let the state take precedence. It would make it easier for enforcement.

Council Member Porter agreed with Council Member Baertsch.

Council Member McOmber added that if the City changed the age to 21 now it would be up to the City to produce posters and other things. He agreed that it would be better to let the state process happen.

The recreation department let the Council know that the City won four out of the five possible awards for the Jr. Jazz program this year. Including director of the year and program of the year.

DEPARTMENT UPDATES:

Library Director Grygla gave the Council the library quarterly update.

Communications and Economic Development Director Johnson gave the communications and economic development quarterly update.

BUSINESS ITEMS:

1) Smith Freeland Annexation and Development Agreement, D.R. Horton Applicant, Saratoga Road; Ordinance 19-12 (4-16-19). (Cont. from 3-19-19)

Senior Planner Sarah Carroll reviewed the annexation and development agreement with the Council. The applicant is asking that part of the area has the option to be advertised as commercial for 2 years and after that period they would be allowed to switch it to residential.

Council Member Baertsch is concerned that they are only seeing numbers of acreage as a whole and not just the three pieces of property in the annexation tonight. She wondered what the density for these areas alone are.

City Manager Christensen advised that this brings in about 56 acres and the density is about 8.5.

Krisel Travis with D.R. Horton advised that there are 472 units combined on all three of the Smith parcels.

The Council discussed options for the property. Council Member Porter suggested option 1A with requiring 750 feet of the northern parcel to be Regional Commercial and the rest of the property could be Mixed Residential. Draw the line 750 feet coming off of Saratoga Road north and south.

Krisel Travis advised that they have been looking for commercial tenants for the area. She does not think that a big box store would be interested in as large of the space that they have. They would only need about the 750 feet suggested. They would still like to see it zoned as MR with a reverter clause or commercial with a reverter clause.

City Manager Christensen advised that the City isn't just waiting for a grocery store on the property. There are many other things that could be put here that would create jobs such as an office building.

Council Member Baertsch is concerned that the developer thinks that 700 feet is enough. The other commercial areas currently in the City are much larger spaces than that. She thinks that the whole area needs to be left as Regional Commercial, so as to give sufficient commercial and office uses for the large number of homes being built in the area and a reverter clause is not necessary because the ability to ask for a zone change in the future is already available to property owners.

Council Member Poduska first expressed his desire to help developers and create good relationships. He then discussed his position and responsibility on the Council and that is to look at the future of the City and uses within it as a whole. He doesn't think it's responsible to not take the general plan into account.

He agrees with Council Member Porter to reduce the amount of acreage needed for Regional Commercial. He thinks that defining an acreage may be easier for everyone instead of requiring a certain amount of feet. He doesn't feel comfortable with allowing the current market demands dictating the zoning. He liked option 1A with setting a certain acreage to be designated commercial.

Council Member Willden is comfortable with the approach Council Member Porter suggested. Instead of allowing houses to be built in the non-commercial zone he suggested it could revert to residential after a set amount of time. So if they are able to market a larger piece there could be flexibility to do so.

Council Member McOmber thinks that there will only be very small commercial parcels in this area. He does not think there is any demand for this all to stay Regional Commercial. He agrees with Council Member Porter. He is okay with 13 acres as Regional Commercial to line up zones as cleanly as possible.

Economic Development Director Johnson added that retail is not the only option in this space. Office space and other things are very viable options as well.

Motion by Council Member Porter to approve the Smith Freeland Annexation and Development Agreement, D.R. Horton Applicant, Saratoga Road; Ordinance 19-12 (4-16-19) with modification that For Lot 3 (Parcel C) from Saratoga Road aligned with western Dahl property line going south to the southern property line is zoned regional commercial and Mixed Residential on the remainder of lot 3 as proposed for option 2A from the staff report and the remaining parcels Rural Residential and Mixed Residential as already outlined and delegate to city staff finalizing the annexation agreement seconded by Council Member Willden.4121

Vote: Council Members Willden, McOmber, Poduska, and Porter – Aye Baertsch - Nay
Motion carried 4-1.

2) Northshore Neighborhood Plan Amendment, Krisel Travis D.R. Horton Applicant.

3) Northshore Rezone and General Plan Amendment – Rezone from A Agriculture to MR Mixed Residential, and General Plan Amendment from Natural Open Space and Institutional to MDR Medium Density Residential, Krisel Travis D.R. Horton Applicant; Ordinance 19-14 (4-16-19).

Mayor Miller opened Business Items 2 and 3 concurrently.

Senior Planner Carroll presented the neighborhood plan to the City Council.

Krisel Travis of D.R. Horton presented their plan. The overall project area is 229 acres. The overall density shouldn't exceed 8.5. There are 7 phases for the project.

Council Member Poduska likes the changes on the parks and the ingenuity used for the detention basin.

Council Member Baertsch asked which parcels would be exchanged and made note that the zoning needs to be fixed on the land use map. She would like to see the easements remain at 15 feet and remove comments about shared easements. She would like to allow whatever was previously approved.

Council Member Willden would like to see the easements at what was previously approved. He would be comfortable with delegating to staff cleanup of the neighborhood plan.

Motion by Council Member Willden to approve the Northshore Neighborhood Plan Amendment, Krisel Travis D.R. Horton Applicant adding condition that any setback changes revert back to what was originally approved and delegating to staff and adding approval of Northshore Rezone and General Plan Amendment – Rezone from A Agriculture to MR Mixed Residential, and General Plan Amendment from Natural Open Space and Institutional to MDR Medium Density Residential, Krisel Travis D.R. Horton Applicant; Ordinance 19-14 (4-16-19), was seconded by Council Member Baertsch.

Vote: Council Members Willden, Poduska, McOmber Baertsch, and Porter – Aye
Motion carried 5-0.

7) Award of Bid: to Rosenbauer Minnesota, LLC for Fire Department Ladder-Truck; Resolution R19-23 (4-6-19).

Chief Campbell advised the Council that he has been thoroughly impressed with the Rosenbauer product and a program they have to bill them for maintenance and do warranty work on the truck. This allows for the City to do the maintenance on the truck. There is a lifetime warranty on the body and frame structure. It is transferable to whoever may purchase it in the future. The bid was lower along with the added benefits.

City Attorney Thurman advised there is a proposal in the packet. He is not comfortable with everything in it. The venue is in Nebraska and not Utah so if any litigation needed to be filed it would be in Nebraska. Some of the specifics in the proposal need to be addressed.

City Manager Christensen advised that a RFP is going to be put out for the financing. It is a long build so there should be plenty of time to pull together the financing option. Some things for the apparatus will be bought in the meantime such as the Zoll Defibrillator that is almost expired anyway. The City is going to reuse any of the equipment on the current truck as possible.

Council Member Baertsch is excited about the maintenance part of the ladder-truck.

Motion by Council Member McOmber to Award of Bid: to Rosenbauer Minnesota, LLC for Fire Department Ladder-Truck; Resolution R19-23 (4-6-19) in the amount of \$1,088,855 with clause to go into agreement with Salem City to allow them to purchase the current truck for \$100,000 and staff to work with contract negotiations with Rosenbauer, was seconded by Council Member Baertsch.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

4) Interlocal Cooperation Agreement with Utah County, 2019 Gravity Sewer Improvements; Resolution R19-19 (4-16-19).

Public Works Director Lapin advised the City is buying an easement for the sewer line. The County is taking the same interlocal agreement to the County Commission. It will be \$24,000 for the easement.

Motion by Council Member Baertsch to approve the Interlocal Cooperation Agreement with Utah County, 2019 Gravity Sewer Improvements; Resolution R19-19 (4-16-19) was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

5) Interlocal Cooperation Agreement with Utah County, 2019 Municipal Elections Administration; Resolution R19-20 (4-16-19).

City Manager Christensen advised it is \$12,000 for the primary election and \$12,000 for the general election for the County to help administer the election process.

Motion by Council Member Willden to approve the Interlocal Cooperation Agreement with Utah County, 2019 Municipal Elections Administration; Resolution R19-20 (4-16-19) was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

6) Award of Contract: to Peckham Asphalt for Citywide Crack Seal; Resolution R19-21 (4-16-19).

Public Works Director Lapin advised there were 6-7 bids received for this. Peckham Asphalt was the lowest bid.

Motion by Council Member Poduska to Award of Contract: to Peckham Asphalt for Citywide Crack Seal in the amount of \$69,803.68; Resolution R19-21 (4-16-19) was seconded by Council Member Porter.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

8) Telecommunications Lease Agreement with FirstDigital Telecom LLC; Resolution R19-22 (4-16-19).

Public Works Director Lapin advised that they are agreeing to place conduit due to conduit being placed by the City in other places.

Motion by Council Member Willden to approve the Telecommunications Lease Agreement with FirstDigital Telecom LLC; Resolution R19-22 (4-16-19), was seconded by Council Member McOmber.

Vote: Council Members Willden, Poduska, McOmber, Baertsch, and Porter – Aye

Motion carried 5-0.

9) Code Amendment: Title 19 Sign Code; Ordinance 19-15 (4-16-19).

Council Member Baertsch wanted to make sure that temporary signs would be included in the definitions. Senior Planner Carroll advised that a definition of temporary signs are not addressed in this. Council Member Baertsch replied that she is not sure what she would be approving now. Senior Planner Carroll advised that signs are now regulated by zoning instead of type.

Motion by Council Member McOmber to approve the Code Amendment: Title 19 Sign Code; Ordinance 19-15 (4-16-19) was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, McOmber, and Porter – Aye Baertsch - Nay

Motion carried 4-1.

10) Code Amendment: Title 2 Government Organization; Ordinance 19-16 (4-16-19).

City Attorney Thurman advised that someone has been asking about bonding in the City. This change addresses that. Mayor Pro-Tem is about going to be considered in February of each year. This is to come into compliance with sections of state code.

Motion by Council Member Porter to approve the Code Amendment: Title 2 Government Organization; Ordinance 19-16 (4-16-19) removing language around Mayor Pro-Tem, was seconded by Council Member Poduska.

Vote: Council Members Willden, Poduska, McOmber, Baertsch and Porter – Aye

Motion carried 5-0.

MINUTES:

1. March 5, 2019; March 19, 2019.

Motion by Council Member Porter to approve the Minutes of March 5, 2019 and March 19, 2019 with the submitted and posted changes, was seconded by Council Member Poduska.

Motion carried Council Members unanimously In Favor.

CLOSED SESSION:

Motion by Council Member Willden 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 Baertsch.

Motion carried Council Members unanimously In Favor

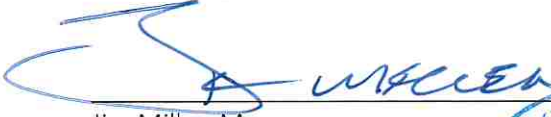
The meeting moved to closed session at 8:13 p.m.

Present: Mayor Miller, Council Members Willden, Baertsch, McOmber, and Porter, Poduska, City Manager Mark Christensen, City Attorney Kevin Thurman, Deputy City Recorder Kayla Moss.

Closed Session adjourned at 8:25 p.m.

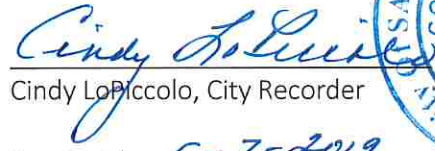
ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 8:25 p.m.



Jim Miller, Mayor

Attest:



Cindy LoPiccolo, City Recorder

Approved:

5-7-2019

