



MINUTES – CITY COUNCIL

Tuesday, June 4, 2019

City of Saratoga Springs City Offices

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

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

Roll Call:

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

Staff Present Assistant City Manager Owen Jackson, City Attorney Kevin Thurman, Public Relations and Economic Development Manager David Johnson, City Engineer Gordon Miner, Planning Director David Stroud, Assistant Public Works Director Mark Edwards, Fire Chief Jess Campbell, Finance Director Chelese Rawlings, and City Recorder Cindy LoPiccolo.

City Council Policy Meeting

Invocation by Council Member Stephen Willden.

Pledge of Allegiance by Council Member Ryan Poduska.

Public Input:

Sue Alexander, Saratoga Springs, commented the original Planning Commission approval of the Beacon Pointe Community Plan with exemption from the dark skies ordinance should be consistently applied to the approval of Village Plan 1B and without the lighting conditions recommended by the Planning Commission.

BUSINESS ITEMS:

1. **Beacon Pointe Village Plan 1B, James Rich/Church of Jesus Christ of Latter Day Saints Applicant; Ordinance 19-18 (6-4-19).** Planning Director David Stroud presented the staff report and reviewed the proposed Beacon Pointe Village Plan 1B plan for the Temple site project. Pursuant to Section 19.26 of the Land Development Code and the City Center District Area Plan (DAP), the proposed Village Plan contains this one lot intended for a special site including 22.71 acres. The application is subject to a future site plan review and also establishes development standards, design guidelines, and signage standards for the development of the property. Director Stroud reviewed the Planning Commission action and recommendations in regard to the lighting and resulting changes to the plan by the Applicant.

Nate Walter, LEI Engineers, representing the Applicant, advised the east end four acres will be manicured open space with trails and trees, the remaining two acres of open space will be spread sporadically throughout the parking lot and around buildings, making the majority (nearly all) of open space will be accessible to the public. He noted lighting is planned in the parking areas, major pedestrian corridors and trails, and fencing is planned adjacent the temple site.

James Rich, Special Project Manager for the Church of Jesus Christ of Latter Day Saint, thanked staff, Planning Commission, and City Council for cooperation and smooth process. He hopes the Temple is a positive development that will become a great asset and focal point for the city. They have made an effort to address

the Planning Commission recommendations and hopes this will create a positive project that is accessible and a nice amenity to the community.

Council Member Willden commented city residents are excited to see this project, this will be a great addition to the community, it is a well done plan, and he has no concerns with what is presented. He thanked the City Attorney and Planning Director for correcting the Planning Commission in regard to legislation and reviewed the Commission's purpose and responsibility.

Council Member McOmber concurred with Council Member Willden. He noted he believes Council would support the twenty foot (20') lighting if preferred and James Rich advised they performed a lighting analysis with a consultant and are happy either way, there would be a few more sixteen foot (16') fixtures. In response to Council Member McOmber, Mr. Rich stated they would prefer no concession and be granted the flexibility in regard to dimming the parking area lighting in order to accommodate people and night custodial staff, noting it will most likely not be needed to light the entire area at full strength. Council Member McOmber advised he would prefer the Applicant have the flexibility to light the parking area as appropriate, including up-lighting; Council Member Willden concurred.

Council Member Baertsch commented she is glad to see this coming forward and appreciates the willingness to drop the light height and dim the lights where possible. She concurs with Council Member McOmber it does not need to be done everywhere, however, when possible to make a nicer situation for nearby residents. She thanked the Planning Commission noting their job is to scrutinize the code, advised she is in disagreement with the other Council Members, however, is grateful for the ability to have different opinions which can make a better project,. She noted she is a letter of the law person and reads this as the Council exempted the project from up-lighting standards, however, not from the dusk to dawn and some other standards. She assumes the style of parking lot lighting will enhance the Temple design, and has no problem with them as long as the lights for which the City has responsibility to maintain (the perimeter public street lights), are consistent with other city lights for ease of maintenance, and thanked the Church for the generous amount of public open space and trail area on the project.

Council Member Porter concurred and echoes some of the statements and sentiments expressed. He appreciates the public open space amenity and noted those moving to the area will be informed about the project and lighting. He is okay with the chosen changes, however, is also okay with granting overall flexibility. He understands Council Member Baertsch's interpretation of the exemption language and understands as she is very letter of the law how she would read it the way she does, however, it was his understanding dusk to dawn lighting was part of the original exemption and would feel he was changing his mind if the Dark Sky exemption does not apply to dusk to dawn lighting. He is comfortable moving forward with allowing flexibility and looking forward to more interesting architectural plans in the future.

City Attorney Kevin Thurman advised he agrees with the reading and interpretation of the language in the Community Plan and advised if Council is moving in the direction of removing any restriction it be specifically clarified here in the Village Plan e.g. any restrictions for up-lighting, hours of operation, etc., because at some point there is going to be a complaint in regard to lighting and height. He noted another thing that can be done as mentioned by Council Member Willden is to put a detail note on the plat that removes any ambiguity – lighting hours of operation, up-lighting, anything related to that can be specifically detailed in the plat note.

Council Member Poduska commented it is exciting to see the project progressing and getting into some design aspects, looks forward to future plans and supports the Council's prior decision to exempt the dark sky ordinance for that area and supports granting flexibility in regard to the lighting as appropriate. He is appreciative for this type of project for any religion as it builds communities.

Council concurred with Council Member McOmber that staff be directed to work with the applicant to include plat notation advising future buyers/residents of specific lighting information similar to what has been done in other areas of the city e.g. areas adjacent the baseball park. In response to Council Member Willden's inquiry, James Rich commented a different entity controls the single family lots so they cannot speak for them. Mayor Miller requested staff to also follow up with Thane Smith, SLR.

Motion by Council Member McOmber to approve the Beacon Pointe Village Plan 1B with all staff findings and conditions, and Ordinance 19-18 (6-4-19), with no restrictions for lighting in parking areas and up-lighting, was seconded by Council Member Poduska.

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

Motion carried unanimously.

2. **Prequalification Approval for Grandview Sewer Bore Project; Resolution R19-30 (6-4-19).** Assistant Public Works Director Mark Edwards presented the staff report and recommendation for approval of the recommendation for the prequalification of four contractors based on statements of qualifications received and evaluated by CRS Engineers for the City's proposed Sewer Bore under Grandview Boulevard. Assistant Director Edwards explained the scope of the project and shared an exhibit identifying the current utilities at the bore site that must be worked around. The following four contractors met all of the prequalification requirements based on their proposals: Cop Construction LLC, BTrenchless, Claude H. Nix Construction, and HDD Willco.

Motion by Council Member Willden to approve the Prequalification of the four contractors for the Grandview Sewer Bore Project, and Resolution No. R19-30 (6-4-19), was seconded by Council Member Porter

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

Motion carried unanimously.

3. **Capital Equipment Lease Award for the Saratoga Springs Fire Department Ladder Truck; Resolution R19-30 (6-4-19).** Assistant City Manager Owen Jackson presented the staff report and recommendation to approve the contract award with Zions Bank with the low proposal of 2.2500% interest rate for a capital equipment lease for the Saratoga Springs Fire Department Ladder Truck. Council Member Willden disclosed he is an employee of Zions Bank Public Finance and he has some risk oversight responsibilities for the bank, however, he is not compensated based on the financial performance. As a result, he does not have a conflict of interest, however, will abstain from voting on this matter and recuse himself from the meeting during discussion and action on this matter to avoid the perception of a conflict of interest. He also noted the name in the report and Resolution should be corrected Zions Bank, Inc. Council Member Willden left the meeting and rejoined the meeting following the motion and vote.

Motion by Council Member Porter to award contract to Zions Bank for the Capital Equipment Lease for the Fire Department ladder truck and to correct the bank name, was seconded by Council Member Baertsch

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

Excused: Council Member Willden

Motion carried 4-0

5. **Star Haven Villas LLC Infrastructure Development Reimbursement Agreement; Resolution R19-32 (6-4-19).** Assistant City Manager Jackson introduced the staff report prepared by City Engineer Gordon Minor and recommendation to approve the Infrastructure Development Reimbursement Agreement with Star Haven

Villas, LLC in the amount of \$103,304 for storm water system improvements as identified in the current Storm Drain Impact Fee Facilities Plan dated June, 2018.

Motion by Council Member Baertsch to approve the Star Haven Villas LLC Infrastructure Development Reimbursement Agreement and Resolution R19-32 (6-4-19), was seconded by Council Member Poduska
Vote: Council Members Porter, Baertsch, McOmbler, Poduska, and Willden – Aye
Motion carried unanimously.

MINUTES:

1. May 17, 2019; May 21, 2019.

Motion by Council Member Porter to approve the Minutes of May 17, 2019 and May 21, 2019, with the submitted changes, was seconded by Council Member Poduska.
Vote: Council Members Porter, Baertsch, McOmbler, Willden, and Poduska – Aye
Motion carried unanimously.

BUSINESS ITEMS (Continued):

4. **Code Amendments: Title 19.04, City Initiated, and Title 19.18 Sign Code, Tracey Diehl/McDonald's Applicant; Ordinance 19-19 (6-4-19).** Planning Director Dave Stroud presented the staff report and reviewed the proposed code amendments for the permitted location of a state liquor store and drive-through sign amendments proposed by a sign contractor and McDonald's. Planning Commission recommendation is to approve both requests.

Council Member Baertsch expressed appreciation for the darkening of the menu board after close and the rare changing of the graphics, which will make this less obtrusive.

Motion by Council Member Baertsch to approve Code Amendments for Title 19.04 and 19.18 Sign Code, Ordinance 19-19 (6-5-19), was seconded by Council Member Willden
Vote: Council Members Porter, Baertsch, McOmbler, Willden, and Poduska – Aye
Motion carried unanimously.

REPORTS:

City Manager Jackson gave a reminder SPLASH is next week and invited participation.

City Engineer Miner reported he attended a meeting today at UDOT in regard to the design of the new signal to be installed at Aspen Hill Boulevard which should be in place by this fall.

Council Member Porter recommended as discussed following the Council retreat directing staff to look at options for completion of Foothill Boulevard sooner than what Mountainlands Association of Governments (MAG) is proposing, to come up with a better estimate of cost and legitimate funding mechanisms to pay for that; Council Members concurred.

Council Member Baertsch reported she attended the annual Utah Lake Festival at Utah Lake State Park last weekend sponsored by the Utah Lake Commission in conjunction with the June Sucker Recovery Implementation Program (JSRIP) partnership, there were over 2500 visitors this year and was a great success and opportunity to use the lake. She reported she also attended the ULCT economic development study group

along with Assistant City Manager Jackson, the group is working to prepare for the next legislative session with the goal for a coordinated policy between eleven different economic development groups and regions.

In response to Council Member McOmber, Public Relations and Economic Development Manager David Johnson advised the Mayor and Council they will need to provide their own modes of transportation for their parade participation, there has been difficulty finding golf carts and they are short staffed this year, however, will check for the banners. He noted there possibly may need to be coordination with election candidates.

Mayor Miller requested as the first baseball season has wrapped up Recreation Director Heston Williams give a report to Council. Mayor Miller also reported he and Council Member Porter are scheduled to meet with the Utah County Commissioners and Eagle Mountain representatives to discuss roads going to regional businesses and recreation areas.

City Council Work Session

1. **Wildflower Community Plan – Camp Williams.** Assistant City Manager Jackson reported this is a continuation of last meeting's work session and introduced Nate Shipp DAI representing Sunrise 3, LLC/Wildflower Development, and Paul Raymond ACUB/Real Property Construction Facility Management Office for the Utah National Guard. Nate Shipp reported development on the north side of the wash is sensitive to Camp Williams operations and this Amended and Restated Community Plan shows a buffer all the way around, access points, and a significant reduction of ERUs by more than 100, however, there is still some concern as there are still units proposed up against the north side of the wash. Paul Raymond identified concerns in regard to air space, east side firing points, road use and dust, noise, a historical drainage area.

Discussion of possible solutions included moving density, compensation for loss of density or land purchase for installation of a VA and City Cemetery, changes in infrastructure and road grade requirements and engineering, change of housing type to higher concentrations of multi-family and relocation to areas that make sense, signage, privatization of the cemetery.

Paul Raymond stated he will follow up on the water issue and cemetery funding with the Utah State VA. Council expressed support, concurred staff will work with representatives to process the Amended Community Plan to address the unique situation and strive to make things work for all parties to move forward.

ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 7:44 p.m.


Jim Miller, Mayor

Attest:


Cindy LoPiccolo, City Recorder

Approved: *6-18-19*

