



## MINUTES – CITY COUNCIL MEETING

**Tuesday, April 11, 2023**

City of Saratoga Springs

City of Saratoga Springs City Offices

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

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### City Council Policy Meeting

**Call to Order:** Mayor Jim Miller called the meeting to order at 6:04 p.m.

#### **Roll Call:**

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

**Present** Mayor Jim Miller, Council Members Stephen Willden, Christopher Carn, Michael McOmber, Ryan Poduska, and Chris Porter (electronically)

**Absent**

**Staff Present** City Manager Mark Christensen, Assistant City Manager Owen Jackson, Community Development Director Ken Young, City Attorney Kevin Thurman, Budget Analyst Spencer Quain, Planner Kendal Black, Senior Planner Gina Grandpre, Economic Development Director Doug Meldrum, Police Chief Andrew Burton, Fire Chief Jess Campbell, Deputy City Recorder Nicolette Fike, and Deputy City Recorder Kayla Moss

**Invocation:** Council Member Poduska

**Pledge of Allegiance:** Council Member Willden

**Presentation: Point of the Mountain Chamber of Commerce – Mayor’s Business of the Year Award to R&R Tactical.** Mayor Miller presented this award to R&R Tactical. He has invested in the community and adds value to the City.

**Presentation: Introduction of Miss Saratoga Springs Royalty.** Corrine Prestwich presented this year’s Miss Saratoga Springs Royalty to the Council. The queen for the year is Tess Greene, 1<sup>st</sup> attendant is Olivia Dyal and 2<sup>nd</sup> attendant is Anna Cloward. Tess will be doing reading tutoring at the library as her service project this year.

**Presentation: Introduction of New Saratoga Springs Veterans Advisory Board Members.** Corrine Prestwich advised that there are four new members this year. The new members are Greg Spencer, Curt Hoepfner, Helen Robson and Dan Snow.

**Public Input:** City Manager Mark Christensen advised that Sue Alexander submitted a letter to the Council and it will be added to the minutes.

Helen Robson asked if there is anything that can be done at the intersection by the Junior High School. She is concerned about children crossing there because it is such a busy road.

**Reports:** Council Member Carn advised he spent spring break interviewing architects and designers. They will discuss it later in the meeting.

City Manager Christensen advised something was put in their dropbox folder from MAG. They updated a plan for fixed bus routes. It was pushed back ten more years. They think this will have significant impacts on the City and they are going to reach out to MAG to try and prioritize the City in their plans. The state has taken away funding from MAG and allocated it elsewhere.

**CONSENT ITEMS:**

1. **Planning Commission Appointment, Scott Hill; Resolution R23-14 (4-11-23).**
2. **Library Board Re-Appointment, Todd Carpenter; Resolution R23-15 (4-11-23).**
3. **The Viviano at Saratoga Springs Phase 1 Reimbursement Agreement; Resolution R23-16 (4-11-23).**
4. **Award of Contract: 2023 Roadway Striping Project, Roadsafes Traffic Systems; Resolution R23-17 (4-11-23).**
5. **City Council Meeting Minutes: March 21, 2023.**

Motion by Council Member McOmber to approve Consent Items seconded by Council Member Carn.

Vote:

<u>Council Member Chris Carn</u>	Yes
<u>Council Member Chris Porter</u>	Yes
<u>Council Member Ryan Poduska</u>	Yes
<u>Council Member Stephen Willden</u>	Yes
<u>Council Member Michael McOmber</u>	Yes

Motion carried 5-0.

The new Planning Commissioner, Scott Hill, introduced himself to the Council and Staff.

**BUSINESS ITEMS:**

1. **Jordan Promenade (Wander) Village Plan 1 (VP1) Amendment 3, Rick Haering Applicant, Riverside Drive and 400 South; Ordinance 23-7 (4-11-23).** Senior Planner Gina Grandpre advised this is to amend the fencing plan to match other phases of the project.

Council Member Willden mentioned that he is okay with this ask but he doesn't appreciate them coming in and asking for forgiveness rather than just following the code they need to.

Council Member Carn is also concerned that they are installing things that weren't approved originally and then asking for forgiveness. He doesn't want to stick a stake in the ground over this but does not want them to come in again asking for something different.

Council Member McOmber mentioned there was a lot of conversation regarding the fencing in this project. Normally on trails you can't have a solid fence but they ended up allowing that here. He feels like this was a bait and switch.

Motion by Council Member Poduska to approve the Jordan Promenade (Wander) Village Plan 1 (VP1) Amendment 3, Rick Haering Applicant, Riverside Drive and 400 South; Ordinance 23-7 (4-11-23) with any staff findings and conditions seconded by Council Member Willden.

Vote:

Council Member Chris Carn Yes

Council Member Chris Porter Yes

Council Member Ryan Poduska Yes

Council Member Stephen Willden Yes

Council Member Michael McOmber Yes

Motion carried 5-0.

- 2. Jordan Promenade (Wander) Village Plan 3 (VP3), Oakwood Homes Applicant, Redwood Road and Pony Express; Ordinance 23-8 (4-11-23).** Senior Planner Gina Grandpre mentioned this is being brought back with additional design standards in the park. More effort has been put into this and staff feels like they are meeting the requirement of what the Council asked for them to bring back.

Council Member McOmber thinks the effort that has been put into this is amazing and he appreciates it. He hopes this is really what is developed.

Council Member Carn thinks this is going to be an incredible amenity in the City. It adds a lot of paved trail to recreate on. He also wants to make sure whatever is outlined on this plan is what is followed through on.

Motion by Council Member McOmber to approve the Jordan Promenade (Wander) Village Plan 3 (VP3), Oakwood Homes Applicant, Redwood Road and Pony Express; Ordinance 23-8 (4-11-23) with any staff findings and conditions seconded by Council Member Carn.

Vote:

Council Member Chris Carn Yes

Council Member Chris Porter Yes

Council Member Ryan Poduska Yes

Council Member Stephen Willden Yes

Council Member Michael McOmber Yes

Motion carried 5-0.

- 3. Wal-Mart Fuel Station Commercial Site Plan, Ryan Alvarez Applicant, 136 West Crossroads Boulevard (Southwest Corner of Parking Lot).** City Manager Mark Christensen advised the Planning Commission was looking at storage on the site and some parking spots were actually unusable.

Planner Kendal Black advised they are wanting to locate this on the Southwest end of the Wal-Mart Parking lot. Pallets of things are being stored outside for the garden center. They have 706 parking spaces right now and are required to have 708. The amount of parking spaces fluctuates throughout the year due to storage containers kept on site during Christmas. They have more landscaping than what is required. There are enough access points to the site.

City Attorney Kevin Thurman advised they should consider the things that aren't meeting code currently. He thinks they should keep those things in mind. If changes are made to the site the non-conforming status is lost and they could be required to be brought up to current code.

Council Member McOmber was also wondering how long they can be non-conforming and not have to meet current code. He doesn't have a problem with having a gas station but he is concerned about it being a convenience store instead of just pumps with a small room with an

attendant. They have 41 spaces designated for order pick up that you technically aren't supposed to use to park at and go into the store. He also wondered if they could make a decision based on their historical practice of keeping pallets and storage containers on some of their parking spaces.

Council Member Willden would like this to come back with complies and not can complies. He would also like to have a parking study conducted and come back. He suggested bringing this item back at a later date when more research can be done on non-conforming uses.

Council Member Porter has concern over this being non-conforming and not requiring the whole site to come into compliance if this is approved.

Ryan Alvarez thanked the Council for taking their time to review this application tonight. He advised the non-conformance is news to him. He does understand the concerns with storage taking up parking at the site. He can work with the store manager to get the pallets cleaned up at a faster rate. Wal-Mart is going through a fuel roll out throughout the state. They do not generally change from the store front that was presented at the meeting.

Council Member Poduska asked if there are different sizes of gas station layouts.

Mr. Alvarez advised they do have a smaller footprint for parking lots that aren't large enough for the bigger size. They are happy to continue to work with staff and the Council on this site.

Council Member McOmber advised the developer that if any do not complies come back to him he will not approve it.

Council Member Carn thinks that this works today but it would not work in December. The traffic to the store fluctuates throughout the year greatly. He is in favor of tabling this until more detail is received.

Motion by Council Member Willden to table the Wal-Mart Fuel Station Commercial Site Plan, Ryan Alvarez Applicant, 136 West Crossroads Boulevard (Southwest Corner of Parking Lot) to a later date when they are ready seconded by Council Member McOmber.

Vote:

Council Member Chris Carn Yes

Council Member Chris Porter Yes

Council Member Ryan Poduska Yes

Council Member Stephen Willden Yes

Council Member Michael McOmber Yes

Motion carried 5-0.

- 4. Fox Hollow Second Master Development Agreement Extension, SCP Fox Hollow Applicant, Village Parkway and Redwood Road; Ordinance 23-9 (4-11-23).** Planning Director Sarah Carroll advised they haven't been able to build for a year and a half on the lower phases due to sewer capacity limits. They would like to request an extension of six months to allow negotiation for a longer extension.

Council Member McOmber advised that he doesn't think they are going to agree on anything for these lots and they will just continue to ask for extensions. He doesn't want to add burden to City staff for this to be continued down the road over and over.

City Manager Christensen advised they have been trying to negotiating having the city portion of Mountain View Corridor to be dedicated to the city as part of this extension. He has strongly encouraged them to not miss the next six month extension.

Mayor Miller agreed that if they allow an extension there will be no more.

Council Member Willden asked about all of the parties not being on board. He is okay with this extension to have benefits to the City added.

Director Carroll advised that some of the applicants are the original ones that knew what happened in 2013. Some of the other applicants are new owners and don't understand all of the history and what the details of the project entail.

Motion by Council Member Carn to approve the Fox Hollow Second Master Development Agreement Extension, SCP Fox Hollow Applicant, Village Parkway and Redwood Road; Ordinance 23-9 (4-11-23) with any staff findings and conditions with the conditions of the city portion of right of way for mountain view corridor and the park being dedicated to the city at the front end seconded by Council Member Willden.

Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Yes</u>
<u>Council Member Stephen Willden</u>	<u>Yes</u>
<u>Council Member Michael McOmber</u>	<u>Yes</u>

Motion carried 5-0.

**5. Sewer Capacity Allocation and Reservation Policy; Ordinance 23-10 (4-11-23).**

City Manager Christensen advised there have been a series of sewer models in the City. They are wanting to allocate sewer capacity and reserve some for future build out so that bathrooms at parks and other things can be built and maintained. A deadline was just made to developers to record their plats so that they can reserve sewer capacity. This policy will allow the City to determine how to prioritize future building if there is sewer capacity issues.

Institutional use-public parks

Residential use- Private parks

Motion by Council Member Willden to approve the Sewer Capacity Allocation and Reservation Policy; Ordinance 23-10 (4-11-23) with any staff findings and conditions additional conditions to include that public parks are an institutional use and private parks are a residential use seconded by Council Member McOmber.

Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Yes</u>
<u>Council Member Stephen Willden</u>	<u>Yes</u>
<u>Council Member Michael McOmber</u>	<u>Yes</u>

Motion carried 5-0.

**6. Fireworks Restriction Map Update; Ordinance 23-11 (4-11-23).**

City Attorney Thurman advised this map needs to be sent by May 1<sup>st</sup> every year.

Motion by Council Member Carn to approve the Fireworks Restriction Map Update; Ordinance 23-11 (4-11-23) with any staff findings and conditions seconded by Council Member Poduska.

Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Yes</u>
<u>Council Member Stephen Willden</u>	<u>Yes</u>
<u>Council Member Michael McOmber</u>	<u>Yes</u>

Motion carried 5-0.

- 7. FY 2023-2024 Budget Discussion.** Budget Analyst Spencer Quain advised this is how staff is proposing to balance the budget for the next year.

Council Member McOmber added that this budget is balanced and also conservative. If situations arise the City is prepared for them. At the end of the year they can usually allocate extra funds instead of finding more funds for things they are short on.

- 8. Construction Manager/General Contractor Services RFP Award for Construction of City of Saratoga Springs City Hall/Library; Resolution R23-18 (4-11-23).** Assistant City Manager Owen Jackson presented this item along with business item number 9. This is to help the City design a building in the most efficient way possible. They are being seen as professional service contracts rather than lowest bid contracts because of that. They are recommending Big D Construction and MSR Design for the projects.

Council Member McOmber would like to be included in further discussions on how to make a building that accommodates future years.

Motion by Council Member Willden to approve the Construction Manager/General Contractor Services RFP Award for Construction of City of Saratoga Springs City Hall/Library; Resolution R23-18 (4-11-23) and the Architectural and Design Services RFP Award for Design of a City of Saratoga Springs City Hall/Library; Resolution R23-19 (4-11-23) with any staff findings and conditions seconded by Council Member Poduska.

Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Yes</u>
<u>Council Member Stephen Willden</u>	<u>Yes</u>
<u>Council Member Michael McOmber</u>	<u>Yes</u>

Motion carried 5-0.

- 9. Architectural and Design Services RFP Award for Design of a City of Saratoga Springs City Hall/Library; Resolution R23-19 (4-11-23).**

Motion by Council Member Willden to approve the Construction Manager/General Contractor Services RFP Award for Construction of City of Saratoga Springs City Hall/Library; Resolution R23-18 (4-11-23) and the Architectural and Design Services RFP Award for Design of a City of Saratoga Springs City Hall/Library; Resolution R23-19 (4-11-23) with any staff findings and conditions seconded by Council Member Poduska.

Vote:

<u>Council Member Chris Carn</u>	<u>Yes</u>
<u>Council Member Chris Porter</u>	<u>Yes</u>
<u>Council Member Ryan Poduska</u>	<u>Yes</u>

Council Member Stephen Willden      Yes  
Council Member Michael McOmber      Yes  
Motion carried 5-0.

**10. Code Amendment: Title 19.09 Off-Street Parking, City-Initiated, City-Wide; Ordinance 23-12 (4-11-23).** Planning Director Sarah Carroll presented this to the City Council. This was brought to the Council as pending ordinance and this would solidify the ordinance.

Motion by Council Member Porter to approve the Code Amendment: Title 19.09 Off-Street Parking, City-Initiated, City-Wide; Ordinance 23-12 (4-11-23) with any staff findings and conditions seconded by Council Member Willden.

Vote:

Council Member Chris Carn      Yes  
Council Member Chris Porter      Yes  
Council Member Ryan Poduska      Yes  
Council Member Stephen Willden      Yes  
Council Member Michael McOmber      Yes  
Motion carried 5-0.

**City Council Work Session**


- 1. Sign Code.** Staff is still working on collecting the needed information for this item so it will be brought back again at a later date.

**ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 7:41 p.m.

  
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Jim Miller, Mayor

Attest:

  
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Cindy LoPiccolo, City Recorder

Approved: 5-2-23

