



## MINUTES – CITY COUNCIL MEETING

Tuesday, April 12, 2022

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 6:01 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 Michael McOmber, Stephen Willden, Christopher Carn, Ryan Poduska and Chris Porter

**Staff Present** City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Public Works Director Jeremy Lapin, Planning Director David Stroud, Community Development Director Ken Young, Finance Director Chelese Rawlings, Long Term Planner Sarah Carroll, Senior Planner Gina Grandpre, Budget Analyst Spencer Quain, Police Chief Andrew Burton, and Deputy City Recorder Kayla Moss

**Invocation:** Council Member Poduska

**Pledge of Allegiance:** Council Member McOmber

**Presentation: Council Summary – FY 2022-20213 Balanced Budget.** Finance Director Chelese Rawlings thanked the Council for their patience in preparing the tentative budget. It will be presented to them on May 3 and the final will be shown to them on May 17<sup>th</sup>.

Council Member Willden mentioned that estimates in revenue are going up by about 2-3 million dollars but that is still a conservative estimate.

**Public Input:** Larry Lindstrom addressed the City Council concerning code changes on Title 19. He noted that office warehouse is going to be replaced with heavy commercial. He feels it limits them on what they can do. He feels it makes them have to stick to their concept plan and not be able to change from there when they thought it was allowed to be changed if needed. They also got redlines on their project on Pioneer Crossing and that will also limit the size of buildings allowed there as well. He's not sure how the City will monitor the 30% requirement on retail. They build their buildings before they know who the tenants are going to be so it seems unenforceable.

Ashley Hadfield is also concerned about the changes to Title 19. They are nervous this is going to detract a lot of the possible tax revenue available to the City. They feel like it will deter retail big boxes into the City. The parameters being set are making it impossible for them to attract businesses.

Josh Martin, Colliers International, thinks the proposed changes for heavy commercial is overreaching to how the retail space needs to be built. The 30% standard is at least three times more than the market

standard. He feels these businesses are the family friendly attractions the City needs. He thinks they need to look at market demand. The uses have been scaled back too much in his opinion.

Skyler believes that the changes to title 19 would have a large impact on the ability to develop retail space in the City. He knows that industrial gets a bad rep but they do have quality tenants that are interested in moving into spaces that the companies could bring to the community.

#### **PUBLIC HEARING:**

**1. FY 2021-2022 Budget Amendments; Resolution R22-19 (4-12-22).**

Budget Analyst Spencer Quain mentioned that the amendments include funds for projects that need to be done now and some departments received grant money to add to the budget.

Mayor Miller opened the public hearing at 6:19 pm. There were no comments so the public hearing was closed.

Motion by Council Member Carn to approve the FY 2021-2022 Budget Amendments; Resolution R22-19 (4-12-22) was seconded by Council Member McOmbler.

Vote: Council Members Carn, McOmbler, Porter, Poduska and Willden – Yes  
Motion carried unanimously.

#### **CONSENT ITEMS:**

- 1. Fireworks Restriction Map Update; Ordinance 22-10 (4-12-22).**
- 2. Timpanogos Special Service District (TSSD) 2022 Amended and Restated Treatment Services Contract and Collection Maintenance Agreement; Resolution R22-20 (4-12-22).**
- 3. City Council Meeting Minutes: March 15, 2022, March 29, 2022.**

Council Member McOmbler asked if the fireworks restriction map changed this year in any way. He asked that good advertising is done so people know what the area is this year.

Motion by Council Member Porter to approve the Consent Items with all staff findings and conditions was seconded by Council Member Willden.

Vote: Council Members Carn, McOmbler, Porter, Poduska and Willden – Yes  
Motion carried unanimously.

#### **BUSINESS ITEMS:**

**1. Mt. Saratoga Village Plan 1 3<sup>rd</sup> Amendment, Edge Homes, LLC Applicant, ~55 North Mt. Saratoga Boulevard; Ordinance 22-11 (4-12-22).**

Senior Planner Sarah Carroll presented this amendment to the City Council. The developer is asking for chain link fencing around the dog park they are building.

Council Member McOmbler advised they approved coated chain link around another dog park in a different development. He thinks allowing here would be consistent with what they have approved in the past.

Motion by Council Member Willden to approve the Mt. Saratoga Village Plan 1 3<sup>rd</sup> Amendment, Edge Homes, LLC Applicant, ~55 North Mt. Saratoga Boulevard; Ordinance 22-11 (4-12-22) with all staff findings and conditions was seconded by Council Member Poduska.

Vote: Council Members Carn, McOmbler, Porter, Poduska and Willden – Aye  
Motion carried unanimously.

**2. Canton Ridge East Plat C Preliminary Plat, Julie Smith Applicant, West of Rocky Ridge Lane.**

Senior Planner Gina Grandpre presented this preliminary plat to the City Council. It is 5.24 acres and is zoned the same as what Canton Ridge East was. The trail connection along this development was a requirement for the parcel. There are 13 lots.

Council Member Poduska asked about the western edge landscaping. He wondered if it will be maintained by an HOA or by the City.

Senior Planner Grandpre advised that it will be maintained by the City because of the connection of the trail to the park.

Council Member Willden asked that the memo in the staff report has this development changed to low density, to fix a typo, so that there isn't any confusion in the future.

Council Member McOmber asked that the developer make sure the fire hydrant is placed in the correct spot so that the homes don't get increased insurance fees due to it being too far away.

Motion by Council Member Poduska to approve the Canton Ridge East Plat C Preliminary Plat, Julie Smith Applicant, West of Rocky Ridge Lane with all staff findings and conditions was seconded by Council Member Porter.

Vote: Council Members Carn, McOmber, Porter, Poduska and Willden – Yes

Motion carried unanimously.

**3. D2D Subdivision Preliminary Plat and Site Plan, Michael Muehlmann Applicant, Southwest Corner of Aspen Hills Boulevard and Redwood Road.**

Planning Director David Stroud mentioned that this will only be a review of the preliminary plat. This is for a one lot subdivision. They have the necessary easements for this development.

Motion by Council Member Porter to approve the D2D Subdivision Preliminary Plat, Michael Muehlmann Applicant, Southwest Corner of Aspen Hills Boulevard and Redwood Road with all staff findings and conditions was seconded by Council Member Carn.

Vote: Council Members Carn, McOmber, Porter, Poduska and Willden – Yes

Motion carried unanimously.

**4. Wander Major Community Plan Reconsideration of Portion, Oakwood Homes Applicant, 400 South and Redwood Road; Ordinance 22-12 (4-12-22).**

Senior Planner Grandpre mentioned she stated something incorrectly on the staff report in December so this is to reconsider the open space on this development.

Council Member McOmber appreciates the developer increasing the open space without increasing the density.

Motion by Council Member McOmber to approve the Wander Community Plan Reconsideration of the Open Space Portion, Oakwood Homes Applicant, 400 South and Redwood Road; Ordinance 22-12 (4-12-22) was seconded by Council Member Poduska.

Vote: Council Members Carn, McOmber, Porter, and Willden – Yes

Motion carried unanimously.

**5. Wildflower Reimbursement and Settlement Agreement: DAI Managers, LLC; Resolution R22-17 (4-12-22) (Cont. from 3-15-22)**

City Attorney Kevin Thurman mentioned this is a reimbursement and settlement agreement to clear up the water lawsuit with DAI and to reimburse for improvements on systems in the City.

Motion by Council Member Carn to approve the Wildflower Reimbursement and Settlement Agreement: DAI Managers, LLC; Resolution R22-17 (4-12-22) with all staff findings and conditions was seconded by Council Member Poduska.

Vote: Council Members Carn, McOmber, Porter, Poduska and Willden – Yes

Motion carried unanimously.

**6. Wander Development and Reimbursement Agreement, Clayton Properties Group II, Inc., Oakwood Homes; Resolution R22-21 (4-12-22).**

City Attorney Thurman mentioned this is a reimbursement agreement for upsizing some of the water systems in the development. The City has agreed to step in and exercise some of its rights if they can't obtain right of way for 400 North. This is a standard reimbursement agreement.

Motion by Council Member Porter to approve the Wander Development and Reimbursement Agreement, Clayton Properties Group II, Inc., Oakwood Homes; Resolution R22-21 (4-12-22) with all staff findings and conditions was seconded by Council Member Willden.

Vote: Council Members Carn, McOmber, Porter, Poduska and Willden – Yes

Motion carried unanimously.

**7. Code Amendments – Title 19 Chapters 19.02, 19.04, 19.09, 19.16 & 19.18, City-Initiated; Ordinance 22-13 (4-12-22).**

Long Range Planner Sarah Carroll presented the title changes to the City Council. She mentioned they had a work session regarding these changes and anything that was updated since then was highlighted in the packet.

Council Member Carn asked if this was sent to any developers. He understands what they are trying to accomplish with this change but he doesn't want to make it unduly difficult on developers.

Council Member Willden wants to make sure there aren't any unintended consequences with the changes to the heavy commercial zone. That was already a problem they were facing with the office/warehouse zone.

Council Member McOmber agreed that he would like to consider the developers concerns and revisit the changes and bring it back in May.

Long Range Planner Carroll mentioned that they looked at other City's requirements and they do have a 10% retail requirement. There was a comment saying that they are in the 5-10% range and as a City Saratoga Springs decided to do 10%. There was also a public comment about not being friendly to industrial uses; that was the intent. The City has an industrial zone already and this wasn't intended to replace that one.

Council Member Porter mentioned that they have talked about creating additional zones to replace the office/warehouse zone. That zone was trying to do 5 different things and that was problematic. This was meant to address one product and not all of the ones that were previously offered in office/warehouse. He thinks that this needs to be workable for developers but also need to address them in a way that works for the City.

Council Member Willden clarified that he doesn't think they need to adopt everything in public comment. He does think it needs to be looked at however and at least have conversations about it. This ensures they are making good decisions.

Council Member McOmber mentioned the concern the Council had was big distribution centers coming in with lots of truck traffic. There is only one major road in the City and that doesn't bode well for increased traffic. There is a small amount of space that is conducive to industrial uses.

Mayor Miller summarized that the Council has given direction to meet with the development community and bring this back at the first meeting in May.

Council Member Carn thanked staff for all of the work they have done on this.

City Attorney Thurman mentioned that this was one of the best code updates they have ever reviewed. There were hardly any changes needing to be made and it would be easily defensible if needed.

Motion by Council Member Carn to move the Code Amendments – Title 19 Chapters 19.02, 19.04, 19.09, 19.16 & 19.18, City-Initiated; Ordinance 22-13 (4-12-22). to the May 3<sup>rd</sup> meeting with direction to follow up on possible changes with developers was seconded by Council Member McOmber.

Vote: Council Members Carn, McOmber, Porter, Poduska and Willden – Yes  
Motion carried unanimously.

**CLOSED SESSION:**

Motion by Council Member Carn 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 McOmber.

Motion Carried Council Members Unanimously in Favor

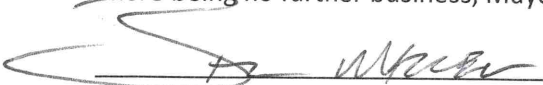
The meeting moved to closed session at 7:00 p.m.

Present: Mayor Miller, Council Members Willden, Porter, Carn, McOmber, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Public Works Director Jeremy Lapin and Deputy City Recorder Kayla Moss.


Closed Session adjourned at 7:06 p.m.

**ADJOURNMENT:**

There being no further business, Mayor Miller adjourned the meeting at 7:06 p.m.

  
Jim Miller, Mayor

Attest:

  
Cindy LoPiccolo, City Recorder  
Approved: 5-3-22

