



MINUTES – CITY COUNCIL MEETING

Tuesday, September 6, 2022

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 Pro-Tempore Stephen Willden called the meeting to order at 6:00 p.m.

Roll Call:

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

Present Mayor Pro-Tempore Stephen Willden, Council Members Christopher Carn Chris Porter, Michael McOmber, and Ryan Poduska

Staff Present City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, Public Works Director Jeremy Lapin, Planning Director Sarah Carroll, Community Development Director Ken Young, Senior Planner Gina Grandpre, and Deputy City Recorder Kayla Moss

Invocation: Council Member Porter

Pledge of Allegiance: Council Member Poduska

Presentation: Police Promotion Recognition, Corporals Ryan Snarr and Jesse Davis to Sergeant, and Oath of Office for New Officer Carolyn Motilla. Police Chief Andrew Burton presented the newly promoted officers and new officer to the City Council.

Presentation: Communities That Care SHARP (Student Health and Risk Prevention) Survey. Results from the survey were reviewed with the City Council. 2021 followed a similar pattern of risk factors that existed in 2020. Depressive Symptoms are being focused on. They are also trying to see if it is pandemic related.

Public Input: None

Reports: City Attorney Kevin Thurman mentioned an interlocal agreement was considered. The County Commission is refusing to put this on their agenda because of the condition the Council put on the approval at the last meeting. The legal department looked at this and based on the concept plan they are proposing it's likely the RC Park will not be impacted by this. There is an FAA regulation that does not allow aircraft to be flown over critical infrastructure so it is possible that could happen but they are pretty far from the park at this time. The Council could reconsider the motion today and remove it as part of the approval but it is up to the Council.

Motion by Council Member Carn to reconsider the motion of the Utah County General Plan Amendment, Rezone, and Interlocal Agreement, Richard Nielsen Utah County Public Works Director Applicant, ~800 East Saratoga Road; Ordinance 22-34 (8-16-22) was seconded by Council Member Porter.

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>Abstain</u>
<u>Council Member Stephen Willden</u>	<u>Yes</u>
<u>Council Member Michael McOmber</u>	<u>Abstain</u>

Motion carried 5-0.

Council Members Poduska and McOmber abstained because they were not present at the meeting this was first passed in.

City Manager Mark Christensen advised the measures put in place for draught protection appeared to work because usage was down significantly. Jacobs Well is also up and running at full capacity. The canal companies will be meeting soon and determining what the irrigation season will be cut off at this year. Staff requested to table business item #6. Positive confirmation has not been received yet from the potential provider. The City is having a tailgate party this Thursday for staff and Mark Christensen invited Council to that.

CONSENT ITEMS:

- 1. Award of Contract for 2022 Saratoga Springs Asphalt Roadway Project, Fairway Boulevard/Palomino Drive, Geneva Rock; Resolution R22-53 (9-6-22).**
- 2. Utah County Interlocal Cooperation Agreement (2022-563) with Eagle Mountain and Saratoga Springs for Substance Misuse Prevention Services and Communities That Care Prevention Model; Resolution R22-54 (9-6-22).**
- 3. Settlement Agreement with Nix Construction; Resolution R22-55 (9-6-22).**
- 4. City Council Meeting Minutes: August 16, 2022.**

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

BUSINESS ITEMS:

- 1. Argument In Favor of the Issuance and Sale of the City's General Obligation Bonds, Series 2022, in a Principal Amount of Not More Than \$70,000,000.**

City Manager Christensen advised the City is required to submit documents for argument in favor. It was drafted as neutrally as possible.

Council Member Porter asked to remove a "however" from wording.

Council Member Poduska asked to include senior programming after multi-purpose rooms in the list of uses.

Council Member Carn asked if the City needs to make an argument against as well.

Staff advised that an against statement is not required by statute.

Council Member McOmber mentioned it doesn't refer to them as natural hot springs. He thinks this is a big deciding factor for some people. He does not want to make an argument against because he doesn't want to run the risk of not appearing neutral.

The City Council and staff discussed the argument statement during the meeting and made some suggested changes.

Council Member Willden thinks staff did a great job at remaining neutral. He would like to stay neutral and specific to state law in regards to an argument against.

Motion by Council Member McOmber to approve the Argument in Favor of the Issuance and Sale of the City's General Obligation Bonds, Series 2022, in a Principal Amount of Not More Than \$70,000,000 the Argument in Favor of a Recreation, Arts and Parks including the changes made during the meeting and was seconded by Council Member Poduska.

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. Argument in Favor of a Parks, Arts, Recreation, and Culture (PARC) Tax.

City Manager Christensen advised the second to last sentence in the last paragraph has an error. It should read "waiting for funding to be developed".

City Attorney Thurman advised it should refer to a public hearing instead of a public meeting. It should also say "for or against implementation of the RAP tax".

Council Member McOmber asked if libraries could use RAP tax.

City Manager Christensen advised that they can use some funds for arts related programming but not for the library generally.

The City Council and staff discussed the argument statement during the meeting and made some suggested changes.

Motion by Council Member McOmber to approve the Argument in Favor of the Issuance and Sale of the City's General Obligation Bonds, Series 2022, in a Principal Amount of Not More Than \$70,000,000 the Argument in Favor of a Recreation, Arts and Parks including the changes made during the meeting and was seconded by Council Member Poduska.

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. Jordan Promenade Village Plan Area 3 (Wander), Oakwood Homes Applicant, Redwood Road and Pony Express; Ordinance 22-35 (9-6-22).

Senior Planner Gina Grandpre advised this is the final village in the wander community plan. It is 842 ERU's over 161 acres. She showed the Council the lotting plan. The packet posted online shows all of the documents related to this item. A park will be developed as part of the open space in this village.

Greg Paylie, Oakwood Homes, is the applicant for this item. He updated what would be done in village 1. They just opened their pool house and rec center. They are currently building the first St. Jude house in the state of Utah. Village 3 includes some new collections of homes and they are looking forward to the park and school.

Council Member McOmber asked if the school has done testing on the ground to see if it will accommodate for the weight of the building. He also asked about trail improvements as part of the project. He is worried about how much cement will be developed with small trees that will take 15 years to start maturing and create shade. He doesn't think people will use it as much as hoped because it will be so hot during the summer. He would like to have a condition asking them to bring back a detailed parks plan to the Council. He would like to have the village plan commercial area clarified as community commercial as well. He would also like them to follow the city entrance corridor overlay requirements in the commercial area. He also clarified where the safe walking path would be for kids walking to school. He would like to know what the school district is planning for the kids to get to this school. He wants to see a document determining that they will bus or what the plan is for walking.

City Manager Christensen advised they would cross Pony Express at the round-a-bout. The safe walking route is instigated by the school and their council and it would be up to them to work with the City to designate that. He would be happy to start planning on this but the ultimate decision will be determined by the school and what their boundaries will be for this school.

Public Works Director Jeremy Lapin mentioned that the round-a-bout would be the safe walking path. It would be a district decision on whether there would be a crossing guard there or not.

Council Member McOmber advised he will most likely vote no because the safe walking path hasn't been thought through enough and he doesn't want to keep making the same mistakes for kids going to school.

Council Member Poduska would like to see the Jordan River trail be as close to the river as it possibly can be and connect to the commercial area.

Council Member Porter asked if the allowable units matches the currently approved community plan. He shares Council Member McOmber's concerns with the walking routes.

Motion by Council Member Willden to approve the Jordan Promenade Village Plan Area 3 (Wander), Oakwood Homes Applicant, Redwood Road and Pony Express; Ordinance 22-35 (9-6-22) adding conditions 7. That the applicant return to the Council with an updated parks plan 8. Additional Design Standards apply to the commercial site 9. The trail is extended all the way along the Jordan River and 10. Staff engage

the applicant and alpine school district to identify interim and permanent safe walking routes to the school was seconded by Council Member Poduska.

Vote:

Council Member Chris Carn No

Council Member Chris Porter No

Council Member Ryan Poduska Yes

Council Member Stephen Willden Yes

Council Member Michael McOmber No

Motion failed 3-2.

Motion by Council Member Porter to continue the Jordan Promenade Village Plan Area 3 (Wander), Oakwood Homes Applicant, Redwood Road and Pony Express; Ordinance 22-35 (9-6-22) until additional information is brought before the Council was seconded by Council Member McOmber.

Vote:

Council Member Chris Carn Yes

Council Member Chris Porter Yes

Council Member Ryan Poduska No

Council Member Stephen Willden No

Council Member Michael McOmber Yes

Motion passed 3-2.

4. General Plan Update, City-Initiated, City-Wide; Ordinance 22-36 (9-6-22).

New edits to the general plan were presented to the City Council. A copy of the current general plan can be found in the City Council packet posted online.

Council Member McOmber felt like this didn't feel like Saratoga Springs in the overall design. It also references that the City is 20 years old when it is actually 25 years old. It felt generic to him. A lot of money is spent on these and there is a lot of input from the citizens but he feels like any community with water could be referenced instead of Saratoga Springs and you wouldn't notice. He feels like parts of it are still off.

Council Member Willden would like to see the maps flipped in this documents so that it matches the actual direction of the City.

Council Member Porter thanked the residents involved in the steering committee and all of the efforts they made for this document.

Council Member Willden asked if the committee could be officially thanked in front of the Council for all of the work they did. He mentioned if this was approved tonight they could condition that factual errors are corrected and pictures could be replaced.

Motion by Council Member Carn to approve the General Plan Update, City-Initiated, City-Wide; Ordinance 22-36 (9-6-22) directing staff to make any changes discussed during the meeting including updates to pictures and language changes was 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.

5. Code Amendment: Title 19, 19.04.20 Internal Accessory Dwelling Unit (IADU) Noticing and Fees, City-Initiated; Ordinance 22-37 (9-6-22); Resolution R22-57 (9-6-22).

Community Development Director Ken Young presented noticing and fees for amending the IADU map. They looked at the time and effort that goes into this application. The fee amount determined is \$250 for up to 20 lots and \$10 per unit if they are reviewing over 20 lots.

Council Member McOmber would be in favor of a maximum allowed to be charged. He also wants to make sure that anywhere it says \$10 it needs to be followed up with per lot. He thinks a maximum of \$500 makes sense to him.

Council Member Porter doesn't like to throw out random numbers without data backing it up.

Council Member Willden suggested saying a maximum of \$500 or cost to cover mailing prices, whichever is greater.

Motion by Council Member McOmber to approve the Code Amendment: Title 19, 19.04.20 Internal Accessory Dwelling Unit (IADU) Noticing of Fees, City-Initiated; Ordinance 22-37 (9-6-22) making sure there is consistent language throughout that it is \$10 per lot over 20 with a maximum cost of \$500 or cost of printing and mailing above that cost, whatever is greater with any other staff findings and conditions was 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.

6. Selection of Motor Scooter Service Provider for Saratoga Springs; Resolution R22-56 (9-6-22).

Motion by Council Member Carn to continue the Selection of Motor Scooter Service Provider for Saratoga Springs; Resolution R22-56 (9-6-22) to a future date was 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.

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 Carn.

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.

The meeting moved to closed session at 8:07 p.m.

Present: Mayor Miller, Council Members Willden, Porter, Carn, City Manager Mark Christensen, City Attorney Kevin Thurman, Assistant City Manager Owen Jackson, and Deputy City Recorder Kayla Moss.

Closed Session adjourned at 8:49 p.m.

ADJOURNMENT:

There being no further business, Mayor Miller adjourned the meeting at 8:49 p.m.



Jim Miller, Mayor

Attest:



Cindy LoPiccolo, City Recorder

Approved: 10-4-22

