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City of Saratoga Springs
City Council Meeting
May 5, 2015

Regular Session held at the City of Saratoga Springs City Offices
1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

Work Session Minutes

Present:

Mayor: Jim Miller

Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden, Bud Poduska

Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman,
Jeremy Lapin, Nicolette Fike, Melissa Grygla, Andrew Burton, Jess Campbell,

Others: David Funk, Nate Shipp, Jennifer Klingonsmith, Chris Porter, Ron Johnston, Susan Palmer, Ken
Evans

Call to Order – 5:49 p.m.

1. Departmental updates from the Library and Police Departments.

Melissa Grygla presented a power point that showed milestones from the library over the last quarter. The number of cardholders and visitors has steadily climbed. They have a high number of volunteers but the numbers fall over the holidays. They average about 40-80 volunteers each month including literacy center. They are adjusting to meet the community demands with classes and programs. The library programs is one of the benchmarks they have been trying to reach. They have met the benchmark which is based on population. They have received a few grants and will continue to seek those.

Councilwoman Call asked with the summer reading program, how are they doing on donations and volunteers.

Melissa Grygla replied that the person working on that has been able to get what she needs and has been working since September.

Councilwoman Call asked if they integrating anything into Splash.

Melissa Grygla replied yes, they have Tuesday as their day at Splash. Their summer reading kick off is that morning and there is the book sale and Lakeshore learning with crafts and a science night.

Councilman Poduska was in awe of what the library has been able to accomplish. They have done a tremendous job for the city. Thank you.

Councilman McOmber loved the volunteer stats and the comparisons per capita, also the dollar per capita cost and value.

Councilwoman Baertsch thanked Melissa.

Councilman Willden liked hearing about the volunteer items and is impressed with Melissa and her work to improve the library without adding cost.

Detective Robinson told Council about their recent grant for a part time domestic violence investigator. With part of the grant he has tried to standardize the protocol for domestic violence cases. Part of the grant sets up the North Utah County Domestic Violence Task Force. They meet with the northern cities and receive training to help domestic victims.

Holly Johnson mentioned that they were one of 4 agencies in the state that had the funding for this project. It allows them to go above and beyond normal investigations in Domestic Violence cases. They now have the follow up they need and the victims have better care. They have to have a collaboration project for the grant and they are working from the ground up. They have been able to solve problems and confusion. They have been able to improve, with this, in other areas as well. She mentioned Detective Rosen from Bluffdale was asked to give a presentation at Utah Crime Conference in responding to office involved critical incidents. The presentation was well received and they talked on how victim advocates

53 and officers can work together. She received a call from an advocate in Duchesne who was able to use
54 things she had learned at the presentation already.

55 Councilwoman Call mentioned that she had run into a local therapist today at a chamber meeting. He had
56 contacted Councilwoman Baertsch about group of therapist donating services within the city for
57 intervention purposes. Councilwoman Baertsch had directed him to contact the police department and
58 Holly specifically and he reported to Councilwoman Call that meeting had taken place just yesterday.
59 She asked Holly to report on that meeting.

60 Holly Johnson responded that they would be seeing more of that. It will be effective to have them on call.
61 Councilwoman Baertsch was glad to hear that Holly had been working with Dr. Lance Dome. He had
62 contacted Councilwoman Baertsch about several of the therapists and doctors who wanted to get
63 involved and help and donate their time to residents during emergencies and she recommended that he
64 coordinate with Chief Burton and Holly. She thinks this group will be a great resource to Holly and the
65 residents.

66 Chief Burton noted that in addition to the grant paying for this investigator it also paid for some specialized
67 training. He sent Council a slide show showing things from his regular quarterly briefing and special
68 events supported and upcoming. The training they have been involved in and will be doing.

70 2. Discussion regarding the Western Hills Open Space.

71 Sarah Carroll noted some of the options for this linear open space that were in the packet. She noted that the
72 open space is a little larger than what she noted in the staff notes. There are several items to discuss
73 including future ownership, landscaping, trail locations and materials, and amenities. Options for each
74 item were provided in the packet. Each one was discussed separately. On Landscaping Staff
75 recommended Option 1.

76 Councilwoman Baertsch asked if we found out if Central Utah Water was supposed to re-vegetate and then
77 did not.

78 Sarah Carroll was told it was not part of the contract, although the applicant thought it was.

79 Councilman McOmber thought it was standard procedure in the city that if something was disturbed it was
80 supposed to be the same or better.

81 Sarah Carroll replied that in this case it was a private agreement on private land.

82 Councilwoman Baertsch commented that if the owner thought it was part of his agreement then he needs to
83 follow up on that. No matter how well you re-vegetate it for native it never comes back as nice, she
84 thinks we should leave it as undisturbed as possible especially on the slopes of the berm area.

85 Council members liked option 1

86 Councilwoman Call wanted the option clarified. How would it be re-vegetated.

87 Councilman McOmber commented that when the property transfers over it needs to be at a standard that we
88 would be ok with.

89 Councilwoman Baertsch asked what our normal standards were.

90 Sarah Carroll noted if it's City owned we would like it to meet our standards if it's HOA owned they have
91 other options. Sarah brought up trails and showed the most recent design for Shay Park. There is a
92 portion on top of the berm that it was recommended that it be an aggregate trail. Type of material and
93 location needs to be discussed. She went through the options. Staff recommends option 2 for an 8ft wide
94 aggregate trail to match Shay Park on top of the berm and transitioning to asphalt on the eastern side.

95 Councilman McOmber likes the consistency of the aggregate continuing from the park. He likes the asphalt
96 part as well.

97 Councilwoman Baertsch noted that they can't do away with the Central Utah Water maintenance road.

98 Sarah Carroll said with option 2 they recommend some sort of plaza or nice connection area between the
99 different types of trail.

100 Councilman McOmber commented that they have some great things happening with Shay Park and he looks
101 forward to this continuity.

102 Councilwoman Call had a concern; as developments come in; if the dollar amount is decreased from what
103 they originally see as a city then the residents of the city ought to be compensated with the difference in a
104 different type of recreational facility. Make sure the residents are getting some value out of what we are
105 offering.

06 Councilman McOmber agrees.

07 Councilwoman Baertsch agrees and they had talked about being able to take the difference between the
08 required amenity value and what the developer was going to spend on the minimal trail improvements
09 and transfer it as fee-in-lieu to Shay Park which is next to this development where it will be of more
10 value to the residents. She agrees with option 2.

11 Councilman Willden doesn't like that option 2 is on top of the berm to see into homeowners back yards. But
12 thinks it's the best option for the betterment of the city.

13 Councilwoman Baertsch thinks it will be a benefit and has been used like that anyway for several years.
14 Mark Christensen noted because it was part of a previous development agreement it would need to come
15 back as an amendment.

16 Councilman Poduska also liked option 2. He thinks it blends in better.

17 Sarah Carroll noted the Amenities options; that the applicant construct recreational amenities within the
18 linear park or 2 that the applicant contributes to the amenities in Shay Park.

19 Council was all in agreement with option 2.

20 Councilwoman Baertsch liked that it kept with the code and with the payment in lieu system and open space
21 requirements, and it would be a better benefit to the residents.

22 Councilman McOmber commented that it will be able to bring in things to the Shay Park more quickly.

23 Councilwoman Call agrees with both comments already made but worries about tying the additional money
24 to just Shay park since we have other things that are high priority and we could use this contribution to
25 transfer to something like baseball or higher demands. She expressed that since the money for Shay is
26 depleting the parks impact fee account, we might want to consider reserving these funds for something
27 else and continuing to phase Shay park in.

28 Councilman McOmber noted we are not increasing the fund, just meeting the design we already have.

29 Sarah Carroll presented the options for Property Ownership. It makes sense where it connects to the park to
30 transfer ownership to the City. The staff was split on the recommendation. Should the whole piece be
31 owned by the City or not, we would probably need to take care of the park strip anyway, at least in front
32 of any City owned parts. There is also a City maintained trail on the opposite side of the subdivision.

33 Councilwoman Baertsch said that this area was originally supposed to be a part of the Aspen Hills
34 subdivision which has no HOA. The additional homes in the first section of Western Hills had no HOA.
35 She added that there is also a trail to the southeast of the subdivision which ties into the trail behind
36 Aspen Hills that the City already maintains. She asked if the canal maintenance road will need to be
37 maintained by the city no matter what?

38 Jeremy Lapin thought the plan was the city would take ownership of the property and unless it was piped the
39 canal company would still maintain the road and ditch. He noted if we put asphalt on the maintenance
40 road than we would be responsible for maintenance of the improvements.

41 Councilwoman Baertsch asked about a connector trail to the south east side and if we own it no matter what?

42 Jeremy Lapin responded that he thinks there is an easement dedication but we don't own it no matter what.

43 Councilwoman Baertsch asked where the detention basin was located.

44 Jeremy Lapin noted it was joint with the school property. Commercial area would need to have their own.

45 Councilwoman Baertsch noted that it seemed rather silly to require so few homes to have an HOA when
46 there are several trails through here that we can leave as native as possible, and take the savings and put
47 them into a more useful open space like Shay Park. We are already taking care of many park and trail
48 spaces in this area. It was originally part of Aspen Hills and we should add this open space.

49 Councilwoman Call agrees with Councilwoman Baertsch and thinks our parks crews are already deployed to
50 that area and the deployment costs are why it is so costly to maintain small areas, so it doesn't make
51 sense to require an HOA.

52 Councilman McOmber agrees; it doesn't make sense for a small area.

53 Councilman Willden agrees that the city should take on this area, it makes sense.

54 Councilman Poduska had a similar position, he isn't an HOA fan and under these circumstances it would be
55 good to incorporate it into the trails system.

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57 **Items 3 and 4 will be continued in the Policy session**
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- 3. Discussion regarding the Wildflower Community Plan.
- 4. Discussion regarding the 400 West Road Agreement with Ken Evans and IHC.

- 5. Agenda Review: - Item not covered.
 - a. Discussion of current City Council agenda staff questions.
 - b. Discussion of future City Council policy and work session agenda items.

- 6. Reports:
 - a. Mayor.
 - b. City Council.

Councilwoman Call commented that the River Trail is still flooded, they are working with that. She is having breakfast with Rep. Hutchings as V.P. of Jordan River Commission. discussing legislative appropriation. They are looking to getting hazard money to take out some pylons. FFSL, building blocks due first of July so we need to have those in place now. Mark Edwards identified some spots for put-in areas for canoe type boats. Economic development; Mayor Miller, Owen Jackson and Mark Christensen and she are in the discussion. She went to the new IASIS hospital, Mountain Point Medical for Chamber and they are inviting the Council for a tour on the 29th. It is scheduled to open June 1.

Councilman McOmer commented that residents have asked about having a traffic study at the Zion's bank light on Redwood Road that needs a turn light on the north bound left turn. He hears about the Wall in the Saratoga Springs Development that is a concern. And he asked if he could get access to any covenants on record for the development agreement. He felt they were very clear as a Council as to what they wanted for the fence.

Kimber Gabryszak will get him the appropriate information.

Councilwoman Baertsch was asked by residents for traffic study at Aspen Hills and Redwood, and at Foothill Blvd. and Pony Express, it's almost impossible to turn left from those roads.

Councilman Willden had also heard about a need for those same traffic studies.

Spencer Kyle noted the one on Redwood Road would be UDOT.

Councilwoman Call noted the app had launched. She had been contacted about the traffic studies also.

She asked Chief Burton about some recent vandalism at the parks.

Chief Burton noted it was not gang related except on 4th south. They are aware of loitering on the golf course.

Councilwoman Call mentioned that a developer is installing a new oil water separator in a detention pond at Neptune Park. The developer has heavy equipment there and will have a fenced off open pit during construction. It seems like a poor time for this to happen with the end of school traffic at the park. Councilwoman Baertsch also stated it needed to not be done during Splash.

Mark Christensen asked if they knew how long it would be open.

Jeremy Lapin said he would work with the developer to see about options.

- c. Administration communication with Council.
- d. Staff updates: inquires, applications and approvals.

Adjourn to Policy Session 6:53 p.m.

Policy Session Minutes

Present:

Mayor: Jim Miller

Council Members: Michael McOmber, Shellie Baertsch, Rebecca Call, Stephen Willden,

Staff: Scott Langford, Mark Christensen, Kimber Gabryszak, Kyle Spencer, Owen Jackson, Kevin Thurman,
Jeremy Lapin, Sarah Carroll, Chelese Rawlings, Jess Campbell, Andrew Burton, Nicolette Fike

Planning Commission Members: David Funk, Jarred Henline, Jeff Cochran, Sandra Steele

Others: Susan Palmer, Ronald Johnston, Chris Porter, Jennifer Klingonsmith, Ken Evens, Emily Myers, Tim
Burkett, Asher Cameron, Brad Boyle, Dylan Llays, Coltan Goodman, Jim Shields, Tiffany Sorensen,
Rachel Everitt, Melissa Brown, Robin DePalma

Excused: Bud Poduska

Call to Order 6:53 p.m.

Roll Call - Quorum was present

Invocation / Reverence - Given by Councilwoman Baertsch

Pledge of Allegiance - led by Councilman Willden

Public Input - Opened by Mayor Miller

Asher Cameron handed out a presentation and was here on behalf of Saratoga Springs Development.

Residents are opposed to the extensive concrete fence along Centennial Blvd. It blocked views and bounced sound. He noted 194 residents had signed a petition he would share with them. He noted that Council members had expressed concerns about this when this was approved in Council meeting. The residents are asking that the Council press on the developer to make it a semiprivate fence.

Jim Shields lives across from the fence on Centennial. He feels the wall impeded his home value and thinks it's ugly.

Public Input - Closed by Mayor Miller

Introductions

Councilwoman Call introduced Eric Ellis as the new Executive Director of the Utah Lake Commission.

Eric Ellis wanted to introduce himself so that they knew who to work with on projects. They are working on the trails system. They are moving ahead with carp removal and are at 60% of that goal. They would like to remove 75% at which point the native fish can take hold. Phragmite removal is moving along also.

The Lake water level is down about 3 ½ feet below compromise. They assume by the end of the summer it will drop more. The Utah Lake Festival is on June 6th. Last week they had 4th grade classes that come to the State Park to learn about wildlife and the environment. They are thinking of expanding that program to the West side of the Lake. Tomorrow is the Media day.

Councilman McOmber commented that they would like support to help remove the phragmite along the tributaries to the lake so they don't feed back into the lake.

Eric Ellis is working to put together best practices for private properties with some options and he will have that on the website as soon as it gets put together.

Councilwoman Call asked if he could help push those who had promised to come train our city guys on how to take care of the phragmite. She noted that amount of Carp was 18,000,000 lbs. most of it goes into a landfill because we don't have enough use for them. We look forward to a great partnership with Utah Lake Commission.

Work Session Continuation Items

3. Discussion regarding the Wildflower Community Plan.

Kimber Gabryszak presented the amendment, the applicant has requested input from the Council and staff feels it is a major amendment. She noted the location under discussion. An area of Open Space that could be a park but would also be a good place for a detention basin. The applicant has been speaking with UDOT and there are some concerns. UDOT wants that piece to be included with the MVC plan. It was suggested that no future residential density would be permitted on this property. Staff was concerned

57 with potential removal of Open Space from the Development and that would make it a Major
58 Amendment. Minor amendments may be taken care of by Staff.

59 Nate Shipp noted they are excited about the progress they are making and they are getting close to submitting
60 their village plans on the East side of the corridor. They have been working along time to get the
61 Corridor itself finalized and transferred to UDOT. The intent of what is happening with that property has
62 not changed but for UDOT to build they need to have this area as a detention basin. Their attorney
63 suggested that UDOT never buys property that is subject to any other kinds of agreements.

64 Blake Bauman said this is a change in form not substance. The intention is to not acquire property subject to
65 any restriction and they view that this impacts their policy. The developers feel that although it would
66 transfer to UDOT it would stay as a detention park area.

67 Mark Christensen asked if the developer prohibition in the court order is still intact.

68 Brian said it hadn't come up once in any of their discussions.

69 Councilman Willden commented that his preference would be to have UDOT here to speak with Council
70 directly. He agrees that this is a major modification and appreciates staff bringing this to them. There is
71 nothing in the language that states that the developer would still be making the park. He is not
72 comfortable with the change at this time.

73 Councilwoman Baertsch asked if there was any guarantee that they would keep it as a public access detention
74 basin and maintain public access.

75 Blake Bauman said in their agreements with UDOT that should they construct a detention basin in the area
76 then Wildflower will have the contractual right to improve the area.

77 Kevin Thurman clarified that it mentions improvement but nothing about public access. What he has seen
78 only mentions landscaping.

79 Blake Bauman noted in all the conversations they had they believed the public access would be open. They
80 feel that was the intent.

81 Councilwoman Baertsch it may be a simple thing but they don't have the language in front of them and they
82 should bring this back for Council to see before they make a commitment.

83 Mark Christensen said staff feels strongly it's a major amendment however if the contract included all these
84 things like access and improvements and it is more obvious that it is a minor change would Council be
85 ok with staff handling it as per Code and as a minor amendment.

86 Councilwoman Baertsch said she would be ok with that.

87 Council members indicated they would also be ok with that if it was all clear and including all the
88 recreational needs of the community.

89 Nate Shipp wanted to make sure they were clear also with all the conditions they wanted.

90 Councilman Willden said there would need to be very clear commitments.

91 Kevin Thurman noted if we process it as minor they would have the conditional approval on that.

92 Kimber Gabryszak said if they would make sure all that language went into the community plans as well so
93 they are not relying on a contract between third parties.

94 Councilman McOmber agrees he would be ok for staff to take care of it if it did meet all those needs. His
95 concern is when he hears about conversations, because UDOT doesn't always do what they say so it
96 needs to be in writing. If they come back and UDOT becomes a stickler they could find the open space
97 requirement in other areas of their development. Hopefully they will be able to work it out with UDOT
98 but if not they will need to come back with a solution.

99 Councilwoman Call echoed the other Councilmembers sentiments. What we are basis this discussion on is all
100 intent but we are being asked to provide concrete modifications to intent based items and she, for one, is
101 not comfortable with that.

102 Nate Shipp would like to facilitate a meeting with all three parties.

103 Councilwoman Call thought that was great to handle with staff.

104 Nate Shipp noted he met with Alpine School District and they have a site tour for this Friday for potentially
105 locating a high school and Jr. High within the Development. They would need 60-70 acres. It would fit
106 where they have property designated as the multifamily corridor. The District can not necessarily afford
107 that cost with the density and so they would look for some help so they would look at pushing some of
108 the density north, still on the West side.

109 Councilwoman Call again thought staff could work with them on that.

10
11 **4. Discussion regarding the 400 West Road Agreement with Ken Evans and IHC.**

12 Jeremy Lapin noted they had a meeting with IHC and Ken Evans and he had been negotiation with them for
13 a connecting road to Commerce drive. IHC had no current use for the area and they would be willing to
14 dedicate it for a road under a set timeline. Would council like staff to put together an agreement on this.
15 Councilwoman Baertsch thought it would be a huge benefit especially with access to Shay Park. She thought
16 3 years would do.

17 Councilman McOmber wanted Jeremy Lapin to get a big time frame for flexibility. As a side note we need
18 better signage on our roads on how to get to the regional parks.

19 Jeremy Lapin hopes to bring the transfer agreement for the portion of SR73 so we wouldn't have to go
20 through UDOT.

21 Ken Evans thanked Jeremy Lapin for the idea to put a joint effort together. He has met with IHC. He is
22 concerned that the timing could go too long or it may not happen. The IHC board approved for the city to
23 build the road because they have no urgency for the road. It's being accelerated now because he would
24 like to develop the north part of his property. it would have to happen within three years for his partners
25 to not pull out.

26
27 **Policy Items**

28
29 **1. Departmental Update from the Finance Department.**

30 Chelese Rawlings gave an update on the third quarter financial analysis. The revenues were a little over 80%.

31 The expenses were below the 75th percentile.

32 Council felt it looked good.
33

34 **2. Public Hearing: Consideration and Possible Adoption-Budget Amendments for Fiscal Year 2014-**
35 **2015.**

36 **a. Resolution R15-18 (5-5-15): A Resolution Amending the City of Saratoga Springs Budget for Fiscal**
37 **Year 2014-2015 and establishing an effective date.**

38 Chelese Rawlings noted it was due to the fact that the library got another grant from the State.
39

40 **Public Hearing – Opened** by Mayor Miller

41 No input at this time.

42 **Public Hearing - Closed** by Mayor Miller
43

44 **Motion made by Councilman McOmber to approve Resolution R15-18 (5-5-15): A Resolution**
45 **Amending the City of Saratoga Springs Budget for Fiscal Year 2014-2015 and establishing an**
46 **effective date. For the library grant they received from the State for \$5,825. Seconded by**
47 **Councilwoman Call. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,**
48 **Councilwoman Call, Motion passed 4 - 0.**
49

50 **3. Consideration and Possible Adoption of the Tentative Budget for Fiscal Year 2015-2016.**

51 **a. Resolution R15-19 (5-5-15): A Resolution adopting the Tentative Budget for the City of Saratoga**
52 **Springs for the Fiscal Year 2015-2016; setting a date, time and place for a Public Hearing and**
53 **Adopting of the Fiscal Year 2015-2016 Budget; and ordering that notice of the Public Hearing be**
54 **published at least seven days in advance.**

55 Chelese Rawlings noted staff recommends approval of the tentative budget. The changes they talked about in
56 the last meeting have been changed.

57 Councilwoman Call had questions and concerns on general budget and ground

58 Pg. 6 building permit has a typo.

59 Pg. 109 increase in budget for governmental building.

50 Chelese Rawlings replied that is for the dispatch center.

51 Pg. 126 we are not a social service and noted a concern that was contrary on 5a and in 3.

52 Councilwoman Baertsch understands police are not going to pay for themselves but especially in
53 recreation, they have been trying to make fees pay for the recreation department.

54 Councilwoman Call thinks a number of the budget changes have not made it into the document yet.
55 Pg. 157 benchmarking cities look like they have shrunk. We need to revisit that.

56 Pg. 160 in the computer replacement policy 5 years is a really long time for a desktop. We don't want to
57 lose employees. She suggested 3 years. The City Manager should have a designee for evaluating the
58 machines.

59 Spencer Kyle noted a lot of employees do not use their computers extensively and shouldn't need
60 replaced that often.

61 Councilwoman Call noted it was talking about being "considered for replacement." It needs to be based
62 some on technological cycles.

63 Pg. 161 is this getting our paychecks paperless?

64 Chelese Rawlings replied yes.

65 Pg. 173 \$4500 is that for setting it up? It seems high for issuing checks electronically.

66 Chelese Rawlings said this is a one-time amount to set it up and the \$2500 is ongoing.

67 Pg. 162 do we have answers on the last park site?

68 Chelese Rawlings responded that we have decided that we are going to have to bill ourselves for water,
69 so we won't know the costs until after the fact, so we will do a transfer at the end of the year.

70 Councilwoman Call said thank you for putting the sapling farm on there. It will give us better trees and
71 stewardship. She asked Chief Burton if the Corporal/Sargent position is being negotiating.

72 Chief Burton noted that there are a number of changes in the Bluffdale contract; he recommended an
73 increase in overtime.

74 Chelese Rawlings noted it is included in the adjusted budget for this year which rolls over for next year.

75 Councilwoman Call asked to keep an eye on that.

76 Pg. 167 Fireworks. Let's talk to Civic Events after this year and adjust as needed.

77 Pg. 173 employee and volunteer recognition increased to a request of \$5500.

78 Mark Christensen replied this is us adding the sponsor appreciation event that had been discussed earlier.

79 Councilwoman Call thought it seemed like too much.

80 Pg. 176 are we defunding the Harvest Hills native now that it's completed.

81 Chelese Rawlings replied they were being billed to regional park one went over and one went under so
82 that is correcting it.

83 Pg. 185 huge dip between 12 and 13, clarifying that is before installing the water meters.

84 Councilman McOmber thanked Chelese and that they had gone over all his concerns in an earlier meeting.

85 Councilwoman Baertsch asked on fund 53, there was a revenue spike of 3million on page 120.

86 Chelese Rawlings noted it was fund balance they have to roll it forward from this year and note it as both an
87 expense and income.

88 Councilwoman Baertsch thinks there are some philosophical errors that don't coordinate with their
89 philosophies.

90 Councilman Willden appreciated having a pre-meeting with her and Mark and they answered all his
91 questions. He suggested in a work session he would like to talk about key risk indicators and establishing
92 risk triggers and thresholds and revisiting them regularly.

93
94 **Motion made by Councilwoman Baertsch to approve Resolution R15-19 (5-5-15): A Resolution**
95 **adopting the Tentative Budget for the City of Saratoga Springs for the Fiscal Year 2015-2016;**
96 **setting a date, time and place for a Public Hearing and Adopting of the Fiscal Year 2015-2016**
97 **Budget; and ordering that notice of the Public Hearing be published at least seven days in advance.**
98 **Seconded by Councilman Willden. Aye: Councilman Willden, Councilwoman Baertsch,**
99 **Councilman McOmber, Councilwoman Call, Motion passed 4 - 0.**

10
11 **4. Consent Calendar:**

12 **a. Consideration and Possible Approval: Amended Final Plats for Legacy Farms Plats 1A and 1E**
13 **located at 400 South Redwood Road, DR Horton, applicant.**

14 **b. Consideration and Possible Approval for Contract Amendment for the South Secondary Well.**

- 15 **c. Consideration and Possible Approval for the Jacobs Ranch Drainage License Agreement.**
16 **d. Consideration and Possible Approval for the Engineering Standard Technical Specifications and**
17 **Drawings Manual.**
18 **i. Ordinance 15-19 (5-5-15): An Ordinance of the City of Saratoga Springs, Utah, amending the**
19 **Standard Technical Specifications and Drawings Manual for the City of Saratoga Springs and**
20 **establishing an effective date,**
21 **e. Minutes:**
22 **i. April 21, 2015.**
23

24 Councilwoman Baertsch had a question on item c. that there is no language about sprinklers that are a
25 permanent sort. And we don't mention that they can't alter the actual drainage improvements.

26 Mark Christensen indicated that we are looking for structures like sheds and pads, as far as landscaping we
27 don't worry about that as much.

28 Councilwoman Baertsch commented that on the next page it would be good if there was something that says
29 the City won't cover any costs of removed improvements.

30 Mark Christensen felt there was no implied reimbursement on that, and feels it calls out in earlier paragraphs
31 that they are responsible and it's at their expense

32 Councilwoman Baertsch thought we could add in the motion that staff verifies that those two are in there.

33 Kevin Thurman said when he drafted it he said it's at their sole expense and cost that they had to restore it.

34 Councilwoman Baertsch noted on Item d. on the roundabout specifications, that the odd shaped roundabout
35 was the new standard and that is not what we have in here.

36 Jeremy Lapin noted it was probably an error of lack of time. He would recommend that they delete the
37 details and when roundabouts come in they would each be a custom design. He would remove them from
38 the city specs.

39 Kevin Thurman commented that we need to be careful because we cannot impose any unexpressed
40 conditions so if it's not in the standards or design development code, we essentially can't regulate a
41 roundabout.

42 Jeremy Lapin noted it still has to meet industry standards, safety and such.

43 Councilwoman Call commented that so long as we have it in policy and say so long as it meets standards and
44 keep up on the code we could hold them to that.

45 Mark Christensen suggested that keep the standards in to move things along and direct Jeremy Lapin to
46 modify it and bring it back later.

47 Councilwoman Baertsch mentioned in the tree standards it doesn't specify what kind of mulch and we have
48 talked about the bark mulch to help them get established.

49 Kimber Gabryszak noted it doesn't say mulch, it says non-rock.

50 Councilwoman Baertsch on the street light standards, there are many times where the street light is on the
51 opposing corner from the street sign which causes difficult with visibility of those signs. Is this
52 something we can change?

53 Mark Christensen had a clarification on item c. We agreed to replace the fence for one property owner. The
54 owner said rather than the fence could you help with the landscaping. So they would propose to take that
55 cost and spread it across all three property owners as a possible solution.

56 Councilwoman Baertsch noted minute changes that were sent in.

57 Councilwoman Call commented that on the license agreement we have people taking liberal use of property
58 that is not their own to plant fruit trees and gardens outside of their yard. Could we put language to
59 prohibit dropping fruit trees. On the engineering standard technical specifications, our adoption of
60 residential streets, we have people saying our street is really small and you can't do anything on our
61 street. The streets meet the residential standard. People will park on the streets.

62 Jeremy Lapin Public streets are one of their major expenses. They asked themselves how we reduce liability.
63 We looked at making the streets more complete with sidewalks. Evidence has shown the wider the street
64 the higher the speeds. We try to balance the needs with slower neighborhood streets and collector roads.
65 Anything we can do to keep us ahead of the curve is good.

56 Councilwoman Call was concerned that if we have a restriction when the development is going in and they
57 are receiving deliveries so they are impeding traffic. Is that something that needs to be put in engineering
58 standards or just needs to go through code enforcement?
59 Jeremy Lapin replied that we did create a grading code to help govern those types of things. It would be up to
60 code enforcement or inspectors. We need to do more citation training. It's a balance of not being too
61 policing but also making sure things are taken care of.
62 Councilwoman Call appreciates the manhole standards. Storm drains do we need to talk about particulate
63 matter and reference State or Federal code in there.
64 Jeremy Lapin noted he was not aware of any State or Federal Code that has any hard numbers.
65 Councilwoman Call in wetlands do we need to reference reseeding, does it change and do we need to
66 reference standards.
67 Jeremy Lapin replied that just because we have given approval doesn't exclude them from other approvals
68 they need to get. He would like to meet with other industry people to make the code better.
69 Councilwoman Call asked if they could get the suckers off the trees without voiding the warranty.
70 Jeremy Lapin says it covers fine most builders, does it make sense to pay a premium to hire someone when
71 we can do it ourselves.
72 Councilwoman Baertsch commented that parks' staff had mentioned most cities don't do warranties on trees
73 because the city can take care of it cheaper.
74 Councilwoman Call noted the font was different in a portion of the report. We don't reference locking
75 devices to protect copper wire. We need to make sure we are requiring developers to do that.
76 Jeremy Lapin said they are collecting those fees.

37
38 **Motion made by Councilwoman Baertsch to approve Consent Calendar items a.- e. changing item c.**
39 **that we might verify items 2 and 6 that they are not alternating the drainage improvements and**
40 **also that the City is not liable and if needed that staff alter those items. Also that there will be no**
41 **fruit trees planted in the area to drop fruit on the lower trail. And with item d. Technical**
42 **Standards, that street light placement and roundabout specs be brought back to Council at a later**
43 **time including all staff findings and conditions. And including all pre-submitted changes to the**
44 **minutes. Seconded by Councilman McOmber. Aye: Councilman Willden, Councilwoman**
45 **Baertsch, Councilman McOmber, Councilwoman Call. Motion passed 4 - 0.**
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47 **5. Reports of Action.**

48 Code Amendments 04-21-15 – Council approved 4-0.

49
50 The Springs Annexation 04-21-15 – Council approved 4-0.

51
52 **Motion made by Councilman Willden to approve the Reports of Action in our packet. Seconded by**
53 **Councilwoman Call. Aye: Councilman Willden, Councilwoman Baertsch, Councilman McOmber,**
54 **Councilwoman Call. Motion passed 4 - 0.**
55

56 Mayor Miller noted that our Fire department is being recognized for a top team in water and ice rescue and are
57 being asked to start training other agencies.

58 Jess Campbell noted they were presenting at the summit tomorrow.

59 Councilman McOmber would like that information to get in the newsletter.

60
61 **Councilman McOmber was excused.**
62

63 **6. Joint City Council and Planning Commission Training Session.**

64 **a. Land Use: Brent Bateman, State Property Rights Ombudsman.**

65 Brent Bateman was present to answer questions. They began by talking about decisions Council made
66 tonight. Council made both legislative (a decision that enacts policy) and administrative decisions
67 tonight. Not all legislative decisions end up in Code amendments. When a decision is going into a
68 contract, it is a legislative decision. The decision to amend is probably a legislative decision. With

19 contract decisions they cannot delegate for someone else to enter into a contract for the City but you can
20 delegate somebody else to make the decision to bring to you so it doesn't become a thing where the
21 Council has to mull it all over again. You can make the decision based on what the delegates have
22 recommended and take your thumb off it. With contracts for an agreement whether they are legislative or
23 administrative is whatever you say they are. He also reminded them of making decisions based on
24 evidence. Conditions need to be based on something objective. You need to have standards in your
25 ordinances; they should not be too broad. They need to be as objective as possible. Perpetual
26 Maintenance; if they create the impact you can ask for that. Legal Exactions; the exaction has to solve a
27 problem the development creates. Exactions are conditions but you don't need standards to make an
28 exaction. You do have to have a standard for a condition. You can make a development agreement
29 legislative or administrative. As long as the development agreement is real quid pro quo, as long as they
30 get something in return even if it's lopsided all the exaction stuff is out the window. On site plans the
31 question should be if it meets the code or if it doesn't. There can be a condition if it brings it into
32 alignment with the code. Probably only about 10 – 20% of conditional use questions ought to be handled
33 by Planning Commission, the rest should be handled by staff. It is critical that the Staff, Planning
34 Commission, and City Council communicate with each other. Good code is to give Planning
35 Commission time to Plan.
36

37 **7. Motion to enter into closed session for the purchase, exchange, or lease of property, pending or**
38 **reasonably imminent litigation, the character, professional competence, or physical or mental health of**
39 **an individual.**
40

41 **Motion made by Councilman Willden to enter into closed session for the purchase, exchange, or lease**
42 **of property, pending or reasonably imminent litigation, the character, professional competence, or**
43 **physical or mental health of an individual. Seconded by Councilwoman Call. Aye: Councilwoman**
44 **Baertsch, Councilman Willden, and Councilwoman Call. Motion passed unanimously**
45

46 Meeting Moved to Closed Session 9:50 p.m.
47

48 **Closed Session**
49

50 **Present:** Mayor Miller, Councilman Willden, Councilwoman Baertsch, Councilwoman Call, Mark Christensen,
51 Kevin Thurman, Spencer Kyle, Nicolette Fike, Kimber Gabryszak
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53 **Closed Session Adjourned at 10:00p.m.**
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55 **Policy Meeting Adjourned at 10:00.m**
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59 May 19, 2015
60 Date of Approval
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[Signature]
Mayor Jim Miller

[Signature]
Lori Yates, City Recorder