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3 **CITY OF SARATOGA SPRINGS**
4 **CITY COUNCIL MEETING**

5 Tuesday, January 13, 2009

6 Meeting held at the City of Saratoga Springs City Offices
7 1307 North Commerce Drive, Suite 200, Saratoga Springs, Utah 84045

8 **CITY COUNCIL MINUTES**
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11 **WORK SESSION – Commencing at 6:31 p.m.**
12

13 **Present:**

14 **City Council Members:** C Poduska, C Call, C Love, Mayor Parker, C Kelly, C Moss

15 **Absent City Council Members:**

16 **Staff:** Lori Yates, Ken Leetham, Jim McNulty, Judson Rex, Chief Gary Hicken, Chief Tim Hay, Spencer Kyle, Sarah
17 Carroll, Mark Chesley

18 **Others:** Lance Madigan, Bruce and Laurie Champagne, Natasha Call, Cecil Tuley, Randy Young, Lora Condor, Nikki
19 Turner, Becky Pirente, Brad Fletcher, Gerald Kammerman, Ron and Cindy Nielsen, Shawn Jones, Jennifer Jones, Matt
20 Harmer, Elizabeth Harmer, Justin Stewart, Cory Stewart, Gary Laramie, Aaron Rosen, don Markham, Jeanne
21 Anderson, Mark and Kitty Cheney, Scott and Sabrina Suggs, Jarrah Gerald, Allison Schipaanboard, Will Scott, Alicia
22 Howard, Herbert Davila, Fatima Davila, Rodger Hong

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25 **1. Reports:**

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27 **a. Mayor**
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30 **b. City Council Members**
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32 Kelly reported on the GOG meeting that she attended the main concern was the budget from the State.
33 She indicated that as a City we still need to conserve. C Kelly also addressed the need for a representative
34 from the Saratoga Springs/Eagle Mountain City to participate with Public Transportation and the creation and
35 repairing of the roads for our City and those in surrounding Cities.

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38 **c. Staff**
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40 Chief Hay presented the fire departments' stats for December he briefed the Council his report.

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42 Chief Hicken presented the police departments' stats for the month of December. He also briefed of the
43 incidents that occurred for the month.

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45 Ken Leetham mentioned that the first finance committee meeting will be held on Wednesday, January 21,
46 2009.

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49 **3. Adjourn to Policy Session**
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52 **POLICY SESSION – Commencing at 7:00 p.m.**
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Present:

City Council Members: C Poduska, C Call, C Love, Mayor Parker, C Kelly, C Moss

Absent City Council Members:

Staff: Lori Yates, Ken Leetham, Jim McNulty, Judson Rex, Chief Gary Hicken, Chief Tim Hay, Spencer Kyle, Sarah Carroll, Mark Chesley

Others: Lance Madigan, Bruce and Laurie Champagne, Natasha Call, Cecil Tuley, Randy Young, Lora Condor, Nikki Turner, Becky Pirente, Brad Fletcher, Gerald Kammerman, Ron and Cindy Nielsen, Shawn Jones, Jennifer Jones, Matt Harmer, Elizabeth Harmer, Justin Stewart, Cory Stewart, Gary Laramie, Aaron Rosen, don Markham, Jeanne Anderson, Mark and Kitty Cheney, Scott and Sabrina Suggs, Jarrah Gerald, Allison Schipaanboard, Will Scott, Alicia Howard, Herbert Davila, Fatima Davila, Rodger Hong

- **Call to Order by Mayor Parker**
- **Roll Call.**
- **Invocation / Reverence given be C Love**
- **Pledge of Allegiance led by C Love**
- **Public Input, Awards or Recognitions –**

Chief Hicken conducted a few items which were a presentation of a plaque from the Special Olympics, and the swearing in of Jared Chuchran and introduced Zach Beglarian as the new code enforcement/animal control officer.

Chief Hay introduced the fire department C.E.R.T (Certified Emergency Rescue Team) class to the City Council. The C.E.R.T team will respond to a number of events throughout the City.

Justin Stewart resident of Pelican Bay as citizens we support the additional of the building for the police department.

Mark Markham resident of Saratoga Springs mention the fact that the Police department is stationed in a double wide trailer.

Natasha Call stated that the C.E.R.T program is available to all citizens within the City there is a importance of those residents to be a part of the program.

Cory Stewart stated he is supportive with having the police department move into the lower level of the City office building.

POLICY ITEMS

- 1. Public Hearing: Proposed Rezoning and General Plan Amendment for the Avondale Academy located at 1417 South Lakeview Terrace Road. The proposed Rezoning and General Plan Amendment is from RR, Rural Residential to NC, Neighborhood Commercial; Shawn and Jennifer Jones, owners and applicants.**

Judson Rex introduced the proposed Rezoning and General Plan Amendment for the Avondale Academy. Judson Rex also gave a history of the existing facility.

107
108 Jennifer Jones briefed the Council on the history and proposal of the salon and boutique. The flow of
109 traffic would not affect the existing preschool that is in session.
110

111 **Mayor Parker opened the public hearing.**
112

113 Ron Neilson lives to the north of the project. He is concern with the zoning being opened to commercial.
114 Indicated that this area should be a residential zone.
115

116 Becky Pirente pointed out that this will benefit many individuals.
117

118 Laura Conder an employee of the Academy would like to see that this moves forward.
119

120 Nancy Neilson stated there is other areas that are zoned for this particular project in the City.
121

122 **Mayor Parker closed the public hearing.**
123

124 C Moss asked for clarification from Jim McNulty to what is permitted and conditional in a Neighborhood
125 Commercial.
126

127 Jim McNulty read those uses that are permitted and conditional in the Neighborhood Commercial zone.
128

129 C Moss asked about the property on the corner and its future use as being zoned Neighborhood
130 Commercial.
131

132 C Kelly asked about the nonconforming structure.
133

134 C Kelly stated that Neighborhood Commercial is a way of the future especially with making it walkable for
135 the residents in the area. This makes sense under these conditions.
136

137 C Love indicated that Neighborhood Commercial has many restrictions; we take concerns of the residents
138 seriously, but she feels that these types of businesses are a benefit to the community.
139

140 C Poduska feels this rezone is necessary for those residents that live in the area.
141

142 C Call had no comment at this time.
143

144 Mayor Parker expressed concern with the ability of permitting the service of bars or clubs.
145

146 Todd Godfrey indicated that there is a school in the area which would prohibit that to be permitted for
147 the area.
148

149 Mayor Parker asked what would the boutique would consist of.
150

151 Shawn Jones stated that it would be home accents and crafts. There would be limited hours that it will
152 be open.
153

154 Mayor Parker what abilities do we have to restrict hours of operation.
155

156 Judson Rex the code stated the restriction is from 7 a.m. to 10 p.m.
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160 2. **Ordinance #09-1 (1-13-09): An Ordinance amending the City's official zoning map**
161 **and land use map for certain real property; instructing the City staff to amend the**
162 **City's zoning map and other official records of the City; and establishing an effective**
163 **date.**

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167 **Motion by C Poduska to approve the Ordinance #09-1 (1-13-09): An Ordinance amending**
168 **the City's official zoning map and land use map for certain real property; instructing the City**
169 **staff to amend the City's zoning map and other official records of the City; and establishing**
170 **an effective date.**

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173 Seconded by C Love
174 Aye: C Poduska, C Love, C Moss, C Kelly, C Call
175 Nay: none
176 Abstain: none

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180 3. **Public Hearing: Proposed Annexation for Saratoga Heights, Phase 1 (approximately**
181 **80 acres) located at approximately 550 North and 800 West , DCP Saratoga, LLC,**
182 **applicant.**

183
184 Sarah Carroll presented the Annexation proposal and history to the Council. This area was not annexed
185 into the City in 2004 when it was added to the Master Plan. Sarah also gave a summary of the utilities
186 that will need to be installed. When the property develops the property owner will be responsible for the
187 improvements to the property.

188
189 **Mayor Parker opened the public hearing.**

190
191 No public input.

192
193 **Mayor Parker closed the public hearing.**

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199 4. **Proposed Minor Subdivision for Laramie Acres located at approximately 145 North**
200 **2050 East, Gary Laramie, applicant.**

201
202 Sarah Carroll introduced the proposed Minor Subdivision.

203
204 C Poduska asked about the improvements to the property.

205
206 Sarah Carroll stated that no improvements are required at this time.

207
208 **Motion by C Call to approve to the Proposed Minor Subdivision for Laramie Acres located at**
209 **approximately 145 North 2050 East, Gary Laramie, applicant.**

210
211 Seconded by C Poduska
212 Aye: C Call, C Poduska, C Kelly, C Moss, C Love

213 Nay: none
214 Abstain: none

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218 **5. Proposed Concept Plan for Sky Hawk Ridge located at approximately 2800 North**
219 **Redwood Road, Randy Young, applicant.**

220

221 Sarah Carroll presented the Concept Plan for the Sky Hawk Ridge project, Sarah also went through the
222 changes that have been revised from the previous proposal. The utilities will need to be extended to the
223 development. Sarah stated the Planning Commission concerns.

224

225 Steve McCutcheon a representative from the Sky Hawk Ridge project, presented the project and gave
226 examples and explanations of the project.

227

228 C Call is concerned with having only one access to the project.

229

230 Sarah Carroll stated that the applicant is aware that a second access is needed.

231

232 C Call stated he would like to see the second access on the concept plan.

233

234 Ken Leetham is this project subject to a Master Development Plan?

235

236 Sarah Carroll stated she was not sure at this time.

237

238 C Poduska expressed concern with not having a second access.

239

240 C Love echoed the same concerns that were voiced by the previous Council members.

241

242 C Moss would echo what has been addressed; he also feels a second access is necessary.

243

244 C Kelly indicated that this project is not amenity rich.

245

246 Ken Leetham asked for clarification on the main road.

247

248 Randy Young owner of the project stated that a letter was given that indicated one access entrance
249 would be feasible. The understanding was that if each unit had fire sprinklers that only one access may
250 be allowed.

251

252 Ken Leetham stated that before this project goes forward we need to answer if a Master Development
253 agreement is required.

254

255 Sarah Carroll addressed some concerns of the secondary access, suggested that the first phase be
256 created and outlined and that additional phases be allowed when the access has been acquired.

257

258 C Moss stated that there are other recommendations from the Planning Commission that should be
259 addressed, it is not only the concerns over secondary access.

260

261 C Kelly supports Planning Commission's recommendations.

262

263 C Love would also agree with Planning Commission's recommendations.

264

265 C Poduska addressed his concerns with the secondary access. There are a large number of residents to
266 accommodate.

267
268 C Call indicated at this time it is hard to make a judgment without all the fact is front of him.
269

270 **A five minute break was taken at this time. (8:45 p.m.)**

271
272 **6. Proposed modifications to Jacobs Ranch LDS Church landscaping.**

273
274 Sarah Carroll introduced that the Church used a different planting plan than the one approved by the
275 Council in 2007. The church is moving to a lower maintenance plan and requests approval of the
276 changes.

277
278 **Motion by C Poduska to approve the proposed modifications to Jacobs Ranch LDS Church**
279 **landscaping.**

280
281 Seconded by C Call
282 Aye: C Poduska, C Call, C Moss, C Kelly, C Love
283 Nay: none
284 Abstain: none

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288 **7. Ordinance No. 09-2 (1-13-09): An Ordinance setting meeting dates for the City**
289 **Council and Planning Commission for the City of Saratoga Springs for the year 2009**
290 **and establishing an effective date.**

291
292
293 **Motion by C Kelly to approve Ordinance No. 09-2 (1-13-09): An Ordinance setting meeting**
294 **dates for the City Council and Planning Commission for the City of Saratoga Springs for the**
295 **year 2009 and establishing an effective date.**

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297
298 Seconded by C Moss
299 Aye: C Kelly, C Moss, C Love, C Call, C Poduska
300 Nay: none
301 Abstain: none

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304 **8. Ordinance No. 09-3 (1-13-09): An Ordinance of the City of Saratoga Springs adopting**
305 **the current edition of International Building Code; International Residential Code;**
306 **International Plumbing Code; International Mechanical Code; National Electrical**
307 **Code; International Fuel Gas Code; and International Energy Conservation Code;**
308 **International Fire Code; as the Building codes for the City of Saratoga Springs and**
309 **establishing an effective date.**

310
311 Mark Chelsey stated that the only change that is need is the fire code which is recommended by the
312 State.

313
314 **Motion by C Kelly to approve Ordinance No. 09-3 (1-13-09): An Ordinance of the City of**
315 **Saratoga Springs adopting the current edition of International Building Code; International**
316 **Residential Code; International Plumbing Code; International Mechanical Code; National**
317 **Electrical Code; International Fuel Gas Code; and International Energy Conservation Code;**

318 **International Fire Code; as the Building codes for the City of Saratoga Springs and**
319 **establishing an effective date.**

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322 Seconded by C Poduska

323 Aye: C Kelly, C Poduska, C Call, C Moss, C Love

324 Nay: none

325 Abstain: none

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329 **9. Ordinance No. 09-4 (1-13-09): An Ordinance of the Saratoga Springs City Council**
330 **enacting and codifying Title 10, Chapter 4, Section 10.4.010 of the Saratoga Springs**
331 **City Municipal code relating to the violation of battery.**

332

333 Chief Hicken presented this ordinance and the reason for this ordinance.

334

335 **Motion by C Call to approve Ordinance No. 09- (1-13-09): An Ordinance of the Saratoga**
336 **Springs City Council enacting and codifying Title 10, Chapter 4, Section 10.4.010 of the**
337 **Saratoga Springs City Municipal code relating to the violation of battery.**

338

339 Seconded by C Kelly

340 Aye: C Call, C Kelly, C Moss, C Poduska, C Love

341 Nay: none

342 Abstain: none

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345 **10. Resolution No. R09-1 (1-13-09): A resolution amending the consolidated fee schedule**
346 **for the City of Saratoga Springs and establishing an effective date.**

347

348 Mark Chelsey introduced the reasoning for the amendment to the fee schedule.

349

350 **Motion by C Love to approve Resolution No. R09-1 (1-13-09): A resolution amending the**
351 **consolidated fee schedule for the City of Saratoga Springs and establishing an effective date.**

352

353

354 Seconded by C Moss

355 Aye: C Love, C Moss, C Call, C Kelly, C Poduska

356 Nay: none

357 Abstain: none

358

359 **11. Consent Calendar:**

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361

a. Warrant Register.

362

b. Final Bond Release, Acceptance of Subdivision Improvements and
363 **Commencement of two-year warranty period for the Fox Hollow LDS meeting**
364 **house.**

365

c. Final Warranty Release for Sunrise Meadows Plat F.

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d. Final Warranty Release for Sunrise Meadows Plat G.

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e. Final Warranty Release for Sunrise Meadows Plat H.

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f. Final Warranty Release for Sunrise Meadows Plat I.

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g. Final Warranty Release for Sunrise Meadows Plat J.

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Motion by C Poduska to approve the Consent Calendar as written.

Seconded by C Call
Aye: C Poduska, C Call, C Kelly, C Moss, C Love
Nay: none
Abstain: none

Motion by C Love to adjourn to closed session to discuss personnel matter and the acquisition of real property at 9:07 p.m.

Seconded by C Call
Aye: C Love, C Call, C Kelly, C Poduska, C Moss
Nay: none
Abstain: none

The closed session was held at the City of Saratoga Springs City Office 1307 North Commerce Drive, Saratoga Springs, Utah.

Present: Ken Leetham, Spencer Kyle, Todd Godfrey, Chief Gary Hicken, Mayor Parker, C Kelly, C Moss, C Call, C Poduska, C Love

Adjourned from closed session at 10:06 p.m.

12. Discussion and action regarding additional public safety office space, if necessary.

Staff has been given instruction to move forward with this project.

Motion to adjournment at 10:08 p.m.

Date of Approval

City Recorder