

**CITY OF SARATOGA SPRINGS
CITY COUNCIL MEETING**

Tuesday, January 26, 2010

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

CITY COUNCIL MINUTES

POLICY SESSION – Commencing at 7:35 p.m.

Present:

Council Members: Mayor Love, Councilman Poduska, Councilman McOmber, Councilman Miller

Absent Members: Councilman Call

Staff: Lori Yates, Ken Leetham, Spencer Kyle, Police Chief Gary Hicken, Fire Chief Tim Hay, Jim McNulty, Mark Chesley, Mark Edwards, George Leatham, Chris Pavia

Others: Michael Simpson, Colin Douglas, Natasha Hodder, Cami Rush, Kai Maxfield, Robert Morris, Annie Bieker, Troop 1034, Zack Jorgensen, Donna Milakovic, Troop 1024, Gerald Kammerman, Cecil Tuley, Dustin Holt, Travis Clegg, Ryan Peltekian, Edward Peltekian, Tim Taylor, Stephen Willden, Jeff Randall, Laura Champagne, Lindsay Jarvis, Kelli Iacona

- **Call to Order by Mayor Love.**
- **Roll Call.**
- **Invocation / Reverence given by Councilman McOmber**
- **Pledge of Allegiance led by Troop 1024**
- **Public Input.**

Donna Milakovich, with the Lehi Area Chambers of Commerce, presented to the City of Saratoga Springs an appreciation of support award.

Mayor Love opened public input.

Edward Peltekian addressed the Council. He stated that his trial has had witness tampering and false statements provided. He stated that this was done by the City of Saratoga Springs Prosecutor. As of Friday, January 22, 2010 we were told that the case had been dismissed. Mr. Peltekian voiced his frustrations with this case.

Ryan Peltekian stated that he has been wrongly accused for something that he has not done. He feels that the City is at fault.

Annie Bieker read a statement about the trust of City officials and the power that they hold. She also stated that she felt that her rights have been violated.

Stephanie Trio asked the Council to consider options allowing accessory apartments to the City's developments. She stated that accessory apartment could benefit the neighborhoods.

Lindsay Jarvis, City of Saratoga Springs City Prosecutor, responded to the allegations that were addressed earlier during the public input. She feels that this matter was based strictly on the evidence that was provided and that this position has not been taken lightly.

Laura Champagne stated that her husband works with the City Prosecutor. She stated that people do a job out of service and through that they must follow the laws that have been implemented. She stated that she has a lot of integrity for the City Prosecutor.

Jerry, a Boy Scout, asked with what school he would be attending. He asked if it would be Willowcreek or the new Saratoga Springs Junior High. Mayor Love stated that decision would be made by Alpine School District.

Mayor Love closed public input.

1. Ordinance No. 10-2 (1-26-10): An ordinance adopting amendments to the City of Saratoga Springs Land Development Code and establishing an effective date.

Jim McNulty took a few minutes to review this item. He briefly touched on the changes that were requested last week from Council. He also stated that Section 19.26.120 (1) will have additional language added. It should read as follow: However, a standard site plan review may be conducted by the Planning Director. This will be determined on a case by case basis.

Councilman Poduska suggested that in Section 19.26.050 (e) it should state: public safety service rather than public service. Ken Leetham felt that this section addresses all public services not just public safety.

Councilman McOmber expressed his appreciation for the work that has gone into the revisions.

Councilman Miller echoed Councilman McOmber comments.

Shawn Ferrin, Teguyo's legal counsel, asked Jim McNulty to clarify the additional language being added to Section 19.26.120 (1). It was determined that City legal counsel would also be allowed to review this language and make changes if necessary.

Motion was made by Councilman Poduska and seconded by Councilman McOmber to approve Resolution No. 10-2 (1-26-10): An ordinance adopting amendments to the City of Saratoga Springs Land Development Code and establishing an effective date. Aye: All

Subject to:

- 1. Adding to Section 19.26.050 (e) the language of: public safety service.**
- 2. Adding to Section 19.26.120 (1) the language of: However, a standard site plan review may be conducted by the Planning Director. This will be determined on a case by case basis.**

2. Discussion of Saratoga Hills Park.

Robert Morris, representative of the Saratoga Hills Homeowners Association, the park is being maintained at this time by the HOA. The Association feels that public funds should pay for the irrigation water, since it is used as a public used park.

Spencer Kyle gave the Council an update on this item. Spencer stated that the staff report has provided some options. He reminded and clarified that this is used a public park. Staff recommends option number two which the Homeowners Association would be responsible for paying 50 percent of the water fee. Spencer also stated that this would be consistent with other Homeowners Association fees. Staff is willing to work with the Homeowners Association, if the HOA could work to resolve a storm drain easement that runs under ground through the length of the park.

Councilman Miller asked how many lots are there in Saratoga Hills. Natasha Hodder stated they estimate there to be about 160 lots. Councilman Miller asked what the cost of the association is. A representative with the Homeowners Association stated that they are \$180 a year.

Councilman McOmber stated that the HOA should not be responsible for the full amount. The city would benefit from this park.

Councilman Poduska agrees with what has been stated. He feels the cost should be split which includes both the water fees and maintenance fees.

Mayor Love stated that the City benefits from this park and suggested that the City pay the water fee.

Steve Lee, a representative of the Homeowners Association, stated that the cost of maintaining the park has become costly each year. Spencer Kyle suggested to the Council that the Homeowners Association sign over the rights for the easement and park.

Motion was made by Councilman McOmber and seconded by Councilman Poduska to waive the secondary water fee for Saratoga Hills park in exchange for the HOA dedicating the public easement over to the City. Aye: All

3. Presentation of Quarterly Financial Status Reports by Department.

Travis Clegg, a member of the Finance Committee, stated that the committee has reviewed and agrees with the water purchase agreement with the church and the current and completed audit.

Steven Willden, a member of the Finance Committee, reported to the Council regarding a request that was proposed. That request was to review if there was a possibility of staff receiving a raise for the last two quarters of the fiscal year. Steve stated that the committee has found that it would not be possible to give staff raises or a COLA at this time.

Jeff Randall, a member of the Finance Committee, stated that the committee was asked to prepare and build out a 5 year plan. Ideas have been pursued and a methodology has been created.

Mayor Love thanked the Committee for their worked that has been completed.

Ken Leetham thanked the Committee for their desire to serve. Ken also hit some highlights in the revenue areas which included permits and property and sales taxes.

Chief Hay briefly addressed the Fire departments expenditures. General question were asked by Council at this time.

Mark Chesley presented to the Council the Building departments expenditures.

George Leatham presented to the Council the Public Works departments expenditures. Ken Leetham reminded the Council that George's budget this year took a large cut in all area. General questions were asked by Council.

Ken Leetham stated that there are funds available in the street lighting budget to build new street lights. The City is in need of additional street lights.

Mark Edwards presented to the council the Engineering department's expenditures. Council asked general questions regarding his budget. Ken Leetham stated that staff is working on a proposal for the ability to hire an in-house Engineer.

Jim McNulty presented to the council the Planning departments expenditures. Mayor Love asked how valuable the architect is to the Urban Design Committee. Councilman Poduska stated he felt the architect is vital to the committee. Jim stated that a volunteer position has been posted on the website and we have yet to receive any applications.

Chief Gary Hicken presented to the Council the Police departments expenditures.

Mayor Love stated that this is very informative information and she appreciates the update.

4. Consent Calendar:

- a. **Warrant Register.**
- b. **Warranty Bond Release for Harvest Hills Plat EE and FF.**
- c. **Final Bond Release, Acceptance of Subdivision Improvements and Commencement of two-year warranty period for the Cove at Jordan River Phase 3.**
- d. **Final Bond Release, Acceptance of Subdivision Improvements and Commencement of one-year warranty period for the Westgate B & C.**
- e. **Final Plat and Development Agreement for Saratoga Ridge located at approximately 290 East State Road 73, Mike Aviano, applicant.**

- f. Resolution No. 10-4 (01-26-10): Addendum to resolution of the City of Saratoga Springs creating street lighting special improvement district to include additional subdivision lots. (Saratoga Ridge)
- g. Minutes:
 - i. January 12, 2010
 - ii. January 29, 2010

Motion was made by Councilman Poduska and seconded by Councilman McOmber to approve the consent calendar as written. Aye: All

Motion was made by Councilman Poduska and seconded by Councilman Miller to enter into closed session for the purpose of acquisition of real property at 9:40 p.m. Aye: All.

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

Present: Councilman Poduska, Councilman Miller, Councilman McOmber, Mayor Love, Ken Leetham,

Adjourned from closed session at 10:07 p.m.

Motion by Councilman Poduska and seconded by Councilman Miller to approve the three water right agreements that were discussed in closed session.

Motion to adjourn at 10:08 p.m. was unanimous.

Date of Approval

Lori Yates, City Recorder