

Minutes of the Regular meeting of the Syracuse City Council held on January 8, 2019 at 6:13 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Lisa W. Bingham
Corinne N. Bolduc
Dave Maughan (participated via electronic means)
Doug Peterson
Jordan Savage (participated via electronic means)

Mayor Mike Gailey
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Public Works Director Robert Whiteley
Police Chief Garret Atkin
Fire Chief Aaron Byington
Community and Economic Development Director Noah Steele

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Peterson provided an invocation and Councilmember Bingham led the audience in the Pledge of Allegiance.

Mayor Gailey reported that it is necessary to adjust the agenda tonight to remove Colleen Lynch's name from consideration for appointment to the Arts Council at her request.

COUNCILMEMBER PETERSON MOVED TO ADOPT THE AGENDA AS AMENDED. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Public comment.

There were no public comments.

3. Presentation of Syracuse City and Syracuse Chamber of Commerce "Award for Excellence" for the month of January 2019.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with the Syracuse Chamber of Commerce, present the recipients for the "Syracuse City & Chamber of Commerce Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and the City's website.

Chamber of Commerce representative Keith Kennington noted both youth receiving the award for January 2019 were nominated by the staff of Syracuse Junior High.

Lainee Hamblin:

Lainee is a staff favorite and is a top student with 3.714 GPA with great character. She is helpful and cares about others. She supports students with special needs and helps others with their homework. Lainee is on the volleyball team and plays competition basketball, choir, and piano. She is a peer tutor and a positive influence to all.

Jared Hunter:

Jared is a top student and athlete. He is a "Gentle Giant" and seeks out those who need friends and spends time with them. He goes the extra mile to do well in all areas of his life and does his homework without parental reminders. Jared is on the basketball team and a member of the Jazz band. He participates in church youth leadership and service. He currently has all "A's" on his grades.

4. Recognition of former Councilmember Andrea Anderson.

Mayor Gailey stated it may be hard to believe that six different individuals elected to serve on the City's Governing Body, along with the senior staff of the City, are able to get along with one another and even grow to love one another. However, that has been his experience while serving as a Councilmember and now as Mayor. He noted former Councilmember Anderson served as a member of the Governing Body for three years and she has been a tremendous asset and will be greatly missed.

City Manager Bovero stated that it has been the tradition of the City to recognize the service of former Councilmembers by presenting them with a token of the City's appreciation; he presented Ms. Anderson with a clock to display at her home and thanked her for being independent minded and thoughtful about what is best for the residents of the community. He stated that he can speak for City staff and say that each of them enjoyed working with her and they are sad to see her leave her position. He wished her the best in the future and thanked her for her effort and commitment to Syracuse City.

Councilmember Bolduc then stated Eleanor Roosevelt once said, "great minds discuss ideas, average minds discuss events, and small minds discuss people." As she has reflected on that quote during her time on the Council, she has come to understand that people may talk about people or events because talking about ideas can put people in a vulnerable position. Ideally, a group is willing to listen to and evaluate all proposed ideas in order to reach a consensus with respect for one another; Ms. Anderson personified this ideal and because of that, she was very effective and trusted. She stated she is pleased to call Ms. Anderson her friend and she will be truly missed. She then presented Ms. Anderson with the key to Syracuse City and thanked her on behalf of the entire City Council.

Ms. Anderson stated it was a privilege and an honor to serve as a Councilmember; she feels very grateful for the friendships she has made and the opportunity she had to serve such great citizens.

5. Victim Advocate Report

Syracuse City/Clinton City Victim Advocate Alex Smith used the aid of a PowerPoint presentation to provide the Council with a report of her activities since her last report in March of 2018. She served 109 victims from April 1 to December 31, 2018 – 79 were female and 30 were male. She provided a chart illustrating crime victim types and a comparison of the crimes in Syracuse and Clinton Cities with crimes in Clearfield City. She then expounded on some of the services she has provided in the last year, which can be categorized in the following categories: information and referral; emotional support and safety services; criminal/civil justice system assistance; and other services. She also discussed the work that has been done since March of 2018 to continue to build the Victim Services program and she presented educational material that has been created to be provided to victims so they are aware of options available to them. She has attended several events to advertise the Victims Service program, including Heritage Days events in Syracuse and Clinton, a Lady Lion's Club event, and the Syracuse Night Out Against Crime event. She concluded with providing a success story of a survivor who was assisted by the Victims Service program; the survivor is a 35-year-old Hispanic female who was living with her offender and his parents; she was an unemployed stay-at-home mother who initially suffered financial abuse. This led to a 13-year history of violence in the abusive relationship, including domestic violence assaults from 2014 to 2018, culminating with aggravated assault that resulted in hospitalization for brain swelling and bleeding and multiple head traumas. Brain surgery was required, and the victim was in the hospital over one month; she lost her children to the State during this time. This was the 'final straw' for the victim and she ultimately secured a protective order against her offender and moved to transitional housing; her case is still in progress in the court system, but the offender is facing aggravated assault charges, which is a second-degree felony. The victim is now employed and receiving supportive resources and case management. She also regained custody of her children and they are safe. She provided the following quote from the victim: "My advocate has been so helpful, without them I would not be where I am today. Because of them I was able to get into safe harbors transitional housing and because of that I was able to get my kids back from foster care. My advocate continues to help me with any questions I have and is always making sure to do the best she can to help me in any way."

Ms. Smith concluded by thanking the Council for their support of the program and she emphasized the program's value. The Council indicated they have heard great things about the program, and they thanked her for the service she provides.

City Attorney Roberts also communicated his support for the service provided by Ms. Smith, which has a positive impact on the legal system in Syracuse and Clinton cities.

6. Approval of minutes.

The following minutes were reviewed by the City Council: Work Session and Special Meeting of November 27, 2018.

COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED AYE.

7a. Common consent: Proposed Resolution R19-02 appointing Colleen and Russell Lynch to the Syracuse Arts Council.

An administrative staff memo explained Arts Council leadership has requested that Colleen and Russell Lynch be appointed to the Arts Council Board. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

- 3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.

COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R19-02 AS AMENDED TO REMOVE COLLEEN LYNCH'S NAME FROM THE RESOLUTION. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Public hearing – Proposed Ordinance 2019-01 declaring the annexation of 9.51 acres of property located at approximately 2600 West 3000 South and establishing zoning for the property.

A staff memo from the Community and Economic Development (CED) Department explained the City has received a request to annex 9.51 acres from developers C.W. Land. The property is located approximately 2600 West 3000 South (Gentile St.) west of the public works offices. The land is owned by the LDS church. The annexation is limited to a portion of a larger 94-acre parcel. A representative from the church has signed the petition. The property is being actively farmed and is also partly left undeveloped. There is no public road access to the property. Utilities would come from the north from Syracuse Meadows subdivision or from the east from Still Water subdivision. It is anticipated that the property would be developed in conjunction with the Clark family property to the north also known as 'Shoreline'.

The annexation petition was accepted by the City Council on October 9th after which the application certification process began. The certification process involves notifying the affected stakeholders including the sewer district, school district, Davis County, and the mosquito abatement district. The process also includes a comment waiting period. Once the period is over, the City Council is clear to approve the annexation via ordinance should it choose to do so, after receiving a recommendation by the Planning Commission.

The memo referenced the City's adopted annexation policy plan. The plan lays out nine criteria for annexation. If the proposed annexation is developed as proposed, in a cohesive master planned development, the criteria for development would be satisfied. As a standalone property, the development potential is premature but together with the surrounding properties, both north and south, should provide the needed transportation and utility infrastructure to support development and provide needed housing options to our residents.

The Planning Commission provided a recommendation for the zoning that will be applied to the property upon annexation. The General Plan map is R-1 and therefore is recommended that this property be assigned the R-1 zone upon annexation.

The Planning Commission voted on November 6 to recommend approval of this item with a R-1 zoning. The City Council reviewed this item in a work session held on December 11, 2018. If annexed, it is anticipated that the applicant will apply for a zone change to RPC along with the land to the north, forming a larger master planned community of approximately 115 acres.

CED Director Steele reviewed the staff memo.

Mayor Gailey opened the public hearing at 6:45. There were no persons appearing to be heard and the public hearing was closed.

COUNCILMEMBER BOLDUC MOVED TO ADOPT ORDINANCE 2019-01 DECLARING THE ANNEXATION OF 9.51 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2600 WEST 3000 SOUTH AND ESTABLISHING ZONING FOR THE PROPERTY. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Proposed Resolution R19-01 adopting updates to the Fiscal Year (FY) 2018-2019 wage scale.

A staff memo from the Administrative Services Department stated City Administration proposes to add a Public Works Inspector position at with levels one, two, and three, which resembles the structure for maintenance workers already established in the Department. The benchmark data was provided to the Council. The position will not be filled until the Council approves the funding in a budget opening later this year. In the meantime, the inspection fees are currently being collected in order to begin funding the vehicle and equipment for the position. It is anticipated that the position will be filled in the spring (March/April) so the new employee can be functioning during the upcoming construction season. The memo concluded no other changes have been proposed with this wage scale update.

Mr. Marshall reviewed his staff memo.

COUNCILMEMBER PETERSON MOVED TO ADOPT RESOLUTION R19-01 ADOPTIONG UPDATES TO THE FISCAL YEAR (FY) 2018-2019 WAGE SCALE. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

10. Proposed Ordinance 18-24 amending the Syracuse City General Plan Map for property located at 2600 West 3200 South, Residential (R-1) to Residential Planned Community (RPC).

A staff memo from the Community and Economic Development (CED) Department explained

CED Steele reviewed the staff memo.

Councilmember Bingham inquired as to the phasing of the project, to which Mr. Steele responded by reporting that phasing and buildout will be market driven and he does not yet have that level of detail. Applicant Greg Day added that he is hopeful the project will be fully complete within three to five years and he believes that timeframe will be supported by the market.

Councilmember Savage referenced the concept plan and noted that he would like to see a mix of lot sizes as it appears that the majority of the project includes smaller lot sizes to achieve a higher density. Mr. Steele stated that the RPC ordinance includes three density categories and the concept plan is in compliance with the ordinance; he deferred to Mr. Day to communicate whether he is willing to consider adjustments to lot sizes to provide a mix of lot sizes. Councilmember Savage stated that his concern is creating a very dense community that has the potential to become a 'slum' in the future. Mr. Day stated that his plan includes several lots that can be classified as medium density, but as he moves forward to the design of the preliminary plat, it will be possible to make adjustments to provide a more suitable mix of lot sizes.

Councilmember Bolduc thanked Mr. Day for his responsiveness to the Council's concerns and indicated she feels the plan will facilitate a high-quality development.

Councilmember Maughan asked if the action tonight is to approve the development plan. City Attorney Roberts answered no; the action tonight is to amend the General Plan and approve the concept plan for the project. He emphasized the project will not be vested and this is an opportunity for the Council to provide the applicant with their feedback or direction for adjusting the concept plan. Councilmember Maughan supported Councilmember Savage's request for a mix of lot sizes, but

noted that his biggest concern is that the concept plan was being amended as late as this afternoon and the Council received an updated copy of that plan for consideration this evening. The plan was not made available to the public and he does not want to give the perception that this project is being considered contrary to adopted processes. He stated that going forward, he does not want to see plans amended the day of a vote. Councilmember Peterson agreed, but noted that the concept plan is not as critical at this time; he would be concerned if this were the preliminary plan for the project. Mr. Steele stated he agrees with the Council and he typically does not support plan adjustments at such a late hour, but the adjustments made were minor to include a stub road and there were no adjustments to the lot sizes or layout. Mr. Roberts added that the Council has the authority to deny the concept plan at this time, or give conditional approval to communicate to the applicant the adjustments that need to be made in order for the project to proceed.

Councilmember Bingham stated that she supports the request to provide a mix of lot sizes in the development and she recommended an equal share in the mix of lot sizes 5,600 to 6,999 square feet and lot sizes over 7,000 square feet. Mr. Steele provided the following development summary:

- 7,000 + square foot lots: 7.9 percent;
- 5,600 to 6,999 square foot lots: 43.4 percent; and
- 3,500 to 5,599 square foot lots: 48.7 percent.

Councilmember Bingham stated that she would like for more lots that are 7,000 square feet or greater.

COUNCILMEMBER MAUGHAN MOVED TO TABLE THE CONCEPT PLAN UNTIL REQUESTED ADJUSTMENTS CAN BE MADE.

Councilmember Savage stated that he would vote against the concept plan at this time. Councilmember Peterson stated he would prefer to give conditional approval for the concept plan in order to streamline the process while allowing the applicant to adjust the plan as requested by the Council. Mr. Roberts stated that if the applicant were to come back to the Council with a preliminary plan that does not include the Council's suggestions, it would be appropriate to deny preliminary plat approval at that time.

Councilmember Peterson stated that it seems reasonable to him to locate the larger lots – 7,000 square feet or larger – on the perimeter of the project where they will border existing residential development. Mr. Steele stated that the medium density lots are located adjacent to the existing residential development, which includes some lots that are one acre in size so he deferred to the applicant to address Councilmember Peterson's concern. He added that the layout of the plan does comply with City ordinance in that the smallest lots are located closest to arterial roads.

Councilmember Savage stated that if the lots located along the equestrian trail were increased to the category of over 7,000 square feet, he would be comfortable with the plan. Mr. Day stated that he is willing to work to accommodate that feedback into his plan and asked that the Council grant conditional approval of the concept plan tonight so that he can move to the next step of designing the preliminary plan for the project. Councilmember Bolduc thanked Mr. Day for his willingness to consider the Council's feedback. Councilmember Bingham added that she is willing to provide conditional approval with the understanding that Mr. Day is amenable to the Council's request and will incorporate their feedback into his preliminary plan.

Councilmember Maughan reiterated he has made a motion to table the concept plan and he stands by that motion.

High level discussion centered on the procedural options available to the City relative to action on the concept plan, with Councilmembers Bolduc and Peterson indicating they are comfortable granting conditional approval of the concept plan for reasons stated by Councilmember Bingham.

Mayor Gailey asked if there is a second to Councilmember Maughan's motion; hearing none, he declared the motion as dead for lack of a second.

COUNCILMEMBER PETERSON MOVED TO ADOPT ORDINANCE 18-24 AMENDING THE SYRACUSE CITY GENERAL PLAN MAP FOR PROPERTY LOCATED AT 2600 WEST 3200 SOUTH, RESIDENTIAL (R-1) TO RESIDENTIAL PLANNED COMMUNITY (RPC); AND TO GRANT CONDITIONAL APPROVAL OF THE CONCEPT PLAN BASED UPON THE FEEDBACK PROVIDED BY THE COUNCIL RELATIVE TO THE MIXTURE OF LOT SIZES IN THE PLAN AND TO REQUEST THAT LOT SIZES ALONG THE EQUESTRIAN TRAIL BE 7,000 + SQUARE FEET IN SIZE. COUNCILMEMBER BINGHAM SECONDED THE MOTION.

Councilmember Maughan stated he appreciates the applicant's willingness to consider Council feedback, but he will be voting in opposition based upon procedural issues. Councilmember Savage stated he will also be voting in opposition because of his desire to see the adjustments as requested before taking action.

Mayor Gailey stated there has been a motion and second to adopt the ordinance and grant conditional approval of the concept plan and he called for a vote; VOTING 'AYE' – COUNCILMEMBERS BINGHAM, BOLDOC, AND PETERSON. VOTING 'NAY' – COUNCILMEMBERS MAUGHAN AND SAVAGE.

11. Public comments.

There were no public comments.

Mayor Gailey introduced Russell Lynch, who was appointed to the Arts Council earlier in the meeting, and he gave Mr. Lynch a few minutes to provide the Council with information about himself. Mr. Lynch stated he is very interested in serving on the Arts Council and feels he has a wealth of experience in arts related activities that can benefit the group. Councilmember Maughan stated that Mr. Lynch will be a positive addition to the group.

12. Mayor/Council announcements and discussion of future agenda items.

The Council and Mayor provided announcements about upcoming community events and other opportunities for public involvement.

13. Recess to convene in work session in large conference room of City Hall.

Mayor Gailey recessed the business meeting at 7:19 p.m. to allow the Council to convene in a work session in the large conference room of City Hall.

The meeting reconvened at 8:43 p.m.

14. Reconvene and consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property (if necessary).

COUNCILMEMBER PETERSON MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER BOLDOC SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 8:45 p.m.

The meeting reconvened at 9:16 p.m.

At 9:16 p.m. COUNCILMEMBER BINGHAM MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

City Council Regular Meeting
January 8, 2019

Date approved: February 12, 2019