

Minutes of the Work Session meeting of the Syracuse City Council held on January 22, 2019 at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Lisa W. Bingham  
Corinne N. Bolduc  
Dave Maughan  
Doug Peterson  
Jordan Savage

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

City Employees Present:

City Attorney Paul Roberts  
Public Works Director Robert Whiteley  
Police Chief Garret Atkin  
Parks and Recreation Director Kresta Robinson  
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to receive public comments; receive a presentation from Wasatch Integrated Waste Management District (WIWMD) re: solid waste management plans; receive a presentation of Storm Drain Impact Fee Facility Plan and Impact Fee Analysis; discuss garbage hauling contract with Robinson Waste and options for renewal; continue discussion of proposed Ordinance 18-22 amending Chapter 10.75 of the Syracuse City Municipal Code pertaining to the Planned Residential Development (PRD) Zone; discuss potential creation of Mixed-Use Development zone; receive presentation of draft Parks Master Plan for first reading by City Council; discuss Syracuse City water rate structure; participate in an introductory discussion regarding West Davis Corridor betterment options; consideration of Council assignments; hear public comments; and discuss future agenda items/Council announcements.

Councilmember Bingham provided an invocation and Councilmember Maughan led the audience in the Pledge of Allegiance.

### **Public comments**

There were no public comments.

### **Presentation from Wasatch Integrated Waste Management District (WIWMD) re: solid waste management plans.**

An administrative staff memo explained Nathan Rich, WIWMD Executive Director, has requested an opportunity to address the Council regarding District plans to issue bonds for the development of a Mixed Waste Recycling Facility (MWRF) and Transfer Station operation to replace the Davis Energy Recovery Facility, which was also known as the “burn plant”. The burn plant ceased operations in May of 2017.

Mr. Rich used the aid of a PowerPoint presentation to provide an update on the District’s future plans following the closure of the Davis Energy Recovery Facility; this includes plans to develop a MWRF and finish construction of the Davis Transfer Station. He explained the WIWMD is a special service district owned by Davis and Morgan Counties as well as 15 cities; it processes 295,000 tons of mixed solid waste annually and serves 300,000 residents. It is staffed by 37 full time employees and managed by a 19-member Administrative Control Board. Mr. Rich reviewed the mission statement for the District, after which he reviewed the hierarchy of integrated waste management, which is to reduce, reuse, recycle, recover by converting waste to energy, and transfer the residue to a landfill. Integrated solid waste management includes a landfill diversion component and there is no wrong or right solution for facilitating this diversion. All waste is local, and solutions should also be local depending upon demographics, geography, laws, regulations, and other issues. Mr. Rich provided photographs of the various areas and facilities managed by WIWMD, after which he discussed the system’s performance dating back to 2014; in 2014, the District was achieving a 50 percent landfill diversion, but since that time many things occurred that ultimately led to the closure of the Energy Recovery Facility in May of 2017. The Facility was in operation for

30 years and processed 3,440,810 tons of mixed solid waste for 12.8 billion pounds of renewable steam that was shipped to Hill Air Force Base (HAFB). Additionally, 30,000 tons of steel was recycled and these actions combined increased the life of the landfill by 15 to 20 years. Considering the capacity of the Davis Landfill and natural disaster planning efforts, the District began working on a process to develop a transfer station and mixed waste recycling facility. Waste would be transferred to a regional landfill in Utah County; the transfer station would have a receiving floor and presort area for mixed waste processing and recycling. Mr. Rich expounded on what mixed waste processing entails; recycling materials can be recovered and sold resulting in the substantial diversion of large quantities of waste. This includes organics and non-recyclable plastics or paper. He reviewed a chart illustrating the District's waste/sort data for recyclable content and indicated that the District is in the process of evaluating the results and outcomes of mixed waste preprocessing and several lessons have been learned that can be used to inform improvements in the future. He concluded that the 50 percent diversion rate in 2014 has been reduced to seven percent in 2018; this is not a sustainable operation and does not maximize the lifetime value of the landfill and is the main reason that the District has determined that transfer operations are necessary to reduce the risk to District's partners and the residents that are served. He reiterated that the transfer station is under construction and the procurement proposals for the MWPF facility are due January 30, 2019. The projecting financing amount could be up to \$20 million, which will result in a household fee of \$2.00 per month. A bond was approved January 16 and the fees to repay the bond will be effective July 1, 2019. Construction of the MWPF will begin in the spring of 2019 and will be operational in the fourth quarter of 2019.

Mr. Rich concluded by thanking the Council for their attention to his presentation and by inviting them to visit the WIWMD facilities at any time in order to become more familiar with operations and to have any questions answered.

### **Presentation of Storm Drain Impact Fee Facility Plan and Impact Fee Analysis. (30 min.)**

A staff memo from the Public Works Director explained the City has recently made updates to the storm drain master plans. The Impact Fee Facility Plan (IFFP) was created and is used to perform an Impact Fee Analysis (IFA). The IFFP and IFA are required by State Code (11-36a) in order to impose or update impact fees. Zions Public Finance has completed the IFA and is submitting it as a draft for Council review. Representatives of Zions Bank will present the IFA and will be available for questions.

JUB has completed the IFFP and it is in a draft form for Council review. Nathan Smith will present the IFFP and will be available for questions. The IFA and the IFFP will return for a final review and consideration of approval at the next City Council Business Meeting.

Mr. Whiteley reviewed the staff memo and introduced Nathan Smith, JUB Engineers representative, who provided a high-level summary of the IFFP; no significant deficiencies were identified in the City's current Storm Drain system, which means that impact fee adjustments will be based upon all new storm drain improvements required by new development projected to occur in the City over the next 10 years. Much of this development is associated with the West Davis Corridor project. Mr. Whiteley added that the State Legislature encourages cities to operate under IFFA plans that have been updated within the last 10 years; the City's last update to the storm drain IFFA was completed in 2007, so this update will bring the City's plan current. There was then a brief discussion regarding the materials used in storm drain projects and the opportunity for reducing costs for some of the projects included in the IFFA.

Benj Becker, Zions Bank Public Finance, then summarized the IFA. There was not significant discussion about this component of the impact fee action and the Council consented to add action items to the next business meeting agenda to allow for a decision to be made regarding the proposal.

### **Discuss garbage hauling contract with Robinson Waste and options for renewal.**

A staff memo from Administrative Services Director Marshall explained the City's garbage hauling contract is due to expire on March 31, 2019. The Council will need to decide whether to rebid the contract by issuing a request for proposals (RFP) or extend the existing contract. Section 6B of the contract states:

“The agreement may be extended for a subsequent term(s) of one, two, or more years upon mutual agreement of both the City and the Collector. It shall be the duty of the Collector to notify the City within (90) days prior to the expiration of this agreement that such agreement is approaching its termination date. Upon receiving such notice, the City and the Collector may negotiate any extensions to this agreement upon such terms as the parties may deem appropriate. Either party may independently decline to extend the

agreement for an additional term(s). Any amendments to the agreement shall be valid only if set forth in writing and signed by the parties hereto.”

Steve Robinson has reached out to the City and expressed interest in extending his contract past the expiration date. He has asked to provide a brief summary and discuss with the Council his new proposal; this is a decision for the Council to make and Administration is seeking direction relative to whether to accept Mr. Robinson’s terms for an extension or decide to go out for an RFP to get competitive quotes.

In Mr. Marshall’s absence, City Manager Bovero reviewed the staff memo.

Councilmember Maughan expressed concern about this item given that the Council considered a rate increase at Mr. Robinson’s request last year and at that time the Council concluded they wanted to move through a formal request for proposal (RFP) upon expiration of the current contract. Councilmember Savage agreed and added that he feels it would be more responsible to advertise an RFP in order to be able to communicate to residents that the Council is working to provide them the best value for their money. Councilmember Maughan and Savage emphasized that they have no concerns whatsoever with Robinson Waste; rather, they simply want to ensure that service costs are competitive.

Councilmember Bolduc stated that Mr. Robinson has indicated that he will hold his current rate for the first year of the contract extension and she is concerned about risking that offer by pursuing an RFP process. Councilmember Savage stated he is not sure that would be the case.

Mayor Gailey recognized Steve Robinson and invited him to provide input. Mr. Robinson provided the Council with a document that included garbage hauling rates charged in other cities in the area and noted that he is unsure the City will be able to secure a lower rate than what he is currently offering. He added that he provides services to the residents that cannot be quantified and for which he does not charge; this includes returning to collect garbage cans that may not have been placed at the curb prior to their pickup time. Additionally, there is something to be said for continuity and familiarity with his company’s staff. He feels his company is the perfect size to provide the service for Syracuse City. In 30 years, he has never had a delay in service, though he serves 150,000 households and that is because of appropriate contingency plans that he has put in place.

Mayor Gailey stated that Robinson’s Waste service is not in question at this time. Councilmember Maughan agreed and stated that he is hopeful to be able to continue the agreement with Robinson Waste; however, he feels the responsible thing to do is to publish an RFP for the service to ensure that the City is getting the best rate for its residents. He stated he feels that the RFP should be done every five years.

Councilmember Peterson asked if all rates included on the document provided by Mr. Robinson are for cities that he services. Mr. Robinson answered no; some of the cities are his clients, but the list is a mix of Davis County cities. Councilmember Peterson stated that his concern about advertising an RFP is that the City receives bids that are much higher than the current rate and it becomes necessary to increase rates. He stated Mr. Robinson is proposing a one-year extension at the same rate. Mr. Robinson stated that is correct and after one year, the rate would be adjusted based upon the Consumer Price Index (CPI). This led to high level discussion about potential rate fluctuations based upon the course of action the City opts for, after which Councilmember Peterson and Bingham indicated that they are not necessarily opposed to an RFP, but at this time they would vote to extend the contract in order to keep the current rate and provide continuity to residents.

High level philosophical debate of both points of view ensued, after which Mayor Gailey called the discussion and directed staff to include an action item on the next business meeting agenda for a formal decision.

### **Continued discussion of proposed Ordinance 18-22 amending Chapter 10.75 of the Syracuse City Municipal Code pertaining to the Planned Residential Development (PRD) Zone.**

A staff memo from the Community and Economic Development (CED) Department explained the City has received an application from developer Mike Bastian to amend the text of Syracuse City Code Section 10.75 - Planned Residential Development. The Planning Commission (PC) has completed a very detailed review of the ordinance. This issue was discussed over several meetings and the major points of discussion involve:

1. Allowing increased density from 6 to 12 and 16 units per acre if certain qualifiers are met
2. Increasing attached units from 4 to 6
3. Allowing an in lieu of fee to 'buy out' of required common space landscaping
4. Adjusting the maximum building height
5. Increasing the architectural standards
6. Removing the minimum acreage requirement

7. Allowing private driveways longer than 150 feet
8. Adjusting the garage and visitor parking requirements
9. Changing the approval process to require a concept plan up front with the general plan request.

The PC was not able to reach a consensus on all nine items; in order to forward a more detailed recommendation, the PC has broken their recommendation down by item:

1. The PC voted (4-3) against the recommended density increases and to include limits of 6,8, and 10 units per acre instead.
2. The PC voted (4-3) against an increase in the allowed number of attached units.
3. The PC voted (4-3) against allowing a fee in lieu of open space.
4. The PC voted (5-2) to allow three stories and building heights of 40 feet.
5. The PC voted (7-0) to increase architectural standards.
6. The PC voted (4-3) in favor of eliminating the minimum acreage requirements.
7. The PC voted (4-3) against allowing driveways over 150 feet, but in favor of deferring to the fire code.
8. The PC voted (4-3) in favor of required additional off-street parking but in opposition of reducing the garage requirements.
9. The PC voted (4-3) in opposition to the change in the approval process for PRD developments.

The memo concluded the PC also recommended a 10<sup>th</sup> item for consideration to eliminate accessory structures from being allowed on lots with attached units. The vote for this item was unanimous (7-0).

Mr. Steele reviewed his staff memo and facilitated discussion among the City Council regarding the recommendations submitted by the Planning Commission; there was a focus on minimum acreage for a PRD development, maximum density when certain conditions are met, the properties throughout the City that may be suitable for PRD zoning, the option of a stepped up density for different acreage sizes, onsite parking accommodations for PRD developments, owner-occupancy versus rental properties, the different housing types that could be located in a PRD zone, and the difference between PRD zoning and mixed-use zoning. Mayor Gailey closed discussion and asked that staff include an item on the next work session agenda to allow for continued discussion of this matter. City Manager Bovero stated that it is important for the Council to keep in mind that any changes to the PRD ordinance will only impact properties that already carry the PRD zoning designation; assignment of zoning is a legislative decision and the Council would review any future rezone applications from petitioners seeking PRD zoning.

### **Discussion of potential creation of Mixed-Use Development zone.**

A staff memo from the Community and Economic Development (CED) Department explained The City has been approached by multiple developers inquiring about the possibility of building mixed use developments that would potentially include office, retail, restaurants, building mixed use developments that would potentially include office, retail, restaurants, and residential apartment buildings. It has been requested by this council that this item be on the agenda to discuss the basic concepts of the zone, to discuss timing, and the process for adoption. The following are the basic bullet points of the zone to begin the discussion:

- Allows residential and commercial uses together either 'vertically' (in the same building) or horizontally (within close proximity);
- Be limited to locations in the City that are adjacent to existing commercial development or along state highways;
- Feature high quality design and benefits of sales and property tax above 'just another apartment complex';
- Allow proper residential density to incentivize development of office and commercial development. It is anticipated that this number is in the neighborhood of 30 units per acre;
- Feature proper height restrictions to ensure that 'too tall' buildings are not built adjacent to small buildings;
- Feature high quality common space landscaping for its residents;
- Afford a unique streetscape experience with front doors that address the street architecturally, on street parking, plazas, seating, and opportunities for social interaction.

The memo also included several images for Council review to inspire their ideas for the zone requirements.

Mr. Steele reviewed the staff memo and facilitated discussion among the Council regarding the potential to create a mixed-use development zone in Syracuse City. He provided photos of examples of vertical and horizontal mixed-use developments in other cities in the area. He then facilitated discussion among the Council regarding their desires for regulations for a mixed-use zone in the City; there was a focus on the appropriate locations of a mixed-use zone – such as

along arterial roads; design standards to improve quality of a mixed-use project; appropriate housing density for mixed-use zoning; maximum height for buildings; parking requirements; and the appropriate process for the Council to follow to engage residents and developers to provide input about a mixed-use zone. Mayor Gailey stated that he has asked Mr. Steele to examine mixed-use ordinances used in other communities in preparation for continued discussion of the potential to create a similar zone in Syracuse City.

### **Presentation of draft Parks Master Plan for first reading by City Council.**

A staff memo from the Parks and Recreation Department explained that in October of 2018, the City Council asked the Park Advisory Committee to develop a recommended Parks Master Plan. On Wednesday, December 19, 2018, the Parks Advisory Committee voted on a recommend Parks Master Plan for the City. Staff is bringing to the Council the recommended Parks Master Plan for a first reading. After a brief discussion of the highlights, staff recommends this item be put on the February work session for a more in-depth review, with the possibility of adoption in the March business meeting.

Parks and Recreation Director Robinson introduced the draft Parks Master Plan for a first reading; she asked that they be prepared for a more in-depth discussion of the document during a February work session meeting.

Councilmember Maughan asked Ms. Robinson to explain why the Parks Master Plan is a needed document for the City. Ms. Robinson stated that as the City grows and developers, park space is needed. The Parks Master Plan will include data regarding the total acreage of park space needed based upon City population. It will also identify the appropriate locations for future park improvements. Councilmember Peterson stated the document will establish a level of service; this is not an uncommon practice for other services provided by a municipality.

High level discussion then centered briefly upon the timing and perceived urgency of the need to adopt an updated plan, with Ms. Robinson noting that the current Plan was adopted in 2009 and is somewhat obsolete. Councilmember Savage stated that he is concerned that the Plan may be too detailed and specific to a public survey that was conducted in the City several years ago; he would recommend that the document be broadened to include guiding information relative to the Council's priorities. This led to high level philosophical debate regarding the purpose of the Plan document and the Council's desires for the type of data that should be included therein. Mayor Gailey closed discussion, reminding the Council that tonight's action is to accept the document for a first read; more in-depth discussion can take place at the next work session meeting.

### **Discuss Syracuse City water rate structure.**

A staff memo from the Administrative Services Director explained the City's current water rate structure has two flat tiers – the first from 1,000 to 4,000 gallons with an \$18.60 charge and the second from 5,000 to 8,000 gallons an \$1.04 charge. To Administration's knowledge, Syracuse City is the only municipality with this rate structure. The City has encountered difficulties with its accounting software having the ability to correctly calculate meter readings when there are multiple months between readings. The system is set up to calculate estimated readings during the non-read months in order to avoid massive bills in the month when the meters are read again. Here is an example of a bill:

Date:	01/31/2019	Rotation/Period:	201901	Credit account number:	
Type:	Billing			Updated:	No
Description:	Import Readings				
Reference number:	377	Sequence number:	1	Statement description:	
Service:	WATER				
Quantity:	9				
Quantity billed:	-23				
Amount:	38.12-				
Rate:	106 (CO RES WATER)				
Check number:				Comments:	
Source ID:					
Final bill:	No				Periods between reads: 3
Manual:	No				Usage calculation:
Created by:	HC	Date:	01/10/2019 2:38 PM		Level 1: 4 @ 6.15 = 24.60
Last modified by:	HC	Date:	01/10/2019 2:38 PM		Level 2: -8 @ 1.04 = 1.04
					Level 3: -8 @ 3.89 = -31.12
					Level 4: -8 @ 4.08 = -32.64
					Usage calculation total: -38.12

This customer had estimated readings of 17,000 and 15,000 gallons in November and December based upon the previous six months usage. In January, the City installed a radio and read the meter. The customer only used 9,000 since October. Therefore, the City owed a credit of 23,000 gallons (32 estimated – 9 actual). The system calculated the refund correctly for level 3 and level 4 but not for the Level 2, which is the second flat rate tier.

The options currently available to the City are:

- **Leave the billing how it is.** This will create a lot of manual work and manual hours to adjust each account individually by hand (not recommended).
- **Try to work with company to fix billing system.** We can certainly try for this; however, I don't see them fixing the issue since we are the exception to the rule. No other city has a water rate structure like this. We are one client in thousands, and they make modifications to the system based on highest demand first.
- **Change the rate structure slightly on the second tier.** This is the recommendation from staff. It would fix the billing issue and bill customers based upon their actual usage. All other utility companies bill based on usage. We would change our rate structure to be more in line with other utility companies. Below is a table that shows 7 months of average usage in the city by consumption. If we switch to billing per thousand gallons beginning at 5,000 gallons, the table below shows what would happen to our revenue. One option shows what would happen if we divide the \$1.04 by 4. Another option shows what we would have to change the rate to be in order to maintain our current revenue levels.

	<u>Average Gallons by</u>					
	<u>level</u>	<u>Current Bill</u>	<u>If Divided Equally</u>	<u>Proposed Bill</u>	<u>Proposed Bill</u>	<u>Proposed Bill</u>
0	945		@ .26 per level	@ .38 per level	@ .40 per level	
1	480					
2	533					
3	790					
4	909					
5	887	\$ 922.33	\$ 230.58	\$ 337.01	\$ 354.74	
6	741	\$ 770.79	\$ 385.39	\$ 563.27	\$ 592.91	
7	557	\$ 579.73	\$ 434.79	\$ 635.47	\$ 668.91	
8	423	\$ 439.47	\$ 439.47	\$ 642.31	\$ 676.11	
9-15	911	\$ 946.99	\$ 946.99	\$ 1,384.07	\$ 1,456.91	
>15	160	\$ 166.85	\$ 166.85	\$ 243.85	\$ 256.69	
		\$ 3,826.16	\$ 2,604.09	\$ 3,805.97	\$ 4,006.29	

- **Change accounting system.** This is not recommended and would cost the city anywhere from \$100,000 to \$500,000 or more to purchase the new system, training, and disruption moving to the new system.

The memo conclude Administration recommends the Council consider changing the billing rate structure to bill customers based on usage and to better align with the accounting system in order to cut out manual labor hours.

In Mr. Marshall's absence, City Manager Bovero reviewed the staff memo and facilitated discussion among the Council regarding options for adjusting the City's utility billing rate structure. Councilmember Maughan stated that the flaw in the system used by the bill coding company should be easy to fix and he would like to pursue that option.

Discussion then shifted to the concept of adjusting the City's billing rate structure to ensure that users are paying for the actual amount of water they use, with the Council ultimately concluding to maintain the current rates until at least July 1, 2019 and pursue a fix with the bill coding company. They also acknowledged that water rate adjustments may be needed in the future to provide sufficient revenue for needed water projects.

**Introductory discussion regarding West Davis Corridor betterment options.**

An administrative staff memo explained that in anticipation of the West Davis Corridor, the City needs to formulate opinions and begin budgeting for aesthetic enhancements and/or utility upgrades. Community and Economic Development (CED) Director Steele stated the purpose of this agenda item is for the Council to begin thinking of and discussing their desires for the appearance of the portions of the future West Davis Corridor project that will travel through Syracuse. He provided photos of overpass improvements that have been completed in other communities and there was a discussion of the

costs associated with those improvements and the manner in which those costs would be shared between the City and the Utah Department of Transportation (UDOT). Mr. Steele also noted that it is important to consider ongoing maintenance costs for any improvements that may be made at the off/on ramp locations.

Councilmember Maughan stated that he would prefer to delay decisions about betterment improvements until decisions have been made regarding the branding of the City; he would like for that branding to be incorporated into the betterment designs. The Council agreed and Mr. Bovero noted that will inform Council discussions and decisions regarding the concept of dedicating any City funding to the betterments. The Council directed staff to include an item on the next extended work session agenda to provide the Council with the opportunity to begin discussing branding of the City.

### **Annual consideration of Council assignments.**

An administrative staff memo explained at the beginning of each calendar year, the City Council reviews the list of appointments and assignments and makes changes according to recent election results or other determining factors. The Council was asked to review the current assignments resolution in preparation for a discussion regarding which positions they would like to hold. Adoption of an updated resolution can take place at the February 12, 2019 business meeting to formalize the decisions made during the work session.

The Council reviewed the 2018 version of the Council assignments resolution and expressed interest in various positions and assignments; they directed staff to prepare a resolution that can be considered during the February 12 meeting to formalize the adjusted assignments.

There was a discussion about the assignment to the Tree Board; Councilmember Savage suggested that given the nonexistent level of activity of the Tree Board, he would recommend that it become a sub-committee of the Parks Advisory Committee. Mayor Gailey stated that discussion could take place during the next review of the Parks Master Plan document.

There was also a discussion about liaison assignments to the Parks Advisory Committee; Councilmember Maughan expressed concern that the terms of the current liaisons run concurrent with their terms in office as that is contrary to what the Council agreed to when they approved the appointments. Mayor Gailey stated it is his preference to follow the appointment resolution approved by the Council, but that the positions be added to the Council assignments resolution.

### **Public comments**

There were no public comments.

### **Discussion of future agenda items/Council announcements**

Councilmembers reported on the activities and meetings in which they have participated over the past several weeks as well as upcoming special events or opportunities for public involvement.

The meeting adjourned at 9:28 p.m.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: March 12, 2019