

Minutes of the Work Session of the Syracuse City Council, held on March 28, 2023, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 889 1430 0935, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage
W. Seth Teague
Paul Watson

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Z. Brown
Deputy City Recorder Marisa Graham

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Brienne Brass
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to receive public comments; discuss the upcoming secondary water season and watering schedule; discuss proposed application for WaterSmart grant for culinary water tank project; discuss the following Planning items:

1. Recommendation of approval from Planning Commission regarding application for zone change for property located at 1942 S. 2000 W., General Commercial (GC) to Mixed Use Development (MXD). (15 min.)
2. Recommendation of denial from Planning Commission regarding application to amend the Syracuse City General Plan Map for property located at 2751 and 2755 S. 1000 W., Commercial and Low Density Residential to Industrial. (15 min.)
3. Discussion regarding proposed amendments to Title 8 and 10 of the Syracuse City Code pertaining to Sewer Regulations. (10 min.)
4. Discussion regarding visioning for land adjacent to West Davis Corridor interchange on Antelope Drive. (15 min.)

Discuss Police Department K9 Officer; discuss Police Department policy pertaining to tattoos; discussion proposed amendments to Syracuse City Code Section 11.20.080, parking regulations; receive annual Open and Public Meetings Act Training; and participate in budget discussion – if necessary.

Public comments

Deputy City Recorder Graham and City Attorney Brass read the following written public comments for the record of the meeting:

“I am a mom of 4 young kids who live in this neighborhood. Changing our loved neighborhood into a place for businesses is not something I support. With how busy the main area of Syracuse is getting, the added housing around our pond, and the freeway in our backyard, we don’t need any more changes. I see so many kids walk to school on that road and in the summer it’s still a busy place for kids to ride their bikes for snow cones in the summer. It would be so dangerous to change this area. Please keep our neighborhood a safe place for our kids to live and build in a different zone. Thank you. Abigail Harvey”.

“Mayor & Council Members,

I am writing to you today to express my concern about the relationship between businesses and residents in our city. As someone who cares deeply about the well-being of our community, I believe it is essential that we strive for harmony between these two groups and ensure that both are equally represented in the decisions that affect them.

While it is true that businesses play a crucial role in our city's economy, it is equally important to remember that they are not the only stakeholders. Residents are also a vital part of our community, and their interests must be taken into account when making decisions that affect them.

Therefore, I urge the city council to adopt zoning policies that promote harmony between businesses and residents.

It is important that the city council acknowledges that they represent both business owners and residents. It is their duty to ensure that both groups are heard and that their needs are met. Therefore, I encourage the city council to actively seek input from both business owners and residents when making decisions that affect them.

As a resident, who voted for you BECAUSE you fought so hard for our voice last term, I ask that you VOTE NO to a proposed zoning change to the City's General Plan that will allow Earthworks Landscaping and Sales to change from Commercial to Industrial in the Walnut Grove neighborhood. This change would be a decision to choose the will of the temporary business owner over the residents that have lived there for generations.

Thank you for your attention to this matter.

Sincerely,

Amy Unck”

“As I am unable to attend the meeting tonight, this is my husband's and I formal protest against turning the property near the roundabout on 2700 South and 1000 West into an industrial zone. We do not want the increased traffic or construction type vehicles and the associated noise dust and dirt to be situated so close to residential homes and a school.

Well, I sympathize with earthworks and trying to expand their company, It truly makes no sense to put an industrialized zone in the middle of a residential area. Who wants to live next to piles of dirt or rocks or gravel and have to put up with the increased construction vehicle traffic's that will occur? And it is not fair to the homeowners and the surrounding vicinity as their property value will go down and their homes will become less desirable to any potential buyer.

If Earth works wants to expand their business, they need to move to a zone that is already industrialized.

Thank you very much,

Annamarie and Marc Hickman

Walnut Grove Resident”

“I am writing you to let you know that we are in support of the lot on 1000w to be rezoned industrial. The business has been a great asset to this community. They haven't done anything different than what they have been doing in the last 7 years. All this does is provide a safe place for their trucks to be parked. The round about itself is a bigger safety issue than parked trucks. This is a great business that has been celebrated in this community. I think we need to help businesses be able to stay open. Thank you for your consideration.

Thank you, Camilla Hyde”

“I wanted to speak about the potential Industrial Zoning on the docket for a residential and commercial part of the city. I grew up in Layton, we only came to Syracuse to learn to drive on the unpopulated roads and to pick asparagus out of the ditches in the springtime. I moved here when I was married and to my delight found a community of not only wonderful kind people, but beautiful open fields, clear views of breathtaking sunsets, pheasants flying low over open ditches and a few hungry deer that roamed free. I know Progress has to happen. But must we always chip away at those things that make Syracuse.....Syracuse. We carefully did studies of Wetlands to make sure the freeway would not impact them. Next thing I know there are thousands of houses? There was Industrial areas added over by the High School, it looks completely like an Industrial area, on Antelope all the way into the city? There are so many decisions being made about our City that generate large amounts of Money. But once in a while could we please make some Decisions that promote Quality of Life? Putting large Industrial companies right in the middle of subdivisions is ludicrous, and flies in the face of common sense. Lights, dust, noise, giant trucks, and the unattractive look of it all, is not what we want for our city. It not only affects those neighborhoods close to it, but the whole city. Let's Beautify, Enrich, Improve, and make Decisions that benefit everyone, especially those who have lived here for so long and who have loved living in this this city. People should always come before profit...always. Carolee Taggart.”

“I am voicing my support for the rezoning of the properties near the roundabout on 2700 South and 1000 West. From commercial to industrial. This support is related to the Earthworks landscaping business that is in need of extra parking space for their vehicles. Earthworks is a local business that invests in this community to better the commercial areas around us. As for parking, I feel it is more than reasonable to rezone this area to allow trucks to park close by when not in use. This prevents long distance traveling and with the most recent weather conditions would help allow them to remove the crazy amounts of snow that we have been getting. They would be able to clear the roads quickly, allowing for safer travel as well as help in future years to come. I urge you all to support this motion and approve rezoning. Thank you! Chelsie Gall”

“I am against any rezoning near 2751 and 2755 S. 1000 W. in Syracuse, to anything other than residential; not Commercial or Industrial.

Earthworks currently violates codes for their current footprint by illegally parking on sidewalks, blocking views at the intersection, not maintaining required easement buffers and late-night noise propagation and the city does nothing to enforce it.

Any rezoning will just magnify the problem.

No citizens voice, other than the owner, has been in favor of this, all citizens that have spoken were against. Concerns of hazardous chemicals there were expressed multiple times, yet no accountability was given. This is another train wreck waiting to happen.

Thank you,
David Brocius”

““Look at our city. Our city leadership has already messed up enough parts of the city. Please don’t screw up another area! Why can’t we protect and beautify our city instead of continuing to “mish mash and piece meal“ another part of the city? So much of our city looks unplanned and not thought out! Instead of feeling proud of what our city is becoming it is embarrassing as it is becoming an eyesore due to what is being approved. Why now turn a nice residential area into more of that hodge podge of ideas?! A few years back we had basically a blank slate. We could have created a Syracuse that the founders of our city and current residents could have been proud of. Instead, if you drive our roads and look at our city objectively you see a disorganized jumble of ideas. Now it really is becoming a city of afterthoughts. Businesses are closing and relocating because newly designed and approved road changes make them inaccessible. Climb up stairs after crossing a safe crosswalk and trip over a chain at the top of the stairs enabling you to fall in front of car in the drive thru at CVS! (Just this little example alone is a lawsuit waiting to happen! Just picture this fiasco for a blind person with a red tipped white cane! Now the current city leadership now wants to strike again! I vote against letting industrial ruin yet another part of our once fair city. I hereby officially request that our city planner, mayor and those making decisions put on their thinking caps! If those leaders are as clueless as our current situation shows them to be, then please bring in someone with the skills and knowledge to make needed course corrections and stop the bleeding! Our taxes are such that we should bring in someone (hire someone) with adequate skills to guide our city forward in a direction that could make decisions that fix what has become the norm“.

David D. Birch”

“My name is David Storey. I oppose the rezoning of the Earthworks property to Industrial zoning. My first reason is common sense, it is a residential area. My second would be to look at city code. I have copied a small section that I would like read.

Industrial Performance Standards.

(1) General

(a) No one shall use or occupy any land or building devoted to uses authorized by this chapter in any manner so as to create a dangerous, injurious, noxious, or otherwise objectionable fire, explosive, or other hazard; noise or vibration; smoke, dust, odor, or other form of air pollution; heat, cold, dampness, glare, electrical, or other disturbance; liquid or solid refuse or waste; or other substance, condition, or element in such a manner or in such an amount as to affect adversely the surrounding area or adjoining premises.

The code goes on to describe each of these “dangerous or objectionable elements” in detail. I am a little concerned about the “Fuel Storage” and Landscape material on same small site.

As well as, Minimum Lot Standard section.

When an industrial lot is adjacent to or faces upon another nonindustrial zone, the yards in the industrial zone that are adjacent to or face upon the other nonindustrial zone shall be a minimum of 20 feet on all sides. Exceptions to this requirement may be granted by the Land Use Authority for industrial zones that are adjacent to other industrial zones or agricultural zones if all proposed structures on the industrial property meet minimum fire protection requirements. Plans showing these fire protection requirements are to be subject to review and approval by both the Syracuse City Building Official and Syracuse City Fire Chief. All lots shall be subject to the general landscape requirements as prescribed in Table 2, Buffer Classification Requirements, found in SCC 10.30.080.

If zoning is changed, the business should be made to comply with Industrial zone standard, as it is a “new” industrial zone.

10.28.200 Industrial developments.

10.28.210 Industrial site planning.

10.28.220 Industrial architecture.

10.28.230 Industrial landscape design.

Thank you. I apologize to our Mayor and the Council if I have misinterpreted the code. If a suitable resolution cannot be reached, I would think the Utah Office of the Property Rights Ombudsman could help clarify things for our residents. Services are free.”

“My name is Eric Willison, and I reside at 2942 S 1090 W, Syracuse, Utah. My wife and four children with a 5th child on the way live with me at this address. We have lived in Syracuse for a little over three years. We love Syracuse, and we love living in the neighborhood we live in. While I am unable to attend the city council meetings, I am one of the few consistent viewers of city council meetings that are posted to the city's YouTube channel. I applaud all that each council member is doing to make our city a wonderful place to live.

I am writing to express my strong opposition to the proposed rezoning of the properties located near the roundabout at 2700 S and 1000 N from commercial to industrial. Rezoning of these properties from commercial to industrial will be detrimental to the area, nearly all residents in the surrounding neighborhoods oppose the rezoning that will cause traffic, noise, possible environmental issues, safety problems, create even more problems with the nearby elementary school, and potentially lower the property values of the existing community.

Traffic and the safety of pedestrians are major areas of concern for me and my family. I have personally seen how dangerous it is to try and cross the street in the crosswalk at the roundabout section with my own young children {ages 6, 4, 4, & 1) on our way to Bluff Ridge Elementary, only to be near hit by a work vehicle pulling into Earthworks. Due to concerns for the safety of my children, I now drive them to school rather than walk them to school.

In an earlier public comment meeting last month that I watch on the City's YouTube channel, some residents asked that each council member go and drive by the area before this meeting reconvened to see for themselves what all the local residents are concerned about. I sincerely hope that each member of council took the time to do so as that single act speaks volumes about how much council members care.

I urge you to disapprove the proposed rezoning, and from recent meetings and discussions with my neighbors, I know my opinions are shared by many who have not managed to attend this meeting or write letters and emails.

Thank you for your continued support of our community.”

“Everyone says "Not in MY backyard"! If you approve this, are YOU willing to exchange properties with those residents who are immediately affected?

Jamie Niekamp”

“We have been a resident of Syracuse for the past 14 years and have loved the area for our young family. However, we would like to express our frustration and concern over the proposal to change the zoning for the business Earthworks. We are aware that they want to expand, which is great for them, but not for our neighborhood. We live at 951 West 2800 South and hear heavy equipment in the early hours of the morning, especially after a snowstorm. We are concerned about the types of chemicals they are storing at their facility. What kind of damage will this do to our soil, the air we breathe and our health from the noise during the night? With young children this concerns us. It is our understanding that they want to expand and bring in more commercial vehicles by renting or buying additional residential property. A harmonious relationship needs to exist between businesses and residents. Creating an industrial island in a residential neighborhood is not a wise change to the city plan. We feel that the city should honor the original city plan and keep the zoning the same. The industrial zoning request does not fit in a residential area. Please vote No on this issue.

Thank you for your time.

Jeff and Kim Savage”

“Jeremy & Marci Inskeep- Resident 1346 W 2700 S, Syracuse, UT 84075.

I am a commercial general contractor by profession and familiar with the commercial landscaping business model and the types of equipment and quantities of daily deliveries that will enter and exit at the roundabout on 1000 West. We are in opposition to the proposed change for property located at 2751 S 1000W to be changed from commercial to Industrial.

Please ponder the following questions as you make this informed decision.

With the new West Corridor nearing completion, the residential traffic on 2700S will see a dramatic increase. Has a traffic study plan been completed to confirm potential impact at the roundabout and flow in all directions by allowing this business to use this as a main route to their lay down yard?

Does this council understand how many children use this roundabout twice daily and what is the business plan to not impact or endanger the pedestrians?

Why not take advantage of the northern area of the West Davis Corridor and keep industrial traffic on the perimeter of the city limits and not in the dense center residential focused properties?

The business gains everything they want if we make the change. What do we, the bulk of the landowners / taxpayers in this area gain by changing to Industrial?

The property was purchased by this business knowing the limitations of the current zoning. If the business has grown sufficiently to justify the expense to renovate this property, what keeps them from continuing to grow and impacting even more adjacent properties and traffic? The business plan needed to account for growth not an opportunity to change. Thus far they have been decent neighbors with limited impact, but we fear this trend will only allow an unsustainable impact with more growth from deliveries and storage of large equipment that are allowed in an industrial zone.

We ask that you consider these questions, and the community impact should this variance /rezoning be allowed.

Jeremy & Marci Inskeep”

“My name is Jeremy Bingham and I'm the owner of Earthworks Landscaping Services, Inc. We have been in business for the past 21 years. I decided not to attend tonight's meeting because I can't sit there one more minute

listening to the neighbors assuming what my business does. I met with the city about purchasing Mr. Stone's residence at 2755 S 1000 W Syracuse to add parking in the back and keep the home as an investment property. It was recommended to me to apply for Industrial for my property and the back half of Mr. Stone's property. I'd also be ok with applying for Neighborhood Services instead of Industrial. At the end of the day this topic is about additional parking. I could've just purchased the neighbor's property, put gravel in the backyard, and parked my registered vehicles there like several residentially zoned homes have done along 2700 S. I have counted 3 homes between Earthworks and the old RC Willey property that are doing just that. I decided to be transparent and that's why I contacted the city, and I'm regretting that decision.

We care about the community and the children. I was born, raised, and currently am a Syracuse Resident. The busy road has nothing to do with Earthworks. The road will be busy with or without us here. The legacy freeway should ease traffic. Our drivers are trained professionals and follow strict guidelines set forth by Earthworks. We have been at our current location for 7 years and haven't changed our business practices. We had one complaint when we first moved here regarding our backup alarms, and we addressed that issue immediately. The former mayor even talked about us going above and beyond in an issue of Syracuse City magazine. I have not received any other complaints in the last 7 years. After applying for the rezone, we are now being harassed through social media, and the police are being called on us. We have spent a vast amount of money remodeling our building to enhance the community around us. We are a small business with only 38 employees. Only 10 or so actually come to our location in the summer months. I need this space to store our snow removal trucks and employee parking in the winter months. The noise resulting from the extended parking would be minimal. Thanks for your time.

Jeremy Bingham
Vice President"

"Earthworks is a well-established landscaping company that has been part of our community for almost a decade. They run their business with integrity and don't put anyone in any additional harm. They are a professional business that just want to add a parking lot to their current facility, nothing more, nothing less. This will help them to properly store their equipment that they already have, benefiting the surrounding area, because their equipment will be even better organized and farther out of sight. Why are we making so much fuss over a parking lot? There are already several businesses and churches right in the same community that have their own parking lots, yet no one is bugged by those. If you are against this movement, please reconsider, because this whole debate is about a current, reputable business just wanting to build a parking lot.

Thanks,
Kate C."

"My name is Kaylene Whicker. I am a resident of Syracuse City and reside near the roundabout intersection on 2700 S and 1000 W. My son goes to Bluff Ridge Elementary nearby this roundabout. I was very concerned to hear that this roundabout intersection was being considered for possible rezoning from commercial to industrial, and would like to voice my vote to oppose this action. This is a busy intersection already and locating additional businesses near this intersection will place it more increasingly dangerous for the children and residents of Syracuse to cross. As a citizen of Syracuse, I thoroughly enjoy having the 'residential feel' of the nearby streets close to my street, to include 2700 S and this intersection at 1000 W. There have already been so many residents in Syracuse City who have been 'bought out' to make way for the West Davis Corridor and I for one would like to see more people keep their homes than loose it too businesses who will bring in too much foot traffic and cars for a nice residential area. Thank you for hearing and considering my public comment.
Kaylene Whicker"

"I live in a residence very near the area of the proposed zoning change of commercial properties to industrial near the roundabout on 2700S and 1000W. I strongly oppose this change. Doing so would negatively affect myself and my family as we travel and use this area multiple times daily. It would also negatively change the area and our neighborhood. I would urge the council members to oppose this change. Kenneth Whicker"

"This entire process has been at the very least disheartening. I too am a mother of school aged children and also worked as a substitute teacher for the past 4 years. I know almost every employee at earthworks has children, is a father and husband. They work as hard as they do because they are fathers. Earthworks works for families. Our family moved to Syracuse over the summer to join what we thought was a loving community. We moved here from Morgan hoping it would have similar community values. It pulls my heartstrings to see a group of people come together to throw rocks, bully and try to tear down a small local business. Earthworks is only asking for a parking lot, this is no different from a church or school. Our previous city supported our local businesses and wished for positivity. We had many businesses in neighborhoods as well. We worked together as a community to coexist. Obviously earthworks doesn't want to disturb people and cause noise at 4 in the morning, but during the winter it unfortunately snows. Earthworks is one of the companies that clears parking lots for the churches so members in this room can attend their meetings more safely. Earthworks also clears snow at local schools so children can attend school more safely. Unfortunately, this does need to take place at all hours. We don't like to see our husbands out in

the middle of storms driving in dangerous conditions, but someone has to make it safer for everyone else. Earthworks has been a part of this neighborhood with zero complaints the past 7 years. It breaks my heart that because they want a parking lot so much ugliness has been created and stirred up. We were wishing for a way to work together, not pull each other down. I do find it very unfair to hear over and over all issues of a growing community being solely blamed on Earthworks. Earthworks did not cause the growth in Syracuse; they are just creating jobs for our local neighbors and community members. Earthworks is also not the first business to be in this location there have been many before. All earthworks is trying to do is make their business safer for the community by creating proper parking that has never previously existed because they do care.

Warm regards
Kristin Newsom”

“I am in favor of the rezone for the current business. It has been there longer than many of the current residents. The issue isn't the business. It is the overgrowth in Syracuse. It has made all roads ten times busier than a few years ago. The current road construction in the city has not helped either.

Thanks

Kurt Jones

Syracuse Utah resident”

“We understand that Earthworks is requesting a change in their zoning, which will allow them to conduct business and industrial activities that are not appropriate for a residential area.

In as much as Earthworks purchased or leased a previously located building in an area previously zoned to be appropriate with residential housing, allowing for limited business activity, and in as much as residential housing has increased throughout that area, we strongly oppose the requested change in zoning.

According to the noise ordinances and codes currently allowed by law, it is evident that Earthworks has been illegally operating and breaking current ordinances and codes, which shows grievous disregard for the law and the citizens and residents of our city. This is a valid reason for the city to not allow Earthworks to continue current operations, let alone expand and change current zoning.

If Earthworks desires to conduct business activities that generate more traffic and noise during longer hours than is currently allowed in this residential area, then it would be appropriate for Earthworks to relocate their business activities to an area that is zoned for that purpose, NOT in a residential area.

Thank you for your consideration,
LeGrand and Donita Bitter”

“I would like my comment to be read during public comment for the record:

In the International Journal of Health Geographics 10: 68, researchers found that: Children with consistent exposure to air pollution have increased asthma, chronic respiratory problems, and neurobehavioral dysfunction. However, many schools are located in close proximity to highways and industrial facilities which are key sources of air pollution to children. The goal of this study is to explore the association between the proximity from schools to highways and industrial facilities, and children's school performance and health hazards. We found that schools located closer to highways and industrial facilities had higher risks of respiratory and neurological diseases than those located farther away. We also found that [these schools] had a higher percentage of students failing to meet the state standards than the latter after controlling for the location of schools, student expenditure, school size, student-teacher ratio, and free lunch enrollment.

I am opposed to Earthworks' attempt to rezone the properties near the roundabout on 2700 south which is directly across from bluff ridge elementary and where a large segment of the student body routinely travels to and from school, including my children. The increased traffic and congestion further endangers children crossing at this roundabout.

Thank you.

Maren Warnick”

“We live in a time in Utah where there is much growth, businesses are growing, but so are families. As a child, my cousins and I would play, ride bikes, walk, run, etc. around this intersection. As I see more and more businesses growing, there is becoming less and less places for families both old and young to thrive. I still have family members who are being greatly affected by this growth, and it has caused much restlessness for my own loved ones. I ask please to use these newer developed lands that are intended for businesses to grow and prosper. Let's leave the neighborhoods where families and children are so they too can grow and prosper.

Thank you.”

“I am voicing my support for the rezoning to industrial for the intent of parking vehicles related to the Earthworks landscaping business.

What makes a community thrive is the intersection of housing and business where local residents can rely on LOCAL vendors. This keeps money local, increases the taxes for the community and reduces that on individual homeowners.

Earthworks invests in the community and are conscientious about how they run their operations taking great care to pay just salaries, care for their employees, and provide knowledgeable landscaping in the local area which is suitable for the local conditions as opposed to an out of community landscaper who would introduce non-native species, cause worsening soil conditions, and who do not surround themselves in their work.

We can speak from personal experience that Earthworks is all of this and more. They absolutely are part of the Syracuse community fabric having done so many landscaping jobs around the area.

As for parking - I feel it is reasonable to zone to allow trucks to park when not in use. I would much rather have a local place for them to park than having even more traffic in and out of our community zooming past schools, businesses, and so forth. Earthworks has trained personnel who care about this community and see it as community and not a piggy bank to raid.

Parked trucks do not cause health problems. Parked trucks increase local tax base. Working trucks locally reduce traffic on the roads.

I urge you all to support this motion and approve rezoning.

Matt Davies”

“We need to protect the safety of our citizens. The roundabout at 2700 South and 1000 W is already a very congested area with accidents happening often. I personally have witnessed multiple accidents there myself. I have seen cars up in the island at the roundabout. I have also seen on multiple occasions the street lights knocked down because they have been hit. The streetlight on the northwest corner has been hit so many times that the city has now moved it to the north of where it was. Currently the electrical box that is near where the former light post was is now smashed in. I feel if the property near the roundabout is rezoned from commercial to industrial this will only exacerbate the situation. Not only would it add to the congestion at the roundabout, but it will add a lot of noise and invasion of the surrounding neighborhood. Please City Council Members, be responsive to the wishes of the citizens that elected you.

Thanks

Mindi Kotter”

“Hello, my name is Nicole Bingham and I live at 899 Saint Andrew's Drive here in Syracuse. It is such a shame that a handful of Syracuse residents continue to bad mouth Earthworks Landscaping and really have no knowledge of the type of business they run. They have spent so much money turning that structure from an eye soar into a beautiful building actually raising your property value. That business is great for our city. If we push them out of this city that will open the door for so many different types of businesses to take over that corner. Possibly think about that and be careful what you ask for. There are a lot of people pulling for you Earthworks! Thank you.”

“Hello, my name is Nicolle Jacob, I live near the 2700 s 1000 w roundabout, and I am very concerned with the proposed rezoning of the properties nearby. The increased traffic of construction vehicles as well as everything else that this change would bring, poses a hazard to my family. Please do not allow this rezoning.

Nicolle Jacob”

“I live in Syracuse, in the Still Water development by Woodside Homes. Earthworks has been a landscaping and snow removal staple in the Syracuse community for over seven years. In this time, Earthworks has paid sizable taxes to the city, improved property values through their landscaping services, and has helped keep the members of our community safer through timely removal of snow and ice on commercial, residential, and religious property. These services and efforts go completely unnoticed and are taken for granted by the individuals who unknowingly reap the benefits of these highly laborious tasks. Not only do the members of our community take these services for granted, but they then attack the company who is responsible for clearing sidewalks and parking lots that they themselves utilize. These attacks are wrong and come from ignorance. Earthworks is not putting anyone at risk, they are helping keep our community safer. I hope that we can look past our petty grievances and realize that Earthwork's business is an integral and necessary part of Syracuse in both a residential and commercial outlook.

Thank you,

Ryan Cleghorn”

“I'm writing to have my comments read at tonight's town hall meeting regarding the rezoning of the area around the corner of 2700 S 1000 W. My children go to Bluffridge Elementary, and I am adamantly against rezoning that to anything other than residential. That corner is so busy with kids every day and there's always heavy traffic. Having that be nonresidential is extremely dangerous to the kids and other drivers. The traffic backs up already and drivers speed through there. The safety of the children in Syracuse is more important than rezoning that area. It isn't fair to them. Any parent or resident here should care about this. Thank you for reading my concerns. My name is Sarah and husband Kyle Poindexter.”

“I'm writing in regard to the dispute that I am seeing on FB. I don't live right next to the business at 1000 W & 2700 S, but I used to be close and had my children walk to school at that roundabout. I haven't ever had a problem with any of the businesses in that area nor do I feel that the business would pose a threat to children or anybody for that matter. I actually think that Earthworks has done a great job in making the outside appearance very nice and in fact

has brought in landscaping elements to help the drought that was happening last year to benefit the community of Syracuse. This winter we have had a record amount of snow and every time I have to go out and shovel my own walk, I appreciate those that push snow for roads and businesses. Earthworks clearly is one of those businesses that we should all be grateful for. The flyer I saw looks like they are wanting to change the zoning from commercial to industrial? I think with storage units next to them are industrial, correct? If that is what this is all about then I support them. I am grateful to have a landscaping business so close and happy that we have snow removal people willing to lose sleep to clear roads so we can drive safely. I back earthworks.

Oh, and if anything, they aren't causing safety issues...they are actually helping our local businesses and churches be safer for all of us by clearing snow while we sleep! Please let the committee know I stand with earthworks and all the businesses that push snow for our benefit!!
Shawnee Fausett”

“My name is Shelcee Bingham. I am writing in for public comment to say that I never agreed with the rezone to industrial. Earthworks isn't an industrial business. They are a small business offering services to the community and have been a great business for Syracuse. The traffic on these roads wasn't brought in by Earthworks. What Earthworks is after is a place for a fleet of trucks used for plowing snow to be parked while not being used. In the past couple of weeks, I have noticed quite a few homes within 1 minute of Earthworks with large parking areas behind their homes. Which is exactly what we wanted and were told that we must be zoned industrial to do so. None of these homes are zoned industrial and yet they have trucks and all sorts of vehicles parked in their backyards. I believe they are zoned residential. Feels to me like a don't ask don't tell sort of angle would have worked better for us but we have already opened this can of worms that has been the subject of my nightmares for the past 2 months. I have included some pictures so you can see for yourself. I think this has been a giant miscommunication and honestly so harmful. Earthworks is an asset to the community and has put in so much hard work in the city of Syracuse and for them to be harassed and bullied this way is upsetting to say the least. In my mind we were all on the same team putting trucks behind a house so that the sidewalks were more free and clear but instead I feel like I'm in the fight of my life for something that I believe helps everyone. Thank you for your time spent on this topic and the consideration of everyone's thoughts and feelings in regard to this issue.”

“Regarding the proposed change of zoning from commercial and residential to industrial at the block located at 2700 South and 1000 West - we are firmly opposed to this change.

We were at the previous hearing for this change and along with many of those living in the area were also at that time opposed to this change in classification, as was every person who spoke at the hearing, with the exception of the business owner on the corner.

I do not know why this area was even zoned in the first place for commercial - it has grown into a residential area. Allowing for this land to be changed to industrial zoning would have many negative effects on the area and local community.

- It would devalue the properties of all Syracuse resident homes in the surrounding blocks.
- It would increase noise pollution due to the operation of heavy equipment. Hazardous chemicals could be kept on the property.
- It would increase traffic and heavy equipment and pose a greater danger to school kids coming to and leaving the local elementary school and local park.
- It would allow for any type of industrial business to operate their business there in the future.
- It sends a message to the community that Syracuse City it willing to ignore the overwhelming local community desires (petitions) and side with business wanting to change the zoning classification.

No part of a city should have an industrial zoned area in the middle of a residential area with schools, churches, parks and homes. If the business has outgrown the location, then they should look to expansion elsewhere rather than change a residential block's zoning. Perhaps Syracuse City can offer them a new location where industrial zoning would be appropriate.

Again, I know of no citizen of Syracuse or resident in this neighborhood and surrounding area that has spoken in favor of this change of zoning to industrial. As such, the council should govern according to the consensus of the people.

Sincerely,
Steve & Rebecca Jensen”

“Keep industrial properties out of our established neighborhoods...with their hazards and road congestion.. air.. water..pollution..they need to be in industrial area..not a established residential area..there are areas zoned for industry and that is where they should be....this in our neighborhood would also devalue our existing property . .We do not want industry here...find a new home..not ours..

Thank you,
Tana Miller”

“Regarding Zone change of property in the vicinity of Gordon and 1000 West

When presented with a box of dominos many will eventually set them up on end and knock them over excited by the cascading event. If you approve the zone change that encroaches into a long standing, well established residential neighborhood you will have knocked over the first domino. Nobody is ever happy knocking over just one domino!

Do not approve this encroachment into our residential neighborhood.

Tom Niekamp”

“To Whom it may concern, I would like to share that I am opposed to rezoning of the property located at 2700 S 1000 W, Syracuse from commercial to industrial. The location will pose additional safety concerns for any children walking to Bluff Ridge Elementary. These concerns are even more significant due to the amount of traffic caused by students needing to be dropped off and picked up by parents. I believe the development and priorities of Syracuse need deeper consideration. This is made evident from the increased traffic congestion seen throughout the city as well as high density housing development being placed in prime commercial and industrial locations along Antelope drive. I am not opposed to high density housing and feel as a city, changes need to be made to be more accommodating to businesses in proper locations, not in the middle of existing neighborhoods.

Kind regards,

Wesley Jenkins - Syracuse City resident”

Gary Pratt stated that he will be filing a lawsuit against the City for an issue that has been ongoing for several years; the basis of the lawsuit is charging for defective product, producing a product that is hazardous and unhealthy, and a product that is damaging sprinkler systems. The City has supplied secondary water for many years, but there are more problems recently and that is due to the bacteria, chemicals, and minerals that are contained in the water that are causing problems. He has always cleaned his water filter several times per summer and now he is required to clean it weekly. He changed his watering time and recently noticed that once the water was at the second or third zone, the filter was 100 percent clogged and required changing. Over time the City has neglected its secondary water ponds, they have gotten worse and living organisms living in the water are out of control and plugging everyone’s filters. When chemicals and bacteria are condensed, they become unhealthy and can make people sick. Mayor Maughan announced Mr. Pratt’s time has expired. Mr. Pratt continued to speak, and Mayor Maughan asked for a police escort to remove Mr. Pratt from the meeting.

Tom Miggins spoke to his opposition to the expansion of Earth Works; he loves the area he lives in and does not want to see it change to an industrial area and he is concerned that if the expansion is allowed, the commercial use will continue to creep further into the neighborhood. He thanked the Council for their service to the community and encouraged them to vote in opposition to the application.

Maria Thorpe stated she has lived in the City for 30 years and she spoke to the changes she has observed in the City since moving here; one of the first things she noticed was a larger furniture store, R.C. Willey, in the middle of a residential area. She was so proud of the City for changing that property to residential when R.C. Willey chose to move out of Syracuse; this addressed the many issues associated with commercial traffic in a residential zone. The same decision should be made relating to Earthworks; she does not believe the City Council would like the same use in their neighborhood and she sees this as an opportunity to fix a problem and rezone the property back to residential.

Marj Baerdall also spoke of the Earthworks matter; she does not believe that any resident wishes Earthworks any harm, but they do believe the business has outgrown its current location. In past meetings, the argument was made that their operation was similar to that of the City’s Public Works Department in terms of providing snow removal service in the community, but that is an inaccurate comparison and should not be used to justify the expansion application. She asked the Council to consider how they would feel if the business was located next to them.

Brian Dixon stated he lives directly south of the Earthworks property; in a past meeting, the owner stated that there have been no complaints about his business in the past seven years and he agrees that may be true, but that is because the business had not changed until recently when they began offering retail sales of landscaping materials, which cause the expansion closer to residential structures. Some homes are within 25 feet of the loading area, so they hear a great deal of noise and experience increased traffic. He compared Google earth images of the Earthworks property and the City’s Public Works Facility; the Public Works Facility is on a much larger piece of property and those that live near it knew what they were moving next to when they bought their home. The opposite is true for Earthworks; they have no buffer and there is no protection for residents. He agreed they provide a valuable service to the community, but residents also provide valuable services, and they should be protected as well.

Steven Randall reiterated the concerns about expansion of the Earthworks business; their operations are creating a nuisance for the residents that live in the area and these nuisances should not be considered acceptable in a residential zone.

Connie Wicker noted that in a past meeting a representative of Earthworks indicated they plow local school parking lots, but that is not true as the School District has their own snow removal operation. She asked the Council to think of a time that they have been sleep deprived and the impact that had on their daily lives; the residents in the area are suffering and being negatively impacted by the operation. She stated that the owner of Earthworks has indicated residents are harassing him, but that is not true; residents are simply advocating for keeping their neighborhood a calm and peaceful residential area.

She asked that the Council visit the property on their own to observe the noise and other impacts that residents are experiencing.

Kristy Randall stated that industrial uses are not harmonious with residential uses and important considerations of industrial uses include the amount of property available and the proximity of an industrial use to other community organizations, such as churches and schools. She stated she researched the history of the property, which was purchased in 2017 by the Bingham and was then transferred to a revocable trust in 2021. Mr. Bingham has stated that he will continue to run his business as he has, and he is side-stepping the City's rules to pursue expansion of his business at the expense of the neighborhood. Residents want to stay in that area, and they desire safety and security.

Dave Volk also spoke to the changes to his neighborhood over the years, but cited dramatic changes associated with Earthworks; they are creating a nuisance for the residents and others that are travelling through the area, especially the nearby round-a-bout. He is very concerned about the safety of the children that attend the nearby school. Residents are sincerely suffering because of Earthworks and the fact that their owner continues to do whatever he wants to do.

Sherry Lipman stated she has emailed the Mayor and Council about Earthworks and she thanked them for the responses they have provided. She reiterated the opposition that has been expressed to the Earthworks expansion.

Carla Robinette stated she has lived near the Earthworks property for 60 years; she has observed the changes to the area for years and she and her husband care deeply about the safety of the community. Someone has stated that the residents are trying to run a business out of Syracuse, but that is not true; residents care about appropriate commercial development that can benefit the community, but the Earthworks plans are not appropriate, thoughtful, and mindful. She asked the Council to uphold the General Plan and rely upon it when making a decision about this application.

Debbie Woodrow reiterated the opposition expressed by others about the Earthworks application.

Mickie Rhoades stated he is not opposed to businesses in the community, but he does not believe that the Earthworks use is appropriate for a residential area. He asked the Council to think of the future of the area and the precedent that this application could set for future industrial use applications in residential neighborhoods.

Craig Pessetto stated he is also concerned about the precedent that this could set for the entire City; businesses could buy the houses on either side of them and convert those properties to industrial uses. He understands Mr. Bingham's desire to grow his business, but that should not be allowed at the expense of residents that live next to the property.

Neasha Bennett stated she has four young kids that use the crosswalk near the subject property very frequently and she is concerned about their safety and the safety of others navigating the area with the increase of commercial traffic.

Terry Fredrickson also spoke to the changes to the community and his neighborhood; he knows that change is inevitable, but that should not include creep of industrial uses into the surrounding neighborhood. He knows that Earthworks is thriving and he's proud of them, but the expansion into their current area is not appropriate and they should be looking for a more suitable location.

Jennifer Ralphs spoke to ongoing noise ordinance violations on evenings when there was no need for snow removal operations at Earthworks. She also cited Mr. Bingham's response to the changes to the City's noise ordinance wherein he indicated that the changes will impact all landscaping businesses in the community; she wondered why the owners of those other businesses were not concerned about the proposed changes and she believes that is because it is not true that they are being negatively impacted. She stated that the neighborhood is not a good location for Earthworks; the residents hope the business is successful, but not in their neighborhood. She also asked the Mayor and Council to uphold the General Plan and deny the Earthworks application.

Kaye Volk also asked that the Council uphold the General Plan; she noted the residents are not trying to bully the business owner or run them out of the City, but residents feel they have outgrown their current location. Their operations have changed over the past year, and they are doing business throughout the night that is disturbing the peace of the neighborhood. She asked that the Council take a serious look at their code enforcement capabilities. She concluded by thanking the Mayor and Council for their time and service to the community.

Bruce Staley stated that he lives across the street from Earthworks; he reiterated the opposition stated by residents who spoke before him.

Larry Volk reiterated the concerns that others have expressed about the industrial creep into the surrounding residential area. He noted that Mr. Bingham is asking for the change to increase his parking capabilities on his property, but he noted that the current condition was self-imposed because Mr. Bingham eliminated his old parking area to build storage sheds and he is now asking for parking to be located within 25 feet of his home. He stated residents have rights and he asked that the Council not approve the application.

Phil Baker stated he understands Mr. Bingham's desire to expand his business, but he also knows the difficulty of backing large trucks and trailers into properties that front onto 1000 West. He is concerned about the safety of the residents, especially children living in the area, and he asked that the Council deny the application.

Michelle Nelson stated she also have four kids that walk in the area and she is concerned about their safety. She knows that this is a decision that will impact the future of the area and possibly the entire City. The requested use is not appropriate for the area, and it will have an impact on the property values of the area. She encouraged the Council to deny the application.

A resident, no name given, spoke to the changes to the value of the Earthworks property in comparison to other commercial properties in the community.

Alice Newson stated she is 15 years old, and her dad works for Earthworks; she also lives in Syracuse and walks to her school along Antelope Drive, which is a very busy street and vehicles are traveling at high rates of speed. She passes commercial businesses, such as WalMart, which has more traffic in one minute than Earthworks has in a week. She also walks along 2000 West, which is another very busy street. She is grateful for her dad and Earthworks and is saddened by the repetition of untruths about the business. She stated Earthworks is an important part of Syracuse City to her.

Mayor Maughan thanked everyone for their input and determined to move to agenda item e.2 since it is fresh on the minds of those present. He cited the differences between this issue and an action taken by the Council in their last meeting relating to the City's noise ordinance and exemptions for snow removal activities. He discussed the Council's role responsive to the application for the General Plan Map amendment.

Planning item: Recommendation of denial from Planning Commission regarding application to amend the Syracuse City General Plan Map for property located at 2751 and 2755 S. 1000 W., Commercial and Low Density Residential to Industrial.

A staff memo from the Community and Economic Development (CED) Department explained the City has received an application to amend the General Plan Map. The application has been noticed in accordance with Utah Open and Public Meetings Act. The applicant is proposing to expand the business's footprint by building a parking lot in the rear yard of the adjacent home to the south. The home would be subdivided off, retain the r-2 zoning, and be rented out. The existing business activities include retail sales of landscape material, tractor use to move and load materials, offices where administrative staff report, company truck parking, employee parking, salt storage, fuel storage, and snowplow storage. The snowplow portion of the business operates when the snow needs to be plowed which can occur at all hours of the day/night. The business has been operating since 2017 on the site under the agriculture zone. The adjacent house is not zoned for these heavier uses. The agriculture zone is also not a good fit for how the business is currently operating. Therefore, the Industrial zone's permitted uses most closely match the business but possibly the Neighborhood Services zone may be able to accommodate the uses. The Planning Commission held a public hearing for the item on February 21, 2023. The hearing was well attended with many residents expressing opposition to the action. The Planning Commission discussed an alternative designation which was to amend the map to commercial in anticipation of the Neighborhood Services (NS) zone rather than going Industrial. Since this idea was different than the requested map designation, Planning Commission tabled the item in order to understand more fully the new option of using the NS zone. On March 7, 2023 the Planning Commission resumed discussion on the item. Many residents attended to voice opposition to the expansion. The Planning Commission voted to recommend that City Council deny the proposed amendment. The motion carried on a five to two vote.

Mayor Maughan invited Council discussion of the application; there was a focus on similar applications in other areas of the City and the appropriateness of the requested use on the subject property and in a residential neighborhood. All Councilmembers indicated they do not believe the requested use is harmonious with the residential surroundings; they also expressed concern about the potential for an industrial use to further encroach on neighboring properties. Council Member Savage stated that Mr. Bingham is within his rights to park vehicles in his backyard, but other uses of the property are not permitted by the City's ordinances. Mayor Maughan agreed the Council must be cautious when considering these types of uses in residential zones and he has found it unusual that the business was located in a neighborhood and agrees that is expansion is not appropriate.

Discussion regarding upcoming secondary water season and watering schedule.

A staff memo from the Public Works Department explained the mountain reservoirs are recovering from last year's drought. It is anticipated that Echo reservoir and East Canyon will fill this year. Any spillover, will be captured in Willard Bay then once full, will spill out to the Great Salt Lake. Irrigation companies in our area are expecting to deliver full allotment of water April 15 – Oct 15 this year. A common water conservation message will continue from water suppliers. Early discussions are indicating public messaging of 2 days watering each week in the early and late season and allowing 3 days watering each week during the hot months of June, July, and August. Syracuse will be operating with two reservoirs. This is the same as last year since one reservoir is decommissioned. The new reservoir is under construction and anticipated to be in service in June 2024. With this limitation, water conservation must continue for the water system to function. Syracuse City Code 4.25.130 describes measures that the council can establish for water conservation. The memo summarized discussion items for the Council to consider:

- When will the water season begin and end? The city is starting to get questions about this and putting information out early will help with those planning landscapes and sprinkler installations.

- What water restrictions will we have? Last year was successful with allowing users to pick two days out of five to water. Mandatory two days of no watering based on geographical area. The number of watering days each week could change.
- Water enforcement is essential for a successful program. Will enforcement stay the same as last year?
- A resolution can be prepared for consideration at the next council meeting based upon this discussion.

He facilitated discussion among the Council regarding any continued water conservation efforts they would like to pursue. They concluded to communicate that the secondary watering season will be May 1 to October 1, maintaining the quadrant system that was enacted last year for water schedule purposes, and allowing three days of watering per year. Parks and Recreation Director Robinson asked that she be allowed to use secondary water later in the season to ensure that playing fields for fall sports can be properly maintained. Mr. Whiteley indicated he will prepare a resolution for the next business meeting.

Discussion regarding proposed application for WaterSmart grant for culinary water tank project.

A staff memo from the Public Works Department explained the need for another culinary water tank is anticipated in 2025. This is necessary to accommodate growth by adding more water storage. Additional water storage will be necessary for fire suppression for large commercial developments like the hospital and others that may come. The Freeport site was designed to allow room for a duplicate water tank. The pipe infrastructure was installed to accommodate another tank without interruption of the existing water system. There is an opportunity opening up in April (due in June) for a \$5M grant (50% match) for water storage. It is WaterSMART Drought Response Program: Drought Resiliency Projects. In past years, the max grant was \$2M. Awards are typically announced in the Fall and ready to fund by the following summer. Recipients have three years after the award to complete the project. Tank construction will likely take 2 years to build and cost around \$10M. The memo summarized the following goals of this discussion:

1. Does the Council wish to apply for funding for a culinary water tank?
2. Does the Council have any other thoughts on a future water tank?

Mr. Whiteley reviewed his staff memo.

The Council offered support for proceeding with the grant application; Mr. Whiteley indicated he will review the application submission timeframe and prepare a resolution for the Council to consider accordingly.

Planning item: Recommendation of approval from Planning Commission regarding application for zone change for property located at 1942 S. 2000 W., General Commercial (GC) to Mixed Use Development (MXD).

A staff memo from the Community and Economic Development Department explained the City has received an application to amend the zoning Map. The application has been noticed in accordance with Utah Open and Public Meetings Act. Please find the following summary and attachments. The memo offered the following information regarding the subject property:

- Acres: 1942 S. 2000 W.
- Acres: .526
- Current General Plan Map Designation: Commercial
- Current Zoning: General Commercial.
- Proposed Zoning: Mixed-Use Development

The Planning Commission held a public hearing and discussed the item on 3/7/23. No comments from the public were received. After some discussion about the ADA and frontage requirements of the MXD zone, they are forwarding a recommendation for approval; the motion carried on a vote of six to one.

Mr. Steele reviewed his staff memo and facilitated discussion among the Council regarding whether the subject property is large enough for a mixed-use development, if mixed use is harmonious with the surrounding uses, and the reasoning behind the Planning Commission's positive recommendation. Councilmembers Carver and Teague expressed their support for the proposed zone change and subsequent development, with Councilmembers Savage and Watson opposing the proposal. Councilmember Watson stated he would prefer traditional commercial development of the property. City Attorney Brass noted that the property cannot fully comply with the City's MXD zone requirements relating to location along a major transportation route; therefore, it would be necessary to utilize a development agreement to govern the project. Mayor Maughan concluded the application can move forward to a business meeting where the Council can further debate its merits and take action.

Planning item: Discussion regarding proposed amendments to Title 8 and 10 of the Syracuse City Code pertaining to Sewer Regulations.

A staff memo from the City Attorney explained on February 14, 2023, the City Council voted to amend Syracuse City Municipal Ordinance 4.10.130 updating regulations to non-gravity sewer systems allowed within the city. The subdivision regulations in Title 8 and the land use regulations in Title 10 work in correlation with the City's utility ordinances in Title 4, among them, the recently amended non-gravity sewer system regulation in 4.10.130. Due to the requirement that all subdivisions and any land uses or structures requiring sanitation work in accordance with Title 4, staff is recommending there be a reference included in both titles to provide developers and property owners more clarity and transparency. The Planning Commission is the advisory body to the City Council pursuant to Syracuse City Municipal Code 3.10.130 and Utah Code Ann. § 10-9a-503 for any subdivision and land use text amendments. The proposed amendments adding references of Title 4 to Titles 8 and 10 were presented to the Planning Commission, who voted to forward a recommendation to the City Council to amend Titles 8 and 10 as proposed. The City has two ordinances that mandate the use and connection to the water and sewer systems of the City:

**8.10.120 Mandatory use of City water, secondary water and sewer systems; and
10.30.060 Miscellaneous requirements and provisions.**

Staff is proposing an amendment to both sections to include a reference to the regulations in Title 4 of our Syracuse City Municipal Ordinance. The language in red is the proposed additional language:

8.10.120 Mandatory use of City water, secondary water and sewer systems.

All subdivisions located within the corporate boundaries of the City of Syracuse shall be required to connect to the water and sewer systems of the City, **in accordance with the provisions of Title 4**, any ordinance or resolution to the contrary notwithstanding. The City Council hereby expressly finds the requirements of this section and SCC [8.10.090](#) to be in the best interests of the City and to promote the public health, safety, and general welfare of the residents thereof.

10.30.060 Miscellaneous requirements and provisions.

(C) Water Supply and Sewage Disposal. If an approved [public](#) water or sewer system is within 300 feet of a proposed [building lot](#) or development, [structures](#) requiring sanitation facilities must connect to the [public](#) water or sewer system **in accordance with the provisions of Title 4**. Existing [structures](#) shall have 90 days to connect. The [Planning Commission](#) may grant a 90-day extension upon application and evidence of a hardship on the part of the property owner. Domestic water supply and sewage disposal shall comply with the Davis County board of health requirements as represented by a certificate of approval from said board of health in all applications for a [building](#) permit where either an approved supply of piped water under pressure or a [public](#) sewer is not available. The memo concluded the goal of this agenda item is to discuss the proposed references to Title 8 and Title 10 and provide staff direction on whether to place this item on the next business session for decision.

Ms. Brass reviewed the staff memo and the Council indicated they are comfortable moving the item to the next business meeting agenda for action.

Planning item: Discussion regarding visioning for land adjacent to West Davis Corridor interchange on Antelope Drive.

A staff memo from the Community and Economic Development (CED) Department explained the City recently purchased approximately 7.5 acres from UDOT. The land is located directly adjacent to the West Davis Corridor and Antelope Drive. Because of this location, the commercial potential is high. Various inquiries have been fielded by staff about the property. Because of the nearing completion of the adjacent freeway, the property is garnering more attention. The master plan is for Commercial, and the current zoning is split between Commercial and A-1. Please find attached a map of the area. The memo concluded the goal of this agenda item is to build consensus of what desired uses the City would like to see on the land and under what circumstances the City would be willing to sell.

Mayor Maughan facilitated discussion among the Council regarding the information included in the staff memo; he indicated he is comfortable advertising the willingness of the City to accept proposals for acquisition or development of the subject property adjacent to the West Davis Corridor, but he asked if the Council would like to place any conditions or restrictions on the property. The Council communicated their opinions regarding the type of development they prefer in the area, which included traditional commercial, retail, restaurants, cultural/fine arts, entertainment, and professional office; they also indicated they would consider a mixed-use project, but not a project that is 100 percent residential. Councilmember Teague added he would like for the project to incorporate waterwise landscaping. They also discussed the types of retail businesses that can fit on the parcel. They ultimately concluded they are willing to accept proposals for the property, with Administration concluding they will draft a request for proposals (RFP) document that can be published regarding the property.

Discussion regarding Police Department K9 Officer.

A staff memo from the Police Department explained in accordance with Police Department policy, Officer Mauhar has completed three years of service as a K9 handler and has requested to be relieved from his K9 handler assignment. A recent posting for the K9 handler position yielded only one interested and eligible officer; that officer no longer works for our agency. PSD Riggs, along with related equipment, was obtained through the use of beer tax funds. CCJJ administers the beer tax funds and advised us to comply with the City's policy regarding how to surplus property purchased with the funds. Surplus Property Policy under Exceptions to General Policy #7 states the City may give surplus property to a charitable organization, school district, or other governmental entity with City Council approval for items with an estimated market value over \$5,000. The memo offered the following considerations:

- The City budgets approximately \$1,400 per dog/per year for equipment and vet bills.
- Walmart donates the food for both dogs.
- The dog requires care, maintenance, training, and basic needs. This is not an assignment that can be filled when circumstances permit.

The memo concluded the Department is seeking direction to the Police Department whether we are approved to surplus PSD Riggs based on our surplus policy under Exceptions to General Policy 7.

Lieutenant Anderson summarized the staff memo and facilitated discussion among the Council regarding the process of donating the dog to another agency; the Council supported the proposal and Mayor Maughan indicated that the item can proceed to the next business meeting agenda for action.

Discussion regarding Police Department policy pertaining to tattoos.

A staff memo from the Police Department explained members of Syracuse Police Department have requested the ability to display arm tattoos while in uniform. Department administration, with some assistance from Human Resources, feels comfortable with this change but realizes it is a departure from tradition. Department administration is seeking consent from the Council, as the elected voices of our community, before this change is implemented. Tattoos are more acceptable in law enforcement, including surrounding agencies, than they were in the past. Department administration views this change as a positive addition to recruitment and retention. The following restrictions and safeguards are being proposed:

1. Tattoos are generally prohibited on the face, ears, neck, head, hands, and fingers.
2. Tattoos cannot depict nudity or violence.
3. Tattoos cannot be sexually explicit, vulgar, or profane.
4. Tattoos cannot contain racist, sexist, or extremist references, phrases, symbols, numbers, or acronyms.
5. Tattoos cannot reasonably be associated with any criminal, hate, or historically oppressive organization.
6. Any complaints or concerns about tattoos that cannot readily be supported or dismissed by Department administration will be referred to Human Resources. A five-member committee will be formed to review the tattoo(s) in question. The committee will review the tattoo(s) through an objectively reasonable standard taking into account the norms of our community.
7. The committee's ruling is final. Tattoos that fail committee review must be covered with a long sleeve uniform shirt consistent with our current policies and procedures.

The memo concluded there is no budgetary impact for this item.

Lieutenant Anderson reviewed his memo, and the Council offered their support for the proposed policy adjustment.

Discussion regarding proposed amendments to Syracuse City Code Section 11.20.080, parking regulations.

A staff memo from the City Attorney explained there have been a number of recent traffic citations issued to high school students and electronically uploaded into the state court system and adjudicated in our justice court. The basis for these citations have varied factually but in large part have been parking in violation of Utah Code 41-6a-1401. Utah Code Ann. 41-6a-1401 covers violations for parking too close to crosswalks and intersections, fire hydrants and other instances of parking in violation of traffic control devices. A copy of the full statute is attached. Because these are violations of state code and not violations of Syracuse City Code, the officers, when issuing citations, are required to personally serve the citations to the students. Serving the citations personally requires officers to get the students out of class. Some parents have expressed concern over the students missing class to receive the citations. If the Council were to adopt Utah Code Ann. §41-6a-1401 and incorporate the statute by reference in Syracuse Municipal Ordinance 11.20.080, the officers and code enforcement would have the discretion to issue civil parking citations to drivers parking in violation of 41-6a-1401. The officers would have the ability to issue the traffic citation and pursue criminal enforcement for circumstances warranting the justice court process as well. There are pros and cons to both civil and criminal enforcement for parking violations and staff is seeking guidance from the Council on whether the Council has any interest in making this change. Another commonly issued citation recently has been for violating Syracuse Municipal Ordinance 11.20.080(E), which states that a vehicle may not park: (E) In a manner that obstructs the delivery or retrieval of mail from a mailbox, or which obstructs refuse collection. This subsection is only applicable during times when those services are occurring or are likely to occur, and does not apply if the driver is

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present and moves the vehicle or trailer to avoid obstruction when such services are actually rendered. The ordinance, as it is currently written, leaves a good amount of room for argument and interpretation, staff is seeking guidance from the Council on whether the Council has any interest in amending the ordinance. The recommended distance requirement for parking from a mailbox that staff was able to find from the United Postal Service was 15 feet and the specific timeframe for mail from 8 am-5pm, and the distance requirements recommended for trash pickup ranged from 3-4 feet and pick up hours. As with the previous possible incorporation of the Utah Code parking restrictions, there are pros and cons to be weighed when considering an amendment to the language of subsection E and staff is seeking guidance from the Council on whether the Council has any interest in amending the ordinance. The memo identified the following discussion goals:

- Discuss whether Council would like to adopt and incorporate Utah Code Ann. 41-6a-1401 into Syracuse City Municipal Ordinance parking restrictions.
- Discuss whether Council would like to amend Syracuse City Municipal Ordinance 11.20.080 (E) to add specific time and distance restrictions.
- Decide the Council's interest level in making amendments to the Syracuse City parking restrictions and place item on the next business session for decision if there is an interest in the any amendments.

Ms. Brass reviewed her staff memo and engaged in discussion with the Council regarding the implications of the proposed amendments; there was some debate regarding whether a parking violation should be a civil or criminal penalty and the appropriate enforcement and notification measures for the City to use. They also discussed regulations for parking in a manner that obstructs the delivery or retrieval of mail from a mailbox; they did not reach consensus regarding whether to impose a specific distance requirement and Mayor Maughan concluded the debate of that matter can continue in the next business meeting prior to action being taken.

Annual Open and Public Meetings Act Training.

City Attorney Brass used the aid of a PowerPoint presentation to provide the annually required training regarding the Open and Public Meetings Act (OPMA).

The meeting adjourned at 8:46 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: May 9, 2023