

Minutes of the Work Session of the Syracuse City Council held on April 27, 2021 at 6:00 p.m., held virtually via Zoom, meeting ID 893 1134 7451, 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. Pursuant to written determination by the Mayor finding that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present due to infections and potentially dangerous nature of Infectious Disease COVID-19 Novel Coronavirus.

Present: Councilmembers: Lisa W. Bingham  
Corinne N. Bolduc  
Dave Maughan  
Jordan Savage  
W. Seth Teague

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

**City Employees Present:**

Administrative Services Director Steve Marshall  
City Attorney Paul Roberts  
Police Chief Garret Atkin  
Fire Chief Aaron Byington  
Parks and Recreation Director Kresta Robinson  
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to hear public comments; hear a request to be on the agenda from Miley Larsen regarding her dog park proposal; discuss UTOPIA high speed internet fiber project in Syracuse City; discuss potential Parks Advisory Committee ordinance amendments; discuss the following Planning items:

1. Proposed rezone of property at 1550 W. 300 S. from Agricultural (A-1) to Mixed-Use Development (MXD).
2. Proposed rezone/preliminary plat approval of property at 1900 S. 1000 W. from Agricultural (A-1) to Planned Residential Development (PRD).
3. Potential text amendment to Syracuse Municipal Ordinance 4.05 pertaining to excavation regulations and fees.
4. Potential text amendment to Syracuse Municipal Ordinance 10.100, Town Center Overlay Zone, pertaining to Pedestrian Safety Design.

Discuss amendments to Syracuse City Arts Council bylaws; proposed ordinance amendments pertaining administrative appeals; proposed amendments to the Architectural Review Committee ordinance; continued review and discussion of Fiscal Year (FY) 2022 tentative budget; and discuss future agenda items/Council announcements.

Councilmember Bingham provided an invocation. Mayor Gailey led the audience in the Pledge of Allegiance.

**Public comment.**

Mayor Gailey stated that tonight's meeting agenda provided instructions for residents to email their public comments to City Recorder Brown by 5:00 p.m. tonight in order for them to be read into the record of the meeting.

Ms. Brown read the following comment from Dale Pfister:

"Dear Syracuse City Council,

This public comment is regarding the Abington development proposed for land west of 1550 West and adjacent to Syracuse Arts Academy North Campus. We have several concerns we would like on the public record.

1. The Abington development has 127 units of residential housing, which would increase traffic flow along 1550 West. During morning drop off and afternoon pick up at Syracuse Arts Academy, this increased traffic flow could create some dangers for our parents and students. What are the City's plans, if any, to work with Syracuse Arts Academy to mitigate traffic concerns?
2. With 127 new families potentially living across the street from our school, almost certainly some of those families will choose our school as their school of choice. Currently the closest crosswalk for access to cross 1550 West is at the intersection of SR 193 and 1550 West. Is there any discussion or planning for an additional crosswalk and crossing guard further south near the southern end of the Abington development for access across 1550 West at the beginning or end of the school day?
3. What is the plan for the west side of 1550 West in regard to parking? Will parking be allowed along the street? Currently Syracuse Arts Academy has limited parking on our property and our concern is that residents of Abington will use our parking areas as overflow parking if Abington parking is insufficient. A rough count of Abington outdoor parking spaces (not including garages) is about 50 spaces. For the 127 new residents, this seems very inadequate for families with more than one vehicle.
4. Additionally, Syracuse Arts wants to make public their notification that our Amphitheater is in full operation and several nighttime events are planned which may create some noise for nearby residents, including the new residents of Abington. Thank you for considering our concerns. Please reach out to us if you have any questions.

Thank you,  
Dale Pfister, Lead Director, Syracuse Arts Academy”

Ms. Brown read the following comment from Emily Finau:

“Monday, April 26, 2021

Dear Members of the City Council,

We are writing to ask for your support to ensure the safety of the children and residents of Monterey Estates, and the public, in regard to the increased safety hazards from the proposed Abington Park development on 1550 West. This letter will cover the current safety concerns, and the increased dangers to children, the public, and Monterey Estates residents should Abington Park be developed as currently proposed. We will also outline solutions to the safety hazards Abington Park will bring. Please review the attached diagrams as noted in the text for clarity.

Currently, the congestion and speeding that occurs on 1550 West is already a safety hazard, especially during the school’s drop off and pickup times. Vehicles line the street thirty minutes before school is out and remain parked until children find their respective vehicle. These parked vehicles inhibit visibility for those vehicles needing to turn out of a connecting street, a home, or the school. School children frequently dart in and out of parked vehicles during this time of increased road traffic, causing close calls with residents and other community members picking up children or driving through the neighborhood. There are many children in Monterey Estates who walk home from school, and there are many children who are picked up and live outside of Monterey Estates, resulting in large numbers of people and vehicles during the busiest hours of the school day. *(See Diagram 1)* Additionally, 1550 West is prone to speeding vehicles, which not only happens during busy school hours but during any hour. 1550 West is a long road that runs North to South off the busy State Road 193. It passes by the Arts Academy and into Monterey Estates. Vehicles frequently speed down this road and whip around corners near the neighborhood park where children play. Children and adults alike have already had several close calls and have fears about impending accidents should the speeding on 1550 West continue. There is also speeding down 1525 West as some drivers try to bypass 1550 West traffic. *(See Diagram 2)*

Upon learning of the city’s proposal of a mixed-use development of 120 townhomes on 1550 West, many safety concerns for the residents of Monterey Estates and the children who attend the Arts Academy have been heightened. First, the proposed townhomes have a ONE car garage, which means many townhome residents will likely need to utilize street parking for additional vehicles (personal vehicles, trailers, work vehicles, etc.) Seeing as the current street parking conditions are extremely hazardous, especially during peak school hours, adding additional street parking only increases the risk to both children walking home and those riding home.

Additional street parking will further impede visibility for drivers. The new townhome development will also bring in new children to attend the Academy, which will result in a large number of children crossing 1550 West near the Academy to get to and from the townhomes. *(See Diagram 3)*

Second, increased traffic and people (townhome residents) also mean increased numbers of speeders down 1550 West and 1525 West.

Third, there is currently a car wash being built at the intersection of SR 193 and 1550 West, further increasing traffic and congestion in this area. *(See Diagram 4)*

The following solutions will mitigate some of the safety concerns:

1. Building an access road that connects 1550 W with either SR 193 or 2000 W. This will more effectively funnel the increased traffic out of Monterey Estates and the Arts Academy and help to clear some of the congestion. *(See Diagram 5)*
2. Painting the curb red on the west side of 1550 West will prevent additional street parking. *(See Diagram 6)*
3. A flashing speed limit sign on 1550 West will be more effective at slowing speeders on 1550 W. *(See Diagram 7)*
4. The addition of crosswalks and crossing guards both to the Abington Park development and in the Monterey Estates neighborhood. *(See Diagram 8)*

It is important to the Monterey Estates community to not only improve current safety concerns, but also to prevent any injuries or fatalities that could occur as a result of making current conditions worse upon the development of Abington Park. It was not long ago and not far from Monterey Estates that a school aged student was hit and killed by traffic. There has already been an incident where a home on 1550 W was hit by a speeding vehicle. We do not want to have to have a fatality in Monterey Estates before something is done to address these concerns. We ask for your support in providing the solutions proposed in this letter before voting for Abington Park to proceed.

Thank you for your consideration,

- |                           |                        |
|---------------------------|------------------------|
| 1. Andre Christensen      | 12. Jayanth Nehrumohan |
| 2. Chelsea Christensen    | 13. Justin Wood        |
| 3. Bryan Rigby            | 14. Stephanie Wood     |
| 4. Ashley Rigby           | 15. Morgan Hansen      |
| 5. Kristoffer Larsen      | 16. Lennon Stonebraker |
| 6. Michelle Larsen        | 17. Angela Stonebraer  |
| 7. James Taylor           | 18. Chelsey Robinson   |
| 8. Camille Taylor         |                        |
| 9. Burke Tice             |                        |
| 10. Michelle Tice         |                        |
| 11. Nandhini Ravichandran |                        |

19. Auston Robinson
20. Elias Steren
21. Summerlin Gee
22. Greg Howard
23. Kennedy Howard
24. Noah House
25. Meaghan House
26. Emily Finau
27. Sione Finau
28. Elliott Christensen
29. Jennifer Christensen
30. Kaylynn Lee
31. Colton Lee
32. Julie Burkholder
33. Daniel Burkholder
34. Dalton Musgrave
35. Brooke Musgrave
36. Brian Burt

37. Megan Burt
38. Scott Read
39. Desari Read
40. Cynthia Fredrickson
41. Karl Fredrickson
42. Cory Hudgins
43. Brittany Thurston
44. Jon Thurston
45. Logan Archuleta
46. Brooke Archuleta
47. Paul Nelson
48. Dallin Laird
49. Amanda Laird
50. Nikki Mauhar
51. Melissa Proctor
52. Dave Proctor
53. Rhett Carter
54. Kamille Carter
55. Mark Bailey
56. Mariah Bailey
57. Nataliya Kearn
58. Andrew Kearn
59. Mitch Sorenson
60. Chelsey Sorenson
61. Charles Olson
62. Sheryl Olson
63. Shaun Sunderland
64. Selena Sunderland
65. Shanae Perez
66. Steve Coe
67. Ken Ormsbee
68. Christy Ormsbee
69. Laura Garcia
70. Brandon Archuleta
71. Kresta Wilcox
72. Emily Anderson
73. Jason Anderson
74. Spencer Cook
75. Hilary Cook
76. Monte Merritt
77. Jamie Merritt
78. Kyle Black
79. Sarah Black
80. Eve Egginton

81. Eve Egginton
82. Nathan Fenn
83. Tiffany Fenn
84. Desiree Western
85. Colby Western
86. Blake Nielsen
87. Kristi Nielsen
88. Charles Olson
89. Sheryl Olson
90. Blake Bockholt
91. Allison Bockholt
92. McKay Houston
93. Sarah Houston
94. Ryan Gallegos
95. Rhonda Gallegos
96. Zach Lyle
97. Stephanie Lyle
98. Erin Martin
99. Greg Martin
100. Sydney Froelich
101. Phillip Burnett
102. Mindy Saline
103. Clint Saline
104. Stephen Forsey
105. ReNee Forsey
106. Chase Michie
107. Karlianne Michie
108. Vicki Thompson
109. TJ Thompson
110. Logan Smith
111. Lorien Smith
112. Jared Yarrington
113. Karen Yarrington
114. Chane Hansen
115. Anthony Jeppson
116. Jennifer Jeppson
117. Gene and Shannon Gordon
118. Jeffrey Thacker
119. Suzanne Thacer
120. Justin Thacker
121. Daxon Steed
122. Ryker Steed
123. Zaylee Steed
124. Fiona Schroeder
125. Christian Schroeder"

1  
2 Mayor Gailey then invited Zoom participants to provide public comments.

3 Kole Kussee stated he did not have the opportunity to attach his name to Ms. Finau's letter, but he supports the  
4 points communicated therein.

5  
6 **Request to be on the agenda: Miley Larsen, dog park proposal.**

7 A staff memo from the Parks and Recreation Director explained staff was contacted by Emily Larsen requesting her  
8 daughter, Miley, be on the agenda to give her school presentation of a need for a dog park in Syracuse. Miley is 10 years old  
9 and in 5<sup>th</sup> grade. She was given the opportunity to present an idea that would serve her community. She would like to share  
10 her presentation with the Council.

11 Ms. Robinson reviewed her staff memo and invited Ms. Larsen to make her presentation to the Council.

1 Ms. Larsen used the aid of a PowerPoint presentation to discuss her idea for a dog park in the community. She  
2 provided background information regarding the school assignment that led her to conduct research regarding this project,  
3 after which she noted she has conducted a public survey on Facebook, which received 600 responses from those interested in  
4 seeing a dog park in Syracuse City. The benefits of a dog park include:

- 5 • It brings the community closer.
- 6 • It builds a dog-friendly network.
- 7 • Puppy parks influence outdoor recreation.
- 8 • It gives dogs a bit of freedom.
- 9 • A dog park reduces troublesome behavior from canines.
- 10 • Homeowners are happier and healthier. Dog parks can act as a gathering spot for pet parents.
- 11 • As leash laws continue to become increasingly restrictive, many community public leadership committees  
12 are seeing dog parks to let dogs run free without penalty to pet owners or damage to private property.
- 13 • Pet owners can take a break while their dogs play around.

14 In order to proceed with the project, she need land, building and fencing materials, trees, water, benches, toys for the  
15 dogs, a dog poop bag stand, and a garbage can. The park will benefit dogs and their owners by providing a place where dogs  
16 can run free and not get in trouble for being off their leash and to give their owners a break. She will do the following to  
17 proceed with the project:

- 18 • First, start by talking to people that would help me with it to get an idea of what needs to be done.
- 19 • Second, involve a community leader and get city council approval on use of existing public land.
- 20 • Third, build with city and volunteer labor.
- 21 • Finally, let people know about it by putting it on face book and stuff like that.

22 Ms. Larsen indicated she was awarded \$500 to help move the project forward; now she needs the help of the City to  
23 accomplish the project, which is desired by the citizens.

24 Mayor Gailey and several Council members commented on the quality of Ms. Larsen's presentation, her maturity,  
25 and her willingness to support the Syracuse community. Mayor Gailey stated she he feels that a dog park project is a priority  
26 for the Council and work is underway to move that project forward. He asked that Ms. Robinson keep Ms. Larsen and her  
27 family updated on the progress of the park and invite her to any meetings and events scheduled regarding the park.

28 Council member Bingham noted that she loves Ms. Larsen's energy and thanked her for getting involved in her  
29 community. She added that there have been instances of vandalism of public property in City parks in recent weeks and she  
30 asked Ms. Larsen to help spread the word that it costs the City money to fix damage caused by vandalism and that money  
31 could have been otherwise directed to a positive project, such as a dog park.

32 Council member Maughan stated he supports the idea of a dog park and it is now time for the City to identify a good  
33 location for the park and develop a funding source for the project. Council member Savage agreed and also thanked Ms.  
34 Larsen for her input.

35 Council member Bolduc commended Ms. Larsen for the hard work she has done to research this project and make  
36 this proposal to the Council. Council member Teague echoed the gratitude expressed to Ms. Larsen; this type of presentation  
37 gives him great excitement for the future of the City and

### 38 39 **Discussion regarding UTOPIA High Speed Internet Fiber project in** 40 **Syracuse City.**

41 A staff memo from the City Manager explained the Mayor and City Council have received requests from residents  
42 to look into UTOPIA as an option for highspeed fiber to the home in Syracuse. Based on that feedback, the Council  
43 conducted a survey last summer to get more input from the public. At the September 22, 2020 Council meeting, the Council  
44 requested that Administration assemble some options for the City and discuss them at future meeting. At the January 26,  
45 2021 Council meeting, the Council discussed a variety of models for City-wide high-speed internet. At that meeting the  
46 general consensus from the Council was to pursue a partnership with a third-party owned and operated model, instead of a  
47 city-owned or multi-city owned model. The basic outline of a partnership with an outside fiber company includes the  
48 following:

#### 49 Operating Model

- 50 • **Internet Service:** Open access to all internet service providers (ISP). All ISPs can use the fiber to provide  
51 internet service to customers.
- 52 • **Sign Up Requirements:** Citizens are not required to sign up.

- 1 • **Ownership & Maintenance:** Outside fiber company owns and maintains fiber infrastructure.
- 2 • **Billing:** Customer pays a monthly maintenance fee to the outside fiber company for the infrastructure.
- 3 Customer pays a monthly service fee to their internet service provider for internet service.
- 4 • **Customer Service:** Outside fiber company manages customer service on fiber infrastructure. ISP
- 5 manages customer service on internet service.

6 Capital Financing Model

- 7 • **Up-Front Financing:** Typically, the outside fiber company fronts the installation cost of the infrastructure.
- 8 • **Debt Payoff:** Typically, the outside fiber company pays the debt service over time.
- 9 • **Partnership:** Typically, the outside fiber company pays the debt service with revenue from subscribers.
- 10 The City is a partner by bridging any shortfall in the debt service if revenue is not adequate. This is either
- 11 through cash payment or a loan to the outside fiber company.

12 The memo concluded representatives from UTOPIA will present the details of the terms and conditions of providing  
13 a “fiber to the home” project in Syracuse, which allows all internet service providers to use the fiber lines. This model would  
14 be a third-party partnership with an interlocal government entity (UTOPIA is not a private company).

15 Mr. Bovero reviewed his staff memo.

16 Roger Timmerman, UTOPIA Executive Director, used the aid of a PowerPoint presentation to expound on the  
17 information provided in Mr. Bovero’s memo regarding UTOPIA’s operating model and capital financing program.

18 High level discussion among Mr. Timmerman and the Council centered on guaranteed coverage for all households  
19 in the City; a comparison of UTOPIA programs in other cities and the Syracuse City proposed program; technical details  
20 regarding residential access to the UTOPIA system; the financial responsibility of the City in the event the projected ‘take  
21 rate’ is not achieved; and the timing of the completion of the UTOPIA construction project. The Council concluded they are  
22 supportive of proceeding with the UTOPIA project, and they indicated it is not necessary to publish a request for proposals  
23 (RFP) for the project because UTOPIA is a non-comparable service when considered other service providers that would  
24 respond to an RFP. Mr. Bovero indicated he will work with Mr. Timmerman to develop a draft partnership agreement for the  
25 Council to consider and act upon at their next business meeting.

26  
27 Discuss potential Parks Advisory Committee ordinance  
28 amendments.

29 A staff memo from the City Attorney explained the Parks Advisory Committee is a public body that holds its  
30 meetings pursuant to the Open and Public Meetings Act, and which provides recommendations and lacks any final authority.  
31 The proposed amendments would make the following changes:

- 32 • Removes requirement for City Council direction to consider site design of parks and improvements,  
33 adjustments to recreation programs, and the prioritization of the five-year park improvement plan.
- 34 • Adds recommending authority to the PAC as it relates to the creation or elimination of a recreation program  
35 – these recommendations would be provided to the Parks and Recreation Director
- 36 • Allows the Mayor to refer projects, programs and activities to the PAC, so long as the item as discussed in  
37 a Council meeting.

38 The amendments also include a corresponding addition to the Parks and Recreation Director’s ordinance that would  
39 require the Director to request the recommendation of the PAC anytime that a program is proposed to be created or  
40 eliminated. The amendments do not authorize the PAC to make final decisions regarding these matters or to expend public  
41 funds. Under these amendments, the PAC would still require prior Council direction when it comes to recommending  
42 changes to the Parks Master Plan and would require either a Council or Mayoral request to carry out other projects, programs  
43 or activities not listed in the ordinance.

44 The memo concluded the goals of the discussion are to determine whether to adopt, amend, or abandon the proposed  
45 amendment and direct staff in accordance with that decision.

46 City Manager Bovero reviewed the memo and he and Mayor Gailey facilitated discussion among the Council  
47 regarding the purpose of and implications of the proposed amendments.

48 The Council engaged in high level philosophical discussion and debate of the amendments; Councilmember  
49 Maughan stressed that he opposed to the ordinance amendments as he believes the result will be removing power from the  
50 Council and giving that power to the Mayor. Additionally, he is concerned about the Committee being responsible to make  
51 decisions regarding Parks and Recreation Department programming; that responsibility should be given to those who are held  
52 accountable for the success or failure of the Department, which is the Director and staff of that Department. Finally, he is

1 concerned about a volunteer committee making budgetary and financial decisions for the City. He stated he understands the  
2 Council will have final approval relative to the recommendations made by the Committee, but if the Council makes a  
3 decision contrary to a recommendation made by any advisory committee, the Council receives backlash. Other  
4 Councilmembers stressed that the Parks Advisory Committee is an advisory body in nature, and they do not make any  
5 decisions that jeopardize or undermine the power of the Council. Councilmember Savage stated that many committees have  
6 the same responsibilities that would be assigned to the Parks Advisory Committee if the ordinance amendments are  
7 approved; he wants to create as many opportunities as possible to get citizens involved in their local government, but if a  
8 committee is created but given no responsibility or assignments, people will not want to be involved. Councilmembers  
9 Bolduc and Teague echoed the sentiment expressed by Councilmember Savage and indicated the City Council has created  
10 many other committees from which the Council receives recommendations; so long as each person appointed to a committee  
11 understands that they are serving in an advisory capacity and there may be instances where the Council does not accept their  
12 recommendations, there should not be backlash. Councilmember Teague stated that the Planning Commission often makes  
13 recommendations to the Council that are either adjusted or disregarded and it is simply necessary to explain to the  
14 Commission the reason for the decision made by the Council. He stated he supports an ordinance adjustment that would  
15 allow for a new project or program request to be directed to the Parks Advisory Committee for vetting and a  
16 recommendation; however, he would like to clarify and better define the term 'program' for the purposes of understanding  
17 what types of programming matters will be assigned to the Committee. Councilmember Bingham stated she agrees with  
18 Councilmember Savage's input; she is comfortable approving the ordinance amendments with the understanding that the  
19 Council will have final approval on any matters being considered by the Committee. She indicated if there is concern about  
20 the fact that two Councilmembers have been assigned to be liaisons to the Committee, she is comfortable reducing the  
21 number of liaisons to one. Councilmember Savage agreed. Councilmember Teague stated he would like to hear Parks and  
22 Recreation Director Robinson's input regarding whether two liaisons are necessary. Ms. Robinson stated either one or two  
23 liaisons is acceptable to her. Councilmember Savage stated that it is accurate that the Parks Advisory Committee is the only  
24 advisory body with two liaisons, and he is comfortable reducing to one liaison. The entire Council indicated they are  
25 comfortable with that change as well and they offered their support for moving the ordinance to the next business meeting  
26 agenda for action. City Attorney Roberts asked if the Council wants the liaison to be a voting or non-voting member. The  
27 Council briefly discussed the matter and concluded the liaison should be a non-voting member and their purpose will be to  
28 provide reports between the Council and the Committee. The Council also indicated they want to adjust the membership  
29 requirements by creating quadrants for the City from which members of the Committee should be selected, with three at-  
30 large members as long as all three at-large members are not from the same quadrant.

31  
32 **Planning item: Proposed rezone of property at 1550 W. 300 S. from**  
33 **Agricultural (A-1) to Mixed-Use Development (MXD).**

34 A staff memo from the Community and Economic Development (CED) Department provided the following  
35 information regarding the application:

36 Location:	1550 W. 300 S.
37 Acreage:	Approx. 9.35 acres
38 Current Zoning:	A-1
39 Proposed Zoning:	Mixed-Use Development (MXD)
40 Proposed Use:	127 Units, three- and two-story townhomes with 8,400 square feet first floor 41 commercial.

42 Applicant Garrett Seely with Red Pine Land has applied to rezone approximately 9 acres of land near the High  
43 School. The General Plan calls for the 'Commercial' designation which anticipates the GC zone, but also MXD, PO, and NS  
44 zones. Since the applicant desires MXD, no general plan amendment was necessary. The MXD application requires a concept  
45 plan and architectural drawings which are included. Staff has reviewed the project for compliance with all Syracuse City  
46 ordinances. The latest staff reviews are attached in this report. Being a rezone, regardless of whether or not the project meets  
47 the ordinance, the City has discretion to decide if the proposed use is appropriate and desired for the proposed location. The  
48 memo concluded the City Council is the land use authority for rezoning. Planning Commission makes recommendations  
49 only. If the zoning were to be granted, the project would move through site planning process, and then building permit.

50 CED Director Steele reviewed the staff memo and facilitated discussion among the Council and the applicant  
51 regarding various components of the proposed project. There was a focus on the ratio of commercial space to residential  
52 space; the relationship between the subject property and the commercially zoned property directly to the west and whether  
53 the proposed land use is an appropriate buffer use between commercial and single family residential; the suggestions

1 provided by citizens during the public comment period of the meeting; open space and planned amenities for the project; the  
2 amount of parking area included in the project, which the applicant indicates exceeds the requirements of the City's land use  
3 ordinance. The Council concluded the proposed development could be a good use for the subject property, but they are  
4 unsure it is the highest and best use and will not be able to make that determination until there is more information about the  
5 development of the commercial property to the west. Additionally, they would like to delay action on an additional MXD  
6 project until there is a clear understanding of the impact that the other MXD projects that have been approved, but not yet  
7 built, will have on the City.

8 Applicant, Garret Seely, expressed his frustration about the fact that the City's ordinance requires an applicant to  
9 spend a great deal of money on engineering and plan development before submitting an application for zoning and a  
10 preliminary plat for a MXD project. He stated the required process places a great deal of a risk on a developer as well as the  
11 landowner. Mayor Gailey stated that he understands those concerns, but he feels the Council is justified in delaying an action  
12 on this application until there is more certainty about the potential development of the property to the west. He stated he  
13 would be comfortable placing the application on a future work session agenda, perhaps in 90 days. He advised Mr. Seely to  
14 stay in touch with Mr. Steele to get updated information.

15  
16 **Planning item: Proposed rezone/preliminary plat approval of**  
17 **property at 1900 S. 1000 W. from Agricultural (A-1) to Planned**  
18 **Residential Development (PRD).**

19 A staff memo from the Community and Economic Development (CED) Department explained applicant Josh  
20 Hughes desires to rezone approximately 3.081 acres located at approximately 1900 S. 1000 W. from Agricultural (A-1) to  
21 Planned Residential Development (PRD). The PRD zone requires that the preliminary plat, architectural theme, amenities,  
22 and landscaping theme be reviewed concurrently with the rezone application. The proposed development consists of 24  
23 modern architecture, two story, single family homes, for sale on approximately 3,600 sf lots with a central open space with  
24 amenities. Density is about 7.8 units per acre. This site would qualify for 9 units per acre per the PRD ordinance. In addition  
25 to considering the legislative elements of the application, staff has conducted an administrative review for compliance with  
26 adopted ordinances. At the time of this writing, there are some outstanding corrections that are anticipated to be made to  
27 address staff comments. Staff reports are attached for more details. The subsequent preliminary plat approval will be entirely  
28 contingent upon approval of the zoning. The Planning Commission reviewed the item on April 6, 2021 and is forwarding a  
29 recommendation for approval. The goal of this discussion is for the Council to familiarize themselves with the project and  
30 decide if it is ready for a vote during the next business meeting. Options tonight include table for more discussion or place it  
31 on the next business meeting for a vote.

32 CED Director Steele reviewed the staff memo and facilitated discussion among the Council and the applicant  
33 regarding components of the proposed PRD project. There was a focus on the amenities and open space included in the  
34 project, after which the Council indicated they like the variety included in the design of the single-family homes in the  
35 project and they offered their support for including an action item on the May 11 business meeting agenda for the application.  
36 The applicant was given the direction to adjust the site plan responsive to the feedback provided tonight in anticipation for an  
37 action on the application.

38  
39 **Planning item: Potential amendment of Syracuse Municipal**  
40 **Ordinance 4.05 pertaining to excavation regulations and fees.**

41 A staff memo from the Public Works Director explained the current version of Title 4.05 of the City Code allows up  
42 to five years to restore property that was disturbed by excavations. There are no penalties if the expected restoration is  
43 delayed. Excavators frequently have no incentive to return to the excavation site to make final repairs to satisfy the city and  
44 the property owner. As a result, staff time is increased to get them to return; and residents are inconvenienced. The  
45 excavation permit fees are based upon trench widths and utility types. It is very complex and often difficult to administer.  
46 Planning commission recommended approval of the changes on April 6, 2021.

47 Public Works Director Whiteley reviewed his staff memo and facilitated discussion among the Council regarding  
48 the implications of the proposed ordinance amendments. Public Works Director Whiteley reviewed his staff memo and  
49 facilitated discussion among the Council regarding the implications of the proposed ordinance amendments; he also  
50 summarized the proposed amendments to the fee schedule in conjunction with the amendment to the excavation permitting  
51 process. The Council indicated they are comfortable taking action on the ordinance amendments as well as the fee schedule  
52 adjustments but concluded to delay action until the June 8 business meeting as there is already an agenda item on that night to  
53 make other changes to the fee schedule.

1  
2 **Planning item: Potential amendment of Syracuse Municipal**  
3 **Ordinance 10.100, Town Center Overlay Zone, pertaining to**  
4 **Pedestrian Safety Design.**

5 A staff memo from the Community and Economic Development (CED) Department explained one of the goals of  
6 the City's recently adopted Economic Development 'PEP' Plan is to "Establish the city as the "Un-I-15" alternative to  
7 'typical' cities on the Wasatch Front." 'Typical' cities on the Wasatch Front are commonly built with automobile-oriented  
8 land uses and designs. The 2019 General Plan visioning committee identified during a survey that 'Highway Commercial'  
9 was among the least desirable themes for new development. The Town Center Overlay Zone implements standards with the  
10 goal to create a pedestrian friendly and mixed-use core. This is for economic development but also pedestrian safety. The city  
11 has experienced multiple pedestrian injuries and even death from auto collisions in recent history. There is a proposal to build  
12 a 'typical' gas station within the town center where there is concern that the proposed typical design will reduce pedestrian  
13 safety and detract from the desired mixed-use core. Recently a 'Designing for Pedestrian Safety' training was given to  
14 Planning Commission and this slideshow is included in this report as it relates to this topic of economic development  
15 branding and placemaking. The memo concluded the goals of discussion are to review the previously established goals of the  
16 city and decide if an amendment to the Town Center Overlay Zone is needed in order to achieve said economic development  
17 goals.

18 CED Director Steele reviewed his staff memo and used the aid of a PowerPoint presentation to expound on a  
19 pedestrian safety goal for the City's Town Center Overlay Zone. Discussion among Mr. Steele and the Council centered on  
20 the amount of control the City has on the State roads that run through the City's town center and possible adjustments to  
21 signage regulations. The Council stressed that they do not want to create standards that are too strict that result in businesses  
22 being driven from the community because they are unwilling to comply. Mayor Gailey advised Mr. Steele to adjust the  
23 proposed ordinance amendments responsive to the feedback provided by the Council and to meet with the applicants for the  
24 Maverik project on the north side of Antelope Drive to determine if they are willing to comply with certain design standards  
25 and signage regulations.

26  
27 **Proposed amendments to Syracuse City Arts Council bylaws**

28 A staff memo from the City Attorney explained after receiving the bylaws from the Council again, the Arts Council  
29 Board fastidiously went through the bylaws and have made recommended changes. Major changes include:

- 30 • Clarifying the distinction between board members and other members of the Arts Council.
- 31 • Establishes Executive Board, consisting of Chair, Vice-Chair, Secretary and Treasurer.
- 32 • Imposing a restriction on the number of consecutive terms that the Board Chairperson may serve, and  
33 requiring a "cooling off" period of the same length of time previously served, before being eligible to serve  
34 as chair again.
- 35 • Clarifies that "board decisions" may not be altered except in a public meeting.
- 36 • Assigns authority to appoint Committee Chairs to the board, by a majority vote.
- 37 • Permits the instigation of removal from office by majority vote, rather than a unanimous vote.
- 38 • Requires open positions on the board to be advertised.
- 39 • Thirty-day time limit from the date of an event, for requests for reimbursements, and requirement for  
40 Activity Chair to approve the expenditure in advance of the purchase.
- 41 • Duties of board members establish what constitutes "board decisions" –budgets, program spending,  
42 programming decisions like dates/shows, and contractual agreements with guest performers or directors.
- 43 • Chair duties outlined – setting agenda and oversee board meetings.
- 44 • Board Member Administrative Chairs established without an exhaustive list of chairs and descriptions of  
45 their duties.
- 46 • Board Member Activity Chairs similarly established.
- 47 • Removal of description of specific chairs
- 48 • Board duties about seasons and activities laid out.
- 49 • Conflicts of interest of board members, more specific examples and procedures to follow when possible  
50 conflict is identified.
- 51 • Elimination of section defining standing committees.

- Family member policy related to theatrical productions – board members or their family limited to one significant role every two shows.

The Arts Council Board agreed to remove the language that required a simple majority to recommend removal of a fellow-Board member, and adopted the Council’s recommendation of a two-thirds majority. The Arts Council Board also removed provisions that permitted the liaison to vote during Arts Council Board meetings. In order for all of the bylaws amendments to achieve efficacy, the City code also requires amendment. Redline versions of suggested amendments, largely consistent with what was presented to the Council in November 2020, is attached. The memo included a special note from the City Attorney: “As I was reconciling and going through the amendments, the potential difficulty of requiring a majority of a four-person executive board came to mind (i.e., only one absence would be permitted). When the majority language was crafted, a five-member executive board was contemplated. I have suggested language in both the bylaws and the ordinance that permits the meeting to proceed with two of the four members of the executive board present. This was not discussed in the Arts Council Board meeting or a part of the bylaws that they adopted. If the Council wishes to keep the majority requirement in place, then it may quickly be amended.” The goals of tonight’s discussion are to direct staff to make any changes they wish to see in the draft version of the bylaws and determine whether to place an item on a business meeting agenda or refer it back to the Arts Council with direction on changes.

City Attorney Roberts reviewed his staff memo. Councilmember Maughan indicated that the proposed amendments are intended to provide the Arts Council Board with greater flexibility in administering and role of the body. There was a brief discussion about the adjustment to the conflicts of interest provision in the bylaws; Mr. Roberts suggested language that could clarify the purpose of a member’s declaration of a conflict of interest, but to specify that the conflict will not require the member to step back from their role with the Council or in a given performance.

Councilmember Teague asked if there is an opportunity for the Arts Council to become independent of the City. Councilmember Maughan stated that is an issue that has been explored in the past, but the Arts Council may not be able to survive without facilities support from the City. He indicated if the Council feels strongly that the Arts Council should be independent, that should be a separate discussion. There was no further discussion about the matter of independence and the Council indicated they are comfortable moving the bylaws to a business meeting agenda for action.

**Proposed ordinance amendments pertaining to administrative appeals.**

A staff memo from the City Attorney explained at the previous Council meeting, the Council determined that it did not wish to proceed with appointing an Administrative Hearing Officer for administrative appeals. The City is required to provide appeals from administrative decisions in order to comply with procedural due process rights of those negatively impacted by those administrative decisions. Numerous sections of code address administrative appeals, and some specifically designate that a hearing officer is the appeal authority. A list of administrative appeals found in City Code is attached, along with the designated appeal authority, as appropriate. Staff will discuss with the Council whether to keep appeal authorities where they are, and whether to assign a particular individual or body as the appeal authority for those decisions for which an appeal authority is not named in the Code. The amount of process due varies depending upon the nature of the individual right that is affected by the administrative decision. The basic requirements for an appeal to survive a procedural due process challenge is that they provide an opportunity for notice to the affected party, and the party is given an opportunity for a fair hearing before an impartial tribunal. When evidentiary matters are in dispute, this involves the ability to present and cross-examine witnesses.

Mr. Roberts reviewed the staff memo and presented a chart identifying the sections of the City Code that would need to be amended responsive to the direction regarding appeal authority for different types of administrative functions. He facilitated discussion among the Council regarding certain process for which an appeal authority has not been designated and indicated he will use the feedback provided to develop an ordinance amending the City Code to include updated appeal processes and authorities.

**Proposed amendments to the Architectural Review Committee ordinance.**

A staff memo from the City Attorney explained that unlike the City’s other commissions and committees, the Architectural Review Committee (ARC) does not have terms built into their appointments under City ordinance. It is proposed that we send an ordinance amendment to the Planning Commission for review that puts those fixed terms in place. While the Council is considering the ARC, it is also proposed that they consider whether they wish to expand or maintain the scope of the ARC’s review and the applicability of the ARC standards. Currently, the ARC considers any site-plans for:

- 1 1. New commercial, professional office or public facilities buildings and uses; and
- 2 2. Existing commercial, professional office or public facilities buildings when a change occurs that requires a
- 3 building permit, alteration of the occupancy, or which increases required parking or outdoor storage.

4 The Council could expand the scope of the ARC to include additional buildings, such as multi-family residential  
5 buildings and churches. If the Council would like to consider expanding the scope of the ARC, then we recommend sending  
6 that task to the Planning Commission for a recommendation. Any change to Title 10 will require Planning Commission  
7 review and recommendation. The goal of the discussion is to review the proposed changes and consider whether to send one  
8 or more items to the Planning Commission for a recommendation.

9 Mr. Roberts reviewed his staff memo and he and CED Director Steele facilitated discussion among the Council  
10 regarding the responsibilities of the ARC and possible adjustments to the makeup of the body.

11  
12 **Continued review and discussion of Fiscal Year (FY) 2022 tentative**  
13 **budget.**

14 A staff memo from the Administrative Services Director explained Administration wanted to have an open budget  
15 discussion for the FY2022 budget to discuss any topics or concerns that the City Council has on the tentative FY2022 budget.  
16 Below are a few discussion points that we would like the council to consider.

17 **Truth in Taxation Discussion**

- 18 - Budgeted for a \$450k tax increase.
- 19 - Roughly a 16.1% increase.
- 20 - About a \$48 increase on a \$347,000 home.
- 21 - County should reduce their tax by \$230k.
- 22 - Decrease of 8.3%
- 23 - Net Effect of \$220k or 7.8%
- 24 - \$23.70 net increase on average home.

25 **Critical Dates and Meetings:**

- 26 - May 11<sup>th</sup> adopt tentative budget and set public hearing for June 8<sup>th</sup> on budget approval.
- 27 - June 8<sup>th</sup> Approve an operating budget and set TNT hearing in August.
- 28 - August 10<sup>th</sup> at 6:00 PM – Hold TNT meeting to consider raise property taxes for Paramedic  
29 Services.

30 The goals of the discussion are to consider current and potential future budgetary considerations and discuss items  
31 for a potential truth in taxation hearing and confirm if a change is needed.

32 City Manager Bovero reviewed the memo and discussed the costs associated with increasing wages for all positions  
33 in the City that are more than five percent below the market. There was discussion during the recent budget retreat about  
34 whether to focus on benchmark adjustments for the Police Department or for the entire City and Mr. Bovero indicated that he  
35 feels the Council can fund adjustments for all positions across the City with the knowledge that a new cycle to conduct four-  
36 year benchmark surveys for departments across the City will start in the next fiscal year. He then drew the Council's attention  
37 to the line item in the budget to hire an additional Fire Fighter position for the B shift; Administration requests funding for  
38 that position now rather than on June 1 as there is existing funding available to cover the costs for the remainder of the  
39 current FY. The Council offered their support for funding the Fire Fighter position at this time so long as official action on  
40 the matter is taken in a business meeting. Mayor Gailey directed staff to include an action item on the May 11 agenda to  
41 authorize the hiring of the Fire Fighter effective immediately rather than June 1.

42 The Council offered their feedback regarding whether to fund out of cycle market adjustments for either the Police  
43 Department or for the entire City in the FY 2022 budget; Councilmember Savage stated he would rather follow the  
44 recruitment and retention policy as written rather than consider out of cycle adjustments. Councilmember Bolduc stated she is  
45 concerned about foregoing wage adjustments for the Police Department; she is worried about losing quality Police Officers at  
46 this time and she does not want to increase the likelihood of that type of situation. Mr. Bovero stated that the wage  
47 adjustments that have been included in the budget are for positions that are more than five percent below the market rate for  
48 their position. Larger adjustments can be considered as the City moves through the quadrennial review process defined in the  
49 recruitment and retention policy. Mayor Gailey asked that the \$50,000 needed to cover the City-wide adjustment be included  
50 in the tentative budget and the Council can make a final determination regarding whether to keep it in the budget when they  
51 adopt an operating budget. The Council indicated they are hesitant to approve additional budget adjustments that would result  
52 in the need to increase the current tax rate; the only truth in taxation action they are comfortable with is maintaining the

1 current tax rate. Mr. Bovero indicated he will not have final information on the amount of property tax revenue the City can  
2 expect to receive based upon the current rate until that information is provided by Davis County.

3 In conclusion there was brief high-level discussion of various budget matters, including the combination of the  
4 communications manager and museum curator position.  
5

6 **Discussion of future agenda items/Council announcements.**

7 The Council discussed and reported on upcoming community events and discussed any needs for future agenda  
8 items.  
9

10 The meeting adjourned at 10:43 p.m.  
11  
12  
13  
14

15 \_\_\_\_\_  
16 Mike Gailey  
17 Mayor

\_\_\_\_\_   
Cassie Z. Brown, MMC  
City Recorder

18 Date approved: June 8, 2021