

Minutes of the regular meeting of the Syracuse City Council held on May 11, 2021 at 6:00 p.m., held in a hybrid in-person/electronic format via Zoom, meeting ID 878 1635 0832, in-person in the City Council Chambers 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  
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  
Public Works Director Robert Whiteley  
Community and Economic Development Director Noah Steele

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Police Chief Garret Atkin provided a thought commemorating National Peace Officers Week. Councilmember Savage led the audience in the Pledge of Allegiance.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT THE AGENDA. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. 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. He indicated no written public comments were submitted to Ms. Brown prior to the deadline.

Mayor Gailey then invited Zoom participants to provide public comments. There were no Zoom participants wishing to provide public comments.

Mayor Gailey then invited input from those in attendance in-person in the Council Chambers.

Chris Tremea spoke about the City's youth recreation football program; he indicated the City has participated with the Wasatch Front Football League (WFFL) since the inception of the program, but due to WFFL regulations, many youth in the City are separated from one another. He would like to propose that the City Council consider eliminating the program and urging residents to participate in the Ute League Football Program in order to allow community members to assemble their own teams and keep groups of kids from the City playing together to better prepare them for future stages of football, such as high school. He fully supports the City's Recreation Department, but he believes there are other opportunities available to youth that can enrich their lives and better prepare them for the future. He encouraged the Council to reach out to him if they have any questions about his recommendation.

Mayor Gailey asked for a member of the City Council to volunteer to be the main point of contact for Mr. Tremea. Councilmember Maughan volunteered to be the point of contact and indicated he will reach out to Mr. Tremea to discuss the matter further. Mr. Tremea added that there are many youth football coaches that are already considering leaving the City's WFFL program in order to keep their teams together and play in the Ute League. The same is true in many other cities, such as Clearfield and West Point. Councilmember Maughan wondered if it would be more appropriate to refer this matter to the City's Parks Advisory Committee for a recommendation and he indicated that since Councilmember Savage is the liaison to that Committee, it may be more appropriate for him to be the point of contact for Mr. Tremea. The Council supported the idea of referring the matter to the Parks Advisory Committee for a recommendation.

Nike Peterson stated she is a Councilmember in Clearfield City and she is present to recognize a Syracuse City Police Officer; Officer Carlson wrote her 18-year-old son a traffic ticket and she is grateful for the experience. Her son works at The Rush and was driving home from a late evening shift; he was driving his father's car, which has sat undriven throughout the COVID-19 pandemic. Her son was somewhat unfamiliar with the vehicle and he failed to turn on his headlights; he was pulled over on Antelope Drive and during the course of that encounter, the Officer realized that the registration had expired nearly seven months ago. When her son got home late, he explained to her that he has been pulled over and was issued a ticket for expired registration. The vehicle could have been towed, but Officer Carlson handled the situation with compassion and grace. Her son got to see law enforcement at its finest; the Officer was pleasant, professional, and courteous and her son got to experience an Officer making a well-reasoned judgment call. The ticket was deserved and has been paid, but she and her son

are very grateful that the car was not towed. So much of the current dialogue regarding law enforcement is negative and many are making generalizations about all Police Officers. She is sure that Officer Carlson will not remember her son and has probably handled hundreds of situations like this in the same way, but her son will remember him, and she is grateful that his first interaction with law enforcement was fair and positive. As a Councilmember in a neighboring City, she is grateful to know that the community at large is protected due to the caliber of law enforcement officers.

Michael Knight stated he resides in Layton and wished to reiterate some of the things mentioned by Mr. Tremea about youth football. He stated that he came from Salt Lake City and played in the Ute League there and he can attest to the environment and feeling of the league and the pride that it creates for parents and kids who are involved. He stated that when he first came to Davis County, he was surprised by how the football leagues are operated, which results in many kids who live and play together on a regular basis being divided and sent to different teams. This is a problem for high school football because when there is division at younger ages, that division will continue at the high school level. He stated that when he began playing football as a kid, he knew he was a Murray Spartan and there is something to be said for that sense of belonging and the pride created. He stated he supports Mr. Tremea's recommendation that Syracuse athletes play in the Ute League rather than in the WFFL; as the head football coach of Syracuse High School, he wants to create opportunities for youth that will eventually play in his program to be playing together now rather than being divided. He asked that the Council consider the opportunity to separate from the WFFL and direct athletes to the Ute League.

3a. Recognition item: recognition of Police Department volunteers.

Police Chief Atkin explained the week of April 18, 2021 was set aside as National Volunteer Week. One purpose of National Volunteer Week is to recognize those who have given back to their community through their acts of service. For eight years, Syracuse Police Department and the Syracuse Lion's Club have partnered to form a Volunteers in Police Service (VIPS) program. We have worked together to raise money for charitable events, support Lion's Club causes, and perform services for the public. In fact, our public fingerprinting services have been performed entirely by Lion's Club members. The events of the past year made it unsafe to continue working together, so our VIPS program had to take an unfortunate hiatus. The Department has missed our Lion's Club friends. Last week, I had the pleasure of joining them for a Club meeting. For those members who regularly help with our fingerprint program, the Department provided them with a pin to commemorate their service during the COVID-19 pandemic. I am pleased to report that our Lion's Club friends are doing well and anxious to start up our fingerprinting program again later this year. It is with great pride and admiration that I present the members of our Volunteers in Police Services program to the Mayor and Council for recognition. These individuals are not in attendance tonight due to potential health concerns.

Lynn John	(Lion's Club)	Mike Eisenberg	(Lion's Club)
Sandra John	(Lion's Club)	Chris O'Shea	(Lion's Club)
Steven Anderson	(Lion's Club)	Eric Ellington	(Lion's Club)

3b. Recognition item: Presentation of Utah Law Enforcement Professional Standards Accreditation plaque to Syracuse Police Department by Utah Chiefs of Police Association (UCOPA) Executive Director Val Shupe.

The Utah Law Enforcement Professional Standards Accreditation Program, under the direction of Utah Chiefs of Police Association (UCOPA), provides law enforcement agencies in the state of Utah with an avenue for demonstrating that they meet accepted, professional standards for effective and efficient operations. For more than a year, the members of Syracuse Police Department worked diligently to achieve accreditation. We submitted over 3000 pages of documentation for review and participated in an on-site evaluation of our facility and processes by an UCOPA-appointed assessor. On March 26, 2021, the Board of Directors officially made Syracuse Police Department only the 12<sup>th</sup> UCOPA-accredited department in the state of Utah.

UCOPA Executive Director Val Shupe approached to present the plaque to the Syracuse City Police Department. He discussed the Department's efforts to become accredited and he congratulated Chief Atkin and his Department on this achievement.

Mayor Gailey and each Councilmember offered their congratulations to Chief Atkin for this accomplishment and thanked Mr. Shupe for his attendance this evening.

4. Approval of minutes.

The following minutes were reviewed by the City Council: City Council Business Meeting and Special Redevelopment Agency (RDA) Meetings of March 9, 2021; City Council Work Session and Special Business Meeting of March 23, 2021; and City Council Business Meeting of April 13, 2021.

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

5a. Common consent – Arts Council: Proposed Resolution R21-18 approving amendments to the bylaws of the Syracuse City Arts Council; and

Proposed Ordinance 2021-08 amending Chapter 3.45 of the Syracuse City Code governing the Syracuse City Arts Council.

A staff memo from the City Attorney explained the proposed changes to the Arts Council bylaws and ordinance were discussed during the April 27, 2021 work session meeting; no further changes have been made since that meeting.

COUNCILMEMBER SAVAGE MOVED TO ADOPT RESOLUTION R21-18 APPROVING AMENDMENTS TO THE BYLAWS OF THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER TEAGUE THE MOTION; ALL VOTED IN FAVOR.

COUNCILMEMBER SAVAGE MOVED TO ADOPT ORDINANCE 2021-08 AMENDING CHAPTER 3.45 OF THE SYRACUSE CITY CODE GOVERNING THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER TEAGUE THE MOTION; ALL VOTED IN FAVOR.

5b. Common consent: Proclamation 21-04, recognizing National Public Works Week, May 16-23, 2021.

Mayor Gailey indicated that May 16-23 is National Public Works Week and he asked that the Council support a Joint Proclamation declaring May 16-24 as Public Works Week in Syracuse City.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT JOINT PROCLAMATION 21-04 RECOGNIZING NATIONAL PUBLIC WORKS WEEK, MAY 16-23, 2021. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

6a. Committee Appointments: Proposed Resolution R21-16 appointing Ryan Wessel to the Syracuse City Planning Commission.

An administrative staff memo explained with the recent changes to appointment status of various Planning Commissioners, there is a need to shift an alternate position to a full position; Mayor Gailey has asked that the Council consider appointing Ryan Wessel as a full member of the Commission, rather than an alternate.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R21-16 APPOINTING RYAN WESSEL TO THE SYRACUSE CITY PLANNING COMMISSION. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

6b. Proposed Resolution R21-17 appointing Clarisa Wright as Youth Court Advisor.

An administrative staff memo explained there is a need to enlist the help of volunteers to support the Youth Court in an advisory role. The City has advertised the position and solicited letters of interest from residents who meet the requirements of the position. Mayor Gailey has vetted and interviewed the applicants and seeks advice and consent from the City Council to appoint Clarisa Wright as a Youth Court Advisory.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R21-17 APPOINTING CLARISA WRIGHT AS YOUTH COURT ADVISOR. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

7. Request to be on the agenda: North Davis Communities that Care (CTC) regarding a request for ongoing City support.

A staff memo from the City Manager explained North Davis Communities that Care is a coalition of community leaders with a mission to foster a safe and connected community for our youth by empowering our families, schools, and local leaders. They have a primary focus on prevention of vaping and depression. See website at <https://www.dbhutah.org/north-davis-ctc/>. Each year, the CTC produces events for the community to help achieve its mission. As part of this, they are requesting Syracuse City to be a co-sponsor of certain events. Viviana Felix, a prevention specialist from Davis Behavior Health will attend the meeting on behalf of the CTC to make the sponsorship request.

The memo concluded the action item before the Council is to vote on whether to be a co-sponsor to CTC events as presented and discussed.

Councilmember Bolduc summarized the memo and the purpose of the request for the sponsorship of CTC events. She also reported that the CTC has produced graduation signs for residents in the community to pick up and place in the yards of youth who are graduating from high school this year.

Viviana Felix, North Davis CTC coordinator, also spoke to the request for the sponsorship of the Illumination Event, free advertisement of the Illumination event in the City's Connection Magazine, and a waiver of the Heritage Days booth rental fee in order for the CTC to provide information about evidence-based programs aimed at combatting depression among youth in the community.

There was brief discussion among the Council and Ms. Felix regarding the Illumination Event, after which the Council concluded they are supportive of the event and are comfortable offering ongoing sponsorship.

COUNCILMEMBER MAUGHAN MOVED TO APPROVE SPONSORSHIPS REQUESTED FOR CTC 2021 EVENTS. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

### 8. Presentation of results of FlashVote Survey regarding Police service

A staff memo from the City Manager explained that in the City's Strategic Operational Plan, the two of the Council's vision statements for the Police Department are: "The Syracuse PD is responsive to crime and other community issues", and "Syracuse City police officers are courteous and service-oriented." As part of the action items to achieve this vision, we felt a survey would provide insight from the community on where our police department stands in these two vision statements. The City contracted with FlashVote to provide a survey service in order to enhance the amount of public input, and provide it in a way that has stronger statistic validity. The intent of the survey service is to give the Council data as part of their decision making, not to override the Council's decision making. The survey was conducted on April 6-8, 2021. Following is a summary of the goals of the survey:

- To obtain a basic level of understanding on citizens' sense of safety in the community.
- Gain a sense of citizens' level of satisfaction in the professionalism of Syracuse PD officers.
- Gain a sense of citizen's perception of the PD's responsiveness to community issues.

There are three copies of the survey results using the following filters:

- All residents
- Sorted by Age Groups
- Sorted by Gender.

Key takeaways from the survey include:

- Overall, citizens are very pleased with the Syracuse police department.
- Police presence is good, but the public is leaning toward wanting more presence.
- Some indication that younger population (under 30) has less trust in police than older populations.
- Indications that females and younger population (under 30) feel less safe than males and older population.
- The survey leads us to better questions and research on matters such as traffic safety, property crimes, and residents' overall sense of safety.

The memo concluded the goals of this discussion are to review and discuss the results of the survey.

Mr. Bovero reviewed his staff memo and facilitated high level discussion among the Council regarding the survey data. Councilmembers commented on their appreciation for public participation in the survey and indicated they feel the information provided is very helpful and can be used to inform future decisions regarding public safety efforts in the community. Councilmember Teague indicated he would like to compare the survey results with actual crime data to determine if the public sentiment is supported by hard data. Councilmember Savage agreed and indicated he would like to provide information to the public about efforts they can pursue to improve their own personal safety.

### 9. Authorize Administration to execute Fiber Communications and Acquisition Contract with Utah Infrastructure Agency (UTOPIA)

A staff memo from the City Manager explained the Mayor and City Council have received requests from residents to look into UTOPIA as an option for highspeed fiber to the home in Syracuse. Based on that feedback, the Council conducted a survey last summer to get more input from the public. See survey results attached. At the September 22, 2020 Council meeting, the Council requested that we put together some options for the City and discuss them at future meeting. At the January 26, 2021 Council meeting, the Council discussed a variety of models for City-wide high-speed internet. At that meeting the general consensus from the Council was to pursue a partnership with a third-party owned and operated model, instead of a city-owned or multi-city owned model. At the April 27, 2021 Council meeting, UTOPIA presented details on a possible fiber communications acquisition and service contract under the Interlocal Cooperation Act. The memo summarized the general terms of the contract as follows:

- General Partnership: UIA will bond for approximately \$20,705,000 to fund the construction of the fiber system. Debt payments will be primarily covered by monthly subscription fees from customers. In the event that subscription revenue does not cover the debt service. The City would cover the difference in order to meet the debt obligation.
- Term: The term of the bond will likely be somewhere between 20-27 years. The City Council, in conjunction with UIA will need to decide on the term timeline.
- Revenue Requirement: The revenue requirement for the City to cover the debt payments is not to exceed \$1,242,300, depending on the length of the bond.
- Construction Timeframe: 100% of end users are to have access to the system within 24 months from the date of commencement, unless issues beyond UIA's control prohibits them from achieving the requirement.
- Annexation Areas: UIA agrees to construct extensions of the system into annexed areas as long as at least 50% of the extension may be completed through open trench or conduit opportunities.
- Ownership: UIA will own and operate the system.
- City Financial Pledge: For debt-financing purposes, the City will pledge Franchise Tax Revenue and Sales Tax Revenue as its source to "backstop" the bond payments. This pledge improves interest rates on borrowing, but also locks up that revenue against pledges toward future bonds until the UIA bond is retired.

- Real Estate Dedication: Approximately six fiber huts will be required throughout the system. The City agrees to provide real property or easement for the location of fiber huts throughout the system.
- The draft bond language and cleaned-up contract language will be sent to the Council prior to the Council meeting.

The action items before the Council tonight are to determine the term length of financing for the project and vote on whether to authorize the Administration to execute the fiber communications and acquisition contract with Utah Infrastructure Agency.

Mr. Bovero reviewed his staff memo and he and UTOPIA Executive Director Timmerman reviewed the terms of the partnership agreement.

Councilmember Savage asked if UTOPIA debt will be paid off any faster if the ‘take-rate’ in Syracuse is higher than anticipated. Mr. Timmerman answered no; UTOPIA is projecting a take-rate of 30 percent in Syracuse City, but if the take-rate is higher – perhaps 60 percent – it will be necessary to incur more debt to build the network to serve those customers. If at some point in the future UTOPIA’s revenues are higher than anticipated, the Board of Directors will determine whether to pay off debt sooner than scheduled. Councilmember Savage asked if it is correct that Syracuse would not have a vote on that decision because Syracuse was not one of the original cities to participate in the creation of UTOPIA. Mr. Timmerman stated that is correct, but noted that the Board will accept the input of Syracuse and all cities who are partnered with UTOPIA will receive a benefit based upon the economy of scale of the partnership.

High level discussion centered upon details such as the locations that have been identified for fiber huts and the City’s ability to control the design of the buildings.

Councilmember Maughan then stated that he has been hesitant in the past to become involved with UTOPIA because he fundamentally believes that government should take a small a role in private business as possible. However, the landscape has since changed due to more people teleworking and he now feels that if government does not participate in this project, Syracuse City will have a much lower service level than surrounding cities in terms of access to fiber service. This would be negatively impact to citizens. He does not want to make a decision that would result in residents being deprived access to this service. Councilmember Savage agreed and stated it is important to be clear that there will still be open competition as residents can choose their own internet service provider from those who are accessing the fiber system.

COUNCILMEMBER SAVAGE MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE FIBER COMMUNICATIONS AND AWARD CONTRACT FOR GROUNDS MAINTENANCE SERVICES. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 10. Consideration and action to approve 2021 Municipal Election vote center and alternate polling locations.

A staff memo from the City Recorder explained in accordance with the Utah Election Code, the City’s Governing Body is required to approve the Polling Location for the 2021 Municipal Election. The Davis County Clerk’s Office has proposed that the Syracuse Library be designated as Syracuse’s Polling Location. Additionally, the Governing Body has the authority to approve vote centers in other communities; this approval will allow Syracuse residents to return their 2021 Election ballot to any vote center on Election Day, rather than being required to vote at the Syracuse Library.

Ms. Brown reviewed her staff memo.

Councilmember Maughan asked if the City has the ability to oppose the County’s decision to utilize the library as the City’s polling location on Election Day. Ms. Brown answered yes; the City has control over the municipal election, but contracts with Davis County for administration of the election. Councilmember Maughan stated he is not opposed to using the library, he simply wondered if the City has some input regarding the selection of polling locations and vote centers.

COUNCILMEMBER MAUGHAN MOVED TO APPROVE 2021 MUNICIPAL ELECTION VOTE CENTER AND ALTERNATE POLLING LOCATIONS. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 11. Proposed Ordinance 2021-09, amending the Syracuse City Zoning Map relating to property located at 1000 W. 1900 S. from Agricultural (A-1) to Planned Residential Development.

A staff memo from the Community and Economic Development (CED) Department explained applicant Josh Hughes desires to rezone approximately 3.081 acres located at approximately 1900 S. 1000 W. from Agricultural (A-1) to Planned Residential Development (PRD). The PRD zone requires that the preliminary plat, architectural theme, amenities, and landscaping theme be reviewed concurrently with the rezone application and incorporated into a development agreement. The proposed development consists of 24 modern architecture, two story, single family homes, for sale on approximately 3,600 sf lots with a central open space with amenities. Density is about 7.8 units per acre. This site would qualify for 9 units per acre per the PRD ordinance. In addition to considering the legislative elements of the application, staff has conducted an administrative review for compliance with adopted ordinances. The subsequent preliminary plat approval will be entirely contingent upon approval of the zoning. After the City Council meeting discussion on April 27, 2021, the applicant has shifted the pickle ball court location slightly so to reduce potential conflict with cars. He has also provided details for temporary fencing that would enclose the pickle ball area and any errant balls. The Planning Commission reviewed the item on April 6, 2021 and

is forwarding a recommendation for approval. The goals of tonight's discussion are to vote to approve, approve with conditions, table, or deny the application.

CED Director Steele reviewed the staff memo and drew the Council's attention to the adjustments that have been made on the preliminary plat for the project since the Council's last review of the application.

COUNCILMEMBER BOLDUC MOVED TO ADOPT ORDINANCE 2021-09 AMENDING THE SYRACUSE CITY ZONING MAP RELATING TO PROPERTY LOCATED AT 1000 W. 1900 S., FROM AGRICULTURAL (A-1) TO PLANNED RESIDENTIAL (PRD). COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

12. Preliminary plat approval, Antelope Edge Planned Residential Development (PRD), located at approximately 1900 S. 1000 W.

A staff memo from the Community and Economic Development (CED) Department explained applicant Josh Hughes desires to rezone approximately 3.081 acres located at approximately 1900 S. 1000 W. from Agricultural (A-1) to Planned Residential Development (PRD). The PRD zone requires that the preliminary plat, architectural theme, amenities, and landscaping theme be reviewed concurrently with the rezone application. The proposed development consists of 24 modern architecture, two story, single family homes, for sale on approximately 3,600 sf lots with a central open space with amenities. Density is about 7.8 units per acre. This site would qualify for nine units per acre per the PRD ordinance. In addition to considering the legislative elements of the application, staff has conducted an administrative review for compliance with adopted ordinances. At the time of this writing, there are some outstanding corrections that are anticipated to be made to address staff comments. Staff reports are attached for more details. The subsequent preliminary plat approval will be entirely contingent upon approval of the zoning. Planning Commission reviewed the item on April 6, 2021 and is forwarding a recommendation for approval that is contingent upon zoning approval. The goals of tonight's discussion are to vote to approve, approve with conditions, table, or deny the preliminary plat.

CED Director Steele reviewed the staff memo.

COUNCILMEMBER BOLDUC MOVED TO GRANT PRELIMINARY PLAT APPROVAL FOR ANTELOPE EDGE PLANNED RESIDENTIAL DEVELOPMENT (PRD), LOCATED AT APPROXIMATELY 1900 S. 1000 W. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

13. Continued discussion of Proposed rezone of property at 1550 W. 300 S. from Agricultural (A-1) to Mixed-Use Development (MXD)

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

Location:	Approx. 1550 W. 300 S.
Acreage:	9.35 acres
Current Zoning:	A-1 Agricultural
Proposed Zoning:	Mixed-Use Development (MXD)
Proposed Use:	127 units – 3 and 2 story townhomes with 4,800 square feet of first floor commercial.

Applicant Garrett Seely with Red Pine Land has applied to rezone approximately 9 acres of land near the High School. The General Plan calls for the 'Commercial' designation which anticipates the GC zone, but also MXD, PO, and NS zones. Since the applicant desires MXD, no general plan amendment was necessary. The MXD application requires a concept plan and architectural drawings which are included. Staff has reviewed the project for compliance with all Syracuse City ordinances. The latest staff reviews are attached in this report. Being a rezone, regardless of whether or not the project meets the ordinance, the city has discretion to decide if the proposed use is appropriate and desired for the proposed location. Planning Commission reviewed the item on 4/20/21 and is forwarding a recommendation for approval. City Council reviewed the item on 4/27/21 and tabled the item for more discussion with concerns about future adjacent land uses, traffic impacts to the school, and the amount of commercial proposed. The neighbors and school expressed concerns primarily over traffic and are asking for lighted crosswalks and no parking signs. Since the last meeting, the developer has revised his plans to include additional parking, two crosswalks, and 1,600 sf more commercial. He also provided a conceptual plan for how the neighboring property may lay out. In addition, he provided a memo from a traffic engineer with an estimate for how much his project will increase traffic. A development agreement is also required to be approved simultaneously as the rezone; however, the agreement is still in draft form and not ready to be approved at this time. The draft agreement is attached to this report.

Mr. Steele reviewed his staff memo.

Mayor Gailey indicated this item was added to the agenda to allow for discussion only, no action will be taken tonight. He noted that the applicant has met with each Councilmember as well as with residents who expressed concerns about this project during the April 27 work session review of the application. He invited the applicant to provide input regarding the conversations he has had since that meeting.

Applicant Derek Terry reported he has performed a traffic study for the proposed use of the property and offered a comparison of the possible traffic counts for the proposed use as well as other possible commercial uses of the property. He

has developed a site plan to identify the relationship between the proposed use of the land and possible large commercial development of the property to the west.

Mayor Gailey then facilitated high level discussion between the Council, Mr. Terry, and Mr. Steele regarding matters such as the possible development of the property to the west and the timing of that project; the ratio of commercial use and residential use in the proposed project; the traffic impacts of the project on the area immediately surrounding the subject property as well as the City at large; the ability to maintain current public safety levels of service if the project is approved and built. Mr. Terry stated that he feels that the concerns about traffic should be addressed by the traffic study; the study indicated that the traffic would nearly triple if a traditional commercial or professional office use were allowed rather than the mixed-use project that he is proposing. He stated he is willing to utilize traffic calming measures to slow traffic in the area responsive to the concerns expressed by the public.

Mayor Gailey invited public input.

Emily Finau stated she is a resident in Monterey Estates, and she thanked Mr. Terry for speaking with her about her concerns about the project. She noted, however, that the only recommendation provided by her and her neighbors that Mr. Terry has considered and included in the project plan is wider driveways. She stated there were a number of other safety measures her neighborhood would like to see implemented and if this application is approved, she would like to understand if that will happen. She then stated that the Still Water project in the City has an overflow parking area across the street from where the homes are constructed and she wondered if something similar would be an option for this project, perhaps on the property slated for detention basin associated with the project.

Mayor Gailey stated there is some precedent in the community relative to efforts to address public concerns regarding traffic and parking associated with various land uses in the community. He stated that between now and June he would like staff to discuss these concerns further with Ms. Finau and her neighborhoods, as well as representative of the Syracuse Arts Academy, and the applicant. Mr. Terry stated he is willing to participate in that type of effort and is willing to include other traffic calming measures in the project if requested by the City. Mayor Gailey asked for a Councilmember to volunteer to participate in that discussion as well. Councilmember Maughan volunteered and stated he is also the liaison to the Syracuse Arts Academy. Mayor Gailey then stated that the application will be discussed again, with a possible action, on the June 8 business meeting.

#### 14. Authorize Administration to execute Utility Betterment Agreements for the West Davis Corridor project.

A staff memo from the City Manager explained that in February, UDOT secured a design-build contract with Farmington Bay Constructors (FBC is a joint venture with Ames Construction, Wadsworth Brothers Construction, and Staker Parson Materials and Construction). FBC is determining what infrastructure must be replaced due to impacts of the project versus what infrastructure Syracuse City requests, considered betterments. Utility betterments costs are not borne by UDOT, but by the agency making the request. Betterments are documented in a signed betterment agreement between UDOT and the city. At this point, no betterment agreement has been put into place between UDOT and Syracuse for the WDC project. The master agreement approved May 12, 2020 by city council describes the possibility that Syracuse can enter into a betterment agreement with UDOT, if Syracuse City chooses to do so. During Council Work Session on March 23, 2021, direction was given to move ahead with a betterment agreement for utility infrastructure. Staff reported back to UDOT concerning the high price to fully improve Bluff Road and chose to not install curb and sidewalk along Bluff Road as a betterment to this project. UDOT determined that the gutter was necessary to their project to capture the storm water from the road, so UDOT will cover that cost. UDOT has revisited the cost estimates and reduced the amount Syracuse would be required to cover by \$500k. This does fit within the budgeted amount to complete all betterments discussed during work session including Bluff Road. Utility work along SR-193 at Thurgood Lane and at 3000 West will be minimized to essential crossings and stubs to allow future developments that ability to complete connections without interfering with SR-193 traffic and pavement in the future. This will be done by a separate contract, because UDOT estimates (\$500k) were higher than city budget (\$150k).

The draft agreement is included. Staff recommended a minor modification to allow progress payments, which is updated in the agreement. The cost breakdown is also included and matches with the 5-year plan. The action before the Council is to determine whether to approve the Betterment Agreement for Utility infrastructure.

Public Works Director Whiteley reviewed the staff memo.

Councilmember Savage asked if it is possible to reach out to Rocky Mountain Power to assess their appetite for participation in a project to bury their power lines in conjunction with this project. Mr. Bovero indicated City Administration can each out to Rocky Mountain Power regarding that concept; however, that action would be independent of this betterment agreement.

There was then a brief high-level discussion about scheduled road closures associated with the West Davis Corridor project, with Mr. Whitely indicating he will continue to publicly advertise those schedules.

COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE UTILITY BETTERMENT AGREEMENTS FOR THE WEST DAVIS CORRIDOR PROJECT. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

15. Accept Fiscal Year (FY) 2021-2022 Tentative budget, set public hearing for June 8, 2021 to consider adoption of Operating Budget, and authorize Administration to proceed with hiring one additional full-time Fire Fighter immediately.

A staff memo from the Administrative Services Director explained that as required by Utah Code Annotated 10-6-111, the City Budget Officer is required to prepare and file with the governing body a tentative budget for consideration. Each tentative budget shall be reviewed and tentatively adopted during any regular City Council meeting on or before the last meeting in May. As required by Utah Code Annotated 10-6-112, each tentative budget adopted by the governing body and all supporting schedules and data shall be a public record in the office of the city auditor or the city recorder, available for public inspection for a period of at least 10 days prior to the adoption of a final budget. As required by Utah Code Annotated 10-6-113, the governing body shall establish the time and place of a public hearing to consider its adoption and shall order that notice of the public hearing be published at least seven days prior to the public hearing. The City Council should set a public hearing for June 8, 2021 to consider adoption of an operating budget. The City Council is considering raising taxes and would therefore have to go through the truth in taxation process. The truth in taxation hearing would take place on or around August 10, 2021 at which time a final budget will have to be adopted. The memo concluded staff recommends the Council accept the tentative Fiscal Year (FY) 2021-2022 Budget and set public hearing for June 8, 2021 to consider adoption of an Operating Budget.

Administrative Services Director Marshall reviewed his staff memo and the budget message included as an introduction to the proposed budget.

The Council commented briefly upon the efforts of City Administration and the Council to be conservative in their development of the FY 2021-2022 budget; there was a brief focus on some of the costs increases that impact the City's budget, but for which the City has no control over, such as special service district costs that are charged to the City and passed along to residents.

COUNCILMEMBER BINGHAM MOVED TO ACCEPT FY 2021-2022 TENTATIVE BUDGET, SET PUBLIC HEARING FOR JUNE 8, 2021 TO CONSIDER ADOPTION OF OPERATING BUDGET, AND AUTHORIZE ADMINISTRATION TO PROCEED WITH HIRING ONE ADDITIONAL FULL-TIME FIRE FIGHTER IMMEDIATELY. COUNCILMEMBER TEAGUE SECONDED THE MOTION, ALL VOTED IN FAVOR.

16. Proposed Ordinance 2021-10 amending Sections 2.30.060, 3.35.020, and 3.35.040 of the Syracuse City Code pertaining to the Parks Advisory Committee and Recreation Director.

A staff memo from the City Attorney explained the proposed ordinance would make the following changes:

- Removes requirement for City Council direction to consider site design of parks and improvements, adjustments to recreation programs, and the prioritization of the five-year park improvement plan.
- Adds recommending authority to the PAC as it relates to the creation or elimination of a recreation program – these recommendations would be provided to the Parks and Recreation Director.
- Allows the Mayor to refer projects, programs and activities to the PAC, so long as the item as discussed in a Council meeting.
- Removes the provision of two Councilmembers to serve as voting members of the PAC.
- Permits the Council to appoint a liaison to the PAC from its membership, including the Mayor.
- Adds two non-Councilmember at-large PAC members, bringing the total up to 3 at-large members.
- Limits the number of at-large members in any quadrant of the City to two.
- Defines "program" for purposes of the PAC ordinance.

The amendments also include a corresponding addition to the Parks and Recreation Director's ordinance that would require the Director to request the recommendation of the PAC anytime that a program is proposed to be created or eliminated. The PAC will remain a recommending body only.

Mr. Roberts reviewed his staff memo.

Councilmember Savage stated that he would like to adjust the text in the ordinance to further clarify that the Parks Advisory Committee does not have the power to make any changes to any programming or project and that they are advisory in nature. Mr. Roberts reviewed the text and indicated that he feels that it is sufficient to communicate to the reader that the body is advisory in nature.

Councilmember Teague suggested an adjustment to language in the ordinance to indicate that the Parks and Recreation Director 'may' rather than 'shall' seek a recommendation regarding to recreation programming. The Council supported that adjustment.

Councilmember Maughan stated he is concerned about the possibility of the Mayor to send a project or programming request to the Committee without a vote of the Council. He stated he is concerned this is creating a new power for the position for the Mayor. The Council discussed the concern and the majority stated they do not share the concern and are not concerned with the manner in which the proposed ordinance is written.

COUNCILMEMBER BINGHAM MOVED TO ADOPT ORDINANCE 2021-10 AMENDING SECTIONS 2.30.060, 3.35.020, AND 3.35.040 OF THE SYRACUSE CITY CODE PERTAINING TO THE PARKS ADVISORY COMMITTEE AND RECREATION DIRECTOR, WITH THE FOLLOWING CHANGE:

- AMENDING SECTION 2.30.060(B) TO CHANGE THE WORD “SHALL” TO “MAY”

COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER MAUGHAN WHO VOTED IN OPPOSITION.

17. Proposed Ordinance 2021-11 amending Sections 7.35.030, 8.35.020, and 10.20.115, and enacting Section 13.30.060 of the Syracuse City Code pertaining to certain administrative appeals.

A staff memo from the City Attorney explained at the prior Work Session, the Council requested that provisions related to administrative appeals be outlined with appeal authority to existing officials or bodies, rather than to an administrative hearing officer. Some provisions of city code did not provide an opportunity for appeal at all, which was also problematic. • The four areas identified were:

- Bid appeals/protests.
- Public works inspections.
- ADA Accommodation Requests under the Land Use Code.
- Cost recovery for fires.

As directed, the proposed ordinance will redirect appeal and hearing authority toward the designated official or body. Additional procedures and identification of the standard of review are also inserted into the ordinance. In the case of project bids (Chapter 13.30), an entire section was crafted, based loosely on the Utah State Procurement Code’s protest process. It limits the remedy to bid invalidation, rather than the bid being awarded to the protestor.

Mr. Roberts reviewed his staff memo.

Councilmember Teague cited a minor typographical error in the document; a reference to Planning Commissioner should be changed to Planning Commission. Mr. Roberts indicated he will correct that error.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 2021-11 AMENDING SECTIONS 7.35.030, 8.35.020, AND 10.20.115, AND ENACTING SECTION 13.30.060 OF THE SYRACUSE CITY CODE PERTAINING TO CERTAIN ADMINISTRATIVE APPEALS. COUNCILMEMBER SAVAGE SECONDED THE MOTION, ALL VOTED IN FAVOR.

18. Proposed Resolution R21-11 adopting a policy governing youth program overnight trips.

City Attorney Roberts indicated that the supporting materials for this agenda item do not include the latest iteration of the policy including the changes recommended by the Council during their last work session meeting. He recommended that the Council table action on this item until the May 11 business meeting.

Mr. Roberts reviewed his staff memo.

COUNCILMEMBER TEAGUE MOVED TO ADOPT PROPOSED RESOLUTION R21-11 ADOPTING A POLICY GOVERNING YOUTH PROGRAM OVERNIGHT TRIPS. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER MAUGHAN WHO VOTED IN OPPOSITION.

19. Public comment.

Josh Hughes stated he wished to briefly comment on positive experiences that he has had with various City employees; tonight he will speak about City Engineer Bloemen. It has been his experience that Mr. Bloemen has a good, down to earth approach to engineering, which is not the case with other City Engineers he has worked with. He stated that when Mr. Bloemen identifies a problem, he usually is able to offer a solution to the problem and he has been great to work with.

20. Mayor/Council announcements.

The Council and Mayor provided announcements about upcoming community events and other opportunities for public involvement. The Council also discussed requests for future agenda items.

Mayor Gailey also invited City Manager Bovero to make any necessary announcements.

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

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

The closed session began at 9:10 p.m.

City Council Regular Meeting  
May 11, 2021

The meeting reconvened at 9:33 p.m.

At 9:33 P.M. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: June 8, 2021