

Minutes of the Work Session of the Syracuse City Council, held on February 27, 2024 , at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 857 3865 9574, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Jennifer Carver  
Brett Cragun  
Jordan Savage  
Julie Robertson  
Paul Watson

Mayor Dave Maughan  
City Manager Brody Bovero  
Deputy City Recorder Marisa Graham

City Employees Present:  
Parks and Recreation Director Kresta Robinson  
Fire Chief Aaron Byington  
Police Chief Garret Atkin  
Community and Economic Development Director Noah Steele  
Communications Specialist Kara Finley  
Assistant Parks and Recreation Director Chad Smout

The purpose of the Work Session was to receive public comments; discuss recommendations from the Planning Commission regarding amendments to the Business Park Zone pertaining to body art establishments and amendments to the Mixed-Use (MXD) Zone; discuss possible amendments to the fee in lieu of water shares for retail and office land uses; discuss interior garage protrusions; discuss requests for Redevelopment Agency (RDA) incentive for flex/industrial projects near State Road (SR) 193 and 1000 West and Antelope Drive and Bluff Ridge Road; discussion of the Wildland Fire Program and adjustments to staffing structure/wage scale; receive the Parks and Recreation Department biennial review; and participate in follow-up discussion regarding items presented at the City Council Goals Retreat.

**Public comments**

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

“Dear members of the City Council, Concerning the discussion of changing the allowable mixed-use areas to be changed, I would like to request that in the Town Center Overlay area, that the mixed use be allowed for properties under 5 acres. As I understand the intent of the Town Center Overlay, this area was intended to be zoned in a manner that promoted mixed use developments, assuming that some level of care was taken to the design of these projects. Last month, I attended this meeting, where this subject was discussed. There have been some large apartment projects that have come into the city, which I believe have not been very conducive to the intent of the mixed-use zone and have given mixed use a bad taste. As a landowner in the town center overlay, I wish to bring my development into the city. Our project is just south of Walmart, and is under 5 acres. Our goal is to do mixed use the right way, and to work with the city to create a project that is attractive and harmonious to the original intent of this zone. We have experience creating and integrating commercial and residential components that are ideally suited to this location, and which have the potential to set a high standard for future developments of this nature. While in general, I believe that mixed use is not ideal on properties over 5 acres, as it potentially takes up land that might be better suited for bigger box commercial to enter, I believe that especially in the Town Center Overlay, where space is limited, that mixed use is essential. If mixed use is not allowed in this area for projects under 5 acres, the only development will be more small commercial buildings, like what is already in the area and is showing signs of vacancy along Antelope Drive. Overbuilding anything, whether it be apartments or small commercial has the potential to negatively impact the feel of any city. Any further commercial development along Antelope Drive, would benefit by being paired with a residential component, especially if done in a tasteful manner, which should be ensured by review of the architectural committee and city council as is described in 10.1 of the city code regarding the Town Center Overlay. We look forward to working with the city on our project, and hope that you will work with us on bringing in a balanced development into this area.

Thank you for your consideration, Sincerely, Brent Lindstrom, Leisure Villas.”

“Dear City Council and Mayor, Last month you started to review the mixed-use zone and all the changes that were being proposed to it. I was happy to see you all wanted more time to dig deeper into the changes so you could be better prepared for a discussion on everything since this is a big change that could affect the look and feel of the city. As I stated at the last meeting, we have an application submitted to the city for mixed-use that is being held up until this discussion and vote has taken place. I have emailed each of you personally over the last month with my thoughts on mixed-use and the layout and design of our mixed-use proposal on Antelope Dr. I have done this so you can see how

you can still get an attractive project in the city that works on less than 5 acres of land. It also shows how large the buffer zones are per the code to keep mixed-use and residential neighborhoods projected. Also, with the parking requirements that the city has in place, it helps keep these projects from getting out of control with the residential portion. The layout I sent does comply with all the other requirements that the city is proposing. The only thing we don't comply with is the amount of land. We do feel there is a big need for mixed-use zones on land under 5 acres. To comply with the town center overlay which we are under, we do ask that you follow the intent of that overlay. If you do raise the minimum acreage of mixed-use, we suggest that you only raise it in areas not effected by the town overlay zone so that it can still comply with the design and intent of that overlay. Thank you for allowing our input. Regards, Keith Lindstrom."

**Planning item C1: Recommendation from Planning Commission regarding amendments to the Syracuse City Business Park Zone pertaining to body art establishments**

A staff memo from the Community and Economic Development (CED) Department explained the City Council has self-initiated a review of the City's ordinances related to tattoo parlors as permitted use in the Business Park Zone. Some of the regulations other cities often place on tattoo parlors include limiting the zones in which they are allowed, requiring a conditional or special use permit, implementing a required distance from public schools and parks, required minimum distance from an intersection, hours of operation, prohibiting alcohol consumption on premises, requiring a minimum distance from other parlors or uses, and sanitation related regulations. The Davis County Health Department already regulates 'Body Art' separately from what the city requires. Any facilities conducting body piercing, tattooing or permanent makeup need to obtain a Davis County Body Art operating permit. This does not include ear piercing. This permit includes required bloodborne pathogen training, pre-opening inspections, application, and fee. Upon review of the Syracuse City ordinance, it was found that 'Tattoo and body piercing shops' are a permitted use only in the industrial zone. The word tattoo was not found anywhere else in the city ordinance. The City Council reviewed this item on January 23, 2024 and forwarded the item to Planning Commission for further review on February 6, 2024. The Commission is recommending that 'Tattoo and body piercing shops' not be added as a permitted use to the Business Park Zone with a vote of six to one. It was discussed, that in their opinion, the Business Park Zone should be more of an office/light industrial park zone where a tattoo parlor would be out of place.

CED Director Steele reviewed his staff memo and facilitated high level discussion among the Council and Mayor regarding the intent of the Business Park Zone and how it differs from other commercial zones in the City. The Mayor mentioned there are mechanisms in place by which a business owner can seek a zone change to a specific zoning that may allow body art studios, or pursue a code amendment when there is a desire to locate a tattoo parlor in the City. The Council ultimately reached consensus not to pursue changes to the Business Park Zone at this time.

**Planning item: Recommendation from Planning Commission regarding amendments to Section 10.92 of the Syracuse City Code pertaining to the Mixed-Use (MXD) Zone**

A staff memo from the Community and Economic Development (CED) Department explained the City Council has self-initiated an amendment to the Mixed-Use (MXD) Zone. The items under review include the minimum acreage and the percentage of commercial required in relation to the square footage of residential. The Planning Commission reviewed this item on October 17 and the City Council reviewed this item on October 24th. The Planning Commission reviewed the item again on November 7 and Planning Commission held a public hearing on December 5th and is forwarding a recommendation for approval. City Council reviewed the item again on January 23rd. A consensus was not reached, so the item has been forwarded to this meeting for additional discussion.

The Mayor opened discussion among the Council regarding the minimum acreage for Mixed-Use Zoning and commercial development in the town center overlay zone. Councilmember Savage stated that he believes the building height requirements and commercial space square footage minimums should be adjusted. The Council participated in continued discussion of these key points of the ordinance and ultimately agreed that the required percentage for commercial area in a two-story building should be 150 square feet per unit and that five acres is an appropriate minimum project acreage for a mixed-use project.

The Mayor concluded this item will move forward for a vote during the March 12 business meeting.

**Planning item: Discussion regarding possible modification to Syracuse City Code Section 8.10.090 pertaining to the fee in lieu of water shares for retail and office land uses**

A staff memo from the City Manager explained the City has an ordinance that requires property developers to dedicate water shares to the City whenever a property is being converted from an undeveloped or farming condition to a developed condition that will require pressurized secondary water from the City's system. This policy helps ensure the City has enough secondary water supply to provide all properties in the City with pressurized irrigation water. A few years ago, the City also

adopted an ordinance that allows developers to pay a fee in lieu of water shares for a percentage (currently up to a maximum of 33% of the total water share requirement). With available water shares becoming scarcer, even though actual water is available from Weber Basin, the fee-in-lieu option creates more “wobble room” in getting the required water to the City for development to move forward. The City uses the fee revenue to purchase blocks of secondary water from Weber Basin directly. The discussion for the work session centers on adjusting the minimum threshold of required water shares, based on the proposed land use associated with a development. With the City’s economic development goals of encouraging more retail, employment, and other similar land uses, the proposal is to lower the threshold of water shares vs fee for those land uses, while keeping the current ratio for other uses. Keep in mind that this still requires the same amount of water for all uses, per the existing code.

**Current Fee in Lieu Provisions**

Currently, the City allows developers to opt for a partial fee in lieu of dedication of water shares to the City under the following conditions:

1. The City can contract with a water supplier (usually Weber Basin) to obtain the water with the fee.
2. All water shares associated with the property under development have already been dedicated to the City and there is insufficient water shares to cover the requirement, and no water shares associated with that land have been sold off in the last 5 years.
3. The maximum amount of water that can be paid by fee in lieu of dedication of water shares is 33% of the total amount of required water.

**Proposed Concept**

The proposed concept would change the requirements to include the following: For all retail and office land uses, as well as industrial land uses that are widely considered to be significant job-producing land uses such as manufacturing, distribution, and flex-space:

1. The maximum amount of water that can be paid by fee in lieu of dedication of water shares is 50% of the total amount of required water.
2. The developer can opt for the fee in lieu of dedication of water whether the historical water shares of the underlying property have been sold off, dedicated to the City, or not.
3. This option would only apply if the City can contract with a water supplier to obtain the water supply.

For all other uses: The same regulations of the current ordinance apply.

The Mayor briefed the Council on how the City currently obtains water and what developers currently must provide before proceeding with a project. The Council supported the proposed concept included in the staff memo and the Mayor concluded the matter can proceed through the process for action. The item will be forwarded to the Planning Commission for a formal recommendation.

**Planning item: Discussion regarding possible modification to Syracuse City Code Section 10.30.020 pertaining to interior garage protrusions**

Community and Economic Development (CED) Department explained the City Council has self-initiated a review of the city's ordinances related to garage dimensions. Currently the city ordinance requires all single-family homes to have a two-car garage. It says that garages have to be 400 sq feet and at least 20 feet wide. Also, the parking ordinance determines how many parking stalls are required per unit for the various land uses. Single family homes require two stalls per unit. The ordinance defines a parking stall as being 9' x 20'. It does not specify that those stalls must be provided interior to the garage. It also does not specifically prohibit stairways or water heaters etc. from protruding into the garage space. In these circumstances, the remaining garage space would not meet the required dimensions to be counted as a parking stall because the stall is less than 9'x20'. However, most units provide parking in the driveway leading to the garage, which would satisfy the two-stall requirement. Parking is checked with each building permit's site plan.

The Mayor facilitated discussion among the Council regarding the possible modification to interior garage protrusions. The discussion centered around the two-stall parking requirement that the City has in place and the necessity to ensure garage minimum square footages will provide for the parking of two vehicles; protrusions must be considered in the calculation of minimum garage sizes. The Council indicated they are supportive of the proposed code amendment so long as it only applies to new construction and will not be imposed retroactively on existing housing projects.

Mayor Maughan indicated this item will be forwarded to the Planning Commission for a formal recommendation.

**Planning item: Continued discussion - request for Redevelopment Agency (RDA) incentive for flex/industrial project located near State Road (SR) 193 and 1000 West**

A staff memo from the Community and Economic Development (CED) Department explained The City has been approached by the developer of the flex industrial project located near SR 193 and 1000 W. They desire to add a driveway approach directly onto SR 193. Being a state highway, UDOT dictates the required construction specifications for all

modifications to the facility. UDOT has required, per the SR 193 access agreement, that a center median be constructed between 1550 W and 1000 W that would restrict access to a right in right out and prevent wrong way traffic. The developer is requesting assistance from the city RDA for the portion of the median that is not adjacent to their property. The requested amount comes to \$137,480.33. The benefits of adding an entrance to the project area that is currently at the end of a cul-de-sac include: more convenient access for patrons of existing and future businesses, increased types of businesses that can lease the building, and improved emergency response. This project is within the SR 193 EDA. The City Council acts as the Redevelopment Agency (RDA) board. Any incentive agreement must be approved by the RDA. Potential terms of the incentive agreement include:

- Option 1: Agree to reimburse the developer in full upon completion of the improvements. This would require borrowing from other project areas within the RDA. It is legal to borrow between project areas, but it does have to be paid back. According to some rough estimates, the project would generate approximately \$31k per year in property taxes. It would take about 4.3 years to pay back the loan. There are only 4 years left on the EDA project area. It doesn't appear that the loan would be able to be paid off from only the future building's property taxes before the project area expires.
- Option 2: Agree to reimburse the developer from future property tax payments. After the proposed buildings are completed and begin paying property taxes, the RDA could then divert those taxes attributable to the new buildings back to the developer. The project area expires in 2028. Assuming the buildings are completed in 2024 and pay full taxes in 2025, 2026, 2027, and 2028, that would total approximately \$125,668.

Mayor Maughan indicated this request is for the City to pay for the median with a right in and right-out access point to the site. The Council discussed the request and expressed support for providing an incentive for the improvements. Mayor Maughan indicated a special RDA meeting will be held on March 12 to take action on an incentive reimbursement agreement.

**Planning item: Continued discussion – request for Redevelopment Agency (RDA) incentive for flex/industrial project near Antelope Drive and Bluff Ridge Road.**

A memo from the Community and Economic Development (CED) Department explained the City has been approached by the developer of the flex industrial project located near Antelope Drive and Bluff Ridge Dr. They desire to build a new industrial building and lease it to a new business, reportedly a landscaping contractor. The proposed building site is nestled across from an overhead power corridor. Buildings are not allowed to be constructed below power lines, thus forcing the building location. The remote location is inflating the cost of extending utilities to the building, making it expensive for the developer to build on the site without financial subsidy. The developer is requesting assistance from the city RDA for the extra length in utilities. The requested amount is \$281,840.32. The benefits of adding a new building in an otherwise unbuildable location is: increased local jobs, adding a new business service closer to our residents, and increased property taxes from a new building. This project is within the 750 W RDA. The city council acts as the Redevelopment Agency (RDA) board. Any incentive agreement must be approved by the RDA. Potential terms of the incentive agreement include:

- Option 1: Agree to reimburse the developer in full upon completion of the improvements.
- Option 2: Agree to reimburse the developer from future property tax payments. After the proposed buildings are completed and begin paying property taxes, the RDA could then divert those taxes attributable to the new buildings back to the developer. The project area expires in 2031.

Mayor Maughan facilitated brief discussion among the Council regarding the option they would be comfortable with, and the Council ultimately decided on option two. Mayor Maughan indicated a special RDA meeting will be held on March 12 to take action on an incentive reimbursement agreement.

**Discussion regarding Wildland Fire program and adjustments to staffing structure/wage scale relative to the program**

A staff memo from the Fire Department Chief explained this discussion relates to adding a Seasonal Wildland Fire Engine Boss to the list of available positions, as well as making changes to the Administrative Assistant and Administrative Professional job titles:

- **Wildland Fire Engine Boss (Engine Crew Supervisor)** - Syracuse Fire currently does not have certified engine bosses (engine crew supervisors) that are able to deploy on wildland fire incidents, which leaves us unable to participate in this year's wildland fire season. For us to send units on a wildland fire incident, it typically requires a minimum of two people, one of which must be a certified engine boss. To become an engine boss, It requires additional certification classes as well as the completion of a task book. The task book requires that an individual is monitored and evaluated for specific tasks on a live wildfire incident. This process could take up to two years to complete. We have two individuals in our department that have shown interest in attaining their Engine Boss certification, however, this process will be time consuming and will not allow us to respond to wildfire incidents this upcoming year. An option worth exploring is to add a seasonal engine boss to the wage scale and hire a certified individual for this upcoming year. The proposed

wage scale is approximately \$29.00 – \$44.00 per hour. This scale matches the State of Utah’s current opening for an Engine Crew Supervisor and would make us competitive with the market to attract qualified applicants.

- **Administrative Assistant and Administrative Professional** - The City utilizes two different titles across multiple departments for administrative positions. One is an Administrative Assistant and the other is Administrative Professional. Historically, the Administrative Assistant title was reserved for part-time positions while the Administrative Professional was reserved for full-time positions. In practice, however, both of these positions are being assigned similar duties. The proposal is to eliminate both the Administrative Assistant and Administrative Professional title and replace it with an Administrative Professional 1 and Administrative Professional 2 titles. This is a similar system to several other positions in the City and recognizes that the assigned tasks are similar enough to have the same title. The 1 and 2 levels, again, are similar to other positions in the City and recognize relatively less experienced-level employees from more experienced/proficient-level employees. The benchmark comparisons for wages of the new titles will be the same as the old titles, so this is primarily an improvement in administrative matters only.

City Manager Bovero reviewed the staff memo and explained if this is something the Council wants to move forward with, staff can include an item on the March 12 business meeting agenda for action.

Councilmember Watson asked what the City will gain in revenue and if that will be sufficient to offset these staffing costs. Fire Chief Byington explained that the State of Utah reimburses the City for the wages and benefits for the people that are assigned and dispatched to wildland fires; the City is also reimbursed at an hourly rate for the type of vehicle that is used along with fuel and food at a per diem rate. Chief Byington explained that in 2023, the City received approximately \$120,000 in revenue. It can take up to two years to complete necessary training to function in the wildland fire program.

The Mayor and Council engaged in high level discussion with Chief Byington regarding the makeup of his Department and responsibilities assigned to various staff positions; they ultimately concluded to support the proposed adjustments to the staffing structure and wage scale in support of a Wildland Fire Program.

### **Parks & Recreation biennial review**

Parks and Recreation Director Robinson and Assistant Director Smout used the aid of a PowerPoint presentation to facilitate the biennial review for the Parks and Recreation Department. The presentation focused on the efforts to comply with the Departments vision statements, program participation numbers, and staffing. There was a focus on the tackle football program explaining that the numbers have declined along with the cost of equipment. The Parks and Recreation department decided to see how this following season goes with tackle football and then they will reevaluate, with the possibility of suspending the program. There was also a discussion on looking at the Trails Master plan and creating a Community Center Master Plan along with fixing the HVAC system at the Community Center.

The Council thanked Ms. Robinson and Mr. Smout for the valuable information provided.

### **Follow-up discussion regarding items presented at the February 9, 2024 City Council Goals Retreat**

A staff memo from the City Manager listed items prioritized by the Council during their recent City Council Goals Retreat:

#### **Key Points and Issues**

The outline shows which items have received support from the Council up to this point. Some key points to consider include:

1. Staffing and equipment for Station 32 is among the top priorities, however it also ranked high in the Council’s willingness to partially fund the full staffing. More discussion is recommended on this issue in order to explore options on how that can be accomplished.
2. Funding the 5-Yr Parks Projects seems to be the priority for both RAP Tax funds and Park Impact Fee revenue, placing Phase 1 Regional Park and Cemetery Expansion in 2nd and 3rd priorities. The Regional Park Phase 1 project was among the top choices for partial funding. There are some unique issues with the school district’s willingness to partner with the City on the Regional Park project, so it is recommended that more discussion take place to explore options.
3. All efforts to support the commercial development of Antelope and 3000 W and improvements to that area consistently ranked among the top priorities.
4. Vehicles and equipment for Park & Rec and Public Works were among the top priorities for capital and utility funds, however park maintenance staffing was not in the top priority. More discussion is recommended in order to line up staffing with vehicles and equipment.
5. Other issues that need to be addressed, despite not ranking in the top priorities include the start-up of a recycling program as required by Wasatch Integrated, and the funding of the City’s 5-yr road and infrastructure plan.

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The Mayor stated he would like to assign some tasks to Councilmembers and he asked them to visit with the appropriate Department Head to research programs regarding which the Council needs more information in order to make a decision. He asked Councilmember Savage if he could research different recycling options for the City and Councilmember Carver to research options for the Farmers Market.

The meeting adjourned at 8:05 p.m.

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Dave Maughan  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: March 12, 2024