

Minutes of the Work Session of the Syracuse City Council, held on March 26, 2024, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 876 2216 3820, 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
Jordan Savage
Paul Watson
Brett Cragun
Julie Robertson

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

City Employees Present: Parks & Recreation Director Kresta Robinson
Administrative Services Director Stephen Marshall
City Attorney Colin Winchester
Fire Chief Aaron Byington
Assistant Police Chief Austin Anderson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele
Communications Specialist Kara Finley

The purpose of the Work Session was to receive public comments; consideration of request for fee waiver from North Davis Communities That Care; discussion regarding recycling program; discussion regarding solid waste contract with Robinson Waste Services; discussion regarding 2024 secondary watering season dates; pre-application consultation with City Council, Brad Frost of Ovation Homes; review proposed amendment to Shadow Point Shopping Center Incentive Agreement between Syracuse City Redevelopment Agency (RDA) and Shadow Point, LLC; review Ordinance 10.30.070 pertaining to street trees; discussion regarding proposal to surplus/transfer K-9 Police Service Dog; discussion regarding ordering Fire Department apparatus; discussion of proposed Personnel Policy and Procedures Manual amendments; discussion regarding Architectural Review Committee (ARC) ordinance amendments; discussion regarding proposal to eliminate Board of Adjustment and transfer the Board's duties to a hearing officer; Open and Public Meetings Act/Ethics Act training; and Discussion regarding Utah League of Cities and Towns (ULCT) Spring Conference.

Public comments

There were no public comments.

Consideration of request for fee waiver from North Davis Communities that Care

A staff memo from Administration explained that 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, depression, and suicide ideation. Each year, the CTC holds regular meetings to plan and organize their activities and events. This year, they would like to hold their key leader, committee, and evidence-based workshops and classes in City facilities and are requesting a fee waiver for the room rentals. If the Council wants to entertain this fee waiver, a public hearing will be advertised for this item, as required by state law, prior to a vote.

Application of the City's Fee Waiver, Donation, and Sponsorship Policy

The City's policy provides some options for the City to choose from. These options range from reduction of fees, donation of goods and services, to actual funds provided.

In this situation, the following options are available to the Council:

- Automatic 50% Waiver: This option is already provided for in the policy. 501(c)3 non-profit organizations may receive an automatic 50% reduction in fees, without appearing before the Council. This is not what the CTC has requested but is available to the Council.
- Fee Waiver: If an applicant requests a full fee waiver outside of the adopted policy, the City Council may do so. A public hearing is required prior to granting such waivers.

The following conditions apply to any fee waiver per City policy, unless dismissed by the Council:

- Cancellation of waiver. The City may cancel any fee waiver or deny the request of an eligible applicant based on a history of non-cooperation, uncleanliness of the event, scheduling conflicts with full-paying applicants, or conflicts with City programs.
- Deposits. Refundable deposits are required of all applicants, including those granted waivers or reductions, to ensure all clean up and safety procedures were completed by the applicant. Deposits are returned after inspection reveals that the applicants met these obligations. The City may keep all or part of the deposit if damage occurred

to the venue, or the City was required to spend additional resources on clean up. Applicants are liable for any costs above those covered by the deposit.

- Limited timeframes. In order to ensure full-paying customers have the opportunity to hold events and reserve facilities, the City will only schedule an event or reservation with a fee waiver or reduction if it is less than 6 months in advance. In this situation, even if a fee waiver applies for the whole year, the City would only schedule the room 6 months in advance.

The Mayor explained that in the past the Council has extended fee waivers through the end of the term of an existing City Council, and he recommended not extending the fee waiver longer than two years to give the next Council an opportunity to review it again. The Council showed support for the fee waiver and this item will have a public hearing and a vote at the next business meeting in April.

Discussion regarding recycling program – report from task force

A staff memo from Administration explained that the recycling task force met and discussed different options for the new mandatory recycling program. Information discussed:

- Davis Landfill Life = 18 years remaining.
- Goal to increase solid waste transfer to regional landfill.
- Goal to increase diversion of waste through recycling programs.
- Require all cities to implement mandatory recycling programs.
- Rollout by July 1, 2025, or incur \$2 per can per month fee. This fee increases to \$4 per can per month if recycling program isn't in place.
- Grant program to help purchase cans ~ \$15 per can.
- Wasatch Integrated will provide educational outreach and education materials.

The task force looked at three different options as outlined below”

Service Delivery Model A: City-Owned and Managed Recycling cans

- Upfront cost of cans = \$70 per can x 10,000 accounts = \$700,000.
- Ongoing annual cost of cans = \$70 per can x 500 = \$35,000 for new homes and replacement cans.
- Ongoing annual cost of labor (time) = We don't anticipate needing addition staff to run the program. The initial rollout of the program would require existing staff time to assemble and deliver the cans over a period of 3-6 months.
- Equipment/vehicle cost = \$80,000 for a new truck to deliver cans and help support garbage and recycling program.
- Land/space cost = no additional land is required if we can find space to store and assemble cans during the rollout period. (public works yard, park maintenance facility yard) Once the program is rolled out the storage of extra cans would be minimal, and the public works yard would store the cans.
- Estimated cost of recycling program - \$4 per household per month.

Service Delivery Model B: Contractor-Owned and Managed Recycling cans

- Annual cost estimate for bi-weekly service = \$5.50 or \$6.00 per household per month.

Service Delivery Model C: No Action – Pay Wasatch Integrated Surcharge

Annual cost of surcharge

- Fiscal Year 2026 = \$2 per can x 10, 000 cans x 12 = \$240,000 total
- Fiscal Year 2027 = \$4 per can x 10, 000 cans x 12 = \$480,000 total

Estimated timeline for Recycling Program Rollout:

The following schedule provides a high-level overview of the implementation of bundled curbside service.

Milestone	2023 Q4	2024 Q1	2024 Q2	2024 Q3	2024 Q4	2025 Q1	2025 Q2	2025 Q3	2025 Q4	2026 Q1	2026 Q2	2026 July
District Resolution	█											
District Educational Outreach		█	█	█	█	█	█	█	█	█	█	█
Update Contracts with Haulers		█	█									
Haulers Acquire Blue Bins and Equipment			█	█								
Phased Rollout Begins				█	█	█	█					
Differential Pricing Takes Effect +\$2								█	█	█	█	
Differential Pricing Takes Effect +\$4												█

Comparative of other cities Recycling Programs as compiled by Wasatch Integrated:

Member City	Recycling Fee Charged by the Hauler to the City	Recycling Participation (%)	Program Type	Hauler	Provider of Recycling Can
Kaysville	\$2.90	73%	Optional	Robinson Waste	City
Farmington	\$2.97	96%	Mandatory	Robinson Waste	City
West Bountiful	\$3.65	89%	Mandatory	Ace Disposal	City
Centerville	\$3.69	93%	Mandatory	Ace Disposal	Hauler
North Salt Lake	\$3.78	86%	Optional	Ace Disposal	City
West Point	\$4.29	77%	Mandatory	Ace Disposal	Hauler
Woods Cross	\$4.43	100%	Mandatory	Waste Management	Hauler
Sunset	\$5.23	33%	Optional	Ace Disposal	Hauler
Clearfield	\$5.48	53%	Optional	Waste Management	Hauler
Layton	\$6.51	30%	Optional	Waste Management	Hauler

Note: Ownership of recycling cans in West Point was transferred from the hauler to the city

	City Provided	Hauler Provided
Mean	\$3.33	\$4.94
Median	\$3.31	\$4.83
Min	\$2.90	\$3.69
Max	\$3.33	\$6.51

Councilmember Savage briefed the Council on the recycling program and indicated that for option A, through the States vendors the rate of their recycling cans are \$52 per can and the RFID rebate of \$15 brings the cans down to about \$37 each. Councilmember Savage stated he could reach out to the vendor to see if they would be able to send a sample of the can they provide. He then noted that for option B, through Robinson Waste, the cans would need to be paid off by the end of the contract and that would qualify as ownership of the cans.

Administrative Services Director Marshall and Councilmember Savage explained option C would go through Wasatch Integrative Services and the City would pay a surcharge.

Councilmember Savage explained that this is a bundled program and would be one line item on the utility bill, there is no option to opt out of the recycling program. The Council and Public Works Director had a high-level discussion that centered around the City owning the cans and how much workload that will add to the Public Works employees along with the need for an additional vehicle to deliver cans. There was a brief discussion about option C and the Council showed support for option A, where the City would own and manage the cans. Staff will begin looking into the State vendors for cans and bring updated information back to the Council.

Discussion regarding solid waste service contract with Robinson Waste Services.

A staff memo from the Administrative Services Director explained the City contracts with Robinson Waste Services for all curbside solid waste and green waste services. The solid waste contract is contracted through April 30, 2027. Robinson Waste Services has sent the city a letter requesting an increase of six percent. This is in excess of the consumer price index increase last calendar year of 3.2 percent. This letter along with supporting CPI details are included in the packet for your consideration. They are requested this increase to be effective May 1, 2024.

Administrative Services Director Marshall briefed the Council on his staff memo and the Consumer Price Index (CPI) Index.

Councilmember Savage asked what is driving the need for the six percent increase. Mayor Maughan invited a representative from Robinson Waste to answer Councilmember Savage's question. The representative stated that the contract gives Robinson Waste the ability to request an increase based upon the CPI; additionally, operational costs, including employee wages, have increased as well. He also stated that the CPI index that was used when the contract was signed does not capture solid waste services, so the combined CPI for water, sewer, and trash was utilized

Councilmember Cragun asked inquired as to which CPI will be used in the future. Mayor Maughan indicated there is not a defined index to be relied upon and the City chose to use the common CPI at the time of signing the agreement.

After a brief discussion the Council showed support for moving forward with this item and the Council can take action at future business meeting.

Discussion regarding 2024 Secondary watering season dates

A staff memo from the Public Works Director Whiteley explained that the mountain reservoirs are full, and it is expected to have no water reductions this season. Irrigation companies in our area are expecting to deliver full allotment of water April 15th-October 15th this year. A common water conservation message will continue from water suppliers to avoid wasteful watering. Syracuse will be operating with two reservoirs at the beginning of the season. The new reservoir is anticipated to be in service in June 2024. Heavy water use prior to the new reservoir may place a strain on the overall system.

Mr. Whiteley facilitated discussion among the Council regarding the dates the secondary water will be on and any water conservation efforts. They concluded to communicate that the secondary watering season will be May 1 to October 1, maintaining the quadrant system that was enacted last year for water schedule purposes, and allowing three days of watering per week.

Planning item G1: Application for pre-application consultation with City Council, Brad Frost of Ovation Homes.

A staff memo from the CED Director explained the City has received an application for a 'pre-application consultation' with city council from Brad Frost of Ovation Homes. The City Council approved an amendment to the general plan map for the project located approximately 2400 W and 2700 S on November 14, 2023. The General Plan map amendment included a concept plan for the proposed project. The next step in the entitlement process is the rezone/preliminary plan stage of development. Between the concept plan and preliminary plan, the project plan has been refined, and the applicant desires to present those changes to council tonight prior to formally applying for the rezone.

Mayor Maughan invited Brad Frost to participate in the meeting. Mr. Frost played a short video providing an explanation of the desired project; he indicated he wants to create a connective subdivision with enough open space to make it usable by the people who live there. There is a mile long walking path with specially designed outdoor equipment for 55 and older adults.

Mayor Maughan indicated that the only action that has been taken regarding the subject property is a General Plan map amendment.

Councilmember Savage showed concern over the lack of a club house or community center, and he noted this was a concern the last time the Council discussed development of this property. Mr. Frost stated that he usually does not include a club house in this type of project because they are a burden on the Homeowners Association (HOA) and there is not significant market demand for such an amenity.

Mayor Maughan expressed concern regarding shared driveways, and he communicated the need for sufficient parking with the assumption that more than one resident will have a guest over at the same time. If someone has a regular caregiver, they will need to have somewhere to park. Mr. Frost stated that he has not experienced any problems associated with the shared driveways and parking accommodations in his other subdivisions, and this project would include a 26 to 28-foot-wide road.

The Council thanked Mr. Frost and the Mayor indicated this will be on a future meeting agenda for the Council to review and discuss.

Planning item G2: Proposed Amendment to Shadow Point Shopping Center Incentive Agreement between the Syracuse City Redevelopment Agency (RDA) and Shadow Point, LLC

A staff memo from the CED Director explained that the City entered into an RDA incentive agreement with Shadow Point LLC on March 20, 2020. The purpose of the incentive was to facilitate the construction of a large gym facility. The developer was to build a gym of at least 40,000 square feet, with a lap pool 25 yards long, half-court indoor basketball, sauna, hot tub, and childcare facilities. The City RDA agreed to return 75% of the property tax that the Agency receives from the project to the developer. The City agreed to such terms because it is believed that the construction of such a facility will breathe life into the shopping center that has struggled. Vacancy and turnover rates have historically been high at the property. The anchor tenant of the center was never built, and the gym, while not a traditional retail anchor tenant, is believed to increase traffic to the center. It is anticipated that the added traffic will benefit the surrounding businesses and encourage development of the adjacent out parcel pads. Unfortunately, the project was delayed by covid, which heavily affected gyms and other businesses that rely on in-person participation. After covid there was an increase in labor costs, material costs, financing interest rates, and other factors that added difficulty in delivering the project. Nevertheless, the developer was successful in getting site plan and building permit approval within two years of the agreement's execution as required in 6.1.2 of the agreement. After four years, the project still has not begun construction. The developer has requested from the City RDA to amend the agreement in two areas that reportedly will help get the project off the ground:

1. Additional time to complete the building. The requested completion and gym opening date deadline is January 1, 2026. If the project is not completed by this date the agreement will be terminated.
2. An increased property tax rebate. The developer is requesting 100% of the property taxes attributable to the project. Currently the city has agreed to 75% of the property tax until 2041. With an assumed assted value of 7.2 million, the building would pay about \$74,000 dollars in property taxes per year. The CDA receives only 60% of the property taxes so an estimated \$44,000 per year from the building would go to the RDA.

The two payment scenarios of 75% and 100% are as follows:

- 100% of the 60% assuming an annual payment of \$44,379.36 from 2026-2041 is approximately \$710,069.76
- 75% of the 60% assuming an annual payment of \$33,284.52 from 2026-2041 is approximately \$532,552.32.

The difference between the two scenarios is approximately \$11,094.84 per year or \$177,517.44 over 15 years.

CED Director Steele reviewed his staff memo and indicated the developer believes approval of the contract amendment will make it possible for the project to move forward. There was a high-level discussion between the Council and CED Director that centered around adding to the contract a start date for construction. Mr. Steele indicated that the previously approved building permit has expired, and the City now uses a new Building Code so the plans would need to be reviewed again and the developer still has things they need to do before they can start on those efforts. He asked the Council to consider a realistic start date to be included in the agreement.

The Mayor asked staff to reach out to the actual party that will be building and ask when they believe they will be able to break ground and have a start date. Once that information is received this will come back to the Council to review and possible action in a future meeting.

Planning item G3: Review/discussion of Syracuse City Ordinance 10.30.070 pertaining to street trees

A staff memo from Administration explained that Councilmember Savage emailed the Mayor, Council, and staff expressing concerns regarding the City’s street tree ordinance.

Councilmember Savage explained that this is a restrictive ordinance that the City is not enforcing. The Council had a high-level discussion that centered around the street trees ordinance and the need to revise the entire ordinance and enforcing the ordinance.

The Mayor indicated that the Council could refer this matter to the Planning Commission for a recommendation. The Council mentioned they would like the Planning Commission to consider spacing of trees, get the input from a forester, and create an ordinance that the City and code enforcement will be willing to enforce. The Council showed support for sending this to Planning Commission.

Discussion regarding proposal to surplus/transfer of K-9 Police Service Dog

A staff memo from the Police Chief explained that PSD Jax joined Syracuse Police Department in May 2021. Colin Handy has been the handler for PSD Jax since January 2022 when the former handler left suddenly to join another department. During their time together Colin served as a Sergeant in the Patrol division. Colin was promoted to Lieutenant on March 1, 2024 and will serve as commander over the Patrol division. Having a K9 assigned to a member of rank is not ideal because of increased supervisory and administrative duties. These duties limit the use of the K9, and the significant training demands take the handler away from these duties for up to 16 hours per month. Our K9 deployments have been on a steady decline since 2018. There are some justifications for the decline. First, 2020 and 2021 dealt with COVID-related issues. Second, we took surplus action on PSD Riggs in May of 2023. Third, PSD Jax contracted heartworm in August 2023 further reducing his deployment availability.

	2018	2019	2020	2021	2022	2023
K9 Activities	157	137	75	63	53	32
K9 Deployments in Syracuse	86	87	20	16	17	10
K9 Deployments for other jurisdictions	71	50	55	47	36	22
Narcotics Finds	68	71	30	12	7	4

Chief Atkin conducted an assessment of the Department’s Comparison Market Entities as outlined in the City’s Recruitment and Retention policy. Currently, only Roy PD, Layton PD, and the Davis County Sheriff’s Office have narcotics detection or Patrol use K9 teams; they have two, two, and four respectively. There are no members of Syracuse Police Department who are both interested in and eligible to be a K9 handler. The City obtained PSD Jax and most of the related equipment through the use of beer tax funds. Chief Atkin seeks approval from the Council to allow him to surplus PSD Jax to another law enforcement agency in Utah.

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

Discussion regarding ordering Fire Department apparatus

A staff memo from The Fire Chief Byington explained to maintain operational readiness and to provide safe and reliable emergency equipment, Syracuse City plans and budgets for the replacement of fire department apparatus on a pre-determined schedule of 20 years for fire engines and 10 years for ambulances. The oldest engine in our fleet is a 2008 Pierce, and our oldest ambulance is a 2015 Horton, with replacements scheduled for 2028 and 2025 respectively. Due to factors beyond our control, current lead times for fire engine purchases are up to 42 months, and ambulances are up to 24 months, requiring us to begin the ordering process sooner than anticipated. The apparatus will be ordered following Syracuse City Purchasing Policy. The purchase price will be locked in at the time of the contract, and payment will not be required until delivery.

Chief Byington discussed lead times with manufacturers and indicated in order to replace the 2008 engine and have it for 2028, he would need to order now. He explained that the City could order now and pay upon delivery and the City would be locked into the price.

There was a brief discussion about when the City would need to order the apparatus and Mayor Maughan asked the Council if this item could be pushed back to the May business meeting in order for the group to have time to discuss the matter in greater detail during the upcoming budget retreat meeting. If the Council wishes to proceed after the budget retreat, the matter can be voted upon during a business meeting in May.

Discussion of proposed Personnel Policy and Procedures Manual amendments

A staff memo from the Administrative Services Director explained Periodically City Administration and Department Heads propose changes to the personnel policies and procedures manual. It has been a year since our last update, and we have several proposed changes. Here is a summary of the edits:

Summary of Redline Edits:

- 5.080 (e) – Changes to Interim Appointment to clarify intent of policy and to remove administrative burden.
- 7.080 (c) – Change to language to clarify this policy is not for post-retired employees.
- 7.150 – Change to policy to tighten up and clarify intent of policy.

8.100 (g) (4) – Fixing grammar typo

8.110 – Removed unnecessary references to outside laws as they change from time to time requiring a change to policy. Changed policy reference to correct policy section.

9.190 – Added language for process required when an outside person will be sharing a video of presentation at a city/employee event.

15.010 (g) – added a couple of positions that are required to have annual background checks to the list.

15.030 – MVR records only show last 3 years of data unless it's a DUI. So changed language to reflect that we will look at the prior 3 years of MVR data rather than 5, unless it's a DUI.

19.010 (g) (1) – added language to say we will only pay the lesser value of traveling back and forth or hotel accommodations.

19.020 – Added policy to standardize when employees are paid while attending trainings and conferences.

The Council briefly discussed the proposed amendments with the Administrative Services Director, and they concluded to move this item forward to the next business meeting.

Discussion regarding Architectural Review Committee (ARC) ordinance amendments.

A staff memo Administration explained that the code provisions that establish and govern the ARC are found in the land use ordinance (Title 10). Other boards and committees each have their own chapters in Title 3. It is proposed the current ARC provisions in Title 10 be repealed and that a new ARC chapter be created in Title 3. It is also proposed that the new ARC chapter in Title 3 contain more detail than the current bare-bones provisions in Title 10.

City Attorney Winchester reviewed the staff memo and stated that the concern was that there are no term limits for members appointed to the ARC. The proposal is to move the language governing the ARC out of the land use ordinance and to provide term limits of five years. Mayor Maughan expressed support for the amendments, but suggested the term limits be four years rather than five.

The Council was comfortable with the outlined amendments and this item will be available for action in a future business meeting.

Discussion regarding proposal to eliminate Board of Adjustment and transfer the Board's duties to a hearing officer.

A staff memo from Administration explained It is proposed that the Board of Adjustment be eliminated and that its duties be transferred to the Hearing Officer. The City Council has by ordinance created a Board of Adjustment. The Board consists of five members, each of whom serves a staggered five-year term. One member is appointed annually by the Mayor with the advice and consent of the City Council. State law defines a land use authority as “a person, board, commission, agency, or body ... designated by the local legislative body to act upon a land use application.” The City Council has by ordinance designated the Board as the land use authority to hear and decide petitions for variances. State law also requires each municipality that has a land use ordinance to designate one or more appeal authorities. The City Council has by ordinance designated both the Board and the City Council as appeal authorities to hear and decide appeals from administrative land use decisions. The Hearing Officer, who is appointed by the Mayor with the advice and consent of the City Council, currently hears appeals from:

- notices of violation and civil citations issued by the code enforcement officer
- the imposition of hazardous material cleanup expenses
- parking violations
- water-wasting citations or water-wasting shut-off notices
- sewer violation citations or sewer shut-off notices

If the proposal is approved:

- Current members of the Board will be released, and current vacancies will not be filled
- Title 3 Chapter 3, entitled Board of Adjustment, will be repealed
- Throughout the City Code, “Board of Adjustment” will be replaced with “Hearing Officer”
- The Hearing Officer will, in addition to the appeals listed above, hear and decide petitions for variances and appeals from administrative land use decisions.

The Mayor briefed the Council on the staff memo and indicated that the main goal of the Board of Adjustments is to look at variances and it is best to let a hearing officer look at those because that individual is able to remain impartial. Additionally, the Board of Adjustments is rarely used, and it is more efficient to assign their duties to a hearing officer.

The Council felt comfortable with the proposal and the Mayor directed staff to schedule action on the item for April 9.

Open and Public Meetings Act/Ethics Act training

City Attorney Winchester used the aid of a PowerPoint presentation to provide the annually required training regarding the Open and Public Meetings Act (OPMA). He also included the new legislation updates for 2024.

Discussion regarding Utah League of Cities and Towns (ULCT) Spring conference.

The Mayor indicated he requested this discussion item to see if there were any City Councilmembers interested in attending the Utah League of Cities and Towns (ULCT) Spring conference. There was a brief discussion about the Utah League of Cities and Towns conferences and giving the Council the option to attend.

The meeting adjourned at 8:15 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: April 9, 2024