

Minutes of the Regular Meeting of the Syracuse City Council, held on September 10, 2024, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 883 7680 8099, 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: Jennifer Carver
Brett Cragun
Julie Robertson
Jordan Savage
Paul Watson

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Brown

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Colin Winchester
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele
Communications Specialist Kara Finley

1. Meeting Called to Order/Adopt Agenda

Mayor Maughan 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.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED AYE.

2. Public Comment:

Danny Hammon addressed agenda item seven, for which he is the applicant. He plans to continue to live in his home for up to three more years and he is invested in ensuring that the development of the property he is selling is high quality and will make a positive contribution to the neighborhood. Additionally, the developer he has selected to sell his property to is a great developer who cares about the communities he builds in. He has provided a few different conceptual plans for the property, both of which include a cul-de-sac and appropriate lot spacing. He referenced the discussion the Mayor and Council had during their August 27 work session meeting regarding his application and noted that he does not believe that approval of his application will set a negative precedent for future applications. He expressed willingness to accept a condition on the approval of his zoning request that the density of the development be no greater than 12 lots.

Rob Johnston stated that he has built 23 homes around the Glen Eagle Golf Course, and he is invested in the area, as Mr. Hammon mentioned. He acknowledged the concerns of the residents as well as the Planning Commission regarding the specifics of the development of the Hammon property. He understands people are opposed to spot zoning, but for infill development, spot zoning may be appropriate. The Hammon property can be developed in a meaningful, high-quality way under the Residential R-3 zoning designation. He stated that he supports Mr. Hammon's recommended of a condition of approval that would restrict the density of the project under the R-3 zone.

Mike Lambert stated he is running as the unaffiliated bi-partisan candidate for the Davis County Commission. He wished to introduce himself to local elected officials and citizens and discussed his concerns about the increasing divisiveness and polarization of politics and he wants to put differences aside to work with other elected officials to work for the betterment of Davis County. He discussed his personal and professional background and encouraged residents to get involved and educate themselves about the issues facing Davis County in the immediate future.

3. Approval of Minutes

The following minutes were reviewed by the City Council: August 13, 2024 Truth in Taxation Hearing, August 13, 2024 City Council Business Meeting, August 13, 2024 Special Redevelopment Agency Meeting, and August 27, 2024 City Council Work Session.

COUNCILMEMBER CARVER MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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4. Proposed Resolution R24-34 appointing Bradley Hamblin to the Syracuse City Arts Council.

Arts Council leadership has requested the appointment of Bradley Hamblin to the Arts Council Board. The proposed term of expiration is June of 2028.

“3.45.020(D) Terms of Office. The terms of office for Board members, who are not members of the Recreation Department, shall be four years. These members’ terms shall be staggered so that no more than 25 percent of the members’ terms expire at the same time. The term of office for the Recreation Department staff designated as a member of the Board should be as determined by the Department Director. Appointments to the Board should be made no later than the first City Council meeting in September of each year and shall be filled as quickly as practicable when a vacancy arises due to resignation. In circumstances where appointments are not made prior to the first City Council meeting in September of each year, said appointments shall be made as soon as reasonably possible thereafter.”

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT RESOLUTION R24-34 APPOINTING BRADLEY HAMBLIN TO THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Proposed Ordinance 2024-19 amending the Syracuse City Zoning Map for approximately 0.75 acres of real property located at approximately 2751 S. 1000 W. from Agricultural (A-1) to Professional Office (PO), applicant Whipple Point, LLC.

A staff memo from the Community Economic Development (CED) Department explained that the City has received an application from Whipple Point LLC to rezone approximately .75 acres located at approximately 2751 S. 1000 W., from Agricultural (A-1) to Professional Office (PO). The applicant is working on behalf of the property owner, Earthworks Landscaping LLC. The current zoning of A-1 is a relic of times past in the City where zoning was less detailed in nature. Earthworks has been working under a 'grandfathered' zoning situation: a landscaping business is not listed as a permitted use in the A-1 zone. However, a contracting type of business has maintained a continued operation at the subject property for many years, thus the grandfathered status. Earthworks is planning to move to a new location without residential neighbors nearby and Whipple Point is planning on leasing the building. Whipple Point plans on running a disabled adult day program out of the property. A description of their business has been provided by the applicant and is attached to this report. This type of use would not fall under the grandfathered contractor use, or match any of the permitted uses in the A-1 zone, for this reason a rezone is necessary. From the description, it appears that the Professional Office Zone' '(I) Professional Non-Retail Services' could capture the desired use. The General Plan for the site is 'Commercial'. The PO zone is in conformance with the Commercial designation on the General Plan map. If the zoning map were amended to PO, it would match the zoning of the property across the street. Establishing a PO zoning will limit the current and future uses of the property to those listed in the zoning language. The purpose language of the PO zone indicates that the intent of the zone is to promote a quiet environment for business and to provide a buffer to neighboring residential neighborhoods. A rezone is a matter of legislative discretion by the City Council and not controlled by any one standard. A public hearing and recommendation from Planning Commission is required before the Council can act on the application. The Planning Commission held a public hearing and discussed the item on July 16, 2024, after which they voted unanimously (six to zero) to forward a recommendation of approval to the City Council.

CED Director Steele reviewed the staff memo.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT ORDINANCE 2024-19 AMENDING THE SYRACUSE CITY ZONING MAP FOR APPROXIMATELY 0.75 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 2751 S. 1000 W. FROM AGRICULTURAL (A-1) TO PROFESSIONAL OFFICE (PO), APPLICANT WHIPPLE POINT, LLC. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Proposed Ordinance 2024-20 amending the Syracuse City Zoning Map for approximately 1.5 acres of real property located at approximately 1569 S. 2500 W. from Residential (R-1) to Residential (R-3), applicant Roberto Quiroz.

A staff memo from the Community Economic Development (CED) Department explained the City has received an application from Roberto Quiroz to rezone approximately 1.5 acres located at approximately 1568 S. 2500 W., from Residential R-1 to Residential R-3. The R-1 zone requires a minimum of 100-foot lot width, 25-foot front yard, 10-foot side yard, and a 30-foot rear yard. The minimum lot size in R-1 is 12,000 sf. The R-3 lot width in contrast allows for a minimum lot width of 80 feet, 25-foot front yard, 8-foot side yard, and a rear yard of 20 feet. Minimum lot size in the R-3 is 8,000 square feet. The applicant's property is approximately 156' wide and the applicant desires to subdivide his property into two

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lots. Even after this rezone, the applicant would not have enough lot width to accommodate two 80-foot lots as required in the R-3 zone; the applicant is about 4 feet short and the City does not allow flag lots, meaning every lot is required to have frontage to a public road. The General Plan for the area is 'Low Density Residential'. Both R-1 and R-3 would be in conformance with the Low Density Residential general plan designation. If the zoning map were amended, it would become an island of R-3, surrounded by R-1 on the north, south, west, and partially on the east. The movie theatre commercial complex to the southeast of the property is zoned General Commercial. A rezone is a matter of legislative discretion by the City Council and not controlled by any one standard. A public hearing and recommendation from Planning Commission is required before the Council can act on the application. The Planning Commission held a public hearing and discussed the item on July 16, 2024, after which they voted unanimously (six to zero) to forward a recommendation of denial to the City Council.

CED Director Steele reviewed the staff memo.

COUNCILMEMBER CARVER MADE A MOTION TO REJECT ORDINANCE 2024-20 AMENDING THE SYRACUSE CITY ZONING MAP FOR APPROXIMATELY 1.5 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 1569 S. 2500 W. FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-3), APPLICANT ROBERTO QUIROZ. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

7. Proposed Ordinance 2024-21 amending the Syracuse City Zoning Map for approximately 4.6 acres of real property located at approximately 3800 W. Hammon Lane from Agricultural (A-1) and Residential (R-1) to Residential (R-3), applicant Daniel Hammon.

A staff memo from the Community and Economic Development (CED) Department explained the City has received an application from Daniel Hammon to rezone approximately 4.6 acres of land from Agricultural A-1 and Residential R-1 to Residential R-3. The approximate address is 3800 West Hammon Lane. The applicant intends to sell the land for a subdivision if the rezone is successful and has explained that the reason for the requested R-3 is because of the smaller setbacks of the R-3 would allow for larger homes to fit on each lot. Subdivision plans are not required with a rezone and the specifics of a lot layout and design would be presented during a future subdivision application to Planning Commission. The property is the last remaining agricultural land that was once part of a larger family-owned farm. The proposal includes two parcels: the western parcel is approximately 3.4 acres and is zoned R-1 and the second parcel is lot 104 of Hammon Acres Subdivision; it is 1.2 acres, and is zoned A-1. Hammon Acres subdivision was recorded March of 2013. The property sits north of hole number 5 on the Glen Eagle Golf Course and is general planned for 'Low Density Residential' which would allow an R-3 zone. As far as current zoning, the property is mostly surrounded by R-2 zoning. There is a patch of small lot R-4 homes in the Crofter's Cove Cluster Subdivision to the southeast. To the northwest, there is an R-3 development called Criddle Farms. The golf course is zoned A-1. Amendments to the zoning map require a public hearing and recommendation from Planning Commission, which was completed August 20, 2024. The Planning Commission is forwarding a conditional recommendation for approval with a vote of four to two; the recommended condition of approval is that the applicant provide a high-level feasibility study outlining how the project will provide adequate drainage to the new homes and to surrounding existing homes. The study was performed by the applicant and was included in the information packet for the meeting.

CED Director Steele reviewed his staff memo.

Mayor Maughan acknowledged Mr. Hammon's comments during tonight's public comment meeting; he added an additional option that was discussed by the Council during the August 27 work session was assignment of the R-2 zoning rather than R-3. Councilmember Carver stated that she agrees with Mr. Hammon's recommendation to approve the R-3 zoning, but to limit density to a defined number of lots. Councilmember Savage agreed and stated it would be good to document that condition rather than rely upon the applicant's communication that he will not develop more than 12 lots. Mr. Steele stated that there are other instances in the City where density has been restricted; the goal of this application would be to secure the density that would be allowed in the R-2 zone, but to allow setbacks and other development standards allowed in the R-3 zone. Councilmember Watson stated he is comfortable with a motion that would make that possible.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT ORDINANCE 2024-21 AMENDING THE SYRACUSE CITY ZONING MAP FOR APPROXIMATELY 4.6 ACRES OF REAL PROPERTY LOCATED AT APPROXIMATELY 3800 W. HAMMON LANE FROM AGRICULTURAL (A-1) AND RESIDENTIAL (R-1) TO RESIDENTIAL (R-3), WITH THE CONDITION THAT THE DENSITY OF THE PROJECT WILL BE IN LINE WITH THE DENSITY ALLOWED IN THE R-2 ZONE, BUT SETBACKS IN ALLOWED IN THE R-3 ZONE WILL BE IMPOSED. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Proposed Ordinance 2024-22 amending Syracuse City Code Section 4.50 pertaining to residential household and green waste containers.

A staff memo from the Administrative Services Director explained City Administration proposes to amend Section 4.50 the City Code concerning residential household waste containers. The proposal would add the following language to restrict the use of commercial dumpsters:

- Approved residential household and green waste containers shall consist of 90 - or 100- gallon recycling containers constructed from cross-linked, high-density polyethylene, or equivalent, designed specifically for automated collection equipped with wheels for easy movement by residential users and containing permanently attached, tight-fitting lids, or as approved by the City.
- (B) Commercial Dumpsters larger than 100 gallons shall not be allowed in residential zones for normal residential waste collection. Exceptions to this policy may include:
 - (1) Dumpsters may be used on a temporary basis to remove extra household waste. The use shall not exceed fourteen days in a six-month period.
 - (2) Construction of new residential units or remodeling of existing home as approved with a building permit.

There are currently a few residential units that are using commercial dumpsters as part their home business; this practice creates a nuisance in residential areas as well as impacts the efficient pickup of residential waste.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT ORDINANCE 2024-22 AMENDING SYRACUSE CITY CODE SECTION 4.50 PERTAINING TO RESIDENTIAL HOUSEHOLD AND GREEN WASTE CONTAINERS. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Proposed Resolution R24-35 authorizing the creation and implementation of the Contractor Post-Project Report Card Policy.

A staff memo from the Administrative Services Director explained Utah state law generally requires public agencies to select the "lowest responsible bidder" for public projects. This requirement is part of the state's procurement code, which is designed to ensure that public funds are used efficiently while also ensuring fair competition among contractors. According to Utah Code Title 63G, Chapter 6a (Utah Procurement Code), public entities must award contracts to the "lowest responsive and responsible bidder". However, being the lowest bidder alone does not guarantee a contract award. The bidder must also be "responsible," meaning they must have the capability, integrity, and reliability to perform the contract requirements.

This means that public agencies in Utah are required to consider both the price and the bidder's ability to fulfill the contract effectively when awarding contracts. If a bidder is deemed not responsible, the agency may choose the next lowest responsible bidder. If the City were to deem a bidder to be not responsible, it would need substantive reasons to withstand a challenge by the denied bidder. The attached proposed policy is aimed at assisting the city with evaluating bids, as well as provide good communication and feedback to contractors in order to improve performance and efficiency on projects.

The memo summarized the proposed policy as follows:

- **Purpose:** The Contractor Post-Project Report Card (PPRC) Policy establishes a standardized process for evaluating contractor performance after project completion. Its primary aims are to ensure accountability, enhance service quality, and assist in future contractor selection.
- **Scope:** This policy applies to contracts:
 - Acquired through competitive bids or RFPs.
 - Multi-year service agreements.
 - Any contract over \$100,000.
- **Responsibilities:**
- **City Manager:** Ensures policy compliance and that the policy meets the objectives of the city.
- **Assistant City Manager:** Manages the evaluation process and selects Evaluation Committee members if multiple departments are involved.
- **Assigned Project Manager:** Leads the evaluation for each project.
- **Department Heads:** Ensures staff follows through with evaluations, may participate in the Evaluation Committee, and selects committee members when only one department is involved.
- **Evaluation Criteria:** Contractor performance is assessed on:
 - Quality of Work
 - Cost Control
 - Safety
 - Communication and Cooperation
 - Compliance with Regulations
 - Grades are assigned based on a 1 to 5 scale, with overall performance resulting in a letter grade.
- **Evaluation Process:** Evaluations are collected, compiled, and reviewed by the Evaluation Committee, leading to a final report card. This report is shared with relevant parties and filed for future reference.
- **Impact on Future Contracts:** Report card grades influence future contract awards, with adjustments made to bid prices based on past performance. Poor performance may result in disqualification.
- **Appeals:** Contractors can appeal their evaluations within 30 days, with the final decision made by the City Manager.

- **Continuous Improvement:** The policy will be updated based on feedback to ensure its effectiveness.

Councilmember Savage stated he is supportive of the intention of this policy. Councilmember Carver and Mayor Maughan agreed.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT RESOLUTION R24-35 AUTHORIZING THE CREATION AND IMPLEMENTATION OF THE CONTRACTOR POST-PROJECT REPORT CARD POLICY. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED IN FAVOR.

10. Proposed Resolution R24-36 amending the Syracuse City Recruitment and Retention Policy by adjusting the wage benchmark schedules for City Departments.

A staff memo from the Administrative Services Director explained this agenda item is to vote on an amendment to the City's current schedule for benchmarking employee wages against other cities. The proposed adjustment aims to create a more balanced distribution of costs across the two-year cycle, thereby making it easier and more digestible to accommodate in the annual budget. As it stands, the city conducts wage benchmarking according to the following schedule:

- **Year 1:** Administration, Public Works, and Community & Economic Development (CED)
- **Year 2:** Fire, Police, and Parks & Recreation

The costs associated with these wage adjustments, based on recent data, were as follows:

- **Administration Adjustment:** \$81,262
- **CED Adjustment:** \$79,231
- **Public Works Adjustment:** \$64,363
- **Police Adjustment:** \$377,019
- **Fire Adjustment:** \$682,318
- **Parks & Recreation Adjustment:** \$148,992

Under the current system, Year 2 incurs significantly higher costs due to the benchmarking of Police and Fire department wages, which are the most substantial adjustments. This creates a financial imbalance between the two years:

- **Year 1 Total Cost:** \$224,856
- **Year 2 Total Cost:** \$1,208,329

This uneven distribution of costs presents budgeting challenges and can create financial strain in Year 2, while Year 1 remains relatively light. To address this imbalance, Administration proposes the Council consider the following revised schedule for wage benchmarking:

- **Year 1:** Fire, Administration, and Public Works
- **Year 2:** Police, Parks & Recreation, and CED

Under this new schedule, the costs would be redistributed as follows, using the most recent data:

- **Year 1 Total Cost:** \$827,943
- **Year 2 Total Cost:** \$930,242

In order to make the transition, the upcoming year would include Fire, Administration, Public Works, and CED. The following year would begin the regular schedule to include Police, Parks & Recreation, and CED. Using the most recent benchmarks as a reference, the upcoming year would be about \$566,000 with the 1-yr adjustment of Fire included (Admin, PW, CED, and Fire). This is about \$642,000 less than this last benchmark we just did. The following year, the estimate would be about \$890,626 (Police, Parks & Rec, CED), which again is \$317,000 less than this last year. From that point forward, the budget impact is expected to be roughly equal each year. Obviously, this can change again if there is another new dynamic in the labor markets. The proposed schedule would create a more equitable financial impact each year by similar costs, thereby allowing for more predictable and stable budget planning.

Councilmember Carver stated she wants to be careful when amending this policy because even the slightest adjustments have the potential to impact City employees. Mayor Maughan agreed.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT RESOLUTION R24-36 AMENDING THE SYRACUSE CITY RECRUITMENT AND RETENTION POLICY BY ADJUSTING THE WAGE BENCHMARK SCHEDULES FOR CITY DEPARTMENTS. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

11. Public comments

There were no public comments.

12. Mayor/Council announcements.

The Council and Mayor provided announcements about recent and upcoming community events, and other opportunities for public involvement.

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COUNCILMEMBER SAVAGE MADE A MOTION TO ADJOURN. COUNCILMEMBER CARVER SECONDED THE MOTION ALL VOTED IN FAVOR TO ADJOURN.

The meeting adjourned at 6:33 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: September 24, 2024