

Minutes of the Regular Meeting of the Syracuse City Council, held on December 10, 2024, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 874 8160 2100, 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 (via Zoom)
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 Watson led the audience in the Pledge of Allegiance. Councilmember Robertson provided an invocation.

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

2. Public Comment:

City Recorder Brown read the following emailed public comment:

"I live at 3713 W. 800 S. in Syracuse. I write to raise concern about the tsunami of new housing permits apparently still going on. That was my impression watching last week's city planning commission meeting – when they appeared to approve two or three new housing developments! The many-years' frenzied building has taken the city to the financial breaking point. So many newly arrived citizens requiring additional city services, severely straining the tax base. Let's slow down! Take time to catch our breath! Nothing personal to any landowner or developer but Syracuse needs a significant moratorium on all new permits. We need 5 years to hopefully eventually achieve better equilibrium with the additional business taxes anticipated to fund growing needs for city services. And maintain at least a modicum of open land. This would be a moratorium on any and all new planning commission applications. Let the word go out that Syracuse is taking a long pause in the hectic building spree of the past several years. Voter input? I am confident polling current citizens would find overwhelming support for this moratorium. Respectfully, Robert V. Kirk."

3. Approval of Minutes

The following minutes were reviewed by the City Council: October 8, 2024 City Council Business Meeting and Redevelopment Agency (RDA) Business Meeting; October 22, 2024 City Council Work Session

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

4. Proposed Ordinance 2024-28 comprehensively amending existing sections or adopting new sections of the Syracuse Municipal Code related to position of Assistant City Manager.

A staff memo from the City Manager provided a summary of the proposed changes to the Syracuse Municipal Code (SMC), primarily relating to the creation of the new position of Assistant City Manager. The creation of this position necessitates adjustments to various sections of the SMC to reflect the new structure within the City's administration. The key changes include the following:

1. **Creation of the Assistant City Manager Position:** Under the direction of the City Manager, and with policy guidance from the Mayor and City Council, the Assistant City Manager shall assist with oversight and administration of all functions of the City government to achieve the City's mission.
2. **Temporary Absence of the City Manager:** The Assistant City Manager will act in the position of the City Manager in the event of their temporary absence due to illness, vacation, or similar reasons.
3. **Reporting Structure:** Department heads will now report to the City Manager or designee, allowing for delegation of responsibilities to the Assistant City Manager.
4. **Mayor's Voting Powers:** The Mayor will have the authority to vote on the appointment or dismissal of both the City Manager and the Assistant City Manager.
5. **Appointment and Removal:** The Mayor, with the advice and consent of the City Council, will be able to appoint and remove both the City Manager and Assistant City Manager. Additionally, both will serve at the pleasure of the City Council and may be terminated with or without cause.
6. **Delegation of Responsibilities:** The City Manager may will be able to delegate duties to the Assistant City Manager, including supervision of department heads, implementation of policies, and review of contracts, among other responsibilities.
7. **New Powers and Duties for Assistant City Manager:** The proposed changes grant the Assistant City Manager the ability to perform tasks traditionally reserved for the City Manager, ensuring seamless operations in their absence or when duties are delegated.
8. **Miscellaneous Amendments:** Several other sections of the SMC have been updated to reflect the new role, ensuring consistency across administrative functions. This includes updates to provisions regarding personnel supervision, appeals processes, public safety measures, and administrative decision-making. The terminology was also updated to use the term "manager" instead of "administrator." Gender-based pronouns have been repealed. Some SMC Sections proposed for amendment related to the City Manager or Assistant City Manager issues also include additional amendments to increase clarity or uniformity with other SMC Sections.

For a comprehensive review of the proposed changes, please refer to the attached document, which includes detailed amendments to the relevant sections of the SMC. Administration believes these updates will enhance the efficiency of City operations by providing clearer lines of authority and ensuring continuity in leadership.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT ORDINANCE 2024-28 COMPREHENSIVELY AMENDING EXISTING SECTIONS OR ADOPTING NEW SECTIONS OF THE SYRACUSE MUNICIPAL CODE RELATED TO POSITION OF ASSISTANT CITY MANAGER. COUNCILMEMBER ROBERTSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Proposed Resolution R24-41 appointing Stephen Marshall as the Assistant City Manager for Syracuse City.

A staff memo from the City Manager explained the City Council recently approved, budgeted, and authorized the creation of the Assistant City Manager position. The Administration has conducted a thorough advertising, interviewing, and selection process to find the appropriate candidate for the position. The interview consisted of a panel that included the Mayor, City Manager, HR Manager, two councilmembers, and a city manager from another city in Davis County to provide some outside perspective. It also included a panel of employees who participated in a mock situation where the final candidates needed address the audience in a hypothetical challenging situation. Through the selection process, the Mayor nominates Mr. Stephen Marshall to be appointed as the Assistant City Manager. The appointment of the position is accomplished through nomination by the Mayor with the affirming vote of the majority of all six elected officials, assuming the proposed ordinance changes are also approved on November 12.

Mayor Maughan reviewed the staff memo and stated he is pleased to recommend Mr. Marshall be appointed to serve as the City's Assistant City Manager. He noted that, if approved, the appointment will become effective November 17.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT RESOLUTION R24-41 APPOINTING STEPHEN MARSHALL AS THE ASSISTANT CITY MANAGER FOR SYRACUSE CITY. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Request to be on the agenda: UTOPIA Fiber annual update presented by CEO Roger Timmerman.

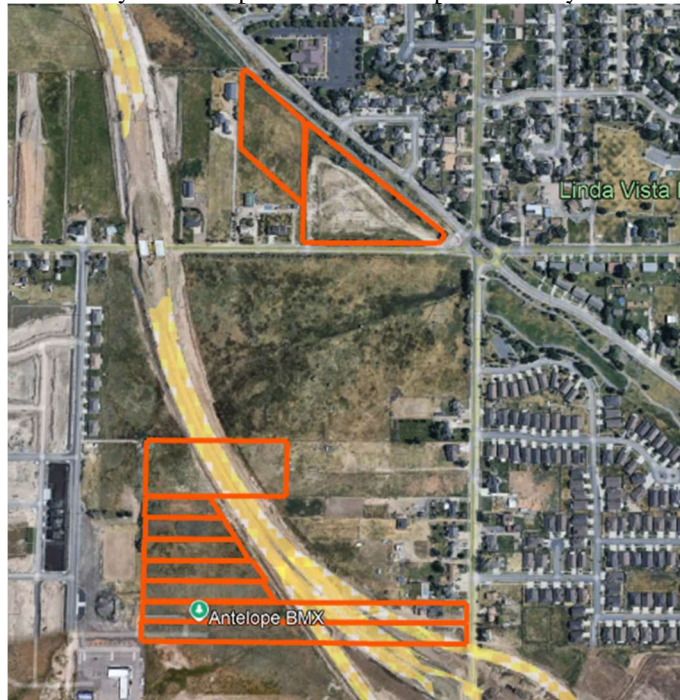
This item was delayed to the end of the agenda to give Mr. Timmerman additional time to arrive.

The item was heard after item 12 on the agenda.

7. Proposed Resolution R24-38 approving the acquisition of Utah Department of Transportation (UDOT) properties.

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A staff memo from the City Attorney explained previously the Council gave directions to move forward with the purchase of several parcels of land from UDOT. These include land for our new secondary water reservoir, park maintenance facility, and our BMX course. These parcels would include all or a portion of the parcels as shown below. We would only purchase the land west of the new freeway for those parcels that overlap the freeway.



Per UDOT policy R907-80-10 (see attached), UDOT may sell the land directly to the city without a competitive bid process if:

- (a) the buyer is a Utah public entity, and the property is being transferred for a public use, said public use to be established
- (ii) by resolution declaring the proposed use of the land qualifies as a valid public use, said resolution to be approved by a public vote by the public entity's governing body at an open meeting after notice to at least adjoining landowners who shall have the opportunity to comment on the proposed public use prior to the public vote.

Notices were sent out on October 31st to residents that live within 300 feet of the properties. The residents were invited to attend the meeting and comment if desired.

COUNCILMEMBER WATSON MADE A MOTION TO ADOPT RESOLUTION R24-38 APPROVING THE ACQUISITION OF UTAH DEPARTMENT OF TRANSPORTATION (UDOT) PROPERTIES. COUNCILMEMBER ROBERTSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Authorize surplus of four Police Department vehicles.

A staff memo from the Police Chief explained that the Police Department is seeking Council approval to dispose of the following vehicles:

1999	Pontiac Sunfire	X59 8VK	1G2JB124XX7533239
2012	Ford Fusion	C130TH	3FADP0L36CR193400
2012	Ford Fusion	506434ex	3FADP0L35CR187572
2015	Ford Explorer	211809ex	1FM5K8AR0FGB13518

According to the Surplus Property Policy under General Policy numeral 5, any personal property with an estimated market value over \$5,000 may be surplus only with authorization by the City Council and shall be disposed of using the prioritized methods outlined in the Surplus Method Section. According to the Surplus Property Policy under Exceptions to General Policy numeral 6, to maximize staff productivity, and to maximize value on behalf of the City and its citizens, motor vehicles will either be offered to a commercial auctioneer service or traded in to a dealer/manufacturer. We are requesting these vehicles be sent to TNT Auction for disposal.

Councilmember Savage commented on the age and mileage of the vehicles included in the surplus request, indicating he believes it is evidence of the frugality of the Police Department and the City as a whole. Mayor Maughan agreed.

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COUNCILMEMBER WATSON MADE A MOTION TO AUTHORIZE SURPLUS OF FOUR POLICE DEPARTMENT VEHICLES. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Authorize Administration to execute Water Infrastructure Projects Grant Agreement with Utah Division of Water Resources for installation of secondary water meters.

A staff memo from the Public Works Department explained City staff applied for a Water Infrastructure Grant through the Utah Division of Natural Resources, Division of Water Resources to complete secondary meter conversions. The grants goals are outlined as follows:

- aids in the development, conservation, collection, transmission, storage, treatment, or distribution of water for culinary or secondary use in residential, commercial, industrial, or agricultural settings; or
- facilitates the use of water for public safety or environmental purposes.

The grant was released on May 24, 2024 with a submission deadline of May 31, 2024 (open for 7 days total) which limited staff to applying for projects had that previously been discussed and approved by Council. On August 2, 2024 staff was notified the City received \$500,000 in grant funding. This grant is a full reimbursement of expenses up to \$500,000. There is no match money required. After receiving the notice of award, Secondary Metering Project #2 was designated as the project area that was bid out to spend the grant funding.

Mayor Maughan introduced the item. Councilmember Watson stated he feels it is important to note that the City is only pursuing this project due to a State mandate. Mayor Maughan agreed and indicated it will be a slow process, but the City is required by law to proceed with secondary water metering.

COUNCILMEMBER SAVAGE MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE WATER INFRASTRUCTURE PROJECTS GRANT AGREEMENT WITH UTAH DIVISION OF WATER RESOURCES FOR INSTALLATION OF SECONDARY WATER METERS. COUNCILMEMBER ROBERTSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

10. Authorize Administration to award contract for Secondary Water Metering Project #2.

A staff memo from the Public Works Department explained the City has received \$500,000.00 in grant funding through the Utah Division of Water Resources for secondary meter pit conversions. Secondary Metering Project #2 was bid out to convert 529 residential services in the Tuscany Meadows, Fremont Estate, Eagle Estates and Eagle's Nest subdivisions. The project will begin once contracts are in place and will be complete by the summer of 2026. Bids were opened on October 2, 2024. There were eight plan holders, and three bids were received. The low bidder was Hydro Vac Excavation, LLC. with a total bid amount of \$341,750.00. The funding for this project will be reimbursed through the grant. This bid amount is under the State bid limit (\$350,000), based on the City's purchasing policy this project is not required to come before Council for award. However, in an effort to maximize the available grant funding, Staff would like to change order on an additional ±\$160,000.00 worth of meter conversions to this project to maximize the \$500,000.00 grant. Given the intent to exceed the bid limit going into the project, Staff felt Council should award the project as if the bid were over the bid limit. The City's purchasing policy does allow bids to be reused for up to one year.

Mr. Whiteley reviewed his staff memo and discussed the scope of the project.

COUNCILMEMBER ROBERTSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO AWARD CONTRACT FOR SECONDARY WATER METERING PROJECT #2. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

11. Proposed Ordinance 2024-29 amending Syracuse Municipal Code Title Six, Chapter Five pertaining to imposition of civil penalties.

A staff memo from the City Attorney explained the City Council discussed issues surrounding code enforcement during the September 24 and October 22, 2024 work meetings. The Council directed staff to draft a proposed amendment to the way civil penalties are administrated. Proposed Ordinance 2024-29 captures the directives provided by the Council.

Community and Economic Development (CED) Director Steele reviewed the staff memo and facilitated a brief review of the proposed ordinance amendments.

Councilmember Watson asked if shifting the burden of proof of compliance to the resident or property owner who is being notified of or cited for a public nuisance could be legally problematic for the City. City Attorney Winchester answered no, the City has the ability to shift the burden of proof to the property owner.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT ORDINANCE 2024-29 AMENDING SYRACUSE MUNICIPAL CODE TITLE SIX, CHAPTER FIVE PERTAINING TO IMPOSITION OF CIVIL PENALTIES. COUNCILMEMBER WATSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

12. Proposed Ordinance 2024-30 amending Syracuse Municipal Code

Title Six, Chapter 40 pertaining to noise.

A staff memo from the City Attorney explained the Council discussed the noise ordinance in its September 24 work meeting and directed staff to propose amendments to the existing noise ordinance. The Council discussed the proposed amendments in its October 22 work meeting and, with minor changes, moved the proposals forward to the November 12 business meeting. The only change between the version reviewed on October 22 and the attached version is the re-write of Section 6.40.020(R) – the definition of “sound pressure level.” The existing *definition*, which consisted of a scientific formula, has been replaced with a plain English *explanation*.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT ORDINANCE 2024-30 AMENDING SYRACUSE MUNICIPAL CODE TITLE SIX, CHAPTER 40 PERTAINING TO NOISE. COUNCILMEMBER ROBERTSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Request to be on the agenda: UTOPIA Fiber annual update presented by CEO Roger Timmerman.

This item was delayed to the end of the agenda to give Mr. Timmerman additional time to arrive.

Mr. Timmerman provided the Mayor and Council with the UTOPIA Fiber annual update for the service area that encompasses Syracuse City. He engaged in discussion with them regarding the areas of the City that presently have access to internet service using UTOPIA infrastructure;

13. Public comments

There were no public comments.

14. Mayor/Council announcements.

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

15a. Discussion item – no action to be taken: Review of winter parking regulations.

A staff memo from Administration explained Chief Atkin conducted an assessment of winter parking ordinances for cities in Davis and Weber counties. The information was broken down into two categories. First, ordinances that restrict on-street parking when it is snowing or when the need for snow removal is imminent. Second, ordinances that set date and time ranges when parking on the street is automatically illegal. For cities that take the first perspective, some added times around the storm. For example, some ordinances say 12 hours before the storm and 24 hours after the storm. (Chief Atkin and Director Whiteley agree that ordinances with those types of timeframes may be difficult to comply with and enforce.) For cities that take the second perspective, the ordinances still had caveats that it is illegal to park on the street when it is snowing, or snow needs to be removed. Most cities in Davis County take the second perspective; the cities in Weber County are more evenly split. In Davis County the most common timeframe for parking restrictions is midnight to 06:00; the most common date range starts in November and concludes at the end of February. In February 2021, the Council changed Syracuse City’s winter parking ordinance from restricted on-street parking when it was snowing or when the need for snow removal was imminent to its current form with set date and time restrictions. Chief Atkin also looked for studies related to winter parking ordinances. He found three items that may be of interest to the Council.

1. This is a study from the city of Cold Springs (unknown state). This item is referenced because Cold Springs had an idea that Syracuse does not allow, but the Council may want to consider it. Cold Springs allows residents without adequate driveway space to park in their front yards during the winter.
 - If the Council is interested in this option, it would require a change to City Code 10.40.030(C)(1).
2. This is a study from Clearfield, Utah, that was done in September 2022. A policy question for this study was, “How should Clearfield regulate on-street parking during winter months when snowplowing can pose a risk to vehicles parked on-street?” The company that performed the study recommended Clearfield City identify “snow routes.” These are roads, such as arterial and collector roads, where parking during snow events would not be allowed. Parking would be allowed on streets that are “primarily for local-use purposes.” The company suggested this change would focus snowplowing efforts on “essential connectivity and/or throughput, and thus accepts that local streets may not be cleared as well.” Clearfield City did not adopt the recommendation but changed its parking restriction date from November 1 to November 15 following this study and public input.
3. The final item is a 2023 FlashVote from Ogden City in which they polled residents to gather feedback about winter parking. Most respondents (67%) felt that having better snow removal on their street was more important than being able to park their car on the street in the winter (25%). Approximately 30% of respondents, when asked where they would park if parking on the street was illegal, indicated they did not know, were unsure, or would

park on the sidewalk. Additionally, most respondents (75%) felt parking should be restricted only when it is snowing, or when snow plowing is imminent.

The staff memo concluded with the following questions for the Council.

1. Based on the latest research contained in the packet, discuss which measures should be considered for winter parking regulation and enforcement.
2. Provide direction to the Administration on any changes that need to be made regarding winter parking.

Police Chief Atkin reviewed the information included in the staff memo; he and Public Works Director Whiteley engaged in discussion with the Mayor and Council regarding the implications of the three options provided in the memo in terms of impacts on City staff responsible for snow removal and those responsible for citing those parking on the street in violation of the current ordinance. At the conclusion of the discussion, the Council reached a consensus to not amend the winter parking regulations at this time.

15b. Discussion item – no action to be taken: Continued discussion regarding recycling program rollout.

An administrative staff memo discussed key considerations and proposed options for a curbside recycling program in the City. The program includes decisions on recycling can ownership and management, service frequency, service type options, and additional operational aspects. It should be noted that the City will receive a rebate on landfill costs based on the tonnage of recycling material diverted from the waste stream into the landfill. The City aims to ensure a recycling program is efficient, cost-effective, and meets the needs of the community.

1. Recycling Can Ownership and Management

- a. For simplicity and logistical reasons, and based on previous feedback from the Council, it is proposed that the city both own and manage the cans in order to streamline control and accountability.
- b. City ownership provides more control over service levels and quality. If the hauler owns the cans, the City will act as an intermediary between residents and the hauler, adding administrative burden without full control over services.
- c. **Technology:** Recycling cans would be equipped with RFID to enable more efficient management.

2. Proposed Service Frequency

- The typical schedule for recycling pick up is bi-weekly (every other week) to balance efficiency and cost-effectiveness with trash service.

3. Service Type Options

In our September work session, the City Council indicated they would like to move forward with a bundled service option.

A. Bundled Service

- Customers pay a set fee regardless of whether they use recycling and green waste services.
- **Considerations:**
 - Customers could elect to refuse the recycling cans, however, the bundled fee would remain the same.
 - Green waste collection would not be part of the bundled service. However, the City Council would like to promote the program with the rollout of the recycling program.
 - Townhomes have limited space for can storage and placement, so multiple cans may not be possible. We recommend that all townhomes with 3 or more units attached or homes that have 3 or more units that share a private driveway, that they be excluded from the bundled service. We would still allow them to opt in if desired.
 - **Projected Impact:** We estimate that out of 10,000 residences that currently have regular waste, 9,200 would be included in the bundled service. We have identified 800 townhomes or multifamily units that would be excluded based upon the previous bullet point.

4. Commercial and Apartment Operations

- Similar to garbage pickup, recycling services for commercial businesses and apartments operate separately and not be managed through the City's residential recycling program.

5. Grant Opportunities

- The City has access to grant funding to offset costs. Wasatch Integrated can assist with purchasing cans at \$15 per can through The Recycling Partnership. This would be reimbursed to the city after we purchase the recycling cans.

6. Hardship Policy

- A hardship policy may be necessary with the Bundled Service option. One option is to mirror the State of Utah Heat program and Utah State Courts legal assistance which states that families under 150% of the poverty level could qualify for a hardship waiver. Here is a sample table from the HEAT program:

FEDERAL POVERTY LEVEL (FPL) & MONTHLY INCOME LIMITS
Effective 3/1/2024

Household Size	100% of Poverty	150% of Poverty HEAT/HELP	Household Size	100% of Poverty	150% of Poverty HEAT/HELP
1	\$1,255	\$1,883	8	\$4,394	\$6,590
2	\$1,704	\$2,555	9	\$4,842	\$7,263
3	\$2,152	\$3,228	10	\$5,290	\$7,935
4	\$2,600	\$3,900	11	\$5,739	\$8,608
5	\$3,049	\$4,573	12	\$6,187	\$9,280
6	\$3,497	\$5,245	13	\$6,635	\$9,953
7	\$3,945	\$5,918	14	\$7,084	\$10,625
			Family over eight, add \$		\$673

7. Pricing Structure

- Pricing for a recycling can would cost between \$3.50 and \$4.00. This is an estimated cost based on 9,200 services.
- We would create a new bundled service which would include one black can (regular household waste) and one blue can (recycling). Additional cans would be available for an added cost.
- What would be the maximum number of cans the city council would allow at a residence? Total number of black, green, and blue?
- Estimated Costs:
 - 10,000 recycling cans including freight = \$600,000
 - Assembly and Delivery by Rehrig = \$45,000
 - Vision software to track RFID's = \$11,800
 - Total cost included in budget opening = \$660,000
 - Grant Reimbursement = \$150,000
- Does the council want to retrofit all black and green cans with RFID stickers?
 - This would be an additional cost to the city.

8. Rollout Plan

- **Pre-rollout Education:** A public education campaign should begin 3-6 months prior to the program's launch to ensure community awareness and understanding.
- **Implementation Date:** In order to get all contracts, materials, and education campaign in place, the suggested timing of rolling out the new program is April 2025.

The memo concluded the goal of this agenda item was for staff to discuss with the Mayor and Council the various considerations regarding the recycling program and provide guidance to the Administration on next steps.

Assistant City Manager Marshall reviewed the staff memo; he and Mayor Maughan facilitated discussion among the Council regarding appropriate service levels, service rates, recycling standards, the pros and cons of an opt-in versus opt-out program and offering exemptions from the program for certain types of residential units/businesses. Mayor Maughan concluded this will not be the final discussion of this matter and he advised residents interested in the subject to watch future agendas for continued discussion and educational information regarding the program.

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

The meeting adjourned at 7:17 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: December 10, 2024