

Minutes of the regular meeting of the Syracuse City Council held on October 12, 2021 at 6:00 p.m., held virtually via Zoom, meeting ID 896 2739 2224, 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. Pursuant to written determination by the Mayor finding that conducting the meeting with an anchor location presents a substantial risk to the health and safety of those who may be present due to infections and potentially dangerous nature of Infectious Disease COVID-19 Novel Coronavirus.

Present: Councilmembers: Lisa W. Bingham
Corinne N. Bolduc
Dave Maughan
Jordan Savage
W. Seth Teague

Mayor Mike Gailey
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Paul Roberts
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

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Teague offered an invocation and Councilmember Savage led the audience in the Pledge of Allegiance.

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

2. Public comment:

Mayor Gailey stated that tonight's meeting agenda provided instructions for residents to email their public comments to City Recorder Brown by 5:00 p.m. tonight in order for them to be read into the record of the meeting. Ms. Brown indicated she had not received any emailed public comments.

Mayor Gailey then invited Zoom participants to provide public comments.

Nancy Bocchi referenced a project recently approved by the City Council in the Town Center; she owns property there and the townhome development that was approved, The Towns at City Center, will negatively impact her property. She is opposed to the project as she believes it violates the Covenants, Conditions, and Restrictions (CCRs) for the Town Center and does not conform to the General Commercial zoning designation. It is also incompatible with existing uses. Adding a residential component to the commercial center will negatively impact both the businesses and future residents and she expressed great concern about cross access commitments that were communicated by the applicant, but for which other property owners have not authorized approval. She believes the City Council approved the project with the condition that the applicant secure parking access from adjoining property owners. She has been contacted by Josh Hughes several times and she has told him she would not give him permission to use her parking area. She noted that the requirement to secure parking from adjoining property owners has not been met. She asked that the Council take the matter under consideration as they discuss this project more in the future.

Kerry Jorgensen stated he is also a property owner in the Town Center and he is opposed to the Towns at City Center project for many of the same reasons that Ms. Bocchi voiced; he echoed her comments and stated that other property owners would like the ability to weigh in on the site plan for the project, though the Planning Commission has indicated that their 'hands are tied' and may have no choice but to approve the project based upon the zoning approval already granted to the applicant. He discussed his concern about the interaction of residential and commercial uses as well as the fact that the residential component will consume the needed parking that was previously designated for the commercial uses. There are no excess parking spaces and approval of the residential project will essentially render the other uses at the site non-compliant with City parking ordinances. He asked that the Council step in and inform the developer that the site plan he has developed is not compliant with the CCRs for the Town Center and with the conditional zoning approval that the City Council granted. He asked that the Council halt the project based upon the applicant's inability to meet the parking conditions imposed on the zoning approval. Additionally, if the project is intended to be mixed-use in nature, it should have a great portion of commercial uses than residential uses.

Mayor Gailey stated that the matters referenced by Ms. Bocchi and Mr. Stringham will be discussed in a future work session meeting.

Kristen Stringham stated that she is a student at the University of Utah pursuing a degree in Science Technology. She is interested in a project that would survey invasive tree species in residential areas, which is a variable that is currently understudied. These species can easily become a nuisance and ultimately be very difficult to remove. She asked if the Council is willing to entertain continued discussion of this matter in a future meeting and engaging her in such a study.

Mayor Gailey advised Ms. Stringham to discuss her proposal with Community and Economic Development (CED) Director Steele about securing a future agenda item.

3. Approval of minutes.

The following minutes were reviewed by the City Council: August 24, 2021 Special City Council/Board of Canvass Meeting; August 24, 2021 Work Session; and September 14, 2021 Business Meeting.

Councilmember Savage stated that it appears that the Davis County's website no longer includes the final election results for the Primary Election. City Recorder Brown stated she will reach out to the County to determine why that is the case; she noted that the election results included in the meeting minutes are accurate and reflect the totals provided by Davis County.

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

4a. Common consent: Final Plat Approval, Aspire at Canterbury, located at approximately 2376 W. 1700 S.

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

Location:	2376 W. 1700 S.
Current General Plan:	Commercial
Phase 1 Acreage:	3.56

The applicant is requesting approval of a final subdivision plat called Aspire at Canterbury. The plat has been reviewed by staff and all but one staff comment has been addressed. The rezone, preliminary plat, and development agreement were approved by the City Council on August 8, 2021. The only remaining comment on this plat is addressing which will be completed before the mylar is printed. All staff comments pertinent to this approval have been addressed and the proposed plat meets all the requirements of the City Code. The Planning Commission reviewed this item on September 21 and is recommending approval with the condition that the fencing label be corrected on the plan for scope of work note number seven.

COUNCILMEMBER BINGHAM MADE A MOTION TO GRANT FINAL PLAT APPROVAL FOR ASPIRE AT CANTERBURY, LOCATED AT APPROXIMATELY 2376 W. 1700 S. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

4b. Common consent: Proposed Ordinance 2021-28 amending Section 3.35.020 of the Syracuse City Municipal Code providing for an alternate to serve on the Parks Advisory Committee

A staff memo from the City Attorney explained the proposed ordinance amendment would make the following changes to the Parks Advisory Committee (PAC):

- Permits the appointment of a PAC alternate member using the same procedure as voting members
- Specifies that the geographical restrictions do not apply to the alternate
- Permits the alternate to vote only in the case of an absence or abstention by a voting member

The memo concluded the PAC remains a recommending body only.

COUNCILMEMBER BINGHAM MADE A MOTION TO ADOPT ORDINANCE 2021-28 AMENDING SECTION 3.35.020 OF THE SYRACUSE CITY MUNICIPAL CODE PROVIDING FOR AN ALTERNATE TO SERVE ON THE PARKS ADVISORY COMMITTEE. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

5. Proposed Resolution R21-48 appointing Jackie O'Shea as an alternate member to the Syracuse City Parks Advisory Committee

An administrative staff memo explained Item 4b on the agenda was an action to amend the Parks Advisory Committee ordinance to create an alternate member position. Mayor Gailey desires to appoint Jackie O'Shea to that position and is seeking the advice and consent of the Council.

Councilmember Bingham stated she is happy to be including a representative of the equestrian community on the Parks Advisory Committee. Councilmember Savage agreed and stated he feels she will contribute positively and can aid in recommending opportunities for increasing programming at the City's equestrian park.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT RESOLUTION R21-48 APPOINTING JACKIE O'SHEA AS AN ALTERNATE MEMBER TO THE SYRACUSE CITY PARKS ADVISORY COMMITTEE. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

6. Final Plat Approval, RC's Parkwest Subdivision, Phase 1, located at approximately 1693 W. 2700 S.

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

Location:	1693 W. 2700 South
Current General Plan:	Commercial
Current Zoning:	Planned Residential Development (PRD)
Acreage:	25.3

The applicant is requesting approval of a final plat containing single-family detached and attached townhome units. The zoning/preliminary plat was approved by the City Council on July 13, 2021. The only remaining comment on this plat is addressing which will be completed before the mylar is printed. All staff comments pertinent to this approval have been addressed and the proposed plat meets all the requirements of the City Code.

CED Director Steele reviewed the staff memo.

COUNCILMEMBER TEAGUE MADE A MOTION TO GRANT FINAL PLAT APPROVAL OF RC'S PARKWEST SUBDIVISION PHASE 1, LOCATED AT APPROXIMATELY 1693 W. 2700 S. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER MAUGHAN, WHO VOTED IN OPPOSITION.

7. Proposed Resolution R21-46 authorizing the adoption of the 2021 Storm Water Management Program for Syracuse City, Utah.

A staff memo from the Public Works Department explained Syracuse City has updated the Storm Water Management Plan (SWMP) in compliance with the Utah Pollutant Discharge Elimination System General Permit for discharges from small municipal separate storm sewer systems issued by the Utah Division of Water Quality. This general permit is issued in compliance with the provisions of the Utah Water Quality Act, Title 19, Chapter 5, UCA 2004 and the Federal Water Pollution Control Act (33 USC). Updates to the SWMP are required each time the general permit is reissued. This permit is effective May 12, 2021, to May 11, 2026, when the permit will again be renewed. Permittees that are renewing are given 180 days after the effective date to submit an updated SWMP to the division. The main purpose of the SWMP is to provide a program that will improve the quality of storm water to the maximum extent practicable. These are achieved by setting measurable goals through six control measures. The control measures include the following:

- Public education and outreach on storm water impacts
- Public involvement / participation
- Illicit discharge detection and elimination
- Construction site storm water runoff control
- Long-term storm water management in new development and redevelopment
- Pollution prevention and good housekeeping for municipal operations

The memo concluded the goal of this discussion is to provide any input you may desire as long as it complies with the requirements of the permit. Appendix K provides a good summary. A resolution R21-28 must be passed by October 12, 2021, with a current storm water management program. This could be done at the next business meeting.

Mr. Whitley reviewed the staff memo.

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R21-46 AUTHORIZING THE ADOPTION OF THE 2021 STORM WATER MANAGEMENT PLAN. COUNCILMEMBER TEAGUE SECONDED THE MOTION.

8. Proposed Resolution R21-47 adopting the 2021 Water Conservation Plan for Syracuse City, Utah.

A staff memo from the Public Works Director explained the Utah Division of Water Resources has been charged with the administration of the Utah Water Conservation Plan Act (UCA 73-10-32), which requires each water district and public water system to submit a water conservation plan with updates every five years. The current plan was completed in 2015. The updated plan must be complete and submitted by December 31, 2021. The draft was reviewed during council work session on May 25, 2021. The main purpose of the water conservation plan is to reduce the per capita water use to support the statewide goal of reducing the per capita water consumption. The water conservation plan is a written document that contains existing and proposed water conservation measures describing what will be done by retail water providers, water conservancy districts, and the end user of water to help conserve water and limit or reduce its use in the state in terms of per capita consumption so that adequate supplies of water are available for future needs. This plan must address water conservation for both culinary and secondary water. Section 4.2 specifies the goal for Syracuse, which is to achieve a reduction of 20 percent gallons per capital each day by the year 2030.

Mr. Whiteley reviewed the staff memo.

Councilmember Savage stated the only change he would recommend is under the water education section; he recommended including a suggestion for residents to consider the use of smart controllers for their secondary water usage.

Additionally, he would like to change the term 'well-trimmed' to a recommended optimum height so that people do not think it is healthy for grass to be mowed too short. Councilmember Maughan stated that his only concern about recommending smart controllers is that a property owner could argue against a water citation in the event that their smart controller fails. Councilmember Savage stated that he feels the benefits outweigh that risk, and that he does not feel such an argument made by a resident would be valid or accepted.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R21-47 ADOPTING THE 2021 WATER CONSERVATION PLAN FOR SYRACUSE CITY, UTAH, WITH THE CHANGES MENTIONED ABOVE BY COUNCILMEMBER SAVAGE. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED AYE,

9. Authorize Administration to execute Interlocal Cooperation Agreement between Davis County Cities and Davis County for UPDES General Permit

A staff memo from the Public Works Director explained The interlocal agreement is updated every five years, which coincides with each new UPDES permit term. It allows the cities to work together as Davis County Storm Water Coalition to share resources in the effort to prevent pollution in the storm water. This agreement is required to implement the control measures of the storm water management program.

Mr. Whiteley reviewed his staff memo.

COUNCILMEMBER TEAGUE MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE INTERLOCAL AGREEMENT BETWEEN DAVIS COUNTY CITIES AND DAVIS COUNTY FOR UPDES GENERAL PERMIT. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

10. Public comment.

There were no public comments.

11. Mayor/Council announcements.

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

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

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

COUNCILMEMBER BOLDUC MOVED TO ADJOURN INTO CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL; PENDING OR REASONABLY IMMINENT LITIGATION; OR THE PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. COUNCILMEMBER BINGHAM SECONDED THE MOTION. ALL VOTED AYE.

The meeting recessed at 7:05 p.m.

The meeting reconvened at 7:15 p.m.

At 7:15 P.M. COUNCILMEMBER TEAGUE MADE A MOTION TO ADJOURN. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: November 9, 2021