

Minutes of the Work Session of the Syracuse City Council, held on August 23, 2022 at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 835 7147 8094, 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: Lisa W. Bingham
Jennifer Carver
Jordan Savage
W. Seth Teague
Paul Watson

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

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

The purpose of the Work Session was to receive public comments; conduct the annual Fraud Risk Assessment and Review; discuss reimbursement agreement with Woodside Homes regarding 2400 West construction; Discussion regarding Founders Park Irrigation and Walkway improvement projects; proposal for Recreational Equine Structure at The Fields; Discuss proposed updates to Syracuse City Code pertaining to sewer regulations; discuss secondary water rear-lot services; discuss the following planning items:

1. Request for Redevelopment Agency (RDA) support in the form of impact fee reduction for Café Zupas project.
2. Recommendation from Planning Commission regarding General Plan Updates related to affordable housing.
3. Application for zone change, Residential (R-1) to General Commercial (GC) and Planned Residential Development (PRD) for property located at the southwest corner of 2000 West and State Road (SR) 193.

Discuss Firefighter I Part-Time Position; discuss Council ways and means – review of rules of order and procedure; and discuss recruitment/retention of crossing guards.

Public comments

Mayor Maughan invited in-person public comments. There were no persons appearing to be heard.

Mayor Maughan noted the agenda for tonight's meeting provided instructions for individuals to email public comments to be read for the record of the meeting. Deputy City Recorder Graham indicated the City Recorder did not receive any emailed public comments for this evening.

Annual Fraud Risk Assessment review.

Administrative Services Director Marshall explained the purpose of this agenda item is to review the framework for annual fraud risk assessment and evaluate the City's current fraud risk assessment score, which is 355. The City is considered low risk; the City's score improved from 335 to 355 due to promotion of the State of Utah fraud risk hotline via the City website. He then reviewed a graph including the City's score for each assessment criteria and concluded that before submitting to the State of Utah, he is required to provide this information to the City Council for review. The Council thanked Mr. Marshall for efforts to improve the City's score.

Discussion/review of reimbursement agreement with Woodside Homes regarding 2400 West construction

A staff memo from the City Attorney explained Woodside Homes is engaged in constructing the Parkview at Shoreline development, including the construction of 2400 West, which connects 3000 South to Gentile Road. The City owns the land to the East of 2400 West, which is being held for the future 50-acre park. As the adjoining landowner, the City will directly benefit from the installation of 2400 West, in addition to the public benefit of the road connection to Gentile. 2400 West is impact-fee eligible and appears on the City's Transportation IFFP. This Agreement calls for the city's participation in

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the East half of the road's construction, measured from the top-back-of-curb on each side. The parties will be responsible for sidewalks/trails that are to be installed on either side of the road. It is estimated that the City's share in this project is \$289,393.07.

Mr. Roberts reviewed the staff memo, after which the Council indicated they were comfortable proceeding to approval of the agreement at a future business meeting.

Discussion regarding Founders Park Irrigation and Walkway improvement projects

Mayor Maughan indicated that additional information is needed in support of this agenda item, and it will not be discussed tonight.

Proposal for Recreational Equine Structure at The Fields

An administrative staff memo explained this agenda item was requested by Councilmember Carver, who communicated public interest in relocating the existing rodeo arena to agricultural property in The Fields project. The existing rodeo arena property could be incorporated into the BMX project. Councilmember Carver provided different arena styles/designs for review in preparation for the meeting.

Mayor Maughan indicated that all agreements relating to the BMX project have been executed and the project is moving forward; it would be costly to adjust the scope of that project at this point in time. Councilmember Savage inquired as to the motivation behind this request. Councilmember Carver indicated many have expressed a desire for an annual rodeo event in Syracuse City, but the current arena is not safe for horses and riders; the arena was formerly used for demolition derbies and the dirt still contains a great deal of automobile glass and debris as a result. The fence line is broken in several places and needs to be entirely replaced.

The Council discussed the commitments that have been made regarding the use of the space in The Fields project as well as upgrades to the existing arena; this included a partnership between the City and a youth equine group to raise funding to improve the arena. Councilmember Carver indicated that she has received information since the publication of the meeting packet regarding changes to the status of the land that she originally proposed to move the arena to; for that reason, it is not necessary to discuss the proposal to move the arena, but she is very interested in promoting efforts to improve the arena. Mayor Maughan stated that he is still committed to allowing the City to work with the youth group to raise funds for the improvement project.

Discuss proposed updates to Syracuse City Code pertaining to sewer regulations

A staff memo from the Public Works Director explained Utah law requires an ordinance to regulate the proper disposal of Fats, Oils, and Grease to prevent blockages in the sewer system. The current ordinance stands as a good fit for general prohibitions but does not specify FOG control. The memo referenced the following resources:

- Utah Rule R317-801-5(6) enacted June 2012
- Syracuse City Code 4.10.100 Wastewater prohibitions and limitations.
- North Davis Sewer District ordinance 11.3 Pretreatment of Wastewater
- Utah Plumbing Code chapter 10 installation of grease interceptors.

Syracuse has potential for an increase in food service establishments. Having a well described process in place would help future businesses maintain compliance with the law and prevent sewer blockages that may come from fats, oils, and grease. A draft ordinance is included for consideration that would meet the requirements of FOG control and establish a process for businesses to follow and staff to inspect.

Mr. Whiteley reviewed his staff memo and concluded the purpose of this agenda item is to determine whether to update the City's ordinances specific to controlling fats, oils, and grease from commercial and industrial wastewater.

Mayor Maughan clarified that the North Davis Sewer District (NDSD) already has rules and regulations addressing FOG control; it is important to understand that this issue has not been ignored in the District's service area. Mr. Whiteley agreed but noted that the City has its own collection system and should conform with State law.

The Council indicated they are comfortable adjusting the City Code to remove the requirement of the Planning Commission to provide a recommendation regarding land transactions.

Discussion regarding secondary water rear-lot services

A staff memo from the Public Works Director explained in 1984 Syracuse City installed the first secondary water system. Houses fronting main roads had a secondary water connection in the front yard near the road where they would connect their system. Houses in neighborhood subdivisions had a secondary water connection in the back yard. In 1990 Syracuse City created a standard location for all mains to be installed in the public street and service connections in the park-strip. This location is the current standard. There are 670 residential properties that have a rear-yard connection that are fed by small undersized mains that run along backyard property lines. These mains were installed in 1984. Long-term

maintenance of these mains and valves in the rear-yard is difficult due to limited access (locked gates, dogs), leak identification, obstructions (trees, sheds, fences), and equipment accessibility (requires hand digging). It lengthens the response time for all these reasons. Some of the recent capital projects have included new secondary water stubs that have been installed to the front yard park-strip. There are others that are in project areas identified on the five-year capital plan. This will account for 353 services that have the ability for residents to connect to the front yard connection. There will be more each year as neighborhoods with old infrastructure are added to the five-year capital plan. The memo summarized the following considerations:

- Long-term goal is to abandon the rear-lot mains and services. The infrastructure is undersized and has outlived its 30-year design life.
- Before a rear-lot main is abandoned, a connection in the park-strip must be available and all services must be disconnected from the rear-lot main.
- Residents will have an expense to route their sprinkler pipe to the new connection.

Mr. Whiteley reviewed his staff memo and asked if the Council would support phasing these relocations at the same time a capital project is underway in the neighborhood; if the Council is interested in funding assistance for resident's expenses, what methods would the Council consider in accomplishing that. The Mayor and Council engaged in discussion with Mr. Whiteley regarding the estimated costs associated with the relocations and any unknown conditions or factors that may arise in individual relocation projects. They concluded it is not necessary to consider action on the relocations at this time, but that it may be more appropriate to address the issue in the future when secondary water meters are being installed throughout the City. They also expressed support for defining a price per square foot for the relocation, rather than a flat fee for each relocation. Mr. Whiteley indicated he feels it is sensible to perform the relocation in conjunction with any capital projects, when possible, rather than deferring all relocations until a point in the future when meters are being installed. He asked for support for including the stubs for the lines as part of future capital projects. The Council offered support for that way forward.

Planning item: Request for Redevelopment Agency (RDA) support in the form of impact fee reduction for Café Zupas project.

A staff memo from the Community and Economic Development (CED) Department explained Zupas is building a new restaurant in the Town Center near Walmart. They recently completed the land purchase from the City for \$390,000 and they have been given site plan approval by the Planning Commission on June 7, 2022. They also have an approved building permit, which was issued on August 2, 2022. As is standard procedure, before issuing the building permit, all fees are collected including inspection fees, impact fees, review fees etc. The fees were paid, and construction has begun on the building. The total permit fee paid was \$118,000, however, the company, who has recently been expanding and building new restaurants in many other locations is reporting that our fees are considerably higher than other cities. They reported that their whole permit for Logan City was \$63,000, while Syracuse's transportation fee alone was \$60,356. Syracuse City impact fees are based on the current transportation master plan and every city will be different based off the future projects needed. While Zupas did pay the fee so they could get going on construction, they have requested to be on the agenda to ask for assistance from the Redevelopment Agency (RDA) to offset the fee to make it comparable with other cities so that they can successfully deliver the new store on budget and on time. Zupas is requesting \$30,000 in assistance from the RDA.

Mr. Steele reviewed his staff memo and facilitated discussion among the Mayor and Council regarding the basis for the City's impact fees; a representative of Zupas provided input and explained he feels it is somewhat unfair for the burden of providing traffic improvements to be placed on his business, which is just one user in the town center area. The Council engaged in philosophical discussion and debate regarding whether assistance from the RDA is warranted; they concluded they feel the purpose of the RDA is to provide this type of assistance and they offered support for moving forward with action on an incentive agreement for the project. They also indicated they would like a review of current impact fees to determine if they are warranted or if any adjustment is needed; they also recommended improvement in the method by which impact fees are communicated to developers interested in completing a project in Syracuse City.

Planning item: Recommendation from Planning Commission regarding General Plan Updates related to affordable housing.

A staff memo from the Community and Economic Development (CED) Department explained that in order to comply with state law, the City is mandated to make some updates to the housing section of the adopted General Plan. The City Council discussed the potential strategies in their July 2022 work meeting and directed Planning Commission look more closely at the document to make some recommendations. Planning Commission discussed the item and held a public hearing on August 2, 2022. They are forwarding the attached proposed amendment. The City Council will then adopt an ordinance to update this section of the General Plan. An update to the entire General Plan document is looming, as the completion of the West Davis Corridor will spur some changes. However, at this time, the scope of this update is limited to the Housing section.

Mr. Steele reviewed his staff memo and the Council indicated they are willing to move this item forward to a business meeting to consider action on updates to the General Plan.

Planning item: Application for zone change, Residential (R-1) to General Commercial (GC) and Planned Residential Development (PRD) for property located at the southwest corner of 2000 West and State Road (SR) 193

A staff memo from the Community and Economic Development (CED) Department explained Wright Development Group is applying to amend the zoning map from R-1 to GC and PRD. If the proposed zoning were to be granted, it would result in essentially two developments. The northern development would be a commercial development and the southern would be a residential townhome development. The proposed land uses are consistent with the general plan. However, the proposed townhome site plan does not meet the following ordinance requirements:

- Density - the PRD zone allows densities of either 6, 9, or 12 units per acre based off location. To qualify for 12 units per acre, it has to have frontage and access on a UDOT highway (yes it has this), be on the corner of a collector and arterial (does not have this since 450 S is not shown on the current transportation master plan) and be located within one-quarter mile to a bus stop. (yes, has this). The site location qualifies for 9 units per acre but the proposed units per acre is 11.31 units per acre.
- Direction of Front Doors - Many of the front doors face the side and rear of the existing houses, reducing privacy. Also, many doors face random directions reducing natural surveillance. The ordinance requires the front door to face either the road or drive isle. 72% of the units don't meet the ordinance.
- Landscape Buffer - A 15' landscape buffer is required between the project and existing homes. Some proposed units are only 11' from the property boundary and there is a drive isle about 8' from the boundary.

A rezone to the PRD zone requires concurrent approval of the preliminary plat and a development agreement. The General Commercial (GC) zone doesn't require plans up front or a development agreement, so if the zoning is granted, any of the permitted uses in the GC zone would be allowed for the northern part of the rezone. The Planning Commission reviewed the item and held a public hearing on the matter on August 16, 2022 and forwarded a recommendation to approve the rezone with a vote of seven to zero. It was discussed that a six-foot cement wall would be required between the project and the agricultural fields and neighboring houses. It was also discussed that the density, buffering, and front door issues mentioned above could be excused through a development agreement.

Mr. Steele reviewed his staff memo and facilitated discussion among the Council regarding the implications of approving the zone change; the Mayor invited input from Logan Johnson regarding the justification for their requested exceptions from the City's land use code. Mr. Johnson explained that density is based upon the need to cover the costs of the development; and the orientation of the front doors is dictated by the location of each unit on either a public or private streets and the location of parking/driveways for individual units. All units face an open space of a pedestrian access. Finally, some of the buffering requested by the City cannot be accomplished due to restrictions placed on the project by the Utah Department of Transportation (UDOT); additionally, future connections that may be completed by PRI, the adjacent landowner, would be difficult if Wright Development is required to build a wall along the property line.

High level discussion among the Council, Mayor, and Mr. Johnson centered on efforts to acquire additional properties in the area to include in the development, as well as the requests made by Mr. Johnson; they expressed concerns regarding the narrow width of the private drive in the project area. Mayor Maughan expressed a desire to delay the project until Wright Development is able to acquire the remaining properties along 2000 West in order to ensure a cohesive commercial and residential project. Councilmember Bingham stated she does not feel that is an appropriate action for the City to take; it would be improper to delay a portion of the development due to the fact that there are a few residential property owners that are unwilling to sell their property to the developer at this time. The Mayor and Council debated the appropriateness of the current rendition of the project layout; Councilmembers indicated they need to visit other similar projects to determine their comfort level with the layout and compare the proposal with the directives in the General Plan before determining whether they can proceed to taking action on the zoning application. Councilmember Bingham requested that a work session be scheduled to follow the September 13 business meeting in order to continue to review the application and any modifications made by the applicant; she does not want to delay the project further.

Discussion regarding Firefighter 1 Part-Time position.

A staff memo from the Fire Chief explained the Syracuse Fire Department is currently down (7) part-time firefighter positions. The City has advertised these openings through multiple mediums for several months and have had very little interest from qualified applicants. While competitive pay may factor into the problem, we also recognize that with a Utah State unemployment rate of 2%, there is a smaller pool of qualified Advanced EMT applicants looking for jobs. Department Administration is asking the Council to consider adding a part-time Firefighter I position to our wage scale so we may be allowed to fill a few of our open positions with EMT licensed firefighters. Administration anticipates this will open the pool of applicants so that we may fill open positions; allowing us to maintain staffing while researching other opportunities for

recruiting fully qualified individuals. Firefighter I EMTs would be encouraged to complete their Advanced EMT training so they may advance to the Firefighter II position, potentially increasing retention. The current recommendation is to adopt a wage scale set at five percent lower than the Firefighter II position, allowing those individuals who complete the AEMT course an avenue to advance in accordance with the Syracuse City Recruitment and Retention Policy – proposed Part-Time Firefighter I wage scale: \$14.67 - \$20.51. The memo concluded this proposal does not include adding new positions, therefore, this request will be budget neutral.

Chief Byington reviewed his staff memo. The Council engaged in a brain-storming session with Chief Byington to consider options for addressing the staffing issues in the Department, ultimately concluding to support the Chief's recommendation; Mayor Maughan directed staff to include an action item on the next business meeting agenda to adjust the wage scale to create a part-time Firefighter 1 position, but to continue to evaluate other long-term solutions to the problem.

Discussion of Council ways and means – review of rules of order and procedure.

An administrative staff memo explained Councilmember Teague requested to have a discussion on the manner in which agenda items are discussed according to the Council rules of order and procedure. Specific focus has been on the procedures for Council to request additional information from applicants or members of the public regarding a specific agenda item. The memo referenced relevant sections of the Council's Rules of Order and Procedure as follows:

- **Maintaining Order:** In Section 2.B of the rules, the Mayor is responsible for maintaining order at the Council meeting. Also, it is his duty to move the agenda along and hold down redundancy.
- **Receiving Public Comment:** Section 4.K of the rules states that, in addition to receiving public comment during the designated public comment period, "the Council may also accept public input for each item listed on an extended work session agenda as discussion of each item warrants." This seems to suggest that the Council has the option to receive input as it deems necessary during a work session, but not during a business session.
- **Content of Discussion at Council Meeting:** Although the Council may accept public comment on work session agenda items, Section 4.J states, "Discussions in the meetings are to be limited to agenda items and issues reasonably related thereto. Comments or presentation by the public are to be limited to relevant issues. In order to ensure that the meetings proceed timely and orderly, the Mayor may impose a time limit on those desiring to address the Council." This suggests that while comment may be received, the Mayor has the ability to place time limits, and keep the content of the comment relevant to the specific issue. Section 4.K further states that the Mayor may remove a person from the meeting who disrupts it by exceeding the time limit, discussing irrelevant issues, or otherwise.
- **Motions on Meeting Proceedings Generally:** If the Council wants the meeting to go in a certain direction, a motion can be made and passed by a majority vote (See Section 5). This includes a motion to suspend the rules and proceed in a manner outside of the rules. Section 2.B states that the Mayor's duty is to "receive and submit in the proper manner all motions and propositions presented by the member of the Council," and to put the questions to a vote. This indicates that while the Mayor is *primarily* responsible for the meeting and the duties assigned to him/her, the Council is *ultimately* responsible for the meeting and its proceedings.

The memo concluded that while the Council's Rules of Order and Procedure are critical in the proper functioning of conducting business, it is equally imperative that both the Mayor and Council build on a common understanding of the best way to operate and conduct business. The Rules of Order and Procedure gives the governing body a lot of flexibility in how meetings are run. Therefore, a spirit of cooperation amongst all members must prevail in order to maintain proper functioning. The goal of this discussion is to review, discuss, and find consensus on the items outlined above pertaining to the council's rules of order and procedure.

City Manager Bovero introduced the agenda item. Councilmember Teague stated that he requested this agenda item in order to engage in discussion with the Mayor and Council regarding trying to achieve the spirit of cooperation referenced in the staff memo. In a past meeting, he was concerned when a participant in the audience was not allowed share information they were asked to share by the Council; something similar happened a second time, and also earlier tonight. It is important for the Council to hear from applicants, otherwise a conversation about pertinent information is stifled. He would like to solve the problem to ensure that he is able to get the information he needs to make decisions. Councilmember Carver agreed. Councilmember Savage agreed; he stated that in the event the Council asks to hear from a member of the audience or an applicant, he would like the Mayor to allow it. Mayor Maughan stated his number one concern is consistency; it is not right to change rules of order and procedure from meeting to meeting. He has tried to be consistent and that means that it would be inappropriate to allow certain applicants or visitors to speak and denying others in the same or future meeting. He stated he has been pushing for those who would like to be included on an agenda to provide complete packet materials to give the Council all the information they need to make a decision; this prevents the Council from needing to ask questions of

Councilmember Carver stated she feels the Mayor is talking about a separate issue than the matter that was raised by Councilmember Teague; the Council is simply indicating they would like to ask applicants questions regarding the information they have provided in support of their application. The public would still be privy to that discussion and the supplemental information provided. The Council sets their own rules and is simply asking that they be adhered to in governance of the meeting.

Councilmember Teague stated that he also supports consistency, but there was inconsistency earlier in this meeting; when the Council was discussing the request from Zupas, the conversation was positive and when the Council asked to hear from the Zupas representative, the Mayor granted it. However, during the discussion of the application from Wright Development, the conversation was somewhat negative, and the Mayor did not want to grant Mr. Johnson the ability to provide input. Mayor Maughan stated that he was nervous about allowing information from the Zupas representative because doing so was inconsistent with decisions he has made in the past; however, the information he was sharing had not been included in the meeting packet, so he allowed it. He indicated he is open to what the Council is suggesting, but he is not open to allowing a 'bait and switch' from applicants, similar to what has occurred in the past. Councilmember Bingham stated she has never experienced a 'bait and switch' type of situation. Councilmember Savage stated that the Council has experienced that type of situation; there as an item on an agenda for which the Council was emailed updated plans 30 minutes before a meeting. Councilmember Bingham stated that in that situation the Council did not take action. Councilmember Savage agreed and stated the item was tabled. Councilmember Bingham stated that means that the Council did not fall for a 'bait and switch'.

Discussion regarding recruitment/retention of crossing guards.

- A wage scale of \$10.75 - \$13.91 went into effect on February 3, 2022.
- The top of the wage scale was reduced to \$12.85 for the FY23 budget.
- This position has been opened several times since February 7, 2022.
- The Department and City have made ten combined Facebook posts about this position since February 7, 2022.
- The Department hired one crossing guard but lost three since our last meeting with the Council.
- There are two pending hires and approximately five interviews scheduled which may yield additional staffing.

- January 1, 2022 – April 31, 2022, sworn officers covered vacant crossing guard positions 143 times; each crossing takes approximately 1.5 hours.
- During that period, the staffing shortage of regular duty crossing guards was not as severe as our current situation.

- According to UCA 41-6a-303(3)(ii), the City is required to provide, train, and supervise school crossing guards at all reduced-speed school zones on highways.
- There are currently four of these reduced-speed school zones in Syracuse.
750 West 2700 South 4000 West Hammon Lane
1700 South Doral Drive 1525 West 700 South

Location	Optimal Staffing	Current Staffing	School
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750 West 2700 South	1	1	Bluff Ridge
4000 West Hammon Lane	1	1	Buffalo Point/SAA
1525 West 700 South	1	1	SAA
1700 South Doral Dr	1	1	Buffalo Point/SAA
2000 West 1700 South	3	1.5 (AM)	Syracuse Elementary
1250 West 1350 South	1	1	Cook
1000 West 2700 South	2	1	Bluff Ridge
2525 South Bluff Ridge	1	0	Bluff Ridge
3000 West 1700 South	1	0	SAA
1550 West SR193	2	2	SAA (North)
1475 West 1700 South	2	1	Cook
2000 West 1350 South (HAWK)	2	2	Syracuse Elementary
1100 West 1350 South	1	0	Cook
1875 South Doral Dr	1	0	Buffalo Point
3660 West 1860 South	1	0	Buffalo Point
Dallas and Marilyn	1	0	Cook
1525 West 650 South	1	0	SAA (North)

Green = Mandatory
Orange = Priority
Yellow = Other Current Locations

At this point, it is probable that we will be able to cover all mandatory and priority locations within two weeks of school starting. Relative to a wage increase, the City's Human Resources (HR) staff conducted a benchmark analysis in accordance with our current recruit and retention policy. The data showed our wage scale should be \$15.24 - \$20.95. Any wage increase would apply to new hires and current crossing guards. This would result in the bottom of the wage scale increasing by 42 percent and the top of the wage scale increasing 51 percent. The estimated budgetary impact is \$60,000.00; there will be no FY23 budgetary impact due to salary/benefits savings from vacant police officer positions, but there will be an increase in the FY24 budget.

Chief Atkin reviewed his memo and facilitated discussion among the Mayor and Council regarding his proposal, specifically adjusting wages in order to recruit and retain crossing guards; they discussed options for offering certain benefits or bonuses to crossing guards as part of a recruitment package. They concluded to support the current recommendation from the Police Chief, but indicated they would like to evaluate the situation in the next few months to determine if other benefits could be offered to improve recruitment efforts.

The meeting adjourned at 8:20 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: October 11, 2022