

Minutes of the special meeting of the Syracuse City Council held on January 14, 2020 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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 Steve Marshall  
City Attorney Paul Roberts  
Police Chief Garret Atkin  
Fire Chief Aaron Byington  
Parks and Recreation Director Kresta Robinson  
Community and Economic Development Director Noah Steele  
City Engineer Brian Bloemen  
Administrative Intern Brittany Morgan

#### 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 Bolduc provided an invocation and Councilmember Savage led the audience in the Pledge of Allegiance.

COUNCILMEMBER MAUGHAN MOVED TO AMEND THE AGENDA BY MOVING ITEMS THREE AND FOUR AHEAD OF ITEM TWO AND TO ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 4a. Recognition of Former Councilmember Doug Peterson.

An Administrative staff memo explained former Councilmember Doug Peterson has been invited to attend the meeting to be formally recognized for his service as a Councilmember.

City Manager Bovero addressed former Councilmember Peterson on behalf of City staff; he indicated that Mr. Peterson was also a pleasure to work with; he handled his responsibilities with grace and represented Syracuse City in a positive manner. He stated Mr. Peterson has left a great legacy of service to the City not only in his most recent term on the Council, but in previous terms as well. He presented Mr. Peterson with a plaque from the City to recognize his service.

Mayor Gailey and the City Council expressed their gratitude to Doug Peterson for his service to Syracuse City as an elected official. Councilmember Bingham stated that in December 2019 Mr. Peterson played the role of Christmas Present in a local production of the play Scrooge; he left his last meeting as a City Council member early to be part of that production. She felt it fitting to present Mr. Peterson with a gift commemorating that role. She added that she has thought about Mr. Peterson's time as a City Councilmember and the number of his 'present' days he has spent in service to the City. This includes how many sporting events he has missed, how many times he left a family vacation to remotely participate in a meeting, how much money he has spent on campaigns, how many pieces of taffy he threw out at City parades, how many boy scouts he met with and mentored, and how many Tuesday nights he spent at a City Council meeting. A tremendous amount of the last 10 years of his 'present' has been taken up in the City's behalf. She stated that she considers Mr. Peterson to be a friend of hers and she finds his countenance and character to be calming and wise. She appreciates the example he has given of what it means to be a Councilmember and it is likely true that no one in the City knows how much time he has spent working to better the community.

Mayor Gailey stated he also considers Mr. Peterson to be a friend and he thanked him for all he has done as a Councilmember.

#### 4c. Arts Council/Junior Arts Council for their Winter Theatrical Production.

An administrative staff memo explained Mayor Gailey would like to recognize the Arts Council, and specifically the Junior Theater Committee and cast, on the incredible job they did on their Frozen Jr. Production that was held in November. The program for the Frozen Jr. play was presented to the Council as reference to the cast and crew that supported the production.

Councilmember Maughan recognized the cast and crew of Frozen Jr. present during the meeting; he indicated the City is very fortunate to have such an artistic group of residents in the City. He indicated their time and sacrifice provide a great benefit to the entire community.

#### 4b. Recognize players and coaches of 2019 Mini Bowl Championship team.

A staff memo explained the Syracuse Parks and Recreation Department, and City Council, would like to recognize and congratulate the Syracuse Storm Bantam Black Football Team, as the 2019 Mini Bowl Champions. On October 26, 2019, they defeated the Clinton Seahawks 19-12 and solidified their Undefeated season. Below is a list of the players and coaches.

- Coaching Staff: Head Coach: Brandon Greenwood, Assistant Coaches: Justin Metcalfe, Robbie Shaw, Jaxon Metcalfe, Tyson Greenwood and Shane Kirkman
- Players: Nathan Anderson, Cole Bailey, Josh Bogenrief, Justin Carlise, Carter Child, Logan Child, Keller Facer, Ryan Fullmer, Joshua Godfrey, Benthadrian Gonzales, Bridger Gorder, Ryland Hunt, Brigham Lawson, Jake Metcalfe, Colin Michaelson, Kayden Page, Gauge Perkins, Luke Peterson, Trey Redfield, Trevin Shaw, Jackson Stark, Matthew Warden, Krew Williams, Jacob Woodruff and Alexander Yeo

The Parks and Recreation Department would also like to recognize Brandon Greenwood for his many years of volunteer service to Syracuse Parks and Recreation. Brandon has been coaching youth football for twenty (20) years, with eight (8) of those years not having his own child on the team. Fifteen (15) of those years were as a Head Football Coach for Syracuse Parks and Recreation. He has a winning record of 91 wins and 12 losses and has won two mini bowl championships (2012, 2019). Brandon also volunteered four years as the Syracuse Parks and Recreation coach representative for USA football. He also received the lifetime achievement award this year from the Wasatch Football League.

Parks and Recreation Director Robinson reviewed her staff memo and recognized the players and coaches of the mini bowl team present during the meeting. She also emphasized her gratitude for Brandon Greenwood; he will be the City's first inductee to the recently resurrected Syracuse City Recreation Hall of Fame.

#### 3. Presentation of Syracuse City and Syracuse Chamber of Commerce "Award for Excellence" for the month of January 2020.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with the Syracuse Chamber of Commerce, present the recipients for the "Syracuse City & Chamber of Commerce Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and the City's website.

West Davis Chamber of Commerce Representative, Terry Palmer, noted both youth receiving the award for January 2020 were nominated by the staff of Bluff Ridge Elementary School.

##### August Romney:

August is the most genuinely kind person. She makes friendships and actively seeks out opportunities to engage with her friends and make them feel better. She has a hug for everyone. August's kindness has supported classmates who struggle with being at school. Administration and teachers often seat these students with August to have a buddy. She does not hesitate to consistently include the person.

##### Josh Thornock:

Josh has gone above and beyond in math and science along with robotics. He is the first person to help out without having to be asked. He is a member of the Bluff Ridge Vex Robotics club.

2. Public comment:

Bruce Hunt stated he wishes to address a proposed zone change for the Holt property. He asked if an environmental impact study has been performed for the property to determine the impact that the construction of apartments and townhomes will have on the property and the surrounding area. He would respectfully request that an environmental impact study include current water usage rates, water availability, and the performance of the pump stations. The reason he asks these questions is that when he built his home five years ago, he had a minimum of 35 pound-force per square inch gauge (Psig) at his home, but that pressure has reduced dramatically to nearly five or six pounds of pressure. He is concerned about the impact that the proposed development of the Holt property will have on the infrastructure in the area. Additionally, the local waste treatment plant has a lack of capacity and he asked if that has been taken into consideration. Finally, he asked if anyone has taken into consideration other developments that have been approved, but for which construction has not commenced. As a licensed engineer, he feels there are some valid concerns for the Council to consider prior to acting on the Holt rezone.

Mayor Gailey asked the City's Public Works Director to meet with Mr. Hunt to discuss his concerns. Councilmember Maughan clarified that no action has taken place regarding the Holt rezone. The application has gone before the Planning Commission, but the City Council has not considered it yet.

Doug Peterson stated he wished to thank City staff, especially those that work closely with the City Council; they have been great to work with. He also expressed that he thoroughly enjoyed working with the current City Council; Mayor Gailey has been a great Mayor and the Councilmembers were able to work together and compromise while still striving to represent the City in the best way possible. Finally, he wanted to say that he loves this City that he grew up in and that he has now served for 10 years. He wished the Council the best in their future decisions.

5a. Common consent: Final Subdivision Plat, The Fields Phase Three, located at approximately 2700 West Gentile Street.

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

Location: 2700 W. Gentile Street  
Current Zoning: R-1 (Cluster Conditional Use Permit)  
General Plan: Low Density Residential  
Total Area: +/-8.52 acres  
Number of lots: 37

The applicant, Dane Smith with CW Land, has requested approval of a final subdivision plat for phase three of The Fields subdivision containing 37 lots. Minimum lot size in the cluster zone is 7,000 square feet or just under 1/6<sup>th</sup> of an acre. Once complete, this subdivision will be adjacent to the south edge of Shoreline subdivision. Phases one and two were approved on September 10, 2019. Infrastructure and groundwork on the first two phases began mid-October of this year. These lots match the preliminary plat and meet all the requirements of the Zoning Code. This is the final phase of this subdivision and consists entirely of detached single-family housing. During their regular meeting on December 3, 2019 the Planning Commission voted unanimously to recommend that the City Council approve this subdivision plat.

**COUNCILMEMBER BINGHAM MOVED TO GRANT FINAL SUBDIVISION PLAT APPROVAL FOR THE FIELDS, PHASE THREE, LOCATED AT APPROXIMATELY 2700 WEST GENTILE STREET. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.**

5b. Common consent: Final Subdivision Plat, Edgewater Park Phases One and Two, located at approximately 2980 South Bluff Road.

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

Location: 2980 S. Bluff Road  
Current Zoning: Planned Residential Development (PRD)  
General Plan: Medium Density Residential  
Phase 1 Total Area: +/-9.063 acres

Phase 2 Total Area: +/-5.182  
Phase 1 Number of Lots: 30  
Phase 2 Number of Lots: 21

Applicant Alan Prince with Monterrey Properties has requested approval of two final subdivision plats containing a total of 51 lots. Each home in this community will be single family detached and each lot will be approximately 5,000 sf. The HOA community will have trails, a pickle ball court, and a pavilion. These lots match the preliminary plat and meet all the requirements of the Zoning Code and Development Agreement for this subdivision. These phases constitute the entirety of the project. Also included is a payback agreement that is needed because the developer will install infrastructure improvements that will benefit the surrounding property. The agreement will require the adjacent landowners to pay their fair share back to the Edgewater developer to connect to the previously installed infrastructure when they develop. On December 3, 2019 the Planning Commission unanimously recommended that the City Council approve both final subdivision plats.

COUNCILMEMBER BINGHAM MOVED TO GRANT FINAL SUBDIVISION PLAT APPROVAL FOR EDGEWATER PARK PHASES ONE AND TWO, LOCATED AT APPROXIMATELY 2980 SOUTH BLUFF ROAD. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

5c. Common consent: Authorize Administration to execute Right-of-Way Interlocal Agreement with UTOPIA.

A staff memo from the City Manager explained in January 2018, UTOPIA offered two models of service in Syracuse City. One being a partnership with the City to provide high-speed fiber service to every home and business. The other model being a simple franchise agreement whereby UTOPIA could, at their discretion, compete as a data provider in Syracuse City along with other similar providers. At that time, the City Council decided the latter option. Since that time, UTOPIA has been in discussion and contracted with the City to provide high-speed fiber to the City Hall campus. That agreement was approved by the Council last summer. At this time, the City will consider the following terms of an interlocal agreement with UTOPIA to allow them to utilize City rights of way to install high-speed fiber service in the City where they see fit. The general terms of the interlocal agreement are as follows:

- The initial term of the agreement is for 15 years. Unless terminated by either party, it will automatically extend one year at each anniversary date, up until a total of 50 years.
- Syracuse City grants a license to UTOPIA to install, maintain, and access their facilities within City rights of way.
- UTOPIA will comply with all City construction standards, processes, and permitting for installation and maintenance of these facilities.
- Whenever UTOPIA installs Facilities within 1,500 feet of the properties outlined in Exhibit A (City Properties), UTOPIA will provide a dedicated access point near the vehicular access point to that City Property, for the purposes of possible future access and potential private network for the City. The City's utilization of UTOPIA's services, if applicable, would be outlined in a separate contract.
- The second model is a partnership with the City whereby UTOPIA fronts the cost to bring high-speed fiber to every household. The payback occurs as residents choose to sign up. A certain percentage of homes would need to sign up in order for UTOPIA to achieve a return on investment. The City, in this model, would guarantee the difference if there was an insufficient number of homes that signed up. The estimated number of homes needed to cover the investment cost is approximately 30%.

The memo concluded the goal of this discussion is to review the draft agreement, provide an opportunity for questions and answers, and decide whether to add this item to the January 14, 2020 Council agenda for approval.

COUNCILMEMBER BINGHAM MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE RIGHT-OF-WAY INTERLOCAL AGREEMENT WITH UTOPIA. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Approval of minutes:

The following minutes were reviewed by the City Council: Work Session of November 12, 2019, and the Business Meeting and Work Session of December 10, 2019.

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

7. Proposed Resolution R20-01 appointing Mark Brunson as Assistant Director Leader to Committee Member Duane Cheney on the Syracuse City Disaster Preparedness Committee.

An administrative staff memo explained the bylaws for the Disaster Preparedness Committee were amended in May of 2019; the amendments provided for the appointment of an Assistant District Leader who may vote in the absence of a District Leader who has been appointed to the Committee. The name of the Assistant District Leader must be presented to the City Council for ratification. Mayor Gailey recommends ratification of the selection of Mark Brunson as the Assistant District Leader for Duane Cheney. As Mr. Cheney's assistant, Mr. Brunson's term on the Committee will run concurrent with Mr. Cheney's: June 30, 2021.

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R20-01 APPOINTING MARK BRUNSON AS ASSISTANT DIRECTOR LEADER TO COMMITTEE MEMBER DUANE CHENEY ON THE SYRACUSE CITY DISASTER PREPAREDNESS COMMITTEE. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED AYE.

8. Public Hearing: Proposed Ordinance 20-01 approving the adjustment of a common boundary with Clearfield City, Utah.

A staff memo from the City Attorney explained on November 12, 2019, both Syracuse City and Clearfield City adopted resolutions expressing their intention to adjust their mutual boundary associated with the lot that will be used to expand the Syracuse Cemetery. Approximately 7.8 acres will be added to Syracuse City, with the remaining 12.22 acres staying in Clearfield. A map establishing those boundaries is attached. No written protest has been filed with the City recorder of either City by a property owner affected by the boundary adjustment. The Council's last step in this process is to hold a hearing and vote on whether to approve the boundary change. The cities will then follow procedures with the Lieutenant Governor's office to make the change official at the state level, which may take several months.

Mayor Gailey opened the public hearing at 6:41 p.m. There were no persons appearing to be heard and the public hearing was closed.

Council discussion of the proposed ordinance focused on the history of the negotiations between Syracuse and Clearfield cities that have led to this proposed action; there has been a great deal of work between Clearfield and Syracuse Cities regarding the most appropriate development of the City's property and consensus was reached to facilitate expansion of the City's cemetery as well as potential subdivision of the remainder of the property for residential use. Councilmember Maughan clarified that this action is simply the boundary adjustment and any future development of the property subject to the boundary adjustment will be vetted by staff and the City Council.

COUNCILMEMBER SAVAGE MADE A MOTION TO ADOPT ORDINANCE 20-01 APPROVING THE ADJUSTMENT OF A COMMON BOUNDARY WITH CLEARFIELD CITY, UTAH. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

9. Public Hearing: Accept public input regarding the draft Self-Evaluation and Transition Plan pursuant to the Americans with Disabilities Act (ADA).

A staff memo from the City Attorney explained that since 1991, federal law has required cities to conduct a self-evaluation of their services, policies, practices, and infrastructure for ADA compliance. Cities of greater than 50 employees are required to periodically review the self-evaluation and update it based upon modifications that came from the self-evaluation. To the best of our knowledge, Syracuse has not yet conducted this self-evaluation. If adopted, this transition plan and self-evaluation will bring us into compliance with the federal law governing self-evaluations. The anticipated timeline for this document is:

- December 10: First read and introduction at Work Session
- January 14: Public hearing
- January 15-Feb 7: Public comment period
- January 28: Work Session for Council edits
- February 11: Review comments and adopt Transition Plan

Mr. Roberts reviewed his staff memo.

Mayor Gailey opened the public hearing at 6:45 p.m. There were no persons appearing to be heard and the public hearing was closed.

Council discussion centered on the thoroughness of the report prepared by Mr. Roberts and the Council indicated they are comfortable considering adoption of the transition plan in a future business meeting.

No City Council action was required or taken.

10. Public comments.

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. They also discussed request for future agenda items.

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

12. Recess to convene in work session meeting.

Mayor Gailey recessed the meeting at 6:56 p.m. The meeting reconvened at 7:55 p.m.

13. Reconvene and 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.

COUNCILMEMBER MAUGHAN MADE A MOTION TO CONVENE IN A 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 PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 7:56 p.m.

The meeting reconvened at 8:31 p.m.

At 8:32 P.M. COUNCILMEMBER BOLDUC MADE A MOTION TO ADJOURN. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: February 11, 2020