

Minutes of the Work Session of the Syracuse City Council held on July 14, 2020 at 7:55 p.m., held virtually via Zoom, meeting ID 857 1273 0008, 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 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

The purpose of the Work Session was to continue discussion of proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 817 W. 1700 S.; hear the recommendation from the Parks Advisory Committee re: 50-acre regional park project; continue discussion regarding Planning Commission recommendation regarding a request to surplus a pedestrian walkway at approximately 2580 S. Allison Way; continue discussion regarding proposed rewrite of Syracuse City alcoholic beverage regulations (second reading); receive a report from Parks and Recreation Director regarding modified Heritage Days celebration; and discuss City Council Rules of Order and Procedure and Planning Commission Bylaws pertaining to the receipt of anonymous public comments.

Report from Parks and Recreation Director regarding modified Heritage Days celebration

Parks and Recreation Director Robinson this year the City held its first – and hopefully last – Syracuse Virtual Heritage Days. The events were held between June 22 and June 28 and included the following activities:

- Monday-Friday: Historical Syracuse City Scavenger Hunt
- Monday: Pitch, Hit and Run and Jr. Home Run Derby
- Tuesday: Facebook Live BINGO
- Wednesday: Antelope Island Tour of Garr Ranch
- Thursday: Chalk Art Contest
- Friday: Syracuse Got Talent
- Saturday: Keys to the City
 - Phillip Gooch
 - Larry Spencer
 - Craig Henderson
 - Brent Jones

She thanked three local businesses that sponsored Heritage Days: Russon Mortuary, J & J Nursery and American First Credit Union. She then reviewed attachments provided in the meeting packet, including the virtual Heritage Days flyer, scavenger hunt brochure, advertisement of the Junior Home Run Derby and Pitch, Hit, and Run winners, and the advertisement of the Chalk Art Contest winners. She noted that while she hopes it is never necessary to organize a virtual Heritage Days celebration in the future, she and her staff have learned of some modifications that can be made to many

events that are part of Heritage Days in order to increase participation by those that may not be able to attend or participate in person. The Mayor and Council thanked Ms. Robinson for being so innovative and giving Syracuse residents a reason to celebrate during these times.

Continued discussion of proposed rezone from Agriculture A-1 to Mixed Use (MU) zone for property located at approximately 817 W. 1700 S.

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

Location: 817 W. 1700 S. (East of Smith's)
Current Zoning: A-1
General Plan: Commercial (allows MXD, GC, PO, or NS)
Acres: 5.29

Applicant Nate Swain with Blacksmith Development is proposing a rezone to Mixed Use.

Please consider the following items

- The proposed change is consistent with the General Plan Map
- Concept plans and building elevations have been submitted with application as required.
- Zoning map amendments are subject to but not limited to the approval standards found in ordinance 10.20.070(E) (see attached staff analysis)
- Planning Commission reviewed the project and held a public hearing on December 3rd. After much opposition was expressed by the neighbors to the south, the project was tabled for further discussion. On December 17, the discussion resumed and concerns about impacts to neighbors, buffering, traffic, utilities, schools, crime, and circulation were explored. The PC voted 5-2 to forward a recommendation for conditional approval to CC. The condition was that the north entrance onto Antelope drive be straightened out to more easily accommodate a fire apparatus. Since that meeting, the applicant has worked with the fire department to design an acceptable entrance configuration. See attached plan (1-22-20 submittal)
- This item has been on hold since January 28, 2020 while the MXD ordinance was amended. The MXD ordinance amendment was finalized on June 9th, 2020. The applicant would like to now resume consideration of his application.

The memo concluded the goal of tonight's discussion is to determine if more discussion is needed in another work session or if it can be forwarded to the next business meeting agenda.

Mr. Steele reviewed his memo and facilitated discussion among the Council regarding the plan that has been submitted, but noted the applicant has submitted an amended plan today that was not included in the Council's meeting packet. There was a focus on site access, traffic patterns, and ingress/egress points; adjustments to building setbacks in the project; expansion of the commercial component of the project; orientation of commercial buildings and associated on-site parking; walkability of the community; timing of the development of the commercial aspect of the project; and roof-line design aesthetics and addressing the concerns expressed by adjacent property owners regarding building heights.

The Council concluded to direct Mr. Swain to adjust his plan according to the feedback provided tonight and resubmit for continued discussion during the July 28 work session meeting.

Recommendation from Parks Advisory Committee re: 50-acre regional park project.

A staff memo from the City Manager explained that in February, the City received public input via a public survey on the design of the 50-acre park to be located at 2000 West and Gentile Street. The City Council tasked the Parks Advisory Committee with examining the survey results and devise some options on funding the park, and advise the Council of any suggested changes to the design. The Park Advisory Committee voted to recommend that the City start with a park funding survey, in order to establish the residents' willingness to contribute to the park in the form of a bond election. After the survey, the Committee would like to use the results to formulate a funding plan for the park. The City contracted with FlashVote to provide a survey service in order to enhance the amount of public input, and provide it in a way that has statistic validity. The intent of the survey service is to give the Council data as part of their decision making, not to override the Council's decision making. The results of the funding survey were received in June 2020. The Parks Advisory Committee

reviewed the results of the survey and discussed it at their June 30 meeting. The PAC recommends the following approach to funding the 50-acre park:

- The results of the survey indicated that the limit of the citizens' support for a bond was around a \$72/year increase in property taxes, which we think would yield approximately \$10 million. The estimate for the park project is around \$30 million. It is assumed that the City will have an estimated ~\$5million cash on hand, plus private funding and grants would be sought to help fund the park.
- Currently the City has about an \$8 million balance left on its MBA bond, which was used for construction of some City facilities including the fire station. This bond has an approximate annual payment of \$1million, and is set to retire in 2028.
- The PAC's recommendation is to pass a 20-yr general obligation bond that "re-finances" the current MBA Bond in order to lower the annual payments, thereby allowing the City to use existing budgeted monies to borrow enough funds to substantially complete the park.
- Here is how that would work budgetarily: by paying off the MBA bond with the GO Bond, the City essentially refinances the MBA bond over the next 20 years, thereby reducing the annual payment from \$1million down to about \$500k per year.
- With a \$72/year tax increase from citizens (which was the estimated limit that residents are willing to approve), the City would be able to bond for \$10 million. But with the savings from the MBA bond refinance, the City would actually bond up to \$26 million. The "refinance" of the MBA bond would use the City's existing \$1million/year budget for bond payments to cover the payment for the MBA bond (\$500k/year) plus borrow an additional \$8million for the park (\$500k/year). So, it would look like this:

20 Year GO Bond Coverage

\$10 million – Paid for by bond election (~\$630k per year)

\$8 million – Paid for by savings of MBA "refi" (~\$500k/year)

\$8 million – Paid for by existing debt budget (~\$500k per year)

Total Bond: \$26 million

The memo concluded the purpose of this discussion item is to do the following:

1. Consider the recommendation provided by the PAC.
2. Discuss and provide direction to Administration on the Council's direction regarding the park. Specifically, whether to place a proposal on the ballot for a bond election, and if so, for how much (an 'up to' amount).

Mr. Bovero reviewed his staff report and facilitated discussion among the Council regarding the financial implications of the proposed bond action. Councilmember Maughan stated he wants to build the park, but he is not confident that a bond action will receive support from the voters at this time. Councilmember Savage stated he is also nervous about voter support for the bond; if the results of the election are 51 to 49 in opposition to the bond, it would be difficult for the City to proceed with the project or come back again next year to again seek support for a bond. Councilmember Maughan stated he would like to work on private fundraising efforts before going to the residents for support of a bond; he would like to assemble a small group of people that could serve as a taskforce assigned with securing private funding for the project. If the City is able to raise a significant amount of money through private fundraising, that will go a long way with the voters who are being asked to weigh in on a bond. This led to discussion and debate among the Council regarding whether to call a special bond election this year or pursue private fund raising now and schedule a bond election in 2021. There was a focus on the impact COVID-19 will have on the outcome of an election held in 2020 compared to the influence a municipal election campaign could have on the results in 2021.

Mayor Gailey polled the City Council regarding whether to call a special election this year; Councilmembers Bolduc, Bingham, Teague, and Savage indicated the points raised by Councilmember Maughan are valid and the outcome of an election in 2020 may not be in support of bond issuance for the project.

Mayor Gailey then polled the Council regarding their support for the financing options recommended by the PAC; the majority communicated support for a combined refinance of existing debt and extension. Councilmember Maughan stated he feels the strategy is very creative and could benefit the City, but he is not comfortable approving the extension of debt until the Council understands how much money can be raised privately to support the project. Councilmember Savage stated he supports the idea of creating a task force charged with private fund raising for the project. Mr. Bovero asked if there is a minimum fundraising amount the Council would like to see before submitting the ballot question to the public next year. The Council agreed it is not necessary to declare a target number so long as there is a concerted effort at raising funds. Mayor Gailey stated he would like to see the City aim to raise one-third of the money needed to fund the project.

Continued discussion regarding Planning Commission recommendation regarding a request to surplus a pedestrian walkway at approximately 2580 S. Allison.

A staff memo from the Community and Economic Development (CED) Department explained Arce Nacario, the owner of the home south of the pedestrian walkway located at approximately 2580 South Allison Way has approached the city requesting to put up a 6' vinyl privacy fence along the south edge of the walkway. However, Ordinance 8.15.010(D) says:

“(2) Fencing is not required, however if fencing is installed next to the trail it is required to be chain link or 50 percent open rail/slat vinyl. An additional six inches of concrete is required on each side of the walkway to embed the base of the fencing posts. All other non-open fencing must be offset 10 feet from the trail.”

None of the fencing options allowed by ordinance were desired by the homeowner. Planning Commission held a public hearing and considered the following options on June 2, 2020.

1. Amend ordinance 8.15.010(D) pertaining to fencing adjacent to pedestrian walkways
2. Surplus the walkway land which would then initiate the city surplus land policy which requires the land to go to bid for purchase by adjacent landowners.
3. Do nothing, requiring the homeowner to follow existing ordinances.

During the public hearing portion of the meeting, many residents requested that the walkway remain in place as it is a valuable asset to them and expressed desire to amend the ordinance to allow the fence to be installed by the owner. After the public hearing, Planning Commission unanimously recommended to City Council to amend the ordinance rather than sell the walkway.

CED Director Steele reviewed the staff memo and facilitated discussion among the Council regarding the options available to them at this time. The Council debated whether the walkway is still needed and should be preserved for the neighborhood; they determined it should be preserved, but they wished to respond to Mr. Nacario's request to adjust his fencing to increase privacy in his own yard.

Mayor Gailey polled the Council regarding whether they desire to declare the property as surplus. Councilmember Savage indicated he is willing to surplus it and offer it for sale. Councilmember Bolduc indicated that if the neighbor is willing to work with the City and Mr. Nacario, she is willing to surplus the property; but, if an agreement can be reached regarding changes to the fencing, she does not want to surplus. Councilmember Bingham agreed. Councilmember Maughan indicated he is willing to surplus the property. Councilmember Teague agreed with Councilmember Bolduc. Mayor Gailey directed Mr. Steele to approach the neighboring property owner to the north of Mr. Nacario to determine if he will allow his fence to be removed, the walkway can stay. Mr. Steele stated that would also require an ordinance amendment. The Council indicated they will consider an ordinance amendment so long as the length of walkway that can be bordered by solid fencing is limited. Councilmember Bolduc suggested that language be included in the ordinance to require that the majority of the walkway be visible from the street. This would prevent creation of an alleyway by allowing solid fencing alongside a walkway; the Council indicated the maximum length of solid fencing along a walkway should be 50-feet.

Continued discussion regarding proposed rewrite of Syracuse City alcoholic beverage regulations (second reading).

A staff memo from the City Attorney explained the City Council reviewed the Alcohol Code for a first read during the June work session meeting. Changes since that date are limited to giving consent for manufacturing and liquor warehousing. The following items outline the goals of this discussion:

1. Discuss specific concerns with the draft.
2. Place item on future business agenda, if Council is ready to proceed.

Mr. Roberts reviewed his staff memo.

Councilmember Maughan asked why the City would be prohibiting bars and taverns. Mr. Roberts stated that is a policy decision for the Council to make. Councilmember Maughan stated that he would prefer to list them as an allowed use, but such a use may fail in the City due a lack of interest. Councilmember Savage stated he would prefer to maintain the prohibition of bars and taverns; if alcohol sales are allowed, he would rather the consumer buy alcohol at a retailer and then take it to their home to drink it. There was a brief philosophical discussion about whether to list bars and taverns as an

allowed or disallowed use; the Mayor concluded that debate can continue during the business meeting and he directed staff to include an action item on the next business meeting agenda regarding this matter.

Discussion regarding City Council Rules of Order and Procedure and Planning Commission Bylaws pertaining to the receipt of anonymous public comments.

A staff memo from the City Attorney explained the draft amendments to the City Council Rules of Order and Procedure and Planning Commission Bylaws include substantially similar modifications. Procedures and standards for written comments are established, to help fairly administer such matters. Anonymous comments are prohibited from being accepted into the record or read in by staff. The draft language is based entirely upon foreseeable issues, and is subject to change by the Council in all respects. The following items outline the goals of this discussion:

1. Determine the rules that govern written comments submitted for consideration during a public meeting.
2. Place on future work session for further examination, or on a business meeting if Council is ready to proceed.

Mr. Roberts reviewed the staff memo and summarized the amendments to the rules documents that were included in the meeting packet. The Council debated whether to impose time limits on written comments, ultimately concluded it would be best to uphold the three-minute rule for written or live public comments. The also concluded to include an item on the August 11 business meeting agenda to allow for a vote on the amendments.

The meeting adjourned at 9:54 p.m.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: September 8, 2020