

Minutes of the regular meeting of the Syracuse City Council held on July 14, 2020 at 6:00 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
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele
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 Savage provided an invocation and Councilmember Bingham led the audience in the Pledge of Allegiance.

COUNCILMEMBER BOLDUC MOVED TO ADOPT THE AGENDA. COUNCILMEMBER SAVAGE 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.

Rachel Page provided the following comments via email:

"Hi council members and mayor,

We are sad to see the rezoning of property East of Smiths for high density apartments back in the agenda, and want you to know that the citizens are still very invested in what is going on in our community. We were extremely disappointed in how "mixed-use" was finally decided upon, as it seems, according to the numbers that we have, that the developers could bring even LESS commercial to the plans than they even presented (you can verify if that's correct or not-the newly required commercial square footage to get 3-story is even less than the amount of commercial the developer has planned). Not sure if that was intentional or not. But I know the lack of commercial "mix" was one of the biggest concerns that caused you to go back to the drawing board in the first place, so we were very surprised. We also urge you to consider all the opposition to this proposal once again, and we argue that this proposed development for high density apartments does NOT fit well with the city's general plan (despite seeing that someone summarized that it does in the agenda notes). The high density 3-story apartments are NOT appropriate for the area (The plan even states that medium density usage is the highest density usage appropriate there, and even then, it would have to be the right fit for that particular piece of property due to all the things we've discussed in the past). The height of the apartments also does not match/compliment the surrounding properties, as is discussed in the general plan. There are more issues you are already aware of from our meetings. Also, please reconsider all the dangers and conflicts that this specific proposal causes at this property: dangerous ingress/egress, increased high traffic at an already dangerous area of antelope drive, lack of commercial, not increasing daytime population-just commuters, etc. I know you've all had these conversations with numerous citizens about this development and know the general sentiment and concerns expressed, so I just wanted to share that those have not changed and we are still relying on each of you to represent the voices of the citizens and reject this proposal. We would like to see this area stay designated as commercial only. It is a better fit for the city in general and the surrounding community. I typed this quickly on my phone so please excuse the errors :) Thanks!"

Mayor Gailey then invited Zoom participants to provide public comments. There were no additional comments made.

3. Approval of minutes.

The following minutes were reviewed by the City Council: Regular City Council Meeting, Special Redevelopment Agency (RDA) Meeting, and Special Municipal Building Authority (MBA) Meeting minutes of June 9, 2020.

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

4a. Common consent: Proposed Resolution R20-25 amending the Syracuse City Recruitment and Retention Policy.

A staff memo from the City Manager explained the City's Recruitment and Retention Policy was adopted in December of 2016. The policy's aims are to attract and retain the best talent possible in order to ensure quality services to our residents, and to optimize efficiency of operations by eliminating excessive turnover. Based on discussion at previous Council work sessions, the following edits are proposed to the City's Recruitment and Retention Policy:

- Pages 2-3: Remove 'New' text from document.
- Page 6: Edit Advancement policy so Advancement and Merit increase can occur in same year.
- Page 7: Edit Biennial Review policy to include Council examination of wage scales that have moved more than 5% from their designated market percentile.
- Page 8: Edit Market Adjustment policy so wage adjustments due to market changes will occur for employees hired within previous 12 months, rather than 24 months. Also clarifies that employees will not be paid below the minimum of the wage scale.

The memo concluded the decision before the Council tonight is whether to adopt the proposed amendments to the City's Recruitment and Retention Policy.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R20-25 AMENDING THE SYRACUSE CITY RECRUITMENT AND RETENTION POLICY. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Proposed Ordinance 2020-12 establishing the Syracuse City Youth Commission.

A staff memo from the City Attorney summarized a draft ordinance that would govern the Syracuse Youth Commission, if adopted; the draft establishes the basic program of the Commission and moves provisions that governed the Youth City Council to a new chapter in the Syracuse City Code. Specific sections of the ordinance address the expectations and roles of the Youth City Council, Youth Taskforce, Intern Pool, and adult members/advisors.

Mr. Roberts reviewed his staff memo.

Councilmember Savage stated he thinks this is a great idea; his only concern is the scope. He believes this will be a great deal of work for the City and for adult advisors to the Commission, but if it is successful it will be great. Councilmember Maughan agreed and asked if increasing the scope of this body will result in a budgetary impact. Last year the City budgeted training costs for the Youth Council, but if the membership of the Commission is increasing and it is also necessary to increase the number of advisors to the group, those costs will likely increase. Councilmember Bingham stated that the number of leadership positions are not necessarily being increased, though the number of youth participating will increase. The youth will receive training from the Communities That Care (CTC) Coalition, which is free of charge.

Councilmember Bolduc added that the City has not yet started accepting applications for youth in the community who are interested in being part of the Commission; however, 12 adults have been identified for the mentor positions and will be given that assignment if this ordinance passes. Councilmember Maughan stated that is great news; he was only concerned about the potential increase in training costs. Councilmember Bolduc stated that in the past the City has budgeted \$1,500 to pay for training opportunities through the Utah League of Cities and Towns (ULCT); she does not anticipate it will be necessary to increase those costs. Councilmember Maughan stated he is comfortable with creating the Commission, but if it is necessary to consider a budget increase, that should be brought before the Council again.

COUNCILMEMBER BINGHAM MOVED TO ADOPT ORDINANCE 2020-12 ESTABLISHING THE SYRACUSE CITY YOUTH COMMISSION. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Proposed Resolution R20-24 re-appointing Tara Julien-Wilson and LeAnna Hamblin to the Syracuse City Arts Council.

An administrative staff memo explained Arts Council leadership has requested that Tara Julian-Wilson and LeAnna Hamblin be appointed to the Arts Council Board. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

"3.09.020(B): Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation

Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.”

Councilmember Maughan reviewed the staff memo and indicated he supports the appointment of the two individuals as recommended by Arts Council leadership. He added that the term for a third individual has expired, but that individual did not want to be reappointed, so there is a vacant position. He then noted that the current ordinance assigns five-year terms for Board members of the Arts Council; however, the Arts Council wants to change that to four years and is working on an amendment to their bylaws now. They will be presenting a recommendation for an adjustment to the City ordinance.

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R20-24 RE-APPOINTING TARA JULIEN-WILSON AND LEANNA HAMBLIN TO THE SYRACUSE CITY ARTS COUNCIL, NOTING THAT THEIR TERM WILL BE FOUR-YEARS RATHER THAN FIVE YEARS. COUNCILMEMBER BOLDOC SECONDED THE MOTION; ALL VOTED AYE.

7. Authorize Administration to award contract for street light installation project.

A staff memo from the Public Works Department explained the City’s 2015 contract for street light installer has reached its maximum renewal periods (five years). This proposal is to begin a new contract with annual renewals up to a five-year maximum. A Request for Proposal (RFP) was advertised on June 6, 2020 and June 29, 2020; seven companies received the proposal and two companies responded. Five factors were evaluated, as indicated:

	VK Electric	B.Jackson
Insurance	100	100
Experience	100	100
Responsiveness	80	100
References	100	100
Cost	100	50
Total	480	450

The memo concluded staff recommends awarding the contract for street light installation to VK Electric, Inc. Public Works Director Whiteley reviewed his staff memo.

Councilmember Maughan commented on his support for selecting the contractor with the lowest price and in closest proximity to the service area.

COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO AWARD CONTRACT FOR STREET LIGHT INSTALLATION. COUNCILMEMBER SAVAGE SECONDED THE MOTION. ALL VOTED IN FAVOR.

8. Proposed Ordinance 2020-13 amending the Syracuse City zoning map from A-1 to Planned Residential Development (PRD) for property located at approximately 2750 South Bluff Road, approving the submitted Preliminary Plat, and approving the execution of a Development Agreement to govern the property.

A staff memo from the Community and Economic Development (CED) Department Director explained Mike Bastian with Castle Creek Homes has applied to rezone approximately 18 acres located on Bluff Road at about 2750 S. The request is to change from A-1 to PRD. The PRD zone requires that the preliminary plans be provided and approved along with the rezone application. This makes it so the city knows exactly what type of development is proposed prior to approving a rezone. These details are cemented in a development agreement signed by both parties that is also approved with the zoning. A public hearing was held at Planning Commission on June 2nd, 2020 and was tabled because staff comments had not been addressed. There were a handful of residents from Trailside Park in attendance who expressed opposition to the project. On June 16, the commission resumed discussion on the item and unanimously approved a motion to recommend approval to City Council. Staff has reviewed the plans for compliance with adopted land use ordinances and reviews are included in this packet. The applicant has also conducted a geotechnical, traffic and wetland study of the site. On June 23, 2020 city council reviewed the item in their work session where debate about whether the proposal meets ordinance 10.75.040(I)(2) and (3) concerning duplicating facades and garages not being the 'major architectural feature'. The majority of council felt the item was ready for a vote. The memo concluded the discussion tonight should be centered around whether: (a) should the land be rezoned? (is it the right place for the use, right timing, etc.); and (b) do the preliminary plans meet the city's ordinances?

CED Director Steele reviewed his staff memo and presented the applicant’s preliminary plat to orient the Council to the layout of the project and to highlight adjustments to the architecture within the project. Based upon the architectural adjustments, staff can accept the applicant’s argument that the current design complies with City ordinances. He focused on

the regulations in the ordinance prohibiting duplication in architecture as well as the garage being the major architectural feature and noted that adjustments have been made responsive to the concerns expressed by the Council during their last review of the application. Finally, he discussed infrastructure issues raised by the City Engineer relative to the potential need to address drainage issues for the area of the property that abuts nearby wetlands.

Councilmember Maughan noted he discussed this application with Mr. Steele earlier today regarding staff review of the architecture of the project. He asked Mr. Steele to provide images of the project that they reviewed during that discussion. Mr. Steele presented a rendering of the project upon which he had circled all instances of repeating architecture on the same street. He also noted he has discussed the Council's concern regarding garages as the major architectural feature of a unit and suggested that garages be relocated to the side or rear of a unit; the applicant has indicated that type of change would result in a dramatic increase in construction costs for the project. Councilmember Bolduc stated that would also impact access to individual units. Mr. Steele stated that is correct; the developer would need to construct additional roads and private driveways.

Mayor Gailey invited input from the applicant. Mike Bastian provided a rendering of the workout station amenity that he will include in the project area along the walking trail. He then noted lots one through nine of the project will be patio home units. This adjustment has been made to preserve the views enjoyed by the residents in the Trailside development. There will then be a transition into townhome units, and he identified the addition of front porch seating areas and a front walkway to satisfy that requirement in the City's ordinance; additionally, the floorplans of the townhomes are very functional with usable spaces. This is the type of project that will be very attractive and desirable for buyers in this market. He then addressed the issue of repeating architecture; the ordinance indicates that architecture cannot be repeating sooner than every third building so he adjusted his design to provide three different facades that rotate throughout the project. A professional designer has picked out colors and has identified two different color schemes; the units have different accents and colors, but they compliment one another and provide a very cohesive design.

Councilmember Savage stated that it appears the same rock or brick will be used on all of the units. Mr. Bastian stated that is correct. Councilmember Savage stated that could yield a result that will be repetitive. Councilmember Maughan agreed and stated that he finds the updated plan to be nothing but repetitive; there are slight variations in color and architecture, but very slight. He stated he feels that the standard that has been imposed on other developments and should be upheld for this project is to require a significant difference from building to building; this may be more expensive, but changes the feel of the community so dramatically to ensure it is not tract housing. This led to high level philosophical discussion and debate regarding whether the amendments to the plan address the Council's concern about repeating architecture; Councilmembers Bolduc and Bingham argued that the amendments are acceptable. The current plan provides a consistent theme for the entire development while providing enough differentiation between units to set them apart from one another. Councilmember Bingham compared the project to the Stoker Gardens PRD but noted that it will actually be nicer than that project that is always cited as a standard for other projects to live up to.

Mr. Bastian stated that he was the applicant for amendments to the City's Planned Residential Development (PRD) ordinance; he feels that the design that he has presented 'raises the bar' for this type of project in the City. The layout and look are superior to other projects in the City, but will make it possible to offer the units at a price that is affordable for people that desire to live in Syracuse. He then stated that there has not been a unit for sale in the Stoker Gardens PRD for over a year; that is because people want to be there, but there is not enough of that type of product in Syracuse. This project will create more units like that at a comparable price point. He then stated he is worried that other components of the community have been overlooked because there has been such a focus on repeating architecture. He stated that the size of some of the units have been increased to provide different products that are in demand in the market. The open space/common space and amenities will be usable by the residents and the community at large. The neighboring project to the south was able to count wetlands as open space and common space, but he has not been given that same consideration. For that reason, he has added more amenities and usable open space and he far exceeds the 20 percent open space requirement for this type of project. Councilmember Maughan stated he has trouble accepting that staff would be inconsistent in their application of ordinances regarding open space; he believes that the wetlands in the project to the south were mitigated and that is why there were counted in the requirement for open space; the wetlands in this proposed project have not been mitigated. Mr. Bastian stated that the plat for the project to the south identifies unmitigated wetlands; some areas were mitigated to provide for the construction of roads or development of a lot, but a large portion of the wetlands were unmitigated and were counted towards open space.

Mr. Steele stated that he does not believe that wetlands were counted towards open space requirements; however, the City's trail connected to that project area was located on property not owned by the City. The developer subsequently dedicated a large amount of property and the trail to the City to address that issue. Mr. Bastian stated there is a similar situation on his property and when he acquired it, the portion upon which the trail is located automatically reverted back to the City and the Bureau of Reclamation; the same should have been true for the other property, but it never got recorded that way for some reason. He presented the plat for the adjacent project and identified wetlands and the detention basin that serves it; both were counted as open space for the project. The only usable open space they created is pickleball courts. He stated he will improve the open space on his property so that it is usable by residents and the community. Mr. Steele stated he is willing to look into the open space calculations for the Edgewater Development, but the assertion that staff is not applying the ordinance evenly is not correct in his opinion. He accepted Mr. Bastian's point that he has provided a great deal of open space in his project.

Mayor Gailey then refocused the discussion on the amendments that have been made in the preliminary plat; relative to the architecture, Councilmember Teague stated that he does not love the look of the project and would prefer more variance between units, but if the design complies with City ordinance, he can consider approval. Councilmember Savage stated that he feels Mr. Bastian has done a great job on the updated design; he believes the garages are extremely repetitive from unit to unit. He would like some adjustments on the exterior of the building to achieve greater variation. Councilmember Bingham stated there is a difference between repetitive and cohesive/complimentary; what the City is asking Mr. Bastian to do is make a project cohesive so that it does not look like someone picked colors and materials at random in order to meet the request for variation. Developers walk a fine line in designing a cohesive project that also has character to set units apart from one another. She noted that the reason for allowing these types of projects in the City was to provide a product that is affordable for young families; if adjustments are made that result in increased costs of units in the project, the purpose of the PRD ordinance will be defeated. She stated she believes that minor tweaks and accents can be made in the project to result in more stylized design, but she does not want to request structural and overall design changes as doing so will result in increases costs. Councilmember Savage stated he can support that direction.

COUNCILMEMBER MAUGHAN MOVED TO TABLE ORDINANCE 2020-13 AMENDING THE SYRACUSE CITY ZONING MAP FROM A-1 TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) FOR PROPERTY LOCATED AT APPROXIMATELY 2750 SOUTH BLUFF ROAD, APPROVING THE SUBMITTED PRELIMINARY PLAT, AND APPROVING THE EXECUTION OF A DEVELOPMENT AGREEMENT TO GOVERN THE PROPERTY.

Councilmember Savage stated he would like to continue discussion to determine if the applicant is willing to consider minor adjustments to the plan. Mr. Bastian stated that he can use the feedback provided by the Council to make minor adjustments to the application in order to request a vote on the application in August or during a special business meeting in July. The Council determined to ask Mr. Bastian to make the changes to the application for review during the July 28 work session meeting with the goal of moving the application to the August 11 business meeting for a vote.

COUNCILMEMBER SAVAGE SECONDED THE MOTION. ALL VOTED IN FAVOR.

9. Proposed Resolution 20-26 adopting comprehensive edits to the Syracuse City Personnel Policies and Procedures Manual.

A staff memo from the Administrative Services Director explained City staff has reviewed various sections of the Personnel Policies and Procedures manual and would like to recommend changes as noted in the red line edits on the attached PDF document. Below is a summary of significant changes:

- 5.050 – Amended merit increase policy for employees with less than one year of service.
- 7.080 (c) – Removed Finance Director and added Administrative Services Director to the possible exemptions from URS.
- 8.070 (e) & 26.020 – Added to the sick leave policy and termination policy that when an employee resigns, they cannot use sick leave within final 2 weeks unless they have a doctor's note.
- 9.060 – Added to Employee Ethics policy that employees will need to fill out and sign the ethics pledge annually.
- Chapter 10 – Added a Cash Receipting & Deposit Policy
- Chapter 11- Added a Reporting Fraud & Abuse Policy
- 15.010 (g) – Removed Senior Fire Fighter and added Fire Marshal to the annual background check list
- 19.030 – Changed the emergency cash out from \$250 to \$200.
- Chapter 20 – Added a telecommuting policy. Added language on secure connections and a clause pertaining to careless acts of employees.
- Appendix L – Ethics Pledge Form

The memo concluded the action before the Council tonight is to Consider whether to approve Resolution 20-26 adopting comprehensive edits to the personnel policy.

Mr. Marshall reviewed his staff memo.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R20-26 ADOPTING COMPREHENSIVE EDITS TO THE SYRACUSE CITY PERSONNEL POLICIES AND PROCEDURES MANUAL. COUNCILMEMBER TEAGUE SECONDED THE MOTION. ALL VOTED IN FAVOR.

10. Public comment.

Mayor Gailey invited Zoom participants to provide public comments.

Barbara Nichols stated she lives in the Trailside project and there is still huge opposition to Mr. Bastian's proposed development project on Bluff Road; they have stopped voicing their opposition because they feel no one is listening. They have given up because their elected officials have failed them. If the project is constructed as proposed, the traffic on Bluff Road will be horrendous and the road that has an outlet through the Trailside project will also be crowded. This is normally a calm area relative to traffic, but it will become inundated. The quality of life of the people living there will dramatically decrease and the reason they moved to Syracuse will be eradicated. In 10-years, after the second or third generation of ownership of the units, they will all become rental units and the area will turn into a ghetto. The developer will have the money in his pocket,

the City will bear the burden of the project, and the surrounding landowners will have a decreased quality of life. The project will increase the demand for fire and police support and the roads will become dangerous for residents, motorists, and pedestrians. She added the develop is not planning to bring any fill dirt into the project area. She spoke with an engineer who told her that the water on the property will drain to the lowest point no matter what drainage efforts are implemented; in a high water year the area will be flooded, and foundations/floors will sink. This will cause people to walk away from their property and for the area to be unattractive. She concluded that the existing residents will bear the burden of the project and she does not feel it is appropriate to place this on the backs of local property owners.

Arce Nacario stated that he was told that the issue relating to the walking path adjacent to his property would be discussed tonight. Councilmember Bingham stated that it will be discussed in the work session meeting scheduled to follow this meeting.

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. Mayor Gailey facilitated discussion among the Council regarding their desired format of the upcoming Truth in Taxation hearing scheduled on August 11. The Council debated the safety and effectiveness of holding a hybrid in-person/virtual meeting and concluded to make City Hall available to residents who wish to attend in person and the Council and staff will participate in the meeting virtually via the Zoom platform.

12. Recess to convene in City Council Work Session.

The Mayor recessed the meeting at 7:50 p.m. to convene the City Council Work Session. The meeting reconvened at 9:54 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 9:55 p.m.

The meeting reconvened at 10:34 p.m.

At 10:34 P.M. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: September 8, 2020