

Minutes of the Work Session of the Syracuse City Council held on September 22, 2020 at 6:00 p.m., held virtually via Zoom, meeting ID 873 7227 7549, 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

The purpose of the Work Session was to hear public comments; meet the newly hired Museum Curator; discuss proposed amendments to the Storm Water Impact Fee Analysis (IFA) and Impact Fee Facilities Plan (IFFP); engaged in continued discussion of a pedestrian walkway at 2580 S. Allison Way; discuss the following planning items:

1. Discuss proposed Payback Agreement related to installation of infrastructure improvements by the Fields Subdivision.
2. Discuss concept of Crime Free Program for multi-housing or high-density projects.
3. Continued discussion of proposed amendment to Zoning Map from A-1 and GC to MXD – Located Approximately 1850 W. 1700 S. (tabled from September 9, 2020)
4. Proposed zoning map amendment, residential R-1 to residential R-3, 2.448 acres located at approximately 2889 S. 3000 W.
5. Proposed zoning map amendment, General Commercial (GC) to Climate Controlled Self-Storage Unit Zone (SU), .94 acres located at approximately 1556 S. 2000 W.
6. Continued discussion - review draft Economic Development Strategic Plan.
7. Potential Redevelopment Agency (RDA) incentive option for mixed-use office building.
8. Potential Redevelopment Agency (RDA) incentive option for a proposed office/retail/storage project.

Discuss proposed amendments to the Syracuse City Personnel Policies and Procedures Manual; Review Flash-Vote survey results regarding high-speed internet fiber service options for Syracuse City; discuss proposed amendments to the Syracuse City Code Section 10-30-060(F) pertaining to sump pump discharge; proposed Use of CARES Act Funding for Day Care Assistance through the Davis Education Foundation; and discuss future agenda items/Council announcements.

Councilmember Savage provided an invocation. Councilmember Maughan led the audience in the Pledge of Allegiance.

**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. He indicated no written public comments were submitted. He then invited Zoom participants to provide public comments; no public comments were made.

**Introduction of newly hired Museum Curator, Elizabeth Najime.**

City Manager Bovero introduced Museum Curator Elizabeth Najime; he has had the opportunity to meet with Ms. Najime and is excited for her to begin her work with the City. He noted he is confident that she will benefit the Museum as well as the City as a whole as she will also be handling some communications responsibilities for City Administration. He invited Ms. Najime to address the Council. Ms. Najime provided a brief overview of her educational and professional background; she has a great deal of museum experience and she is excited to work with and support the Syracuse Museum. She looks forward to seeing it thrive and grow.

Several Councilmembers welcomed Ms. Najime to the community and indicated they look forward to working with her.

**Discussion regarding proposed amendments to Storm Water Impact Fee Analysis (IFA) and Impact Fee Facilities Plan (IFFP).**

A staff memo from the Administrative Services Director explained City Administration is proposing amendments to the Storm Water Impact Fee Analysis (IFA) and Impact Fee Facilities Plan (IFFP). The proposed amendments are intended to pull projects forward in our storm water master plan to the IFFP in order to have those projects eligible for storm water impact fee expenses. Changes were made to projects 17 through 22 in the IFA plan. Because these projects will be pulled forward, the storm water impact fee will increase. The current fee is \$7,398.85 per acre and the proposed fee would increase to \$8,967.37 per acre. If the Council approves this change, there will be a 90-day waiting period from the approval date to enact the fee increase. The memo concluded the goal of tonight's discussion is to determine whether to proceed with the amendments and increase the impact fee.

Administrative Services Director Marshall reviewed his staff memo. The Council briefly discussed the proposal, with a focus on the need to charge appropriate fees to cover the cost of services. Councilmember Maughan indicated that he feels the timing of the fee increase is appropriate as it will be in place in advance of the 2021 development season.

Mayor Gailey asked that staff proceed with scheduling the public hearing to allow Council action on the proposed amendments.

**Continued discussion: pedestrian walkway at approximately 2580 S. Allison Way.**

Mayor Gailey noted that Councilmembers Bingham and Bolduc asked that this item be added to the agenda to allow for the Council to revisit the action taken recently regarding pedestrian walkways in the City.

Councilmember Bolduc stated that she has been contacted by Arce Nacario who is concerned about the impact the Council's recent action on this issue will have on his neighbor; specifically, reducing the fence in his side yard to three feet is upsetting to him. Councilmember Bingham added that Mr. Nacario indicated that his neighbor had difficulty in participating in the discussions of the item as he could not access the Zoom virtual meeting. She stated that the Council discussed several options for addressing the issue that Mr. Nacario initially raised. She revisited those options and indicated that Mr. Nacario has asked that the Council reconsider the ordinance amendments in a manner that will allow Mr. Nacario's neighbor to keep the fence on his property and also allow Mr. Nacario to erect the fence along his property line. The portion of the fence that is on City property would be removed. She then noted there are just two walkways like this one in the entire City and making this adjustment should not set a precedent or have impact on a large number of properties.

The Council engaged in philosophical discussion and debate regarding the matter and the historical actions that have been taken relative to this land use regulation. Councilmembers Maughan and Savage indicated they would like to uphold the ordinance decision that was made on August 11; however, this led to discussion about the option of considering a new ordinance that would allow Mr. Nacario to erect his fence, his neighbor to maintain the fence he currently has on his property, and to retain the pedestrian walkway for the neighboring community. Councilmembers Bingham, Bolduc, and Savage supported the concept of considering a new ordinance. Mr. Steele stated that the City's existing ordinance indicates that within a front-yard setback, maximum fence heights shall be three-feet; additionally, corner lots must preserve a clear

view sight triangle for pedestrian safety. The ordinance that was adopted on August 11 indicates that the maximum length of a pedestrian walkway that can be fenced on both sides is 50 feet. If the Council wants to remove the portion of fence on City property, but allow Mr. Nacario and his neighbor to have fencing between their property and the walkway, that distance needs to be increased from 50 feet to 110 feet. If the City's fence were to be left in place, and Mr. Nacario and his neighbor are allowed to have a fence, the distance would need to be increased from 50 feet to 150 feet. The Council debated these options; Councilmembers Maughan and Savage indicated they do not want to enact an ordinance that will give one property owner the ability to have fencing in his front yard that violates existing ordinances in place, when that same option is not afforded to any other property owner in the City. Additionally, they indicated that they do not believe that a fence along the side of a front-yard increases the safety of that property. Councilmember Bingham disagreed and noted that it does increase safety when it prevents pedestrians on the walkway from entering and cutting across his front yard. She added that this is an issue of principle for her; the City should consider the people directly impacted by this issue. Debate among the Council centered on the appropriate course of action for the City to take responsive to the requests of Mr. Arce and his neighbor. Councilmember Savage indicated that he will increase the length of the fencing from 50 feet to 75 feet. Councilmember Bingham stated she feels the 110-foot length is the best compromise.

Mayor Gailey invited input from Mr. Nacario and his neighbor. Luis Agen stated that he lives in the home next to Mr. Nacario and he has been there for over four years; the fence was in place when he purchased the home. As the City grows, so does the crime rate and he feels a bit safer knowing that he has a fence between his fence and the pedestrian walkway. His children play in his front yard and the fence provides a barrier between his kids and any individual using the walkway. He asked the Council to put themselves in his position; allowing him to retain his fence will give him a sense of security, especially when he is out of town for extended periods of time for military deployment. Mr. Nacario added that he is saddened that a matter that he initiated has a negative impact on his neighbor; if the Council is concerned about the safety of a walking path itself, the City should dissolve the pathway and get rid of it entirely.

Council discussion continued and Councilmembers Bingham, Bolduc, and Teague ultimately supported consideration of an ordinance that would amend the fencing provisions along pedestrian walkways. Councilmember Savage indicated that he would consider extending the length of fencing along both sides of the walkway from 50 to 75. City Attorney Roberts indicated that the item is not eligible for reconsideration at this point as the minutes of the meeting during which the most recent ordinance was acted upon have already been approved; the item will need to be referred to the Planning Commission for a new recommendation.

**Planning item: Discuss proposed Payback Agreement related to installation of infrastructure improvements by the Fields Subdivision.**

A staff memo from the City Attorney explains City code permits the City to enter into payback agreements to help developers recoup the cost of infrastructure that will benefit other abutting developments. Syracuse Municipal Code Section 8.10.140. These are also referred to as pioneering agreements. It is an equitable arrangement so that one property owner does not bear a tremendous burden, while another receives a windfall. Our City Engineer has attributed percentages of benefit for abutting owners from the infrastructure. The total cost of the infrastructure is calculated, and percentages are then applied. The Agreement is recorded against the abutting property owners and is valid for ten years. If development occurs more than ten years later, then the original developer is not provided any compensation. The City is not liable for unpaid amounts and this will not cost the City anything. The memo concluded that the goal of this discussion is to determine whether to consider a resolution authorizing the execution of the payback agreement related to the Fields Development.

City Attorney Roberts reviewed his staff memo. The Council authorized placement of an action item on the October 13 agenda to allow action on the payback agreement.

**Planning item: Discuss concept of Crime Free Program for multi-housing or high-density projects.**

A staff memo from the City Police Chief explained Syracuse is experiencing an increase in proposals for high-density housing. Many residents speaking out against these proposals have cited increased crime as one of their main concerns. The Crime Free Multi-Housing (CFMH) program, coupled with staff trained in the concepts of Crime Prevention Through Environmental Design (CPTED), could allow the Council the opportunity to demonstrate proactiveness in this area of concern. It could also allow these high-density housing communities to be built with the concept of crime prevention in mind; it is anticipated that this could have even greater impact on reducing crime than formation of a CFMH program alone. The memo concluded the goal of the discussion is to outline the basics of CFMH and CPTED programs, discuss staffing and responsibilities of managing a program, discuss financial impacts to City budget, and receive direction from the Council on how to proceed. It is important for the Council to keep in mind that a Crime-Free program can also be extended to storage units.

Community and Economic Development (CED) Director Steele and Police Chief Atkin reviewed the staff memo and facilitated Council review of the program components included in a detailed document provided in the Council meeting packet. Councilmember Savage stated he would like to extend the CFMH program to storage unit projects. Discussion centered on next steps for implementing a CFMH program and the timing of that process; Chief Atkin stated that the program should not increase expenditures from the Police Department dramatically in the current Fiscal Year (FY), but there may be some expenditures in future budget years to facilitate training of Department employees or possibly providing an incentive for landlords who participate in the CFMH. The Council expressed their support for proceeding with creating the program and asked staff to take the necessary steps to ensure that CFMH provisions can be included in development agreements for any future projects.

**Planning item: Continued discussion of proposed Amendment to Zoning Map from Agricultural (A-1) and General Commercial (GC) to Mixed-Use (MXD) for property located at approximately 1850 W. 1700 S.**

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

Location:	1600 W. 1700 S.
Current General Plan:	High Density Residential
Current Zoning:	A-1
Proposed Zoning:	Mixed-Use Development (MXD)
Total Site Area:	15.015 acres

The applicant Jerry Preston with Elite Craft Homes has requested to amend the city's zoning map from A-1 to MXD. The MXD zone requires detailed plans to be provided up front. These plans have been included in the packet. Staff has evaluated the plans for compliance with the requirements of the ordinance. A list of unresolved staff comments have been included in the packet, other than those comments, the plans meet the ordinance as far as we understand. Also included are various snippets from the adopted general plan, the Antelope Drive Corridor Study, as well as the general plan and zoning maps, and other applicable information to assist in making your decision. Planning Commission reviewed the item during their meeting on 8-18-20. They also held a public hearing where the neighbors expressed concern over the proposed building heights, the pedestrian connection, stormwater detention, water pressure, connection on Dahl Lane, noise, property values, school capacity, and privacy to summarize. Planning Commission heard the comments and discussed the project at length where ultimately they unanimously voted to forward a recommendation for approval. The memo concluded the goal of the discussion is to determine if the project is ready for a vote during the next business meeting or if it should be tabled for more discussion during the next work meeting. The project was reviewed by the City Council during their September 8, 2020 business meeting; there were discussions surrounding the feasibility of the office portion and how to ensure that the office will indeed be built. Ways to minimize impacts to the neighbors to the south were also discussed. The item was tabled so Council could have more time to discuss the application.

CED Director Steele reviewed his staff memo and facilitated a review of the application and development agreement for the project. Council discussion centered on the best mechanism to use to incentivize completion of the commercial improvements in the project. Councilmembers thanked the applicant for addressing the concerns raised during the last meeting regarding orientation of the buildings and fencing plans to protect the privacy of adjacent property owners. There was also a focus on the market for office space and the Council indicated they support the use and are hopeful there is a demand for the amount of office space included in the project.

Mayor Gailey invited input from the applicant. Jerry Preston, Elite Craft Homes, thanked the Council for their consideration of the project and for the feedback they have provided. He acknowledged the risk associated with including the amount of commercial space in the project that he has, but noted he does feel that it can be leased and it will benefit the community. He stated that if he were to walk away from the project without completing the commercial component, he has nothing to gain; he is comfortable with the mechanism in the development agreement requiring surety bond for commercial improvements as well as the deed restriction to lock to property into commercial development. He is grateful to the City for considering the use of Commercial Development Area (CDA) incentive money to aid in the project, if necessary. He stated he firmly believes that if the project is built, tenants will come to the area. Councilmember Maughan agreed and noted that the City regularly hears from brokers who are looking for a space for a client; the fact that this project will be shovel ready or perhaps even built, is a great thing for the City. Mr. Steele agreed.

Mayor Gailey asked if the Council is comfortable considering action on this application during the October 13 business meeting, to which the Council answered yes. Mr. Preston stated he will secure documentation from the Utah Department of Transportation (UDOT) regarding access to the project and from the Walker Estates Homeowners Association (HOA) regarding his attempts to mitigate the concerns expressed by those residents. He will also provide an updated elevation rendering for the project.

**Planning item: Proposed zoning map amendment, residential R-1 to residential R-3, 2.448 acres located at approximately 2889 S. 3000 W.**

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

Location:	2889 S. 3000 W.
Current General Plan:	Medium Density Residential (Cluster, R-3), RPC, PRD, NS)
Current Zoning:	R-1 (2.3 Units Per Acre) min 12,000 square foot lot
Proposed Zoning:	R-3 (4 Units Per Acre) min 8,000 square foot lot
Total Site Area:	2.448 acres

The applicant has requested approval of a rezone of 2.448 acres from R-1 to R-3 with the intent of building a road and single-family housing. The R-3 zoning would allow up to 10 units (five on each side of a central road). This would provide a connection between 3000 West and the stub road that is planned just east of the property in the Shoreline Subdivision. There are some potential limitations to neighboring properties by the type of development that would be allowed by the rezone to R-3. The properties to the north and south are currently in the R-1 Zone which allows farm animals. According to SCC 10.30.040(C)(2) *all pens, barns, coops, stables, corrals, and other similar enclosing structures to keep animals or fowl shall be not less than 50 feet from dwellings on adjacent lots, not less than 20 feet from a dwelling on the same lot, and not less than 150 feet from a public street, except on corner lots where such structures shall be not less than 50 feet from a public street.* If a road were placed on one side of the property, it may fully restrict the construction on these types of enclosures, depending on the width of the adjacent property. This only applies to structures. The right to maintain farm animals on the property would not be affected by the proposed rezone. The proposed zoning is permitted in the medium-density Residential General Plan Designation which was updated by the City Council in 2019 and is the zoning with the lowest density aside from the Cluster Zone. If a lower density zone is alternatively proposed by the applicant, a General Plan Map amendment will be required and may not be feasible given the cost to construct the road through the property and the low lot yield. Planning Commission reviewed the item during their meeting on 9-1-20 and is forwarding a recommendation

for conditional approval. Commission is recommending approval of the rezone only if ordinance 10.30.040 (C)(2)(a) concerning regulations for farm animal pens and structures are amended. The motion passed unanimously. The memo concluded the goal of the discussion is to determine if the application is ready to move to the October 13 business meeting agenda for action.

CED Director Steele reviewed his staff memo and facilitated discussion among the Council regarding the implications of the proposed zone change and the concerns that have been expressed by adjacent property owners; Councilmember Maughan referenced the Council's actions taken regarding the Shoreline project in the City and indicated that the developer of that project worked with other property owners and the City to reach an agreement to locate R-1 compliant lots directly adjacent to properties that have an agricultural use and he wondered why that same attempt would not be made for this project. Mr. Steele stated he would defer to the applicant, but suspects the applicant is pursuing a higher lot yield to offset the costs associated with constructing infrastructure improvements, including a road that will provide connectivity to 3000 West. The applicant was not present to address the concerns raised and the Council concluded to move the item to the October 13 business meeting for continued discussion and possible action, but Mayor Gailey asked that staff ensure the applicant is present at that meeting to address any concerns or questions.

**Planning item: Proposed zoning map amendment, General Commercial (GC) to Climate Controlled Self-Storage Unit Zone (SU), .94 acres located at approximately 1556 S. 2000 W.**

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

Location:	1556 S. 2000 W.
Current General Plan:	Commercial
Current Zoning:	10.90 General Commercial Zone
Proposed Zoning:	10.94 Climate Controlled Indoor Self-Storage Unit Zone
Total Site Area:	.94 Acres

The applicant Colby Anderson has requested approval of a rezone of .94 acres from GC to the newly created SU zone. The property is within the town center overlay near Walmart and is surrounded by retail uses on the south, west, and east and a middle school to the north. Being a land use related legislative decision, a recommendation from Planning Commission to City Council is required. City Council will make the final decision. The land has sat vacant since the property developed in 2006. The approval standards for a rezone require a recommendation by Commission be provided on whether indoor storage units at this location would be 'harmonious with the overall character of existing development, if it would adversely affect adjacent property, and if there are adequate facilities and services to the property. The commission should also decide if the proposal is in conformance with the purpose language of the SU zone. The SU zone says that superior architecture, landscaping, durable exterior cladding are expected, and that this use is anticipated to be located on sites that are less than prime and ideal for infill. They should also review the potential highest and best use of the property long term. The commercial general plan designation would support the following zoning: General Commercial (which it is currently), Professional Office, Mixed Use, and Neighborhood Services. Planning Commission reviewed the item during their meeting on 9/15/20. They voted unanimously to recommend approval of the rezone. The memo concluded the goal of the discussion is to determine whether this item should be forwarded to the October 13 business meeting for a vote or if more discussion in a future work session is necessary.

CED Director Steele reviewed the staff memo. Councilmember Maughan indicated the City recently approved a large number of storage units, which will increase the number of storage units that already exist and he is hesitant to approve more storage units, especially in this location. This led to Council discussion about other commercially viable options for the subject property, the property's proximity to a nearby elementary school and junior high school, and traffic issues in the area and the potential for this use to make traffic worse. The Council acknowledged that there is no other application for development of the subject property and they are responsible to consider the application before them.

Mayor Gailey invited input from the applicant. Colby Anderson stated that he has been working on this project for months and has had conversations with individual Councilmembers; he is surprised to hear the negative feedback regarding the project. He has designed the project to fit with the architecture of the existing development of the area and he believes the project will attract traffic that will benefit other uses in the area. He asked that the Council consider moving his application forward for a vote during the next business meeting. He understands there are other storage unit projects on the horizon, but they are in different areas of the City and they are a different type of storage unit project. There is no other project like this in the immediate area and no other similar use will be allowed within a mile of this project. He feels there is a demand for this use and he is willing to work with the project to ensure it meets land use ordinances as well as the desires of the Council.

**Planning item: Continued discussion - review draft Economic Development Strategic Plan.**

A staff memo from the Community and Economic Development (CED) Department explained that as part of a multi-faceted approach to economic development, the CED department, with the guidance and support of council, has embarked on a three-step approach to ramping up the City's economic development efforts. First step was to work with EDCU in its 'Development Ready Communities Program'. Progress is being made there and initial stages of analysis with them is complete. Second step was to engage with Zion's bank for a fiscal resiliency study in looking at our expenses and sources of revenue and estimate scenarios in which the city will need to plan ahead to remain solvent. From that, we have a financial model that enables us to analyze the financial ramifications of different market conditions and land use decisions. The third step which is to hire Better Cities to guide us in creating an economic development plan that will take into account steps 1 and 2, gather direction from council and stakeholders, analyze economic and demographic data, and provide valuable intel into the strategies to employ for the most efficient use of the city's economic development resources. During the February 25, 2020 work session, Better Cities gave a presentation on the scope of work for our Economic Development Strategic Plan and received initial guidance and instruction from Council. They have now completed a draft plan according to the scope outlined and input received and need additional input and direction by the stakeholders about the specific goals and objectives that will take the analysis and ideas and cement them into our official strategy. It is desired to adopt the final plan by way of ordinance but only after the council is comfortable and confident in the plan. During the August 25 work meeting, the council was introduced to the draft plan. It was decided that further discussion was needed on the item to further digest the plan. Council also provided initial input and observations to Better Cities staff. Corresponding edits to the plan have been made reflecting the council's comments. Next steps include reviewing the document in more detail. The document has been color coded so attention to the goals and objectives may be amplified. A summary of the goals and objectives detailed in the document has also been created. The memo concluded the goal of the discussion is to review and discuss the draft plan; enumerate and prioritize goals and objectives; identify if there are any missing goals or strategies; decide if there is anything in the plan that we do not agree with; and lastly, decide an approximate date to be on business meeting for adoption or if it needs more discussion on another work session.

CED Director Steele reviewed his staff memo and he and representatives of Better Cities facilitated discussion among the Council regarding prioritization of the goals and strategies in the Plan document. The Council indicated they would like to break the plan down into smaller pieces and dedicate a single work session discussion to each of those smaller pieces or a smaller number of multiple pieces that have unified goals or for which there is synergy. This led to discussion of the Council's goals pertaining to the timeline for considering adoption of the Plan. The Council indicated they feel they can dismiss the Better Cities consultants from the process and set a goal for concluding review of the document and setting a three-month timeline for reviewing the broken-down sections of the Plan.

**Planning item: Potential Redevelopment Agency (RDA) incentive option for a proposed office/retail/storage project.**

A staff memo from the Community and Economic Development (CED) Department explained an office/storage/warehouse/retail development is proposed to be built surrounding the Pizza Factory. In preparation for the development, the landowner is requesting that the RDA Board assist him in infrastructure improvements that would serve the future development and also make travel between commercial projects more convenient and safer. The improvements would also alleviate some pressure off the busy intersection of Bluff Ridge Drive and Antelope Drive. It may also assist in expediting the construction of the buildings and freeing up moneys that could be used to make the facades more attractive. The funds would be used to build the drive isles prior to the buildings. The drive isles are needed to ensure cross access between projects and also create a network of options for motorists attempting to turn left on Antelope from Bluff Ridge Drive. The funds would be used to install the needed sewer, storm drain, culinary waterlines, and pave the driveways needed to get the project rolling. The total requested for the entire project is \$453,679.50. This incentive is different than most as it is requesting money up front rather than tax rebate. As the 750 West RDA is more established than others, there are sufficient funds available should it be desirable to the RDA Board. The approximate breakdown of the project square footages are: Retail - 5,000, Flex Office/Warehouse - 20,000 sf, Storage Units - 23,000 sf. It is not common practice to offer tax increment funds to a project of this scale and use type, however, the immediate benefits of improved traffic safety and circulation could be enjoyed by the surrounding residents. The improvements may alleviate concerns expressed by them recently in conjunction with the proposed 'Brigg's' mixed use project. If the incentive is desired, staff recommends making the funds contingent upon the developer granting public access across the properties both to the east and to the west legalizing the improved traffic circulation described above. Also, staff recommends putting a required time limit to when the improvements will be made and a time limitation on when the project's buildings are required to be built. After the building is built, there may be additional opportunities to incentivize specific employers to locate into the building.

The memo concluded the goal of the discussion is to determine whether to offer an incentive for the project and if yes, decide if what has been described is the preferred incentive structure. If yes, the item could be acted on during a future RDA board meeting.

CED Director Steele reviewed his staff memo. Council discussion centered on the specifics of the development proposal; Mr. Steele stated that the initial proposal was to construct a car lot, but that is no longer being considered by the applicant. The Council indicated they want to include a performance clause in the incentive agreement to ensure that the applicant does not accept the incentive to improve his property and make it more valuable only to sell it for a profit. Mayor Gailey invited input from the applicant. Mark Thayne stated that with recent changes to land use ordinances as well as the long-range vision for the City, there are new development opportunities for the property. He is hesitant to make a commitment regarding the timing of the project because of the uncertainty of the market due to COVID-19. Ed Gertge added that he can see the benefit of completing certain improvements at this time to prepare the area for future development opportunities. Mayor Gailey polled the Council regarding whether to proceed with scheduling formal action on the requested incentive during a special RDA meeting to be scheduled for October 13. The Council offered their support for moving forward, with Councilmember Maughan noting that he would like more detailed information about timelines for the project and, specifically, the installation of infrastructure.

### **Planning item: Potential Redevelopment Agency (RDA) incentive option for mixed-use office building.**

A staff memo from the Community and Economic Development (CED) Department explained a three-story office building of approximately 45,000 square feet is proposed in conjunction with the 'Dahl Mixed Use'. As recently reported, the real estate market for office has become unpredictable in recent months due to COVID-19 changing the office landscape. The developer has expressed concern over the risk involved with constructing a speculative office building without pre-leasing the building first. In fact, he has explained that lenders will currently not loan for buildings without a certain amount of pre-leasing to prospective tenants. Since the project is within a CDA area that is managed by the City Redevelopment agency (RDA) board, there is a possibility to provide a property tax rebate as an incentive after constructing the building. This incentive would not come from city capital funds but rather diverting property taxes that will be generated once the building

is created back to the developer. Looking at the proposed office building and assuming a 9.9 million valuation, we can project the amount that could be rebated back to the developer if the board chooses. The property tax rate is .012474. The RDA only gets 60% of that. So that will generate roughly \$74,000 per year to the agency in property taxes. Then some of that gets taken in management fees/annual reporting costs etc. A common percentage that has been used in other incentive deals recently is offering 75% of the increment received from just this building to the agency. So, 75% of the 60% of what the building generates if that makes sense. That comes out to be approximately \$55,571 per year. If we extrapolated that out until the project expires in 20 years, that would be projected to return above \$1,000,000. That should help with getting lending and expediting the project. The incentive agreement wouldn't promise an amount, it is all a percentage based off the assessed value and after we get the money year end, we would distribute it back out to the developer. Also, in the future, as a separate incentive deal directly with a specific company, the RDA board could consider incentivize up front money for TI or some other incentive such as rent reduction etc. The purpose of the CDA is to create jobs and having a large office building would definitely fit the bill. Currently there is considerable risk in building an office building of this size. The city's draft economic development strategy reports that vacancy rates for office are projected to go up, and lease rates to go down. The report also says that in Davis County between the one-year period of Q1 2019 to Q1 2020 there was only 60,600 sf class A and B office absorbed. A 45,000 sf building would represent close to what the entire county could occupy in a year. Also, there are many new projects in other communities in the works adding competition to the mix. Davis county is forecasted to not see a stability in the office market until 2023 or beyond. A projected payment of \$55,571 per year and average rental rates for class A office in Davis County is about \$26.96 per year. With this assumption, the incentive would be equivalent to pre-leasing about 2,061 sf of the building at a 20-year lease. This is equal to less than 5% of the building pre-leased which is in reality not a large amount in the grand scheme of things. If more incentive is desired to be offered, the value from the rest of the apartments could be factored into the incentive. Assuming the apartments, which are taxed at only 55% assessed value, are valued at \$15,000,000 bring in approximately another \$56,000 per year to the RDA and 75% of that is \$42,000, that brings the percent of the building leased closer to 8%. Also, more than 75% of the 60% could be offered or we could factor a lower lease rate that would equate to a higher percentage of the building. Regardless, it is unknown what the magic number needed by the bank to loan on the project is needed but this incentive should 'grease the wheels' and show city support of our goals to create daytime population and employment opportunities for our residents.

The memo concluded the goal of the discussion is to determine whether to offer an incentive for the project and if yes, decide if the 75% of the 60% post performance rebate over 20 years is the preferred incentive structure. If yes, the item could be acted on during a future special RDA board meeting.

CED Director Steele reviewed the staff memo. Council discussion centered on the timing of an RDA incentive agreement and whether the City should wait to consider this agreement until after zoning has been approved for the subject property and development project parameters are defined. The Council indicated they would hypothetically be in favor of this type of incentive if the project for which the incentive is being considered is ultimately given final approval. Mr. Steele stated the incentive agreement could stipulate such.

### **Discuss proposed amendments 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:

- 1.090 & throughout the policy manual – changes from Human Resource Specialist to Human Resource Manager (some areas still say Human Resource Specialist because it relates to that position rather than the Manager position)
- 3.010 – added evaluations to says that the city shall not discriminate while doing evaluations
- 3.080 – added that nonpublic safety can hire from a previous applicant pool within 6 months, public safety can within 1 year

- 3.110 – added that a veteran’s spouse or widow may get preference points and defined eligible spouse
- 5.050 – added that a FT employee may choose to forego merit increase and get 25 hours of vacation
- 8.050 – removed the words “from duty” since the sentence means the same thing even with removal
- 8.080 – Added that the City pays out unused accrued holiday leave for police and fire employees at termination (we already do this but it wasn’t in policy)
- 8.090 (g) (3), (4), (h) & (m) – Took out forms as an appendix, the forms expire every few years and the forms have to be updated in the policy manual. The employees also cannot utilize the forms from the policy manual, because the HR Manager needs to fill them out and then give them to the employee to have the doctor fill out the rest. Added that the forms can be obtain from the HR Manager.
- 8.100 – added an employee on military leave must notify HR to be reinstated when leave ends
- 8.110 – added that employee on jury duty will be paid for regular scheduled hours and is required to turn over check to city
- 13.100 (C) (1) – added positions that were missing from the random non-dot drug screen list
- 14.130 (a) – added positions that were missing from the random DOT drug screen list
- 16.050 (e) – fixed a typo for the work employees
- 16.050 (i) – added that employees shall report hazardous and dangerous conditions
- 16.100 – Added a Fire Safety and Evacuation Plan.
- 19.030 – Added the process of approval for an emergency preparedness item that is not on the pre-approved list, must be approved by the city manager
- 20.110 (b) – Added Fire Marshal to the list of employees who are allowed to have a take home vehicle.
- 20.120 – Added Fire Marshal to list of employees that are exempt for the IRS take home vehicle guidelines
- 23.020 – changed when employees are expected to be evaluated to match what we are doing. Added that crossing guards and rec. assistants aren’t evaluated on an annual basis.
- 23.030 – added that evaluators may get input from other supervisors who may indirectly supervise their employee and that they may be reviewed by the next level supervisor or department head.

City Manager Bovero reviewed the staff memo. The Council offered their support for the amendments and Mayor Gailey directed staff to include an item on the consent calendar for the October 13 business meeting to allow for final approval.

### **Review Flash-Vote survey results regarding high-speed internet fiber service options for Syracuse City.**

A staff memo from the City Manager explained the Mayor and City Council have received requests from residents to look into UTOPIA as an option for highspeed fiber to the home in Syracuse. Based on that feedback, members of the Council have requested that we use a survey to find out more from citizens. 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 stronger 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 survey was conducted on August 24<sup>th</sup> – 26th and received participation from 590 residents, representing a 64% response rate. Based on the sample size of this survey, it is calculated to have a 4% margin of error with a 95% confidence level. The survey also produced 325 written comments from the community. The goals of the survey were as follows:

- Find out if residents would be supportive if the City partnered with a high-speed internet fiber provider to install a high-speed fiber network throughout the entire City.
- Find out if enough residents would sign up in order to make the installation of the fiber financially feasible.
- Find out if there are specific areas of the City that have higher or lower levels of support.

Mayor Bovero reviewed his staff memo and referred to the following link for a detailed summary of the survey results: <https://www.flashvote.com/syracuse-ut/surveys/internet-service-08-20>.

Council discussion of the survey results centered on the amount of survey respondents that are located outside Syracuse City; the competence level of the survey results; and the distribution of survey results among the four quadrants that have been created for the purpose of conducting the surveys. Mr. Bovero asked the Council if they are prepared to make decisions based upon the survey results; he asked if the Council wants to pursue a partnership with an internet fiber company. Councilmember Savage stated that with 70 percent of the respondents indicating support for a partnership and 50 percent of the respondents indicating they would sign up for the service as soon as possible, he thinks the City should move forward with the partnership. Councilmember Bolduc stated that before proceeding, she would like to understand when the service will be available to residents. Councilmember Savage stated the City could publish a request for qualifications (RFQ) to gauge the ability of different vendors to provide service to the City in a timely manner. Councilmember Maughan stated that Councilmember Bolduc raises an important issue; many fiber companies begin work in the area of a city that has easiest access to existing infrastructure. The further from that infrastructure a resident lives, the more demand for fiber service because the fewer options they currently have, but those residents will not have access to a fiber option in a very timely manner. Councilmember Savage agreed, but noted that there are significant road projects planned for the next few years and if the City has a partnership with a fiber provider, they could install their fiber all the way down to 3000 West on Antelope Drive in the next year. Mr. Bovero stated there are definitely more than one fiber providers; however, Layton, Clinton, and West Point are in the process of moving forward with UTOPIA, meaning there will be three points of entry into Syracuse. Councilmember Maughan stressed that he is simply concerned that those that have expressed the strongest desire for the service live in areas of the City that will be the last to have access to fiber. They may be upset at the City as a result. Discussion then centered on the levels of participation the City would need in order to secure a partnership with a fiber company; Mr. Bovero indicated those are issues that could be addressed via an RFQ as suggested by Councilmember Savage.

Councilmember Maughan asked if CARES Act funding could be used to cover some of the costs associated with fiber installation given that many residents are working from home due to COVID-19 and there is a greater demand for reliable internet service. Mr. Bovero stated that Administration has been looking into whether that is allowed and he feels that it may be difficult to make the argument for the use of CARES funding because there are no areas of the City that have zero access to internet options. However, he will continue to look into the issue and report back on any changes or new developments.

Councilmember Savage noted that he feels that fiber is a selling point in regard to attracting new businesses to the community; certain businesses need reliable and stable internet options so this project could be an economic driver.

Mayor Gailey asked the Council to provide Mr. Bovero with direction. The Council indicated they would like to get more data regarding the options available for pursuing a fiber partnership. Mr. Bovero stated that he will be in contact with fiber companies that can provide more information for the Council to consider. He will report back soon, possibly at the next work session meeting.

### **Discuss proposed amendments to the Syracuse City Code Section 10-30-060(F) pertaining to sump pump discharge.**

A staff memo from the Public Works Director explained City Code regulates the location where sump pumps may discharge subsurface water from individual properties. Sewer treatment plants prohibit sump pump discharge to enter the sewer main because it overburdens the plant with a larger volume of water to treat. Presently the City Code prohibits discharge within five feet of a neighbor's property and prohibits discharge into the street or park-strip. Meaning the discharge may only occur inside the property that it is being pumped from. Subdivisions being served with a land drain can utilize the infrastructure in place, which allows the subsurface water to gravity flow through the land drain system and discharge into the storm drain. Some areas of the City that are not served with land drain (and a few isolated areas that are served with land drain) have sump pumps in operation to protect their homes from flooding. The memo discussed challenges; the native clay soils throughout the city allow for a small amount of percolation at a very slow rate, which does not keep up with the flow rate of the pumped water. This creates a water ponding effect on the ground surface, which eventually can flow over the

sidewalk and into the gutter. Frequent flows have a potential of generating algae on the sidewalk in the summer or ice in the winter. This slippery situation is an unsafe condition to the public. If the water remains on the property and does not flow toward the gutter, then the pumped water percolates down to the sump pump and gets pumped again, which increases the demand upon sump pumps and does not remedy the situation of protecting a home from flooding. The goals of the discussion are to consider a solution to allow a location where sump pumps can discharge that will satisfy the concerns of safety, flooding, recirculating the flow, and illicit connections to the sewer. City code 10-30-060(F) is included with some draft changes to consider. Staff is simply seeking direction from the Council at this time.

Public Works Director Whiteley reviewed the staff memo. Councilmember Maughan indicated this is also an issue for the North Davis Sewer District; some residents dump excessive amounts of water into the sewer system and that increases processing costs incurred by the District. Mr. Whiteley agreed; this ordinance amendment would provide for the water to be diverted to the storm drain system, which is not routed to the sewer treatment plant. The Council discussed the proposed ordinance amendments and concluded they support proceeding with the proposed action. Mr. Steele indicated that this is an issue that would need to be referred to the Planning Commission for a formal recommendation. He could include it on the October 6 agenda for a public hearing in order for the Council to receive the recommendation during their October 13 meeting.

**Proposed Use of CARES Act Funding for Day Care Assistance through the Davis Education Foundation.**

City Recorder Brown indicated this item was added to the agenda at the request of Councilmember Bolduc; however, she included the incorrect language on the agenda as the CARES act funding was being sought by another entity the Davis Mosquito Abatement District. Mayor Gailey indicated that since the Council can not discuss the request this evening due to the noticing error, he will include a discussion and action item on the October 13 agenda to address the matter.

**Discussion of future agenda items/Council announcements.**

The Council discussed and reported on upcoming community events and issues that have been raised in the community via social media outlets or electronic communication methods.

The meeting adjourned at 9:58 p.m.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: October 13, 2020