

Minutes of the Work Session of the Syracuse City Council, held on January 24, 2023, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 893 8713 3105, in-person in the City Council Conference Room at 1979 W. 1900 S., and streamed on the Syracuse City YouTube Channel in accordance with House Bill 5002, Open and Public Meetings Act Amendments, signed into law on June 25, 2020.

Present: Councilmembers: Lisa W. Bingham
Jennifer Carver
Jordan Savage
W. Seth Teague

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

Absent: Councilmember Paul Watson

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Brienne Brass
Fire Chief Aaron Byington
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele

The purpose of the Work Session was to receive public comments; discuss possible regulations for pressurized sewer systems– continued from the January 10, 2023 business meeting; discussion proposed amendments to the Syracuse City Consolidated Fee Schedule for Fiscal Year (FY) 2022-2023; discuss the following Planning items:

1. Request from Ivory Homes for Development Agreement for Legacy Parks Estates Subdivision Agreement pertaining to sewer service for four lots in phase one. (
2. Recommendation from Planning Commission – proposed amendment to Affordable Housing Element of the Syracuse City General Plan.
3. Discussion of impact fees for Accessory Dwelling Units (ADUs) – continued from the January 10, 2023 business meeting.

Discuss City sponsored Business Launch Service; discuss Council/Mayor liaison and committee assignments; discussion timeline for construction of second Fire Station; and conduct the Biennial Review of Public Works Department.

Public comments

There were no in person public comments.

Mayor Maughan noted the agenda for tonight’s meeting provided instructions for individuals to email public comments to be read for the record of the meeting. Deputy City Recorder Graham read the following emailed public comment for the record of the meeting:

“Hi, my name is Jared Stoker. I have emailed all of you about my views on ADUs and impact fees.

I’m a programmer by profession. I take client requirements, find the appropriate way to script the process, then I brainstorm all of the ways my program will break. At a high level it's not all that different from a council members job interpreting laws and adjusting them to work how you intend, etc. Now when it comes to ADU's, finishing basements, mother-in-law apartments, etc., I'm still trying to figure out why a detached building should be assessed as I was. My initial permit cost was \$3500. When I went to the cashier to pay, the receptionist said it didn't look right. Took the permit and was gone for about 20 minutes. When she came back, the permit cost was now \$8900. An extra \$5400 was quite outrageous to me and I declined and left. Still wanting to move forward, I altered the permit to just the garage and the unfinished upstairs and the new permit was \$1180. I paid the \$1180 and I'm approved to build. This is when I started emailing all of you why the calculated impact fees didn't make sense to me, and I came up with several scenarios where it didn't make sense. Now I know this impact fee discussion isn't about me, it's about all residents of Syracuse. But it's what I'm right in the middle of, making it important to me. I also don't see anyone else speaking up about it, so let me represent the resident's voice until that changes.

The main reason I want waived or lowered impact fees for detached buildings is because it isn't equitable for basement permits to have all impact fees waived. A house with a finished basement is not required to file a deed restriction and could easily be turned into a duplex. Or someone could host 3 exchange students in their house (me), or a family could have a few kids in their new house, all increasing the impact. I could also move myself into the new finished space above the garage and rent out my original structure avoiding the ADU designation. My point is, I

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propose finished space in detached buildings be treated the same way as finished space in basements. Impact fees assessed for the original structure should cover the impact of that parcel. Especially with the provision that detached ADU's require a deed restriction while basement ADU's have no restriction.

The second reason I want lowered impact fees is because I'm on a tight budget. Saving \$3-5k on a permit goes a long way when you are doing all of the work yourself.

Thank you for your time and consideration.

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Jared"

Discussion regarding possible regulations for pressurized sewer systems– continued from the January 10, 2023 business meeting.

A staff memo from the City Attorney explained at the January 10, 2023, work meeting, the City Council discussed the City's current ordinances regarding its utility systems, specifically related to the City's sewer system and provided direction to staff to present proposed options for possible ordinance amendments focused on three specific areas: lift stations, pressurized community sewer systems, and grinder pumps. Sewer Regulations can be found in Chapter 4.10 of the Syracuse City Code. Section **4.10.130 Non-gravity sewer discharge**, would be a logical section for any proposed changes to address the Council's concerns with the three specific areas mentioned above; however, Council may decide amendments to Title 8 Subdivisions and Title 10 Land Use, may be suitable to address Council's concerns. Depending upon the direction Council provides to staff, there will likely need to be amendments to Titles 4, 8 and 10 to provide consistency and clarity.

- Section 4.10.130 states:

Any lift stations, sump pumps or other facilities designed to cause sewer to move to higher elevations shall not be dedicated to or accepted by the City. The City shall have no responsibility to own, operate, maintain or replace such facilities. Any such facilities shall be owned, operated, maintained, and annually inspected through a public special service district. For single lot subdivisions or individual site plans, any such facilities shall be owned, operated, and maintained privately.

Amendment Format:

- Section 4.10.130 Non-gravity sewer discharge could be amended to be broken down into subparts:
 - (A) Lift stations;
 - (B) Pressurized community systems; and
 - (C) Grinder pumps.
- Or Council could amend the ordinance so that lift stations is regulated in Section 4.10.130, private community pressurized systems are regulated in Section 4.10.140 and grinder pumps are regulated in Section 4.10.150.
- Or Council could retain the currently consolidated format in 4.10.130 and amend the language, while keeping the format consolidated.

Proposed Amendments:

Option A (consolidated):

Any lift stations, grinder pumps or other facilities designed to cause sewer to move to higher elevations by pressure, force, lift, or any other means shall not be dedicated to or accepted by the City. The City shall have no responsibility to own, operate, maintain or replace such facilities. Any such facilities shall be owned, operated, maintained, and annually inspected through a public special service district. Any such facilities shall discharge by gravity flow into a city-owned sewer main. All sewer mains and laterals inside public rights-of-way shall be gravity flow.

Properties with existing buildings or accessory buildings having any such facilities shall comply as follows: have a privately-owned gravity-fed sewer lateral serving the property where the sewage shall discharge, own the facility as well as operate and maintain it privately, and install a backwater valve approved by the city that is owned and maintained privately,

Option B (detailed):

Lift Stations

- The City shall not accept or allow the dedication of any lift station, or other such facilities designed to cause sewage to move to a higher elevation. The City shall have no responsibility to own, operate, maintain, or replace such facilities. The City will not accept or allow the dedication of any pressure or gravity sewer mains upstream of said facilities.
- Any lift station or other such facility designed to cause sewage to move to a higher elevation must be owned, operated, and maintained according to Utah Administrative Rule 317 through a public special service district or public infrastructure district.

- Any pressurized sewer discharge system, which creates pressurized sludge, must be connected to a gravity system prior to connection to any City owned, operated, and maintained sewer line. The City shall not allow any pressurized sewer discharge system to connect directly to any City owned, operated, and maintained sewer line. The City shall not allow any pressurized sewer systems inside a public right-of-way.

Pressurized community sewer systems

- Where connection to a gravity sewer discharge system is possible, no subdivision or planned development shall install and utilize a pressurized community sewer discharge system.
- No pressurized community sewer discharge system may connect directly to a City owned, operated, or maintained sewer system. The City shall not allow any pressurized sewer systems inside a public right-of-way.
- No planned development, single-family subdivision or single lot may install and utilize individual pressurized sewer systems within each individual unit which then connects to a pressurized community sewer discharge system.
- Planned developments may not utilize and install pressurized sewer discharge systems which connect to a pressurized community system, unless such pressurized community sewer discharge systems are owned, operated, and maintained according to Utah Administrative Rule 317 through a public special service district.

Grinder pumps

- There shall be no grinder pumps utilized in buildings where connection to a gravity system is possible.
- Grinder pumps must be privately owned, operated, and maintained and may not connect directly to a City owned, operated, and maintained sewer system. The City shall not allow any pressurized sewer systems inside a public right-of-way.
- In all buildings where the elevation is too low to permit adequate gravity flow to the sewer or the elevation of the connecting building creates a risk of flooding during periods of high sewer flow, a grinder pump may be utilized with the proper installation of a backwater valve approved by the City.
- Grinder pumps are prohibited where connection to a gravity sewer discharge system is possible and may only be installed with a backwater valve approved by the city, in buildings under the following instances:
 - In accessory buildings or accessory dwellings units located on properties where the primary dwelling unit is already connected to a gravity sewer discharge system; or
 - In existing buildings where the lowest floor elevation is too low to permit adequate gravity flow to the sewer and all upper floors are served by gravity.

The memo concluded the goal of this discussion is to consider the proposed amendments and provide staff with direction on changes to sewer regulating ordinances or provide staff with further issues to research or information needed to make any proposed changes or clarifications, if desired.

Mayor Maughan invited North Davis Sewer District (NDSD) Executive Director Hatch to participate in the discussion with the Council. Mr. Hatch provided a brief overview of waste water management processes and he provided photos and videos of items that are placed in the sewer system that typically cause clogs and blockages. He reviewed illegal activities that common occur within the District and expounded on the reasons the District has chosen not to assume responsibility for lift stations or grinder pumps. He and Mayor Maughan engaged in high level discussion with the Council and City Attorney Brass regarding the optional ordinance language included in Ms. Brass's staff report regarding regulations for lift stations, pressurized community sewer systems, and grinder pumps. There was a focus on whether the City has the legal authority to prohibit an individual homeowner from installing a grinder pump at their home. Ms. Brass stated the current ordinance indicates that grinder pumps are allowed, but non-gravity sewer systems are not allowed. Mayor Maughan polled the Council regarding lift stations, grinder pumps, and pressurized community sewer systems. They determined they prefer the language provided in "option b" in Ms. Brass's staff report; they do not want to allow dedication of lift stations to the City and any mechanism that is not gravity fed, community pressurized sewer systems, which includes two or more grinder pump units that discharge into a common force main. Grinder pumps will also be prohibited in instances where connection to a gravity sewer discharge system is possible; grinder pumps may be allowed in accessory buildings or existing buildings when specific circumstances exist. Individual grinder pumps must be privately owned, operated, and maintained and may not connect directly to a City-owned sewer system. Mayor Maughan stated that Administration will work to prepare ordinance amendments responsive to the feedback provided by the Council.

Discussion regarding proposed amendments to the Syracuse City Consolidated Fee Schedule for Fiscal Year (FY) 2022-2023.

A staff memo from the Administrative Services Director summarized proposed changes to the Consolidated Fee Schedule as follows:

- Change wording on permit fee descriptions for better clarification. No change in fees.
- Update the Public Safety and Storm Water impact fees based upon the IFA reports. These fees update annually.
 - Change Storm Water Impact Fee from \$9,217 / acre to \$9,341 /acre.

- Change Public Safety Impact Fee for residential from \$874 to \$894 per application.
- Change Public Safety Impact Fee for commercial from \$0.75 / sq ft to \$0.77 / sq ft.
- Overhaul code enforcement fines section and simply the fees into 4 new fees.
 - Noncompliance Fee - \$100 per incident
 - Abatement Contractor - Contractor Rate Based Off of Acreage and Time
 - Abatement Admin Fee - \$75 per incident
 - Lien Admin Fee - \$75 per incident
- Add a water theft fee of \$1500 per incident for commercial and \$250 per incident for residential.
- Point of clarification and discussion concerning the parking ticket fee reduction of \$20.00. The fee schedule currently expects a mandatory appearance at city hall to receive parking information. Is there any interest to change this to in person or electronically?

The memo concluded the goal of this discussion is to determine if the proposed amendments can be placed on a business meeting schedule for action.

Mr. Marshall reviewed his staff memo and facilitated discussion among the Mayor and Council regarding the purpose of and possible implications of some of the proposed fee adjustments. There was a brief focus on the average number of incidents per year for water theft, with a few Councilmembers indicating they are comfortable with a more significant fine for the theft. They also communicated they are comfortable moving the item to the next business meeting for a public hearing and possible action.

Planning item: Request from Ivory Homes for Development Agreement for Legacy Parks Estates Subdivision Agreement pertaining to sewer service for four lots in phase one.

A staff memo from the Community and Economic Development (CED) Department explained Ivory Homes is developing a residential subdivision called Legacy Park Estates located approximately 1000 W and 2300 S. The first phase of development includes 11 lots. The second phase of development contains 17 lots. The developer intends to complete the second phase by the second quarter of 2023 and has submitted a final plat application to the city. There are four lots in phase one that will not have the proper downhill connection to existing sewer lines until phase two is completed. Standard procedure in this scenario is to not allow a building permit to be obtained on those four lots until the downhill connection is made. Ivory is requesting that the city allow them to begin construction on the lots through a development agreement. The proposed draft agreement is attached. The general terms are as follows:

- City will allow construction on the four lots without sewer.
- Developer cannot occupy the homes until the sewer connections are completed.
- Developer anticipates that the sewer will be completed before the homes are finished.
- City is not liable for the four houses if occupancy is denied because the sewer is not done.

CED Director Steele reviewed his staff memo and indicated the goal of this discussion is to determine if the matter can be moved forward to a business meeting for a vote of the Council. The Council discussed potential unintended consequences of approving the Development Agreement; Mayor Maughan stated that one risk could be that the homes may sit vacant for a time while the developer is waiting for the housing market to rebound. Mr. Steele stated that he believes that Ivory Homes wants to accelerate this phase of the project because they have buyers interested in moving to the area; they believe that phase two infrastructure will be installed before the homes are installed.

Mayor Maughan invited input from the Ivory Homes representative. Peter (no last name given), of Ivory Homes, discussed the reasoning and timing behind the request; Ivory Homes has made application for phase two of the project and anticipates that application should move through the City's process smoothly. He is most concerned about lot 108, upon which Ivory Homes would like to build their model home and they would like to begin that project within the next few weeks. Vertical construction of that home will not be complete before phase two is complete. The expected completion timeline for phase two is June of 2023 and when the home is constructed, the sewer connection can be made. He acknowledged the risk of building the homes and not being able to secure a certificate of occupancy and he feels this will be the motivating factor behind accelerating phase two construction.

Councilmember Carver asked if Ivory Homes will need to have a certificate of occupancy to use the home as a model home. Mr. Steele answered yes and indicated that they will also need to have a conditional use permit (CUP) to operate the home.

The Council indicated they are comfortable considering action on the proposed development agreement at their next business meeting.

Planning item: Recommendation from Planning Commission – proposed amendment to Affordable Housing Element of the Syracuse City General Plan.

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A staff memo from the Community and Economic Development (CED) Department explained the City recently updated its affordable housing element of the General Plan. After the Plan was updated, it was submitted the DWFS for review; they identified some shortcomings in the implementation portion of the update and indicated they were looking for more specific action items along with a timeline on the implementation plan portion of the update. Staff has worked with DWFS to correct the deficiencies with the Plan. The Planning Commission discussed the item and held a public hearing on January 17, 2023. There was concern expressed about replacing commercial land with multi-family residential. Ultimately, they voted to forward conditional approval of the proposed amendments on a six to one vote. The condition of the approval is that the word 'near' instead of 'in' be replaced on the last action item listed.

CED Director Steele reviewed his staff memo and facilitated review of the proposed amendments to the Affordable Housing element of the General Plan, which was included in the Council's meeting packet. The Council indicated they are comfortable with the proposed amendments and will take action during their February 14 meeting.

Planning item: Discussion of impact fees for Accessory Dwelling Units (ADUs) – continued from the January 10, 2023 business meeting.

A staff memo from the Community and Economic Development (CED) Department explained the City has received requests to review its application of impact fees towards detached accessory dwelling units (ADUs). Detached ADUs have recently become more popular and are touted by the state as a way to create more affordable housing. The city allows detached and attached ADUs and charges impact fees during the building permit approval only for the detached. The city doesn't charge all of the impact fees, just the transportation, public safety, and parks. These impact fees total \$4,644 dollars on large or small ADU. The other impact fees like culinary water and secondary water are not charged because the ADUs aren't allowed to have separate water/sewer connections and must share a connection to the existing home's lateral. The reason for this is to avoid creating a separate unit of density and maintaining that the new structure is accessory to the principal structure. The city does not collect impact fees for attached ADUs like basement apartments because the state law prohibits municipalities from doing so. The city does have an ordinance governing impact fee collection and is found in chapter 13.55. See attached. Also attached in this report are some examples of the impact fees recently charged for ADU's built within the last year and the adopted fee schedule. The City Council discussed the item on January 10, 2023 and decided to continue the discussion onto the next meeting.

CED Director Steele reviewed his staff memo and facilitated discussion among the Council regarding the factors used to calculate impact fees; Councilmember Savage suggested that the size and number of bedrooms of an ADU be considered when determining impact fees; if there are fewer bedrooms and the home is smaller, there is rationale that there will not be a large number of vehicles driving on the road or many children using City parks and amenities. The Council discussed and debated this concept, after which City Manager Bovero stated it is his recommendation to implement a flat dollar amount that is a percentage of the impact fee charged for a primary structure; this will help the City ensure conformance with State laws regarding impact fee calculation. The Council accepted this recommendation and determined ADU impact fees should be 50 percent of impact fees for primary structures. Mayor Maughan indicated that this fee adjustment can be included as part of the other amendments to the Consolidated Fee Schedule, which will be acted upon on February 14.

Discussion regarding City sponsored Business Launch Service

A staff memo from the Community and Economic Development (CED) Department explained that currently, when a new business gets a license in the City, it is up to them to promote themselves. If they want to do a ribbon cutting/grand opening, they often call the local Chamber of Commerce for assistance. If they tell staff about it, staff shares the information with elected officials and other staff members. The City has many types of new businesses including home businesses, seasonal businesses, mobile businesses, and of course the standard brick and mortar businesses. Below is a list of potential ways the City could offer support.

- City Facebook announcement of new business
- City webpage announcement of new business
- Newsletter article announcement of new business
- Bring large scissors and ribbon to event.
- Send email out to elected officials and department heads.
- Take picture at event.
- Provide framed business license at event.
- Post pictures/report of ribbon cutting to city digital media such as website, Facebook, and newsletter other?

CED Director Steele reviewed his staff memo and facilitated discussion among the Council regarding the types of activities they support in terms of a business launch service. They supported all of the items listed in the list provided by Mr.

Steele, with Councilmember Carver also recommending that the City provided business licensees with a framed copy of their license.

Discuss Council/Mayor liaison and committee assignments.

A memo from the Mayor explained when a new council is formed it is a good time to consider balancing the council auxiliary assignments. It is important that we share the load and also not over burden anyone. Over time things seem to get out of balance so he is making the following suggestion. He has divided the assignments into groups so that no one Councilmember has all the load in any one category. It has been difficult for example to make it to all the community councils when assigned to various councils that meet at the same time, or to accept the burden of all one category. My suggestion as Mayor is council members accept assignments from the following groupings.

Group A - School Point of contacts (2 each council member)

- Community Council, Bluff Ridge Elementary
- Community Council, Buffalo Point
- Community Council, Clearfield High School
- Community Council, Cook Elementary
- Community Council, Legacy Junior High
- Community Council, Syracuse Elementary
- Community Council, Syracuse High School
- Community Council, Syracuse Junior High School
- Liaison to Syracuse Arts Academy (counts as 2 covering all 3 campuses)

Group B – 1 employee board and 1 ULCT if available (ULCT is filled in with city employees if not enough council members are available for legislative policy meetings.

- Employee Appeals Board alternate member (2)
- Employee Appeals Board member (2)
- Voting member of the Utah League of Cities and Towns (ULCT) Legislative Policy Committee (3)
- Non-voting member of the Utah League of Cities and Towns (ULCT) Legislative Policy Committee (traditionally a City employee) (2)

Group C- 2 each Citizen Committee assignments

- Architectural Review Board
- Arts Council Liaison (mayor to continue)
- Davis Chamber of Commerce Liaison
- Emergency Preparedness Committee Liaison
- Museum Board Advisor
- North Davis Communities that Care (CTC) Coalition City representative
- Parks Advisory Committee Liaison
- Planning Commission Liaison
- Youth Court Liaison
- Youth City Council Liaison
- Miss Syracuse Pageant Liaison
- West Davis Chamber

Group D – Major Public Facing Events (1 Each)

The memo further noted the Mayor would like each council member to accept the assignment to get involved with the planning group and assist as possible with these great events that are put on each year for our citizens.

- Pumpkin Walk Liaison
- Easter Celebration liaison
- Heritage Days Liaison
- Fire Open House
- Night out against crime

Group E

- Mayor Pro-Tem
- Mayor Pro-Tem, Second
- Mayor Pro-Tem, Third

Canal Board representation has traditionally been covered by PW and individual stakeholders.

- Davis and Weber Canal Board. (PW Director has been elected to this position)
- Layton Canal Board – City Representative (traditionally the PW Director).

Mayor Maughan reviewed his memo and facilitated discussion among the Council to determine the assignments they are interested in. Staff will utilize the feedback provided during that discussion to develop a resolution for adoption during the February 14 meeting.

Discussion regarding timeline for construction of second Fire Station

A staff memo from the Fire Chief explained increasing call volume, increasing response times, and the anticipated construction of a large medical facility and emergency room is resulting in the need for a second fire station in Syracuse City. The Council has approved and budgeted for design and engineering, which has been sent to bid with a closing date of January 26, 2023, and an anticipated award date of February 14, 2023. The Council has approved placing orders for fire department apparatus to meet increased service needs and for use with the second fire station. Upcoming needs for the second fire station include land acquisition, temporary firefighter housing, station equipment, operating expenses, and staffing. A timeline has been created illustrating the current and upcoming events regarding the second station in relationship to the estimated completion of the proposed emergency room, and our attempt to be proactive to the increased service needs.

Chief Byington reviewed his staff memo and concluded the goal of this discussion is to review the project timeline and for the Council to provide direction on how to proceed with developing of the Fiscal Year (FY) 2024 budget related to this issue. Mayor Maughan stated that a review committee will be assembled to evaluate the bids for design and engineering, and he asked for two Councilmember volunteers to serve on that committee; Councilmembers Carver and Teague volunteered.

High level discussion among Chief Byington, the Mayor, and Council centered on the timeline of the project; Chief Byington used the aid of a PowerPoint presentation to discuss construction of the emergency room facility in the City; options for temporary usage of existing facilities in the City to accommodate increased staff needed to respond to emergency room calls; proposed staffing adjustments; increased calls for service; the station equipment that needs to be ordered in advance of the construction of the new building; and grant programs to which he will be applying for funding to augment the City's budget for this project. The Council thanked Chief Byington for the information provided this evening.

Biennial Review of Public Works Department.

A staff memo from the City Manager explained this Biennial Review is being conducted pursuant to the City's adopted Recruitment and Retention Policy; the Policy states "The primary purpose of the in-depth review is to discuss the operations, issues, overall direction of the department, and the goals of the City Council. The biennial in-depth review will also be a time to discuss any wage abnormalities or other special adjustments that the administration feels is needed."

Public Works Director Whiteley used the aid of a PowerPoint presentation to conduct the biennial review of his Department; the presentation covered the three vision statements for his Department; costs for City utilities, which can be defined as under-affordable according to State utility fee calculations; improvements in customer service and increased calls for service; comprehensive training programs available to employees of his Department; growth in the City that has increased the demand on City infrastructure; the infrastructure five-year plan for the City; road rehabilitation planning; grants that have been acquired to aid in completion of significant infrastructure projects; and ongoing goals for the Department.

The Mayor and Council thanked Mr. Whiteley for his presentation. Councilmember Carver encouraged all Councilmembers to personally visit the Public Works Department building to get their own understanding of the operations of the Department and the need for increased space to house the staff and equipment.

The meeting adjourned at 8:58 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: February 14, 2023