

Minutes of the regular meeting of the Syracuse City Council held on February 8, 2022 at 6:00 p.m., held in a hybrid in-person/electronic format via Zoom, meeting ID 851 8370 5469, in-person in the City Council Chambers 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
Paul Watson

Mayor Dave Maughan
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Paul Roberts
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

1. Meeting Called to Order/Adopt Agenda

Mayor Maughan 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 Bingham offered an invocation and Councilmember Carver led the audience in the Pledge of Allegiance.

COUNCILMEMBER SAVAGE MOVED TO ADOPT THE AGENDA. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Public comment:

Mayor Maughan 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. Ms. Brown read the following public comments for the record:

"I have lived in Syracuse since 1995. At that time Syracuse had massive growth and that growth has continue to this day and has recently accelerated. The city is faced with the cost that comes with this growth which is also compounded by inflation.

As a citizen, I feel that the city has done a good job responding to that growth up to this point in time. However, the surge in growth that will come with North Davis corridor and expansion of Antelope drive, the addition of 193 and multiple construction projects underway and planned, the cost of the growth must be addressed.

The city has lost resources and will continue to lose resources to other city and county agencies. This is happening at a very bad time. The Syracuse police department is already short staffed, and the city growth will only compound the problem. Syracuse PD is bonded which means they are very highly qualified and costly to replace. I do hope the city is able to recruit additional police officers to maintain the level of safety in Syracuse. The Syracuse police department is too costly to rebuild.

Due to multiple concerns raised on social media, the fact that the Syracuse police department is shorthanded is known by those that would take advantage of that situation. This must be addressed as soon as possible.

The surge in property values will certainly result in increased tax revenue. I recommend that Syracuse city maintain the level of support it has and provide a competitive wage to all city employees. That will certainly mean an increase in property and sales tax. I do hope that there is a graduated tax increase to lessen the impact to the residents.

Respectfully,
Mark Wagner"

"My name is Shay League, and I am currently a Syracuse City employee. The resolution before you is to bring wages city-wide up to the 60th percentile of comparative cities. To be clear, that means that out of 10 Syracuse-sized cities, 4 of them will still pay better than Syracuse. In many cases, Syracuse is currently paying far less than comparable cities, and this is a request to do better.

An employee faced with better pay at nearby cities has two options:

1. To take their experience elsewhere
2. To unionize and bargain collectively

I chose option 1--to move cities--and this Friday, February 11, 2022 is my last day. I am making a lateral transfer to Fernley, Nevada because they offered me a \$3 per hour raise in a lower cost of living area. I am willing to move an

entire state away for a 5.5% raise. Though most employees would not be willing to make such a dramatic change, consider that the last 3 hires in my department alone were of talented professionals lured away from nearby cities. Many of us wouldn't go so far as to move to Nevada, but people will consider driving to West Point, Layton, Clearfield, or another of the many neighboring municipalities. Remember that employees do not have to wait for job openings to know who is paying better; they only have to visit transparent.utah.gov to know where they might be better compensated for their time and expertise.

Were I to stay, joining with the Local 1004 would be an attractive option. Utah's branch of the AFSCME Trade Union has been established in the Wasatch front since 1976. It has yet to make inroads here only because Syracuse City has historically compensated people fairly. This year alone, every employee in Syracuse has taken roughly a 7% hit to purchasing power due to a combination of historic inflation in the area and Syracuse's policy of not tying wages to inflation. If Council were to then decide that matching or exceeding 60% of neighboring municipalities is too much to ask, the option for unionization would suddenly become very attractive.

My intent is not to threaten as I have nothing to gain. I am writing a comment instead of appearing in person because I am busy packing to move to a different city that has made employee compensation a priority. I am writing because Syracuse City is an excellent organization, and this is due primarily to the caliber of employees you have attracted in the past. If you would like those excellent employees to continue to excel at Syracuse, I strongly recommend passing resolution R22-08 to include option A for everyone.

Thank you,
Shay League"

"As a resident and a citizen of Syracuse, I have big concerns with the loss of so many of our veteran police officers. We are going to be a city staffed with rookie officers with a new freeway going through our town! I don't think the majority of our community has a clue about the crisis that is brewing in our city. Some of my talking points are:

The response time to urgent calls has been 2-4 minutes on average (depending on time of day). That time frame is really good considering other large cities (SL, West Valley etc.) have calls pending for hours sometimes. The citizens of Syracuse have been spoiled with a PD and fire department that can respond quickly. That all changes as staffing diminishes to the point that a domestic now has to pend for 30-60 minutes because no one is available. The multi-vehicle car crash that has injuries has to wait because everyone is tied up on calls, or no one is in the area.

We have all been lucky to live in a pretty safe city where people don't lock their cars at night, and forget to put their garage door down etc. If there isn't staff on a graveyard shift to be proactive and patrol neighborhoods at night, property crimes will skyrocket! If its not bolted to the floor, it will get stolen. If the city thinks the Sheriff's Office will pick up the slack, they are horribly mistaken. They also have staffing issues of their own and have other cities to patrol.

This would diminish response times and manpower. Other surrounding agencies (Clinton, Clearfield, Layton) are busy too and can't always help.

When the police department is understaffed, guess who reaps the rewards of that? Criminals. They often know how many cops are on duty and when shift changes occur. If you think they don't you are mistaken! Crime isn't going away in a growing city, so it's the counsel's and mayor's job to address staffing to keep crime in check, to keep and pay to have the best and most experienced officers available!

I've heard some elected officials say that we're having this crisis because there isn't enough commercial sales tax from business, so they have to rely on property tax. Well, guess who's fault that is?? You guessed it.... the city leadership. So, they may have to do a temporary tax increase to fix the issue, until commercial tax kicks in. There are too many people in this city who will do anything to keep Syracuse a sleepy farm town. I like that idea but obviously its just a dream. The city is growing rapidly. Were currently around 33,000 residents. What will that increase by the end of 2022? I'm guessing around 40,000? This city will have a population of around 60K-65K by the time its done being developed. Just imagine the issues that we could be faced with if they don't do something. A growing city (with a new highway running through the middle) and no police to control it. Wow

One of the main issues with the Mayor and City Council's mentality is that they are reactionary and not proactive. They only respond when something hits crisis. They have known for quite a while now that a freeway would be built through the middle of the city. More people, more cars, more everything! So, now here we are in 2022, the freeway is well under construction, and roughly a year and some change away from being finished. What have they done ... nothing!

So the final thing I want to bring up....the truth is that we can't fill the vacant officer positions quickly enough to plug the holes in the department. They don't pay well enough to entice lateral candidates to apply here. The last 4 officers that have been hired (except one) were all brand-new officers that hadn't been through the academy and had no prior experience. It takes around 4-5 months for these officers to complete the academy and graduate (if they make it out of the academy). They then have an FTO process that takes anywhere from 2-4 months, depending on how they perform. So, they are looking at around 9 months for a new hire to get up and going on their own. How many thousands of dollars has the city been hemorrhaging when new officers get hired here, stay for a year or two, then leave somewhere else as a lateral candidate for higher wages? This place has been a training ground or steppingstone for years because of low wages and total compensation. If they city had higher wages, we could recruit laterals from other

agencies to come here when there is a vacancy. They typically have a very short FTO process and obviously do not need to go through the academy. So they can be up and patrolling on their own within 4-3 weeks (maybe less). Please do something productive instead of just talking about it, blaming others, etc. Help our remaining officers stay safe and let's keep them!!

Sue Wagner”

Mayor Maughan then invited in-person public comments.

The following individuals spoke to the need to increase wages for City employees, but more specifically, public safety employees in the Police and Fire Departments of the City; they also addressed the financial implications for citizens associated with increasing pay in the City: Katherine Sutton, Dave Pollard, Mason Flint, Devin Rich, Eric Pickener, Tyson Wakefield, Brett Kitchen, Josh Romney, Doug Lund, Shane Crowton, Zach Davies. View the video of complete comments at the City's [YouTube Channel](#), starting at the 12:00 minute mark.

3. Common consent: Proposed Resolution R22-06 appointing City Councilmembers to various committee positions and assignments.

An Administrative staff memo explained at the beginning of each calendar year, the City Council reviews the list of appointments and assignments and makes changes according to recent election results or other determining factors. The Council reviewed the list of assignments during their January 25 work session meeting and directed staff to prepare an updated document to reflect the position assignments discussed during that meeting.

COUNCILMEMBER TEAGUE MOVED TO ADOPT RESOLUTION R22-06 APPOINTING CITY COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

4. Public hearing: Proposed Resolution R22-04 appointing Councilmember Carver to the Davis County Mosquito Abatement District (MAD); and Proposed Resolution R22-05 appointing Councilmember Savage to the Administrative Control Board of the Wasatch Integrated Waste Management District (WIWMD).

An Administrative staff memo explained Syracuse City makes appointments to local districts: North Davis Sewer District, Mosquito Abatement District, and Wasatch Integrated Waste Management District. Section 2.45.060 of the Syracuse City Code defines the process for considering these appointments as follows:

“(A) Prior to appointing individuals to any local district, the Council shall discuss the appointment in a work meeting, and schedule a public hearing to consider the issue at its next regular Council meeting or a special meeting.

(B) After conducting a public hearing, the Mayor shall open the issue to discussion among Council Members. At the conclusion of discussion, the appointment shall be made by motion, which must be supported by a majority vote. The Mayor may participate in the appointment action as a voting member.”

Former-Mayor Mike Gailey was the City's representative to the Wasatch Integrated Waste Management District (WIWMD); Former-Councilmember Bolduc was the City's appointee to the Mosquito Abatement District (MAD). It is time for the Council to consider updated resolutions for these two appointments. The Council discussed these appointments during their January 25 work session meeting and concluded to consider appointing Councilmember Savage to the WIWMD position and Councilmember Carver to the MAD position. Once the public hearing has been closed, the Council can take action on the two resolutions that have been prepared to facilitate the appointments.

Mayor Maughan opened the public hearing at 6:47 p.m. There were no persons appearing to be heard and the public hearing was closed.

Councilmember Teague asked why the term is different for the two resolutions. Mayor Maughan indicated that the form of the resolution was dictated by the respective special district.

COUNCILMEMBER BINGHAM MOVED TO ADOPT RESOLUTION R22-04 APPOINTING CITY COUNCILMEMBER CARVER TO THE DAVIS COUNTY MOSQUITO ABATEMENT DISTRICT. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

COUNCILMEMBER BINGHAM MOVED TO ADOPT RESOLUTION R22-04 APPOINTING CITY COUNCILMEMBER SAVAGE TO THE ADMINISTRATIVE CONTROL BOARD OF THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT (WIWMD). COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Public hearing: Proposed Resolution R22-08 adjusting the Syracuse City Budget for Fiscal Year (FY) ending June 30, 2022.

A staff memo from the Administrative Services Director explained the City Council has requested staff to present benchmark and wage data for City staff. Attached is a table that shows the amount of wage adjustments needed by department

in order to bring wages up to the 60 percentile of comparative cities. One exception is the police is presented at the 75 percentile of comparative cities. This includes wages and benefit totals.

<u>Department</u>	<u>Option A - Everyone</u>	<u>Option B - Midlevel and frontline employees</u>	<u>Option C - Frontline employees only</u>	<u>Option D - Positions in crisis including police</u>
Justice Court	\$ 19,739.73	\$ 19,739.73	\$ 8,401.38	\$ -
Victim Services	\$ 1,757.44	\$ 1,757.44	\$ 1,757.44	\$ -
Administration	\$ 82,298.62	\$ 35,939.92	\$ 31,532.75	\$ -
Infor. Tech	\$ 1,658.85	\$ 1,658.85	\$ 1,658.85	\$ -
Facilities Maint.	\$ 3,678.76	\$ 3,678.76	\$ 3,678.76	\$ -
CED	\$ 53,040.45	\$ 44,064.51	\$ 35,949.95	\$ 20,307.16
Police	\$ 433,932.37	\$ 408,109.59	\$ 408,109.59	\$ 381,465.19
Fire	\$ 81,263.41	\$ 23,099.74	\$ 10,214.60	\$ -
Streets	\$ 45,055.91	\$ 43,009.58	\$ 19,871.74	\$ 12,425.62
Parks & Rec	\$ 237,160.81	\$ 186,020.79	\$ 160,494.29	\$ 119,328.52
Secondary Fund	\$ 22,542.94	\$ 20,496.61	\$ 15,849.12	\$ 10,890.46
Storm Fund	\$ 14,163.62	\$ 13,138.74	\$ 10,811.09	\$ 9,687.81
Culinary Fund	\$ 45,275.28	\$ 43,228.95	\$ 20,644.62	\$ 6,191.88
Sewer Fund	\$ 33,827.22	\$ 30,757.73	\$ 7,501.47	\$ -
Garbage Fund	\$ 3,289.62	\$ 3,289.62	\$ 3,289.62	\$ -
Total Ongoing	\$ 1,078,685.03	\$ 877,990.56	\$ 739,765.27	\$ 560,296.64
Total remainder of FY2022	\$ 415,293.74	\$ 338,026.37	\$ 284,809.63	\$ 215,714.21

There is a total of 10 out of 26 pay periods left in the fiscal year that ends on June 30, 2022. This represents approximately 38.5% of the total costs show above. This means, for example, that if the benchmark adjustments were approved for all city employees, the total cost to the budget for the remainder of fiscal year 2022 would be \$415,293.74 (\$1,078,685.03 * 38.5%). Funding for the remainder of fiscal year 2022 could be covered by one-time funds from surplus due to higher-than-expected sales tax revenue or building fees from new development. Ongoing funding for the benchmark adjustments would need to be funded by a property tax increase which occurs during our truth in taxation process in August. In order to fund the highest option of \$1,078,685 with a property tax, it would be approximately 31.8% increase on the city property tax bill. On the average home value of \$400,000 that would be approximately \$115 per year increase. The memo concluded the action item before the Council is to consider whether to approve resolution R22-08 amending the FY2022 budget.

City Manager Bovero reviewed the staff memo. Mr. Bovero used the aid of a PowerPoint presentation to expound on the possible property tax implications associated with any action to adjust employee compensation.

Mayor Maughan opened the public hearing at 7:08 p.m.

Craig Johnson stated he would like the Council to focus on other funding sources besides property taxes; the Council should perform a ‘deep dive’ into every Department’s budget to determine cost saving opportunities. He stated he performed research on land values; an acre of land near Bluff Road is listed for sale at \$906,000 and he suggested the City consider selling a portion of the fifty acres it owns near Jensen Park to generate money that could be used to cover the increased costs for employee compensation. He stated the proper role of government is to provide safety to the citizens and parks and recreation projects should be of lower priority.

There were no additional persons appearing to be heard and the public hearing was closed at 7:10 p.m.

Councilmember Bingham addressed selling property; the property mentioned by Mr. Johnson has already been set aside for another project. She added that the money generated by that action would cover the increased costs for one year, but it is necessary for the Council to identify an ongoing funding source. The action the Council will take tonight will not be a one-time thing; rather, inflation will continue to spike and there are very rarely decreases on costs once they are inflated.

Discussion among the Mayor and Council then centered on the four options that have been presented by City Administration; Mayor Maughan urged the Council to only address emergency issues at this point and take additional time to evaluate all other possible wage adjustments that are included in the four options before the Council tonight. Councilmember Carver stated that she does not believe it is appropriate to delay action any further; all City employees should be paid a fair wage and what they are worth. Mayor Maughan agreed, but indicated that Administration is working on possible edits to the City’s Recruitment and Retention Policy that are aimed at addressing the issue; he suggested that the Council wait until those

changes are made and until the Fiscal Year 2022-2023 budget scenario is clearer. Councilmember Watson agreed and stated he would prefer to slow this process and only address the positions in crisis at this time. Councilmember Teague agreed that the Council has not had much time to digest the information that has been discussed tonight, but any option the Council is comfortable considering in June with adoption of the City's annual budget, they should also be willing to consider tonight.

The Council continued to debate the options before them tonight, with a focus on the positions considered to be 'in-crisis'; Councilmember Savage stated he is comfortable adjusting the wages for all positions in crisis, but at a minimum, all employee pay scales should be adjusted to the 50th percentile. Mayor Maughan suggested that there may be insufficient benchmark data for all positions in the City and he suggested that no action be taken until benchmarking is completed. Administrative Services Director Marshall indicated that some benchmark analysis has been performed for all positions, though some may have had less than 10 comparison cities/entities to benchmark against. Councilmember Bingham stated she expects that the majority of the cities with which Syracuse compares will continue to increase their wages, and the City will still be trying to catchup.

Councilmember Carver asked if the City has enough 'one-time' monies to cover the increase associated with option A, to which Mr. Marshall answered yes. Mayor Maughan emphasized that the Council would need to identify an ongoing funding source, which will likely be a tax increase. Councilmember Carver stated she understands that, but a decision to increase taxes would be based upon the important commitment to compensate employees fairly. Mayor Maughan stated the action tonight could be a 44 percent tax increase, to which Councilmember Carver responded that would equate to a \$115 per year for the average \$400,000 home in the City. Mayor Maughan stated that it is most responsible to advertise a percentage so that each homeowner can determine what their cost will be; additionally, as the City moves through the process to prepare the next FY budget, there will be other items and projects that need to be funded, which could result in the need to adjust the property tax increase. He simply does not want the Council to take an action tonight that commits the City to a 44 percent increase as a starting point.

Councilmember Teague stated he has spoken to all Department Heads, and all have indicated that they do not want a pay increase at this time, but they would like for the employees in their respective Departments – especially those in crisis – to receive an adjusted wage. He proposed the Council consider an option that moves the Police Department to the 75th percentile, the Fire Department to the 60th percentile, all positions in crisis to the 60th percentile, and a graduated increase of 15 percent for Police Officers 1, 2, and 3 and a 12 percent increase for the Sergeant position. This option excludes adjustments to Department Head salaries and all other Departments will be at the 50th percentile until further adjustments can be made. He stated he discussed this option with Mr. Marshall, who indicated to him that the cost would be \$761,000. Councilmember Bingham stated she is concerned about sending the message to employees at the 50th percentile that they are not as valuable as other. Mayor Maughan stated he understands that concern, but it is difficult for the City to respond to hyperinflation, and he does not believe the Council has taken any action that is dismissive of employees and the value they bring to the City.

Councilmember Savage stated that he is comfortable with the recommendation made by Councilmember Teague, but he would also like to make sure the Parks and Recreation Department is moved to the 60th percentile.

COUNCILMEMBER SAVAGE MOVED TO ADOPT RESOLUTION R22-08 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR (FY) ENDING JUNE 30, 2022, WITH THE FOLLOWING WAGE ADJUSTMENTS:

- MOVE POLICE DEPARTMENT WAGES TO 75TH PERCENTILE OF BENCHMARK;
- MOVE FIRE DEPARTMENT TO 60TH PERCENTILE OF BENCHMARK;
- MOVE PARKS AND RECREATION DEPARTMENT TO 60TH PERCENTILE OF BENCHMARK;
- PROVIDE FOR GRADUATED INCREASE OF 15 PERCENT FOR POLICE OFFICERS 1, 2, AND 3 AND 12 PERCENT FOR SERGEANT;
- MOVE ALL OTHER EMPLOYMENT POSITIONS THAT ARE CURRENTLY UNDER THE 50TH PERCENTILE TO THE 50TH PERCENTILE OF BENCHMARK;
- MAKE NO ADJUSTMENTS FOR DEPARTMENT HEADS.

The Council discussed the motion in an attempt to have a clear understanding of the implications of the action to be taken. Councilmember Teague expressed that he is committed to further consideration of employee wages to ensure that everyone is compensated fairly; he hopes the rest of the Council will commit to the same as the process to develop the next FY budget will commence soon.

Councilmember Watson inquired as to the property tax percentage that equates to the \$761,000 value of the action included in Councilmember Savage's motion. Mr. Marshall answered 22 percent or \$81 per month. He stated there are some positions for which compensation is derived from utility revenues, which will impact the overall percentage increase.

COUNCILMEMBER TEAGUE SECONDED THE MOTION; VOTING IN FAVOR WERE COUNCILMEMBERS SAVAGE, TEAGUE, AND WATSON. VOTING NO COUNCILMEMBERS BINGHAM AND CARTER.

Councilmember Carter noted she vote in opposition to the motion because she would have preferred to move all employees to the 60th percentile of their benchmark. Councilmember Bingham agreed.

6. Proposed Ordinance 2022-01 amending Sections 6.40.030, 6.40.070, and enacting Section 11.15.030, prohibiting the use of engine brakes within City limits.

A staff memo from the City Attorney explained that at the Council's last work session, they determined that they wished to ban the use of dynamic braking devices (aka jake brakes) from within City limits at all times, except in cases of emergency. The logical placement of this prohibition is within the City's traffic code. A reference to the traffic code is proposed to be placed within the noise ordinance, in case a resident seeks it there initially.

City Attorney Roberts reviewed his staff memo.

Councilmember Carver noted she brought this matter to the City's attention in 2020 with the recommendation that the amendments be made to protect livestock and agricultural land uses in the City. She asked that an additional 'whereas' clause be added to the official ordinance document to reflect that the City is an agricultural community, and the ordinance amendments are based upon the desire to protect those uses.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT ORDINANCE 2022-01 AMENDING SECTIONS 6.40.030, 6.40.070, AND ENACTING SECTION 11.15.030, PROHIBITING THE USE OF ENGINE BRAKES WITHIN CITY LIMITS, WITH AN ADDITIONAL 'WHEREAS' STATEMENT THAT READS "WHEREAS, THE USE OF ENGINE BRAKES CAUSES DISTRESS AND HARM TO LIVESTOCK BEING RAISED WITHIN THE COMMUNITY". COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED AYE.

7. Proposed Resolution R22-07 authorizing Syracuse City Police Department to apply property in the Police Department's possession to public interest use and designating a specific public interest use for the property.

A staff memo from the Police Department explained the Police come into possession of property in several ways. The property may be turned in as "found" property, it may be seized as evidence, or it can be seized for safekeeping and abandoned after it is taken into police custody. For instance, a bicycle might be left on your front lawn, it might be seized by police because it was stolen, or a person may be arrested while they were riding their bicycle, resulting in the bike being held until they come to retrieve it. Under State law, after sufficient due diligence is taken to notify the owner that the Department is holding their property, the City Council may take action to appropriate the property for public interest use. Codes permit the City to donate such items to bona fide charities, if the Council makes that designation. As per our usual practice, the Department seeks to donate the bicycles to the Farmington Children's Justice Center for charitable purposes. It is the Council's prerogative to determine the appropriate public interest use to which these items should be applied.

COUNCILMEMBER TEAGUE MOVED TO ADOPT RESOLUTION R22-07 AUTHORIZING SYRACUSE CITY POLICE DEPARTMENT TO APPLY PROPERTY IN THE POLICE DEPARTMENT'S POSSESSION TO PUBLIC INTEREST USE AND DESIGNATING A SPECIFIC PUBLIC INTEREST USE FOR THE PROPERTY. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Proposed Ordinance 2022-02, Application for zone change from Residential (R-1) and Agriculture (A-1) to General Commercial (GC) for property located at approximately 3329 S. 2000 W.

A staff memo from the Community and Economic Development (CED) Department explained the applicant is requesting approval of a rezone from R-1 and A-1 to GC to accommodate a church and potential coffee drive-through. Both churches and retail trade are permitted uses in the GC Zone. Churches are actually permitted in all zones, the only reason for the rezone is the drive through food component. This area is designated Commercial in the General Plan as it is adjacent to the West Davis Corridor interchange planned for 2000 West. This property is just south of a planned park-and ride lot and directly abuts the Corridor on the northeast. A rezone to GC would allow for any of the permitted or conditional uses in the zone to be established. If the church and coffee shop do not come to fruition, other permitted uses such as shopping centers and restaurants, tunnel car washes, automotive retail and gas stations would be legal. Planning Commission reviewed the item on 12/7/21 and is forwarding a unanimous recommendation for approval. A properly noticed public hearing was also held during the meeting. After rezone approval and prior to construction, the project will be required to go through site plan review with Planning Commission and the building permit review process with the Building Department. City Council requested staff to research whether or not sales tax would be required to be charged by the church's coffee stand. Staff called the Utah State Tax Commission and verified that yes, sales tax will be required to be collected and paid for by the business even though they are a not-for-profit church.

CED Director Steele reviewed his staff memo.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT ORDINANCE 2022-02, APPLICATION FOR ZONE CHANGE FROM RESIDENTIAL (R-1) AND AGRICULTURE (A-1) TO GENERAL COMMERCIAL (GC) FOR PROPERTY LOCATED AT APPROXIMATELY 3329 S. 2000 W. COUNCILMEMBER JORDAN SECONDED THE MOTION; ALL VOTED AYE.

9. Public hearing: Proposed Ordinance 2022-03, Application for zone change from Residential (R-1) to Residential (R-3) for property located at approximately 2383 W. 2700 S.

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

Location: 2383 W. 2700 S.
Current General Plan: Medium Density Residential
Current Zoning: R-1 (Single-Family Residential at 2.3 Units Per Acre)
Proposed Zoning: R-3 (Single-Family Residential at 4 Units Per Acre)
Acreage: 0.63

The applicant is requesting approval of a rezone from R-1 to R-3 to accommodate a subdivision of the original lot that has already been split in two. The R-1 zone has a minimum lot size and also a maximum units per acre. The lot sizes for the two lots are 12,196 and 15,246. The minimum lot size in R-1 is 12,000 sf. The maximum units per acre in R-1 is 2.3. .63 acre would net only 1.45 lots in the R-1. The next zone up is R-2, which allows 3 units per acre. 3 units per acre on .63 acre would net 1.89 lots, so again less than the desired 2 lots. The R-3 zone allows 4 units per acre, and at that density, .63 acres would net 2.52 lots. For that reason, the R-3 zone is needed. This rezone request is in conformance with the general plan which has designated this area as future medium density. R-3 is an anticipated zone within the medium density designation. Planning Commission reviewed the item and held a public hearing on 1/18/22. They are forwarding a unanimous recommendation for approval. As an extra precaution, following a report that the noticing sign for the original public hearing was placed incorrectly, another public hearing was scheduled for tonight. Another set of postcards were mailed, another sign was placed, and the meeting was advertised on the Utah public noticing website.

CED Director reviewed the staff memo.

Mayor Maughan opened the public hearing at 8:38 p.m.; there were no persons appearing to be heard and the public hearing was closed.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT ORDINANCE 2022-03, APPLICATION FOR ZONE CHANGE FROM RESIDENTIAL (R-1) TO RESIDENTIAL (R-3) FOR PROPERTY LOCATED AT APPROXIMATELY 2383 W. 2700 S. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

10. Proposed Resolution R22-10 updating and amending the Syracuse City Purchasing Policy by making changes throughout.

A staff memo from the City Manager explained the City's current purchasing policy was last revised in 2014; the intent of the proposed revisions is to streamline the processes for staff and maintain the overall goals of the policy for purchases and service contracts. The proposed changes include the following:

- Use the same purchasing limits for purchase and service contracts. Currently there are only purchasing limits outside of sealed bids for purchases, but not service contracts. These only apply to service contracts of one year or less.
- Allow the City to use other governmental cooperative purchasing contracts in order to take advantage of competitive bidding processes and economies of scale.
- Non-substantive clean up items.
- Updates noticing requirements to reflect changes in state law.

Mr. Bovero reviewed the staff memo.

COUNCILMEMBER TEAGUE MOVED TO ADOPT RESOLUTION R22-10 UPDATING AND AMENDING THE SYRACUSE CITY PURCHASING POLICY BY MAKING CHANGES THROUGHOUT. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

11. Award design contract for Emergency Operations Center (EOC) project.

A staff memo from the City Manager explained the Council previously planned for and budgeted approximately \$400k for improvements at the police station to create an Emergency Operations Center functionality in the training room. The City released a Request for Proposals in December for the design portion of the project. The City received two proposals from the following firms with the contract amounts as follows:

Think Architecture: \$64,900
JRCA: \$36,000

A review committee consisting of the Mayor, Councilmembers Teague and Savage, the City manager, Police and Fire Chiefs, and the Emergency Management Coordinator, reviewed the proposals and recommend the contract be awarded to JRCA.

Mr. Bovero reviewed his staff memo.

COUNCILMEMBER BINGHAM MOVED TO AWARD DESIGN CONTRACT FOR EMERGENCY OPERATIONS CENTER (EOC) PROJECT TO JRCA ARCHITECTS. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED IN FAVOR.

12. Authorize Administration to execute agreement with Utah Department of Transportation (UDOT) for reimbursement of costs for engineering and inspection services related to the West Davis Corridor (WDC) project.

A staff memo from the Public Works Director explained Construction of WDC is moving forward. Much of the city’s infrastructure will be impacted over the next two years. The Utah Department of Transportation (UDOT) understands that City staff has limited availability to handle the added workload and has offered to reimburse costs that may be necessary for engineering and inspection of city infrastructure up to a maximum of \$515,117.64.

Public Works Director Whiteley reviewed his staff memo.

COUNCILMEMBER TEAGUE MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT WITH UTAH DEPARTMENT OF TRANSPORTATION (UDOT) FOR REIMBURSEMENT OF COSTS FOR ENGINEERING AND INSPECTION SERVICES RELATED TO THE WEST DAVIS CORRIDOR (WDC) PROJECT. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

13. Consideration of contract award for inspection services for City infrastructure impacted by the West Davis Corridor (WDC) project.

A staff memo from the Public Works Director explained a Request for Proposal (RFP) was issued for Construction Engineering Management for West Davis Corridor, Antelope Drive, and SR-193. The scope includes inspection services on all city-owned infrastructure impacted by UDOT’s project. Four bids were submitted on September 1, 2021. Bids were evaluated based upon Quality Based Selection and tabulated as follows:

	Project Team	Experience	Range of relevant	Knowledge	Quality of	Total
	30%	30%	20%	10%	10%	Points
AECOM	30	25	20	7	10	92
ESI	30	25	15	10	9	89
JUB	30	30	20	10	4	94
WCG	30	30	20	10	10	100

Costs for this service will be reimbursed 100% by UDOT. City budget must indicate an expense and reimbursement.

Public Works Director Whiteley reviewed his staff memo.

COUNCILMEMBER TEAGIE MOVED TO AWARD CONTRACT FOR INSPECTION SERVICES FOR CITY INFRASTRUCTURE IMPACTED BY THE WEST DAVIS CORRIDOR (WDC) PROJECT TO WALL CONSULTING GROUP. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR.

14. Authorize Administration to execute agreement with United States Bureau of Reclamation (BOR) for utility crossings.

A staff memo from the Public Works Director explained the U.S. Bureau of Reclamation owns the land and pipeline for the Layton Canal Pipeline that runs parallel to Bluff Road. To prevent interference with WDC, a portion of the pipeline was relocated as well as some land ownership to ensure the relocated pipe is situated inside BOR owned land. BOR requires all utilities and roads crossing their property have a license agreement. With the relocation of the Layton Canal Pipeline, new license agreements are required for existing utilities as well as any new utilities that are being installed with the WDC project. Locations where city-owned utility crossings are: 700 South, 3000 West, and Antelope Drive. The exhibit shows the crossings in greater detail.

- 16.7 – Syracuse City – Water, Sewer, SD, & Irrigation (700 S, 3000 W, and Antelope)
- 15.7 - SYC_05 – Syracuse City water irr., SD, and Sewer at Antelope
- 15.7 - SYC_03 – Syracuse City water and irr at Tyrall Dr.
- 15.7 - SYC_04 – Syracuse City water, irr, and SD at 3000 W
- 15.7 SYRC_Utility_01 - Off road SD south of 700 S
- 15.10B - SYRC_NwLytnCnl_02– Signage and Lighting
- 15.10 -SYRC_NwLytnCnl_01– 700 S Roadway
- 15.10C-SYRC_NwLytnCnl_03– 3000 W Roadway

Additional license agreements will be coming throughout the project. The agreement is a standard form that is used on all license agreements. The BOR is requesting a blanket approval for these agreements. The memo concluded the action before the Council tonight is to determine whether the to approve a blanket license for utility and road crossings along the relocated Layton Canal Pipeline owned by U.S. Bureau of Reclamation.

Public Works Director Whiteley reviewed his staff memo.

Councilmember Carver inquired as to how this action will impact the flow of irrigation water from Bluff Road to 3000 West along Antelope Drive. Mr. Whiteley stated that the transmission line feeds the Layton Canal Company service area; the irrigation water will not be redirected. Councilmember Carver indicated that some owners of agricultural property in the area rely upon some runoff water in the area, particularly from the nearby pond. Mr. Whiteley stated the pond will be relocated and the properties that abut it at its present location will no longer receive runoff water from it.

COUNCILMEMBER TEAGUE MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT WITH UNITED STATES BUREAU OF RECLAMATION (BOR) FOR UTILITY CROSSINGS. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER CARVER, WHO VOTED IN OPPOSITION.

Councilmember Carver indicated that she is only voting in opposition because she is not familiar enough with the potential impacts this project will have on farmers in the area.

15. Consideration of release of easements for utility and road crossings along the relocated Layton Canal Pipeline owned by the United States Bureau of Reclamation (BOR).

A staff memo from the Public Works Director explained the U.S. Bureau of Reclamation owns the land and pipeline for the Layton Canal Pipeline that runs parallel to Bluff Road. To prevent interference with WDC, a portion of the pipeline was relocated as well as some land ownership to ensure the relocated pipe is situated inside BOR owned land. With the relocation of the Layton Canal Pipeline, existing easements are no longer necessary where utilities no longer exist or where utility crossings are covered by a license agreement and where roads have changed alignments. Locations where city easements exist and interfere with BOR land are indicated. The exhibit shows the crossings in greater detail.

- Freemont Park Subdivision, Lot 2 (14.3 Exhibit 127)
- Stone Haven Subdivision Phase 3, Lots 33-40 (14.4 Exhibit 634D)
- Trail along the former T.J. Steed Property (14.5 Exhibit 651)

The memo concluded the action before the Council tonight is to determine whether to approve a release for easements for utility and road crossings along the relocated Layton Canal Pipeline owned by U.S. Bureau of Reclamation.

Public Works Director Whiteley reviewed his staff memo.

COUNCILMEMBER BINGHAM MOVED TO AUTHORIZE EXECUTION OF RELEASE OF EASEMENTS FOR UTILITY AND ROAD CROSSINGS ALONG THE RELOCATED LAYTON CANAL PIPELINE OWNED BY THE UNITED STATES BUREAU OF RECLAMATION (BOR). COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

16. Discussion and/or action on Proposed Ordinance 2022-04 amending Section 2.10.100 of the Syracuse City Code related to Council votes conducted between a Municipal Election and the swearing in of new Councilmembers.

A staff memo from the City Attorney explained the proposed amendment imposes a requirement for a super-majority (4 votes) on Council business transacted between the date of a municipal election and the date on which new councilmembers are sworn in. The super-majority requirement would not apply under certain circumstances:

- If councilmembers are running unopposed;
 - If certified election results show that current councilmembers will remain in their seats the following term;
or
 - If a matter has a deadline established by a provision of law. For instance, this includes election canvass, appointing individuals to vacant Council seats, certain appeals, agricultural protection area designations.
- There are likely many others scattered through the city and state codes.

This amendment does not tread on the mayoral power to bring items to the Council's attention, because it does not prohibit *consideration* of an item, it only imposes a higher threshold for approving it. The memo concluded the action before the Council is to determine whether to adopt, reject or amend these proposed amendments. The Council could also move this item to a work session for further discussion.

City Attorney Roberts reviewed his staff memo.

Councilmember Bingham stated she feels the proposed ordinance is the definition of government bureaucracy and that it binds the hands of future Council's and City staff to weigh very stringent criteria before considering any action during the time between a municipal election and when newly elected officials actually take office. Councilmember Savage disagreed; he feels the ordinance actually provides protections for residents; any controversial matter should be considered very carefully after an election. This ordinance will provide for everyone's voice to be heard while allowing business to proceed in an orderly fashion. Councilmember Teague disagreed and asked what will happen in the event that someone loses a primary election; he asked if all decisions will be placed on hold for the six months of time between the primary election and the new term of office beginning. He added that the Council has asked to see if other cities have a similar practice and research indicated that this is

not a practice employed in any other city. He stated he will not support the ordinance. Councilmember Carver added that after the decisions that have been considered tonight, she feels differently about this ordinance; she initially felt it would be reasonable to achieve a super majority vote on very important issues, but the three to two vote on employee compensation earlier in the meeting has changed her position.

COUNCILMEMBER BINGHAM MADE A MOTION TO REJECT ORDINANCE 2022-04 AMENDING SECTION 2.10.100 OF THE SYRACUSE CITY CODE RELATED TO COUNCIL VOTES CONDUCTED BETWEEN A MUNICIPAL ELECTION AND THE SWEARING IN OF NEW COUNCILMEMBERS. COUNCILMEMBER TEAGUE SECONDED THE MOTION; VOTING ON THE MOTION WAS AS FOLLOWS: VOTING IN FAVOR WERE COUNCILMEMBERS BINGHAM, CARVER, AND TEAGUE. VOTING IN OPPOSITION WERE COUNCILMEMBERS SAVAGE AND WATSON.

17. Proposed Resolution R22-09 designating and appointing certain appointed officers of Syracuse City.

An administrative staff memo explained section 10-3-916 of the Utah Code dictates that following a municipal election the Mayor, with advice and consent of the Council, shall appoint an individual to the offices of City Recorder and City Treasurer. Section 2.25.090 of the Syracuse City Code dictates that the Mayor, with the advice and consent of the Council, shall also appoint an individual to the office of Chief of Police. Proposed Resolution R22-09 has been drafted to provide the Mayor and Council the opportunity to fulfill the statutory requirements defined in State Code and City Code.

COUNCILMEMBER BINGHAM MOVED TO ADOPT RESOLUTION R22-10 DESIGNATING AND APPOINTING CERTAIN APPOINTED OFFICERS OF SYRACUSE CITY. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

18. Public comment.

There were no public comments.

19. 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 Maughan also invited City Manager Bovero to make any necessary announcements.

20. 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 (if necessary).

COUNCILMEMBER MAUGHAN MOVED TO ADJOURN 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 PURCHASE, EXCHANGE, OR LEASE OF REAL PROPERTY. COUNCILMEMBER CARVER SECONDED THE MOTION. ALL VOTED AYE.

The meeting recessed at 8:57 p.m.

The meeting reconvened at 9:32 p.m.

At 9:32 P.M. COUNCILMEMBER SAVAGE MADE A MOTION TO ADJOURN. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: April 12, 2022