

Minutes of the Regular Meeting of the Syracuse City Council, held on September 12, 2023, at 6:00 p.m., in a hybrid in-person/electronic format via Zoom, meeting ID 875 6997 8192, 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
Deputy City Recorder Marisa Graham

City Employees Present:

Administrative Services Director Stephen Marshall
City Attorney Brienne Brass
Fire Chief Aaron Byington
Police Chief Garret Atkin
Public Works Director Robert Whiteley
Community and Economic Development Director Noah Steele
Communications Specialist Kara Finley

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 Teague provided an invocation and Councilmember Watson led the audience in the Pledge of Allegiance.

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

2. Public comment

David Benard stated he lives within the boundary of the proposed Community Redevelopment Area (CRA) project area on 700 South, and he noticed there will be potential road improvements in the project area; he would like to know where what types of roads will be built and where the access points will be. He noted he also has questions about the type of development The Boyer Company is interested in pursuing in the project area.

Mayor Maughan stated that is not the CRA and those questions would have to be heard at another meeting when there is a proposal for the development. Mr. Benard stated that the Council and Mayor understand that for the citizens to support the CRA, answers to those types of questions would be helpful. He also asked how long it will take for the City to realize an investment of the incentives that could potentially be offered to developers in the CRA area. He asked if The Boyer Company has submitted a development application for property within the CRA, to which Mayor Maughan answered yes, but noted that the application has been stalled until the CRA and interlocal agreements can be approved and finalized.

Jacob Briggs stated that he found the information about plans for the CRA and use of tax increment financing (TIF) to be very vague; he would like to know the purpose of the TIF and how it will be applied. He believes the questions asked by Mr. Benard illustrate the fact that the information that has been provided is too vague to be properly understood. Mr. Briggs stated when a City is contemplating using TIF, there must be a unique and specific reason for the funding and that is lacking in the proposed CRA plan and budget.

3. Recognition: Firefighter Shay McGuire – Supervisory Fire Officer Designation

A staff memo from the Fire Chief explained Firefighter Shay McGuire has been awarded the Utah Supervisory Fire Officer Designation as outlined by the International Association of Fire Chiefs and adopted by the Utah Commission on Fire Officer Designation. Firefighter McGuire has combined hundreds of hours of training, education, and experience to meet the requirements for this designation. Her hard work and commitment to this process shows her dedication to not only the Utah State Fire Service but to Syracuse City and the Fire Department as well.

Chief Byington summarized his staff memo and asked the Council to join him in recognizing Firefighter McGuire for attaining this designation.

4. Approval of Minutes

City Council Regular meeting
September 12, 2023

The following minutes were reviewed by the City Council; The regular Business Meeting and Special RDA Meeting of August 8, 2023. And the Work Session and Special Meeting of August 22, 2023.

COUNCILMEMBER BINGHAM MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTE AYE.

5a. Proposed Resolution R23-27 adopting comprehensive edits to the Syracuse City Personnel Policies and Procedures Manual.

A staff memo from the Administrative Services Director Marshall stated periodically City Administration and Department Heads propose changes to the personnel policies and procedures manual. It has been a year since the last update, and there are several proposed changes. The City discussed the edits in the last work session and are now ready for final approval.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R23-27 ADOPTING COMPREHENSIVE EDITS TO THE SYRACUSE CITY PERSONNEL POLICIES AND PROCEDURES MANUAL. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

5b. Proposed Resolution R23-29 authorizing the Mayor to execute an amendment to the Land Lease Agreement with NCWPCSMPL -33-Year Sites Tower Holdings, LLC for the lease of property located at approximately 1871 S. 2000 W.

A memo from the Community and Economic Development (CED) Department explained the City leases land in Founders Park located at approximately 1781 S. 2000 W. for a cell phone tower. The lease has been in place since 2005. Lessee desires to build a backup power generator on site which would expand the leased area. The back up power would keep cell phone coverage going during an emergency.

Councilmember Carver stated she wanted this removed off the consent agenda due to not having a response as to why the lessee needs generators at the site. Mr. Steele stated that he reached out to Crown Castle after the last work session meeting and sent them the list of questions that the Council had, and Crown Castle has not responded back to Mr. Steele.

COUNCILMEMBER CARVER MADE A MOTION TO TABLE PROPOSED RESOLUTION R23-29 AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LAND LEASE AGREEMENT WITH NCWPCSMPL33-YEAR SITES TOWER HOLDINGS, LLC FOR THE LEASE OF PROPERTY AT APPROXIMATELY 1871 S. 2000 W. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

5c. Proposed Resolution R23-30 authorizing the Mayor to execute an amendment to the Land Lease Agreement with T-Mobile West Tower, LLC for the lease of property at approximately 700 S. 3550 W.

A memo from the Community and Economic Development (CED) Department explained the City leases land in Rock Creek Park located at approximately 3550 S 700 S for a cell phone tower. The lease has been in place since 2006. Lessee desires to build a backup power generator on site which would expand the leased area. The back up power would keep cell phone coverage going during an emergency.

Councilmember Carver stated she wanted this removed off the consent agenda due to not having a response as to why the lessee needs generators at the site. Mr. Steele stated that he reached out to Crown Castle after the last work session meeting and sent them the list of questions that the Council had, and Crown Castle has not responded back to Mr. Steele.

COUNCILMEMBER CARVER MADE A MOTION TO TABLE PROPOSED RESOLUTION R23-30 AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE LAND LEASE AGREEMENT WITH T-MOBILE WEST TOWER, LLC FOR THE LEASE OF PROPERTY AT APPROXIMATELY 700 S. 3550 W. COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

5d. Proposed Resolution R23-32 approving the Syracuse City social media terms and conditions.

A staff memo from Kara Finley Communications Specialist explained social media is being used as a mechanism for communicating with the public. The City social media accounts are limited public forums with no First Amendment protections for:

- Obscenity
- Defamation
- Actual Threats
- Illegal Activities
- Promoting Illegal Discrimination
- Spam

City Council Regular meeting
September 12, 2023

- Malware Links
- Using Copyrighted Work

Social media terms and conditions have been drafted to address community expectations regarding using and moderating City social media platforms. The terms and conditions are an effort to address the increasing amount of spam and curtail potential future issues while remaining viewpoint neutral. The social media terms and conditions would be made available to all City platform users annually and posted to the City website.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R23-32 APPROVING THE SYRACUSE CITY SOCIAL MEDIA TERMS AND CONDITIONS. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

5e. Proposed Resolution R23-31 appointing Heather Sachs and Taylor Sachs to the Syracuse Arts Council.

An administrative staff memo explained Arts Council leadership has requested that Heather and Taylor Sachs be appointed to the Arts Council Board; there are currently five vacancies on the Board and these appointments will fill two of those vacancies. Proposed terms of expiration are June of 2027.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R23-31 APPOINTING HEATHER SACHS AND TAYLOR SACHS TO THE SYRACUSE ARTS COUNCIL. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

6. Proclamation declaring September as American Founders and Constitution Month.

An administrative staff memo explained that during the Utah Legislative session in early 2023 passed a bipartisan bill designating the month of September as American Founders and Constitution Month. The bill “encourages all civic, fraternal and religious organizations...to recognize and observe this occasion through appropriate programs, meetings, services, or celebrations.” To recognize the significance of American Founders and Constitution Month, City activities include an essay contest, a photography contest, and social media posts.

Mayor Maughan stated that the City wants to support this and believes that the constitution is a vital part of our government that should be honored and recognized by the City.

7. Consideration for adoption of Resolution R23-28 of the City Council of Syracuse City, Utah, authorizing and approving the execution and delivery of a Master Lease Agreement by and between the City and the Municipal Building Authority of Syracuse City, Utah (the “Authority”), a Ground Lease Agreement and a Bond Purchase Contract; authorizing the issuance and sale by the authority of its Lease Revenue Bonds, Series 2023, in an aggregate principal amount of not more than \$13,000,000; and related matters.

A staff memo from the Administrative Services Director explained that the Municipal Building Authority (MBA) is a separate legal entity from Syracuse City Corporation. It was established in August 2006 to allow the City to streamline the funding and construction of city facilities. The MBA borrows funding, constructs facilities, and leases them to the City. The lease payments made by the City provide the revenue for the MBA to make the debt payments. Eventually the debt will be paid off and the properties will be deeded to the City. The executive board of the MBA is comprised of the Mayor and Council of Syracuse City. This parameters resolution sets forth the maximum allowable dollars the council is willing to fund for station 32 construction. It also sets maximum rates and par value in the resolution. This does not mean we will borrow \$13,000,000; however, it will give us some flexibility in case the costs of the station increase before construction begins. Since the MBA and Syracuse City are two separate legal entities, we have two separate resolutions – one for Syracuse City and the other for the MBA.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT RESOLUTION R23-28 OF THE CITY COUNCIL OF SYRACUSE CITY, UTAH, AUTHORIZING AND APPROVING THE EXECUTION AND DELIVERY OF A MASTER LEASE AGREEMENT BY AND BETWEEN THE CITY AND MUNICIPAL BUILDING AUTHORITY OF SYRACUSE CITY, UTAH (THE AUTHORITY), A GROUND LEASE AGREEMENT AND A BOND PURCHASE CONTRACT; AUTHORIZING THE ISSUANCE AND SALE BY THE AUTHORITY OF ITS LEASE REVENUE BONDS, SERIES 2023, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT MORE THAN \$13,000,000, AND RELATED MATTERS, COUNCILMEMBER TEAGUE SECONDED THE MOTION; ALL VOTED AYE.

Mayor Maughan recessed the Regular Business Meeting at 6:21 p.m. to move into the Special Municipal Building Authority (MBA) Meeting.

The meeting reconvened at 6:23 p.m.

8. Proposed Ordinance 2023-16 adopting the Syracuse 2500 West Community Reinvestment Area (CRA) Project Area Plan and budget.

A memo from the Community and Economic Development (CED) Department explained that with the goal of fostering economic development that will benefit the residents of the City in the form of jobs, property tax revenue, and a more diverse economy, the City has created a draft 2500 West Community Reinvestment Area Project Area Plan and Budget. As required by state law, notice of the plan adoption and public hearing has been sent to properties within the area.

Mayor Maughan discussed zoning of the property within the proposed 2500 West CRA and the potential impact that industrial zoning will have on State Road 193; the proposed CRA will not impact any housing in the area surrounding the CRA and the City has not made any commitments in terms of infrastructure investment and development. The City desires to increase jobs that will support day-time businesses in the community. He added that other taxing entities in the County have expressed their support for the proposed CRA.

CED Director Steele noted that the City's land use ordinances will govern development of the area, including proper buffering between commercial or industrial uses and nearby residential uses; the City envisions light-industrial uses in the area.

Councilmember Carver stated that earlier this year the City Council reviewed the fencing requirements for different land uses and she feels that it will be possible to properly screen and buffer between light industrial uses and residential uses. She added that bringing more jobs to the City will allow it to flourish.

Councilmember Watson stated it is important to understand that businesses interested in locating in this area will evaluate all optional locations and if they find significant hurdles in Syracuse City, they will go elsewhere. He believes creation of the CRA will make Syracuse more attractive to businesses and developers.

Councilmember Bingham agreed and stated it is important to be clear that this the CRA will not create or increase taxes on residents; rather, it will allow for diversion of tax revenue from the new development for a defined period of time to be used to invest in the area; at the end of the CRA term, all tax revenue will go back to the taxing entities.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED ORDINANCE 2023-16 ADOPTING THE SYRACUSE 2500 WEST COMMUNITY REINVESTMENT AREA (CRA) PROJECT AREA PLAN AND BUDGET. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED AYE.

9. Proposed Ordinance 2023-18 amend Section 10.30.040 of the Syracuse City Code pertaining to animal control/kennel regulations.

A staff memo from the Community and Economic Development (CED) Department explained Davis County Animal Control recently approached the City about amending its ordinances to be more uniform with the County's animal control efforts.

COUNCILMEMBER CARVER MADE A MOTION TO ADOPT PROPOSED ORDINANCE 2023-18 AMENDING SECTION 103.30.040 OF THE SYRACUSE CITY CODE PERTAINING TO ANIMAL CONTROL/KENNEL REGULATIONS. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED AYE.

10. Proposed Ordinance 2023-19 amendments to Section 5.35 of the Syracuse City Code pertaining to mobile business regulations.

A staff memo from the Community and Economic Development (CED) Department explained House Bill (HB) 408 amended the business licensing requirements for cities concerning mobile businesses. The proposed ordinance is an effort to update the City regulations to be congruent with state law concerning these types of businesses.

COUNCILMEMBER TEAGUE MADE A MOTION TO ADOPT PROPOSED ORDINANCE 2023-19 AMENDMENTS TO SECTION 5.35 OF THE SYRACUSE CITY CODE PERTAINING TO MOBILE BUSINESS REGULATIONS. COUNCILMEMBER CARVER SECONDED THE MOTION; ALL VOTED AYE.

11. Proposed Ordinance 2023-20 amend Section 10.30.040 of the Syracuse City Code pertaining to exterior building design elements.

A staff memo from the Community and Economic Development (CED) Department explained House Bill (HB) 406 amended State Code 10-9a-604.5 to prohibit a municipality from regulating building design elements. The proposed ordinance will bring the City Code in line with State law.

COUNCILMEMBER TEAGUE MOTIONED TO ADOPT PROPOSED ORDINANCE 2023-20 AMEND SECTION 10.30.040 OF THE SYRACUSE CITY CODE PERTAINING TO EXTERIOR BUILDING DESIGN ELEMENTS. COUNCILMEMBER BINGHAM SECONDED THE MOTION; ALL VOTED IN FAVOR WITH THE EXECEPTION OF COUNCILMEMBER SAVAGE WHO VOTED IN OPPOSITION.

City Council Regular meeting
September 12, 2023

12. Proposed Ordinance 2023-21 amendments to Syracuse City Code Section 10.75.040 pertaining to side-yard setbacks in Planned Residential Development (PRD) zone.

A staff memo from the Community and Economic Development (CED) Department explained it has been requested that the side setback requirements for the PRD Zone be reviewed. This item was reviewed in great detail during the last work session meeting.

COUNCILMEMBER BINGHAM MADE A MOTION TO ADOPT PROPOSED ORDINANCE 2023-21 AMENDMENTS TO SYRACUSE CITY CODE SECTION 10.75.040 PERTAINING TO SIDE-YARD SETBACKS IN PLANNED RESIDENTIAL DEVELOPMENT (PRD) ZONE. COUNCILMEMEBER WATSON SECONDED THE MOTION; ALL VOTED AYE.

13. Discussion regarding proposed adjustment to the design of Syracuse City Regional Park, Phase 1.

Parks and Recreation Director Robinson explained that Staff met with JUB Engineers and asked them to provide an updated concept plan for Phase One of the Syracuse Regional Park; she presented a rendering of the project for Council review.

14. Public Comments.

There were no public comments.

Mayor Maughan recessed the Regular Business Meeting at 6:45 p.m. to move into the Special Redevelopment Agency (RDA) meeting.

The meeting reconvened at 6:51 p.m.

15. Mayor/Council announcements.

The Council and Mayor provided announcements about upcoming community events and other opportunities for public involvement.

The meeting adjourned at 7:01 p.m.

Dave Maughan
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: October 10, 2023