

Minutes of the Regular meeting of the Syracuse City Council held on February 13, 2018 at 6:05 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Dave Maughan
Doug Peterson
Jordan Savage

Mayor Mike Gailey
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Police Chief Garret Atkin
Fire Chief Aaron Byington
Public Works Director Robert Whiteley
Parks and Recreation Director Kresta Robinson

****THE AUDIO FOR THE BEGINNING OF THE MEETING FAILED****

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:05 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 Peterson provided an invocation and Councilmember Maughan led the audience in the Pledge of Allegiance.

COUNCILMEMBER MAUGHAN MOVED TO AMEND ITEM 7F TO CHANGE THE CONSIDERATION FROM PRELIMINARY PLAT TO FINAL PLAT. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Presentation of Syracuse City and Syracuse Chamber of Commerce "Award for Excellence" to Makenzie Green and Xander Cook for the month of February 2018.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with the Syracuse Chamber of Commerce, present the recipients for the "Syracuse City & Chamber of Commerce Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and the City's website.

Chamber of Commerce Representative Keith Kennington noted both youth receiving the award for January 2018 were nominated by the staff of Bluff Ridge Elementary School.

Makenzie Green:

Makenzie Green came into 6th grade discouraged and overwhelmed about math. However, over the last few months she has gone over and beyond what was expected of her to learn the math. She comes into school early for tutoring, takes her time, completes every assignment, and asks questions when she doesn't understand a concept. She is now excelling in math. Makenzie knows understanding math requires extra effort on her part. Many concepts take a great amount of time and hard work to complete, but she never gives up. She keeps working not only until she completes it but until she succeeds at understanding the concept completely. She is involved in Math Club. Makenzie is always willing to help anyone in class who needs help. She wants to see everyone be successful. Makenzie has been coming to Math Club to help her master concepts. She also participates during class time to create and teach concepts.

Xander Cook:

Xander Cook is new to our school this year. In the past, he has not made school a priority. Since he was starting in a new school, he decided to make school a priority. He has attended every day, except one and works hard every day at school, and always completes his homework. He has overcome some family difficulties. Bluff Ridge Elementary administration would like to add that Xander is a model student of someone who decides to utilize a difficult family dynamic to change and improve his outcome in life. He is an extremely articulate young man, who has embraced his responsibilities as a student and is working diligently to catch up in his academic career. We are so impressed with his attitude and determination. He is doing very well in math and he has improved his mid-year DIBELS and SRI scores. Xander is a great classmate, a great worker, and a great example to other students.

3. Recognition of Taj and Serenity Thompson from Buffalo Point Elementary,
Davis School District speech contest winners.

Buffalo Point Elementary students, Taj and Serenity Thompson, shared with the Council speeches made by Dr. Martin Luther King, Jr. as part of a contest they participated in for Davis School District.

Taj Thompson – Fun Town

“I didn’t want to have to tell my little daughter that she couldn’t go to Fun Town because of the color of her skin. And then the other day, we went home and they were advertising Fun Town and she ran down stairs and said: “Daddy, you know I’ve been telling you I want to go to Fun Town. And they were just talking about fun town on the television. And I want you to take me to Fun Town.” And though I stood there speechless, how could I explain to a little 6-year-old girl that she couldn’t go to Fun Town because she was colored.

I’ve been speaking across the country talking about segregation and discrimination and I thought I could answer most of the questions that came up, but I was speechless for a moment. I didn’t know how to explain it. Then I said to myself: “I’ve got to face this problem once and for all.”

My wife was sitting on the other side of the table, and I took in my little daughter and told her at that point to have a seat on my knee, and she jumped up in my lap, and I looked at her and I said: “Yolanda, we have a problem. “I said, “You know, some people don’t do the right things and they are misguided. And so they have developed the system where white people go certain places and where colored people go certain places.”

I saw tears flowing from her eyes at that point, and I said: “even though you can’t go to Fun Town, I want you to know that you are as good as anybody who goes in to Fun Town. And I want you to know that you have some of us working hard every day to get Fun Town open and to get many other places open, and I say to you, that in the not too distant future, ‘Fun Town’ and every other town will be open to all of God’s children. Because we’re gonna work for it.”

Serenity Thompson – I Have A Dream

“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I HAVE A DREAM TODAY!

I have a dream that one day down in Alabama — with its vicious racists, with its Governor having his lips dripping with the words of interposition and nullification — one day right there in Alabama, little black boys and black girls will be able to join hands with little white boys and white girls as sisters and brothers.

I HAVE A DREAM TODAY!

I have a dream that one day every valley shall be exalted, and every hill and mountain shall be made low. The rough places will be plain and the crooked places will be made straight, “and the glory of the Lord shall be revealed, and all flesh shall see it together.”

This is our hope. This is the faith that I go back to the South with. With this faith we will be able to hew out of the mountain of despair a stone of hope. With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brother-hood. With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

And this will be the day. This will be the day when all of God’s children will be able to sing with new meaning, “My country ’tis of thee, sweet land of liberty, of thee I sing. Land where my father died, land of the pilgrim’s pride, from every mountainside, let freedom ring.”

Mayor Gailey congratulated Taj and Serenity on their awards and complimented them on their speaking skills. He stated he is very impressed by the speeches they made and the manner in which they delivered them. The Council stood to shake Taj and Serenity's hands and they received a round of applause from the audience.

4. Introduction of new Police Officers

Police Chief Atkin introduced his newest Police Officers, Tyson Wakefield and Cody Wimmer. He invited them to address the Council. Each Officer approached the Council and expressed their gratitude for the opportunity to serve as Police Officer in the Syracuse Police Department. Both provided a brief overview of their personal and professional backgrounds.

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5. Public comment.

Heather Anderson stated she was present representing the Syracuse Youth City Council. She thanked the Council for their support of the Council and asked that the Youth Council be given some space in the City Magazine to provide information about the work being done by the group and to encourage others to become involved with the Youth Council. She added that the Youth Council will be preparing a PowerPoint presentation in the coming months regarding the work they have been performing in the community and they would love the opportunity to present that information to the Council in an upcoming work session meeting.

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6. Approval of Minutes:

The following minutes were reviewed by the City Council: Regular Meeting of January 9, 2018 and the Work Session and Special Meeting of January 23, 2018.

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Councilmember Maughan expressed concern regarding the section of the minutes from the Work Session Meeting of January 23, 2018 regarding the regional park design; at the conclusion of the presentation made by JUB Engineers, the Council discussed components to be included in the park and the minutes include a statement indicating the Council reached a consensus about changes to be made to the design. His concern stems from the fact that the work session was not a voting meeting, yet that statement could give the reader the impression that a vote was taken. He stated that besides that matter, the record of the conversation is quite accurate. He asked that the minutes be adjusted to remove the appearance that a vote was taken and that, rather, the Council discussed changes they would like to see to the design. City Recorder Brown indicated she can make the adjustment as requested before publishing the minutes.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA, AS AMENDED. COUNCILMEMBER PETERSON SECONDED THE MOTION.

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7a. Common Consent: Proposed Resolution R18-06 appointing Alan Clark to the Syracuse City Board of Adjustment.

An Administrative staff memo explained that over the past several months, the Governing Body have been discussing the matter of reviving the previously defunct Board of Adjustment and appointing new members to the Board. Four appointments to the Board were made in December 2017 and Mayor Gailey has been working to secure an appointment of a fifth member to the Board. He has recommended Alan Clark and that recommendation is now before the Council for advice and consent.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R18-06 APPOINTING ALAN CLARK TO THE SYRACUSE CITY BOARD OF ADJUSTMENT. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7b. Common Consent: Proposed Resolution R18-07 appointing Bryan Seeley to the Syracuse City Disaster Preparedness Committee.

An administrative staff memo explained Gregg Brustad was a member of the Committee, but his term expired June 30, 2017. The vacancy created by this expiration has not been filled and Mayor Gailey would like to appoint Bryan Seeley to fill the vacancy. His term will expire June 30, 2020.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R18-07 APPOINTING BRYAN SEELEY TO THE SYRACUSE CITY DISASTER PREPAREDNESS COMMITTEE. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7c. Proposed Resolution R18-03 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 resolution during their January 23 work session meeting and directed staff to prepare an updated document to reflect the position assignments discussed during that meeting.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R18-03 APPOINTING CITY COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7d. Proposed Resolution R18-05 adopting the report of Syracuse City's findings following its review of the moderate-income housing component of the Syracuse City General Plan.

A staff memo from the Community and Economic Development (CED) Department explained during the regular City Council meeting on December 12, 2017 the Council directed staff to address specific points related to moderate-income housing. Syracuse City desires to comply with State requirements concerning moderate-income housing. This report is intended to address these requirements and account for existing and proposed efforts made to provide moderate-income housing in the city.

Utah State Code Requirements

The Utah State Code requires that the city do the following every other year:

Section 10-9a-408 of the Utah Code

- (1) The legislative body of each city shall biennially:
 - (a) review the moderate-income housing plan element of its general plan and its implementation; and
 - (b) prepare a report setting forth the findings of the review.
- (2) Each report under Subsection (1) shall include a description of:
 - (a) efforts made by the city to reduce, mitigate, or eliminate local regulatory barriers to moderate income housing;
 - (b) actions taken by the city to encourage preservation of existing moderate-income housing and development of new moderate-income housing;
 - (c) progress made within the city to provide moderate income housing, as measured by permits issued for new units of moderate income housing; and
 - (d) efforts made by the city to coordinate moderate income housing plans and actions with neighboring municipalities.
- (3) The legislative body of each city shall send a copy of the report under Subsection (1) to the Department of Workforce Services and the association of governments in which the city is located.

Review of the Current Syracuse Moderate-Income Housing Element of the General Plan: The Syracuse General Plan text as adopted on December 8, 2015 states the following concerning moderate-income housing:

8.2 Goals The city maintains housing ordinances zoning that are designed to provide developers with guidance that ensures housing that meets a variety of income levels within the city while maintaining a high standard of quality. The goal of the city is to continue to provide for that high standard. 8.4 Moderate Income Housing Moderate-income housing is defined in the Utah Code as housing occupied or reserved for occupancy by households with a gross household income equal to or less than 80% of the median gross

income for households of the same size in the county in which the city is located. The overall goal of providing moderate housing is to meet the needs of those people who desire to live here, and to allow them to benefit from and fully participate in all aspects of our community.

The City's various residential zoning designations provide an opportunity for a variety of housing types, including moderate-income housing. With the number of established R-3 developments, Planned Residential Developments, cluster subdivisions, and neighborhoods containing older, smaller residential homes, Syracuse's housing stock exceeds the current estimated need for moderate-income housing required through build out of the city.

It is estimated that the development of housing in the land use areas identified on the general plan map and in potential zoning designations will provide a realistic opportunity for housing for moderate-income families and individuals. As required by state law, the City Council should undergo regular reviews of its moderate-income housing plan and adjust the plan as circumstances change in our community.

The statement above notes that the Zoning Ordinance contains zones which allow for development types that may be affordable. The General Plan does not contain a specific moderate-income housing plan but does contain direction that the moderate-income housing plan should be reviewed regularly.

A review of the current state of existing and available moderate-income housing was presented to the City Council on December 12, 2017. This report contained several potential options for providing affordable housing. Some of these options were chosen by the Council for staff to address in this report, with the intent of considering these options through Council action in the coming months.

Land Value and Use Analysis

Staff has created two maps which are appended at the end of this report and show current land values and land uses according to the Davis County Assessor. The County Assessor data is lower than the market rate. The purpose of the land value map is to illustrate the general grouping of property values throughout the city rather than to provide a specific parcel-by-parcel analysis of what specific properties may be affordable. A table has been included under the residential land value map explanation which shows a delineation of mortgage affordability. The colors in this chart coincide with the colors on the residential value map.

Residential Value Map (Appendix A) This map shows the 2016-2017 Davis County Assessor estimated market values for both land and structures for each parcel in the city. It assigns colors for each affordability percentage bracket of the Davis County's median family income. There are four brackets of income levels used to assess affordability. The green indicates properties that would be affordable for residents with an 'extremely low' income (\$0-\$21,333.60). The yellow color represents 'very low' income (\$21,333.60-\$35,556.00). There is very little green or affordable for 'extremely low income' on the map. Please note: the County Assessor information does not account for rental units so they are not included in the map.

Orange indicate properties that would be affordable for residents with a 'low' income (\$35,556.00-\$56,889.60). There is a good amount of orange on the map. The red indicates properties that would be attainable for those with a 'moderate' income (\$56,889.60-\$71,112.00). There is also a significant amount of red on the map. The white indicates properties valued above what would be affordable for the resident earning 100 % or more of the county AMI (\$71,112.00).

To calculate the amount a resident could afford, several mortgage calculators were used to verify mortgage amounts. These calculators use current mortgage interest rates and mortgage insurance rates to derive an average monthly payment for each mortgage amount. The average utility cost of \$200 per month was then added to the maximum monthly payment to provide the numbers in the table below. To calculate the maximum monthly payment a family could afford, a common budgeting practice is to assume that a maximum of 30% of a family's monthly income should be used towards housing. Households that pay more than 30% of their income toward housing costs are considered 'cost burdened' regardless of their income bracket.

Residential Land Use Map (Appendix B) This map shows the geographic distribution of the residential land uses. Single family homes are the darkest green. Yellow colors indicate a "Planned Unit Development" or PUD. PUD property lines are usually underneath the exterior walls of a home with the space between homes shared as common space. PUD are either detached like Jackson Court on Craig Lane or attached like Sunset Park Villas near Smith's. Orange and red colors indicate denser residential units like condos and apartments. Over 95% of the residential land area in the city is occupied by single family homes.

Recent Moderate-Income Housing Efforts

Efforts have been made in recent years to provide for moderate-income housing in Syracuse, ranging from modifying restrictive Zoning Ordinances to allowing more flexible development types. The State Code requires that these

types of actions be documented as they relate to moderate-income housing. The following is a list of recent projects and changes to the Zoning Ordinance that have been approved alongside a discussion about moderate-income housing. The list also includes responses to specific requirements of the State Code regarding moderate income housing.

Accessory Dwellings

The City Code currently allows for additional dwellings associated with existing single-family dwellings with a one-time application for a \$100 conditional use permit. Accessory dwellings may be attached to the primary dwelling (e.g. basement apartments) or detached on the same property (e.g. separate cottage or room above a detached garage). Because these dwellings are subsidiary and do not require impact fees or additional land costs, a homeowner is able to charge lower rents than would generally be required for the same size apartment on separate property, increasing the probability of providing moderate-income housing.

Changes to the R-4 Zoning Ordinance

In 2017 the City Council voted to remove a restriction to the R-4 Zone which allows for a density of 11 units per acre. Previously the Ordinance required that all new dwellings constructed in the R-4 Zone be a minimum of 6,000 square feet with a diminishing square footage requirement as the number of attached units increased. This requirement was removed and as of the time of this writing, an R-4 townhome project is working its way through the approval process.

Jackson Court

In 2016 the City Council voted to approve this development in the PRD Zone. Jackson Court is comprised of small lots entirely occupied by dwellings. Allowing for this type of development reduces the cost of housing by not requiring additional land to be included with the dwelling. Part of the intent of the City Council in approving this development was to allow for moderate-income housing. Unfortunately, listings for these homes are currently \$349,900 which exceeds affordability for households making 100% of the Davis County Annual Median Income (AMI). According to the State Code, homes must be affordable those making less than 80% of the County AMI to be considered affordable. This lack of affordability exists despite the intent and efforts of the Council to provide affordable housing in Jackson Court.

Still Water Subdivision

Over the course of 2016 and 2017, the City Council worked closely with Woodside Homes to develop a new zone called the RPC Zone which would allow for homes on lots as small as 3,500 square feet. A development called Still Water was then approved in this zone which includes hundreds of the 3,500-square foot designation. The listings for new homes on these lots range between \$230,990 and \$265,990, making them affordable for those making between approximately 75% and 85% of the Davis County Annual Median Income (AMI). While the cost of these homes is higher than expected, affordable housing is now available to those making between 75% and 80% of the County AMI. HOA fees will be assessed for all homeowners in the Still Water subdivision which may negatively impact affordability.

Maintaining Affordability

While a development may be affordable at the time of its creation or sale of the properties within the development, this does not guarantee that affordability will be maintained. There are currently no mechanisms in the City Code, Zoning Ordinance, General Plan, or any other City policy to ensure that currently affordable properties remain affordable.

Encouraging Moderate-Income Housing Development

The “Moving Forward” section below outlines specific steps the City Council has outlined to encourage moderate-income housing development. These steps capitalize on existing aspects of the Zoning Ordinance that already have the potential to provide moderate-income housing to make creation of such housing simpler and show the Council’s commitment to meet the requirements of the State Code.

Efforts to Provide Moderate-Income Housing

The State Code requires an analysis of efforts to provide moderate-income housing as measured by permits issued for such housing. To date, there have been no building permits issued for housing which is considered moderate-income according to the requirements of the State Code.

Coordination with Neighboring Municipalities

To date there has been no specific coordination with neighboring municipalities on the topic of affordable housing.

Moving Forward

The City Council would like to address specific sections of the Zoning Ordinance which they have identified as potential barriers to affordable housing. These sections will be reviewed and discussed to identify the best solution which

maintains community quality while accommodating housing affordability. The following sections have been identified for review:

SCC 10.30.020.(B).(3)

Every residential dwelling shall have a minimum fully enclosed two-car garage (attached or detached) having a minimum outside width of 20 feet (as measured from outsides of foundation) and having at least 400 square feet in total floor area. The Building Department shall not issue a building permit for construction of residential structure(s) unless plans for such structure(s) include the garage described in this subsection.

The Council has discussed allowing small or attached dwellings to have either a reduced or removed garage requirement. This would make the development of these types of dwellings less costly and increase affordability. Some options that were discussed were to potentially reduce the garage requirement to a one-car garage for attached dwellings and small detached homes. Tailoring this requirement to the varying needs of different dwelling types provides for more flexibility in development while respecting the property rights of homeowners who value the freedom in how they utilize their property.

SCC 10.30.020.(E).(19).(a)-(c)

Internal or Attached Units. Accessory dwelling units that are internal to or attached to a principal dwelling may take access from an existing entrance on a street-facing front facade of the principal dwelling. No new street-facing entrances may be added to the principal dwelling for an accessory dwelling unit unless such access is located at least 20 feet behind the front facade of the principal dwelling unit.

(b) Detached Units. Accessory dwelling units that are detached from the principal dwelling may utilize an existing street-facing facade as long as the entrance is located a minimum of 20 feet behind the front facade of the principal dwelling, or install a new entrance to the existing or new detached structure for the purpose of serving the accessory dwelling unit as long as the entrance is facing the rear or side of the lot.

(c) Corner Lots. On corner lots, existing entrances on the street facing sides may be used for an accessory dwelling unit, but any new entrance shall be located facing toward the rear property line or interior side yard, or toward the back of the principal dwelling.

The location of accessory dwelling entrances impacts the ability to create them in some cases. While the intent of these ordinances is to prevent the appearance of a duplex in the case of an attached accessory dwelling or additional unit of density in the case of a detached accessory dwelling, lot and home shape, topography, and other elements either prohibit the creation of an accessory dwelling in accordance with the ordinances above or increase costs. In an effort to make accessory dwellings more obtainable and thereby provide affordable housing in the city, the City Council would like to address the current location requirements to determine if any changes would make accessory apartments more obtainable.

SCC 10.30.020.(E).(13)

Windows. In a detached accessory dwelling unit, the placement of windows within the accessory dwelling unit shall not be allowed within 10 feet of a side yard or rear yard property line.

As identified in the affordable housing report presented to the City Council in December of 2017, many homes within the city are currently permitted to have windows within 10 feet of a property line. This raises the question of what inherent differences there are between a detached single family dwelling a detached accessory dwelling. Both have the same occupancy requirements as explained in the definition of "family" in the City Code. Both also have similar parking, architectural, and building code standards as dwellings in the City and Building Codes. The City Council expressed interest in discussing this item to determine if the requirement is needed and if so, how it may be modified to be congruent with window requirements for similar dwellings.

The City Council has identified accessory dwellings as an asset with great potential to meet affordable housing needs in the city. However, it is likely that the current number of known accessory dwellings is much lower than what truly exists in the city. It is anticipated that the 2020 Census will provide much more accurate housing and demographic information than is currently available through the American Community Survey which will facilitate a more accurate count of accessory dwellings. The population of the City has grown by approximately 4,000 residents since the 2010 Census representing about 1,052 households. The number of dwellings in subdivisions that are either under construction or approved and not yet constructed is approximately 1,500. With the current and anticipated growth and near proximity of the 2020 Census, City staff looks forward to utilizing 2020 Census numbers to calculate accessory dwelling volume and integrate these numbers into a more comprehensive accounting of accessory apartments in the city that will likely be affordable.

There is also a study currently being performed along the Antelope Drive (1700 South) corridor by the IBI Group. This study is intended to determine what land uses would be best in which locations and how these land uses will encourage resilient development because of changing transportation patters brought about by the West Davis Corridor. The City Council

anticipates that there may be some updates to the General Plan and Zoning Ordinance in accordance with the results of the study, including housing options that may be affordable.

The memo concluded this report is intended to meet the requirements of the State Code and demonstrate the specific previous, current, and proposed efforts to provide moderate-income housing in Syracuse. The discussion as result of this report will provide further direction for staff.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R18-05 ADOPTING THE REPORT OF SYRACUSE CITY'S FINDINGS FOLLOWING ITS REVIEW OF THE MODERATE-INCOME HOUSING COMPONENT OF THE SYRACUSE CITY GENERAL PLAN. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7e. Proposed Ordinance 2018-02 amending 10.30.020(B)(3) pertaining to garage size/width

An administrative staff memo explained The Planning Commission is forwarding a recommendation on the following text amendment to SMC 10.30.020.(B)(3)

~~Delete existing text~~

Proposed new text

10.30.020 Regulations for Buildings and Structures (B)(3) Every residential dwelling shall have a minimum fully enclosed two-car garage (attached or detached) ~~having a minimum outside width of 20 feet (as measured from outsides of foundation)~~ and having at least 400 square feet in total floor area. The Building Department shall not issue a building permit for construction of residential structure(s) unless plans for such structure(s) include the garage described in this subsection.

- a. **All garages on detached single family residential dwellings shall having a minimum outside width of 20 feet (as measured from outsides of foundation)**
- b. **On attached dwellings, a minimum of 50% of the garages on each building shall have a minimum outside width of 20 feet (as measured from outsides of foundation)**

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 2018-02 AMENDING 10.30.020(B)(3) PERTAINING TO GARAGE SIZE/WIDTH. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7f. Final Subdivision approval, Stonefield Estates, located at approximately 2650 Alison Way.

An administrative staff memo explained this item was recommended for approval unanimously by the Planning Commission during its regular meeting on January 16, 2018. The applicant is requesting approval of a 15-lot final subdivision called Stonefield Estates which will divide a large property with two homes and a farm field into 15 lots with 13 new building lots. Lots 102, 113, 114, 115 have a landscape strip in the rear of the properties that was required by staff in preliminary meetings to avoid double-frontage lots. The developer plans to set up an HOA which will maintain both strips while only parcel B will be owned by the HOA. Parcel A will be retained by the owner of lot 102 to allow for future subdivision of that parcel. A maintenance agreement has been created to allow the HOA to maintain Parcel A. On November 30, 2017 staff met with the owner of the property and the developer to discuss landscaping on the strips. A landscape plan will be provided to show what will be installed and maintained. The landscape plans provided previously show very little vegetation with small plant sizes. Most landscaped areas were shown as gravel. This does not meet the intent of providing landscaping which softens hardscapes and improving street aesthetics. To address this, the applicant has agreed to provide a landscape plan that shows increased plantings and increased planting size. All other planning comments have been addressed.

The memo concluded the lots in the plat meet the minimum lot dimension standards of the R-2 Zone and all staff comments regarding the R-2 Zone requirements have been addressed. However, as a satisfactory landscape plan has not been provided by the applicant at the time of this writing, staff recommends approval with the following condition: 1. A landscape plan shall be provided to the City and approved by the City Forester before the plat may be recorded with Davis County.

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COUNCILMEMBER MAUGHAN MOVED TO GRANT FINAL APPROVAL OF STONEFIELD ESTATES, LOCATED AT APPROXIMATELY 2650 ALISON WAY. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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8. Public hearing: Authorize Administration to dispose of surplus equipment/property.

An administrative staff memo explained several City Departments have indicated they have surplus property to dispose of. Please review the lists provided by the respective Department Heads of the Departments referenced below:

- PUBLIC WORKS DEPARTMENT:
 - 2002 Polaris Magnum 325 4x4
 - It has a leak in the crank case, carburetor needs rebuild, dead batteries, flat tire. This was used for roadside weed spraying and was replaced in 2017.
- POLICE
 - Unclaimed bikes in property room. A notice will be published in the Standard-Examiner to give anyone a chance to claim a bike before they are given to the Children's Justice Center for an auction in early April.

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City Manager Bovero reviewed the staff memo.

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Councilmember Anderson asked that a notice be placed in the City Magazine in addition to other forms of public notification. Councilmember Maughan concurred and asked that the details of the Children's Justice Center auction be advertised as well.

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Mayor Gailey opened the public hearing at 6:32 p.m. There were no persons appearing to be heard and the public hearing was closed.

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COUNCILMEMBER BOLDUC MOVED TO AUTHORIZE CITY ADMINISTRATION TO DISPOSE OF SURPLUS PROPERTY. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:33:42 PM](#)

9. Authorize Administration to Award contract for Marilyn Acres Phase 4 infrastructure improvements project.

A staff memo from the Public Works Department explained this project will complete the remainder of Melanie Lane. It will replace the existing 6" culinary water main with a new 8" main, concrete sewer main with a PVC sewer main, sidewalk, curb and gutter and asphalt. It is anticipated that the construction will begin in the spring and will be completed by the summer of 2018. Bids were opened on January 17, 2018. There were seven bids received. The low bidder was Post Asphalt & Construction with a total bid amount of \$646,117.68. The City has worked with Post Construction on several projects in the recent past. We are confident in their ability to complete this project with high quality. They are confident in their bid price for this project. A portion of the funding for this project, \$55,000, will be in the form of a Community Development Block Grant (CDBG), with the remainder of the funding coming from the City's Class C budget line item, the Culinary Capital fund, and the Sewer Capital fund. The memo concludes the Public Works Director recommends the City Council award the contract to Post Asphalt and Construction.

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Public Works Director Whiteley reviewed his staff memo.

[6:35:31 PM](#)

Councilmember Maughan indicated that the low bid is quite a bit lower than bids submitted by other contractors and he asked Mr. Whiteley if he has reviewed the bid to ensure that it covers the entire scope of the project. Mr. Whiteley answered yes and stated the City Engineer performs a bid tabulation to check for any mathematical errors or deficiencies in the bid document. He stated the City has worked with Post Asphalt and Construction in the past and they do not have a track record of utilizing change order to increase the price of the contract.

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Councilmember Savage indicated he noticed the contract includes installation of curb and gutter in the project area and he asked if the road currently does not have curb and gutter. Mr. Whiteley stated that it does, but the infrastructure is in such bad disrepair and there are many trip hazards; it will be most cost effective to replace the curb, gutter, and sidewalk to address those issues. Councilmember Peterson stated it seems that most of the deficiencies in the curb, gutter, and sidewalks stem from tree roots in adjoining yards; he asked if that problem has been corrected. Mr. Whiteley stated that the City has assessed trip hazards related to trees and will notify residents to give them the opportunity to take the tree down; the City will then cut roots that may be in the way of work to be performed. If a tree is located in the park strip, the City can remove that tree as the park strip is technically City property.

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Councilmember Anderson asked when the project will commence, to which Mr. Whiteley answered next month sometime.

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COUNCILMEMBER PETERSON MOVED TO AUTHORIZE ADMINISTRATION TO AWARD THE CONTRACT FOR MARILY ACRES PHASE 4 INFRASTRUCTURE IMPROVEMENT PROJECT TO POST ASPHALT AND CONSTRUCTION. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:39:46 PM](#)

10. Authorize Administration to award 2018 Road Improvement Project.

A staff memo from the Public Works Department explained this project will overlay and replace asphalt throughout portions of the following roads: Canterbury, 2525 South Street, Bluff Ridge Drive, 2225 South Street, 2300 South Street, 3050 South Street, and the City Shop rear parking lot. In additions, the temporary cul-de-sac in Wasatch Villas will be removed. As discussed in the Council retreat, this project will overlap fiscal years and expend a portion of FY 2018-2019 Class C budget. It is anticipated that the construction will begin in the spring and will be completed by the fall of 2018. The overlay portion of this project will not begin until July 1, 2018, after Council has approved the FY 2018-2019 budget. Nine bids were received and opened on February 6, 2018. The low bidder was Staker and Parson Companies, with a total bid amount of \$1,292,982.62. The funding for this project will come from the following sources:

	Class C 20-40-70	Class C 20-40-44	Building Maintenance 10-51-30	Storm Drain Maintenance 40-40- 45	
Total	\$1,251,982.62	\$21,000.00	\$15,000.00	\$5,000.00	\$1,292,982.62
FY 2017-2018 Budget	\$524,902.55	\$21,000.00	\$15,000.00	\$5,000.00	\$565,902.55
Proposed FY 2018-2019 Budget	\$780,000.00	N/A	N/A	N/A	\$780,000.00
Difference	\$52,919.93	\$0.00	\$0.00	\$0.00	\$52,919.93

This will leave approximately \$260,000.00 unexpended in the Class C 20-40-70 fund for FY 2018-2019 as a safety cushion in the event unexpected projects are deemed necessary to fund by Council. The memo concluded the Public Works Department recommends the contract be awarded to Staker Parson Companies.

[6:40:11 PM](#)

Public Works Director Whiteley reviewed his staff memo.

[6:42:58 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO AWARD 2018 ROAD IMPROVEMENT CONTRACT TO STAKER PARSON COMPANIES. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:43:13 PM](#)

11. Proposed Resolution R18-04 affirming the Syracuse City Council's review of the Municipal Wastewater Planning Program Annual Self-Assessment.

A staff memo from the Public Works Department explained the Utah Department of Environmental Quality, Division of Water Quality has established the Utah Sanitary Sewer Management Program for the purpose of monitoring wastewater facilities throughout the State. The State requires that the City submit an annual Municipal Wastewater Planning Program Report. This resolution acknowledges that the city council has received and reviewed the annual report prior to its submittal. The memo concluded staff recommends the Council adopt the proposed resolution indicating that they have reviewed the assessment prior to submittal to the Division of Water Quality.

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Public Works Director Whiteley reviewed the staff memo.

[6:45:07 PM](#)

Councilmember Savage stated that one of the questions included in the self-assessment document is whether sewer revenues are sufficient to cover operation and maintenance costs and repair and replacement costs at this time and the answer is no. He inquired as to how far away the City is from being able to cover those costs. Councilmember Anderson added that the document indicates that operation, maintenance, and repair costs cannot be covered for the next five years, but could be covered in the next ten and twenty years. Mr. Whiteley stated a majority of the City's sewer system was built according to current standards requiring PVC pipe and that infrastructure is in very good condition; there is not much concrete pipe remaining in the City and the majority of concrete that does remain is in the Ranchettes Subdivision and will be replaced this year. Additionally, the City does not know the condition of all lines in the City, though efforts are made to continually inspect and clean lines. Mr. Bovero added that the reason for the differing answers relative to covering current costs when compared to costs 10 or 20 years in the future, City Administration believes that adjustments will be made to cover ongoing costs in the future, which should be lower as a result of improved infrastructure product to be used in projects that will be completed in the near future.

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COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R18-04 AFFIRMING THE SYRACUSE CITY COUNCIL'S REVIEW OF THE MUNICIPAL WASTEWATER PLANNING PROGRAM ANNUAL SELF-ASSESSMENT. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:49:40 PM](#)

12. Request to consider opening the General Plan outside of open amendment period.

A staff memo from the Community and Economic Development (CED) Department explained an application for the General Plan Map amendment was received on December 29, 2016. The General Plan Map is currently closed, and the applicant has requested that the City Council open the Map to allow their request to be considered by the Planning Commission and City Council. The applicant has requested that the General Plan map designation be changed from R-1 to GC in anticipation of the adjacent planned West Davis Corridor interchange. There is no Zone change which is anticipated for these properties at this time. The intent of the property owners is to change the General Plan to General Commercial to make commercial development easier in the future. There is currently no planned development. Commercial development on the north side of the West Davis Corridor makes sense because of the greater number of homes to the north than the south which will likely create increased traffic.

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CED Director Mellor reviewed the staff memo and facilitated discussion among the Council regarding the applicant's reasons for requesting the General Plan change at this time, outside of the open amendment period. The petition meets one of the criteria in the City Code, Section 10.20.060(E)(3)(a) relating to significant changes to arterial roads by agencies other than the City, in which are contrary to the assumptions of the General Plan. This request relates to the Utah Department of Transportation (UDOT) announcement of the West Davis Corridor preferred route, which will impact the subject property. Council approval of this request tonight will not result in a zone change or General Plan change; rather, it will allow the City to begin the process of considering a General Plan amendment for the applicant.

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High level discussion among the Council and staff centered on the timing of the request; some Councilmembers felt the request would be more appropriate once the West Davis Corridor project has commenced and Mr. Mellor pointed out that

the applicant understands that their property may be a viable commercial site in the future when the road is built and they are starting the 'leg work' now to ensure they will have the ability to market and sell their property for that type of land use in the future. Councilmember Maughan suggested waiting until the next open amendment period to proceed with this change. Councilmember Savage stated he has spoken with the applicant and they were desirous of proceeding with the application at this time because they want to 'control their own destiny' relative to any opportunities to sell their home and property for commercial land use in the future. He stated he supports their desire and believes this is a good change for them and for the City because the property would be a great commercial location near the off-ramp of the future West Davis Corridor. Councilmember Peterson stated he understands the applicant's desires but wondered if it would be in the City's best interest to consider future land use for all properties along the Corridor at one time to ensure cohesiveness and sound development. Councilmember Maughan stated he feels that would be best; he wants to treat all property owners along the preferred route in the same manner.

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Applicant Jeanie Brierly approached and indicated that she and her husband, Ryan, decided to proceed with the General Plan amendment change at this time to ensure that they position themselves in the best way possible to ensure they do not lose money on the sale of their property when that time comes. She likened the West Davis Corridor's impact on her property to 'reverse-condemnation' and stated that if the future land use of the property is changed to commercial, it will give her and her husband the opportunity to possibly benefit financially. She stated the property is prime commercial property given that it will be located at the off-ramp of the highway.

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Continued philosophical discussion and debate among the Council centered on the appropriate timing of the general plan change. Councilmember Maughan assured the Brierlys that the Council has already discussed the need to consider General Plan changes for all properties along the route and that waiting to consider their application would still accomplish the same thing, but the Brierlys will not be required to pay the application fee for the change. The Council communicated to the Brierlys that the City will consider sweeping General Plan changes between now and January of 2019 and final action should be taken no later than the spring of 2019. The City has commissioned an economic development study for properties near the Town Center and the Antelope Drive intersection with the West Davis Corridor and the outcome of that study will inform the decisions made relative to General Plan land use changes.

[7:09:28 PM](#)

City Manager Bovero added that the West Davis Corridor route has not been formally declared and, though a preferred route and design has been announced, there are still opportunities for that to change. Councilmember Savage inquired as to when the route and design will be finalized. Mr. Bovero stated that it is likely that the design will not be finalized until the project is funded; a funding decision should be made during the current Utah Legislative Session, which will conclude by the end of March. If the funding for the project is accelerated, it is likely that the final design will be completed within one year. Mayor Gailey stated that the Davis County Council of Governments (COG) has submitted a resolution to the Utah Legislature asking them to expedite their decision on the funding and design for the project. He noted all property owners along the route will be involved in discussions regarding land use changes to their property and he thanked the Brierlys for bringing this matter to the Council's attention. Ms. Brierly noted that she and her husband are not opposed to the project; they simply want to ensure they are in the best position possible when the time comes to sell their property.

[7:12:39 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO TABLE THE REQUEST OF RYAN BRIERLEY, WESLEY AYERS, AND ERICK CONTRERAS TO OPEN THE GENERAL PLAN MAP TO CHANGE APPROXIMATELY 1.50 ACRES FROM AN R-1 GENERAL PLAN DESIGNATION TO A GC GENERAL PLAN DESIGNATION ON PROPERTY LOCATED AT 3019, 3037, AND 3053 SOUTH 2000 WEST AND DIRECT STAFF TO ADDRESS THE REQUEST LATER IN 2018 DURING THE CITY'S REVIEW OF THE GENERAL PLAN DOCUMENT. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:13:52 PM](#)

13. Proposed Resolution R18-02 amending the City Council Rules of Order and Procedure related to meeting times and work sessions.

A staff memo from the City Attorney explained the accompanying resolution includes amendment to Section 4 of the City Council's Bylaws, related to Meetings. The changes include:

- Moving the stated Business Meeting start time to 6:00 p.m., as per our current practice.

- Removing references to “extended” work sessions, or their inclusion on the 2nd Tuesday, as per the current practice.
- A mandatory adjournment of any council meeting at 10:00 p.m., unless a simple majority of the Council votes to extend that time.

The main change to the Council’s current practice would be the set time for adjournment at 10:00 p.m. As per Robert’s Rules, § 21, pp.240-241, no motion would be required to adjourn a meeting that has reached 10:00 p.m.; it would be adjourned by announcement, unless extended by the council: “If an hour for adjourning a meeting . . . has been scheduled – either in an agenda or program or by the adoption of a motion setting a time – no motion to adjourn is necessary when that hour arrives. The chair simply announces the fact and declares the meeting adjourned. . . . If the assembly does not then wish to adjourn, the matter is handled as a case of setting aside the orders of the day [i.e. a motion to extend the time of the meeting].”

[7:14:04 PM](#)

City Attorney Roberts reviewed the staff memo and facilitated discussion among the Council regarding the implications of the proposed rule changes. Councilmember Maughan voiced his opposition to including a mandatory adjournment time for City Council meetings and this led to discussion regarding the reasons for the changes recommended by the Mayor. Councilmember Bolduc stated she is not concerned about the mandatory adjournment rule given that she feels a 10:00 p.m. adjournment time is very reasonable and that the Council’s production after that hour typically falls. She stated she is comfortable with the recommended change due to the fact that the rules document allows for the Council to extend the time of the meeting upon a simple majority vote. Philosophical discussion and debate centered on the effectiveness of a 10:00 p.m. mandatory adjournment time, with a focus on ensuring that the rule will not result in the inappropriate tabling of agenda items that need the Council’s attention. The Council ultimately concluded that they were comfortable with the rules change given that any problems created by a mandatory adjournment time can be easily solved by the Council voting to extend the meeting time. Councilmembers Savage and Maughan suggested a friendly amendment to the rule to indicate that a meeting will not automatically end at 10:00 p.m. and, rather, the Mayor must call for a Council decision on the mandatory adjournment. Mayor Gailey stated he is comfortable with that amendment.

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Mr. Roberts indicated he will change the language in the rules document to read “if a meeting is not adjourned by 10:00 p.m., the Council will hold a vote on whether to adjourn the meeting or to set a time to adjourn.” The Council indicated they are comfortable with the amendment.

[7:31:41 PM](#)

COUNCILMEMBER PETERSON MOVED TO ADOPT RESOLUTION R18-02 AMENDING THE CITY COUNCIL RULES OF ORDER AND PROCEDURE RELATED TO MEETING TIMES AND WORK SESSIONS, AS AMENDED AS NOTED ABOVE. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER MAUGHAN, WHO VOTED IN OPPOSITION.

[7:32:30 PM](#)

14. Public comment.

There were no public comments.

[7:32:34 PM](#)

15. Councilmember Reports.

At each meeting, the Councilmembers provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Bolduc’s report began at [7:32:43 PM](#). She was followed by Councilmembers Maughan, Anderson, and Savage. Councilmember Peterson indicated he had nothing to vote.

[7:58:49 PM](#)

16. Mayor Report.

Mayor Gailey’s report began at [7:58:54 PM](#).

[8:17:20 PM](#)

17. City Manager Report.

City Manager Bovero’s report began at [8:17:24 PM](#).

City Council Regular Meeting
February 13, 2018

At 8:19 p.m. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: March 13, 2018