

Minutes of the Work Session meeting of the Syracuse City Council held on June 23, 2015, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

City Manager Brody Bovero
City Recorder Cassie Z. Brown

Excused: Mayor Terry Palmer

City Employees Present:
City Attorney Clint Drake
Finance Director Steve Marshall
Public Works Director Robert Whiteley
Acting Community and Economic Development Director Noah Steele
Administrative Intern Taylor Greenwell

The purpose of the Work Session was to receive public comments; hear a request to be on the agenda from a representative of Don's Meats to discuss the access road between their business and the Syracuse Museum as well as food trucks; review items forwarded by the Planning Commission – two property rezones at 1950 S. Doral Drive and 1600 W. 1700 S.; review an agreement for the Steed Storm Drain Outfall Project; and discuss a potential waiver of overage charges for culinary water utility bill; and discuss Council business.

An audience member offered an invocation.

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Public comments

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TJ Jensen referenced the items on the special meeting agenda to appoint or re-appointment members to the Planning Commission. He noted over the past few months there have been occurrences where absences of Planning Commissioners have made it difficult to assemble a quorum at some meetings and this has caused delays in work being produced by the body; this is the reason that he is supportive of appointing an alternate Planning Commission member who can fill in during such situations. He noted the two members being re-appointed are great Commissioners and he is supportive of their re-appointments.

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Christy Frazier noted that last week her neighborhood was given the opportunity to express their concerns to the Planning Commission regarding the rezone of agricultural property located behind Pearson Auto on Antelope Drive; she noted she does not know why the item on the Planning Commission agenda was noticed as public hearing because she does not feel anyone was heard and she feels that she and others that spoke were belittled. She stated that she is not concerned about the property being developed, but she is concerned that there is only one ingress/egress point from the development onto Banbury Drive and this could create a traffic and safety nightmare. She stated that the applicant has indicated his plans to construct a retirement or 55 and older community and one of the Planning Commissioners made the comment that people living in such a development will be retired and they will be staying home anyway. She stated she was appalled by the comment, particularly because 67 is the new retirement age and it is unrealistic to think that people living in the community will just be staying home. She stated that she knows that the applicant has already brought a concept plan to the City for his development and she asked if there will be another public hearing before the Council approves plans for the community. Mayor Pro-Tem Johnson reviewed the development review process and noted that there will be another public hearing at that preliminary plan review step in the process and the residents in the area will receive notification of the public hearing. Ms. Frazier asked if the residents will have the opportunity to request that the Utah Department of Transportation (UDOT) conduct a traffic study for the area to determine if the development can be served. Mayor Pro-Tem Johnson stated that the

citizens can request a study and the Planning Commission will have to determine how to respond that request. Mr. Jensen noted that the applicant has indicated that he is willing to request a traffic study for his development.

The City Council engaged in a discussion with Ms. Frazier and other residents regarding the noticing procedure the City follows to notify residents of a potential general plan change, rezone, or other development applications.

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Another resident, no name or address given, indicated he also attended the Planning Commission meeting last week and was concerned about the fact that unsupported information was being discussed and was used to make decisions without the applicant being present. He stated he is concerned that the plan for the development will be approved based upon the Planning Commission or City Council believing that it will be a 55 and older community, but the development actually plans to build one or two patio homes and several apartment buildings. He stated he would like to see factual information as part of the application. Mayor Pro-Tem Johnson noted that the applicant will enter into a development agreement for the project. The resident asked if the citizens will have the opportunity to give input regarding the terms of that agreement; he noted he is concerned about traffic, safety of pedestrians, light pollution, etc. associated with the development. Mayor Pro-Tem Johnson encouraged residents to provide their concerns to Community and Economic Development (CED) Staff. Acting CED Director Steele noted that at this point in time the City Council is simply considering the zoning of the property and all other details of the development will be addressed through the development approval process and the development must conform to the City's PRD Development standards if that is the zoning designation assigned to the property.

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Another resident, no name or address given, stated she appreciated the comments made by former Planning Commissioner Gary Pratt during the Planning Commission meeting; he encouraged residents to become aware of many of the restrictions that will be placed upon the development by the City.

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Request to be on the agenda: Representatives of Don's Meats to discuss the access road between their business and the Syracuse Museum as well as food trucks.

Lance Lasater, representative of Don's Meats, read the following statement in support of his request to be on the agenda:

Over the last three weeks I have had two different food trucks set up that have affected my business. During the weekend of May 30 there was a Syracuse Local Art gathering at the museum. During this Saturday a food truck pulled up in my parking lot and began to serve people. I went out and asked them to move and they seemed bothered and put out about it.

The next weekend another food truck pulls up, this time on the access road on the city property. This food truck has an agreement with the city to rent the museum property. There are a couple issues I have had with this.

1) The access road. It's dangerous to have any sort of business set up on an access road where people are trying to go through. There's little kids walking around and people don't know where to park. The current food truck that has been there has set up close to Antelope drive and when people come to get their food they often times use our parking. This creates problems for our customers. Also when it gets busy people just simply park in the access road and block the road completely. I got informed last night that this is no longer going to be an issue and people will not be allowed to set up on this road. Thank you for your help with that.

2) These food trucks are becoming increasingly popular for numerous reasons. As I've looked into the evolution of the food truck or mobile business I've noticed that cities like Ogden, Salt Lake City and Provo city all have city ordinances that help protect the brick and mortar businesses in their communities. For example, In Ogden and Salt Lake City don't allow these food trucks to set up within 200 feet of a food business. I would like to see Syracuse adopt something similar to this. Also, these food trucks need to have adequate parking where they are not putting the burden on businesses they set up by.

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Council discussion regarding Mr. Lasater's concerns relative to the agreement between Syracuse City and the owner of the food truck ensued, with a focus on the location of the food truck. Acting Community and Economic Development

Director Steele summarized the discussions that have taken place between the food truck owner and the City and he noted that the food truck is located upon City property and the location was chosen due to limited access to power. Mr. Lasater reiterated his concern is that patrons of the food truck are using the parking area designated for Don's Meats, which is harming his business.

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The owner of the food truck indicated that he has worked with the City to find a location suitable for all parties where he also has adequate access to power to operate his truck. He stated he has posted signage asking that his customers not park in the Don's Meat parking lot.

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Discussion of the issue continued and centered on the potential consideration of regulating food trucks within the City, with the Council ultimately directing staff to investigate food truck policies or regulations used in other cities. In addition, the Council indicated the feel it is necessary to address the parking issue immediately and staff consented to work to resolve that issue between Don's Meats and the food truck owner.

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**Review items forwarded by the Planning Commission:
Property rezone – proposed ordinance rezoning
property located at approximately 1950 S. Doral Drive
from Agriculture A-1 to Residential R-1.**

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

Subdivision Name:	To be determined
Location:	1950 S Doral Dr.
Current Zoning:	A-1 Agricultural
General Plan:	R-1 Residential
Requested Zoning:	R-1 Residential
Total Area:	34.018 Acres
Net Developable Acres:	27.214 Acres
Density Allowed:	78 lots

This application is for single family residential zoning that is consistent with the surrounding development. The Planning Commission recommended approval, to the City Council, to rezone property located at 1950 S Doral Dr., from A-1 Agriculture to R-1 Residential, subject to all applicable requirements of the City's municipal codes.

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Acting CED Director Steele reviewed the staff memo. The Council briefly discussed the application, with a focus on the status of the Planning Commission's recommended amendments to the City's cluster subdivision ordinance. Planning Commission Chair Jensen indicated the City Council should have a recommendation from the Planning Commission within the next 45 days.

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**Review items forwarded by the Planning Commission:
Property rezone – proposed ordinance rezoning
property located at approximately 1600 W. 1700 S. from
Agriculture A-1 to Residential PRD.**

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

Subdivision Name:	To be determined
Location:	1600 W 1700 S
Current Zoning:	A-1 Agricultural
General Plan:	PRD Planned Residential Development
Requested Zoning:	PRD Planned Residential Development
Total Area:	6.71 Acres
Density Allowed:	40 lots

This application is for Planned Residential Development. The adjacent property to the north is zoned R-3, the property to the south is zoned General Commercial and A-1 Agriculture. The applicant has indicated his interest in developing a retirement community. The Planning Commission moved to recommend approval, to the City Council, to rezone property located at 1600 W 1700 S, from A-1 Agriculture to PRD Planned Residential Development, subject to all applicable requirements of the City's municipal codes.

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Acting CED Director Steele reviewed the staff memo.

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Councilmember Duncan indicated that the decision regarding this issue was made during the meeting when the Council voted to approve the General Plan amendment. He added, however, that he is concerned about access to the development and noted that one access point from Banbury Drive is not adequate.

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Applicant Eric Craythorne stated he has approached the Utah Department of Transportation (UDOT) regarding securing an additional access point from Antelope Drive; he understands additional access will be necessary, but he will need to complete a traffic study before determining where the access will be. He noted that he cannot proceed with a traffic study until the property rezoning has been approved and he feels comfortable proceeding. He concluded that he would not move forward with the project without securing an additional access point and he noted he is willing to enter into a development agreement for the project with the City.

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Councilmember Lisonbee stated that she attended the Planning Commission meeting last week during which this item was discussed; there were four Commissioners in attendance out of a body of seven. The vote of the Planning Commission on this application was three to one in favor of forwarding a positive recommendation to the City Council, but that is technically not a majority of the body. She stated she has concerns with that issue and wondered what the Planning Commission Chair is doing to address absences of Planning Commissioners. She stated she would also like to understand how many Commissioners were present during meetings when forwarding recommendations to the City Council. Councilmember Duncan added that he would also like staff reports to include information about the General Plan designation for any property upon which development is being requested.

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Review Special Meeting Agenda Item 8: Authorize Administration to award contract for Steed Storm Drain Outfall Project.

A staff memo from the Public Works Director explained this project will install a storm drain trunk line from 3000 West to Rock Creek Park having an outfall into the 700 South ditch. This trunk line will allow future development of properties in the area to detain in Rock Creek Park as a regional detention basin instead of creating numerous smaller detention basins as each subdivision develops. The construction of the regional detention basin at Rock Creek Park is not included in the project and will be bid out separately. The construction will begin as soon as contract documents are in place and be completed by the winter of 2015. Bids were opened on June 16, 2015. Five bids were submitted. The low bidder is Ormond Construction. The bid amount is \$609,810.54 The funding for this project will come from the storm drain impact fee fund. The project came in \$209,810.54 over what was originally budgeted. The increased cost is believed to be from some required design changes which were not originally anticipated. Public Works believes the bids were competitive and would not change significantly if the project were to be re-bid. Staff recommends awarding the contract to Ormond Construction.

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Public Works Director Whiteley reviewed his staff memo.

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Discussion of potential waiver of coverage charges for culinary water utility bill.

A memo from City Administration indicated that staff recommended placing this item on the council agenda to discuss any potential waiver of fees on the culinary water utility bill. This discussion revolves around the cross connection of

the secondary water and culinary water systems. The city recommended that all citizens flush their culinary water systems as a precautionary measure after the culinary water was deemed safe to drink. Citizens have expressed their concern that they may be billed for excess water use based upon flushing their systems. Staff recommends that the base fee of \$16.50 per home be charged and should not be waived. This fee is charged for the first 8,000 gallons of water used. The City Council could discuss the potential waiver of any overage charges that a citizen may incur on their bill. Residential homes are charged an excess fee of \$2.05 per 1,000 gallons over the 8,000 gallon base amount. If they reach 15,000 gallons, they are charged \$2.45 for each additional 1,000 gallons.

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Finance Director Marshall reviewed the staff memo.

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Council discussion of the potential to waive overage charges ensued, with the Council reaching the consensus that the City should proceed with waiving water overage usage charges for the month of June or reducing all utility bills by \$2.05 as an apology to the citizens for the inconvenience they faced during the cross contamination of the City's culinary water system. Councilmember Lisonbee asked that an article be included in the next City newsletter explaining to residents that reason for the water utility credit and indicating the percentage by which their bill is being reduced.

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Council business

The Council and Mayor provided brief reports regarding the activities they have participated in since the last City Council meeting.

The meeting adjourned at 7:32 p.m.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: July 28, 2015