

Minutes of the Work Session meeting of the Syracuse City Council held on June 27, 2017 at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson (via telephone)
Corinne N. Bolduc
Mike Gailey
Dave Maughan
Jordan Savage

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:
Finance Director Steve Marshall
City Attorney Paul Roberts
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson

The purpose of the Work Session was to receive public comments; hear a request to be on the agenda: Davis County Commissioners; discuss reimbursement agreement with Davis County for shared costs associated with Spillman Public Safety Software; discuss proposed Davis County Library Lease Agreement amendment; discussion regarding opt-out green waste recycling program; continued discussion regarding utility rate structure and five-year capital projects funding plan; discuss City involvement in Miss Syracuse Pageant; receive overview of Transit Land Use Connection (TLC) Grant objectives and deliverables; discuss potential ordinance amendments relative to legal nonconforming accessory buildings and conditional use permits; discussion and review of Syracuse City Fund Balance Policy; discussion regarding Truth in Taxation process; and discuss Council business.

A local Boy Scout led the audience in the Pledge of Allegiance. Council member Bolduc provided an invocation.

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Public comments

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Ralph Vaughan stated that he recently completed his final term of service as a member of the City's Planning Commission and he wished to report on the professionalism of the City staff that provides support for that body as well as assists developers through the City's development application process. Community Economic Development (CED) Director Mellor is a great leader and has a great team; he cannot praise Planners Steele and Davies enough for their preparedness and knowledge. He indicated he has not met all employees working for the City, but he would be willing to rank those two above the top two or three in the City. He then reported that there are still problems with attendance of Planning Commissioners and he is unsure how best the Council can address that issue moving forward. In conclusion he referenced an item on tonight's agenda dealing with accessory structures and conditional use permits (CUP); he believes it would be a grave mistake to eliminate the requirement for a CUP for accessory structures as the City must maintain some sort of control over the construction of accessory structures. He stated that he would recommend the City poll at least 20 other cities in the State of Utah as it will be learned that all cities require CUPs for this type of land use and there must be some reason why.

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Kevin Homer referenced the item on each City Council meeting agenda providing for public comment. He stated that he regularly attends Council meetings and addresses the Council, but he continues to be frustrated with the format where he stands and speaks but does not have the opportunity to receive a response or understand how the Council may feel about his thoughts or recommendations. He stated that two weeks ago he spoke during a public hearing and it is his understanding that Councilmember Maughan wanted to respond, but he did not because such a response was not allowed per the Council's rules of order and procedure or Robert's Rules of Order; he suggested that the Council 'think outside the box' and come up with a way for the residents to interact with the Mayor and Council. He suggested that the Mayor or Council hold quarterly town hall meetings to allow for open dialogue and communication. He then thanked the Davis County Commission for their attendance this evening and indicated he looks forward to hearing their presentation.

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Erin Blakenship stated she is present to discuss the Miss Syracuse Pageant and noted that this was her first year helping to organize and produce the pageant. In years past she had misconceptions about beauty pageants, but her opinion has since changed after being asked to become involved; there is nothing fake about the pageant and the work that the advisors and participants do is amazing. Each contestant provides service to the community and the love they have for the City is great. She stated that the opportunity to receive a small scholarship to contribute to their schooling is a great one, but even those contestants who do not win receive many benefits from the pageant and it is a great learning opportunity for them. She indicated some have argued that teenage boys do not have anything similar to a beauty pageant and to that she would point to the Boy Scouts of America (BSA) program that is available to teen boys; boys have many other opportunities, but the perceived lack of the opportunity for a male to participate in the pageant does not justify potentially eliminating support or funding of a scholarship for the pageant. She invited the Council to attend the Miss Syracuse Pageant to see what the event entails and what their support for the pageant will do for the participants and their families.

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Mariah Pickard stated she is the reigning Miss Syracuse 2017; as title holders in a community pageant such as the Miss Syracuse pageant, she and her attendants are honored to serve and feel such service is a responsibility. Throughout the year she and her attendants attend City events and help wherever possible and from her experience she has been able to see the impact that can be made in other people's lives and it is exciting to learn and grow from those opportunities. She stated that girls gain so many things from participating in these types of pageants; not only do they learn skills that help them throughout their lives, but they also have the chance to obtain scholarship funds that can help them pursue their education. She stated that education is so important to hear and many others, but it is very expensive; because of the money she received from the pageant she has been able to pursue her educational goals without worrying how to pay for it. She appreciates the support the City has provided in the past and hopes the City will continue to offer that support.

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Andrew Sherman stated he is the current President of the Syracuse Chamber of Commerce and tonight he is in attendance to lend his support for the Miss Syracuse Pageant. Many businesses in town support the pageant throughout sponsorships as they believe the event is good for the business community. However, even if the event were not good for the business community, he would still believe that it is a worthwhile event. He read the Miss Syracuse Pageant mission statement: "Beyond talent and beauty, the Miss Syracuse Pageant represents the ideals of our community. We teach and encourage healthy living, self-confidence, creative accomplishment, community service, and scholastic achievement among young women. Our goal is to inspire, motivate, and lift young women to the realization that they are strong, independent, and capable young ladies who can accomplish anything they set their minds to. We as a committee are dedicated to the dream and promise to do our best to make this possible and choose not only to look for, but also cultivate potential and to never put anyone down. We hope that each of these young women in our community come away with more than just a title and that they see the effect of a positive attitude, self-respect, respect for others, and the fulfillment of knowing they are good role models which lasts much longer than beauty or a crown." He stated this is a wonderful opportunity for the City to invest in its citizens and he encouraged the Council to continue to invest in these young people.

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Request to be on the agenda: Davis County Commission.

An administrative staff memo indicated the Davis County Commission has requested the opportunity to address the Mayor, Council, and residents in attendance to provide information about current projects underway in the County to and to engage in open dialogue about any issue City representatives wish to discuss.

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Mayor Palmer welcomed Commissioners James Smith, Bret Millburn, and Randy Elliott and invited them to address the Council. Commissioner Smith thanked the Mayor and Council for this opportunity and started by indicating that he was impressed by those that spoke during the public comment period and that he cannot recall a meeting with another City Council where there has been this level of involvement by the citizens. He then distributed a handout documenting various programs offered by Davis County as well as projects that are underway. He stated that he and the other Commissioners are open to feedback and questions from the Council. There was general discussion about grant funding programs administered by the County, joint lobbying efforts among the City and County for transportation funding from the Utah Legislature, support for special events, local and County-wide economic development opportunities, potential relocation of the Davis County fairgrounds, County-wide animal control and the potential for individual cities to assume that program, the possibility of commissioning a study to evaluate the possibility of consolidating emergency response dispatch services, and an overarching plan regarding the annexation of unincorporated county properties into the City upon continued growth.

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Discussion of reimbursement agreement with Davis County for shared costs associated with Spillman Public Safety Software.

A staff memo from Police Chief Atkin explained that he and Fire Chief Froerer are requesting permission from the City Council to enter into this agreement with Davis County for Spillman computer aided dispatching services. Under this agreement, Davis County will pay Spillman a total amount of \$73,968.00 in order to provide participating agencies with an unlimited number of licenses for computer aided dispatching services. Each participating agency, identified in green on the chart, will then reimburse Davis County for their share of the costs. Costs for police departments are based on the current number of sworn officers and the percentage that represents of the total combined number of sworn officers for the participating agencies; costs for fire departments are based on a similar formula using calls for service. This agreement clarifies user arrangements between Spillman and the identified agencies. According to Spillman, several of the identified agencies, including Syracuse Police Department and Syracuse Fire Department, are operating beyond their authorized number of users. As an example, Spillman reports that Syracuse Police Department has 10 licenses. At a bare minimum, Syracuse Police Department needs 24 licenses; this does not include new hires. Currently, an individual user license from Spillman costs approximately \$2,500.00. Using this information, Syracuse Police Department would need to spend \$35,000.00 just to reach the bare minimum number of licenses necessary for current staffing. Syracuse Police Department would also need to continue to pay a minimum of \$2,500.00 for every new hire in the future. Under the proposed agreement, Syracuse City would pay Davis County a total amount of \$14,342.52 to provide unlimited user licenses for Syracuse Police Department and Syracuse Fire Department. This not only represents a significant savings to the City based on current users, but ensures the City does not have to spend additional funds in the future for user licenses.

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City Manager Bovero and Chief Atkin jointly reviewed the staff memo. Chief Atkin facilitated a brief discussion among the Council regarding the costs associated with the agreement as well as the term of the agreement. Councilmember Maughan asked for assurance that the annual cost will remain the same in order for the Council to properly budget for the licensing each fiscal year. A representative of Davis County indicated that the City should not experience increased costs as costs are directly tied to calls for service, which do not tend to increase dramatically year to year. He concluded that the County is seeking reimbursement of the funds already paid before December 31, 2017.

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Discussion of proposed Davis County Library Lease Agreement amendment.

A staff memo from the City Manager explained that as part of a planned project from the recent tax increase, Davis County Library is scheduled to expand the Syracuse Northwest Building, located just north of City Hall on City-owned property. The Library plans to select an architect this summer, with design to be completed in time for construction next spring. The planned expansion will approximately double the size of the library and is planned to include an expanded children's section with an auditorium for learning programs. The memo discussed the proposed lease amendments; as part of this project, the underlying land lease with the City will need some amendments. Some amendments are due to the expansion, while others will clean up existing issues with property maintenance. The Library has been in discussion with the City Administration and we propose the following amendments to the lease:

1. *Boundary adjustment to include the stormwater basin area.* The current stormwater basin that serves the property is not landscaped, and does not have irrigation. As part of the lease amendment, the Library will take over the landscaping and maintenance of the basin. They are also considering the possibility of incorporating the basin area into an outdoor learning area. The attached map shows the new lease area in blue which includes the basin on the south of the building.
2. *Boundary adjustments to "true-up" the landscaping, irrigation, and lighting systems with maintenance responsibilities.* The lease will be adjusted (see area in red) to coincide with the sprinkler systems and outdoor lighting areas. The Library controls these systems and will also be responsible for maintaining the underlying areas. This also clarifies snow remove on sidewalks. The City will maintain and provide snow removal on the sidewalks, however the Library will provide snow removal on the sidewalk along 2000 West during business hours.

3. *Clarification on Parking Lot Maintenance.* The lease clarifies maintenance to include the following points:
 - Library has overall maintenance responsibility of the parking lot within leased area. Library may participate in resurfacing projects with the City to achieve better pricing. Library would pay proportionate costs of asphalt resurfacing.
 - At Library's request, the City will make minor repairs to the parking lot (e.g. crack seal and small pothole repair) and re-paint parking spaces at no cost to the Library. Repairs beyond the City's capability or budget will need to be addressed by the Library.
 - City will provide winter snow removal for the parking lot within leased area.
4. *Extension of Lease Term.* As part of the expansion and additional areas of maintenance, the Library would receive an additional 50 years on the lease. This would justify the new investment and protect the ability of the Library to stay in its current location.

The memo concluded this item is on the agenda for discussion with the intent that the final lease agreement will be on the July 11 City Council agenda for approval.

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City Manager Bovero reviewed the staff memo.

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Mayor Palmer asked for information about the actual building addition that will extend the library building to the east. A County representative indicated that the addition will be roughly 7,500 square feet with a dedicated children's room and an auditorium that will accommodate 150 people. This will allow redesign of the existing building to provide for better use of the space. The County will be issuing a request for proposals (RFP) for architectural design services late in the summer with plans to break ground in Spring of 2018 and slated completion late in 2018. The library is the second most used library in the County's system.

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Councilmember Maughan asked if there is an opportunity for a City representative to participate in the design process. The County representative answered yes and indicated the City has been invited to participate in that process.

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General high level discussion among the Council and staff centered on the overall scope of the expansion project with a focus on components such as parking amenities, landscaping,

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The meeting recessed briefly at 7:00 p.m. to allow the Council to convene in a special business meeting. The meeting reconvened at [7:47:36 PM](#).

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Discussion regarding opt-out green waste recycling program.

A staff memo from the Finance Director explained the Council indicated a desire to have continued discussion regarding the possibility of a green waste opt out program. Following are a few discussion points to consider:

- Our current green waste program has approximately a 20% participation rate in the city or approximately 1750 green cans.
- Under the current program, Steve Robinson is requesting a \$1.00 per can increase to help cover his costs. Currently, he is losing money on this program.
- According to Steve Robinson, a good opt out program has between a 40-50% participation level.
- At a 40-50% participation level, the rate on the green waste recycling can would remain unchanged.
- How would citizens react to an opt out program?

If the Council decided to go with an opt out program, here are some additional items to consider:

- The city staff would need 3-5 months to advertise, educate, and communicate with citizens about the program change.
- An opt out letter and fact sheet would need to be sent to each home directly.
- We would recommend not implementing the change until April 2018, since green waste recycling only operates between April and October.

- Green waste cans would need to be ordered, manufactured, and delivered to the City once we had enough time and input from citizens.
- Additional cost of the new green cans would be approximately \$100,000. This would be the cost of 2,000 cans. Funds are available in the garbage fund.

The memo concluded staff recommends the Council decide whether to maintain the current program and increase rates \$1.00 per can (opt in program) or change to an opt out program.

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Mr. Marshall reviewed his staff memo. He and Mr. Robinson facilitated a discussion among the Council regarding the costs associated with implementing an opt-out green waste program as well as anticipated participation levels in an opt-out program. Councilmember Bolduc indicated that the \$0.75 per can cost difference is sufficient enough to consider an opt-out program. Councilmember Anderson agreed, after which the Council engaged in high level philosophical discussion and debate regarding the appropriateness of an opt-out program and they ultimately concluded to maintain the status of the current green waste recycling program and possibly consider an opt-out program until the next time the City's garbage hauling contract is advertised for bid. The Council also agreed to include on the next Council business meeting agenda an action item approving the amendment to the contract to increase the current per-can rate by \$1.00.

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Discussion regarding City involvement in Miss Syracuse Pageant.

An administrative staff memo explained this item was added to the agenda by Councilmembers Bolduc and Anderson. Councilmember Bolduc's email regarding the items she would like to discuss is provided below.

"All,

In the upcoming Business Meeting, I would like to add a discussion item about Miss Syracuse/Miss Teen Syracuse Pageant and possibly a General Scholarship. Items I would like to address are: assigning a liaison, inviting involvement of the Syracuse Chamber of Commerce because of the great business involvement, actual cost of SHS venue (needed due to large attendance), a General Scholarship which young men would be eligible for (similar to Clearfield and Clinton City), and discussion of amounts awarded for scholarship by the city.

Thanks,
Corinne"

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Councilmember Bolduc stated that after attending the 2017 Miss Syracuse Pageant she was very impressed by the leadership and the participants in the pageant and she wanted the Council to revisit the issue of funding a scholarship award for the individual selected as Miss Syracuse. Mayor Palmer stated that he has also been impressed by the leadership and participants in the pageant.

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The Council engaged in philosophical discussion about City financial support for the pageant, particularly in the form of a scholarship that is not available to all residents or children in the City. Councilmember Maughan suggested that the City offer funding for the pageant in general that could be used for other needs, such as rental of a venue for the pageant. Pageant organizers could then fund the scholarship and that would eliminate the concerns about the fact that the City is funding a scholarship that is not available to all residents, specifically young mail residents. The Council supported Councilmember Maughan's recommendation and emphasized that they all feel the pageant is worthwhile and they have no interest in discontinuing support for the event. Councilmember Maughan stated he would like to see some documentation communicating the pageant's hard costs in order for the Council to determine the appropriate annual support amount. Councilmember Bolduc indicated she would be happy to gather that information and asked that the Council consider an amendment to the Fiscal Year (FY) 2017-2018 budget to include an agreed upon funding amount.

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Continued discussion regarding utility rate structure and five-year capital projects funding plan.

A staff memo from the Finance Director explained that included in the budget approval were the following utility rate increases:

- **NDSB Fee = \$3.00** as approved by the NDSB board.
 - **Syracuse Sewer Fee = \$0.65** to hire a new full-time maintenance worker.
 - **Culinary water Fee= \$0.35** based upon rate increase from Weber Basin Water.
- The Council indicated a desire to have continued discussion on the following utility rates:
- **Garbage Fee = \$0.23** on first black can, **\$0.08** on second black can, and **\$1.00** on green waste (opt in program) or a rate hold (for an opt out program). This is based upon Robinson Waste request to raise rates.
 - **Culinary water rate structure – proposal to reduce base gallons to 4,000 gallons:**
 - 0-4,000 gallons = \$16.85
 - 4,001 – 8,000 gallons = \$1.70 per 1000 gallons
 - 8,001 – 12,000 gallons = \$2.05 per 1000 gallons
 - >12,000 gallons = \$2.45 per 1000 gallons
 - At a rate of \$1.70 for the new tier of 4,001 to 8,000 gallons because it would generate approximately **\$224,000** in additional revenue to the culinary water fund which is what is needed to fund capital projects.
 - Our total shortfall in our capital projects planning for culinary water is \$3,392,775 for five years or \$678,555 annually.
 - If we funded our culinary water projects through the available funding of our road projects, we would need an additional \$1,135,000 for five years or **\$227,000** annually.

Here is a breakdown of the cost summary projected by month:

	<u>Current Structure</u>	<u>Base @ 4,000 gallons and \$1.70</u>
January	\$118,470	\$118,470
February	\$118,751	\$118,751
March	\$119,130	\$119,130
April	\$132,342	\$163,592
May	\$155,189	\$253,714
June	\$132,094	\$150,930
July	\$136,845	\$157,452
August	\$144,552	\$168,120
September	\$132,750	\$149,743
October	\$130,150	\$145,073
November	\$122,579	\$122,579
December	\$123,156	\$123,156
Total	\$1,566,007	\$1,790,710

Increase \$224,703

Continued discussion about the City’s five-year capital project plan from our May 23rd meeting included discussion of an increase of \$6.90 across all utility funds. Below are a couple of funding options ideas for future years:

- **Option 1**
- FY2018 – culinary water base change ~ \$2.33
- FY2019 - \$2.60
- FY2020 - \$2.60

- **Option 2**
- FY2018 – culinary water base change ~ \$2.33

- FY2019 - \$2.00
- FY2020 - \$2.00
- FY2022 - \$2.00

- **Option 3**
- FY2018 – no additional increase because of NDS increase.
- FY2019 - \$3.00
- FY2020 - \$3.00
- FY2022 - \$3.00

Below is the chart of current utility rates at surrounding cities. This does not include any increases for FY2018.

City	Total Bill @ 8,000 GAL
SYRACUSE CITY	\$74.55
ROY CITY	\$76.79
SUNSET CITY	\$77.00
LAYTON CITY	\$78.92
CLINTON CITY	\$82.16
KAYSVILLE CITY	\$89.05
FARMINGTON CITY	\$89.93
CLEARFIELD CITY	\$90.63
WEST POINT	\$93.33
AVERAGE RATE	\$83.60

The memo concluded staff recommends the Council will decide whether to implement the garbage rate increase and culinary water rate structure change.

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Mr. Marshall reviewed his staff memo and facilitated discussion among the Council regarding the correlation between the City’s utility rate schedule and the five-year capital projects plan, after which Councilmember Maughan indicated that he has drafted his own recommendation for utility rate adjustments and he would like to present it to the Council for their consideration. He used the aid of an electronic document displayed on the television screen to illustrate his proposal, the goal of which is to create a tiered system that will provide for every household to more proportionately pay for their actual water usage. He noted the option is most similar to Administration’s option number one covered in the staff report. The Council discussed Councilmember Maughan’s proposal and ultimately concluded that to allow Administration to fully evaluate his proposal and compare it to the options that have been presented by Administration in preparation for continued discussion in the next extended work session meeting scheduled for July 25.

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Overview of Transit Land Use Connection (TLC) Grant objectives and deliverables.

A staff memo from the Community and Economic Development (CED) Director explained the City was awarded \$50,000 in April in response to Transit Land Use connection grant application submitted last year. The objective is help with analysis of the property along Antelope. Before a consultant is chosen the staff with give an outline of the project and expectation of deliverables to the City Council.

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CED Director Mellor reviewed his staff report and used the aid of a PowerPoint presentation to illustrate the TLC grant application process and the projects slated for funding by the grant the City was awarded. The ultimate goal is to

perform a feasibility analysis and create a study that can be used to attract developers to complete projects on Antelope Drive. The marketing tool will be created by an independent third party rather than City staff, meaning it will be given more credence by developers; additionally, a consultant will work with the City Council to develop a master plan for development along Antelope Drive and an ordinance that will provide for design standards for the projects. He then facilitated a discussion among the Council regarding the types of projects that an independent consultant will likely recommend for the corridor and emphasized that the Council must display a willingness to listen to the recommendations made in the feasibility study in order to preserve the City's ability to receive future grant awards in this area. There was a specific focus on the types of

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Discussion regarding potential ordinance amendments relative to legal nonconforming accessory buildings and conditional use permits.

A staff memo from the City Attorney explained in the spring of 2017, the City Council requested that the Planning Commission consider providing a legal-nonconforming status to all accessory buildings built before a specified date. During the Planning Commission meeting on April 18, 2017 the Commission recommended to the City Council that the Code should not be amended to allow legal-nonconforming status to accessory buildings built before a certain date. They expressed concern about the implications of providing a legal-nonconforming status to old accessory buildings and felt that the existing City Codes regulating nonconforming structures would be sufficient to address potential issues the nonconforming structures may cause. However, the discussion included a note from staff that the accessory structure Code is in the "Effects of Chapter" section of City Code Chapter 10.30 where it would be more aptly located in the "Regulations for Buildings and Structures" section of this chapter. The Commission expressed an interest in moving the Code from the Effects section to the Regulations section and requested that staff bring this back for a vote. The Code change showing this move has been included in an attachment to this report. During their meeting on June 13, 2017 the City Council expressed concern that the allowance for older accessory buildings to be considered legal nonconforming was removed from the text amendment. They have requested that the Planning Commission revisit this issue and determine the best method for grandfathering in old accessory buildings. The City Code currently allows any property owner with a nonconforming accessory building to request a determination of legal nonconforming status for the building. This requires that the property owner provide proof that the building was constructed in accordance with existing Building Code and City Ordinance. Much of the documentation that would prove the legality of these buildings are normally kept and maintained by the City. Unfortunately, until recently, City records are often inconsistent or nonexistent. The amount of time and cost associated with Code Enforcement, staff research, and potential legal fees create a challenging situation for the City with limited resources to expend on such efforts. To remedy this, the City Council has requested a discussion about a potential City Code amendment which would make all accessory buildings built before a certain date legal nonconforming in terms of setbacks. This would not apply to building height, appearance, or any other aspect of the Code which regulates accessory buildings. Accessory buildings with an accessory dwelling unit within would also be required to meet the current accessory building Code. The legal nonconforming determination would only apply to non-occupied building setbacks. Buildings that pose a threat to public health, safety, or welfare would not be permitted as legal nonconforming. The proposed ordinance also cleans up the accessory building Code by putting it in the correct ordinance section under "Regulations for Buildings and Structures" as opposed to "Effect of Chapter" where it is currently located.

The memo indicated that included below is a copy of the legal nonconforming determination Code and accessory building Code with proposed amendments. The "proposed additions without context" page shows only the text proposed to be added while the pages below show the text to be added with the overall proposed amendment in context. Staff would also request that the Commission consider a review of the Conditional Use Permit requirement for accessory buildings larger than 200 square feet. This is listed as a minor conditional use in the A-1, R-1, R-2, R-3, and RPC zones. A minor conditional use requires a complete application and \$100 fee according to the current adopted fee schedule. The Building Code also requires that any structure over 200 square feet obtain a building permit. The application for a building permit is \$50 plus incidental review fees based on lot zoning, size, and project cost. Planning staff is required to review the Conditional Use Permit and the building permit containing the same information. This results in a redundant review costing the applicant extra money. The intent of a Conditional Use Permit is to provide case-by-case conditions to mitigate inherent negative impacts of a use on a surrounding area. Historically, these permits have been used by municipalities to approve or deny a use or structure based on the desires of the decision-making body, and not necessarily by an appeal to the Code regulating the uses or structures. In recent years, litigation regarding Conditional Use Permits has led to a standard for approval. This standard is that if a Conditional Use Permit meets the regulating Codes, it must be approved. Also, any condition applied to the permit must be

reasonable and intended to mitigate negative impacts that the use or structure creates. Arbitrary conditions not directly related to the use or structure have been generally dismissed by the courts when appealed. The current direction related to Conditional Use Permits is that they should not be required if conditions are either easily codified or are not imposed. A recent review of Conditional Use Permits for accessory buildings over 200 square feet revealed that there are no permits on record at the City where conditions have been imposed. Staff feels that this means the current Code is managing negative impacts of accessory structures negating the need for a Conditional Use Permit requirement. Because of this, staff recommends the removal of the Conditional Use Permit requirement for accessory buildings over 200 square feet. On June 20, 2017, the Planning Commission discussed these issues and provided some recommendations:

1. Perhaps provide a rolling date which would make all accessory buildings legal which are a certain number of years old. For example, the Code could say that all accessory buildings older than 5 years from the date of the reading of the Code are considered legal-nonconforming. This would prevent the need to go back and address the issue again and again with further Code changes making accessory buildings legal nonconforming.
2. The accessory building Code for buildings under 200 square feet exists but is hardly enforced. If this Code were removed, all the buildings in this category would be legal unless they had electrical, plumbing, mechanical work, or were multi-story which would require a building permit and would require regulation according to the building code.
3. The Conditional Use Permit requirement provides extra revenue to the City for these types of applications and should be maintained.

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Mr. Mellor reviewed the staff memo and indicated the Planning Commission will continue to work on this issue before providing the Council with a formal recommendation.

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Discussion and review of Syracuse City Fund Balance Policy.

A staff memo from the City Manager explained the City last completed a comprehensive review of the fund balance policy in May 2016. The purpose of this policy is to establish a target level of fund balance for the general fund and to establish a process and criteria for the continued evaluation of that target level as conditions warrant. This policy shall also establish a process for reaching and or maintaining the targeted level of fund balance and the priority for the use of resources in excess of the target. The GFOA (Government Finance Officers Association) recommends, at a minimum, that general-purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months (16.7%) of regular general fund operating revenues or regular general fund operating expenditures. Utah Code 10-6-116 requires that the fund balance be between 5% and 25%. Finance Director Stephen Marshall is recommending some changes to the policy. A red line edit copy of the policy is attached for your review. The two biggest recommended changes to the policy are:

- o The definition of unrestricted fund balance is updated to include the committed, assigned, and unassigned fund balance categories. Previously, our policy was only based upon the unassigned fund balance.
- o A change in the law now allows us to consider fund balance as a function of the current year revenues in the general fund instead of as a function of the budgeted revenues of the next year's budget. For example, under the old law, our fund balance for FY2016 would have to be divided by the FY2017 budget revenues in calculating the percent. The law changed in 2015 to allow the fund balance to be calculated by dividing FY2016 fund balance by FY2016 final revenues in the general fund.

All other proposed changes are minor and intended to conform the language to these two primary changes. None of the proposed edits will alter the foundation of the policy, nor the fund balance levels set by the Council.

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City Manager Bovero reviewed his staff memo and indicated the proposed amendments are being suggested to bring the policy in line with State law changes; however, the policy cannot be adjusted by City Administration as any changes must receive approval of the Council. The Council indicated they are comfortable with the proposed amendments and instructed staff to include an item on the common consent agenda for the July 11 meeting to allow for formal action.

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Discussion regarding Truth in Taxation process

A staff memo from the City Manager explained the City Council adopted an operating budget in preparation for a truth in taxation hearing in August. Since the Council is considering holding the tax rate, it is considered a tax increase under state law and requires a truth in taxation process. The council will be required to hold a public hearing on August 8th to discuss holding the tax rate. The current tax rate for 2016 is 0.001573. The county has calculated the new certified tax rate for 2017 to be 0.001447, which is approximately an 8% decrease in the rate. The property values for a single-family dwelling have increased approximately 9% from the prior year. If the Council elected to hold the tax rate at the 2016 rate, it would generate an additional \$162,000 in ongoing money. If the Council decides to hold the tax rate, they will need to prioritize where that money should be budgeted. In the February Budget Retreat, the Council discussed several priorities that are currently unfunded. Generally, these priorities included:

- *5-Man Crew Fire Dept. Staffing:* The 5-man crew would improve the City's response capabilities to fire calls, especially when calls come in when they are already on the scene of a medical call. The estimate to fund the 5th man 24/7 is approximately \$120,000 per year.
- *Additional Police Protection:* We discussed various concerns with the police department, including officer safety issues such as shifts with no back-up available in the City. We also discussed the opportunity to focus more efforts on traffic safety and active patrol, rather than officers constantly running from call to call in a reactive manner. In order to make these service improvements, it is estimated that each officer would cost an additional \$75k-\$100k (\$120k-\$140k including vehicle). In addition to the two officers already funded in the FY2018 budget, up to three or four officers could be placed in the schedule to make these service enhancements happen.
- *Road Improvements:* The City has a 5-year funding gap of approximately \$4.1 million for road projects. This is just for road paving, and does not include the underlying utility replacements. If the property tax rate were held, the estimated \$162,000 per year would bring \$810,000 over the next five years, which could help reduce the funding gap for road projects.
- *Park Improvements:* The City has \$12.8 million in planned park projects over the next 5-7 years. We are currently looking at a funding gap of approximately \$4.8 million. If the residents approve a RAP tax, we estimate an additional \$1.5 million to \$2.5 million would be retained to help close the gap. The property tax revenue from a rate hold could also help close that gap even more.

The memo concluded this item is on the agenda to discuss the Council's priorities if a decision is made to set the property tax rate at 0.001573, or at any level above 0.001447. The property tax revenue is unrestricted and therefore can be used for a variety of services and/or improvements. It is up to the Council to decide what services and/improvements would be supported by the additional funding, should there be a decision to hold the rate above 0.001447.

[9:44:47 PM](#)

City Manager Bovero and Finance Director Marshall reviewed the staff memo and facilitated a discussion among the Council to prepare them for questions they may receive from residents regarding the reason for the proposed tax increase and those projects or services that will be funded by increased property tax revenues. There was also brief discussion about the manner in which the City will advertise the Council's consideration of the Truth in Taxation process and the public hearing that will be held prior to final action on the budget and certified tax rate. Councilmember Maughan stated he is comfortable considering maintaining or increasing the property tax rate as he feels there are several funding needs in the City that can be explained to the residents as justification. He added he has no objection to considering this type of action each year so long as the City continues to be fiscally responsible and those funding needs still exist. The Council discussed the need to communicate this message to the residents and concluded to possibly hold a town hall type of meeting prior to the August 8 meeting during with the truth in taxation public hearing will be held.

[10:06:02 PM](#)

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 10:30 p.m.

City Council Work Session
June 27, 2017

Terry Palmer
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: August 8, 2017