

Minutes of the Work Session meeting of the Syracuse City Council held on July 26, 2016, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson  
Corinne N. Bolduc  
Mike Gailey  
Karianne Lisonbee  
Dave Maughan

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

City Employees Present:

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

The purpose of the Work Session was to hear public comments, receive the Presentation of Trust Accountability Program (TAP) Award by Utah Local Governments Trust, review special meeting agenda item three: Authorize Administration to award 2016 Road Improvement Projects, continue discussion of Proposed Ordinance 16-21 amending Section 10.40.030 of the Syracuse City Municipal Code pertaining to onsite parking, continue discussion of Proposed Ordinance 16-23 amending Section 10.30.050(c) of the Syracuse City Code related to yard encroachments, discuss Employee Recruitment and Retention Policy and Fiscal Year 2017 Employee Compensation Plan, review financial status of utility funds, discuss secondary water system, and discuss Council business.

[6:03:21 PM](#)

Councilmember Gailey led the audience in the Pledge of Allegiance. Councilmember Anderson provided an invocation.

[6:05:07 PM](#)

### **Public comments**

Ralph Vaughan stated he wishes the Council much wisdom as they engage in discussion regarding the secondary water system. He then referenced the item listed on the agenda dealing with onsite parking and stated that he supports option three listed in the meeting packet; he feels City Attorney Roberts has crafted good language that addresses the issue at hand. He then addressed the item listed on the agenda dealing with yard encroachments; the phrasing in paragraph (c)(1) of the ordinance amendment is problematic because it includes a double negative that can cause confusion to the reader. He suggested the Council address that issue before considering adoption of the ordinance tonight.

[6:06:32 PM](#)

Kevin Homer stated that during the July 12 meeting the Council took action to appoint Gary Bingham to the Planning Commission. He stated he performed a cursory reading of the text notes of the minutes of that meeting and there were significant portions of the discussion that were not included in the notes, such as the discussions of the concerns about reappointing TJ Jensen as well as discussion of Mr. Bingham's qualifications. He feels it is extremely appropriate to add that information into the minutes before they are considered at the next meeting.

Councilmember Maughan asked if the Council has seen the minutes of that meeting. Mr. Homer stated they were posted online. City Attorney Roberts indicated the City is required to post draft minutes within three days of a meeting, but they are not final yet. Mr. Homer suggested the draft minutes be edited to include the discussion that took place at the meeting. He added that during the meeting the Council made a motion to reconsider the action relative to the Planning Commission appointment and he feels it would be appropriate for the Council to explain their reasons for moving to reconsider the first action; he listened to the audio recording and did not hear any such discussion and he feels it would be appropriate for Councilmember Maughan in particular to explain why he made a motion to consider and why each Councilmember voted in the way they did that evening.

[6:08:54 PM](#)

### **Presentation of Trust Accountability Program (TAP) Award by Utah Local Governments Trust.**

An administrative staff memo explained Jason Watterson of the Utah Local Governments Trust (ULGT) has requested an opportunity to present the City with the Trust Accountability Program (TAP) Award.

[6:09:27 PM](#)

Mr. Watterson approached and presented the Mayor and Council with the TAP for the 2015 plan year. The City is being given the award to recognize the City's efforts to reduce risk throughout the City, which ultimately reduces the City's liability and loss. The Trust is presenting the City with a percentage of their liability premium for the plan year.

[6:16:55 PM](#)

**Review special meeting agenda item three: Authorize Administration to award 2016 Road Improvement Projects.**

A staff memo from the Public Works Director explained this project will consist of overlaying approximately 3.67 miles of road throughout the following roads in the City:

- 4000 West Street from 2700 South Street to 2200 South Street
- Bluff Road from 1700 South Street to 2700 South Street
- Bluff Road from 2900 South to Bluff Drive
- 2175 South from 2000 West to Allison Way
- Allison Way from 1700 South Street to 2328 South
- Allison Way from 2700 South Street to 2448 South

Construction will begin as soon as contract documents are in place and will be completed by the fall of 2016. Bids were opened on July 19, 2016. Five bids were submitted and the low bidder was Staker Parson Companies with a total bid amount of \$659,244.00. The funding for this project will come from Class C 20-40-70. Staff recommends the contract be awarded to Staker Parson Companies.

[6:17:07 PM](#)

Mr. Whiteley reviewed his staff memo and noted that the project cost is lower than estimated.

[6:20:18 PM](#)

Councilmember Anderson referenced the wide difference in bids between vendors and inquired as to the reasons for those differences. Mr. Whiteley stated that some bidders will provide a much higher bid than others if their schedule is already very full and adding to their workload will be more costly for them. Additionally, some contractors are very familiar with the City and enjoy working here and for that reason they offer lower prices.

[6:21:14 PM](#)

The Council briefly discussed the project scope before concluding their review of the item.

[6:22:10 PM](#)

**Continued discussion of Proposed Ordinance 16-21 amending Section 10.40.030 of the Syracuse City Municipal Code pertaining to onsite parking**

A staff memo from the Community and Economic Development (CED) Department explained the Council has been provided by three versions of the proposed ordinance; the Third one is the most current version. The first is that which the Council first saw during their June 28, 2016 work meeting. The second is that which the Council saw during their July 12, 2016 meeting and it includes the Planning Commission's changes to the document. The third is a version which incorporates comments received during the July 12, 2016 City Council meeting. It is the only one which is accompanied by Ordinance language.

[6:22:28 PM](#)

Mr. Roberts reviewed the staff memo and facilitated a review of document three in the meeting packet to help the Council understand the implications of the proposed ordinance; there was a focus on the impact the ordinance could potentially have on parcels in residential zones of the City that may still be used for agricultural purposes. Councilmember Maughan expressed his concern that the ordinance may be too restrictive and he would prefer that it be less restrictive and somewhat loosened; he is also concerned about making the section of the ordinance that indicates that the Planning Commission must review site plans dealing with onsite parking and he would prefer that language be removed so that the reader does not get the impression that the Planning Commission is a law making body. Councilmember Lisonbee agreed and stated she has a concern about the portion of the ordinance that disallows drive-through driveways on residential properties. High level Council discussion continued as the Council discussed specific and hypothetical instances on properties

throughout the City that may be impacted by adoption of the proposed ordinance. The Council reached the consensus that the intent of the ordinance should be to ensure safety associated with onsite parking; however, they are hesitant to adopt an ordinance that several properties are not compliant with. Mr. Roberts indicated that he will take the Council's feedback and suggested edits into consideration and adjust the ordinance accordingly for consideration during the August 9 business meeting.

[7:03:34 PM](#)

**Continued discussion of Proposed Ordinance 16-23 amending Section 10.30.050(c) of the Syracuse City Code related to yard encroachments**

A staff memo from the Community and Economic Development (CED) Department explained recent review of home plans has raised concern about restrictions in our ordinance relating to cantilevered floors, roofs, and other yard encroachments. The first section of Code that has presented issues is:

10.30.050.C.1 Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two structures be less than 10 feet.

This has been an issue for developers as many times cantilevered floors are wider than 8 feet. It's likely that this code was only meant to apply to bay windows and other similar features and as such, would be sufficient, however it continues to be an issue as homes built to setback lines become more and more common. The next section of code that has caused concern is:

10.30.050.2 Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required front or rear yard.

The final section of Code is:

10.30.050.C.3 Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line.

Since the rear setback in the R-3 Zone is 20 feet, this code does not allow covered deck/patio encroachments into the rear setback of the zone. This may have been intentional and is not a significant concern to staff, but has been of concern to developers trying to include covered decks/patios in the R-3 Zone. Developers have expressed that the cantilever Codes are too restrictive and should be loosened. It is also possible that the concerns expressed by developers are a symptom of homes being built to setback lines in many cases. This issue arises from home builders acquiring a few home floor plans and attempting to apply them to lots of various sizes and shapes rather than designing a home to fit a specific property. However, as this is generally a more affordable option, it is likely that this type of ones-size-fits-all home development will continue to be proposed. Some concern was expressed during the July 21, 2016 City Council meeting that the proposed code allows for property owners to reduce the minimum distance between structures through the addition of an encroaching portion of a home. The thought is that this would then restrict the neighboring property owner from creating a side yard encroachment on their property because of a minimum distance between buildings. This is not the case under current allowed zoning. The Code states that primary structures with side yard encroachments must be at least 10 feet apart and side yard encroachments are not permitted in cluster subdivisions where the side yard setback is less than 7 feet. As all setbacks in other zones are either an 8 foot or 10-foot side yard or a 16-foot separation between buildings in the PRD Zone, allowing a 2-foot encroachment on both homes would in a worst-case scenario create a separation of 12 feet which is still larger than the 10-foot minimum separation in the encroachment Code. The minimum 16-foot separation only applies in the PRD Zone and 15 foot, 20 foot, and 25-foot separation is only required for multi-family dwellings. Single family dwelling separation is dictated by the IFC and the encroachment Code included in this report. As the Code is proposed, no property owner would have the ability to restrict their neighbor from creating a side yard encroachment on their primary structure under the current zoning allowed within the city. Should future zoning be created with less than 7-foot side yard setbacks, it would be possible for a 2-foot side yard encroachment to affect a neighbor's ability to create their own 2-foot side yard encroachment. If a zone with less than 7-foot side yard setbacks were to be created, staff recommends disallowing side yard encroachments in the same way they are not allowed in cluster subdivisions with less than 7-foot side yards. The Code sections in question have been discussed in detail with the Planning Commission during two work sessions held on June 7, 2016 and June 21, 2016. As result of these sessions, staff has been directed to address minimum side yard distances, covered decks and patios, and building cantilever widths. The proposed code is included as an attachment to this report. The memo concluded the proposed ordinance was recommended for approval by the Planning Commission on July 5, 2016.

[7:03:57 PM](#)

CED Director Mellor reviewed the staff memo.

[7:06:13 PM](#)

The Council discussed the amendments to the ordinance; Councilmember Maughan stated that he is concerned about the section of the ordinance that restricts the amount of space a covered patio can cover as well as design of a deck or porch cover in a rear yard. He stated he does not feel the City should be dictating structure design. Councilmember Bolduc agreed. Mr. Mellor stated that the reason for the size limitations on a covered patio is that without such limitations someone could extend a covered patio to the edge of their backyard and fence it in to essentially make it part of their home; this would eliminate all setbacks and could cause a negative impact on abutting property owners. Councilmember Lisonbee stated she would like to understand if the ordinance is strictly following the International Building Code (IBC) adopted by the State of Utah. Mr. Mellor indicated he will research that issue. Councilmember Maughan stated that if the language is not in line with the IBC, he would like to remove it from the ordinance so long as required setbacks are preserved.

[7:16:10 PM](#)

**Presentation of the Syracuse City and Wendy's "Award for Excellence" to Jared Hunter for the month of July, 2016.**

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 Jeff Gibson, present the recipients for the "Syracuse City & Wendy's 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 City's website; be featured on the Wendy's product television; and receive a \$10 gift certificate to Wendy's.

Mayor Palmer noted Mr. Hunter was nominated by the staff of the City's Parks and Recreation Department.

**Jared Hunter:**

Jared is an exceptional athlete and leader. Throughout the season we have noticed that not only is Jared an amazing athlete, even more important he is a great teammate and is always cheering on his teammates and picking them up when they make a mistake. Jared led his team to an undefeated season and the championship game where he went 2 for 2 and had 6 strikeouts, where they won a close game 7-6.

Mayor Palmer indicated that Mr. Hunter was unable to attend tonight's meeting and he will be given his award during the next regularly scheduled meeting.

\*\*The meeting recessed at 7:20 p.m. and reconvened at 7:25 p.m.\*\*

[7:25:21 PM](#)

**Discussion regarding Employee Recruitment and Retention Policy and Fiscal Year 2017 Employee Compensation Plan**

A staff memo from City Manager explained that pursuant to the previous Council meeting, a comparison of the proposed compensation plans has been created in order assist the Council in evaluating and determining the proper policies to adopt.

[7:25:57 PM](#)

Mr. Bovero reviewed his memo and indicated that during the July 15 special meeting, Councilmembers Bolduc and Lisonbee and Councilmember Maughan presented two different proposals for amendments to the Policy and Plan. From the discussion held during that meeting, he created a document that provides a detailed comparison of the two plans and provided it to the entire Council for review and consideration in preparation for this meeting. He then facilitated a discussion among the Council, with input from staff, regarding the table that was used to offer a comparison of the two plans. There was a focus on issues such as benchmarking and the frequency with which the City's wages should be benchmarked, bi-annual review of City Departments, the value of merit mapping and the rate at which an employee can move through their wage scale based upon performance, employee evaluation practices, budget and policy direction associated with the Compensation Plan, the potential to specify the percentage of tax revenue that would be dedicated to employee wages, the impact the market and the economy can have on employee compensation, the ease of administering one of the two plans that has been proposed, and points relative to given positions to be considered when benchmarking.

[8:43:06 PM](#)

Pat Zaugg addressed the point in Councilmember Maughan’s plan that requires an employee to exceed expectations in order to be eligible for a pay increase. Councilmember Maughan stated he acknowledges Ms. Zaugg’s comments and will discuss the issue with her following the meeting as he did not wish to engage in debate.

[8:43:48 PM](#)

The Council ultimately reached the consensus to support a hybrid of both plans presented, though the plan presented by Councilmembers Bolduc and Lisonbee received the greatest amount of support. The Council suggested minor adjustments to the plan relative to adjusting the plan in the event that sales tax revenues decrease, addressing the frequency of benchmarking, including a process to review each Department on a set schedule, and setting aside new growth money for employee compensation.

[8:52:11 PM](#)

Mr. Bovero stated he recognizes the employees do not have a vote on this issue, but he wants to ensure that the plan put in place by the Council is competitive. He expressed concerns on behalf of the employees relative to changes to the policy dealing with promotions and advancements, the potential to freeze wage increases based on certain market indicators, alterations to the employee incentive program, and paying employees at the 50<sup>th</sup> percentile.

[9:13:34 PM](#)

**Review of financial status of utility funds**

A staff memo from the City Manager explained the City Council and City Administration have had several discussions concerning the financial status of the City’s utility funds. This discussion is a follow-up to discuss our utility fund rates, five-year capital projects plan, options to fund that plan, and our best plan moving forward. Below is a summary of the financial status of our utility funds including what it would take to fully fund our five-year capital projects plan.

	Operational	Capital Cost -	Capital Cost	Total Cost Per	Current	Overage /	Current	Required Rate	Rate
	Cost	next 5 years	per year	Year	Revenues	(Shortage)	Rate	to Fully Fund	Increase /
								Cap. Projects	Decrease
Secondary Water	\$1,214,002	\$ 2,220,000	\$ 444,000	\$1,658,002	\$1,652,600	(\$5,402)	\$15.50	\$15.56	\$0.06
Storm Water	\$ 363,793	\$ 1,655,000	\$ 331,000	\$694,793	\$428,620	(\$266,173)	\$4.55	\$7.36	\$2.81
Culinary Water	\$1,364,578	\$ 7,404,500	\$1,480,900	\$2,845,478	\$1,902,840	(\$942,638)	\$16.50	\$26.44	\$9.94
Sewer	\$2,085,160	\$ -	\$ -	\$2,085,160	\$2,263,132	\$177,972	\$23.80	\$21.92	(\$1.88)
Garbage	\$1,254,403	\$ -	\$ -	\$1,254,403	\$1,316,280	\$61,877	\$9.95	\$9.30	(\$0.65)
Street Lighting	\$ 307,878	\$ -	\$ -	\$307,878	\$273,090	(\$34,788)	\$2.93	\$2.93	\$0.00
Parks Maintenance	\$ 267,279	\$ -	\$ -	\$267,279	\$242,476	(\$24,803)	\$1.32	\$1.32	\$0.00
<b>Total</b>	<b>\$6,281,936</b>	<b>\$11,279,500</b>	<b>\$2,255,900</b>	<b>\$9,112,993</b>	<b>\$7,563,472</b>	<b>(\$974,364)</b>	<b>\$74.55</b>	<b>\$84.83</b>	<b>\$10.28</b>

This chart is broken down by operational cost and capital cost. It also shows in the orange our current revenues versus the costs to fully fund our five-year capital projects plan. The blue shows what are current minimum monthly utility bill is and what would be required to fully fund our capital projects. Also included with this document is a utility rate comparison detail of Syracuse City to comparable cities. This is provided for a reference to show that Syracuse City utility rates are the lowest in the surrounding area. The comparable cities we benchmarked against include Clinton, West Point, Layton, Kaysville, Roy, Farmington, Clearfield, Sunset, Saratoga Springs, and Eagle Mountain. Also included with this document is a utility rate summary document that compares all the above cities in total to Syracuse City.

[9:14:10 PM](#)

Mr. Marshall reviewed the staff memo.

[9:19:45 PM](#)

The Council engaged in high level discussion regarding the City’s utility rate structure with a focus on the operational and project costs funded by the revenues generated by utility fees. Mr. Marshall indicated that the current revenues generated by the utility rates charged are approximately \$1 million short per year of funding depreciation. Discussion also centered on the internal allocation and the costs that will be funded by the internal allocation upon a policy to be adopted by the Council. Councilmember Lisonbee added that she would like for the Council to consider adjusting the rate schedule that would allow residents to pay for what they use rather than only using flat rates. She is concerned that lower-end users are paying the same amount as high-end users. Mr. Bovero clarified that the tiers should be in addition to a base rate. Councilmember Lisonbee agreed. This led Mr. Marshall to briefly review the manner in which the City’s utility rates compare with rates charged in other cities.

[9:33:03 PM](#)

Councilmember Maughan stated he would like to include a ballot question on the upcoming election ballot to poll the residents on whether the City should increase utility rates to fund projects and depreciation. The Council discussed this option, with Mr. Bovero noting that the decision of whether to increase rates should be based upon the internal allocation

policy and it would be best for the Council to define that policy before polling the residents.

[9:38:37 PM](#)

**Discussion of secondary water system.**

Public Works Director Whiteley presented the Council with graphs that track the levels of the secondary water reservoirs in the City; the reservoirs are depleted daily, but they are recharged with the exception of the Jensen reservoir that has not recharged to its full level daily since July 4. Jensen provides twice the amount of water as the other two reservoirs. The City's problem is not capacity; rather, the problem is lack of water to fill the reservoirs. The bottom line is that the City currently does not have enough water to supply the current demands on the system.

[9:45:21 PM](#)

The Council discussed the City's currently water supply, with Councilmember Lisonbee stating that she is hesitant to make a decision to buy more water if it is not clear that the City actually needs more water. Mr. Whiteley agreed and stated it may be necessary for staff to research the amount of water shares the City currently owns compared to the amount of irrigable space in the City. He expounded on the structure of the City's secondary water system and the manner in which the City's water is delivered to the reservoirs. Councilmember Lisonbee stated that she would like to understand the actual amount of water the City needs based upon the actual amount of irrigable space and the frequency with which residents should be watering their landscaped areas. She stated once the Council understands that information it may be easier to implement mandatory watering schedules and penalties for violation.

[9:59:25 PM](#)

Councilmember Maughan stated that he feels something needs to be done to educate residents regarding their actual water needs. Councilmember Gailey agreed and asked if it would be possible to delay charging the secondary system until later in May instead of the middle of April. The Council discussed this idea and felt it may be possible to delay charging the system until the end of April or early in May, but waiting until the end of May would be problematic for farmers. Mr. Whitley stated he will research the logistics of delaying charging the system until later in the growing season.

[10:04:50 PM](#)

Councilmember Maughan then stated that he would like to develop a policy over the winter months that can be implemented at the beginning of the water season so that the City is not changing water regulations in the middle of a growing season. He would like for a watering schedule to become the standard the City follows rather than trying to implement one mid-summer. Councilmember Gailey agreed.

[10:06:36 PM](#)

Councilmember Lisonbee added she would like to consider a policy for developments managed by a homeowner's association (HOA). Some of these types of developments are using so much water that they are flooding developments adjacent to them, but they are paying much less than other users for secondary water. She feels a lot of water is being wasted and there may be some opportunities to charge users for the water they actually use.

[10:08:50 PM](#)

Councilmember Anderson stated she would like for a global watering policy to include information about xeriscaping options in the City. Councilmember Lisonbee agreed.

[10:11:07 PM](#)

Mr. Bovero then noted that the City's ordinance currently has language that would allow for enforcement against wasteful watering. He and Mr. Whiteley then reviewed the history of secondary water system improvement projects dating back to 2006; the City has been diligently improving the system with impact fee monies paid by developers and residents. Mr. Bovero reiterated the system is not the problem; it is the amount of water in the system that is causing pressure problems. High level discussion among the Council continued and the body ultimately concluded to direct staff to investigate the City's water deficit – if there is one – and the amount of money it would cost to acquire enough water to support the watering practices currently in place in the City. Mr. Whiteley stated he will look into those issues and asked if the Council would be comfortable with him considering the use of pressure relief valves in the next secondary water system model that will be performed as the City updates the secondary water impact fee plan. The Council stated they do not want to expend money on that service if it is easy to deem that pressure relief valves are not needed or would not be helpful.

[10:28:52 PM](#)

Ray Zaugg stated that through the course of a water season each farmer has a certain amount of water shares to use to water their crops; they can choose to use or not use their water and if they are not used, the water continues to pass through the system unused until it eventually reaches the Great Salt Lake. It may be possible for the City to take advantage of water the farmers are not using for whatever reason. Mr. Whiteley stated that many farmers work together to maximize the amount of water available to them; when one farmer is not using their allotment of water they communicate its availability to other farmers. The City has even been the beneficiary of such waste water in the past.

[10:31:12 PM](#)

Ralph Vaughan stated that it may be a good idea to give credits to developers or homeowners interested in using xeriscape options. Also, residents should not be allowed to fill their swimming pools with secondary water. He also suggested that all secondary water connections in new construction be metered and that a percent of existing secondary water connections be monitored through metering as well. He added if any construction is done in an HOA development, they should be required to install meters and retrofit their lines since they are the single largest residential users of water. He also suggested that the City use portable meters that can be loaned to a homeowner and plugged into their system to allow them to understand how they are doing with their watering when compared to other residents. He suggested that staff be asked to look into forecasting over the next several years and through buildout; they should be able to predict how many houses will be built in the City and the secondary water infrastructure that will be needed to store and deliver water for those houses. He added that the City should be providing residents with information regarding the status of water availability and usage throughout the season. Additionally, it may be possible to harvest water from detention basins to be used for secondary water purposes. He then asked two questions: what additional capacity does the City need at 10 years or 20 years in the future as well as at buildout; and what additional supply infrastructure does the City need to start planning for at those same checkpoints. He stated buildout is not too far away for the City and he believes the City is ahead of buildout schedule.

[10:34:21 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 [10:37:35 PM](#) p.m.

---

Terry Palmer  
Mayor

---

Cassie Z. Brown, CMC  
City Recorder

Date approved: September 13, 2016