

Minutes of the Work Session meeting of the Syracuse City Council held on November 12, 2013, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Craig A. Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

Excused: Mayor Jamie Nagle and Councilmember Brian Duncan

Acting City Manager/Finance Director Steve Marshall
City Recorder Cassie Z. Brown

City Employees Present:
Public Works Director Robert Whiteley
City Attorney Clint Drake
Fire Chief Eric Froerer
Police Chief Garrett Atkin
Community Development Director Sherrie Christensen

The purpose of the Work Session was to hear public comments, have a discussion regarding the proposed annexation of property located at 4000 W. 1200 S., discuss a proposed ordinance regarding a parks, trails, and recreation impact fee, discuss a proposed cooperative agreement with the Utah Department of Transportation (UDOT) relating to the construction of 3000 West from 700 South to Bluff Road, and discuss Council business.

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Proposed annexation of property located at 4000 West 1200 South

A staff memo explained that on August 13, 2013 Con Wilcox filed a petition to annex into Syracuse City 20.61 acres of property located at approximately 4000 West 1200 South. The City Engineer has reviewed the annexation petition and his comments have been addressed by the petitioner. On August 27, 2013 the Council voted to accept the annexation and staff immediately began the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated. The annexation petition was certified shortly thereafter and a notice of certification was published in the Standard-Examiner for three consecutive weeks; the notice was meant to outline the annexation protest process. The same notice was also sent to all affected entities. The protest period expired October 3, 2013 and no valid protests were filed. This item was discussed at the October 8 work session and business meetings and a decision was made to table the proposed ordinance in order to notify property owners within 300 feet of the subject property of the proposed annexation. Notifications were sent to 52 property owners on Tuesday, October 15, 2013. The item was removed from the October 22, 2013 agenda upon a request from the petitioner. An additional notification regarding the proposed annexation was mailed to the same 52 property owners on November 4 explaining that the item would be discussed during the November 12 work session and business meetings.

Community Development Director Christensen summarized the staff memo.

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Annexation applicant, Con Wilcox, addressed the Council regarding his annexation petition.

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Council discussion regarding the issue began and concluded with an explanation that discussion regarding the item would continue during the business meeting.

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Proposed Ordinance regarding Parks, Trails, and Recreation Impact Fee

A staff memo from Acting City Manager/Finance Director Marshall explained staff is currently in the process of evaluating and updating the City's impact fee plans for. The first update is to the parks, trails, and recreation impact fee plan. Historically the City has charged a park purchase impact fee and a park development impact fee. This proposed update to our parks, trails, and recreation impact fee plan would consolidate these two plans into one aggregate plan. The maximum

proposed fee for the new parks, trails, and recreation impact fee is \$2,393.56. Impact fees can be charged to new development to help pay a proportionate share of the cost of planned facilities needed to serve the growth and development of the city. Impact fees are allowed per Utah Code 11-36A. Under that code, there are two separate plans required in order to charge a parks, trails, and recreation impact fee. They are the Impact Fee Analysis and the Impact Fee Facilities Plan. An impact fee enactment ordinance is also required.

According to Utah Code 11-36a-301:

- (1) *Before imposing an impact fee, each local political subdivision or private entity shall, except as provided in Subsection (3), prepare an **impact fee facilities plan** to determine the public facilities required to serve development resulting from new development activity.*

According to Utah Code 11-36a-303:

- (1) *Subject to the notice requirements of Section 11-36a-504, each local political subdivision or private entity intending to impose an impact fee shall prepare a **written analysis** of each impact fee.*

11-36a-401. Impact fee enactment.

- (1) (a) *A local political subdivision or private entity wishing to impose impact fees shall pass an **impact fee enactment** in accordance with Section 11-36a-402.*
(b) *An impact fee imposed by an impact fee enactment may not exceed the highest fee justified by the impact fee analysis.*
- (2) *An impact fee enactment may not take effect until **90 days** after the day on which the impact fee enactment is approved.*

The City Council packet for the meeting included the impact fee enactment as attached Ordinance 13-17; it was accompanied by Exhibit A – impact fee facilities plan, and Exhibit B – impact fee analysis. The packet also included Ordinance 13-18 amending certain sections of the Syracuse City municipal code; specifically Title III and Title VIII in relation to impact fee updates. I have included a redline document that shows the proposed changes. These ordinances can both be approved tonight; however, there is a 90 day protest period before the ordinances would take effect. This would mean an implementation date of February 10, 2014 or later.

Mr. Marshall reviewed his staff memo.

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Suzie Becker, Zion's Bank, provided additional information about the process to determine the proposed impact fee.

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Council and staff discussion regarding the item began and concluded with an explanation that discussion regarding the item would continue during the business meeting.

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Cooperative Agreement with Utah Department of Transportation relating to the construction of 3000 West from 700 South to Bluff Road.

A staff memo from Public Works Director Whiteley explained Rex Harris with UDOT has been working with staff to develop the proposed agreement. The City was approved to receive a grant to improve 3000 West between 700 South and Bluff Road. The grant was approved for funding in 2017 in the amount of \$3.699 Million. The federal grant is administered through Wasatch Front Regional Council (WFRC). WFRC and UDOT have been working together with cities to advance project funding as well as reduce federally-required expenses and streamline processes. The Technical Advisory Committee has approved WFRC to program funding for our project two years ahead of schedule and work with UDOT to transfer the federal funds to state funds using UDOT's Transportation Investment Fund (TIF). This transfer will allow the city full control of following local requirements for design, bidding, and construction processes, rather than federal processes. This will streamline the project, utilize the funding more efficiently, reduce the cost of the project, and allow the project to be completed sooner. The transfer will allow UDOT access to \$524,850 from the grant, approximately 15%. These costs were built into the grant and are typically anticipated as additional expenses that are incurred due to federal processes that will not be required with the transfer to state funds. The funding transfer will provide up to \$3,144,150 of grant funding administered through UDOT's TIF to be utilized for our project with construction anticipated in 2015. Staff recommends the Council approve the agreement with UDOT for funding the 3000 West street project.

UDOT Representative Harris approached the Council and reviewed the staff memo. There was input from Mr. Whiteley and Mr. Marshall throughout his presentation.

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Council discussion regarding the item began.

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Council business

A few brief items of miscellaneous Council business were discussed.

The meeting adjourned at 6:55 p.m.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: December 10, 2013