

Minutes of the Syracuse City Council Work Session Meeting, December 11, 2018

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Minutes of the Work Session meeting of the Syracuse City Council held on December 11, 2018 at 6:05 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

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

City Employees Present:

Administrative Services Director Steve Marshall  
City Attorney Paul Roberts  
Public Works Director Robert Whiteley  
Police Chief Garret Atkin  
Fire Chief Aaron Byington  
Parks and Recreation Director Kresta Robinson  
Community and Economic Development Director Noah Steele  
Deputy Fire Chief Jo Hamblin

The purpose of the Work Session was to review business meeting agenda item 10, Final Plat Approval, Still Water Phases 5 and 6, located at approximately 2000 West Parkview Drive; review business meeting agenda item 11, Subdivision Plat Conditional Approval, Ninigret North 3 Subdivision, located at approximately 1585 W. 300 S.; and review business meeting agenda item 13, discussion of Davis County "3<sup>rd</sup> Quarter" Sales Tax.

**Review agenda item 10, Final Plat Approval, Still Water Phases 5 and 6, located at approximately 2000 West Parkview Drive.**

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Location: 2000 West Parkview Drive  
Current Zoning: RPC  
General Plan: RPC  
Total Subdivision Area:  
Phase 5: 19.22 Acres  
Phase 6: 14.94 Acres  
Number of Lots:  
Phase 5: 77  
Phase 6: 90

The applicant has requested approval of two final subdivision plats as part of the Still Water development being built by Woodside Homes. Phase 5 will complete the central section of the development between 2000 West and the Davis County Canal. Phase 6 will be the first new phase west of 2000 West. During the regular meeting on December 4, 2018 the Planning Commission unanimously recommended conditional approval including the following condition: all staff comments shall be addressed before the plat is recorded with Davis County.

All planning and fire comments have been addressed for phase 5 and there are two engineering comments. The City Engineer has expressed that he is comfortable with a conditional approval regarding these comments.

All planning and fire comments have been addressed for phase 6 and there are 11 engineering comments. The City Engineer has expressed that he is comfortable with a conditional approval regarding these comments.

The memo concluded that because there are outstanding staff comments on both plats, staff recommends they be conditionally approved.

Mr. Steele reviewed the staff memo.

**Review agenda item 11, Subdivision Plat Conditional Approval, Ninigret North 3 Subdivision, located at approximately 1585 W. 300 S.**

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Location: 1585 W. 300 S.  
Current Zoning: Business Park  
General Plan: Business Park  
Total Subdivision Area: 3.64 Acres

The applicant has requested approval of a two-lot subdivision which is intended to accommodate a mortuary on lot one. Lot two will remain vacant until it is developed. During the regular meeting on December 4, 2018 the Planning Commission unanimously recommended conditional approval of this subdivision plat with the following condition: all staff comments shall be addressed before the plat is recorded with Davis County. All fire and planning review comments have been addressed. There are three remaining engineering comments and the City Engineer has expressed that he is comfortable recommending conditional approval of the plat.

The memo concluded that because there are outstanding staff comments on the plat, staff recommends it be conditionally approved.

Mr. Steele reviewed his staff memo and facilitated discussion among the Council regarding the timing of the project and the process for considering the plans for the future development of lot two, which will remain vacant at this time. There was also high-level discussion regarding the permitted and conditional uses allowed in the City's Business Park zoning designation.

**Review agenda item 13, discussion of Davis County "3<sup>rd</sup> Quarter" Sales Tax.**

A staff memo from the City Manager explained there is a discussion in Davis County regarding the possibility of enacting the "3<sup>rd</sup> Quarter" local option sales tax, which can only be used for road or transit enhancement projects. If there is support for this local option in the County, an anticipated schedule for its implementation would be as follows:

- o Mayors of each municipality provide signed letters of support to the County Commission by the end of 2018.
- o At the first COG meeting of the year (January 16th), the adoption of the 3rd quarter cent would be on the agenda for discussion and recommendation to the Commission.
- o The Commission would move to enact the tax during the 1st quarter of 2019.
- o During the 2019 legislative session, amendments to Section 59-12-2217 would be passed (and effective July 1, 2019).
- o The Commission would notify the Utah Tax Commission by April 1st that the tax has been enacted.
- o After adoption by the Commission and likely during the second quarter of 2019, a sub-committee of the COG would prepare the process required by statute for the distribution of funds. This process would be adopted by July 1, 2019.
- o Funds would begin to be collected starting July 1, 2019 for distribution as soon as a process is adopted, projects submitted and approved, and distribution could start in 2020.

The attached info sheets provide some detail on the enactment and administration of the tax. In addition, there has been some discussion at the state level to modify the 3<sup>rd</sup> Quarter tax legislation to also add maintenance and reconstruction projects as eligible uses of the revenue. In July of 2018, City Attorney Paul Roberts provided a memo to the City Council regarding this local option sales tax, and the various options available to the City. The purpose of this discussion item is twofold:

1. To update the Council from last July on the discussions taking place at the county and state level regarding this local option sales tax.
2. Discuss the merits of authorizing the Mayor to send a letter of support for the local option, or not.

Mayor Gailey reviewed the staff memo and introduced the concept of a 3<sup>rd</sup> Quarter sales tax collection. City Manager Bovero then reviewed a document prepared by the Wasatch Front Regional Council (WFRC) detailing the purpose of the local option sales tax and the manner in which it would be imposed if approved by the Davis County Commission. The

eligible uses of the local option funds are defined in State Code, but are strictly limited to transportation projects that provide new capacity, mitigate congestion, preserve corridors, or cover debt service or bond issuance costs. There is movement throughout the County to determine whether local municipalities are supportive of the concept of implementing the tax.

Council Commissioner Stevenson expressed to the Council the Commission's position on the 3<sup>rd</sup> Quarter Sales Tax; he will support the implementation of the tax regardless of whether all municipalities in the County support it, but the Commission felt it important to communicate the matter to cities and give governing bodies an opportunity to provide input.

WFRC Executive Director Andrew Gruber expounded on the information provided in the WFRC document and he and the Council then engaged in high level discussion regarding the eligible uses for the local option funds, with an emphasis on the process followed by the Davis County Council of Governments (COG) to determine how the revenues would be distributed throughout the County. The Council expressed concern about representation on the COG and whether a decision to not support the 3<sup>rd</sup> quarter sales tax would impact Syracuse City's ability to receive funds. They also communicated that they feel the decision to implement the tax is up to the County and they do not need support from cities. Commissioner Stevenson acknowledged that is correct, but they felt it important to communicate the issue to cities in the County rather than blindsiding them by implementing a tax without having first sought buy-in. Mr. Gruber added that cities will have input on how the tax revenues will be spent throughout the County and the Commission felt it important to reach out to cities for that purpose. The Council ultimately concluded to not take an action expressing an opinion on the 3<sup>rd</sup> Quarter sales tax issue and acknowledged that the County can proceed with taking action to implement the tax. Councilmember Maughan stated that his only concern is that the COG may take actions that would limit funds in Syracuse because the Council did not support the tax and Commissioner Stevenson stated that will not happen and it is likely that the COG will not know which cities did or did not support the tax.

The meeting recessed at 6:51 p.m. and reconvened at 9:53 p.m.

**Review of certified annexation petition submitted by C.W. Land for property located at approximately 2600 W.3000 S.**

A staff memo from the Community and Economic Development (CED) Department explained the city has received a request to annex 9.51 acres from developers C.W. Land. The property is located approximately 2600 W 3000 S (Gentile St.) west of the public works offices. The land is owned by the LDS church. The annexation is limited to a portion of a larger parcel. A representative from the church has signed the petition. The property is being actively farmed and is also partly left undeveloped. There is no public road access to the property. Utilities would come from the north from Syracuse Meadows subdivision or from the east from Still Water subdivision. It is anticipated that the property would be developed in conjunction with the Clark family property to the north also known as 'Shoreline'. The annexation petition was accepted by the City Council on October 9, 2018 after which the application certification process began. The certification process involves notifying the affected stakeholders including the sewer district, school district, Davis County, and the mosquito abatement district. The process also includes a comment waiting period. Once the period is over, the City Council is clear to approve the annexation via ordinance should it choose to do so, after receiving a recommendation by the Planning Commission.

The memo referenced the City's adopted annexation policy plan. The plan lays out nine criteria for annexation. If the proposed annexation is developed as proposed, in a cohesive master planned development, the criteria for development would be satisfied. As a standalone property, the development potential is premature but together with the surrounding properties, both north and south, should provide the needed transportation and utility infrastructure to support development and provide needed housing options to our residents. With this motion, the Planning Commission needs to provide a recommendation for the zoning that will be applied to the property upon annexation. The General Plan map is R-1 and therefore is recommended that this property be assigned the R-1 zone upon annexation. The Planning Commission voted on November 6 to recommend approval of this item with a R-1 zoning. After the City Council reviews this item in a work session, the item will go to a voting meeting where the annexation could be approved by ordinance.

CED Director Steele reviewed the staff memo and reviewed the annexation plat to orient the Council to the location of the subject property. There was high level discussion about the process of assigning a zoning designation to the property upon annexation with City Attorney Roberts expressing the option to first annex and later assign the zone along with a development agreement for the project.

City Council Work Session  
December 11, 2018

Petitioner Greg Day communicated to the City the reason he feels the annexation of this property will benefit the City in the long term; the project will facilitate improved transportation to Gentile Street as well as trail connectivity in the area of the subject property.

The Council authorized staff to proceed with advertising an action item to approve the annexation in a future business meeting.

The meeting adjourned at 10:03 p.m.

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Mike Gailey  
Mayor

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Cassie Z. Brown, MMC  
City Recorder

Date approved: February 12, 2019