

Minutes of the Regular meeting of the Syracuse City Council held on January 12, 2016 at 7:00 p.m., in the Council Chambers, 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:

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

[7:19:42 PM](#)

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 7:37 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Anderson provided an invocation. A local Boy Scout then led all present in the Pledge of Allegiance.

[7:21:32 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO REMOVE ITEMS FIVE AND SIX FROM THE AGENDA AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER BOLDUC SECONDED THE MOTION.

[7:21:58 PM](#)

Councilmember Maughan stated that the Council has discussed the idea of reviewing the scope and mission of each committee in the City and he would like to do that before appointing people to any committee. Mayor Palmer stated he is concerned about delaying appointments to the Parks Advisory Committee (PAC) as they are working on items that have budget implications. City Manager Bovero agreed and stated the PAC has been asked to make recommendations regarding the Parks Master Plan and that will have budget implications; it is necessary to have those recommendations in order to proceed with development of the Parks and Recreation budget for the next fiscal year. However, he has adjusted the budget review schedule to move the Parks and Recreation budget later in the process in order to accommodate Councilmember Maughan's request to further discussion the mission and scope of various committees. Mayor Palmer addressed the recommended appointments to the Arts Council and stated that it is his understanding one of the people to be appointed is already active with the Council. Mr. Bovero stated that is correct and the Arts Council would like to appoint the person and make them the president of the Arts Council; that body is working to develop their summer programming.

[7:25:08 PM](#)

Councilmember Maughan further explained that he would like to review and discuss the scope and mission of each committee in the City; the Council may choose to alter the mission and scope of one or all committees and he would like to have that done before choosing to appoint new members as there may be others in the community with skill sets better suited for the committees with updated missions.

[7:26:41 PM](#)

The Council engaged in discussion about the importance of immediately importing members to the PAC or Arts Council, after which Councilmember Lisbonee asked Councilmember Maughan to amend his motion to allow the Council to act on the Arts Council appointments in order to allow that body to better function. Councilmember Maughan stated that is an option, but he is trying to be consistent in his feelings that the scope and mission of all committees should be reviewed before new members are appointed. Councilmember Lisonbee stated she is hesitant to delay the Arts Council appointments.

[7:28:09 PM](#)

COUNCILMEMBER MAUGHAN OFFERED AN AMENDED MOTION TO REMOVE ITEM SIX FROM THE AGENDA AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:29:10 PM](#)

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Maurice Yancey and Brooklyn Miles for the month of January 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 both teens receiving the award for August 2015 were nominated by the Syracuse Arts Academy.

Maurice Yancey:

Maurice Yancey is a 9th grader at Syracuse Arts Academy and has proven to be a fine young man. Throughout his schooling at Syracuse Arts Academy, Maurice has always been a leader among his peers. He has a positive attitude, is friendly with everyone around him, has a great sense of humor, and encourages others to be their best. His happiness and love for life follow him wherever he goes and is very contagious to his peers and teachers. Maurice is very involved with the band program. He works hard, practices hard, and loves to perform. He is always willing to be the first to try new things, and this quality has led him to playing multiple instruments and becoming a member of the program the band director can always count on. Maurice has served the school as an ambassador and as a student government officer. He plays volleyball and basketball for the school's team, often staying late and working hard for extra practice. He is constantly striving to be the best he can be in all areas, and at the same time brings others with him. He builds teamwork in every group setting he is involved with. Without a doubt, Maurice Yancey is one of Syracuse Arts Academy's finest students.

Brooklyn Miles:

Brooklyn Miles is dedicated to her academics along with basketball. She is an excellent example of hard work and leadership to her teammates. She has high expectations for herself and is willing to put in the extra effort to reach her goals. Brook has a strong desire to be a good citizen in the world. Although Brook is very talented, she is humble enough to seek help to always be improving. Brook has always been and is an amazing student. Along with all of her extracurricular supports, she excels in school. She puts in the time and effort to make sure that school work comes first and then she puts her all into sports and other interests. Brook is the type of student that Syracuse can be proud off and celebrate with everyone!

[8:00:45 PM](#)

3. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session and Regular Meeting of December 8, 2015.

[8:00:47 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO APPROVE THE MINUTES OF THE WORK SESSION AND REGULAR MEETING OF DECEMBER 8, 2015. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:36:06 PM](#)

4. Public comments

TJ Jensen referenced a discussion during the this evening's work session regarding referring a requested General Plan change to the Planning Commission; he noted that this is the type of instance that was contemplated when the Planning Commission recommended closure of the General Plan, but recommended that the City Council have the authority to open it

according to special circumstances. He stated he believes the change the applicant is requesting also meets the definition of providing a substantial benefit. He then referenced the Piper Glenn Subdivision on the agenda and noted the Planning Commission has recommended final approval of the project. He also referenced the discussion in the work session regarding fees and noted that it may also be appropriate to consider fee amendments for noticing costs. He referenced the item on the agenda dealing with the mission and vision statement of the City and noted that as a citizen he has a huge concern about the language dealing with the West Davis Corridor and working with the Utah Department of Transportation (UDOT). He stated it is premature to indicate that the City wants to work with UDOT on this project because he is aware there are some Councilmembers that would like to see UDOT's process completed before deciding to support it; before receiving the record of decision from UDOT, it is premature to include language about the project in the mission statement. He then addressed the item on the agenda dealing with an appointment to the North Davis Sewer District (NDS) and he pointed out Councilmember Lisonbee has interfaced with the District on several occasions and she is on a first name basis with the District's Manager; she has been a member of the City Council for some time and he would prefer to see that she be appointed to the position. He added that it is his opinion that regardless of the District's position on appointments, he feels the appointment should be rotated annually.

7:39:39 PM

Josh Yates stated that he is the applicant for Piper Glenn Subdivision and he offered an explanation for the fee waiver request. He noted that there were some circumstances that were outside of his control that caused the project to be delayed. He thanked Mayor Palmer for working to coordinate the efforts of staff and the applicant to resolve the issues surrounding the project.

7:40:35 PM

Joannie Panucci stated she tried to reserve a spot on the agenda for this meeting; she contacted the Mayor and he indicated he would allow her time on the work session agenda, but due to her work schedule she is not able to attend the work session. She added that it will take longer than three minutes to discuss the issue she is concerned about, but she was denied the ability to have additional time on the agenda. She stated when someone has an issue that will take longer than three minutes to discuss there should be a strong consideration of their request and she feels she has been denied her freedom of speech in Syracuse. She then stated she is present to discuss item 13 on the business meeting agenda as this item relates to a recent work session discussion about an issue raised by Mr. Scott Crawley. She stated that Mr. Crawley came to the City over a year ago to raise an issue he discovered; he found a resident had completed their basement in their home without obtaining a permit. The property is located at 1104 W. 2175 S. and is owned by Betsy Thurgood; when Mr. Crawley raised the issue a year ago, the Building Official threw his arms up and walked away from Mr. Crawley and indicated he was not willing to deal with the issue. She stated Mr. Crawley has had major issues with another property in Clearfield he bought from the same individual; a building collapsed and it is costing him upwards of \$30,000 to have the building removed from his property. The reason he came to Syracuse City is that he does not want something similar to happen to someone in Syracuse. The City inspected the property and found an electrical violation and other issues; they required Mr. Thurgood to apply for a building permit, which she has obtained from the City. According to the records she has received, the required work has not been completed, but the building permit was approved. Also the documentation she received is not complete because it does not provide information about the types of inspections completed on the property. She stated she works for the State of Utah and is required to treat customers with respect and she feels that Syracuse City employees should be required to do the same. She stated she does not feel Mr. Crawley was treated appropriately. She stated that Mr. Crawley asked how the property would be inspected because it is not possible to perform certain inspections after improvements have been completed. She stated she feels the inspections are necessary to provide for the health, safety, and welfare of the citizens of Syracuse. She stated provisions are in place to allow the City to penalize a citizen for violating the law and she does not want to see those provisions changed; she feels if the provisions are changed more citizens will violate the law because they will not fear being charged with a class B misdemeanor. She then concluded building construction is very important and buildings should be inspected properly to ensure safety; if a Police Officer saw someone running a red light they would cite them and there are other laws in place to provide for the safety and health of the people of the community. She then stated she has an issue with the City's Government Records Access and Management Act (GRAMA) policies; her son filed two GRAMA requests for her, but she was only charged for one. She stated that if the City's fee schedule calls for people to pay \$.10 per page of paper, that rule should be applied fairly. She revisited the building permit issue and noted that when people do not obtain building permits for improvements to their property, Davis County is not informed of those improvements and the property is not assessed at the appropriate value. This causes taxing entities to suffer because they are not receiving the appropriate tax revenue. She stated that Syracuse City needs all tax money it is entitled to and she is hoping the Council will consider all she has said this evening. She hopes the Council will not vote to lessen the penalties for failure to obtain a

building permit for property improvements. Her final comment was “now you want to change the law; there is nothing wrong with the law”.

[7:47:47 PM](#)

Gary Pratt referenced future Council actions to make appointments to various committees and noted he feels it would be appropriate to include language in the documents used to make those appointments to allow the Council to make changes to the appointment midterm. He then referenced the City’s General Plan and referred to it as the ‘bible of the City’; in recent years the document has been opened and never closed, but it was closed in December of 2015 for the first time in quite some time. It is his personal feeling that the document should not be opened ‘willy nilly’, even if an applicant pays the \$400 General Plan amendment application fee; the Council must give serious consideration before consenting to opening the General Plan for a major or minor amendment. He referenced a discussion from the work session meeting regarding industrial zoning and he noted that the citizenry of the City wants industrial zoning to be applied on a various limited basis in the City to the point where it is only allowed near major corridors. He stated he would encourage the Council to vote against the application for industrial zoning listed on tonight’s agenda. He stated he would favor light commercial, business park, general commercial, or neighborhood services zoning before industrial zoning. He concluded by welcoming the newly elected members of the City Council.

[7:50:42 PM](#)

John Diamond stated he is present to discuss item nine, a requested rezone of property on 4500 West. He stated he owns all of the property west of the subject property and it is located in an agricultural protection area in unincorporated Davis County. He stated he feels that increasing residential density on property located adjacent to his will impact how he uses his property. He stated he has spent \$500,000 or more improving his property; one of his major concerns that he has addressed with the applicant relates to an agreement with Syracuse City where the City was allowed to build a storm water detention pond on his property. The pond was designed to accommodate current zoning, but if that zoning is changed and density is increased, the pond may not be adequate and that will impact him personally. He added he has a pheasant hunting business on his property as well as a livestock operation and more than 1,000 people per year visit his property, with 90 percent of them travelling on Antelope Drive to get there. He stated that if his property is encroached upon, the operation of his business will be limited and this could impact Syracuse City as well. He noted there are several easements on the property and it is important for the applicant and the City to be aware of those easements to prevent problems associated with disturbing irrigation lines in the area; there has been a long time boundary dispute on the north boundary of his property and that dispute should be resolved before this project moves forward. He also referenced fence line agreements and road easements related to the subjected property and stated those should be addressed before further movement. He concluded by emphasizing that the area is an agricultural area and he would like for it to stay that way.

[7:54:34 PM](#)

Joe Simpson responded to Mr. Diamond’s comments regarding his application to rezone property on 4500 West. He stated his goal is to continue residential development in the area; there is existing R-1 zoning to the east of the subject property and he is interested in connecting to that development and continuing with similar development. He stated he is very well aware of the easements and water management issues in the area and he plans to address those issues through the subdivision approval process. He stated he feels his proposed project is appropriate; he referenced a nearby church on 4500 West and serves as a gathering point and noted that his development will centralize that use within single family development neighborhoods. He stated he believes his development will compliment single family developments to the north and south. He also recognizes there is agricultural land to the west and noted the land is primarily pasture land; based on the City’s ordinances relating to R-1 zoning, pastureland is considered as an appropriate use adjacent to a single family development. He added that he is conscious of the manner in which Mr. Diamond uses his property and he plans to include more open space and amenities on the west side of his development to provide additional buffering between uses. He concluded he feels his petition is appropriate and noted it is supported in the General Plan. He stated he appreciates the help he has received from the City Council, Planning Commission, and City staff. He asked that the Council support his application.

[7:57:31 PM](#)

Garret Ostler stated he lives on 4000 West and he also addressed item nine; there are some issues surrounding Mr. Simpson’s application to rezone his property and the proposed development will change the way of life in the area. He stated he understands the impact it will have on Mr. Diamond and his property, specifically related to his hunting operation. He added Mr. Diamond has located his cattle and barns in an area where it does not conflict with the hunting operation and he has been very responsible. He noted he considers Mr. Simpson’s project as one that will invite additional community members to Syracuse. He stated he finds it interesting that many residents living west of him are opposed to additional development, though they are now living on ground formerly used for agricultural purposes. He noted he feels it would be

appropriate for the Council to consider some way to protect properties to the west to prevent debacles in the construction of the project that would cause damages for existing residents. He then referenced the City's appointment to the NDSB Board; he believes Councilmember Lisonbee is the appropriate appointee as she would be the first line of defense when something happens at the District because if something happens, she will smell it first.

[8:01:16 PM](#)

5. Proposed Resolution R16-01 appointing Kimberlee St. Clair and Tara Bruce to the Syracuse City Arts Council.

An administrative staff memo explained Syracuse City Arts Council leadership has requested the appointments of Kimberlee St. Clair and Tara Bruce. A resolution formalizing the appointments has been drafted and provided to the entire Council.

[8:01:34 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-01 APPOINTING KIMBERLEE ST. CLAIR AND TARA BRUCE TO THE SYRACUSE ARTS COUNCIL. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Proposed Resolution R16-02 appointing Doug Peterson and Jordan Savage to the Syracuse City Parks Advisory Committee.

This item was removed from the agenda.

[8:02:07 PM](#)

7. Authorize Administration to execute agreement with JUB Engineers, Inc. for the development of a Culinary and Secondary Water Master Plan and Impact Fee Facility Plan.

A staff memo from the Public Works Director explained the City's current 2009 impact fee plans must be updated with an Impact Fee Facility Plan according to Utah Code 11-36a. A Request for Proposal was advertised Nov 29, 2015 for professional services to complete the master plan and the IFFP. Five proposals were received on Jan 5, 2016. Evaluations were made based upon price, quality, experience, and schedule. Rankings were on a scale of one to five with five being the best. JUB Engineers, Inc. ranked highest among the five firms that submit a bid; staff recommends the Council award the project to JUB Engineers, Inc.

[8:02:26 PM](#)

Public Works Director Whiteley reviewed the staff memo.

[8:04:12 PM](#)

Councilmember Gailey disclosed that one of the companies that responded to the RFP is owned by a relative of his.

[8:04:37 PM](#)

Councilmember Lisonbee noted that the Council typically receives information about all bids submitted for a project; she inquired as to the difference between the high and low bids. Mr. Whiteley stated that the difference between JUB and the next lowest bidder was approximately \$4,000 and the overall difference between the high and low bids was approximately \$98,000. He noted bids were broken down according to work to be done on the culinary and secondary water master plans and he read the bids submitted by each firm.

[8:08:03 PM](#)

Councilmember Maughan acknowledged that Mr. Whiteley uses a scoring and ranking system to determine the successful bidder, but he cannot decipher the methods behind that scoring system according to the information provided to the Council in the meeting packet. He stated he would like to know why one firm may have been scored higher than another due to the fact that the City is not accepting the low bid. Mr. Whiteley stated that he examines price, quality, experience, and schedule when scoring bids. He stated that Gillson submitted the lowest bid, but the three other firms got a higher score based on the quality of the proposal they submitted and their past experience in preparing Master Plans and Impact Fee Facilities Plans. JUB had less experience than Bowen Collins in preparing Master Plans and Impact Fee Facilities Plans, but they have done at least a half dozen plans over the last several years. He stated that as far as schedule, all firms got the highest score because all said they could complete the project by July.

Councilmember Lisonbee thanked Mr. Whiteley for the recommendation and stated she can see why he chose JUB as the successful bidder. Councilmember Maughan agreed, but noted in the future he would like to have more detailed information so that the Council understands the reason behind the selection of a specific firm or contractor.

[8:11:25 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT WITH JUB ENGINEERS, INC. FOR THE DEVELOPMENT OF A CULINARY AND SECONDARY WATER MASTER PLAN AND IMPACT FEE FACILITY PLAN. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:11:41 PM](#)

8. Proposed General Plan Amendment for Parcel #12-046-0172.

A staff memo from the Community and Economic Development (CED) Department explained the applicant (Focus Realty) met with the City Staff and Councilwoman Lisonbee on December 14th, 2015 and asked that the general plan map be opened permitting that parcel #120460127 (36 acres which is presently in unincorporated Davis County) be General Planned R-2 instead of R-1.

10.20.060 General plan amendments.

(E) Applications for general plan text or general plan map amendments outside of the open amendment period shall be considered as provided in this subsection:

(3) The Council may, after proper notice, authorize the consideration of the applicant's amendment outside of the open amendment period only if any of the following apply:

(c) The Council finds that the proposed development has the potential to confer a substantial benefit on the City.

The Council is not being asked to amend the General Plan at this time; the request is only to direct the Planning Commission to consider the applicant's amendment outside of the open amendment period. If this request is approved, the application will be forwarded to the Planning Commission, who will provide the Council with a recommendation. If the request is denied, the applicant will be required to wait until January 1, 2017 to submit their application, or they will need to accept the current R-1 zoning at the time the property is annexed into the City.

[8:11:55 PM](#)

CED Director Mellor reviewed the staff memo.

[8:13:20 PM](#)

Councilmember Gailey disclosed that he is related by marriage to the Criddle family, the applicants for this project.

[8:13:20 PM](#)

Councilmember Lisonbee stated that she supports referring this application to the Planning Commission, but not because she feels it rises to the reasons for opening the General Plan outside of the review period according to an ordinance adopted in December 2015. She stated the Council discussed this item in the work session meeting held this evening and reached a consensus to leave the General Plan open for 90 days after its closure to consider 'straggler' applications.

[8:14:05 PM](#)

Councilmember Maughan clarified for the record that this property is not in Syracuse City. Mr. Mellor stated that is correct. Councilmember Maughan stated he is comfortable supporting the request if the property were to be annexed.

[8:14:30 PM](#)

COUNCILMEMBER BOLDUC MADE A MOTION TO DIRECT THE PLANNING COMMISSION TO CONSIDER A GENERAL PLAN AMENDMENT FOR PARCEL 12-046-0172. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:15:12 PM](#)

9. Proposed Ordinance 16-01 rezoning property located at approximately 4500 W. 1400 S. from A-1 Agriculture to R-1 Residential.

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the proposed development:

Location:	4500 W. 1400 S.
Current Zoning:	A-1/Industrial
Requested Zoning:	R-1 Residential

General Plan: R-1 Residential
Total Area: 27.939 Acres

The applicant would like to rezone from A-1 Agriculture to R-1 Residential to accommodate single family development with 2.3 lots per acre density. This type of development would be similar to the surrounding single family developments which are also zoned R-1 Residential. This property does have several easements recorded on it that will need to be reviewed prior to future development. The general plan was recently amended to R-1 Residential by the City Council on December 8, 2015.

The Planning Commission moved to recommend approval on January 5, 2016, to rezone the property located at 4500 W 1400 S from A-1 Agriculture to R-1 Residential, subject to all applicable requirements of the City's municipal codes, with a unanimous vote.

[8:15:42 PM](#)

CED Director Mellor reviewed the staff memo. He referenced some of the comments made during the public comment portion of the meeting and noted that it would be his recommendation that upon approval of the project associated with this rezone that the Council direct staff to include notations on the plat to give buyers information about the use of the land to the west of the subject property. He noted he has spoken with the City Attorney about the implications of locating an R-1 subdivision adjacent to a hunting club and they have not yet reached a conclusion regarding how to address those issues. He stated he is grateful to Mr. Diamond for meeting with City staff to discuss these issues and the location of easements in the vicinity of the subject property.

[8:17:26 PM](#)

Councilmember Lisonbee stated she appreciates those that offered public comment about this application. She referenced Mr. Diamond's comments specifically and stated that while he said increasing the density will impact what he does on his property, it is her belief that increasing the density has the potential to reduce the impact when compared to allowing development on A-1 property. She stated that if the R-1 zone is approved, the developer can cluster the homes and provide more open space and buffering. She added she was contacted by another citizen who made the thoughtful comment that everyone's land was once agricultural land and it would serve everyone well to remember that.

[8:18:23 PM](#)

Mayor Palmer asked if staff has considered sewer flow from the subject property to the North Davis Sewer District (NDSD) plant. Mr. Mellor stated that is an issue that will be considered through the subdivision development process. Mr. Whiteley added there is a sewer main in 4500 West and staff will work with the applicant to help them understand the infrastructure limitations in the vicinity of the subject property. Some portions of the property may be below the sewer line.

[8:19:55 PM](#)

Councilmember Gailey echoed Councilmember Lisonbee's comments about the value of the opportunity to cluster homes in R-1 zoning.

[8:19:55 PM](#)

Councilmember Anderson noted Mr. Diamond indicated the retention ponds on his property may not be large enough to handle additional run-off associated with this proposed development and she asked if staff has addressed that issue. Mr. Whiteley stated that he has not been involved in discussions regarding storm water detention for the subject property; however, any development that occurs in the development must include infrastructure to handle detention. He stated that this is another issue that will be considered in the design and engineering phase of the project.

[8:21:21 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 16-01 REZONING PROPERTY LOCATED AT APPROXIMATELY 4500 W. 1400 S. FROM A-1 AGRICULTURE TO R-1 RESIDENTIAL COUNCILMEMBER BOLDUC SECONDED THE MOTION.

[8:21:52 PM](#)

Councilmember Lisonbee thanked everyone for their comments and she stated she is committed, as she feels the applicant is committed, to being good neighbors; she believes the proposed development will be a good fit for all parties. Councilmember Gailey thanked those on both sides of the issue for the civil manner in which they have handled this issue.

[8:22:24 PM](#)

Mayor Palmer stated there has been a motion and second to adopt the proposed ordinance and he called for a vote; ALL VOTED IN FAVOR.

[8:22:41 PM](#)

10. Proposed Ordinance 16-02 rezoning property located at approximately 1000 W. 3700 S. from A-1 Agriculture/Industrial to Industrial/General Commercial.

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the proposed development:

Location:	1000 W. 3700 S.
Current Zoning:	A-1/Industrial
Requested Zoning:	Industrial/General Commercial
General Plan:	General Commercial/Industrial
Total Area:	19.47 Acres

The applicant would like to rezone the current zoning from A-1 Agriculture/Industrial to Industrial/ General Commercial which is in line with the General Plan Map. This would allow for future development of the property. The applicant stated this plan has been in process for over 10 years.

The Planning Commission moved to recommend approval on January 5, 2016, to rezone the property located at 1000 W S 3700 S from A-1 Agriculture and Industrial to General Commercial and Industrial, subject to all applicable requirements of the City's municipal codes, with a unanimous vote.

[8:22:59 PM](#)

CED Director Mellor reviewed the staff memo.

[8:23:32 PM](#)

Councilmember Lisonbee stated it is her understanding there are no homes abutting the property except for one on Gentile Street. Mr. Mellor identified the land use of the properties located on all sides of the subject property and noted that staff has spoken with the owners of all properties to indicate the applicant's plans to locate storage units on his property. He indicated all other property owners were comfortable with the proposed use. He added that the General Plan for the property calls for industrial zoning. Councilmember Lisonbee stated locating storage units on the property seems like a logical use considering the fact that the property will eventually be located adjacent to a highway; she is amenable to the zoning change, but she feels that only allowing storage units in the industrial zone of the City is somewhat problematic because the industrial zone allows for such a wide range of uses, many of which she would not support on the subject property. Mr. Mellor stated that one limiting factor for the subject property is access to water; the property is below the sewer line, which means the applicant cannot build any use that requires bathroom facilities.

[8:26:32 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-02 REZONING PROPERTY LOCATED AT APPROXIMATELY 1000 W. 3700 S. FROM A-1 AGRICULTURE/INDUSTRIAL TO INDUSTRIAL/GENERAL COMMERCIAL. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:26:51 PM](#)

11. Final Subdivision Approval – Piper Glen, located at approximately 1000 W. 3231 S.

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the proposed development:

Zone:	R-2 Residential
Applicant:	Compass Group LLC
Acreage	3.503
Lots:	9
Public Meeting Outline	
Rezone Approval	
Planning Commission	February 18, 2014
City Council	March 11, 2014
Concept Plan Staff Meeting	March 18, 2015
Preliminary Plan Approval	
Planning Commission	April 1, 2014

Final Plan Approval	
Planning Commission	May 6, 2014
City Council	May 13, 2014
Final Plan Extension	April 21, 2015

The Piper Glen Subdivision was granted an extension on April 21, 2015 giving the developer until November 13, 2015. At such time, subsequent action by the developer to proceed with off-site construction did not occur within the 18-month extended period following initial approval. The plat and construction drawings must be resubmitted and become subject to re-approval under the latest City ordinances and specifications. Currently there are no changes to the application as it still meets the current specifications of city code. Due to the fact that there were no changes to the plans the developer is requesting a waiver for the final application fees.

The Planning Commission moved to recommend approval on January 5, 2016, for the final subdivision approval of Piper Glen, located at 1000 W 3231 S, subject to all applicable requirements of the City's municipal codes, with a unanimous vote.

[8:27:10 PM](#)

CED Director Mellor reviewed the staff memo. He referenced the discussion that took place during the works session regarding the recommended fee waiver and noted that staff is comfortable recommending that all but \$50 of the fee paid by the applicant be refunded.

[8:28:12 PM](#)

Councilmember Maughan stated that he is not opposed to waiving the entire fee considering the circumstances surrounding this application, but as a general rule, if the delays are the fault of the applicant he would prefer that sufficient fees be charged to cover staff costs. Councilmember Lisonbee agreed and noted that it is necessary to mitigate the costs incurred by the City in reviewing the application for a second time. She stated she is also comfortable waiving the total fee, but she feels the more responsible choice would be to charge \$50 to cover staff time and noticing.

[8:29:53 PM](#)

Mr. Palmer stated he feels the development will be great and they are working with a quality home builder. Mr. Mellor agreed.

[8:30:16 PM](#)

Councilmember Maughan asked if the applicant is comfortable paying \$50 as recommended by Councilmember Lisonbee. The applicant indicated his approval from the audience.

[8:30:23 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO GRANT FINAL SUBDIVISION APPROVAL FOR PIPER GLEN, LOCATED AT APPROXIMATELY 1000 W. 3231 S AND TO REFUND \$1,200 OF THE FINAL SUBDIVISION APPLICATION FEE AND CHARGE \$50 TO COVER STAFF TIME ASSOCIATED WITH PROCESSING THE APPLICATION. COUNCILMEMBER LISONBEE SECONDED THE MOTION. ALL VOTED IN FAVOR.

[8:31:18 PM](#)

Councilmember Gailey indicated Planning Commissioner TJ Jensen has some insight regarding this development and he asked that Mayor Palmer allowed him to share that with the Council. Mayor Palmer consented.

[8:31:27 PM](#)

Commissioner Jensen indicated a petition has been circulated through the City requesting that the street in the subdivision carry the Yamada name to honor a great Syracuse family that played a great part in the history of the City.

[8:32:21 PM](#)

12. Final Subdivision Approval – The Bluff at Lakeview Farms Phases 2 & 3, located at approximately 3000 W. 700 S.

A staff memo from the Community and Economic Development (CED) Department provided the following information regarding the proposed development:

Zone:	R-2 & R-3 Residential
Applicant:	Lakeview Farm I LLC
Phase Acreage	10.442
Phase 1 Requested Lots	30
Total Acreage	47.2 acres
Net Developable Acres:	R-2 with 31.10 net developable area

Density Allowed 31.10 @ 3.79 lots/acre=117 lots
Requested 92 lots
R-3 with 15.66 net developable area
Density Allowed 15.66 @ 5.44 lots/acre=85 lots
Requested 49 lots

Public Meeting Outline

General Plan Amendment Approval

Planning Commission May 6, 2014
City Council May 13, 2014

Rezone Approval

Planning Commission June 3, 2014
City Council June 10, 2014

Concept Plan Staff Meeting

January 14, 2015

Preliminary Plan Approval

Planning Commission February 17, 2015
City Council March 10, 2015

The Final Plan for the Bluff at Lakeview Farms includes two zones, R-2 and R-3. The R-3 zone was approved by the Planning Commission and City Council as a buffer to the anticipated West Davis Corridor that may run adjacent to the westerly boundary. The subdivision proposes to develop in 5 phases. The developer has worked with the city engineer to coordinate the road improvements that will be made along both 3000 W and 700 S. Please see staff reviews for further information.

The Planning Commission moved to recommend approval on January 5, 2016, for the final subdivision approval for phase 2 and 3 of The Bluff at Lake Farms, located at 3000 W S 700 S, subject to all applicable requirements of the City's municipal codes and that Parcel A on Phase 3 be relocated to the west between parcels 315 and 316, with a unanimous vote.

[8:32:20 PM](#)

CED Director Mellor reviewed the staff memo.

[8:32:43 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO GRANT FINAL APPROVAL FOR THE BLUFF AT LAKEVIEW FARMS PHASES 2 AND 3, LOCATED AT APPROXIMATLEY 3000 W. 700 S. COUNCILMEMBER LISONBEE SECONDED THE MOTION. ALL VOTED IN FAVOR.

[8:33:14 PM](#)

13. Proposed Ordinance 16-03 amending Title Nine of the Syracuse City Code pertaining to penalties for violations.

A staff memo from the Community and Economic Development (CED) Department explained that during the December 8, 2015 City Council meeting it was requested that the staff make changes to ordinance 9.05.090 Violation – Penalty. This ordinance change will make it possible for the Council and City to press charges against a party or individual that violates the ordinance and fails to work toward correcting the violation. In the past, it has been possible to interpret the text that the City was required to press charges against the violating individual.

[8:33:19 PM](#)

CED Director Mellor reviewed the staff memo. City Attorney Roberts pointed out that the decision to charge a violator of the ordinance with a class B misdemeanor lies with him, as is the case with most penalties allowed for in the City Code.

[8:36:51 PM](#)

Councilmember Anderson stated that the fact that the City Attorney is responsible to make the decision to charge a person with a class B misdemeanor for a violation of this section of the City Code is not clarified in the Code. She added that justice is blind and it is inappropriate to pick and choose who should be prosecuted. She stated she would like more clarification in the ordinance regarding when a case would be sent to an appeals board or whether a certain violation would be prosecuted. All citizens have the right to know when they are in violation of the law, though she agrees there should be some discretion allowed when a citizen can prove they are diligently working towards complying with the law. Councilmember Maughan agreed and noted that it is necessary to provide clear definitions so that a reader of the Code knows when they may be violating the law.

[8:38:28 PM](#)

Councilmember Bolduc recommended including language in the ordinance that provides for some flexibility in cases where the violator is working to bring their property in compliance with City Code. Mr. Mellor answered yes and recommended that the Council table this item to allow him and Mr. Roberts to work on an amended ordinance for further discussion at the next work session meeting.

[8:38:51 PM](#)

Councilmember Lisonbee asked staff to research the legalities of including language in the ordinance that prohibits a property owner from selling their home if it is not in compliance with City Code. Mr. Roberts stated the City cannot prohibit the sale of a property, but it is legal to file a notice with Davis County to inform any potential buyer of an outstanding building issue at the home.

[8:40:10 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO TABLE ORDINANCE 16-03 AMENDING TITLE NINE OF THE SYRACUSE CITY CODE PERTAINING TO PENALTIES FOR VIOLATIONS. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[8:40:33 PM](#)

Councilmember Lisonbee stated during the last meeting there was some confusion regarding whether the penalty section of the Code in question truly applies to interior improvements at a home and she feels it would be appropriate to clarify that issue so that readers of the Code understand when they may be penalized for failure to obtain a building permit. Councilmember Anderson agreed. Councilmember Maughan agreed and added that past instances must be adjudicated according to the law that was in place at the time the violation occurred; whatever changes are made to the ordinance cannot alleviate anything that has happened in the past. He asked that in future discussions regarding the ordinance he would ask that the Council focus on how the penalty provision will be applied going forward.

[8:42:22 PM](#)

Mayor Palmer stated there has been a motion and second to table the proposed ordinance and he called for a vote; ALL VOTED IN FAVOR.

[8:42:29 PM](#)

14. Proposed Ordinance 16-04 amending Title Four of the Syracuse City Code pertaining to code enforcement specific to street and sidewalk cleanliness.

A staff memo from the Community and Economic Development (CED) Department explained at the Council's request City staff has identified the sources of most code violations:

- a. Snow Removal
- b. Inoperable vehicles
- c. Hard Surfaces and vehicles
- d. Junk/outdoors storage
- e. Weed abatement
- f. Trailers parked in street

Staff recommends the following amendment:

4.05.060 Street and sidewalk cleanliness.

- Timeline for snow removal after storm ends.
 - If it not removed by property owner, how long do we wait to take care of it through abatement?
- (A) It shall be the duty of the owner or occupant of private property fronting upon a public sidewalk to remove all weeds and noxious vegetation from such property and in front thereof to the curb line of the street and to keep the sidewalks in front of such property free from dirt, litter, snow, ice or obstructions. **In the case of snow and ice removal:**
- i. Snow and ice must be removed from the sidewalk within ___ hours from the end of each snow storm;
 - ii. The city shall provide verbal or written notice to the property owner or a responsible person at the address. Notice may also be provided by posting on the front door or a fence if attempts at providing verbal or written notice are unsuccessful; and
 - iii. Notwithstanding any other provision in this code related to notice and abatement procedures, within _____ hours after that notice is provided or posted, the City shall be authorized to abate the violation, and assess the actual costs of snow removal to

the property owner, as well as an administrative fee listed in the consolidated fee schedule. The City shall follow all other procedures in the code related to collecting the costs of abatement.

[8:42:46 PM](#)

CED Director Mellor reviewed the staff memo.

[8:44:25 PM](#)

Councilmember Lisonbee stated she supports taking action this evening on the section of the ordinance that would amend the requirements to clear snow from sidewalks within 24 hours of a storm. Mr. Mellor stated he would appreciate the Council taking action on that item this evening. Councilmember Maughan stated he would also support taking action on that item tonight, but he is not ready to proceed on the other items included in the ordinance. He suggested that the ordinance be split into two different documents. City Recorder Brown clarified that the only item listed for action on the business meeting agenda is the ordinance dealing with the removal of snow and ice from sidewalks; the other item was included in the Council packet for discussion only during the work session meeting that preceded this meeting. Mr. Roberts noted also that the staff report includes ordinance revisions that differ from the actual ordinance; he recommended the Council specify they are approving the language included in the staff report when making a motion to adopt. Mr. Mellor agreed he would recommend using the language listed in the staff report. The Council engaged in a brief discussion regarding the recommendations in the staff report regarding the creation of a sub-committee to consider amendments to the City's code enforcement regulations.

[8:49:43 PM](#)

Discussion then refocused on the staff recommendation to change the length of time after a storm that residents have to clear their sidewalks of snow and ice; Councilmember Bolduc asked if staff investigated the length of time allowed in other cities. Mr. Mellor answered yes; the City's Code Enforcement Officer reached out to other cities to understand their snow removal regulations and based on that research he recommended the 24 hour time frame. He added staff has no intention of being punitive; the goal of this ordinance is to improve safety in the community, specifically for children walking to and from school on the City's sidewalks.

[8:51:18 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT ORDINANCE 16-04 AMENDING TITLE FOUR OF THE SYRACUSE CITY CODE PERTAINING TO CODE ENFORCEMENT SPECIFIC TO STREET AND SIDEWALK CLEANLINESS, AND SPECIFYING THAT THE LANGUAGE INCLUDED IN THE STAFF REPORT BE USED IN PLACE OF THE LANGUAGE INCLUDED IN THE PROPOSED ORDINANCE. COUNCILMEMBER MAUGHAN SECONDED THE MOTION.

[8:51:59 PM](#)

Councilmember Lisonbee asked that the Council decide which of its members will serve on the sub-committee to consider amendments to the City's code enforcement regulations. She and Councilmember Anderson volunteered to serve.

[8:52:23 PM](#)

Mayor Palmer stated there has been a motion and second regarding the proposed ordinance and he called for a vote; ALL VOTED IN FAVOR.

[8:52:39 PM](#)

15. Proposed Resolution 16-03amending the Syracuse City Mission Statement; identifying 10-year vision statements City-wide and for each City department; and identifying budgetary goals for Fiscal Year 2017.

A staff memo from the City Manager referenced a draft resolution regarding the amendment of the City's mission statement, establishment of 10-year vision statements, and FY2017 budgetary goals.

[8:53:10 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO DIRECT STAFF TO PROCEED WITH THE SPIRIT OF THE PROPOSED RESOLUTION, BUT THAT FORMAL ACTION ON THE PROPOSED RESOLUTION BE TABLED UNTIL A FUTURE DATE. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

[8:53:33 PM](#)

Councilmember Maughan stated he would like a change to discuss the implications of the proposed resolution in more depth in a future work session meeting. Councilmember Lisonbee agreed; the resolution provides a clear understanding of the general principles of the City, but it would be very time consuming this evening to try to address those items that need

to be adjusted in the resolution. Councilmember Maughan stated that feels it would be appropriate to set aside at least 20 minutes in an extended work session for discussion of the item.

[8:54:53 PM](#)

Councilmember Gailey asked for City Manager Bovero's input. Mr. Bovero stated that the purpose of the resolution is to give City Administration and staff direction relative to how to prepare the budget for the next fiscal year and within one year he would like for the Council to adopt a document similar to the proposed resolution that provides that clear direction.

[8:55:32 PM](#)

Mayor Palmer stated there has been a motion and second to table the proposed resolution and he called for a vote; ALL VOTED IN FAVOR.

[8:55:45 PM](#)

16. Proposed Resolution R16-04 appointing Councilmember Maughan to the Board of Trustees of the North Davis Sewer District.

This item was added to the agenda at the request of Councilmembers Bolduc and Maughan. Proposed Resolutions R16-04 was drafted by staff to formalize the appointment.

[8:56:10 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED RESOLUTION R16-04 APPOINTING COUNCILMEMBER MAUGHAN TO THE BOARD OF TRUSTEES OF THE NORTH DAVIS SEWER DISTRICT. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR

[8:56:29 PM](#)

17. Proposed Resolution R16-05 appointing a Councilmember to the Davis County Mosquito Abatement District Board.

This item was added to the agenda at the request of Councilmembers Bolduc and Maughan. Proposed Resolutions R16-05 was drafted by staff to formalize the appointment.

[8:56:39 PM](#)

Mayor Palmer asked if any Councilmember is interested in being appointed to this position. Councilmember Bolduc stated she would be interested. No other Councilmembers expressed interest in the position. Mayor Palmer stated he would recommend the Council adopt the resolution appointing Councilmember Bolduc to the Davis County Mosquito Abatement District Board.

[8:57:35 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R16-05 APPOINTING COUNCILMEMBER BOLDUC TO THE DAVIS COUNTY MOSQUITO ABATEMENT DISTRICT BOARD. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:57:58 PM](#)

18. Proposed Resolution R16-06 appointing Councilmembers to various committee positions and assignments.

This item was added to the agenda at the request of Councilmembers Bolduc and Maughan. Proposed Resolutions R16-06 was drafted by staff to formalize various appointments and assignments.

[8:58:21 PM](#)

City Recorder Brown asked if there is any interest in discussing this resolution in more depth during the extended work session scheduled for January 26. She stated that when she spoke with Councilmember Bolduc about her request to add this item to the agenda yesterday, there was some hope there would be time to discuss the item during the work session meeting preceding this meeting, but that was not the case. She stated it may be difficult to keep track of all of the changes to be made to the resolution during this meeting. Mayor Palmer stated he would support moving this item to the next work session meeting agenda. Councilmember Bolduc stated she is also comfortable with tabling action on the resolution. Councilmember Anderson suggested that those Councilmembers that are interested in serving in various positions listed in the resolution contact Mayor Palmer or staff so that they can include that information in the packet for the next meeting.

[9:01:18 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE RESOLUTION R16-06 APPOINTING COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS UNTIL JANUARY 26, 2016. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:02:07 PM](#)

19. Public comments

[9:02:16 PM](#)

Ralph Vaughan stated he lives three blocks west and north of the intersection of Antelope Drive and 2000 West and his family drives on Antelope Drive up to 20 times a day and night; he is terrified at the prospect of the Utah Department of Transportation (UDOT) tearing up the road in front of three schools for up to two years, especially given the fact that the Council just had a discussion about snow removal from sidewalks and knowing that UDOT is not the most compliant property owner on 2000 West. He stated he hopes this issue can be addressed through the discussions staff and the sub-committee will have regarding code enforcement regulations in the City. He stated that students traverse the sidewalk along 2000 West to get to both the elementary and junior high school near the intersection and if the sidewalk is closed, they will likely cross at sections of the road where there are no crosswalk. He then addressed the ordinance adopted regarding snow removal and stated that if the snow is removed from dirt areas during the construction project, the conditions will worsen because the paths will turn to mud. He then stated UDOT will need to acquire many residential properties along 2000 West for the project and he is hopeful they will decide to sell those remnant parcels to the adjacent backyard homeowners to allow them to increase the size of their properties and extend their fences to the road. He concluded by inviting the newly elected members of the City Council to attend a Planning Commission meeting. He commended Councilmember Gailey for his diligence work as the Planning Commission liaison this year; he has not missed a meeting and the body appreciates his input.

[9:05:16 PM](#)

Kevin Homer stated he has been reserving comments about a meeting that happened last fall to fill a vacancy on the City Council; he stated he is glad Councilmember Bolduc was selected to fill the vacancy, but he wanted to provide his feedback about the process that was used to fill the vacancy. He stated that for nearly 20 years he has been a hiring manager or involved in interviews for hundreds of positions in big and small tech companies and what happened in Syracuse City during the interview process to fill the Council vacancy was very painful to watch. The Council had to try to come up with the process they were going to use to interview a dozen people for the position with little preparation. He stated he would have been terrified to be in the Council's position when that was happening. After the Council voted to narrow the field of candidates they continued to conduct interviews and there was a lot of discussion about how to handle the process. From his perspective it appeared there were very few guidelines about how to conduct the process in an open and public meeting. He recommended the Council check to see what guidance the State Code offers and if nothing is available, the Council should talk about how to handle the situation if it ever arises again.

[9:07:33 PM](#)

TJ Jensen stated he wanted to make the Council aware that the Layton Canal Company will meet before the end of the month during which the Council plans to discuss an appointment to the Company's Board. He stated Public Works Director Whiteley is currently representing the City on that Board, but it may be in the taxpayers' interest to have an elected representative serve in that capacity since the Board does take actions that impact the City's budget. He stated Mr. Whiteley has done a great job, but it may be good for Councilmembers to attend the next Board meeting and see if it is something they are interested in being involved in. He then stated he has an issue with many items that were listed on the agenda tonight; there were several ordinances that were considered without holding a public hearing first and that is very irresponsible to the citizens. He acknowledged citizens have time to comment during the public comment portion of the meeting, but expecting people to comment on five or six ordinances in three minutes is very unfair. He stated it is his opinion that any City Code amendment require a public hearing and he would recommend the Council make that a requirement going forward.

[9:09:45 PM](#)

20. Councilmember reports.

At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Bolduc's report began at [9:09:56 PM](#). She was followed by Councilmembers Gailey, Anderson, Maughan, and Lisonbee.

[9:18:18 PM](#)

21. Mayor's Report.

Mayor Palmer's report began at [9:18:22 PM](#). He asked City Recorder Brown to respond to Mr. Homer's comments about the process to fill a Council vacancy. Ms. Brown explained State Code outlines the timeframe and noticing process for filling a Council vacancy, but does not provide specific information about how interviews of candidates should be conducted. She noted the Council decided upon a list of questions that was provided to each applicant prior to the meeting and the applicants were asked to answer the questions during their presentations to the Council, but the Council decided to ask additional questions during the meeting and that is their prerogative. She stated she does not believe there is anything in State Code that would prohibit the Council from adopting a City ordinance laying out a more specific process for filling a Council vacancy. She concluded that this is the first time that Syracuse City has gone through the process of filling a Council vacancy since State Law changed to prohibit deliberations about candidates during a Closed Executive Session and that may have been some of the reason for the perceived awkwardness.

[9:21:02 PM](#)

22. City Manager report

City Manager Bovero's report began at [9:21:07 PM](#).

At [9:24:41 PM](#) p.m. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: February 9, 2016