

Minutes of the Regular meeting of the Syracuse City Council held on January 13, 2015, at 7:13 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

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

City Employees Present:

Finance Director Steve Marshall
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Community Development Director Sherrie Christensen

7:13:21 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 7:07 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. Mayor Palmer provided an invocation. A local Boy Scout then led all present in the Pledge of Allegiance.

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COUNCILMEMBER PETERSON MOVED TO ADOPT THE AGENDA. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" To Kinley Austad and Aaron Bigelow.

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 January 2015 were nominated by Syracuse Arts Academy School staff.

Kinley Austad

Kinley Austad is an amazing student that cares about everyone and is always helpful and respectful. She is a hardworking student, as demonstrated by her 4.0 academic grade point average. Kinley's teachers describe her as "very mature, helpful and respectful". She is always inclusive with all students and does not get caught up in teenage drama—she has better things to do. Her confident, mature personality shines through as you can count on a smile from Kinley whether it's in the halls, the classroom or the cafeteria—she brightens your day! Teachers continue by stating she is very quiet but worth taking the time to get to know—Kinley is a "hidden gem". She always comes to class ready to learn and work. In fact outside of school, she represents her community by performing in Showstoppers. She is currently rehearsing for a performance at the Hope Box Theater which supports families who have recently been affected by cancer. Throughout her school years, Kinley has been a model student, one that Syracuse Arts Academy and Syracuse City can be proud to claim as their own! Thank you Kinley!

Aaron Bigelow

Aaron Bigelow “is a whole lot of personality” as described by one of his teachers. He has an amazing singing voice and is always helpful and respectful. He is not only funny but fun to be around and lights up any room he enters. He is an excellent student (4.0) who works hard and is very willing to take on new challenges in all areas at school from the classroom to the stage. Some of his talents include being a wonderful singer and actor in school performances such as “The Little Mermaid” and in the band and choir concerts. Aaron has a contagious, happy attitude and surrounds himself with good friends. Aaron’s Fifth Grade teacher describes him as one of the kindest and most respectful student she has ever had. She states, “He is still a great example.” Aaron represents SAA in the best way possible as an awesome student dedicated to his academic efforts, stellar citizenship and as an all-around great artist. We know that Aaron will continue to be a “shining star” for both his school and community. Thank you Aaron!

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3. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session and Regular Meeting of December 9, 2014.

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COUNCILMEMBER GAILEY MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA, AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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4. Public Comments

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TJ Jensen referenced the discussion during the work session meeting regarding a proposed agreement with Rocky Mountain Power that would provide the City an incentive for shifting its power load for irrigation water provision and noted he would suggest that the contract be amended to include language indicating the City will not collect and provide water usage data for individual water users. He then addressed the zone change listed under item six on the agenda and suggested that the Council table action on the application tonight as the Planning Commission is currently considering amending the ordinance that applies to such an application. He stated tabling would prevent the need for the property owner to pay another application fee at the time that he refiles. He noted that he would also suggest that the applicant submit a proposed agreement indicating his intended density for the project that would be considered in conjunction with the PRD application. He stated that the subject property is located mid-block and a PRD like the development behind Smith’s at the corner of 1000 West and Antelope Drive makes sense because commercial development at the mid-block is not viable and it is important to focus commercial development at the major intersections of the City. He stated the residences located near the subject property are located in an R-3 zone and he feels they would prefer a PRD development versus a commercial use that could create a negative impact on the area; an active retirement community would be more sensible for the area. He concluded since there are so many variables at play, he would recommend tabling action on the application.

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Corey Green stated he is present to address an issue he is passionate about; he asked if the Chief of Police of Syracuse City is required to take an oath of office when appointed to his position. Mayor Palmer answered yes. Mr. Green asked if the oath includes upholding and defending the Constitution of the United States, to which Mayor Palmer answered yes. Mr. Green stated that he is concerned about the Police Chief’s stance on the second amendment due to his action in response to a constitutional carry bill that was carried through the Utah House of Representatives and Senate. He stated the Chief submitted a letter to the Governor’s Office asking for a veto of the constitutional carry bill and he feels that counteracts his oath of office to uphold the Constitution. He stated he is not anti law enforcement, but he wants accountability and wonders how someone can take an oath of office and then submit a letter that the public is not aware of. He stated this has happened in other cities in the State and he inquired as to the City Council’s position on the issue. Mayor Palmer stated the City Council supports the second amendment of the Constitution and he asked Councilmember Johnson to explain the action the City Council has taken regarding this issue. Councilmember Johnson stated that as a result of some of the things that occurred at the time that the constitutional carry bill was being debated by the House and Senate, he drafted a resolution supporting the second amendment; the resolution is a public document and was sent to www.UtahGunRights.com and addresses the letters sent by the Police Chiefs in the State of Utah. He stated the Council did not agree with the letter sent by

the Police Chiefs. Mayor Palmer added that the resolution was voted upon by the City Council and was adopted unanimously. He noted 29 of the 30 sheriffs in the State of Utah also supported the constitutional carry bill. He stated he feels the action taken by the City Council essentially voided the letter sent by the Police Chief.

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Pat Zaugg referenced the application for PRD zoning near Banbury Drive; she attended the Planning Commission meeting where the application was considered and Mr. Craythorn commented that he was trying to get approval for a road to access Antelope Drive and it was suggested that the application be tabled until the request for the road could be considered by the Utah Department of Transportation; she feels that is an important approval for the City to wait for. She added there was also no discussion about Mr. Pearson’s concerns regarding locating residents so close to his automotive business due to the noise generated by his business; he does not want to deal with complaints about his business by residents living in the proposed PRD. She concluded that before the City Council takes action on this application, all issues need to be addressed. She suggested to Mr. Craythorn that he contact the LDS Church to see if he may be interested in the working with him to address the issues with the length of the road in the proposed development. She then referenced a recent officer involved shooting that took place in Syracuse and she expressed her sympathies to the Police Officers that have dealt with that situation as well as the family of the resident that lost his life. She stated it would be good for the City Council to recognize the situation as well.

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5. Public Hearing – Proposed Resolution R15-01 amending the Syracuse City Consolidated Fee Schedule by making adjustments throughout.

A memo from the Finance Director explained staff periodically reviews and recommends changes to the consolidated fee schedule. I am recommending the changes outlined in red in Exhibit A. The changes include several Community & Economic Development items as discussed below. It also includes rental fees for the ice skating rink and street light installation charges. Below is a summary of changes from the Community & Economic Development Department:

Development Application Fees

Residential Development Plat		
Sketch Plat	\$225	\$25 per lot
Each Revised Sketch Plat	\$50	\$15 per lot
Concept Plan Review	\$225	
Revised Concept Plan	\$75	

Now that Concept review is handled by staff the fee should be reduced.

Application Fees

Conditional Use (Major)	\$100
Conditional Use (Minor)	
Conditional Use (Major)	\$100
Conditional Use (Minor)	\$100
Conditional Use	\$0
(Home Occupation with no customer visits to home)	

Minor home occupation with no home visits by customers are less time consuming to review, require no on-site inspection by staff and can be handled under the business license review.

Public Noticing fees			
Public Notice Signs	\$6	Per sign	
Mailing List Generation	\$25	Per Application	
Noticing Fee for impacted residents	\$1	Per Address	

The City does not have the most up to date parcel data available for generating mailing lists. The applicant will need to provide the mailing labels from the County Recorder. This ensures that recent property transfers are not missed in the mailing of public notices.

Home Occupation	\$45	\$25
Commercial Business	\$25	

Make the Application fees for Home Businesses and Commercial Businesses consistent.

Business License Fees

Commercial Business (Temporary-6 month max)	\$25	
Fireworks Stands	\$400	(\$200 refundable clean-up deposit)

Firework stands are very time consuming to process, administrative staff time averages over 3 hours per application, in addition to review and site inspections by the Fire Marshal and Building Inspector. Our current fees are considerably lower than any surrounding City. Firework stands and tents are not removed in a timely manner because we do not have a clean-up deposit like other cities.

Farmer's Market Fees

Booth Rental Produce	\$10	Per Week	\$130	Per Year
Booth Rental Merchandise, retail	\$15	Per Week	\$195	Per Year
Power Rental for Booth	\$5	Per Week	\$65	Per Year
Basket Rental	\$5	Per Basket		
Prepared Food/Retail Sales	\$20	Per Week	\$200	Per Season
Cottage Food	\$10	Per Week	\$100	Per Season
Produce	\$5	Per Week	\$50	Per Season
Power	\$10	Per Week	\$50	Per Season

The revised fees are proposed to encourage more produce as well as encourage vendors to sign up for the whole season.

Ice Rink Rental	\$50	Per 2 Hour Session
(Skate Rentals not included)		

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Mr. Marshall reviewed his staff memo.

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The Council discussed the proposal to increase the fee for fireworks stands, with a focus on whether the fee will deter fireworks stands from locating in Syracuse City, which would result in a decrease in sales tax revenues associated with fireworks sales. Community Development Director Christensen noted that the proposed fee would simply cover the staff time spent on processing firework stand applications.

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Councilmember Lisonbee asked for clarification regarding the fee relating to the mailing list obtained from Davis County for certain development applications. Ms. Christensen stated that applicants will be required to obtain mailing lists from Davis County in order to ensure the most up to date mailing data is used for public hearing notices. Councilmember Lisonbee suggested that the City work with Davis County to obtain the list directly from the County rather than relying upon the applicant to obtain the list; the applicant could potentially amend the list by removing the name of a person that may feel would be opposed to their application. Ms. Christensen stated she will work with the County to determine whether it is an option to obtain an electronic list from the County upon the County receiving payment from an applicant.

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Mr. Marshall continued review of his staff memo.

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The Council engaged in a discussion regarding the proposal to include a rental fee for the ice rink and ice skates. There was a focus on whether providing the ice rink for private rental through the City is a step towards the City essentially managing the ice rink, with Councilmembers Duncan and Johnson stated they would be opposed to that as doing so would create competition with private industry. Mr. Bovero stated the concept is that the ice rink is a public facility and his proposal is based upon treating that public facility the same as other public pavilions and parks.

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Mr. Marshall continued review of his staff memo.

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Mayor Palmer opened the public hearing.

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TJ Jensen stated that since the City Council will be meeting in the budget retreat in the near future it is important to consider the idea of breaking up culinary water rates to allow people to pay for 1,000 gallons rather than paying for a flat rate for up to 8,000 gallons. He suggested that staff look at that idea again to help residents that use less water. He then stated that in his role as a Planning Commissioner he has talked to several residents who feel that Syracuse's fees are high and may deter development. He stated he has not had a chance to research the fees charged in other cities, but wanted to pass on the comments he has heard from residents and developers for Council consideration. He concluded he is not opposed to the proposed resolution amending the fee schedule, but asked the Council to keep in mind that the document affects many people.

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There were no additional persons appearing to be heard and Mayor Palmer closed the public hearing.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-01 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Council discussion regarding the motion and the proposed change to the fee schedule ensued, with a heavy focus on the fee proposed for fireworks stands. Councilmember Duncan emphasized that he feels a higher fee will deter fireworks stands from locating in Syracuse, which will result in reduced sales tax revenues. Councilmember Gailey stated that brick and mortar businesses may see a lower fee for temporary fireworks stands as unfair. Councilmember Lisonbee stated that temporary businesses do not create the same impact on the City as brick and mortar businesses create. Discussion continued with focus on being competitive with other cities fees, and Councilmember Gailey noted he feels the fees should cover staff time and costs associated with processing an application. Mayor Palmer stated he feels the fee could be increased to cover staff time and costs, maybe not to the proposed \$200 level, but a slight increase and he does not feel that increase will deter fireworks stands from locating in the City. Councilmember Lisonbee stated she is not opposed to charging a fee, but she is opposed to raising the fee too high just to recoup the cost expended by the City in processing an application. Councilmember Johnson stated he is more in favor of incentivizing business to locate in the City than imposing fees to cover staff costs. Councilmember Duncan suggested fireworks stands be charged a \$50 license fee with a \$200 stand removal deposit.

Councilmember Johnson and Lisonbee as well as Mayor Palmer stated they support that recommendation. Councilmember Gailey compared fireworks stands to exhibitors at the City's Farmer's Market and asked if the fireworks standards are open for a comparable amount of time as Farmer's Markets booths. Ms. Christensen stated a Farmer's Market vendor could pay \$200 for 10 Wednesdays throughout the Farmer's Market season and fireworks stands could be opened for a maximum of 30 days. She stated her recommendation would be that the Council direct staff to conduct additional research regarding the amount of tax revenue generated by fireworks stands. The Council briefly compared the fee for fireworks stands to fees for other temporary businesses, such as shaved ice stands, and Councilmember Johnson concluded he is not supportive of increasing the fee for fireworks stands. Councilmember Duncan added that he is supportive of lower fees for temporary businesses because such businesses attract people to the City's downtown area, which results in more success for brick and mortar businesses and increased sales tax for the City. Ms. Christensen noted the fee schedule proposal includes a decrease to the fee for produce vendors at the Farmer's Market from \$130 to \$50 for the entire season. Councilmember Duncan wondered if the City should be incentivizing produce vendors over other types of vendors at the Farmer's Market. Councilmember Lisonbee stated she is supportive of incentivizing produce vendors at the Farmer's Market. Discussion of all Farmer's Market fees continued, with the Councilmember Duncan wondering if the City has reached the point of being able to privatize the Farmer's Market this year. Ms. Christensen stated staff will provide a presentation to the Council regarding that option at the upcoming budget retreat.

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Councilmember Duncan suggested that another member of the Council make an amended motion. He indicated he is in favor of removing skate rental from the fee schedule, lowering the fee for produce vendors at the Farmer's Market and maintaining all other Farmer's Market fees, and increasing the fee for fireworks stands to \$50 with a \$200 refundable deposit for removal of the fireworks stand and tent.

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COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE PROPOSAL FOR AMENDMENTS TO THE SYRACUSE CITY FEE SCHEDULE BY REMOVING THE FEE FOR ICE SKATE RENTAL, INCREASING THE FIREWORKS STAND BUSINESS LICENSE FEE TO \$50 WITH A \$200 REFUNDABLE DEPOSIT FOR FIREWORKS STAND AND TENT REMOVAL, REDUCING THE FEE FOR PRODUCE RELATED VENDORS AT THE FARMER'S MARKET TO \$50, REDUCING THE FEE FOR PREPARED FOOD RETAIL SALES VENDORS AT THE FARMER'S MARKET TO \$150 PER SEASON OR \$15 PER WEEK. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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A brief discussion clarifying Councilmember Lisonbee's motion ensued.

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Mayor Palmer stated there has been a motion and second to amend the fee schedule proposal and he called for a vote. ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER PETERSON, WHO VOTED IN OPPOSITION.

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Mayor Palmer called for a vote on the original motion. ALL VOTED IN FAVOR.

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6. Proposed Resolution R15-02, General Plan amendment request from General Commercial to Planned Residential Development Zone, located at 1600 W. 1700 S., applicant Q-2 LLC.

A memo from the Community and Economic Development Director explained the current general plan designation for this parcel is General Commercial. The applicant has requested to break up the parcel and zone the northern part as Planned Residential Development while leaving a little over one half acre along Antelope Drive in the General Commercial zoning. The applicant has indicated intent to develop a 55 and older patio home community. A rezone will also be required upon approval of this application. The applicant requested both portions of his property adjacent to Banbury Dr. be General Planned PRD. The Planning Commission did not feel that the PRD zone was appropriate for the west side of Banbury. The applicant requested a recommendation on the east portion of the property and will amend his application to address a more suitable zone for the west parcel. The Planning Commission recommends approval to the City Council for the General Plan Amendments for the following: property owned by Q-2, LLC, at approximately 1600 W 1700 S, from General Commercial to PRD (Planned Residential Development), subject to all applicable requirements of the City's municipal codes.

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Applicant Eric Craythorn approached the Council and provided an overview of his application and development proposal. The property has been listed for sale for the past nine years for commercial development according to the General Plan for the property. Initially there was some interest in the property, but upon residential development of adjoining parcels, there is no interest in the property by commercial developers. He has researched the highest and best use of the property and feels his proposal is appropriate. The PRD zone was recommended. Councilmember Johnson asked who recommended the PRD zoning. Mr. Craythorn stated no member of staff recommended the PRD zone to him; rather upon his own research he determined that PRD would be most appropriate for buffering between single family residential and commercial uses. He noted there was not much opposition to his application at the recent Planning Commission meeting and the majority of the Planning Commission was supportive of his idea. There were two dissenting votes, but he does not feel that dissention was based upon his idea, but rather the timing of proposed amendments to the PRD zoning ordinance. He noted he would be happy to enter into a development agreement to be approved in conjunction with the proposed rezone to specify density, use, and anything else the Planning Commission and City Council feel are appropriate for the subject property.

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Councilmember Duncan expressed his concern regarding PRD developments in the City and indicated that opposition to PRD developments by existing residents has been a persistent theme in the City. He noted he would be willing to table the application and support R-3 zoning for the subject property, but the City has been making a conscious effort to reduce PRD zoning in the City. Councilmember Johnson agreed and stated that his feelings are based upon the feedback the Council has heard from residents.

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Mr. Craythorn stated it will be tough to preserve the commercial frontage of the property in conjunction with single family residential development of the remainder of the property. He stated he feels the Planning Commission made a thoughtful decision regarding his application.

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Councilmember Gailey stated that he does not have a problem with the other retirement PRD communities in the City and he feels there is a market for those types of developments. Councilmember Duncan agreed there is a market for it, but many citizens have expressed their opposition to those types of developments in the City. Councilmember Peterson stated it is necessary to separate the fear of PRD from the application; this is not a townhome request and is, instead, a request for a development that has been proven successful in the community. He stated similar existing neighborhoods are very nice and he has never heard complaints about them; he lives next to one and loves it. He stated there is a fear of PRD because of the maximum density allowed, but Mr. Craythorn has indicated he is willing to enter into a development agreement with densities approved by the City Council and he feels that will create a positive result for the City. Councilmember Duncan stated he feels that cities that build too many senior living communities will rue the day they have done that and will feel they did something wrong. He stated he feels that market may be viable today, but may not be 10 or 20 years from today.

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Councilmember Lisonbee stated she feels Mr. Craythorn is talking about building something different than Stoker Gardens or a townhome PRD. She is assuming he plans to build single family dwellings. Mr. Craythorn added the dwellings will be owner occupied and will average between \$300,000 and \$360,000 per unit. She stated she feels that type of community is attractive to more than just senior citizens. She added, however, that once the General Plan amendment is approved, the City Council must grant approval of a rezone request and cannot require a development agreement. She stated if the Council agrees that housing is the best use for the subject property, she would recommend tabling the application and work to amend the PRD ordinance before the application is reconsidered. Councilmember Duncan asked Mr. Craythorn if he would accept R-3 zoning for the property. Mr. Craythorn stated he is unsure. Ms. Christensen stated the concept for the development is very similar to the phases one and two of the Trailside Subdivision, which includes open space that could be used to buffer between commercial uses and the residential use. Discussion ensued with a focus on the comparison between Mr. Craythorn's proposal and the existing PRD developments in the City, with Mr. Craythorn noting he does not feel R-3 zoning would allow him to complete the type of development he is interested in due to approach issues. He reiterated he does not plan to construct four-plexes and rather, he plans to construct two unit attached dwellings with a shared driveway, which would not be permitted in the R-3 zoning designation.

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Mayor Palmer asked Mr. Craythorn if he would agree to a density of six units per acre. Mr. Craythorn stated his concept design includes a density of approximately 7.4 units per acre; lower densities may negatively impact the success of the development. Councilmember Lisonbee inquired as to the density of the Trailside Subdivision. Ms. Christensen stated it

is an R-1 cluster and not a PRD development; the highest density allowed was 4.75 units per acre. She added that the PRD ordinance allows the City Council to set the density between one and 12 units per acre; she noted the Council could table the application and request a concept plan and development agreement they would be comfortable with. Councilmember Lisonbee stated that she was under the understanding that the development would include single family homes and not attached dwellings; she feels single family homes would have better long term viability in the area. Councilmember Johnson stated he feels it would be best to wait for the amendments to the PRD zone; he currently does not favor the existing PRD ordinance, but if it were changed to allow only six units per acre and some duplexes he may favor it. Councilmember Duncan agreed and stated he anticipates the density allowed in the PRD zone will be decreased upon amendments to the ordinance.

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Mr. Craythorn provided the Council with information regarding successful developments he has completed in the past and noted that he likes the idea of more open space in a community more than single family developments with smaller lots. He stated he likes bigger lots and bigger homes to attract a certain demographic.

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General Council discussion of the application ensued, with Councilmember Gailey reiterating the Council has all the control over density in a PRD development and he suggested the Council table the application and ask Mr. Craythorn to come back with a concept plan. Ms. Christensen stated the concept plan could be used to create a development agreement dictating zoning and design of the subdivision. Councilmember Johnson stated that would also give the Planning Commission and City Council time to make amendments to the PRD ordinance. Discussion of Councilmember Gailey's suggestion continued, with the Council agreeing on the idea of tabling the application for additional work to be done relative to design and density of the development. Mr. Craythorn stressed he is not willing to accept the R-3 zoning designation because he is opposed to small homes on very small lots. He stated his idea for the development is approximately 50 units that would be close to the City's downtown, parks, and trail system. He stated he feels it is ideal and a sound concept.

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Councilmember Lisonbee referenced the small piece of property on the other side of Banbury Drive and asked why it could not be part of the PRD development and designated as open space for the development. Ms. Christensen stated there is no reason that could not happen. Councilmember Johnson stated he feels the application should be tabled and the Planning Commission should be directed to consider the PRD ordinance. Discussion continued.

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COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED RESOLUTION R15-02, GENERAL PLAN REQUEST FROM GENERAL COMMERCIAL TO PLANNED RESIDENTIAL DEVELOPMENT ZONE, LOCATED AT 1600 WEST 1700 SOUTH, APPLICANT Q-2 LLC, AND DIRECT THE PLANNING COMMISSION TO SPEEDILY REVIEW THE PRD ORDINANCE AND RETURN IT TO THE CITY COUNCIL WITHIN THE NEXT TWO MEETINGS OR AS SOON AS POSSIBLE THEREAFTER. SHE ALSO DIRECTED THE PLANNING COMMISSION TO RE-REVIEW THE APPLICATION AND CONSIDER ADDING THE SMALL PARCEL OF PROPERTY TO THE ENTIRE AREA SUBJECT TO THE PRD APPLICATION. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7. Proposed Resolution R15-03, General Plan amendment request from Neighborhood Services and R-3 Residential to Professional Office Zone, located at 1407 S. 2000 W., applicant Q-2 LLC.

A memo from the Community and Economic Development Director explained the current general plan designation for this parcel is Neighborhood Services and R-3 Residential. The applicant has requested a change to Professional Office. This lot is very long and narrow making it very difficult for residential development. The General Commercial zone will allow for increased development possibilities including a potential assisted living facility. City staff has no issues with this request. The Planning Commission held a public hearing on the request on January 6, 2015. Staff had a concern that this property was within a High Priority Corridor designated by UDOT and therefore restricted from final action pending notification to UDOT and a 45 day waiting period. Please see the attached email from Randy Jeffries noting that this parcel is not affected by the widening of 2000 West and no waiting period is required. The Planning Commission recommends approval to the City Council for the General Plan Amendments for the following: property owned by Q-2, LLC, at approximately 1407 S 2000 W, from Neighborhood Services and R-3 to Professional Office, subject to all applicable requirements of the City's municipal codes.

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Mr. Craythorn summarized Ms. Christensen's staff memo and provided a brief history of the subject property.

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Councilmember Johnson referenced Ms. Zaugg's comments regarding contacting the LDS church to see if they could be of some assistance in addressing the issues with the length of the road proposed for the development. Mr. Craythorn stated he has not contacted the church relative to this application. General discussion regarding the marketability of the property ensued, with Mr. Craythorn noting that both adjacent property owners have expressed their comfort with the proposal, though they may be concerned about traffic. Councilmember Duncan stated he is comfortable with the proposal as long as it does not negatively impact adjacent properties; he added he feels professional office is a good use of the property.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-03, GENERAL PLAN AMENDMENT REQUEST FROM NEIGHBORHOOD SERVICES AND R-3 RESIDENTIAL TO PROFESSIONAL OFFICE ZONE, LOCATED AT APPROXIMATELY 1407 S. 2000 W., APPLICANT Q-2 LLC. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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8. Proposed Ordinance 15-01, Rezone request from R-3 Residential to Professional Office Zone, located at 1407 S. 2000 W., applicant Q-2 LLC.

A memo from the Community and Economic Development Director explained as presented this property is contingent upon the previous General Plan Amendment. The applicant has requested a change to Professional Office. This lot is very long and narrow making it very difficult for residential development. The Professional Office zone will allow for increased development possibilities including a potential assisted living facility. City staff has no issues with this request. The Planning Commission held a public hearing on the request on January 6, 2015. Staff had a concern that this property was within a High Priority Corridor designated by UDOT and therefore restricted from final action pending notification to UDOT and a 45 day waiting period. Please see the attached email from Randy Jeffries noting that this parcel is not affected by the widening of 2000 West and no waiting period is required. The Planning Commission recommends approval to the City Council for the Rezone request for the following: property owned by Q-2, LLC, at approximately 1407 S 2000 W, from R-3 to Professional Office, subject to all applicable requirements of the City's municipal codes.

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COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED ORDINANCE 15-01, REZONE REQUEST FROM R-3 RESIDENTIAL TO PROFESSIONAL OFFICE ZONE, LOCATED AT 1407 S. 2000 W., APPLICANT Q-2 LLC. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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9. Final Plan Approval Ninigret North II, located at approximately 1550 S. SR-193, R-3 Residential and GC General Commercial Zone.

A staff memo from the Community and Economic Development Director explained the Council approved the preliminary plat but requested the staff confirm that the commercial zone north of the school site and along SR-193 is in conformance with general plan and zoning maps approved in August 2014. The plat as currently submitted has not changed and more specifically the depth of the commercial lots and location of the cul-de-sac have remained consistent with the general plan and zoning approvals. The following exhibits are provided as a timeline for the project, to clarify the question raised as to the approved Rezone Boundary of the Commercial Area.

Ninigret North II-History Timeline

July 1, 2014 (**Exhibit A**)

Application filed to Amend General Plan to CG and R-3 with Map and Legal Descriptions

The initial proposal by the applicant was to have all of the area west of the power corridor up to the boundary of the EDA be General Planned R-3(the SAA was included within the R-3 Zone, west of 1550 West) with the exception of 3.575 Acres west of 1550 West to be General Commercial.

August 5, 2014 (**Exhibit B**)

Planning Commission held a public hearing on the proposed General Plan/Zoning Amendment.

The Planning Commission modified the request and recommended a General Plan Amendment with the General Commercial area being extended to the east, up to the power corridor, with the remaining property being designated as R-3

August 12, 2014 **(Exhibit C)**

The City Council reviewed the recommendation from the Planning Commission. The discussion entailed the desire of the Council to move the school site from the west side of 1550 West and maintain the Business Park Zone on the west, while increasing the commercial area on the east to 5 Ac.

For the purpose of this discussion staff has added to the submitted documents, the dimensions (in red) of the areas in question. The depth of the Commercial area proposed by the developer shows lots that are ~219 feet deep; and ~285 feet total commercial zone, including road.

August 26, 2014 **(Exhibit D)**

Based upon the Council's request, the applicant amended the layout for the property, putting the SAA on the east side of 1550 West and adding additional commercial. Staff prepared colored General Plan Maps and Zoning Maps, the applicant submitted the proposed layout via email, identifying 5 acres of General Commercial.

For the purpose of this discussion staff has added to the submitted documents, the dimensions (in red) of the areas in question. The revised plat shows Commercial area as amended to be ~262 feet deep; and ~329 feet total commercial zone, including road.

December 9, 2014 **(Exhibit E)**

The Preliminary Plat shows the same measurements of depth from August 26, 2104, with 5 acres of commercial consistent with the August 26, 2014 General Plan and Zoning Approvals.

January 13, 2015 **(Exhibit F)**

The Plat submitted shows the same depth, the 5 acres of commercial has been divided into 5 lots to address Councilmember Duncan's concerns from December.

(Exhibit G)

Example of the type of commercial which could fit in the Commercial Area.

The Syracuse City Planning Commission hereby recommends that the City Council approve the final plat for the Ninigret North II Subdivision, located at approximately 1550 West 200 South subject to meeting all requirements of the City's Municipal Codes and City staff reviews.

[9:06:57 PM](#)

Ms. Christensen reviewed her staff memo.

[9:07:51 PM](#)

Council discussion of the road name in the development ensued, with applicant Gary McEntee stated he is comfortable with designating the road as 1550 West. Ms. Christensen stated the road bends to the west and it not best to give it a number for its name. The Council ultimately determined to name the road 1550 West with the option to change the name of the road via resolution at a future date.

[9:13:11 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL PLAN APPROVAL FOR NINIGRET NORTH II, LOCATED AT APPROXIMATLEY 1550 S. SR 193, R-3 RESIDENTIAL AND GC GENERAL COMMERCIAL ZONE, AND NAME THE STREET 1550 WEST. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[9:13:49 PM](#)

Councilmember Johnson stated that he will vote no because he would have preferred to see 300 South moved further to the south to provide for additional depth for commercial development. He stated he feels the current plan will reduce the viability of the commercial area of the project. Councilmember Lisonbee stated that moving the road would negatively impact the Arts Academy, which has already purchased ground in the project area.

[9:14:48 PM](#)

Mayor Palmer stated there has been a motion and second to grant final plan approval and he called for a vote. ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER JOHNSON WHO VOTED IN OPPOSITION.

[9:15:07 PM](#)

10. Authorize Administration to execute Energy Management Agreement with EnerNOC, Inc. for Irrigation Load Control Program.

A staff memo from the Public Works Director explained Rocky Mountain Power has partnered with EnerNOC to provide an energy reduction incentive program, so named the Irrigation Load Control Program to eligible customers in Utah and Idaho. This program was developed to ease the burden of high peak power demands from irrigation pumping during June 1 to Sept 30. Those who choose to enroll in the program will earn cash incentives for temporarily reducing electricity use by

shutting off irrigation pumps during peak demand periods. Incentive rates can be up to \$25/kW savings, which is estimated at approximately \$13,000/year for all three of our pump stations. There is no enrollment fee for Syracuse City to participate in the program. Load Control Events are determined and notification is made 24 hours in advance. Syracuse is given the option to participate during the event. Opting out has no penalties. Events can last up to four hours/day, but are limited to 52 hours per season. Agreement and Earnings estimates are attached.

[9:15:19 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE AUTHORIZE ADMINISTRATION TO EXECUTE ENERGY MANAGEMENT AGREEMENT WITH ENERNOC, INC. FOR IRRIGATION LOAD CONTROL PROGRAM. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

[9:15:40 PM](#)

Councilmember Lisonbee stated she feels more research can be done to answer the questions raised by the Council during the work session. She would like further discussion at a future extended work session.

[9:16:46 PM](#)

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

[9:16:58 PM](#)

11. Award and authorize Administration to execute agreement with E.K. Bailey for 3000 West culinary and secondary water line project.

A staff memo from the Public Works Director explained this culinary and secondary waterline project is one that was identified on our list presented to City Council as a high priority due to the age and restrictions the existing undersized lines place on the system. This project will involve the replacement of an existing 4" secondary main with an 8" main and abandonment of an existing 8" culinary main on 3000 West from 700 South north to the City border (200 South). Public Works is pleased with the bid results and recommends awarding the project to E. K. Bailey Construction, Inc. The construction will begin as soon as contract documents are in place and will be completed by early summer of 2015. The bid amount for the total project was \$394,195.634.37 below the budget for the project. The memo concluded staff recommends that the bid be awarded to E. K. Bailey Construction, Inc.

[9:17:09 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AWARD AND AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT WITH E.K. BAILEY FOR 3000 WEST CULINARY AND SECONDARY WATERLINE PROJECT. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

[9:17:36 PM](#)

Councilmember Peterson inquired as to the provisions for change orders to the agreement; the price seems fairly low and he wondered if it would be easy for the contractor to get approval for a change order. Public Works Director Whiteley stated that staff will hold the contractor's feet to the fire relative to the items they submitted a bid for. Change orders are typically associated with unknown factors that the staff cannot see underground. Councilmember Lisonbee added that Mr. Whiteley communicated that he called the contractor and inquired as to the reason for their low bid. Mr. Whiteley stated that is correct and noted the contractor admitted that he reduced his price at the last minute because he was trying to be aggressive with his bid; he regretted that, but would still honor the bid as submitted.

[9:20:12 PM](#)

Mayor Palmer stated there has been a motion and second to approve the agreement and he called for a vote. ALL VOTED IN FAVOR.

[9:20:21 PM](#)

12. 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 Duncan's report began at [9:20:30 PM](#). He was followed by Councilmembers Lisonbee, Johnson, and Gailey. Councilmember Peterson indicated he had nothing to report.

[9:25:56 PM](#)

13. Mayor's Report.

City Council Regular Meeting
January 13, 2015

At each meeting the Mayor provides a report regarding the meetings and events he has participated in since the last City Council meeting. Mayor Palmer's report began at [9:26:08 PM](#).

[9:26:40 PM](#)

14. City Manager report

City Manager Bovero's report began at [9:26:44 PM](#). He provided an update regarding the City's ice rink project.

At [9:31:26 PM](#) COUNCILMEMBER DUNCAN MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: February 10, 2015