

Minutes of the Regular Meeting of the Syracuse City Council held on February 28, 2012, at 7:15 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

Mayor Jamie Nagle  
City Manager Robert Rice  
City Recorder Cassie Z. Brown

City Employees Present:

Police Chief Brian Wallace  
City Attorney Will Carlson  
Information Technologies Director TJ Peace  
Fire Chief Eric Froerer  
Finance Director Stephen Marshall  
Community Development Director Michael Eggett  
City Planner Kent Andersen

### 1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:15 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

### 2. Approval of Minutes

The minutes of the Special Meeting of January 31, 2012 were reviewed.

COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF JANUARY 31, 2012 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

### 3. Public Comments

Amanda Russell, 1419 S. 2600 W., stated that she wants to talk about the point system in the Animal Control regulations; according to industry standard the City is too restrictive and not fair. She stated that for example large horses from 1300 to 1500 pounds should be one to two per acre; medium horses from 1000 to 1300 pounds should be three to four per acre; and small horses from 700 to 1000 pounds should be four to six per acre. She stated there should be up to 12 chickens allowed in a four foot by eight foot coop. She stated that the ordinance allows four household pets, but she asked why the City is limiting the species of those types of pets. She stated again that the City's regulations are too restrictive. She stated that there is a noise problem at any property in the City there is already an ordinance that deals with noise nuisances. She stated that homeowners should be able to decide what types of animals they want at their homes; if they want four dogs they should be able to have four dogs. She stated that the animal control regulations need to be rewritten into layman's terms for those people that are not able to understand the way it is currently written. She stated she would be willing to provide industry standard language to the City for inclusion in the ordinance. She then stated that the City is being discriminatory against animals like potbellied pigs as a result of the point system. She stated that there are people in Syracuse City that love their animals and are interested in agriculture and animal keeping. She stated the Council needs to be kind and thoughtful towards those people.

Cornell Bean, 1509 S. 2600 W., he thanked the Council for the opportunity to address them. He stated he would like to express his opinion regarding the City's animal control ordinance; Syracuse City is a farming community and the ordinances that the Council adopts should reflect that. He stated this is a farming and rural community and the City's animal control ordinance should be the least restrictive ordinance in the entire County. He stated that unfortunately the society is very litigious and "we" really need to protect those that would like to practice animal husbandry in the City; he does not choose to do that, but he has neighbors that do and he would like to make sure that the City's ordinance protects their right to do that and they do not need to fear being penalized. He stated he does not understand the need to control the number of animals a property owner can have; most of his neighbors know what is reasonable and they will not try to have more animals than they can handle. He stated that people will value Syracuse City for its rural feel; people across the nation are already trying to buy local produce to reduce environmental impacts; people are willing to spend more money to purchase free-range, organic chicken eggs. He stated that farmers are finding that they can reduce the amount of pest and insect control chemicals that they use by having chickens in their orchards. He stated that the City needs to reflect those types of things. He stated that in the long term, Syracuse City will be seen as a more valuable community depending on how rural it is and people will come here because of that. He stated that he would like to applaud those on the Council who are working to relax animal control ordinances and allowing Syracuse City residents to live in a more rural City without breaking the law to do so.

VeAnn Bean, 1509 S. 2600 W, stated that she wanted to thank the Council for their hard work. She stated that she wants to especially thank Councilmember Lisonbee; she has been impressed with her dedication in trying to understand and follow the City's laws and regulations. She stated that knowing the integrity of Councilmember Lisonbee, she was a little disconcerted when she read an article in the Standard-Examiner entitled "Comments Create an Ethical Question in Syracuse". She stated that she Googled the Municipal Officers and Employees Ethics Act, which was mentioned by City Attorney Carlson in the article. She stated that it is a brief four-page act that is simple to read and she has a copy with her. She stated there is no mention in the act stating that a Councilmember may not attend a Planning Commission meeting or make comments. She stated the only thing that could possibly be construed in the act to bring question upon Councilmember Lisonbee is the idea that she is trying to secure special privileges for herself, but that is absurd. She stated that Councilmember Lisonbee does have animals at her home – a cat and some chickens – but so does Ms. Bean, so in fact Councilmember Lisonbee is trying to secure privileges for the citizens to have rights to keep animals as they see fit. She added that residents should not be punished if they use their animals for eggs or for meat. She stated that she thanked Councilmember Lisonbee for that wholeheartedly. She stated to interpret the Ethics Act in the way that is has been interpreted is strange and it would mean that the Mayor and Councilmembers could vote on nothing; if they voted to lower taxes it would be a benefit to them; if they voted to resurface a road it might be a special privilege for them because they travel on that road; if they voted to implement a green waste recycling program it could benefit them or a neighbor materially or personally. She stated that she is grateful that such ludicrous interpretations are not in place and that Councilmember Lisonbee can and will vote on this issue. She stated that she appreciates Councilmember Lisonbee's concern for adding extra language referring to State Code; doing so will protect the citizens in Syracuse from being prosecuted for animal cruelty when they are simply practicing animal husbandry. She stated that citizens will be protected when they make mistakes like the one she made when she accidentally ran over a snake with her lawnmower. She stated that she felt so horrible when that happened and she would have felt more horrible if she had been prosecuted for animal cruelty for that mistake. She stated that could happen and it has happened elsewhere. She stated that she has talked to Representative Curt Oda with regards to his changes to the animal cruelty laws last year and after talking to him she can assure the Council that the language that Councilmember Lisonbee suggested is truly needed. She stated that she is grateful that Councilmember Lisonbee took the time to help the citizens of Syracuse City and look after the citizen's rights by carefully wording things in the City Code. She thanked Councilmember Lisonbee for her concern for the citizens and her diligence. She then stated there are a few others that also agree with her in her grateful ness to Councilmember Lisonbee and in her agreement that the City Code should be changed to include language that is provided in State Code. She asked those that agree with her to raise their hands at this time so that the Council could be aware that there are many citizens supportive of her comments.

Sandra Williams, no address given, stated that she wanted to introduce her daughter, Gabrielle. She stated that Gabrielle is going to be greatly affected by the highway to be constructed along Bluff road. She stated that not only does Gabrielle live on Bluff Road, but she attends Syracuse Arts Academy, which is less than 30 feet from where the highway is to be constructed. Ms. Williams stated that she has been conducting research to determine how the highway will affect her health and there are over 700 studies that have been conducted by the Health Affects Institute and they have found that children that live next to or go to a school near a highway will have more asthma attacks; they will have a better change of having asthma in the first place; and they will have impaired lung functions even after they move away from the highway. She stated that this will affect everyone that lives within one-third of a mile from the highway. She stated that is not a small number of people and this is a very big issue. She stated that people that live near a highway are almost twice as likely to die of lung disease; there is a 10 to 20 percent increase in the risk of premature birth and low birth weight for children born to women living in high traffic areas; children that live within 250 yards of a highway with high traffic are six times more likely to develop cancer and eight times more likely to get leukemia; and children born within 1,000 feet of a highway at birth are twice as likely to have autism. She then stated there are other factors to consider besides the health statistics. She stated that yesterday a semi-truck driver actually drove his truck off the freeway through barricades and landed on railroad tracks. She stated that last year a truck carrying 7,500 gallons of diesel fuel rolled and spilled 5,000 gallons on the freeway and the liquid caught fire. She stated that the Syracuse Arts Academy is right next to where the exit ramp for the freeway would be and these things need to be considered. She asked if anyone truly wants to expose their children and citizens to the side effects of a highway. She stated that she is asking the Council to protect the citizens and their children and move the highway to the west.

Amy Rupert, 1568 S. 2500 W., stated that she owns 1.5 acres of property and she has a lot of chickens on her property. She stated that she chooses to collect eggs and she kills her chickens to feed her family. She stated she would like for the City to add language to law to prevent anyone from calling her a criminal for that. She stated that chickens and rabbits saved the pioneers because they are small and they are able to live in small spaces. She stated that smaller animals can be killed and consumed in the same day; it is not necessary to save them or cure their meat like is necessary with a larger animal. She stated that she feels it is wrong to limit what people can have on their property; her animals are not bothering

anyone, but even if they are that is her right as a property owner. She stated that it is her right to have animals and raise her family with those animals. She stated that it is wrong for the City to be considering enacting new rules and Councilmember Lisonbee is absolutely right to talk to the Planning Commission about changing the animal control laws. She stated that she deserves the right to be able to feed her family in times of trouble and in times of plenty and maybe someday when there is trouble, her chicken might save "your" life.

Nathan Miller, 2101 S. Bluff Road, stated that one of the greatest assets in Syracuse City is the park and trail system; there are four parks lining the trail system; it is the greatest asset now and 40-years into the future it will still be the greatest asset. He stated that recently the City decided to sell some land and he understands why land is going to be sold, but he wanted to talk about a study done in 2008 regarding impact fees and what should be done with some of the City parks. He stated that today he talked with the Utah Department of Transportation (UDOT) and they are suggesting that Freemont Park and the trail system is not an impact that they must consider in construction of the West Davis Corridor Option B. He stated that he would plead to the City Council to look at the parks and the great asset they are for the City; as impact fees are considered again the Council should consider keeping the greatest asset of the City. He stated that he lives across the street from the trailway and it is used year round by residents. He stated that the trail system should be maintained and Freemont Park should be maintained as a regional park. He stated that in the meantime he is going to talk to UDOT because they have said that they have been in discussions with the City about changing the boundary of the park. He stated that there may be some confusion between what the City and UDOT have agreed to, but he would like for the Council to decide to keep the parks; there are too many people that use them.

Mayor Nagle stated that she wanted to clarify that there is no intent on her part to try to make any changes that would make the animal control ordinances stricter. She stated that her main concern was that it was more appropriate for the City Councilmembers to weigh in on these types of issues when they come before the Council rather than when they are being considered by the Planning Commission. She stated that she agrees that some of the City's ordinances are too restrictive and punitive and this is a rural community, but she wants to make sure that issues are discussed at the proper time and place to maintain checks and balances that are in place. She stated that she wants to avoid exposing the City to any liability in which the City's ordinances could be challenged because Councilmembers had a conflict of interest by participating with the Planning Commission in writing such an ordinance. She stated that she wants to be clear that there is no intent to stop any changes to the ordinance; she simply wants to make sure that the discussions happen at the appropriate time and place. Councilmember Lisonbee stated that she wanted to clarify that she did not participate in writing anything; she made suggestions and voiced her concerns as a citizen to the Planning Commission and there was no danger of exposing the City because the City Council is the Land Use Authority per Title Ten of the City Code. She stated that as the Land Use Authority it would be against Utah Law for the Council to be the appellate body. She stated that there was no problem with her speaking to the Planning Commission and there would never be an appeal that would come before the Council, according to a statement on page 48 of Title Ten. Mayor Nagle asked City Attorney Carlson to respond to Councilmember Lisonbee's statement. Mr. Carlson stated that the changes to the land use ordinance, Title Ten, were recommended to the City Council by the Planning Commission and the City Council will be making the final decisions regarding any changes. He stated that the question of who is the appeal authority comes into play when discussing who would be the appeal authority for any decision made by the Planning Commission. He stated there was some confusion regarding the appellate language. He stated that in regards to the question of whether it was a conflict of interest for Councilmember Lisonbee to participate in discussions with the Planning Commission, he feels he has been clear with Councilmember Lisonbee and the other members of the Council that while there are some questions about a City Councilmember speaking during a Planning Commission meeting contextually, it is not his conclusion that she was violating the Municipal Ethics Act at any point. Mayor Nagle stated that she never communicated that Councilmember Lisonbee had violated the Act; she was simply trying to safeguard the process.

#### 4. Presentation by applicants for appointment to vacant Councilmember Seat.

##### James Ackerman

James Ackerman, 2608 W. 1770 S., stated that he was born and raised in upstate New York and he spent a lot of his time in the Syracuse City in that state. He stated that he married while he was in college and he has spent the last 50 years wandering around the world and the United States before they made the decision to settle down in Syracuse City, Utah to be closer to his family, which includes children, grandchildren, and great grandchildren. He stated he has only been back east long enough to bury his wife. He stated that he is retired, he is a widower, and he has plenty of time now to get involved in civic activities again. He stated that as he approaches the twilight of his life he would like to give something back. He stated that he has a degree in land management and forestry, and a master's degree in business. He stated that he has dealt with school boards as a financial director; he has dealt with State, County, and City Legislators throughout his life and while in the military as a senior business and finance officer in the organizations that he has worked for. He stated that he will make it

short; he is at a disadvantage in being first to present because he will not have the opportunity to respond to what the other candidates may say.

Alan Clark

Alan Clark, 624 W. 2300 S., stated that he is present tonight to ask that he appointed to the vacancy on the Syracuse City Council. He stated that he would like to provide the following reasons for which he would like the Council to consider appointing him to fill the vacancy. He stated that he has lived in Syracuse City for 17 years and during that time he has shopped at Hamblin's Market, Smiths, and Wal-Mart. He stated that the progress presented by these stores demonstrates the changes that have occurred since he has lived in the City. He stated that these changes are going to continue and he would like to use his knowledge and experience to ensure that Syracuse City, its residents, and businesses benefit as much as possible. He stated that his experience includes being a coach under four different Syracuse City Recreation Directors; serving 2.5 years on the Syracuse City Planning Commission; serving as the chairman of the Cook Elementary Community Council; serving as chairman of the Bluffridge Elementary Community Council; serving as the current chairman of the Clearfield High School Community Council; serving four years as a City Councilmember; 21 years as an accounting professional with knowledge of financial and governmental accounting processes and principles; being a current Syracuse City resident, husband, and father. He stated that with his past experience he understands current ordinances and the procedures and requirements of being a Councilmember. He stated that he will be able to step into the position and begin working immediately, which he believes is an advantage to the City, its staff, and the Governing Body as a whole. He stated that he recognizes that the entire Council has not agreed on issues in the past and he expects that they will disagree again in the future. He stated that he also believes that those differences are important to provide for open dialogue and discussion. He stated that it is this divergence of ideas that helps us find solutions and ideas that may not have existed before a discussion began. He stated that he believes Syracuse City is an amazing City and he has fought for its improvement and stability. He stated that four years ago Syracuse City was facing some significant financial difficulties; today difficulties still exist, however positive progress has been made and the City is going in the right direction. He stated that he would like to help to ensure that continues and use his knowledge and abilities to work to make that happen. He asked that the Council consider him for appointment to the vacancy on the Syracuse City Council and he thanked the Council for their time this evening.

Richard Denning

Richard Denning, 2400 W. 2150 S., was not present to make a presentation to the City Council.

Brian Duncan

Brian Duncan, 902 S. 1875 W., stated that he applied to fill the vacancy on the City Council because he has been watching as issues have arose in the City and he has seen what has been happening and he has taken pause and realized that these decisions affect him and everyone else in the City. He stated that Ronald Regan once said that "we have found in our Country that when people have the right to make decisions as close to home as possible, they usually make the right decisions". He stated that as he has talked to people in preparation to apply for this position he has talked to a lot of professionals and they have told him that they "don't know what is going on over there in Syracuse City" and they wished him good luck. He stated that those people do not understand where Syracuse City is heading in the future; as he looks into the future and he sees what is going on. .he attended the work session before this meeting and he saw the presentation about what "they" plan to do with the future of Syracuse City and he asked dif the City is ready for that. He stated that in the next few years, whether the City is ready or not, that future will be upon us and if we have not planned for the future now, the future will be upon us and those that do not make decisions now will have decisions made for them. He stated that the citizens of this community are struggling with that and he wants to make a difference and help plan the community. He stated that one of the things that he has heard from many residents – their biggest concern – is that they have been to City council meetings and talked to City officials and nobody is listening or hearing. He stated the citizens hear about everything secondhand; they dig for information and they can not find it. He stated that they ask what is going on and nobody will tell them. He stated that he feels it is important to have an open dialogue and it would be great to have crowds like this present at every Council meeting to express their opinions and the City Councilmembers need to listen. He stated that he has a lot of experience; he has worked in the community and served on boards and commissions. He stated that he has trained law enforcement as a prosecuting attorney. He stated that he has worked in several occasions where he had to deal with how to make a community safer. He stated that he served as a chairman of the Child Fatality Board in the Atlanta area. He stated that one of the things that he would bring to the position that is unique is that he has been an attorney for over 15 years and one of the skill sets that he feels is very important is the ability to sit and listen to what a client is telling him. He stated that it is necessary to shut-up for a minute and keep their peace. He stated that he can not say it because of bar rules, he can not say he is an expert at law and he knows a whole lot more than his client, but it is their life and their decision; their future. He

stated as a member of City Council he would bring his experience in developing and leading in the community, but he also has experience at shutting up and listening and hearing what his clients have to tell him about what they want for their future and then making informed decisions about what they want in their lives and in their homes. He thanked the Council for their time this evening.

TJ Jensen

TJ Jensen, 3242 S. 1000 W., stated that he has spent many years in these Council Chambers and he is very passionate about Syracuse City. He stated that in the past he has been asked if he would ever want to be a member of the City Council and he has answered no because it is a big responsibility and it is not one to be taken lightly. He stated that he heard of this opportunity and he gave it a lot of thought; in fact, he did not turn his application in until 30-minutes prior to the deadline. He stated that he feels he is doing a good job as a member of the Planning Commission and it is an important job to be done. He stated that one thing he has noticed after attending so many meetings is that the City has a wonderful staff and there are a lot of great people that work for the City, including the Planning Commission and City Councilmembers. He stated they are all very passionate about what they do and sometimes that passion tends to get in the way of what needs to be done, which his to make decisions for what is best for the City. He stated that they all serve the residents of Syracuse City – that is their mandate. He stated the staff also serves the citizens of the City, but they may have their own point of view on things. He stated the Planning Commission and Council needs to balance what the City needs versus what the residents want. He stated that it is very important to have an open mind when considering the various points of view of staff and the residents. He stated that the residents need to feel that, whether the Council came to the decision they would have liked or not, that they at least considered the point of view that residents brought forward rather than blowing them off. He stated his family has been in Syracuse City since 1963. He stated that he was born and raised here, moved away for a couple of years, and ultimately moved back. He stated that he has been a business owner and has helped his dad on their family farm. He stated that he has had a variety of jobs such as working for newspapers, truck driving, and a lighting director in the entertainment industry. He stated that he has a lot of interesting points of view relative to how people have lived their lives and that would be valuable in considering the positions of residents. He stated that he is very passionate about what he does and he always takes the time to try to talk to “all the players” whenever an issue comes before the Planning Commission. He stated that he has tried to talk to Davis County and Utah Department of Transportation (UDOT) representatives when considering different issues and it is very important to try to maintain those relationships and be cordial with all of them. He stated that he would ask that the Council consider his application for the vacancy; he understands the Council has a difficult decision to make tonight and he does not envy their position.

Joe Levi

Joe Levi, 1844 W. 1975 S., stated that he feels that any position with the power to tax or limit individual liberties should rightfully be filled through an election by the people. He stated that ideally that’s how this vacancy would be filled, but current circumstance and State Law prescribes otherwise in this instance. He stated that during public comment to fill a previous vacancy, many residents voiced their request to fill the position with someone who could add some ethnic diversity to the Council. He stated that he does not feel that race or ethnicity should be used to disqualify someone from consideration, but he does not think they should be used to specifically qualify someone either. He stated, however, that out of respect for those who feel otherwise, as a member of the Paiute Indian Tribe of Utah he can bring a measure of ethnic diversity to the Council. He reported that he has been unable to find another Native American that has held a seat on the Council; this could be an opportunity for a positive headline in the local papers – something our City desperately needs. He stated that he has been passionately active in our City government; when a previous Council tried to change our form of government they held a debate, but no one showed up to argue against them. He stated that a one-sided debate is not a debate at all and he refused to sit idly by; he rose from the audience, took a seat on the opposing side, and argued against the change. He stated that because of my actions some claimed he was in the Mayor’s pocket, but later, when that Mayor failed to carry out his statutory duty, he “called him on it” though no one on the Council did. He reported that recently he discovered that the City was carrying out its Council Meetings without a set of Rules of Order and Procedure, as required by State Law. He stated that he pushed until the Council remedied the situation and when an unlawful section was included in those Rules, he successfully lobbied for its removal. He stated that when the Mayor issued an order in violation of State Law, he stood his ground and refused to be bullied because he had done his research and knew the law. He stated that these examples illustrate that he stands on principle and the law, rather than allegiances with individuals. He then stated that he is the elected Vice Chair and an elected State Delegate for the Syracuse 08 Precinct, which covers approximately 550 families in the heart of Syracuse. He stated that he has served in these capacities for the last two years, without missing a single meeting or failing to cast a single vote. He stated that since his neighbors have already entrusted him to represent their views on both State and Federal issues,

he would have no difficulty representing them on the City Council. He stated again that his name is Joe Levi and he thanked the Council for their consideration.

Allen Lowry

Allen Lowry, 2039 S. 1900 W., stated that he would like to start by thanking the City Council and the Mayor for taking the time to review and consider him for the vacant position on the City Council. He stated that he was born and grew up in the town of Whitefish in Northern Montana; he has a lovely wife and four wonderful daughters and his family loves living in the City of Syracuse and they have enjoyed their interaction with the community. He stated that he believes in America and the system of government that was set up to run the Country right, right down to each individual city. He stated that he believes that the opposite of love is being indifferent and he feels that "we" as a Country have become very indifferent to what is happening to our great Country. He stated that he feels that being a fiscal conservative is important in any government and that our current federal government has become very reckless when it comes to the financial stability of our good Country. He stated that working in business he understands that becoming financially stable begins at the smallest level. He commended the efforts of our City government in making our City fiscally sound. He noted that with his experience in business he has had the opportunity to work for a company in a capacity where I was responsible for analyzing the cost and expenditures of the company; he was able to increase the company's revenue by \$8 million or two percent. He stated that that was accomplished by identifying areas in the business where improvements, cost cutting, and procedural improvements could be made to increase efficiencies and expenditures. He stated that because he believes in America he is thankful for the time that he took to defend our constitution, freedoms, and to serve our country. He stated that having served in the United States Army Reserves as a Legal Specialist for eight years, he had many opportunities to do research and prepare service members for court and serve in a capacity that interacted with the public on concerns for the impact that the military had on the areas it operated in. He stated that he currently serves on the Utah Safety Management Council and many of the businesses in the Salt Lake Valley area serve on the committee. He stated that they interact with many State agencies, such as the Utah Department of Transportation, Utah Highway Patrol, Federal Motor Carrier Safety Administration, and the local Fire agencies. He stated that they meet monthly to discuss the safe operation of business and the effects that the businesses can have on the community. He stated they also devise emergency plans to respond to an unsafe act caused by a local company. He stated that the group discusses legislation that is being introduced that could potentially affect the local businesses, the cities, or the State. He then stated that he serves the local and community as a Charter Organization Representative for the Boy Scouts of America in Syracuse. He stated that he enjoys working in the community and serving the citizens of our good City. He stated that he believes that service is the greatest thing one can do in life and he looks forward to being able to serve the City as a Councilmember. He stated that he knows that while serving in that position one is truly serving the community by listening to the issues, researching challenges, and coming to a conclusion that could potentially impact the whole City or individuals. He stated the members must then make a decision that will be fair for everyone. He then stated that he is currently the Director of Safety for a major trucking company where he has the responsibility to interact with the public and many Federal and State agencies. He stated that he also has the responsibility of managing the risk and making many hard decisions that can affect the company as well as the individuals working for the company. He stated that over the last five years he has decreased the risk in his company by identifying troubled areas and implementing changes to improve the safe movement of equipment on public highways. He then closed by reiterating that he is thankful to the Council and the Mayor for their time and consideration and he stated that he looks forward to working with them.

Curt McCuiston

Curt McCuiston, 2793 S. 1100 W., stated that he wanted to begin by stating that he does not envy the position the City Council is in; they have hard choices to make on a regular basis and tonight is no different. He stated that he knows many of the people that have applied for the vacant position and they are all good candidates and would do a great job. He stated that he is proud to be considered among the group. He then stated that he has had the opportunity to serve on the Syracuse City Planning Commission as an alternate member for approximately one year. He stated that prior to that he served on the Township of Magna Commission as the Vice Chair. He stated that he had two reasons for pursuing a position on the Planning Commission; one was selfish and the other was not. He stated that he feels those same two reasons are applicable in his desire to serve on the City Council. He stated that as a consulting engineer in the area for the past 16-years he has dealt mainly with the growth of commercial, residential, and municipal areas. He stated that in his career he has had to present large and grand schemes that would change the fabric of citizenry and the municipalities in which they would reside. He stated that he found a lot of resistance to his proposals and many residents wanted things to stay the way they were when they had initially moved to the area. He stated that he always wondered what the motivation was for the decisions that were ultimately made and to that end he decided to switch to the other side of the table to find out for himself. He stated

that by doing that he learned a great deal and he wants to continue that legacy of learning and growth as well as become a better engineer and citizen. He stated the second reason he wanted to get involved is that he wanted to serve. He stated that he loves his Country, the democratic process, and the grand plan that the forefathers put into place. He stated that he loves the fact that “we” can gather here as citizens and be able to express opinions free from persecution and ridicule. He stated that they are free men and women and he wants to support that freedom and help it flourish. He then stated that he does not come before the Council tonight with a personal agenda and he also does not come without ideals. He stated that there are things that he considers important, including the smart growth of the community, the smart choices and changes that can be made at this point in time, and the critical juncture before growth occurs so quickly that it overruns everything. He stated that “we” need to have thought this through before it occurs and it is necessary to have processes in place in order to understand how Syracuse is going to fit in and what it will ultimately look like. He stated that he has a vested interest in this; he lives here just like all the other residents and, like all of them, he wants the best for himself, his family, and the residents of the City. He stated that he would like to see a greater focus on sustainability and low impact design; he would like to bolster the Shop Syracuse First program; he would like to see an increase in activities that are unique to the City, such as the Pumpkin Walk, the Turkey Trot, and other activities that give the community a sense of place and make it a home. He then stated that he knows there is a “long row to hoe” ahead of the City with roadway improvements, municipal upkeep issues, and growth of the area. He stated that he is ready for the challenge and he would like to have a part to play. He stated there is a window of opportunity right now for the City to guide its own destiny and he knows that he can use his professional and personal experience to benefit the City. He stated that he knows that this is the next logical step in his progression and it is part of his plan and what he wants to accomplish with his life. He stated that is why he could not pass the opportunity up when it presented itself. He stated that he plans on working with the Council, Planning Commission, staff, and the citizens to try to instigate and instill codes and regulations that will help Syracuse grow properly. He thanked the Council for their consideration and he stated that he would appreciate their approval by appointing him to fill the vacant position.

Randy Miller

Randy Miller, 1531 W. 2175 S., thanked the Council for the opportunity to be here this evening. He stated that stated some of those present may recall an army commercial containing smoke, guns, chaos, leadership, and fear and at the end the narrator says “somewhere, someday, in a job interview someone will ask you if you work well under pressure – try not to laugh”. He stated he is not laughing at this point in time. He then stated that in June of 2001 he and his wife, Andrea, built their home in Syracuse City and he was still attending Officer Candidate school. He stated that he graduated in August of 2011, just two weeks before September 11, 2001. He stated he was a pretty scared, young Second Lieutenant. He stated that he and his family love it here; they love their neighborhood and their neighbors and they want to stay. He stated that representatives of Governing Bodies are called to represent and in his application he wants to indicate that he provides a blank slate and an open mind and he thinks a representative’s primary duty is to represent the voice of the people. He stated he would hope that the City Council would also have an open mind in considering him for the position. He stated he brings a lot of talent and experience to the table. He stated he is a professional land surveyor and he is licensed in Utah and Wyoming. He stated that in that position he is familiar with getting to know both sides of a story, which his very important when making final decisions. He reiterated that his name is Randy Miller and he thanked the Council for their consideration of him.

Gary Pratt

Gary Pratt, 2619 S. 575 W., stated that he appreciates the time to address the Council this evening. He stated that he is currently a member of the Planning Commission and the reason he moved to Syracuse was to be close to his family – he has five children and 25 grandchildren – half of whom live in the City. He stated that when he decided to move here he shopped around the area for homes and he found that there is definitely a difference between other cities and Syracuse, even though there are nice homes and families in other cities as well. He stated that he has a personal and vested interest in this City. He then stated that his family has owned a 25,000 acre cattle ranch and they raise everything from hogs, quarter horses, chickens, rabbits, and cattle. He stated that no one knows more than he does about maintaining agricultural property and the imposition that government puts on people that have property and animals they wish to raise. He stated, however, that one can look at his resume and see that business is his business. He stated that he has started, ran, or co-owned over 15 corporations in Utah and Idaho and they are as diverse as can be. He stated that he has a good amount of experience in listening because businesses do not become successful unless one can listen and understand the position of a business and the impact it has on a community and, more importantly, the employees if the business were to fail. He then stated that he chaired the committee dealing with improvements to Antelope Drive and he has also been involved with other Planning Commission committees. He stated that he thinks that Syracuse is in a very good position; Syracuse does mean business, but

it is important to listen to constituents as well. He stated that he lives here and he lives here for a reason and it is not necessary to reinvent the wheel, but instead look at neighboring cities to understand where they came from and where they are today. He stated "let's do the right thing". He stated he would appreciate having the position on the City Council and he thanked the Council for their time.

Tom Price

Tom Price, 1478 Melanie Lane, stated that he has lived in his home for 47-years. He stated that he was on the City Council several years ago for one term and during that time he oversaw Parks and Recreation as well as the City Cemetery. He stated he was engaged in developing the western portion of the cemetery and he was part of the construction of Stoker Park with the Davis County School District and that was a challenge. He stated he has owned and operated a business in town for 13-years and he has taught at the Davis Applied Technology Center (DATC) for five years and he was a member of the board for the Machine Shop for 12-years. He stated that he is retired and living on a fixed income and he thinks that would help him to understand people in the City that are struggling with the economy. He stated that he realizes that government does not have any money except the money they take from the people in taxes and fees and therefore it should be spent prudently and honestly. He stated that he also believes in volunteerism; it is a great thing for the community. He stated that it makes things less expensive, brings people together, and crosses barriers like race or religion barriers. He stated that it also helps to change opinions; people get the chance to know one another and get to make this a community. He stated that he thinks "we" are a nation of law and he supports law enforcement and the Fire Department. He stated that he also supports maintenance programs because he thinks that maintenance is a cost saving effort in the long run. He stated that he would like to be appointed to the vacant position and he does not envy the Council this evening because they have a very difficult decision to make; there are many qualified people that applied for the position.

Daniel Schuler

Daniel Schuler, 977 S. 3925 W., stated that he is 42 years old and he and his family have lived in Syracuse for over seven years. He stated that he has worked for City Government for the past 24-years and he currently holds the title of Public Works Inspector/Storm Water Manager for Clearfield City. He stated that he is interested in serving his community by filling the open seat on the Syracuse City Council. He stated that approximately three months ago the citizens had the privilege of participating in an election; the election process allows the citizens of Syracuse to select individuals they feel would best represent their voice in expressing their concerns and opinions. He stated that elections are a powerful tool because it not only shows which citizens have an interest in serving their City as a City Councilmember or Mayor, but it also gives the citizens the opportunity to determine who would best represent them. He stated that three months ago the citizens of Syracuse selected his name on the ballot 1,004 times. He stated that out of all of the candidates that have expressed interest in the open Council seat, he is the only one that received the most votes from the citizens. He stated that during his campaign he spent a lot of time speaking to the citizens and listening to their concerns and opinions. He stated that he dedicated his time to running for office and he showed an interest in becoming a Councilmember in the City. He asked that the Council "let the voices of the citizens be heard" and select the individual that received the most actual votes. He asked that they select him as the next Councilmember. He stated that the Council will not be disappointed with his level of commitment of his work ethic. He stated that as a member of the community and a citizen of the City he feels an obligation to lend his experience and skills to help the City continue to grow. He stated that he believed he would be an asset to everyone if he were appointed to step into the position and it would be an honor and a privilege for him to serve his community as a member of the City Council.

Thomas Waggoner

Thomas Waggoner, 634 Wasatch Way, stated that the Council has had an opportunity to review his résumé and he pointed out that he brings a lot of experience along with his request to be seated on the Council. He stated that he has spent a lot of time in northern Davis County; he grew up in Clearfield from the time he was 12-years old. He stated that he has seen the area change and he has seen Syracuse grow from a few houses scattered here and there with a lot of farming ground. He stated that just a couple of years ago the City was part of the fastest growing community in Utah. He stated he refers to the City as a "tweener", which is a child that is not quite a teenager yet, but they think that they are. He stated the City has a lot in front of it yet and decisions need to be made about what direction to go. He stated that he learned a lot from being a member of a City Council and a Mayor for 12 years; he learned that it is necessary to have a plan. He stated he also learned one great thing – the City Councilmembers and the Mayor cannot run the City and that is why it is important to hire great staff members to help the City move forward. He stated it is essential to have direction from the citizens to the Council and the Mayor in order to set priorities; it is necessary to meet each year after a consultation with citizens to set priorities and then

make sure that the staff has the resources to accomplish the items that the Council has prioritized. He stated there will be times when new issues arise; he is aware that the City has a lot of aging infrastructure such as sewer and water lines that were installed when Syracuse was first made a City. He stated the City needs to increase its reserve fund to pay for those unexpected breaks in lines. He stated that economics is the most important thing the City needs to think about and he did not hear many of the other applicants mention economics. He stated that the City needs to have an economic plan. He stated that one applicant said that the government takes money from citizens, but he noted that the citizens do give the government money and they expect the most “bang for their buck”. He stated that one can read the newspaper during election times and see a lot of candidates say that they plan to get more businesses into the City and the citizens are commenting on those articles and expressing the need for citizens to shop local. He stated the local economy is bad; when a Baskin Robbins ice cream shop is forced to close its doors only to be replaced by a check-cashing company, “we are in trouble”. He then stated that he loves serving and he brings a lot of experience to the table; he has a desire to serve and the time. He thanked the Council for their consideration.

Jeremiah Zohner

Jeremiah Zohner, 2808 W. 2025 S., thanked the Council for the opportunity to address them this evening. He stated that it is a great honor to be considered for the vacant Council position alongside so many other qualified candidates. He stated that over the course of his career as an IT Professional it has been his responsibility to solve problems; he has often been given minimal or incorrect information regarding problems, but he has been expected to quickly find a resolution. He stated that he takes pride in the fact that he is good at that. He stated that as time has passed he has come to be seen as a leader by both his peers and his superiors. He stated that they know that if there is a problem that others cannot find a solution to, he will be able to. He stated it is not because he knows more than others, but because he works hard and knows how to find answers. He stated that he has served for the past two years as a State Delegate for the Syracuse 13 precinct. He stated that in that position he has been looked to as a leader by the residents of Syracuse. He stated that during his time in this position, even though he has been focused on national politics, he has come to realize that what is done at home is just as important because it directly affects each citizen. He stated that if a City has policies that drive away residents or businesses, everyone is impacted. He stated that the City of Syracuse is not exempt from this circumstance and, as such, it is vital that a proven leader with problem solving skills be appointed to the Council vacancy. He stated there are many concerns in the City – one example being the deteriorating roads. He stated that it is projected that it will be necessary to spend \$10 million on road work over the next five years. He asked where that money will come from; will residents be burdened with more debt or will the City’s leaders come up with a responsible plan that does not mortgage the future of the City. He stated that the City needs members on the Council that are willing to tackle these types of issues head on and ensure that the interests of the Syracuse citizens are met. He stated that he believes that the residents of Syracuse deserve proven leaders who will find responsible solutions to the problems facing the City; they also need leaders who understand that greatness and personal liberty go hand in hand. He stated that history has proven over time that one cannot exist without the other. He stated that following the November 2011 election, he feels that the City is heading in the right direction and he would like to see that continue, which is why he applied to fill the vacancy. He stated that, given his background, experience, and beliefs, he feels that he is more than qualified to help the City continue down the path towards greatness. He stated that he knows how to work hard and how to find solutions. He stated that these are two qualities that many in this world are lacking, but they are also the two qualities that the City needs in its leaders. He stated that he would be honored to use them to serve the residents of Syracuse.

5. Consideration of adjourning into Closed Executive Session pursuant to the provisions of 52-4-205(1)(a) of the Open and Public Meetings Act for the purpose of discussing the character, professional competence, or physical or mental health of an individual.

COUNCILMEMBER PETERSON MOVED THE COUNCIL ADJOURN INTO A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER SHINGLETON SECONDED THE MOTION, WITH THE FOLLOWING ROLL CALL VOTE: VOTING “AYE” – COUNCILMEMBERS JOHNSON, LISONBEE, PETERSON, AND SHINGLETON. VOTING “NO” – NONE.

The meeting adjourned into Closed Executive Session at 8:14 p.m.

The meeting reconvened at 9:26 p.m.

6. Selection of new Councilmember.

COUNCILMEMBER PETERSON MADE A MOTION TO APPOINT CURT MCCUISTION TO THE SYRACUSE CITY COUNCIL.

Councilmember Peterson's motion died for lack of a second.

COUNCILMEMBER JOHNSON MADE A MOTION TO APPOINT BRIAN DUNCAN TO THE SYRACUSE CITY COUNCIL. COUNCILMEMBER LISONBEE SECONDED THE MOTION. VOTING "AYE" – COUNCILMEMBERS JOHNSON, LISONBEE, AND SHINGLETON. VOTING "NO" – COUNCILMEMBER PETERSON

7. Swearing in of selected Councilmember.

Pursuant to Section 10-3-827 of the Utah State Code, all officers of any municipality, whether elected or appointed, before entering on the duties of their respective offices shall take, subscribe and file the constitutional oath of office. That oath can be administered and filed by the City Recorder.

City Recorder Brown then administered the oath of office to Brian Duncan. Councilmember Duncan then took his position behind the bench.

8. Proposed Resolution R12-09 appointing a representative to serve as Syracuse City's appointee on the Taxing Entity Committee (TEC) for the Redevelopment Agency of Syracuse City.

A staff memorandum provided for this item included a list of the likely Taxing Entity Committee membership for Syracuse City as it relates to the EDA and CDA areas. The memo noted that the model, as represented by Davis County School District and Davis County, seems to reflect a membership of one non-elected member and one elected member to participate on this board for each respective organization.

Mayor Nagle stated that this position was previously held by past Councilmember Matthew Kimmel and it is necessary to appoint a new representative.

COUNCILMEMBER SHINGLETON MADE A MOTION TO TABLE CONSIDERATION OF PROPOSED RESOLUTION R12-09 APPOINTING A REPRESENTATIVE TO SERVE AS SYRACUSE CITY'S APPOINTEE ON THE TAXING ENTITY COMMITTEE (TEC) FOR THE REDEVELOPMENT AGENCY OF SYRACUSE CITY. COUNCILMEMBER DUNCAN SECONDED THE MOTION. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, AND SHINGLETON. VOTING "NO": COUNCILMEMBER PETERSON.

9. Authorize Community and Economic Development Department to pursue EDCUtah's Community Match Grant in relation to the Marketing Match Grant and Sponsorship Match Grant applications.

The EDCUtah Match Grant Program is a statewide initiative that allocates funding in support of specific economic development efforts for the public sector and other non-profit organizations throughout the state of Utah. The Match Grant Program(s) requires a 100% cash match. Two of the grant program descriptions are:

- Marketing Match Grants help Utah's communities market themselves as attractive sites for businesses and economic development. Projects include direct marketing materials, as well as planning process/research projects that are directly applicable to recruitment strategies and web site development and redesign. Maximum reimbursement is \$5,000.
- Sponsorship Match Grants assist communities and regions of the state with economic development events. Projects include economic development events and selection is based on the quality of the event, how well the event addresses an economic need in the community and audience. Special consideration is given to projects that provide exposure for economic development and incorporation interface among economic development partners. Maximum reimbursement is \$2,000.

Staff has identifying the following projects for application to the EDCUtah Community Match Grant:

- Marketing Match Grant – Apply for up to \$5,000 to complete and mail a Syracuse City Marketing Brochure. The brochure would be a 12-14 page glossy document that would include information on Syracuse City, the Community and Economic Development Department, quality of life description, community infrastructure and transportation, City demographics, expansion and relocation opportunities, the future of Syracuse, and a slot for updates and targeted information. This brochure would be primarily sent to commercial/retail companies, providing information about the City, explaining the benefits of locating in Syracuse, and tailored information regarding specific sites within Syracuse.

- **Sponsorship Match Grant** – Apply for up to \$2,000 to host a Business Summit in January, 2013. Similar to the last Business Summit, Shop Syracuse-Shop Local, this summit will be designed to provide information to businesses and residents. The theme for this summit would be on marketing your business. This could include information on setting up a marketing plan, attracting Antelope Island visitors, internet and social media marketing, co-branding, etc. The Syracuse Business Organization for Strategic Synergy (SBOSS) has offered to be a partner for this event and will provide up to \$1,000 of the required match.

If authorized, Community & Economic Development Department Director Mike Eggett will include a budget allocation request in the upcoming Syracuse City Council budget retreat for the grant match requirement.

The Community & Economic Development Department hereby recommends that the Mayor and City Council authorize the Community and Economic Development Department to pursue EDCUtah’s Community Match Grant Program specific to the Marketing Match Grant and the Sponsorship Match Grant.

City Planner Andersen approached the Council and summarized the staff memo that was provided to each member of the Governing Body.

Councilmember Lisonbee inquired as to where the grant funding originates. Mr. Andersen stated that Mountain American Credit Union is the primary sponsor of the program; this is the 39<sup>th</sup> round of funding for this grant program.

Councilmember Peterson asked if staff plans to apply for the highest level of funding possible with plans to settle for being awarded the lower funding amount. Mr. Andersen stated that each city is actually permitted to apply for all grant options, but he believes that EDCUtah will respond with an acceptance, revision request, or rejection of the application. He stated staff will move in the appropriate direction upon receiving that response.

**COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT TO PURSUE EDCUTAH’S COMMUNITY MATCH GRANT IN RELATION TO THE MARKETING MATCH GRANT AND SPONSORSHIP MATCH GRANT APPLICATIONS. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.**

At 9:18 p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Jamie Nagle  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: April 10, 2012