

Minutes of the Special meeting of the Syracuse City Council held on March 11, 2014, at 7:05 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  
City Attorney Clint Drake  
Fire Chief Eric Froerer  
Police Chief Garret Atkin  
Parks and Recreation Director Kresta Robinson  
Community Development Director Sherrie Christensen  
Utilities Manager Holly Craythorn  
City Planner Jenny Schow  
City Planner Noah Steele

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

Mayor Palmer called the meeting to order at 7:05 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. He asked all visitors present if any wished to provide an invocation or thought; Councilmember Johnson offered an invocation. Members of Boy Scout Troop 651 then led all present in the Pledge of Allegiance.

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COUNCILMEMBER DUNCAN MADE A MOTION 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 Savanna Byington and Joey Faulkner.

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 students receiving the award for March 2014 are from Syracuse High School and he read the award nomination provided by each of their respective teachers.

##### Savanna Byington

Savanna Byington is an amazing young lady who has put her time, energy, love and support into building up our schools HOPE squad. This is a new anti-suicide program we have implemented with the help of IHC. Savanna has taken the positive message of HOPE and run with it. Her natural kindness and positive personality are contagious and send an encouraging vibe to those around her. In addition to her outstanding citizenship, she earns good grades. As a friend to everyone and a great student, her example and outreach are widely appreciated at Syracuse High. Savanna is a true Titan!

Savanna was nominated by Syracuse High School Staff.

Joey Faulkner

Joey Faulkner is a student who seeks knowledge. He has a strong desire to learn for understanding, not just a letter grade. He works well with his classmates as a contributing member to group labs and projects. He is positive in his approach to others and welcomes all students to participate. He asks questions to complete the concept in his Biotechnology class and opens the door for positive, in-depth discussions. We are proud to call Joey a Titan! Joey was nominated by Syracuse High School Staff.

[7:13:59 PM](#)

3. Approval of Minutes:

The minutes of the Work Session and Regular Meetings of February 11, 2014 and the Work Session Meeting of February 25, 2014 were reviewed.

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COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE WORK SESSION AND BUSINESS MEETINGS OF FEBRUARY 11, 2014 AND THE WORK SESSION MEETING OF FEBRUARY 25, 2014 AS PRESENTED. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

Councilmember Lisonbee thanked City Recorder Brown for her hard work on the minutes.

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4. Public Comments

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TJ Jensen referenced the agenda item dealing with the Commercial C-2 zone and noted that if the plan is to eventually extend State Road 193 further to the west to link with the future West Davis Corridor, the acreage along SR193 west of 2000 West may be an appropriate location for business park zoning if the Council opts not to assign that zoning designation to the property east of 2000 West. He then noted that he sent the entire Council an email to discuss West Point City's General Plan; he is impressed with their plan and the depth of the document. The plan includes a trails plan, park inventory, a breakdown of anticipated revenues, and many other components that are currently scattered among different documents in Syracuse City. He noted Syracuse City's General Plan does not need to be a carbon copy of West Point's Plan, but he does like the concept that was employed in that city because it makes the information more transparent and accessible to the residents.

[7:17:41 PM](#)

Gary Pratt stated a developer attended the last Planning Commission meeting; he was the developer that was responsible for the Lowes and other retail development in Clinton City. He stated he is also the person requesting the zone change on 1000 West from General Commercial to Residential R-3 and his argument for that zone change is that the City already has too much General Commercial zoning and the location of that zoning is not warranted. He then referenced the discussion regarding the zoning of the property near Syracuse High School and stated the business park zoning designation for that property has been discussed for the past two years, prior to the property being purchased by the current owner. Three different studies have been conducted and all had the common conclusion that different types of zoning are warranted in that area. He stated he has always supported the business park zone in that area because such zoning would benefit the high school; a similar zoning and subsequent project were completed in Boise, Idaho while he worked there and it allowed the high school to send students to the business park where they could work as apprentices for businesses in the development. If the time ever came where Weber State University or Utah State University decided to build a satellite campus in the area he high school students could also earn credits to those universities. He stated he feels the conclusion for the City is that the business park zoning is in line and it does not predispose the owner from asking for a change if one is warranted; General Plans are meant to serve as a 'crystal ball' for the City and the current proposal is warranted. If a developer wants to change the land use he can come before the Planning Commission and City Council and ask for a change.

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Gary McEntee stated he is present representing Ninigret this evening. He commented on the proposed General Plan changes that will be discussed this evening and he noted that during the works session the conversation centered on amending the General Plan by assigning the business park designation to the area of land that is already zoned industrial. He stated he

does not understand the rationale behind that recommendation because it gives mixed messages to businesses that Ninigret is trying to recruit to the project. His preference is for the zoning to remain industrial and for the General Plan designation to be industrial as well. He then stated it was his understanding that the Council was looking to rescind the C-2 zone because of concerns they had about the impact the zone has on the entire City and he has no problem with that direction as long as it is truly a general change for the entire City, but it is not fair to place the business park zoning designation on the property without input from the owner. He noted the property is currently zoned Agricultural and the owner has the opportunity to request the zone change they deem appropriate. He stated the property should be left as it is at this time and when the owner is ready to proceed with their development they can come back to the City and request the necessary General Plan and zoning changes.

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5. Public Hearing - Proposed Resolution 14-12 adjusting the Syracuse City budget for the Fiscal Year ending June 30, 2014.

A memo from Finance Director Marshall explained the City Council reviewed this proposed budget opening and potential changes during the last work session meeting; the supporting documentation for that meeting has been provided to the Council including any amendments that were necessary after the discussion. Each fiscal year staff completes a mid-year review of the City budget around the mid-point of the fiscal year to make recommendations on any needed changes to the current year budget. Along with this review, Mr. Marshall has worked with Public Works Director Whiteley in updating and revising the capital projects list for upcoming projects. Staff has also revised one number in the culinary fund relating to culinary system maintenance; the recommendation is to increase the amount from \$70,000 in the approved budget to \$100,000 and this recommendation is primarily due to new home construction and installation of water meters. We have also replaced several water meters that have stopped working. This number is highlighted in red on the budget opening spreadsheet. The Council packet included two separate spreadsheets regarding capital projects; the first sheet shows the approved projects that are currently in the budget and the second spreadsheet shows the proposed changes to the projects listing. Staff is proposing adding two new projects as well as changing a couple of projects from the previous list. The total cost of the new projects would be approximately \$973,000. The City has realized savings in completed projects of approximately \$720,000 and, therefore, the net increase in this proposal would be \$253,000. These projects are needed with the new developments from Ivory homes on 700 South and the Trailside development along 2000 West south of the roundabout. The memo concluded by providing an overview of some of the requested operational cost changes in this budget opening as follows:

**General Fund**

- o \$10,000 increase for purchase of new copier, printer, scanner combo.
- o \$10,000 increase for telecommunications enhancement (IT Director can answer any questions associated with this item.)
- o \$25,000 increase for building maintenance (IT Director can answer any questions associated with this item.)
- o \$10,000 increase for vehicle maintenance for the police department.
- o These increased costs will be offset with increased revenues from sales tax and other general fund revenues.

**Other Funds**

- o Various changes in Utility accounts associated with proposed capital project revisions.
- o Consolidation of Park Purchase and Park Development Funds.
- o Street Light Participation costs = \$15,000 (money given to City from developers to install new street lights.)
- o Increases in the capital projects fund for offices supplies = \$6,100, Professional & Technical = \$7,600, and Culinary System maintenance = \$30,000. These are all offset with revenue increases.
- o Adjustment for growth numbers in our city with Utility revenues and expenses.

Staff recommends adopting proposed resolution R14-12 adjusting the Syracuse City budget for the fiscal year ending June 30, 2014.

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Mr. Marshall reviewed his staff memo.

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Mayor Palmer convened the public hearing; there were no persons appearing to be heard and the public hearing was closed.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT RESOLUTION R14-12 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2014. COUNCILMEMBER PETERSON SECONDED THE MOTION.

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Council discussion regarding the motion ensued with a focus on the changes in the budget relative to the proposed improvements of 700 South Street.

Councilmember Gailey inquired as to the timing of the 700 South Street project. Public Works Director Whiteley stated the project will be completed in conjunction with the Monterey Estates Subdivision development. Councilmember Duncan noted 700 South is a dangerous road for pedestrian traffic and adding the curb and gutter on the road is essential to increase safety measures.

Councilmember Peterson stated he supports the budget opening because many of the new projects being funded are a result of money being saved by staff over the past year. He noted many of the budgeting needs are driven by population growth in the City.

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

[7:29:13 PM](#)

6. Proposed Ordinance 14-05 amending the existing zoning map of Title Ten by changing from Residential R-1 Zone to Residential R-2 Zone the parcel of property located at 3231 S. 1000 W.

A memo from the Community Development Department explained this property consists of 3.5 acres and is currently zoned R-1 Residential. The applicant has requested to rezone the property to R-2 Residential as designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on February 18, 2014 for rezone request on the above noted property. The property is 3.5 acres in size and is currently zoned R-1 Residential with a General Plan designation of R-2. The proposed zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approximately 3231 S. 1000 W., change from R-1 Residential to R-2 Residential.

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Ms. Christensen reviewed the staff memo.

[7:30:40 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT ORDINANCE 14-05 AMENDING THE EXISTING ZONING MAP OF TITLE TEN BY CHANGING FROM RESIDENTIAL R-1 ZONE TO RESIDENTIAL R-2 ONE THE PARCEL OF PROPERTY LOCATED AT 3231 S. 1000 W.. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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7. Proposed Ordinance 14-06 amending the existing zoning map of Title Ten by changing from Agriculture, Residential R-1, and Residential R-2 Zones to Residential R-3 Zone the parcel of property located at 750 S. 2000 W.

A memo from the Community Development Department explained this property consists of 11.63 acres and is currently zoned Agriculture, R-1 and R-2 Residential. The applicant has requested to rezone the property to R-3 Residential

as designated on the City's General Plan. The applicant has indicated his intent is to develop a cul-de-sac of single family residential lots. City staff has reviewed the application and finds that it is consistent with the City's General plan and that it is harmonious with the overall character of the surrounding development with no adverse effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on March 4, 2014 for rezone request on the above noted property. The property is 11.63 acres in size and is currently zoned Agriculture, R-1 and R-2 Residential with a General Plan designation of R-3. The proposed zone change is in accord with the General Plan as amended. The Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx. 750 S 2000 W, change from R-1 Residential to R-3 Residential.

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Ms. Christensen reviewed the staff memo.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-06 AMENDING THE EXISTING ZONING MAP OF TITLE TEN BY CHANGING FROM AGRICULTURE, RESIDENTIAL R-1, AND RESIDENTIAL R-2 ZONES TO RESIDENTIAL R-3 ZONE THE PARCEL OF PROPERTY LOCATED AT 750 S. 2000 W. COUNCILMEMBER PETERSON SECONDED THE MOTION.

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Councilmember Gailey stated this parcel of property represents some heritage in his family; it was homesteaded by his great-grandfather. He provided a brief history of the property and stated his family is very pleased that the development will be named for his family.

Councilmember Peterson asked if the City has had contact with neighboring property owners regarding this proposed rezone. Ms. Christensen stated the City provided notice of the proposed rezone as required by law and she had not been contacted by any person or property owner regarding the application.

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

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#### 8. Final Plat Approval, Monterey Estates Subdivision Phases

1 through 5, located at approximately 1500 W. 700 S.

A memo from the Community Development Department explained the Planning Commission held a public meeting on March 4, 2014 for Final Plan approval of Monterey Estates Subdivision, Phase 1 to 5. All items noted in staff report have been addressed by the Planning Commission. All requirements of sketch, preliminary and final have been met. The Syracuse City Planning Commission hereby recommends that the City Council approve the final plat for the Monterey Estates Subdivision, Phase 1 to 5, located at approximately 1500 W. 700 S., subject to meeting all requirements of the City's Municipal Codes and City staff reviews.

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Ms. Christensen reviewed her staff memo.

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The City Council had a brief discussion regarding water any safety concerns related to the fact that the driveways of some of the residences included in the development will front 700 South. Public Works Director Whiteley stated that while it is best to keep driveways on high-volume traffic roads, the layout of the proposed subdivision is not concerning.

Councilmember Johnson then referenced concerns relating to low water pressure in the area of the subdivision and he asked if there are any isolated options for addressing those concerns. Mr. Whiteley stated the lowest cost solution is to ensure the potential purchasers of homes in the development understand their water pressure and install an irrigation system that will accommodate the water pressure. He noted residents are also permitted to install a boost pressure pump on their own system, but any other options only escalate in price. Councilmember Johnson asked if there are secondary water pipes under 700 South that could be improved during that construction project. Mr. Whiteley answered no and stated the secondary water in the area is served by a transmission line directly from the City's tank in the Freeport Center; the volume of water in the area is great, even though pressure may be low. There was a general discussion regarding various options for

increasing water pressure in the area, with Mr. Whiteley reiterating that most options for increasing water pressure can be very costly.

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COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL APPROVAL FOR THE MONTEREY ESTATES SUBDIVISION PHASES ONE THROUGH FIVE, LOCATED AT APPROXIMATELY 1500 W. 700 S. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Councilmember Johnson stated the development already includes one stub road, but he suggested adding an additional stub road that could eventually connect to State Road 193 in the future. Ms. Christensen stated the Council should consider future land use and whether it would be appropriate for a residential development to come along with a business park land use in the future. Councilmember Johnson stated he felt two outlets onto SR193 would help to alleviate traffic congestion in the neighborhood. Ms. Christensen stated the one road that will access SR193 will be a wider, collector road and should be able to accommodate the traffic exiting the subdivision onto SR193.

Mayor Palmer stated there has been a motion and a second to grant final plat approval and he called for a vote; ALL VOTED IN FAVOR.

[7:48:26 PM](#)

9. Proposed Ordinance 14-04 amending the Syracuse

City General Plan adopted in 1976, as amended, for Wright  
Development Group.

A memo from the Community Development Department explained the Planning Commission held a public hearing on March 4, 2014 on the proposed General Plan Amendment for Gary Wright, Wright Development requested change from General Commercial to R-3 Residential. Mr. Wright has indicated his intent to develop single family housing that is consistent with the residential zoning and character of the surrounding developments to the west and the south. The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-04, Amending the Syracuse City General Plan.

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Ms. Christensen reviewed the staff memo.

[7:49:03 PM](#)

Councilmember Duncan noted the Council reviewed this item during the work session meeting and there was discussion regarding approaching the property owner to the south of the subject property to determine if they would like to change their General Plan land use designation to match the designation being requested by Wright Development. Ms. Christensen stated the Planning Commission could initiate that change. There was a general Council discussion regarding the timing of the proposed General Plan change coupled with the potential General Plan change for the property to the south and Councilmember Johnson suggested that Wright Development's application be tabled until contact can be made with neighboring property owners to determine if they would like their property included as part of this action. Spencer Wright, a representative of Wright Development Group, noted that his company has a contract to purchase the property from the Briggs family and there is a fairly short time frame to complete their due diligence, which includes this application. He stated he can appreciate the Council's desire to try to accommodate all properties within one action, but he would like for the Council to move forward on his application this evening. Councilmember Duncan stated this proposed action ultimately impacts the use of the property to the south and he would feel more comfortable if both properties were part of the same General Plan amendment. Mr. Wright disagreed and stated that landowner could still choose to develop his property for a commercial use. He stated he feels it is wise to change the zoning of the property to allow a residential use, but he does not feel it is necessary that both properties be part of the same application. Councilmember Gailey asked if the property owner to the south was notified of this application. Ms. Christensen answered yes and stated the City did not receive any feedback from that property owner; she added that if this agenda item is tabled in order to wait for an application to amend the General Plan for the property to the south that action could not take place for another four weeks due to noticing requirements before the Planning Commission is able to hear the issue. Councilmember Gailey stated he does not want to delay Wright Development. Councilmember Peterson agreed and stated he is comfortable moving forward tonight and directing the Planning Commission to consider a general plan amendment for the property to the south. Councilmember Duncan stated he

would prefer to wait for at least two weeks to see if it is possible to reach out to the property owner. Mr. Wright stated that he has reached out to that property owner and has not been able to make contact with her.

Councilmember Lisonbee then noted that the developer has followed the defined process to receive approval for their requested change; she agrees this proposal could present a problem for the property owner to the south, but she recognized there have been efforts to contact the property owner. She noted she supports proceeding with the action this evening and she would like for the City to continue to reach out to the other property owner to address the concerns that have been raised this evening. Councilmember Johnson agreed. He noted surrounding zoning designations include residential R-3 and residential R-2 and he asked if there was any discussion about changing the General Plan designation for the subject property to R-2. Mr. Wright stated that he did consider that and he may decide to create larger lots in the development, but the R-3 zoning provides him with more flexibility in designing lot sizes. Councilmember Johnson stated concerns have been expressed regarding the flow of traffic from the western portion of the development to 1000 West. Mr. Wright stated he has heard those same concerns and will work to address them in the design of the development.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-04 AMENDING THE SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED, FOR WRIGHT DEVELOPMENT GROUP. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:00:14 PM](#)

10. Proposed Ordinance 14-01 amending various sections of Title Ten of the Syracuse City Code pertaining to land use relative to duplexes, basement apartments, and accessory dwelling units.

A memo from the Community Development Department explained the Planning Commission has been reviewing Title X for the past few months regarding Duplexes, Basement Apartments and Accessory Apartments. The proposed amendments provide limits and regulations for duplexes that have previously been allowed in all residential zones. These amendments will demonstrate compliance with State of Utah requirements to address moderate income housing in our City. The proposed ordinance reflects the recommended changes from the Planning Commission. The Planning Commission held a public hearing on the proposed amendments on January 21, 2014. At a public meeting that same night the Planning Commission recommended to the City Council the adoption of the proposed amendments. The memo provided the following summary of the amendments included in the Proposed Ordinance:

- Section 10-02-040 Adds definition of an accessory dwelling unit, clarifies definition of multi-family dwelling and dwelling.
- Section 10-11-030 Adds accessory dwelling as a conditional use in the A-1 zone
- Section 10-12-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-1 zone.
- Section 10-13-030 Deletes Two-family dwellings (duplexes) and replaces with accessory dwelling as a conditional use in the R-2 zone.
- Section 10-14-030 Add accessory dwelling as a conditional use in the R-3 zone and changes Two-Family Dwellings to a minor conditional use in the R-3 zone.
- Section 10-6-020(D) Provides regulations for two-family dwellings in the R-3 zone with the following requirements:
  - Increases the lot size requirement for duplex lot from 8,000 sq. ft. to 11,000 sq. ft. and lot width/frontage from 80 feet to 100 feet.
  - Restricts rental of dwelling to long term rental, not nightly or weekly rentals.
  - Provides design guidelines that restrict the look and feel of the structure, so that that the structure appears similar to a single family dwelling and has a lesser visual impact on the neighborhood.
- Section 10-06-020(E) Provides regulations for accessory dwellings (currently permitted as two-family dwellings) in residential zones with the following requirements:
  - Requires one unit to be owner occupied.
  - Limits 1 accessory unit per lot

- Provides for increased setback requirement for new accessory unit construction, which is detached from the main dwelling.
- Provides for required increased lot size by 3,000 sq. ft. for accessory units in detached structures and prohibits them in Cluster Subdivisions.
- Restricts nightly rentals.
- Restricts home occupations in accessory unit
- Requires increased setback if windows are placed on walls adjacent to abutting properties.
- Provides size restrictions for minor CUP:
  - Basement or attic 50% gross sq. ft.
  - Attached 650 sq. ft.
  - Detached 650 sq. ft.
- Provides major Cup process for units greater than 650 sq. ft. up to 50% of gross floor area of main dwelling.
- Requires parking based upon the number of bedrooms in the accessory unit.
- Requires entrance to accessory unit from the side or 20' to the rear of main dwelling entrance.
- Requires detached structure to be compatible architecture and materials of main dwelling.

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-01, Amending Title X.

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Ms. Christensen reviewed the staff memo.

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Councilmember Duncan stated he feels there is a way to meet the requirements of the Fair Housing Act without locating duplexes in single family neighborhoods. This led to a philosophical discussion regarding the best way to include duplexes in the community with Councilmember Lisonbee stated she would prefer that duplexes be limited to the Planned Residential Development (PRD) zone of the City. She stated she is more supportive of and comfortable with accessory dwelling units or apartments within an existing dwelling if one of the units is owner-occupied. Councilmember Duncan agreed and stated that type of structure blends much better in a single-family home neighborhood. Ms. Christensen suggested that this item be tabled to allow for continued discussion during the next extended work session meeting.

Mayor Palmer stated he feels perception is everything and the word 'duplex' seems to carry a negative connotation. He suggested that the language be changed and that duplexes be called something else.

Councilmember Johnson agreed more discussion is needed and he would like to focus on the minor and major conditional use categories and the land uses that are allowed in each of those categories.

Councilmember Duncan stated he would like to discuss accessory dwelling units in more depth to determine if it is appropriate to actually allow a detached unit in someone's backyard that they could use as a rental unit.

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COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED ORDINANCE 14-01 AMENDING VARIOUS SECTIONS OF TITLE TEN OF THE SYRACUSE CITY CODE PERTAINING TO LAND USE RELATIVE TO DUPLEXES, BASEMENT APARTMENTS, AND ACCESSORY DWELLING UNITS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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Councilmember Peterson agreed that the word 'duplex' carries a negative connotation and he would like to visit that issue further. He stated he is supportive of tabling the ordinance.

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

[8:11:15 PM](#)

11. Proposed Ordinance 14-03 amending the Syracuse City General Plan adopted in 1976, as amended, relative to the C-2 zone.

A memo from the Community Development Department explained last July the Planning Commission and City Council met for a joint work session to discuss recommended General Plan amendments regarding the C-2 zone. At the conclusion of that meeting staff was directed to bring forward General Plan amendments related to the Ninigret property to be changed to the R-3 zone and a text amendment to the C-2 zone, limiting the maximum density in that zone. Along with those changes the Planning Commission would begin work to do a comprehensive General Plan update. The recommended changes from the Planning Commission for the C-2 zone were not placed back on a Council agenda. Mayor Palmer has requested these items to be placed back on the agenda for final action by the Council. The memo provided the following summary of amendments:

- District 1-recommended change of the Ninigret and PRI property from C-2 zoning to General Commercial and Industrial.
- District 1-recommended change of the IHC/Lindquist Mortuary properties from C-2 zoning to Professional Office.
- District 2-Town Center area from 2000 West to 2500 West (North side of 1700 South) from C-2 zoning to General Commercial.
- District 9-recommended change of the property located at Bluff and Gentile from C-2 zoning to General Commercial.

The Syracuse City Planning Commission hereby recommends that the City Council approve the adoption of Ordinance 14-03, Amending the Syracuse City General Plan.

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Ms. Christensen reviewed her staff memo.

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Mayor Palmer noted the Planning Commission's recommendation called for general commercial zoning along State Road 193 from 2000 West to 1550 West and business park zoning from 1550 West to the power corridor. Ms. Christensen stated the Planning Commission actually recommended business park zoning on the entirety of the Ninigret property from 1550 West to 1000 West, but she was directed to change a portion of that property to industrial to reflect the current zoning of the property.

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COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-03 AMENDING THE SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED, RELATIVE TO THE C-2 ZONE, WITH THE FOLLOWING CHANGES:

- IN DISTRICT ONE, ASSIGN GENERAL COMMERCIAL LAND USE TO THE PROPERTY BETWEEN 2000 WEST AND 1550 WEST ALONG STATE ROAD 193; ASSIGN BUSINESS PARK LAND USE THE PROPERTY BETWEEN 1550 WEST AND 1000 WEST. (SUBJECT PARCEL IS BOUNDED BY 2000 WEST, STATE ROAD 193, 1000 WEST, AND THE MIDBLOCK LINE BETWEEN STATE ROAD 193 AND 700 SOUTH).

COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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Councilmember Duncan noted that the City has been discussing this property for several years and Ninigret has asked that decisions regarding the General Plan and zoning designations for the property be delayed multiple times in order to allow them time to conduct additional studies. He stated no additional studies have been conducted and the only studies the City has access to call for business park zoning on the property. He stated Ninigret is now asking for general commercial zoning, but the studies call for business park.

Councilmember Gailey asked if a portion of the property is already zoned industrial. Ms. Christensen answered yes. Councilmember Gailey stated the recommendation is to change the General Plan designation for that property so that it is not in harmony with the current zoning. Councilmember Johnson stated that the General Plan notes the City's preferred direction, but will not change the actual zoning of the property in any way. There was a discussion regarding the reasoning behind the General Plan land use designation differing from the current zoning and Councilmember Peterson stated that he feels it is not appropriate to extend the business park zone to cover the portion of property that is currently zoned industrial. Councilmember Duncan stated the Council is simply adhering to the recommendations of the studies that have been conducted to date. Councilmember Johnson added that if a future property owner or developer has a better idea in the future

they have the option of requesting or recommending a change to the General Plan in the future. Councilmember Peterson stated he would prefer to give deference to the current property owner and they have requested that the General Plan designation for the property be industrial.

Councilmember Lisonbee stated she has followed this property for several years, including back to the time that the Davis Technological Economic Cooperative (DTEC) project was being discussed and this conversation has been happening for many years. She stated the residents have had strong feelings about the property and the City, by and large, has agreed with the residents regarding their wants and desires for the property. A new owner has purchased the property and requested to construct an industrial project on the property, but the City has continually said industrial development is not appropriate in the area. The City has clearly communicated to the property owner the desires and wants of the residents and City as a whole. She stated she understand Councilmember Peterson's concerns and agreed that she would generally agree with giving deference to a land owner, but in this case she agrees with Councilmembers Duncan and Johnson that the subject property is a great location for the business park zone and that designation reflects the studies that have been conducted in the City. Councilmember Duncan agreed and stated Ninigret purchased the property with an understanding of the discussions that had been taking place in the City as well as the General Plan direction for the property. Councilmember Peterson agreed the current owner knew what the General Plan said about their property when they purchased it, but he does not agree that this discussion has been going on any longer than when Ninigret purchased it. He stated he is aware of DTEC, but it is not the same as what is currently being discussed; this conversation was initiated because of what Ninigret wants to do with the property and the proposed changes to the General Plan are being recommended in order to intentionally disagree with Ninigret's desires. Councilmember Duncan stated he moved to the City in 2008 and he lives near the subject property and he was approached by one of his neighbors soon after he moved to his neighborhood to discuss the DTEC project; the discussion has been happening for at least six years.

Mayor Palmer stated he is not sure how the conversation became focused on DTEC; the discussion has moved from DTEC, flex zoning, and industrial development, but there is no need to discuss industrial zoning or development because Ninigret already has a portion of property zoned industrial and the project to be built on that property is underway. The discussion tonight should be focused on the General Plan designation and zoning for the property west of the power corridor and there have been no active discussions in the last couple of months regarding changing the zoning of that portion of property to industrial. He stated he is comfortable with whatever decision the Council makes this evening, but it is 'disgusting' to reference DTEC and flex zoning during this conversation. Councilmember Lisonbee stated she raised the issue of DTEC and she did so because it plays into the historic nature of the property; she stated she will defend those comments because it is appropriate to provide historical information about the property. She added she has had numerous conversations with the property owner and developer to try to find some middle ground and it has been very difficult; she supports property rights, but she also recognizes that property owners give up certain property rights when they purchase property within a certain zone. The General Plan is the community standard and she agrees that placing the business park designation on a portion of the property reflects the long term goals of the City and the residents.

#### 8:32:01 PM

Mayor Palmer stated there has been a motion and a second regarding the proposed ordinance and he called for a vote; VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE. VOTING "NO": COUNCILMEMBERS GAILEY AND PETERSON.

#### 8:32:29 PM

### 12. Authorize Administration to execute Solid Waste Collection

#### Agreement with Robinson Waste Services.

A staff memo from Finance Director Marshall explained the City's solid waste contract with Robinson Waste was scheduled to expire at the end of March 2014. Therefore, administration has put out a request for proposal (RFP) to allow for solid waste haulers to bid on a new five year contract term. The bid was publicly noticed and was open from February 1 through February 28. Responders were asked to provide a bid solid waste and green waste hauling. The City currently has 6,848 black cans, 3,048 second black cans, and 1,398 green waste cans; in addition, the contract will include waste services for 11 dumpsters at City buildings and parks. Four companies responded to the RFP: Waste Management, Ace Disposal, Republic Services, and Robinson Waste. The Council packet included a summary of the bids including an estimated five year cost for the City. The number of cans was maintained for the purpose of the five year calculation for ease of comparison between years and haulers. The actual cost to the City will be greater than displayed for all four haulers when

new growth is taken into account. All haulers have a fuel surcharge clause in their bid with the exception of Ace Disposal. This means that if diesel fuel goes over a certain price per gallon, the City is required to pay a portion of the cost over that amount. Mr. Marshall did not calculate the fuel surcharge in this estimate because he did not have all of the facts to perform the calculation. The only scenario in which the fuel surcharge could have an effect on the low bidder is if diesel fuel prices increased over \$4.75 per gallon and stayed at that level consistently for a five year period of time. The packet included information regarding the price of diesel over the last 7 years and the price has not exceeded \$4.75 with the exception of a few months in 2008. The price per gallon has stayed consistently around \$4.00 per gallon over the past two years. Based on this information, it is highly unlikely that diesel fuel will stay above \$4.75 for the next five years. The low bidder for the contract is Robinson Waste; they are the City's current hauler and their performance history is known. Based on these results, staff recommends the Council award the contract to Robinson Waste for a five year period. Staff is working on assembling a contract and is asking that the City Council authorize administration to execute this contract based on the parameters set forth in the bid documents.

[8:32:29 PM](#)

Mr. Marshall reviewed his staff memo.

[8:34:54 PM](#)

Councilmember Duncan asked why the staff is recommending a five year contract rather than a three year contract. City Recorder Brown stated garbage hauling is a fairly comprehensive service and soliciting bids for the service every three years does not generate the best competition; the standard length of this type of contract is five years.

Councilmember Johnson stated he is satisfied that the same hauler will be providing the service because there will be no interruption or change in service that will be noticeable to the residents.

Councilmember Lisonbee stated she appreciates all Robinson Waste has done for the City, but she inquired as to when the last fuel index was created. Mr. Marshall stated he has the ability to review the fuel index weekly; the contract specifically spells out the criteria for determining when a fuel surcharge will be charged. He noted the fuel surcharge would need to be \$1,300 every month for the entire term of the agreement before Robinson's cost would equal the bid provided by the next lowest bidder.

Councilmember Gailey stated some cities provide one-side of the street garbage collection and he asked if the haulers are opposed to offering those kinds of services. Mr. Marshall answered no, but that was not included in the RFP. There was a discussion regarding the impact that the service would have on residents in the City and Councilmember Gailey stated it would be irresponsible not to consider the option as a cost saving measure. Mayor Palmer stated that issue could be discussed at a future date. Ms. Brown added that it would not be appropriate to negotiate such a service with Mr. Robinson given that other contractors were not afforded to provide a bid for the service.

Councilmember Peterson stated the seated City Council has not been supportive of curbside recycling, but he asked if that was included in the RFP. Mr. Marshall answered no, but it is always an option to negotiate costs for such a service in the future. Councilmember Peterson asked if the contract is structured in a way that the cost for green waste collection will decrease if the participation level in the program increases. Mr. Marshall answered no.

Councilmember Lisonbee stated she is supportive of recycling, but she is not in favor of a mandated recycling program through the City because there are independent vendors that provide recycling services in the community. Councilmember Johnson agreed.

Councilmember Peterson asked if the rates charged to the residents will be reduced as a result of the amount being charged by Robinson decreasing. Mr. Marshall stated the City will realize approximately \$44,000 in savings each year and it will be up to the Council to determine whether to reduce rates charged to residents. He then mentioned that two of the four responders requested an annual consumer product index (CPI) increase, but Robinson did not request an annual increase so his rate will be fixed over the next five years.

[8:46:32 PM](#)

COUNCILMEMBER DUNCAN MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE SOLID WASTE COLLECTION AGREEMENT WITH ROBINSON WASTE SERVICES. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

[8:46:49 PM](#)

Councilmember Duncan stated relations between Mr. Robinson and City Administration were strained over the last couple of years and he appreciated Mr. Robinson working through the problems associated with a poorly written contract that he had entered into with the City. He stated Mr. Robinson has always committed that he would be able to offer the lowest rates to the City he is pleased to see him follow through with that commitment.

[8:47:35 PM](#)

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

[8:47:56 PM](#)

13. Authorize Administration to execute Agreements for the  
Smedley Acres Culinary Waterline Project Phase one with Leon  
Poulsen Construction Company and HD Supply Waterworks.

A memo from the Public Works Director included the bid tabulation for the bids opened March 4, 2014 for the Smedley Acres Waterline Project. This project will replace the old undersized culinary water main in 2400 South, 1950 West, 2350 South, 1800 West and 2175 South. Full width asphalt replacement will be performed on these streets. This project will abandon old asbestos cement culinary mains. Ferguson Waterworks was the low bidder on Schedule B, but withdrew their bid. Mountain States Supply was second lowest but their bid was rejected by the City as being incomplete. The lowest responsible bidder for Schedule B is HD Supply Waterworks. The recommended low bidders and bid amount are as follows:

- SCHEDULE A
  - Low Bidder: Leon Poulsen Construction Company, Inc. – Bid Amount: \$399,987.34
- SCHEDULE B
  - Low Bidder: HD Supply Waterworks – Bid Amount: \$80,812.65
- Total Project Amount: \$480,799.99
- Engineer's Probable Cost Opinion For Total Project: \$600,000.00

City staff has reviewed the submitted bid from all bidders and recommend awarding schedule A to Leon Poulsen Construction Company, Inc. and schedule B to HD Supply Waterworks. The memo further explained this culinary waterline project is one that was identified on our list presented to city council as a high priority due to the age, pipe material and restrictions the existing 6" lines place on the system. This project will involve the replacement of an existing 6" culinary main with an 8" main along with full width asphalt repaving at the following locations:

- 2400 South from 2000 West to 1950 West
- 1950 West from 2428 South to 2250 South
- 1800 West from 2350 South to 2194 South
- 2350 South
- 2175 South from 2000 West to 2043 West

In an effort to reduce costs, this project was bid out with a Schedule A which includes furnishing some materials and installation and a Schedule B which includes furnishing materials. Public Works is pleased with the bid results and recommends approval of this project. The construction will begin as soon as contract documents are in place and will be completed by summer of 2014. The bid amount for the total project is \$480,799.99.

Staff recommends that bid Schedule A be awarded to Leon Poulsen Construction, Inc. and that bid Schedule B bid be awarded to HD Supply Waterworks.

[8:48:11 PM](#)

Mr. Whiteley reviewed his staff memo.

The Council commended Mr. Whiteley for his foresight in separating the work needed into two different phases of the same project in order to help the City realize significant cost savings.

Councilmember Duncan asked Mr. Whiteley if he has any concerns about the contractor's ability to perform. Mr. Whiteley answered no.

[8:51:46 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENTS FOR THE SMEDLEY ACRES CULINARY WATERLINE PROJECT PHASE ONE WITH LEON POULSEN CONSTRUCTION COMPANY AND HD SUPPLY WATERWORKS. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:52:08 PM](#)

14. Councilmember Reports

City Council Regular Meeting  
March 11, 2014

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 [8:52:17 PM](#). He was followed by Councilmembers Johnson, Lisonbee, Gailey, and Peterson.

[9:05:36 PM](#)

15. Mayor's Report.

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 [9:05:36 PM](#).

[9:06:38 PM](#)

16. City Manager's Report.

City Manager Bovero's report began at [9:06:38 PM](#).

At [9:10:23 PM](#) p.m. COUNCILMEMBER GAILEY MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Terry Palmer  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: April 8, 2014