



COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JANUARY 10, 2012 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE MOTION. ALL VOTED IN FAVOR.

#### 4. Public Comments

Douglas Merrill, no address given, stated that he has lived by a neighbor who owned two small dogs and one large dog for many years and he is here tonight to request additional conditions to the proposal to allow up to four dogs with a residential kennel permit. He asked the Council to keep in mind that small dogs are just as much of an impact to adjacent property owners as large dogs. He noted that the City finally prohibited roosters in all residential zones because of the noise impact they had on nearby homeowners; some dogs are just as much of a nuisance as roosters. He stated that there are many who will say that the government should not have the right to limit what property owners do on their own land and this view is often used in an effort to circumvent the greater good that results from appropriate discipline and community cohesion, and is frequently used to dispute any law of the land. He stated that people enjoy freedoms in American society because of laws and ordinances. He stated that many take advantage of loopholes or relaxed rules governing municipalities, so some ordinances simply have to be what may be called 'overly restrictive' in order to protect everyone from those who delight in annoying others whom they perceive as undeserving of their respect. He then stated that dogs are protective of their surroundings, and set their own boundaries and, therefore he would like to respectfully ask that City Councilmembers consider requiring 6-foot privacy fences for residential kennels. He stated that privacy fences would limit the dog's ability to see into neighboring properties and bark in defense of land they do not need to protect. He stated that since the City only handles disturbing the peace issues during nighttime hours, it would also benefit the community if language were added to Title Six of the Syracuse City Code establishing a process for the City to partner with the Davis County Animal Control in taking steps towards controlling nuisance dogs based on barking. He stated that barking dogs can be a major issue for the many residents in Syracuse; those who work nights and must try to sleep during daylight hours, or those who enjoy gardening, a family barbecue, or backyard reading – many of these residents end up retreating to their homes after enduring nonstop barking from the other side of the fence. He then stated that his final request would be to require service animals to comply with some of the same conditions as residential kennels if there were more than two dogs at the home or, at minimum, after the City became aware of issues created by so many dogs on one lot. He stated that if there is no limit on service animals, a resident in need of multiple dogs could create a major impact on adjacent property owners and those neighbors would have absolutely no recourse, simply because the dogs provided a service. He asked the Council to consider language that would allow the City to address problems brought before them from situations such as these and to then be able to require a minor conditional use permit and application of the same conditions as a residential kennel but without the limit to the number of dogs.

Joe Levi, 1844 W. 1975 S., stated that he was present at a City Council meeting held November 15 where staff attempted to create a position and add it to the City's wage scale. He stated the position was a marketing specialist and it was someone who was going to take care of the online marketing needs of the City. He stated that at that meeting, by a vote of three to two, the creation of the position was tabled rather than created. He asked the Council to imagine how concerned and confused he was when recently there was a job posting on the City website for a Planner I that had exact same job description as the position that had been rejected by the City Council. He stated that he asked the Council some questions about the issue and he received some good feedback from the Mayor who explained that the position is a replacement of another position. He stated, however, that the duties were not approved by the City Council and that gives him the impression that someone was trying to circumvent the Council. He stated that if the position and the associated duties are truly necessary, it would be appropriate to bring that issue to the City Council and allow whoever feels that the position is necessary make an argument for their case. He asked why the position is necessary. He stated that after reading the minutes from the November 2011 meeting he feels that the position is not necessary. He stated that he would like to know – and he still has not gotten an answer to his question – who thought that the position was important enough to 'skirt' the issue under the nose of the City Council and create the same position with a different title. He stated that it seems like that person, whoever it may be, is undermining the authority of the entire Governing Body. He asked if anyone could tell him who was responsible. Mayor Nagle stated that she did answer Mr. Levi's question via email and she would be happy to continue to meet with him after the meeting for further discussion. She invited him to listen to the discussion during tonight's meeting and if he still has questions she can try to address them after the meeting. Mr. Levi stated that he would like to suggest that the creation of a position that has the same title as an existing position, but different duties and responsibilities, is just a way to circumvent the appropriate way of creating the position. He stated that it avoids the transparency that the Council has committed to.

Gary Pratt, 2619 S. 575 W., stated that he wanted to address the Council about the street lighting project and the conversion to LED bulbs. He stated that he does commend the Council for making efforts to save energy, but his experience with other cities in the past has been that being an 'early adopter' of a program is not always the wisest thing when it comes

to money. He stated that Syracuse does not have a lot of money and this is not the position that Syracuse should take especially when considering the costs of being an 'early adopter' even when other companies are willing to pay part of the costs. He asked the Council to take a more careful approach. He then stated that he wanted to talk about the animal ordinance since he is on the Planning Commission. He stated that body spent a lot of time on their recommendation and they liberalized the current ordinance and it is misunderstood by a lot of people in the City who believe it is too restrictive. He stated that the Planning Commission recommendation is actually more liberal than it has been in the past. He stated that "we" forget when "we" talk about lot sizes that those sizes included homes, garages, driveways, etc., which then leaves very little space for animals. He stated that he would like the Council to take that into consideration. He then stated that in regards to the number of animals, the Planning Commission is not trying to limit the number of animals because people can apply for conditional use permits to have more animals on the property. He stated that he is simply asking that the Council adopt the ordinance as written with the one change that he recommended when the Planning Commission voted on their proposal. He stated that the Planning Commission has held public hearings regarding the ordinance and he thinks it has provided for a well rounded ordinance.

TJ Jensen, 3242 S. 1000 W., stated that there was a discussion about the filling of vacant Council assignments and positions and the City's position on the North Davis Sewer District (NDS) was discussed at length. He stated his suggestion would be that when the City notices the vacancy of the position on the Wasatch Integrated Waste Management District (WIWMD) due to the fact that Mayor Nagle will be resigning and she would like Councilmember Shingleton to take her place, that the notice should also include some language about confirming Councilmember Peterson as the City's representative on the NDS. He stated that will give the public two weeks to speak against that confirmation, though he does not think that will happen. He then stated that he wanted to address the animal ordinance. He stated that he talked to the Standard-Examiner reporter earlier about an article that was in the newspaper that seemed to imply that the point system that the Council is looking to adopt is a new concept. He stated that the point system has actually been around for about a decade and, as Mr. Pratt pointed out earlier, the Planning Commission has actually relaxed the point system to allow more animals in certain situations. He stated that he wanted to make it clear for the public record that this is not a new ordinance; the Planning Commission has reviewed the existing ordinance and considered updates to make it more flexible. He stated that the third item he wanted to talk about it the fact that there are a lot of residents on 700 South that are very concerned about potential development and there has been a lot of data presented to make the residents feel that the project will be good for the City and will create new revenue and taxes. He stated that he thinks that what would be more helpful to the residents would be to show where the City's resources need to be allocated. He stated, for example, that the City has an \$11 million deficit in relation to road projects, even though the City has managed to 'scrape together' \$1 million for road projects this year. He stated that the City does have an aging water infrastructure and Public Works Director Whiteley informed him that there is approximately 100 miles of water line in the City and there is at least eight miles that is constructed of the iron pipe, which is over 40 years old. He stated that the pipe is rusting and the result if multiple ruptures. He stated that on his street there have been three ruptures in the last year. He stated that he asked Mr. Whiteley for estimated for replacing the infrastructure and, though it is hard to determine those costs, he was told that \$80 to \$100 foot is a good starting point. He stated that would be \$4 million to replace all of the water lines that are over 40 years old. He stated that he thinks that if the City can make a stronger case for what needs to be done and why the revenue from the development project is needed that information would be helpful to the residents.

Matt Kimmel, 1218 S. 4050 W., stated that he knows he has three minutes to address the Council and he wanted to talk about a couple of things. He stated that he wanted to provide the Council with a quick recap of what their job is. He stated that the Council swore an oath to their office and their job is to support, uphold, and defend the constitution. He stated that the Council must defend all the citizens' rights, including his and everyone else in the room. He stated that by doing that the Council gives the citizens what they are secured in via the founding principles, and those are life, liberty, and the pursuit of happiness. He stated the pursuit of happiness is the ability to own and control property – that is the only way "you" can pursue happiness. He then stated that to defend, support, and uphold the constitution and defend Mr. Kimmel's rights and allow him to own and control his property would give him the ability to have the pursuit of happiness and control his property. He stated residents should have the ability to choose how they want to control their property so long as they do not violate the rights of others. He stated that there will be discussion about this tonight relative to the animal regulations included under agenda item number six. He stated that he hoped that the Council would lend and tend to the side of freedom and liberty and the pursuit of happiness and that they will give freedom a change. He asked that they give residents in the community a chance to control their property and see what happens. He stated that it is a dangerous subject – freedom. He stated it has barely happened in the history of humankind. He asked the Council to give it is a chance and see what happens and see if the phones aren't banked with complaints because someone has a rooster on their property. He referenced dogs and children and stated that he could name a lot of things that are stinky and loud and could probably bother a neighbor. He stated he does not think a rooster is much louder than a dog or some children or grown adults that live by him. He reiterated

his challenge to give freedom a chance and see what happens. He suggested giving it a year or two and give the citizens a chance to control their property to pursue their happiness the way they see fit.

Pat Zaugg, 1593 W. 700 S., stated that she wanted to give kudos to the Parks and Recreation Department. She stated that she recently had an issue with an Eagle Scout project that was in the cemetery that was blocking the access to the gravesite of her triplet grandsons. She stated that she called Parks Superintendent Ben Liegert who worked with the Director Kresta Robinson and this week they resolved the problem. She stated that she wanted to publicly thank them for responding to her concern and moving it to a much more pleasant portion of the cemetery.

5. Proposed Ordinance 12-02 amending various provisions of Title 10, The Land Use Ordinance, relating to administrative review and development review procedures – Conditional Use Permits.

A memo from the Community Development Director, Mike Eggett explained that during staff assessment of the current Title 10, and more specifically the zoning language, the Title was not sufficiently clear on the application of conditional uses permits. Therefore, staff has bolstered the existing language to clarify how to approve, suspend, or deny conditional use permits. Additional items are also included, such as the requirement of the Building Inspector to evaluate conditional use permit compliance and an amended review procedure for conditional use permit suspension or revocation.

On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the Conditional Use Permits, in which no comments were received. On February 7, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendments to Title Ten, Chapter 4, Administrative and Development Review Procedures as it relates to Conditional Use Permits within the Syracuse City Code. This amendment clarifies the review procedure for revocation of a conditional use permit, enhances conditional use approval standards, adds the requirement of review by City Building Inspector to evaluate compliance, and states that a conditional use permit for a nonphysical structure is not transferrable upon termination of permittee's residency. Additionally, after Planning Commission recommendation for approval, City Attorney Will Carlson made some additional recommendations.

The Community & Economic Development Department hereby recommends, following recommendation from the Syracuse City Planning Commission and City Attorney, that the Mayor and City Council amend Title Ten, Chapter Four, Administrative and Development Review Procedures as it relates to Conditional Use Permits within the Syracuse City Code.

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-02 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ADMINISTRATIVE REVIEW AND DEVELOPMENT REVIEW PROCEDURES. COUNCILMEMBER JOHNSON SECONDED THE MOTION. ALL VOTED IN FAVOR.

6. Proposed Ordinance 12-03 amending various provisions of Title 10, The Land Use Ordinance, relating to animals.

A memo from the Community Development Department explained that on September 27, 2011, staff presented a recommendation to the City Council for approval from the Planning Commission for an amendment to the Animal Ordinance to include pigeons in the point table as well as a small language change. At the September 27 meeting, City Council discussion moved beyond the changes presented and requested that staff and Planning Commission include additional changes such as a point allocation for quarter-acre lots, an example of the use of the point system, etc. During the period in which staff and Planning Commission was formulating additional recommendations to the Animal Ordinance, Davis County informed staff that the County was considering making changes to the County Animal Ordinance. Davis County requested City staff to hold onto any changes to the Syracuse Animal Ordinance until Davis County was able to make their changes. Davis County also requested that Syracuse amend the Animal Ordinance to mirror the County Ordinance to ease the burden on County animal enforcement officers of knowing every city animal ordinance. Syracuse City is under no obligation to make this change and Davis County has reflected that they will continue to enforce our ordinance as written. On January 3, 2012, Davis County Commissioners approved the attached amendment to the County Animal Control Ordinance, which went into effect on January 24, 2012. Primary changes includes: addition of cat registering and licensing requirements, allowance of maximum of three cats and dogs in any combination, if a third dog is owned the dog must be acquired from a legitimate animal shelter, etc. If the Syracuse City Ordinance does not address a specific issue, then the County Ordinance then the State Ordinance is applicable.

On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the Animal ordinance, in which comments were received. At that time, the Syracuse City Planning Commission chose to table the approval of the animal ordinance so that additional changes could be included. On February 22, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached

amendments to Title Ten, Chapter 6, General Land Use Regulations within the Syracuse City Code. This amendment includes the following: addition of a point allocation to lots that are a quarter of an acre or larger, examples of use of the point system and square footage conversion, reclassification of large animals, addition of a small fowl group in the points table, maintain that no more than two of the same species for household pets shall be kept, a limit on the maximum number of dogs a kennel permit allows, an additional exception to the point system, language regarding the harvesting of farm animals, the exemption of service animals from number of animals allowed through the use of a minor conditional use permit, a few definition changes, and other minor changes. Two dissenting opinions from Syracuse City Planning Commissioners have also been provided and are subsequently attached. At the February 28, 2012 City Council Work Session, additional comments were received. Therefore, these additional changes are highlighted in yellow in the attached proposed changes.

The Community & Economic Development Department hereby recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council amend Title Ten, Chapter Six General Land Use Regulations - Animals within the Syracuse City Code to reflect attached Ordinance No. 12-03.

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE ADOPTION OF PROPOSED ORDINANCE 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS. Councilmember Lisonbee's motion died for lack of a second.

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

Councilmember Johnson stated he wanted to continue the discussion that the Council had during tonight's work session concerning cats. He stated that he wanted to make some amendments to the proposed document. He stated that he wanted to strike (E)(2), which reads "no more than two of the same species shall be kept excluding dependent young". He stated that he also wanted to allow up to four dogs or cats. He stated he also wanted to remove item four so that people are not required to obtain a conditional use permit. Mayor Nagle asked Councilmember Johnson if he wanted to make the change to dictate that cats must not be licensed or registered through Davis County. Councilmember Peterson stated that he agrees with Councilmember Johnson's suggestions, except regarding the issue of four dogs. Councilmember Johnson stated that there are still kennel regulations and someone would be required to get a kennel license if they have three or more dogs. Councilmember Peterson asked Planner Andersen to make sure that the wording reflected that desire. Mr. Andersen stated that the language can state that up to four cats will be allowed as will up to four dogs, but keeping more than two dogs requires the owner to obtain a dog kennel permit.

Councilmember Lisonbee stated that she sent an email to Mr. Andersen prior to this meeting and she asked him if he had received it. Mr. Andersen stated that he did receive the email and he provided a copy to City Attorney Carlson so that he could share his opinion as well. He stated that they have come up with draft language on page three of the document under (C)(e) and there is a reference to State Code for additional laws regulating harvesting of livestock and noncommercial slaughter. He read the language to be included for the record. Councilmember Peterson inquired as to the purpose of that new language. He asked if it is a copy and paste of State Code language rather than a reference to the State Code. Councilmember Lisonbee answered yes and stated that the language counteracts the explicit language in the Davis County ordinance that states that it is animal cruelty to cause pain, harm, or death to any fowl or animal. She stated that there is no exclusion to that language for animal husbandry, so in order to protect the citizens of Syracuse she is asking for this language to be added. She stated it will allow farmers to harvest their animals. Councilmember Peterson stated that the language included camels and bison. Councilmember Lisonbee stated the word used is the Latin word for the family of camels, so it includes llamas and other types of animals. Councilmember Peterson stated that some people might interpret that to mean that they can keep a bison in a residential area of the City. Councilmember Lisonbee stated that is a good point. Mr. Andersen stated that bison would be classified as a large animal and someone would be required to have 20 points to keep one on their property. Councilmember Lisonbee then stated that she would also like for Mr. Carlson to make note that when Title Six is amended in the future she would like to include language that she provided to Mr. Carlson in her email. Mr. Carlson stated that this issue was presented to the Planning Commission and they declined including it in the ordinance because right now there are two animal cruelty laws that apply to Syracuse; one is Davis County because the City has given authority to Davis County to provide animal control. He stated the second law is a State statute addressing animal cruelty and it exempts livestock as long as one complies with husbandry practices. He wanted to assure the Council that he will not be prosecuting farmers for harvesting their animals. He then stated that his recommendation to Councilmember Lisonbee and the rest of the Council is to include any additional language about animal cruelty in Title Six rather than Title Ten, because it is not a land use issue. He stated he is concerned about placing it in Title Ten because there will be two relevant laws from Davis County; one says that injury or death to an animal is animal cruelty and the other says that animals must be slaughtered in a backyard or a side lot. He stated that the fact that this limits where slaughter occurs does not necessarily immunize

someone from the animal cruelty ordinance, though he thinks that was goal of the addition of the language. He stated that Planning Commissioner Tyler Bodrero mentioned to him that he reason they declined to include that language in the proposal is because they believe the fact that the exemption to livestock in the State Code is sufficient. Councilmember Lisonbee stated that at the last meeting Mr. Carlson told her that he wanted to assure her that he would not prosecute people according to Davis County ordinance, but that he would prosecute based on State law and in the Council packet it says that if the Council does not address specific language in the County ordinance the City will be required to abide by the County ordinance or the State law. She stated that means it is left up to the City Attorney or prosecutor to decide on prosecution. She stated that is a dangerous precedent for her; not protecting the citizens of Syracuse with specific language. She stated the document includes the language that Syracuse City refers to State Code for additional laws regulating harvesting. She stated this has everything to do with animal husbandry and animal keeping and it is not a public nuisance in her opinion. She stated she thinks it is important to include the language in this ordinance. She stated that the City Attorney will be the one making a decision on prosecution based on whatever law they decide to consider and that exposes the citizens of Syracuse who have farm animals and choose to harvest them. She stated a resident from Weber County was exposed in the same way and was prosecuted for violation of the State Law for protecting himself against a feral cat. She stated that is an issue that, as a citizen, she wants to prevent from happening. She stated that she wants to be protected and she wants other residents to be protected by including this language in Title Ten in the section dealing with animal keeping. Mr. Carlson stated that he is not disputing the policy decision of the Council and he is assuming that the goal of making livestock exempt is the goal that the Council wants to achieve. He stated that his only concern is about placing language in Title Ten about where on a person's property to slaughter animals. He stated that may not help in achieving that goal. Councilmember Peterson asked if adding the language to Title Six would achieve that goal. Mr. Carlson answered yes. Councilmember Lisonbee stated that the language in Title Ten about where to slaughter animals was actually added by the Planning Commission. She stated that she added language that refers to State Code. She stated that Mr. Carlson has recommended some language to be added to Title Six in the future and she feels they are important additions because they help to achieve the same thing she is trying to achieve. Mr. Carlson stated that he simply wanted to emphasize that Title Ten addresses land use in the City. He stated it appropriately addresses where an animal would be slaughtered, but what it does not effectively do is exempt the killing of an animal for the purpose of eating it. He stated that prosecution for something like that would come through Title Six of the City Code. He stated that if the goal is to make sure that the City Attorney does not prosecute a farmer for killing a chicken, it is appropriate to include language exempting livestock in Title Six. He stated the current language about livestock in Title Ten only talks about where the slaughter will occur but it does not exempt farmers from being prosecuted according to the County ordinance. Councilmember Lisonbee asked if the statement that "Syracuse City refers to State Code for additional laws regarding harvesting" does not exempt a farmer. Mr. Carlson answered yes and stated there is no language regarding harvesting in the State Code. Councilmember Lisonbee suggested changing the language to refer to the animal cruelty amendment in the State Code. She stated that Mr. Carlson told her, via email, that it did not make any difference where the language was included in the Code; as long as it was somewhere, it would provide protection. Mr. Carlson stated that is not what he said. He stated that Councilmember Lisonbee asked if the language had the full force of law. Mr. Carlson stated that it will have full force of law no matter where in the Code it is included, but if a defense attorney, or Police Officer, or prosecutor cannot find the regulation in the Code it will not be effective. He stated a law is only effective as its ability to be applied. Councilmember Lisonbee stated that all other animal ordinances are contained in Title Ten and she feels that is the appropriate place to add the language she is suggesting regarding harvesting or non-commercial slaughter of animals. She stated that if the State Code reference does not apply because there are no state code laws regarding harvesting, then she would like to see language added to address that. She stated that is why she wanted this item to be tabled; she has other concerns that are not related to animal harvesting that the Council has not gotten to yet.

COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND PROPOSED ORDINANCE 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS, AS FOLLOWS:

- STRIKE SECTION 10-6-040(E)(2), WHICH READS: NO MORE THAN TWO (2) OF THE SAME SPECIES SHALL BE KEPT, EXCLUDING DEPENDENT YOUNG;
- INCLUDE LANGUAGE THAT WILL ALLOW RESIDENTS TO KEEP UP TO FOUR CATS OR DOGS;
- STRIKE SECTION 10-6-040(E)(4), WHICH READS: TO BE ELIGIBLE FOR MORE THAN TWO (2) CATS, UP TO A MAXIMUM OF FOUR (4), THE CATS' OWNER(S) SHALL ACQUIRE APPROVAL FOR A MINOR CONDITIONAL USE PERMIT. HOWEVER, IN NO CASE SHALL A CATS' OWNER(S) BE ALLOWED A RESIDENTIAL KENNEL PERMIT [THREE (3) TO FOUR (4) DOGS] AND A MINOR CONDITIONAL USE PERMIT FOR MORE THAN TWO (2) CATS

- INCLUDE LANGUAGE THAT STATES THAT RESIDENTS ARE NOT REQUIRED TO LICENSE OR REGISTER A CAT THROUGH DAVIS COUNTY.  
COUNCILMEMBER LISONBEE SECONDED THE MOTION.

Mayor Nagle asked if anyone wants to amend Councilmember Johnson's amendment. Councilmember Peterson stated he wanted to suggest a cleaner option; he wanted to have a conversation about all the recommended changes and ask for one motion at the end of the conversation.

Councilmember Duncan stated that maybe it will be necessary to table the item because further discussion is needed. He stated that he has some of the same concerns as Councilmember Lisonbee regarding whether the language should be placed in Title Ten or Title Six.

Mr. Carlson stated that there are currently two open motions; a motion to adopt the ordinance and a motion to amend and adopt. He stated both motions have been seconded and if the Council moves to table at this point in time, they will be moving to table the amendment. He suggested voting on the amendment. Councilmember Lisonbee asked what would happen if the Council voted on the amendment. Mr. Carlson stated they would not necessarily be voting to pass the ordinance, but they would be voting to amend it as it is currently written. Councilmember Peterson suggested continuing the discussion until the Council is comfortable adopting.

Mayor Nagle stated there is a motion and a second to amend the ordinance as written; she called for a vote. ALL VOTED IN FAVOR.

Councilmember Lisonbee then stated that during the work session held this evening she brought up the 10-6-040(H)(4) language regarding roosters. She stated that it says that roosters are not permitted in any residential zones. She stated, however, that there are a lot of large lots in Syracuse that are in residential zones; people keep farm animals on those lots and they would like to have roosters as well. She stated that she would like to have some discussion on that issue. Councilmember Peterson stated that he agrees with Councilmember Lisonbee to an extent; he wanted to have a discussion about the minimum lot size that a rooster would be allowed on. He stated that he thinks that half-acre lots are too small. Councilmember Shingleton asked if Councilmember Peterson would be comfortable with declaring three-quarters of an acre the minimum lot size. Councilmember Lisonbee asked Mr. Andersen how many three-quarter acre lots currently exist in Syracuse. Mr. Andersen stated he would have to conduct some research to answer that question. Councilmember Lisonbee stated that she does not think there are a lot; she knows there are a lot of half-acres and a lot of acre lots, but she does not think there are many in between. Councilmember Duncan stated that he agrees with Councilmember Lisonbee as well as Councilmember Peterson on this issue. He stated that he would not want a rooster located right next to his bedroom window. He stated it is important to determine the minimum lot size. Councilmember Lisonbee stated that is why she suggested half-acre as being the minimum lot size. She stated that it seems that people living on that lot size would have farm animals. She stated that in the past the minimum size was a half-acre to qualify to use the point system. She asked Councilmember Duncan if there are half-acre lots near him. Mayor Nagle stated that there are half-acre lots located throughout her neighborhood. Councilmember Duncan stated that he is considering what would be best for the citizens, not for himself. Mr. Andersen stated that it may be appropriate to state that roosters are allowed on minimum lots sizes in R-1 and A-1 zones throughout the City rather than in any residential zone in the City. He stated that farm animal keeping is currently allowed in those zones in the City. Councilmember Peterson asked Mr. Andersen to describe what would be found in an R-1 zone. Mr. Andersen stated there is a minimum lot size, but not a maximum; the minimum is 10,000 square feet, or a quarter-acre. Councilmember Lisonbee stated that she is in an R-1 zone and she lives on an acre and there are several larger lots close to where she lives. She asked if the following language would be appropriate: "roosters are not permitted in any residential zones except A-1 and R-1 with a minimum lot size of half-acre". Councilmember Peterson stated that he is in favor of tying the restriction to a zone rather than lot size, but he is concerned by the fact that quarter-acre lots are allowed in R-1 zones. Councilmember Lisonbee stated that is why she suggested restricting the allowance to half acre-lots. Councilmember Peterson stated that there will still be the instance where there is a mix of lot sizes in a subdivision and a half-acre lot may abut a quarter acre or third-acre lot. Mr. Andersen stated that there could be an R-2 or R-3 zone adjacent to an R-1 zone and those zones allow for higher density.

Councilmember Johnson asked if the animal husbandry issue has been resolved and if a decision has been made regarding whether the language should be included in Title Ten or Title Six. Councilmember Lisonbee stated that is one of the reasons she wanted to table the ordinance this evening. She stated that she is not comfortable with that issue and she would like to continue to explore it. She asked if there is any reason that this ordinance must be adopted tonight. Mr. Andersen stated it has been in process for six months and a couple of additional weeks will not be too damaging. Councilmember Peterson stated that he supports Councilmember Lisonbee's purpose, but he has heard from the City Attorney that it is more appropriate to include the language in Title Six and he is in support of that as well. He stated that changes to Title Six could be changed at the next Council meeting. Councilmember Lisonbee stated that there are several items in Title Ten that deal with animals that are not really related to Land Use and she asked if all of those would be moved

to Title Six as well. Mr. Carlson stated this is an inherent problem in granting law making authority to another body. He stated that as soon as Davis County changed their laws, the City's laws changed as well. He stated that if the Council wants to be making changes to the Davis County ordinance, his recommendation is that those changes be included in the same spot of the City Code that gives authority to Davis County. He stated that will simplify and streamline the review process as much as possible. He stated that Title Six is the spot in the City Code where animal control authority is granted to Davis County. Councilmember Duncan asked if there is anything wrong with having the language in both Title Six and Title Ten with a reference to both included in each respective Title. Mr. Carlson stated that redundancy is fine. Councilmember Peterson asked if that will lend itself to having very muddled ordinances. City Recorder Brown stated that she is concerned about including the same language in two different Titles of the City Code because a future City Council may make a change to one Title without being aware that the same language exists in another Title and the result will be that there will be two conflicting sections of the City Code.

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE CONSIDERATION PROPOSED ORDINANCE 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

Mr. Andersen asked if the Council had any further direction for him so that he could be prepared to provide an updated document at the next Council meeting. Councilmember Lisonbee stated that she would like to include references to Title Ten after where the language being recommended by Mr. Carlson will be added. She stated the language is very pertinent and she would just like to add a reference to the animal keeping ordinance to it. She stated if she were looking for information about slaughtering animals she would look in the animal keeping ordinance, which is located in Title Ten. She stated she would not first look in Title Six because it is an administrative ordinance. Mr. Carlson stated that he wanted to offer some clarification. He stated that proposed ordinance 12-03, which the Council is considering tonight, would only make changes to Title Ten; it will not make changes to Title Six. He stated that the Council can talk about amending Title Six at some time in the future.

Mayor Nagle asked Mr. Andersen to work on amendments to the ordinance based on the discussion that the Council has had tonight. She then stated there is a motion and a second regarding tabling consideration of the proposed ordinance. She called for a vote. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, AND SHINGLETON. VOTING "NO" COUNCILMEMBER PETERSON.

Councilmember Peterson stated he voted in opposition to the motion because he felt the Council should try to finish their discussion about the ordinance tonight.

#### 7. Proposed Resolution R12-11 appointing City Councilmembers to various committee positions and assignments.

With the recent resignation of past Councilmember Kimmel, it is necessary to review the assignments that he held and consider appointing someone to fill those vacancies. Attached is Proposed Resolution R12-11, which allows the council to do so.

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-11 APPOINTING CITY COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS, WITH THE FOLLOWING AMENDMENTS:

- STRIKE ITEM A, THE APPOINTMENT TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT CONTROL BOARD.
- FILL IN BLANKS THROUGHOUT THE RESOLUTION WITH THE INFORMATION DISCUSSED DURING THE MARCH 14 WORK SESSION.

COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 8. Proposed Resolution R12-12 appointing Councilmember Shingleton to the Wasatch Integrated Waste Management District (WIWMD) Administrative Control Board.

Councilmember Lisonbee stated that the Council had a discussion regarding this item during the work session that preceded this meeting. She stated that the resolution should be tabled in light of that discussion and due to regulations included in State Law 20A-1-512 requiring a two week notice of vacancy period before appointing for a mid-term vacancy to any local district board.

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED RESOLUTION R12-12 APPOINTING COUNCILMEMBER SHINGLETON TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT (WIWMD) ADMINISTRATIVE CONTROL BOARD. COUNCILMEMBER DUNCAN SECONDED THE

MOTION. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, AND SHINGLETON. VOTING "NO" COUNCILMEMBER PETERSON.

Councilmember Peterson stated he voted in opposition because he feels that the Council needs to quit tabling so many items and try to have a discussion to reach a resolution. Councilmember Lisonbee stated that the issue is being addressed and the Council must follow the law, which is why she referenced the law. Mayor Nagle stated the City Attorney actually advised the Council that they could have taken care of the appointment this evening, but the motion to table is approved.

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

A staff memo provided by the Community Development Department provided a list of the likely Taxing Entity Committee membership for Syracuse City as it relates to the EDA and CDA areas. Interesting to note is 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. Another interesting thing to note is that there are only, at current time (minus Matt Kimmel), three elected officials that would participate on this board as is reflected on the attached document.

**Syracuse City Taxing Entity Committee (TEC) Membership**

Davis County

Kent Sulser – Economic Development Director

Steve Rawlings – Elected Representative, County Auditor

All Other Taxing Entities Representative

Tage Flint – Weber Basin Water Conservancy District Manager

Davis County School District

Craig Carter – County Business Administrator

Elected Representative from the County School Board

Utah State Office of Education

Larry Newton – Director of Finance

(Alternate) Cathy Dudley – MSP Budget and Property Tax Specialist

Syracuse City

Mayor Jamie Nagle – Elected Representative

Vacant Seat – previously held by Matthew Kimmel

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-09 APPOINTING A REPRESENTATIVE(S) TO SERVE AS SYRACUSE CITY'S APPOINTEE(S) ON THE TAXING ENTITY COMMITTEE (TEC) FOR THE REDEVELOPMENT AGENCY (RDA) OF SYRACUSE CITY. Councilmember Peterson's motion died for a lack of a second.

Councilmember Johnson asked for clarification. He asked if the Council could appoint another elected official to the committee. Mr. Carlson stated that the Council is only required to appoint a person; beyond that requirement it is up to the discretion of the Council. Councilmember Lisonbee noted that the Legislative Body is responsible to make the appointment. Mr. Carlson stated that is correct.

Councilmember Peterson stated that he understands the desire to only appoint elected officials to this committee. He stated there is already an elected official appointed to the committee and that is Mayor Nagle. He referred to the staff memo and noted that all other entities that are represented have appointed one elected official and a staff person who knows the innerworkings of the entity. He stated the City could do the same by appointing Mr. Rice to serve alongside Mayor Nagle. He stated that Mr. Rice has all the answers and the Mayor would be present as the elected representative and he feels they are the perfect pair to represent the City on this committee. Councilmember Duncan stated that he has some concerns about that. He stated that the City is bound by the decisions made by the TEC and he does think that the citizens should be represented by an elected person. He then stated that he has noticed in the past that the City has consistently raised taxes, bonding, etc. and he is concerned that the same thing could happen with the TEC and the citizens will be paying higher taxes as a result and he thinks that the person appointed should have a more conservative approach. He stated that once someone is appointed to the committee the Council loses control over it. Councilmember Peterson stated this is the TEC of the RDA and the RDA consists of the City Councilmembers. Mr. Rice stated that is correct and he noted that the TEC represents all the taxing entities that get a vote on how to provide tax increment benefits to developers as a project goes forward. He stated no decision made by the TEC would impact property taxes of the citizens of Syracuse. Councilmember Lisonbee stated with any development there is a baseline and then an increase in the tax revenue created by the development and supposedly that

increased amount can be gauged. He stated that the TEC decides what portion, according to State Law, they are going to take and reinvest into the EDA or CDA or RDA area. She stated that in this case that portion cannot be 100 percent, but it can be anywhere between zero and 80 percent of the increased tax revenue. She stated that a developer can essentially benefit from tax dollars. She stated that it is something that the Council is answerable to the citizens for and she thinks it is important for an elected official to be appointed to the TEC. Councilmember Peterson stated that he agrees that the Council is answerable, but the point he is trying to make is that those decisions will still be forwarded to the RDA for final approval. Mr. Rice stated that the TEC will actually decide how much increment will be held for development of the project. Councilmember Duncan stated that decision will be binding on the City and it will not be referred to the RDA or any other board made up of elected officials for a final decision. Councilmember Lisonbee agreed. Community Development Director Eggett stated that is not entirely accurate. He stated that the TEC will review and adopt a budget and it will then be brought to the RDA board for final resolution. Councilmember Lisonbee stated that State Code actually gives the TEC the authority to decide the proportions of tax increment that is withheld and that is not a decision that is brought to the RDA for approval. Mr. Eggett stated the proportions will be negotiated as part of the budget and the TEC then brings a recommendation to the RDA board for approval. He stated that the TEC representatives still must appear before the RDA. Councilmember Peterson stated that he stands by his recommendation that Mr. Rice be the appointee and that recommendation has been reinforced by what Mr. Eggett said. He stated that he trusts Mr. Rice and he thinks that he will carry out the Council's wishes, but if he does not do that, the Council has control over Mr. Rice's employment with the City. He stated there are two ways in which the RDA will still have some control over what Mr. Rice would do as a member of the TEC. He stated the City will be represented by someone who knows the inner workings of the City as well as an elected official in Mayor Nagle.

Mayor Nagle stated that she wanted to point out that the meetings of the TEC are held during daytime hours. She stated that she has extended an offer on several occasions to members of the Council to come to City Hall and acquaint themselves with how the City functions so that they can be prepared for the budget preparation season. She stated that the Councilmembers are very busy during the day and they have yet to take advantage of those offers and the budget season is now upon the City. She stated that everyone has made so many commitments, but some of the Councilmembers are not honoring the commitment they made when they chose to be a Councilmember. She stated that this seems to be a little bit of posturing and grandstanding; she agrees that there needs to be accountability in this situation, but there needs to be accountability in all areas and the Council is not taking the initiative to become educated during the day because their other commitments are keeping them so busy. She stated she would suggest that the taxpayers would want the Council to know exactly how the City works before they begin working on a budget so that they can intelligently make decisions. She asked how this committee will be any different. She stated that she understands the commitment issue, but she feels that needs to parlay into other areas of responsibility of the Council. She stated that Mr. Rice is present day to day and it is job to answer to and carry out the wishes of the Council. She stated that she is frustrated; she understands the reasoning behind this discussion, but it cannot be part and parcel. She stated that if the Council wants to be so committed to the taxpayers and their dollars, she would say that the Council should be doing that in all areas. She asked how many of them have visited the Fire Department, Police Department, or Recreation Department to try to understand their inner workings. Councilmember Lisonbee called for a point of order. She stated that she appreciates Mayor Nagle's sentiments, but she thinks there is a fine line that she is toeing between making a personal attack and comments that are actually germane to the discussion. Mayor Nagle stated she is not making a personal attack; rather, she is stating factual information. Councilmember Lisonbee stated that she has received emails from the citizens saying they would prefer to have another elected official appointed to this committee. She stated that does not mean that Mr. Rice would not do a fantastic job because she believes that he would. She stated that she does not feel that Mr. Rice should be the appointee. She stated that she agrees with the citizens that have told her that the appointee should be an elected official.

Councilmember Shingleton stated that when this issue was initially raised, the City Council at that time also felt very strongly that both of the appointees should be elected officials.

Councilmember Johnson asked if anyone has the desire to be appointed. Councilmember Peterson stated that the person selected also must be able to attend daytime meetings. Councilmember Lisonbee stated that she does not have a desire to be appointed, but if no one else will do it, she would be happy to do it for the taxpayers and she would be able to attend daytime meetings. Councilmember Peterson asked why Councilmember Lisonbee does not have a desire to be appointed. He stated that, as a taxpayer, that would concern him. Councilmember Lisonbee stated that she is not chomping at the bit to participate in anything that takes her away from her kids during the day, but she sought election to this office and she was elected by the taxpayers and she thinks that it is her duty and she will do her very best in everything that she does. She stated that she will step forward as a person that does not have a job during the day and do this for the citizens of Syracuse.

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-09  
APPOINTING COUNCILMEMBER LISONBEE AS SYRACUSE CITY'S APPOINTEE ON THE TAXING ENTITY

COMMITTEE FOR THE REDEVELOPMENT AGENCY OF SYRACUSE CITY. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

Councilmember Peterson stated that he voted in favor of appointing Councilmember Lisonbee and he wants to support her in that position, but he wanted to reiterate that he felt that Mr. Rice was the best choice for the position.

10. Proposed Resolution R12-10 amending the Syracuse City Wage Scale by reclassifying the position of Deputy Fire Chief to a full-time position, and by making other minor adjustments throughout.

A staff memo from Finance Director Steve Marshall explained that the changes to the wage scale are reflected in the "recommended change" column and are highlighted in yellow. It is important to note that no changes were made to the actual wages or ranges for any position with the exception of the proposed full-time deputy fire chief (discussed below in detail). Most of the changes are minor. For example:

- City Administrator was changed to City Manager.
- Recreation Director was changed to Parks & Recreation Director.
- Utility Billing Clerk was changed to Utilities Billing Clerk.
- Administrative Secretary was changed to Administrative Professional.
- Secretary I & II were changed to Administrative Assistant I & II.
- Several positions are recommended to be deleted from the wage scale since they are now obsolete.
- The bailiff position was changed from a full-time position to a part-time position in the wage scale. It was input as a full-time position in error when it was originally approved.

The one major change to the wage scale is a recommendation to convert the part-time Fire Chief to a full-time Deputy Fire Chief. There are several reasons for this recommendation. The Fire Department has operated with a part-time Fire Chief for the past several years. However, with the retirement of our Assistant Fire Chief, the new Fire Chief has taken on the task of evaluating the Fire Department structure as a whole to see what will be the best model to move forward with in the future.

In benchmarking against other cities of comparable size and also fire districts, it was important to note that all of them had a full-time Fire Chief and a full-time or equivalent Deputy Fire Chief. Most of the entities of our size also had a full-time Fire Marshal. With this proposal to move to a full-time Deputy Fire Chief it is our recommendation that this position would take on the additional duties of a Fire Marshal for the City. What will it cost the city to make this change? I have performed a benchmark study to other cities of comparable size and/or location for a full-time Deputy Fire Chief and determined that the pay range would best fit in our wage scale at grade 321 with a range from \$27.90 per hour to \$40.46. We can minimize the increase in cost to the City by promoting employees from within. My estimate shows that if we promote from within, the net increase to the salaries and benefits for the fire department is approximately \$35,000. This increase in cost is primarily from adding benefits to a full-time position. Mr. Marshall's memo also stated that his recommendation is to move forward with converting the Deputy Fire Chief position to a full-time position.

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-10 AMENDING THE SYRACUSE CITY WAGE SCALE BY RECLASSIFYING THE POSITION OF DEPUTY FIRE CHIEF TO A FULL-TIME POSITION, AND BY MAKING OTHER MINOR ADJUSTMENTS THROUGHOUT. COUNCILMEMBER SHINGLETON SECONDED THE MOTION. ALL VOTED IN FAVOR.

11. Proposed Ordinance 12-04 approving General Plan updates specific to the Trail System Master Plan.

A staff memo from the Community Development Department explained that in an ongoing effort to update the Syracuse City General Plan, the Syracuse City Planning Commission created a Transportation Subcommittee to examine and update the transportation section of the General Plan. As a key item of the Transportation Subcommittee review, a selection of Planning Commissioners, a Councilmember, City staff, and members of the public, chose to examine the trails component of the General Plan. The proposed amendment to the trails component is significant, as the existing trails component within the General Plan does not involve much detail and guidance.

On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the General Plan, specific to the Trail System Master Plan, in which one comment was received regarding implications to the West Davis Corridor. On February 7, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendments to the Syracuse City General Plan, Trail System Master Plan. This amendment includes the omission of the Trails portion of the General Plan, revised to reference Appendix I, which is the new Trail System Master Plan. Also included is a Syracuse City Trails Master Plan map.

The Community & Economic Development Department hereby recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council amend the Syracuse City General Plan – Trail System Master Plan.

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED PROPOSED ORDINANCE 12-04 APPROVING THE GENERAL PLAN UPDATES SPECIFIC TO THE TRAIL SYSTEM MASTER PLAN. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

## 12. Councilmember reports.

Councilmember Lisonbee stated that she had nothing to report.

Councilmember Shingleton stated that he wanted to comment on the Trail System Master Plan. He stated that a couple of Councilmembers were invited to participate in the subcommittee that worked on the updates and he was able to attend some of the meetings held by that body. He stated that the subcommittee did a very good job. He stated there was a lot of good discussion. He stated that he also wanted to compliment the staff that worked on the Plan as well; it is very comprehensive and makes for a great system. He stated that he would also like to congratulate the Syracuse High School girl's basketball team who recently won the State Title for the second time in three years. He stated they are to be commended for that accomplishment.

Councilmember Peterson stated that there are a couple of significant things happening at the North Davis Sewer District. He stated that they are in the process of trying to sell all of their bio-solids to a big agricultural user and, therefore, it will not be available for pick-up by residents. He stated the advantage to that is that the District does not have to process the solids to an acceptable point for use on residential gardens; rather, they can process it less and it can still be used in larger agricultural applications. He stated that it will save the District a significant amount of money, but the downside is that residents will no longer be able to pick it up on their own. He then reported that the District was able to pay off a small bond that will save \$40,000 in interest; it was not big as the last bond amount that was paid off, but it was paid off early to save interest costs.

Councilmember Johnson stated that he attended the Syracuse Elementary Community Council meeting and they have a lot of concern for the safety of their students; they also are very interested in helping students succeed. He stated that it was a very good meeting. He then stated that he agreed with Councilmember Shingleton that the Trails Master Plan is great; he was involved in developing it before he was elected to the City Council. He then stated that he wanted to reiterate that the budget season has begun and he is looking forward to the discussions that the Council will have, beginning with the budget retreat scheduled for the end of March. He stated that he wanted to express that he is hoping to see that it will be possible to maintain roads as well as the Police and Fire Departments while finding cuts wherever necessary in order to balance the budget and prevent the need to go to the citizens and ask for extra in taxes. He stated that citizens have suggested that the Council review all programs in the City, such as the senior program, to see where the programs can be improved. He stated that one resident told him that they feel like they are being left out of the Senior Program; there are so many youth programs, but not much for the seniors. He then stated that he feels that if the Council is conservative it will be possible to have a great budget season. He stated he is not sure what the City's rainy day fund looks like, but he hoped that the staff can be conservative in revenue estimates and put some money aside for a rainy day.

Councilmember Duncan stated that he also wanted to reflect on the budget; he reiterated that the budget season has begun. He stated it was not too long ago that he was sitting in the audience as a citizen expressing his concerns about the City's finances. He stated that there were concerns about whether the City was going to bond or raise taxes and he thinks that "we" heard loud and clear from the citizens that they did not want the City to do either. He stated that the Council can look for cuts, but he is not an expert on City budgets and he needs to figure out how budget works. He stated that he would encourage the citizens to participate because tough decisions will need to be made and they should be made together. He stated that if the Council is serious about no new taxes or bonding, he would put onus on them to let the Council know what should be done instead. He stated that if revenues continue to lag and the City cannot afford to continue to provide services, it will be necessary to start reviewing options. He stated he would encourage the citizens to provide meaningful suggestions. He then stated that

## 13. Mayor report.

Mayor Nagle stated that she wanted to welcome Councilmember Duncan to his first meeting and she looks forward to working with him as a Councilmember. She then stated that she has some sad news; the sister of the City's IT Director was the person whose home burned to the ground in West Point. She stated that the family's home was a total loss and they are now staying with Mr. Peace. She stated there has been an account set up for the family at America First Credit Union under the name Brody Poulsen if anyone is interested in donating. She is sure that the family could use some help during this

difficult time. She stated that some of the City's public safety employees were the first responders to the fire. She stated that Syracuse City has some of the best first responders and she is in awe of the job they do. She stated that she also wanted to address the comments about the City's rainy day fund. She stated tremendous strides have been made in that area of City budgeting. She stated that two years ago the City had the lowest allowable limit according to State Law and that amount has since been tripled. She stated the fund is very healthy and that was one of the priorities she had along with staff because she wants to be able to pay for things with cash whenever possible. She then stated that she has been invited to be an honorary commander of the 388<sup>th</sup> EMS Squadron from Hill Air Force Base and she would like to ask the City to partner with them. She stated she was talking with their Colonel and he would love to have a part at Jensen Park for his squadron in May. She stated that they will be coming home from a deployment as well as being released from a major drill and she wanted to encourage the City Council and staff to be involved in that. She stated that a barbeque can be held in conjunction with the party. She stated the date of the party will be May 19. She then reported that at the next meeting there will be a proclamation on the agenda to recognize the Syracuse High School girl's basketball team for their great achievement. She stated that the team and their coach have been invited to attend.

14. City Manager report.

Mr. Rice then stated he wanted to respond to some of the comments made about the budget. He stated that during the retreat staff will address the projections for revenues and expenses and the Council will have the opportunity to help shape that data. He then stated that last year the City had a fund balance of nine percent and the State requires the reserve to be anywhere between five and 18 percent. He stated that the current reserve amount is 14.5 percent. He stated that in January of 2011 there was approximately \$5.1 million in cash reserves and now the City has approximately \$7.1 million. He stated that some of those monies are restricted for different uses, but it communicates that the City is doing well financially. He stated that that is why staff asked the Council to approve the dedication of \$1.1 million of that cash to a couple of road improvement projects through the end of the fiscal year. He then stated that at the last Council meeting he briefed the Council about an ongoing audit, which is still underway. He stated that staff has no idea how long the audit will take, but Mr. Marshall is spending a good portion of his day interacting with the auditors and sending any information they ask for.

15. Consideration of adjourning into 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; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property

COUNCILMEMBER SHINGLETON 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 PETERSON SECONDED THE MOTION, WITH THE FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

The meeting adjourned into Closed Executive Session at 8:36 p.m.

The meeting reconvened at 9:30 p.m.

At 9:31 p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER SHINGLETON 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: July 10, 2012