

Minutes of the Work Session meeting of the Syracuse City Council held on March 14, 2012, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

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

City Employees Present:

Finance Director Steve Marshall
IT Director TJ Peace
City Attorney Will Carlson
Community Development Director Michael Eggett
City Planner Kent Andersen

The purpose of the Work Session was for the Governing Body to review agenda for Special Council Meeting to begin at 7:00 p.m.; review of agenda item five, Proposed Ordinance No. 12-02 amending various provisions of Title 10, the Land Use Ordinance, relating to administrative review and development review procedures – Conditional Use Permits; discuss agenda item six, Proposed Ordinance No. 12-03 amending various provisions of Title 10, the Land Use Ordinance, relating to animals; discuss Proposed Resolution R12-11 appointing City Councilmembers to various committee positions and assignments; discuss 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 of Syracuse City; review agenda item nine, 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 title amendments throughout; discuss City Planner position; review City Council Rules of Order and Procedure; and discuss Council Business.

6:00:23 AM

Review of business meeting agenda item five, Proposed Ordinance No. 12-02 amending various provisions of Title 10, the Land Use Ordinance, relating to administrative review and development review procedures – Conditional Use Permits.

City Planner Andersen approached the Council and summarized the changes that are being recommended for consideration by the body. He stated he would be happy to answer any questions.

Mayor Nagle stated that she had one question about Section 10-4-080(E)(5)(c). She stated that the paragraph seems incomplete. Mr. Andersen explained that some of the wording has been changed, but it follows the intent of the section. He explained that (c) is part of a list of items that are required by paragraph (5).

Councilmember Duncan stated that he has a question about 10-4-080(D)(1)(h). He stated that the section reads that “the Department may request that the applicant provide, at his or her expense, any reports and/or studies relating to utilities, traffic impact, school impact, soil and water impact, existing conditions, line-of-sight and building massing, and any other information necessary in order to render a proper decision”. He stated that he feels that some language needs to be added calling out a reasonable standard. Mr. Andersen asked if Councilmember Duncan is referring to a reasonable standard under which the City can request the documents referenced by the section, to which Councilmember Duncan answered yes. He stated that under the current language the City could request the cited reports for any given reason, but he would like some stipulations added that must be met in order for the City to request said documentation. Mr. Andersen noted that the section says that the City “may” request the documentation, but there is no requirement for the City to request the documents. He stated that the City would only request the documentation if it would be in the best interest of the development application. Councilmember Duncan stated that he would still like to see some language added to the section that allows applicants to reject the request from the City if it is not reasonable. He stated that every time a request is made of him he considers whether that request is reasonable before complying. Councilmember Peterson agreed, but stated that it could be solved easily by adding language stating that if additional information is required for the City to consider an application, the applicant could be asked for that additional information. Councilmember Shingleton stated that if the information is

required, that differs from what Mr. Andersen stated about the submission of additional information being optional. Mr. Andersen agreed and reiterated that the City can request additional information, but the section does not require an applicant to provide that information. Community Development Director Eggett agreed and stated that a developer could give an explanation about why they do not feel the additional information should be necessary. Mr. Andersen stated that he is hopeful that whatever information the City is requesting will only serve to assist in the processing of the conditional use application. Councilmember Duncan stated that is fine, but he is still concerned that an applicant may get “dinged” for not providing information requested by the City because they may not feel that request is reasonable. Mr. Eggett stated that an applicant can always appeal any decision of the Community Development staff.

Councilmember Lisonbee inquired as to the ratio of citizens applying for conditional use permits in comparison to developers. Mr. Eggett stated that development has been lagging as of late, so he suspects that there have been more applications received from residents; but, development is beginning to pick up again and that ratio will change. He stated that the ratio is likely 85 to 15, with home occupations or residents being the higher of the two. Mr. Andersen agreed and stated that home occupations such as daycares require conditional use permits, but those types of applications do not require any studies outside of a short survey. Mr. Eggett noted that the City has never received a negative response to a request for additional information to accompany a conditional use permit application. He stated that the staff is very willing to work with applicants on any issue that may arise. Councilmember Duncan stated that he is comfortable leaving the language as it is currently written with the understanding that applicants have the option of providing additional information rather than being required to do so. Mr. Andersen stated the language could be amended to say “the Department may request that the applicant provide, at his or her option and/or expense. . .”. Councilmember Shingleton stated that he was comfortable with that language. Councilmember Peterson agreed.

[9:51:03 AM](#)

Discuss business meeting agenda item six, Proposed Ordinance No. 12-03 amending various provisions of Title 10, the Land Use Ordinance, relating to animals.

Mayor Nagle stated this item was on the last Council meeting agenda and at that time the Council had the opportunity to hear from Planning Commissioner Gary Pratt about his opinions regarding the changes that are being suggested. She stated that Planning Commissioner TJ Jensen also wanted to address the Council, but there was not sufficient time at the last meeting for him to do so; therefore, she would like to hear from Mr. Jensen this evening.

[9:51:26 AM](#)

Mr. Jensen approached the Council and stated and provided his input regarding the proposed Ordinance.

[9:52:10 AM](#)

Mr. Andersen noted that a change has been made to the Ordinance whereby four cats would be allowed with a Conditional Use Permit (CUP). He added, however, that a resident would not be allowed to have four cats and four dogs; rather, they would be allowed four dogs and two cats or four cats and two dogs. Mr. Jensen noted he is comfortable with that change.

[9:52:36 AM](#)

Councilmember Shingleton asked about someone that may have four parakeets. Mr. Anderson stated that the Ordinance reads that someone may keep dogs, cats, small animals, and fowl as household pets in residential zones subject to certain conditions, including that no more than two of the same species shall be kept excluding dependent young. The Council then briefly discussed the issue of how many household animals can be kept by a property owner.

[9:55:34 AM](#)

There was a discussion about Davis County’s animal keeping ordinance compared to Syracuse City’s ordinance with Councilmember Lisonbee noting that if the City does not adopt its own animal keeping ordinance, the Davis County ordinance will essentially be in effect for Syracuse. Mr. Andersen stated that is correct. City Manager Rice noted Davis County will not enforce parts of their ordinance that conflict with parts of the City’s ordinance.

[9:56:55 AM](#)

Councilmember Lisonbee stated she has questions about setbacks; the City has a point system that applies to properties starting at a quarter-acre in size, but the point system is also related to setbacks and the setbacks basically preclude property owners with one-third of an acre or less from the point system, which could be considered a contradiction. Mr. Andersen stated that he could review the language to determine what would be more appropriate for a quarter-acre lot size. Mr. Eggett added that it may be possible to create different standards for smaller lots. Councilmember Peterson stated that the zoning of the property should still be considered. Mr. Eggett agreed. Councilmember Lisonbee then raised the issue of keeping roosters on property in the City. Mr. Andersen stated the ordinance is written now in a way that it prohibits roosters

in an R-1 Residential zone. Councilmember Lisonbee stated that the language could be added to say that roosters are not permitted in any residential zones except for those zones with lot sizes over one-half acre. Mayor Nagle stated that could create some problems; a discussion among the Council and staff regarding the issue then ensued with the conclusion being that discussion would continue during the business meeting prior to making a final determination.

10:02:20 AM

Discuss Proposed Resolution R12-11 appointing City Councilmembers to various committee positions and assignments; Discuss Proposed Resolution R12-09 appointing a representative to serve as Syracuse City's appointee on the Taxing Entity Committee for the Redevelopment Agency of Syracuse City.

Mayor Nagle stated it is necessary to review this resolution again because of former Councilmember Kimmel's resignation and the subsequent appointment of Councilmember Duncan. The Council reviewed the list of assignments and made decisions about which assignments they would accept.

10:05:50 AM

Councilmember Lisonbee asked Mayor Nagle if she is resigning from her position on the Wasatch Integrated Waste Management District (WIWMD) Board. Mayor Nagle stated she will and there is a resolution on the agenda to appoint Councilmember Shingleton to take her place. Councilmember Lisonbee stated that means the position would be a midterm vacancy and State Code says that for any midterm vacancy there needs to be a period of time during which the vacancy is advertised to the public. The Council and staff then discussed the issue of midterm vacancies for these types of positions.

10:21:53 AM

Review of agenda item #9, 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 title amendments throughout.

A memo from Finance Director Marshall explained 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:

- o City Administrator was changed to City Manager.
- o Recreation Director was changed to Parks & Recreation Director.
- o Utility Billing Clerk was changed to Utilities Billing Clerk.
- o Administrative Secretary was changed to Administrative Professional.
- o Secretary I & II were changed to Administrative Assistant I & II.
- o Several positions are recommended to be deleted from the wage scale since they are now obsolete.
- o The bailiff position was changed from a full-time position to a part-time position on 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 change 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 our 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.

Mr. Marshall reviewed his staff memo and highlighted the changes to the wage scale.

10:24:14 AM

Councilmember Duncan stated some positions are being removed from the wage scale and he confirmed that means those positions will not be filled. Mr. Marshall stated that is correct. Councilmember Duncan asked if that changes the City's financial situation. Mr. Marshall answered no because the positions have been vacant for some time. Mr. Marshall then continued to review the wage scale.

10:26:19 AM

The discussion regarding the Deputy Fire Chief position began by Mr. Marshall reviewing the wage scale relative to that position as well as benchmark data from other cities. Mr. Rice also provided input regarding the recommendation.

10:31:13 AM

Fire Chief Froerer then provided input and answered a question from the Mayor regarding who had been performing the duties of Fire Marshall in the Fire Department.

[10:32:55 AM](#)

Councilmember Duncan asked if specific positions are understaffed or if the entire Department is understaffed. Chief Froerer stated the Department definitely needs a Fire Marshall and there is enough expertise in the Department to promote from within to fill that position.

[10:33:50 AM](#)

Discussion regarding financial implications of the proposal as well as staffing of the entire Department were then discussed by the Council and staff.

[10:42:42 AM](#)

A discussion regarding the elimination of the GIS Technician position then ensued with the conclusion being that continued discussion regarding budgeting for payroll can be discussed during the upcoming Administration/Council budget retreat.

[10:46:07 AM](#)

Mayor Nagle stated that there is no more time to discuss the remaining items. Councilmember Lisonbee stated she wanted to continue the work session meeting after the business meeting to have the discussion regarding the last two items.

The meeting reconvened at [4:06:42 PM](#)

[4:06:47 PM](#)

Discussion regarding City Planner position

This item was added to the agenda at the request of Councilmember Shingleton and Councilmember Lisonbee. Councilmembers Lisonbee and Shingleton explained their reasons for adding the item to the agenda. Councilmember Shingleton asked Mr. Rice to provide a justification for filling the position. Mr. Rice responded to Councilmember Shingleton's inquiry and discussion regarding the powers and duties of the Council versus powers and duties of the City Manager ensued.

[4:39:56 PM](#)

Review City Council Rules of Order and Procedure

This item was added to the agenda at the request of Councilmember Lisonbee.

Mr. Carlson stated that he has reviewed the recommended changes from Councilmember Lisonbee and discussion regarding those changes ensued. Mayor Nagle stated that she does not have a copy of Councilmember Lisonbee's recommended changes. Councilmember Lisonbee read her proposed changes to the Council and Mayor. Discussion regarding the changes ensued.

[4:46:57 PM](#)

Council business.

Mayor Nagle provided a report regarding a barbeque the City is hosting for the Hill Air Force Base 388th Squadron.

The meeting adjourned at 11:33 p.m.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: November 13, 2012