

Minutes of the Work Session meeting of the Syracuse City Council held on March 26, 2013, 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 Recorder Cassie Z. Brown

Excused: City Manager Robert Rice

City Employees Present:

City Attorney Will Carlson
Community Development Director Michael Eggett
Police Chief Garret Atkin
Finance Director Steve Marshall
Public Works Director Robert Whiteley
Planner Sherrie Christensen

The purpose of the Work Session was for the Governing Body to hear public comments; receive an annual report from Justice Court Judge Bean; have pre-retreat budget discussions; discuss special meeting agenda item three – Animal Control Interlocal Agreement with Davis County; discuss RDA agenda items three and four – budget opening and the potential amendment of the contract with the Syracuse Family Fun Center; and discuss Council business.

Public comments

[6:01:21 PM](#)

TJ Jensen, stated he wanted to comment regarding the upcoming budget retreat and the discussion about metering water. He stated he has talked to a lot of residents about the current billing system and how it is unfair to residents with small families or a small number of people living at their house. He stated that the number one thing he hears is complaints about why people pay for others water when they are only using a couple thousand gallons of water each month. He stated restructuring the billing is something that some residents would like to see; that will put more of a burden on larger families, but it makes sense that the people using the water should be responsible for paying for it. He then stated that the Council has had a couple of discussions about electronic metering of water and he noted he thinks that would be in the City's best interest in the long term, but trying to get the project finished in two years is a little ambitious. He stated that if the program were spread out over five or 10 years, that would be easier for the Council to accept and budget for. He stated that anything that will save the City money in the long term is a good idea.

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Mayor Nagle noted a resident, Jayme Miya, sent an email to the Governing Body and that she asked that it be included in the record as public comment. The email read as follows:

"I have sent e-mails to the current government of Syracuse. The only member of the government that has responded to me is Mayor Nagle. She is the ONLY one who will get a re-election vote from me and my husband. I have sent several e-mails to Councilwomen Lisonbee and Councilman Duncan. None have found the need to respond to me, a citizen of Syracuse, they say they represent. What a complete joke. There is no one on the current City Council that represents me or my family. They speak in council minutes about transparency and the fact they know better what the citizens of Syracuse need. Complete verbatim minutes of council minutes. What a disgusting overuse of power, councilwoman Lisonbee. They in fact have made the city of Syracuse a joke. I am disgusted that they think I am so stupid, I cannot figure this out. I have listened to the council meetings on audio, and they are all about discrediting the mayor and city employees. At this point, there is no one in the city council that my husband and I will support for re-election. The rest of the council seems scared to stand up to these bullies, Lisonbee, Duncan and Shingleton. Since councilwoman Lisonbee and Councilman Duncan have not answered my e-mails, their constituents, my husband and I, whose family owns World Wide Packaging and Crating of Utah will be attending the next council meeting and the council members will answer us to our face. Our family business is dealing with the Ninigret project and are in complete favor of it. It has the potential of increasing our business. The last thing this city needs is more retail development in that area, to sit empty just like the entire city of Syracuse. What is this council doing to remedy

this. Syracuse is a ghost town. Businesses close as soon as they open. Please add us to your public comments portion. And we are educated enough that you will have to have more proof that what you are doing for the city of Syracuse is actually doing this city anything positive and will increase business for this city and not just try to discredit the mayor for what she is doing for this city. I would truly ask the government of this city to address my issues, if not we will have a face to face. And at this time I demand answers to my questions. You are not able to hide behind whatever face you think you can hide behind. I can also go to the newspapers and citizens with your complete incompetence to the citizens of this city.”

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Mayor Nagle stated she wanted to make follow-up on comments that were made by a resident during the last City Council meeting. She stated there was a citizen that came forward and came down hard on the City Manager for giving himself a raise. She stated it was unfortunate that no one would talk to her or the City Manager about the comments to try to get clarification. She stated she is the person that gave Mr. Rice a raise and she is happy to talk to anyone about it. She stated she would hope that when the City staff is being disparaged and untruths are coming out, that the Council would look into it further and try to make sure they get the correct information out to the residents.

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Councilmember Lisonbee stated she was contacted by a resident wishing to make public comment this evening, but they are unable to attend this meeting. She asked if it is possible to add public comments to the agenda for the special meeting. Mayor Nagle stated the Council can amend the agenda when the time comes.

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Annual Report from Justice Court Judge Bean

Justice Court Judge Bean is required to provide an annual report to the City Council. He used the aid of a PowerPoint presentation to provide a brief presentation to the City Council. The PowerPoint presentation included the following information:

- Syracuse City’s justice court has been in existence for more than forty years (probably longer) (formerly known as Justice of the Peace).
- Judge Bean has served as justice court judge since 1993 (19 years).
- Syracuse City Justice Court was a Class II justice court (avg. 201+ citations per month), may have dropped to a Class III court (50 – 200 citations per month). Utah Code Ann. §78A-7-102(2).
- Court is certified by Judicial Council every four years. Utah Code Ann. §78A-7-103(1).
- Must meet certain minimum requirements for certification.
- Requirements depend on what “Class” the court is. (Number of support personnel).
- All justice courts “not of record” required to record its proceedings by 1 July 2012. Utah Code Ann. §78A-7-103(3).
- Recording has not caused problems, thus far. Few requests for digital recording of a hearing (maybe only one or two in nine months).
- Weighted caseload: .39 of full-time judge.
- Fewer citations (charges) filed in calendar year 2012.
- Weight of cases has been heavier. More jury trials.

Statistics 2012

- Number of traffic cases: 1765.
- Number of criminal cases: 285.
- Average cases per month: 170.83.
- Total revenue collected: \$493,160.84
- Revenue to Syracuse City: \$318,948.56
- Revenue to State of Utah: \$174,212.28

Recent Challenges

- Ethics Opinion 12-02 – prevents courts from referring defendants to specific counseling or probation providers.
- Usually have 3 – 4 representatives from counseling providers in court every Wednesday.
- DUI, Anger Management (DVA), Drug Counseling, Drug Testing, Theft Counseling (Cognitive Reconstruction).

Advantages of Local Court

- Local justice.
 - Community problem solved within the community.
 - Remains a problem solving court, not a revenue generating entity.

- Community sense of security.
 - Community wants to see “the little stuff” enforced. Gives a greater sense of security that the felonies are being enforced as well.

Justice Court staff and support:

- Will Carlson
 - Tough (four DVA jury trials in very short time)
 - Kind (Willing to compromise)
 - Intelligent (quick, good judgment)
- Jody Howell / Debbie Rainford
 - Very dedicated
 - Willing to be flexible and adjust with the new policies, programs and procedures from the AOC.
- Police Department – very professional, good judgment, well prepared for court.
- Great support from Bob Rice and Jamie Nagle.
- Great support from the City Council.

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The Council asked questions throughout Judge Bean’s presentation.

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Judge Bean concluded his report and the Mayor and Council thanked him for doing a great job for the City. City Attorney Carlson reminded the Council that court sessions are open to the public and the Council is encouraged to attend a session to become familiar with the Justice Court process in Syracuse City.

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Pre-retreat budget discussions

Copies of the various proposed budgets for the City have been provided to the City Council. This item was added to the agenda to give the Council an opportunity to ask any questions about any items included in the proposed budgets.

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Councilmember Johnson stated he has reviewed the budget and feels it looks good and is balanced.

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Councilmember Shingleton asked what impact furloughs at Hill Air Force Base (HAFB) could potentially have on the City. Finance Director Marshall stated the only direct impact furloughs would have on the City would be in the arena of sales tax; if Syracuse City is home to many people that work on HAFB and they are furloughed, their spending habits could be impacted. He stated it is too early to know the actual impacts. He noted he has budgeted flat for sales tax; he is projecting \$2.9 million in sales tax revenue this year and for this same period last year the revenues are actually \$26,000 higher. He stated the trend of raising sales tax revenues is still continuing and revenues are approximately five percent higher than last year. He stated next year’s proposed budget includes a sales tax revenue projection of \$2.95 million. He added one good thing is that each year in July the City’s population is reassessed and the City’s population continues to increase each year and continued increases will help to boost sales tax revenues.

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Mayor Nagle noted that as the economy constricts there is the potential for an increase in domestic violence cases and she asked Police Chief Atkin if that is the case. Chief Atkin stated it would be difficult to give a definitive answer regarding domestic violence cases increasing, but in general there have been reports of increased domestic violence and theft cases.

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Councilmember Peterson stated there have been a couple of recent discussions and comments made about electronic metering of the City’s water system or changing the billing system for the City. He asked if there is willingness among the Council to consider either of the two options. Council discussion regarding the topic commenced and the conclusion was that the Council would not consider a project to install electronic meters on the City’s water system.

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Discuss special meeting agenda item three – Animal Control Interlocal Agreement with

Davis County

A memo from the Police Chief explained he wanted to provide the Council with information as they review the new contract from Davis County Animal Control. After receiving the contract and list of incidents from Animal Control, City Planner Noah Steele and Chief Atkin worked to verify that all the reported incidents actually occurred in Syracuse. A list of questionable addresses was submitted to Animal Control for review; they were very good to work with and reviewed our list for accuracy. As a result, Syracuse City saved \$449.68 for 14 calls that were invoiced but did not actually occur in the boundaries of the City.

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Chief Atkin reviewed his staff memo with assistance from Mr. Marshall

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Council discussion of the proposed agreement commenced. The discussion concluded with Councilmember Lisonbee noting she had talked with Mr. Carlson about her concerns regarding the agreement and the two of them worked out some amendments to be considered by the entire Council. Mr. Carlson noted the changes that can be considered by the Council during this evening's business meeting.

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Discussion regarding RDA agenda items three and four – budget opening and amending the contract with Syracuse Family Fun Center

A staff memo from Finance Director Marshall explained Ed Gertge approached the City Council at the March 12, 2013 meeting and requested that the Council look at options to further assist with the Syracuse Family Fun Center expansion. He requested additional funds to be front loaded from the RDA or the ability to postpone payment of building fees to a future date in order for him to meet all of the upfront costs of the project. Staff was directed by the Council to bring options to this meeting to discuss. We had discussed at the last meeting two different options. The first option was to draft a resolution that would allow Ed Gertge to postpone payment of building fees to a future date. Currently our ordinance does not allow for postponement of fees. The second option would be to increase the initial payment from the RDA to help pay the upfront costs of the project. Mr. Marshall's memo expressed his opinion is that of the two options available, the best option for the City would be to frontload the RDA payment. To be clear, this option is definitely feasible; however, as a Finance Director, this is not his recommendation. The memo explained Mr. Marshall has prepared **two** PDF files attached with this summation (included in the RDA meeting packet). One shows the current budgets with a \$300,000 payment in FY2013, while the other shows a budget with a \$400,000 payment in FY2013. Highlighted in yellow are all the payments that would be affected by frontloading more money now. Mr. Marshall's memo explained he briefly discussed at the last Council meeting that the City Council, acting as the RDA Board, would need to decide if they wanted to front load additional funds to help pay for the Fun Center expansion. The tradeoff is that there will be less money available in the next few years to spend on other potential projects in the RDA. In the event that the City Council makes the decision to frontload additional funds to help with the Fun Center expansion, we have set a public hearing for tonight with the option to adjust the RDA budget for FY2013.

A second staff memo from Finance Director Marshall explained staff is recommending making a few changes to the contract agreement between Syracuse City and Syracuse Family Fun Center. The project has been postponed due to issues with securing the financing to fund the expansion. As such, the contract needs to be modified to change the expected completion date to November 30, 2013 and the payment of fees date to no later than July 1, 2013. These changes will ensure that the construction can be completed in a reasonable amount of time. If the city council makes the decision to front load more money from the RDA, the contract will need to be amended to consider the increase in the amount of funding approved. Currently the amount for FY2013 is \$300,000.

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Mr. Marshall reviewed his staff memos.

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Matt Gertge, representing the Syracuse Fun Center, provided a brief synopsis of the Fun Center's request for additional assistance.

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Council discussion regarding the item commenced. Questions were answered by City staff and Mr. Gertge throughout the discussion.

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At the conclusion of the discussion the Council directed staff to amend the agreement according to the figures and terms discussed and provide it to the Council for consideration at the next business meeting.

Council business

[7:30:46 PM](#)

Councilmember Peterson provided a report regarding his participation on the North Davis Sewer District (NDSD) Advisory Board.

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City Recorder Brown stated she wanted to provide the Council with information regarding the audio recordings of Council meetings. She explained she will no longer be providing a recording of Council meetings to the Ustream website; meetings will still be broadcast live on the site, but recordings will no longer be available. She stated she recently found a way to convert the official recording of a Council meeting, which is made using software called For The Record (FTR), to a .wav file that can be posted on the City's website and is easily accessible by the public. She stated all audio recordings for 2013 meetings are included on the City's website and they are of a higher quality than the Ustream audio recordings. She stated that if anyone contacts the Council with questions about Council meeting recordings they can be directed to the City's website.

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Councilmember Lisonbee stated she was contacted by residents regarding using the vote-by-mail system for the 2013 General Election; she was surprised to hear some of them say they do not want to receive a ballot in their mailbox and that the system invites fraud. She stated that she feels that if they were able to have communication with Ms. Brown or with County Elections Coordinator Pat Beckstead those fears could be alleviated. She stated she wanted to pass that information on. Ms. Brown stated the Council is welcome to refer residents to her to discuss election issues and if it is necessary to hold a meeting to talk about any election issues, Davis County representatives could be invited to answer any questions from the Council or residents.

The meeting adjourned at [7:37:32 PM](#).

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: [April 9, 2013](#)