

Minutes of the Regular Meeting of the Syracuse City Council held on March 27, 2012, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

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

City Employees Present:

Police Chief Brian Wallace
Community Development Director Michael Eggett
City Attorney Will Carlson
Information Technologies Director TJ Peace
Finance Manager Steve Marshall
Police Detective Corey Rowley
City Planner Kent Andersen

Visitors Present:	Val Cook	Scott Holt	Jerry Guffey
	Lavell Sackett	Robert Redford	Ron Thurgood
	James Merrill	Joe Gallegos	Lurlen Knight
	Gerald Jacobs	Jordyn Cook	Carl Cook
	Zach Rowley	Ray Zaugg	Pat Zaugg
	Josh Hughes	Robert Kelly	Cody Adams
	Andrew Nelson		

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Councilmember Peterson provided an invocation. Councilmember Johnson then led all present in the Pledge of Allegiance.

COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

COUNCILMEMBER LISONBEE MADE A MOTION TO RECONSIDER THE ADOPTION OF THE AGENDA. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

Councilmember Lisonbee stated that she wanted to add an item to the end of the agenda to allow the Council to discuss an item that was on the work session agenda. She stated that she wanted the Council to discuss the potential scheduling of a Special Council Meeting or open house.

COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE AGENDA BY ADDING AN ITEM BEFORE COUNCILMEMBER REPORTS TO ALLOW FOR THE DISCUSSION OF SCHEDULING A SPECIAL CITY COUNCIL/PLANNING COMMISSION JOINT MEETING.

Mayor Nagle suggested that the item be added after public comments so that Planning Commission Chair Greg Day can participate in the discussion.

COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE AGENDA BY ADDING AN ITEM AFTER PUBLIC COMMENTS TO ALLOW FOR THE DISCUSSION OF SCHEDULING A SPECIAL CITY COUNCIL/PLANNING COMMISSION JOINT MEETING. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Public Comments

Lurlen Knight, 400 S. 2000 W., stated that he wanted to offer an idea for the Council to consider. He stated that the idea is related to the parcel of property where a developer is considering constructing an industrial park. He stated that for years the City has looked for an area to construct a swimming pool. He stated that years ago when he was on the City Council they visited with surrounding cities and all of them were interesting in forming a special district to construct a swimming pool near Syracuse High School, but at that time there was no property for sale in that area. He stated that his proposal is that Syracuse City revisit that idea and approach Clinton, Sunset, and, West Point to see if they are still interested in participating. He stated that he has spoken to Councilmembers from Sunset and they have indicated they would be interested in considering the idea. He stated that they could create a special district that would have representation from each City and they could move forward with constructing a recreation center. He stated the center would not be a copy of the center in Clearfield City and he would propose that Clearfield be approached and asked to participate contingent upon the center not being a duplicate of their center. He stated that there are some people that live in the City that are experts on

swimming pools and how to make them profitable. He stated that he envisioned the facility having an outdoor pool similar to the pool located in Roy City, as well as an indoor competitive pool and an indoor heated pool. He stated that users living within the district could be issued passes allowing them to use the facilities in both Syracuse and Clearfield. He stated that would eliminate any competition. He stated there are many possibilities. He stated that seniors like their pool water to be very warm and they could utilize the facility for therapy purposes. He stated that competitive swimmers like their water to be colder. He stated that having both types of pools would eliminate that contention. He stated that he knows the potential developer of the property is looking at options that would appease the residents that live in the area so they could be approached and asked if this idea would be acceptable to them. He stated he asked the City to consider proposing the idea. He stated that he also believed the School District would participate since they have participated in other similar projects on in the southern area of Davis County. He then stated that he noticed that there was an item on the work session agenda for this evening to allow the Council to discuss the City's appointment to the North Davis Sewer District (NDS). He stated that he finds this topic very strange since there is already someone appointed to the position. He stated that he served on the NDS Board for some time while he was a Councilmember, but some of the things that have happened since that time have caused the City to suffer somewhat. He stated that he is still friends with some of the members of the Board and he believes that the City needs to be very careful in maintaining a positive relationship. He stated that he believed there will be a change in the NDS leadership very soon and the City will not be allowed to participate in that transition if the relationship remains damaged. He stated that it is not wise to continue to make changes to the City's appointment. He stated that the position requires more than simply being able to attend evening meetings; the appointee is required to attend functions held during the day as well as conferences and conventions that are sometimes held out of the state. He stated he would ask the City to be very cautious.

Josh Hughes, 2853 W. 2330 S., stated that he has lived in Syracuse for 10 years and he is a small business owner from the City. He stated that he wanted to start his comments tonight by relating an experience he had a few years ago while on a business trip in Miami with his business partner, Aaron Vazquez, who is also a Syracuse resident. He stated they were able to sit down with some of Aaron's uncles and talk about their father who had immigrated to the United States from Cuba where he had been a great entrepreneur. He stated that he had started an ice business when refrigerators were literally ice boxes. He stated that his business delivered all around the island and eventually ended up dominating the ice business there. He stated that after Fidel Castro gained power in Cuba, the government and military took the ice maker's business and made it part of the government. He stated that the ice maker was left with nothing. Mr. Hughes stated that he, as an entrepreneur as well, felt horrible for the ice maker, but he also felt grateful that he is an American and his business cannot be taken away from him. He stated, however, that he is now worried about the same thing happening to him and his business here in Syracuse City. He stated that the City has published a request for proposals (RFP) for garbage and recycling services. He stated that he is the owner of Mountainwest Curbside Recycling and his business provides recycling services on an optional basis to Syracuse citizens. He stated that his business has served many residents since 2006; they are not a 'huge' business and they only have a few hundred customers, but to lose those customers to the City would be devastating to his business. He stated that he personally believes that there is a place for government, but it is not to take over sectors that are being fulfilled by private companies. He stated that he would ask that the Council reviews the response to the RFP that they consider private entities owned by local Syracuse residents that are currently fulfilling the need to recycle. He stated that he believes in an opt-in program because it results in happier recyclers who are recycling because they want to. He stated the quality of the recyclable materials is much better because the contamination rate is much lower because people care about what they put in their bin. He stated that if the City chooses to adopt a mandatory or opt-out recycling program, he hoped that they will consider using a local business. He stated that supporting local businesses has been a hot topic in the local newspapers and the City's newsletter. He reiterated that he has been providing the service to Syracuse residents for several years and he hoped to be able to continue to do that.

TJ Jensen, 3242 S. 1000 W., stated that he wanted to discuss the agenda item regarding changes to the animal control regulations in the City's land use ordinance. He stated that he has been talking to City Planner Andersen about the changes that he has presented to the Council for their consideration tonight. He stated he wanted to make sure that the Council understands that, if adopted, the changes will allow a resident to have up to four cats on their property, or four dogs if they have a kennel license. He stated that when he approached the Council a couple of weeks ago to express his dissent about the recommendation he did state that he thought that the regulation regarding keeping two animals of any species should be eliminated from the proposal. He stated that his intent was to support the keeping of animals no matter what species they are, but he feels that allowing up to eight animals may be a "stretch". He stated he is not sure how the rest of the Planning Commissioners feel about the recommendation, but he wanted to state his comments for the record. He then stated that secondly, he wanted to state again that he thinks that Councilmember Peterson is doing a great job as the City's appointee to the NDS Board. He stated, however, that he likes the idea of publishing a notice in the newspaper to simply confirm the appointment in two weeks. He stated that Councilmember Shingleton raised an issue with him about the two

positions that have pay associated with them and the suggestion was that the money paid for those positions be deposited into a fund that can be used for Chloe's Sunshine Park. He stated that suggestion may be worth some discussion.

Val Cook, 2241 S. 1000 W. stated he is a lifetime citizen of this community and he has spent a lot of his time working on the irrigation system. He stated that he is here to make a plea to the City Council and City administration to invite them to meet with the West Branch Irrigation Company before voting on the measure of metering secondary water. He stated there are a number of reasons he makes this request. He stated that one reason is that he has heard a lot of people say that the overflow of water is going to the lake, but he wanted everyone to realize that the overflow comes from the secondary ponds and not from citizens overwatering their lawn. He stated there are various reasons for that. He stated that he also knows that the City is considering the study that was recently completed by the Weber Basin Water Conservancy District, but he wanted the City to compare apples to apples; he stated that Weber Basin has a huge area that it serves and it also has pressurized water systems for large tracts of land, such as farms that use large quantities of water. He stated there are many differences between the Weber Basin system and the system that the City uses and the comparison is not a fair one. He stated that the other issue he cannot understand is how the City thinks that enough water can be saved in reducing the amount of water used for lawns in the City to cover the cost that will be inherent with installing and maintaining meters. He stated that it becomes apparent to him that this is not an issue of saving water for the City; rather it is an issue of generating revenue. He stated that lastly there have been many agreements made between the City and local farmers wherein the City agreed to maintain a flat rate for secondary water service. He stated those agreements need to be found and honored by the City. He stated that those are agreements that were made to move forward in the development of this good City.

Scott Holt, 1123 W. 3050 S., stated that he his present this evening to point out to the Council that there are some citizens that are concerned with the way things are in the City as well as the direction in which the City is going. He stated that last year there was an effort to recodify and change the powers held by the Mayor and the City Council. He stated that through that process the City enacted Title Two in the City's Code, however, it has come to his attention that the ordinance was never properly enacted. He stated that Utah Code required a different vote to take place for that ordinance. He stated the law requires that in order to expand, change, or enlarge any duties of the Mayor, a certain type of vote is required. He stated that changes can be made through a unanimous vote of the Council, which would be all five members, or by a majority vote including an affirmative vote from the Mayor. He stated that in reviewing the minutes he found that Title Two allegedly passed with a vote of three to two, but the Mayor failed to vote and by that failure the ordinance never passed. He stated the City needs to look at everything that has been done since the ordinance was enacted. He stated the Council either needs to pass the ordinance according to State statute or acknowledge the ordinance failed to pass and the City should be acting under the old ordinance. He stated there will be legal challenge from anything done according to the new ordinance because it was never properly passed. He stated he simply wanted to bring this issue to the Council's attention and encourage the City Attorney to look into the issue as well.

Burke Larsen, no address given, stated that he is the local elected official to the Davis School District Board. He stated that recently the District boundaries changed and he has picked up the west side of 2000 West in Syracuse. He stated he is present this evening to speak in favor of the proposed industrial development. He stated that one of the tough things the School Board does is evaluate claims for authority to grant tax breaks and the issue is whether the development can happen without a tax break, and if it will, the Board does not want to give a tax break. He stated the Board is typically in favor of increasing the tax break because Davis County is 34th of the 41 Districts in the State in terms of evaluation per student. He stated consequently the County is 12th highest in terms of the tax rates. He stated that he may need a police escort to leave the building tonight, but he wanted to state that he has learned that there is a theory that the more diverse the student bodies can be, the more benefit there will be for all classes attending the school. He stated that he is very active in the predominant religion and he has been very involved in the moral behavior of teenagers and he does not believe that a business close to a high school does not make a significant impact on a child. He stated that everyone wants to protect the youth and everyone has their own set of values, but he does not believe that the business being located next to the high school will affect the students attending there. He then provided the Council with a copy of the current ranking of districts in the State with respect to evaluation per student.

Pat Zaugg, 1593 W. 700 S., stated that she wanted to address Mr. Larsen. She stated that she is offended and appalled that the School Board does not care what type of business is located in this area as long as the District gets money from it. She stated that she heard those comments in recent panel meetings as well. She stated she thinks that "we" should care what kind of business "we" get our money from and she is going to continue to encourage the District to rethink their position of supporting the industrial development. She stated that "we" care about what type of business is put there and she does not think that money should be the only thing the District thinks about. She stated they need to think about the quality of business that is located there and if the business drives away the residents that live near the high school the quality of students will also go down. She then stated that she is also puzzled about the issue of metering secondary water. She stated that when residents were introduced to the program they were guaranteed a flat rate with no metering of water. She stated

that she would encourage the City to research that issue. She stated that maybe the agreement only applies to residents that lived in the City at the time that the program was introduced and the City may be able to meter the water used by newer residents, but she does not think it makes sense to meter some parts of the City and not others. She stated she is very concerned about the issue and she reiterated that the residents were told that their water would not be metered. She then stated that she wanted to thank the Council for all the time they spend on behalf of the City. She stated she knows the things they are doing are difficult. She stated that she hoped that the Council can start working better together and the some of the comments that have been made can be forgotten. She stated she hoped they can become a cohesive Council and move past their differences. She stated that she understands that differences arise because of different personalities, but she encouraged them all to find the best “way” for Syracuse.

3. Discussion regarding scheduling of potential Special City Council and Planning Commission joint meeting.

Councilmember Lisonbee stated that she and Councilmember Johnson met with Randy Abood, developer of the property near the High School, last Tuesday and in that meeting, which was also attended by several other people, it was put forward that it would be a good idea to hold a meeting with the Council and the Planning Commission as well as the developer so that citizens can attend to ask questions and make comments regarding the development. She stated that there has been a lot of feedback as she has had conversations with the Mayor and the staff. She stated that Councilmember Johnson raised a concern about the format. Councilmember Johnson stated that he envisioned a format where the citizens could get information directly from the developer; citizens would have the opportunity to ask the developer the questions and there could be discussion about any concerns or misinformation that is present. He stated that the Council and Planning Commission could attend to observe and gain insight from the perspective of the citizens and the developer. He stated that it would be good for everyone to be involved, though it is not necessary for the Council and Planning Commission to be part of the panel. He stated the citizens and the developer could have a very open discussion about the proposed project. He stated his main goal is for citizens as well as the Council to get information from the source. He stated he does not know if it is necessary to notice the meeting as a joint session if the Council and Planning Commission are not going to participate in the discussion. Councilmember Lisonbee stated that City Attorney Carlson already gave his opinion on that issue. Mr. Carlson stated that his opinion is that if the Council and Planning Commission would be attending for the purpose of receiving or hearing comments from the residents, it would be necessary to notice the meeting as a meeting of the public bodies according to the Open and Public Meetings Act. He stated the Planning Commission and Council have advisory and jurisdictional authority over this matter and he would like to err on the side of caution by giving notice of the meeting. Councilmember Johnson stated that he feels it would be appropriate to provide public notice of the meeting to encourage as many citizens as possible to attend. Councilmember Lisonbee stated that a decision needs to be made regarding what date the meeting should be held. She stated that she asked Mr. Abood to let the City know what the best date would be for him. She stated that he recommended April 12. She stated that in talking with the Mayor she found out that Councilmember Peterson cannot attend because he will be attending the Utah League of Cities and Towns (ULCT) Meeting. She stated that she also talked to Planning Commission Chair Day about what date would be the best for the Planning Commission as well. Chair Day approached the Council and stated that he has some reservations about this meeting because the matter is currently being considered by the Planning Commission. He stated that the land owner has had many opportunities to meet with the Planning Commission. He stated he does not want the Commissioners to be in the position where they are answering questions for the developer; that is the developer’s responsibility. He stated that he is concerned about compelling Planning Commissioners to attend. He stated he is comfortable with them attending by their own will. He stated that eventually the Council will be provided with a recommendation from the Planning Commission. He stated that the Planning Commission wants to support the City Council and they will do what they are directed to do by the Council. Councilmember Lisonbee asked if Chair Day would view a notice of the meeting as a tool to compel the Planning Commissioners to attend. Chair Day stated that the Planning Commission bylaws do require the members to attend all meetings. He stated that if the meeting is noticed the Commissioners may be compelled to attend. He stated that he feels it is beneficial to gain as much information as possible about any given project, but he does not want it to appear that the Planning Commission is giving undue bias to any applicant or developer.

Councilmember Lisonbee then stated that after speaking to the Mayor she sent an email to Mr. Abood asking him to provide additional dates that he may be able to attend a meeting. She stated that Mr. Abood did not provide any other dates and he said that April 12 is the best date for him. She asked the entire Council for their feelings about the scheduling of a meeting. Councilmember Johnson asked if the meeting will be recorded and broadcast for people to watch. Mr. Carlson stated that all public meetings are recorded. He added that he and City Manager Rice will both also be attending conferences on April 12 and they are unable to attend. Councilmember Peterson stated that he would be disappointed if the meeting were held on April 12. He stated that the entire Council knew that the ULCT meeting would be held on April 12 and all newly

elected Councilmembers had an opportunity to attend. He stated none of them took that opportunity so he did because he felt it is important for someone from the City Council to attend to gather information. He stated that he finds it hard to believe that there are no other dates that would be suitable to the Ninigret Group. Councilmember Lisonbee stated that she would be happy to provide Councilmember Peterson with copies of the email correspondence; she asked Mr. Abood to provide her with other dates that would be suitable and he did not do that. She stated that she did know that the ULCT meeting was scheduled for the week of April 12, but she assumed that no members of the Council would be attending because they planned to attend the ULCT meeting scheduled in September. She stated she did not mean to exclude anyone from the conversation. Councilmember Peterson stated that he was excluded; he did not receive any emails about scheduling the meeting. Councilmember Lisonbee stated that she did not contact any Councilmembers; she called the Mayor and the City Recorder and one of them responded to her telling her that Councilmember Peterson would not be available to attend.

Mayor Nagle stated that she is supportive of the meeting and she has committed to residents that she would work to schedule two meetings regarding the project. She stated she believes the meeting is good and serves a purpose, but she wanted to go on record and express that, as the Mayor, she was not consulted about the scheduling of the meeting until staff was being directed to advertise the meeting and they asked Councilmember Lisonbee if she had contacted the Mayor regarding the meeting. She stated that before she was informed of the meeting there was already a commitment between four Councilmembers to move forward with the meeting. Councilmember Lisonbee stated there was no commitment between four Councilmembers. Mayor Nagle stated that the process of scheduling the meeting is not conducive of being a high functioning body; it was done with exclusion and the Council has turned into a group of "us versus them" people. She stated there are a few members of the Council that are continuously working outside of the scope of the Council and there are others that are always being caught up on things by the City staff. She stated that she wanted to reiterated that she supports the meeting and she plans to attend, but she is the Mayor and some may not like that she is the Mayor, but if they want to be in that position they should seek election to that office in two years. She stated that while she is the Mayor she would ask for courtesy to be extended to her. She stated she is tired of having her legs cut out from under her. She stated that great things have been done in the City since she has been Mayor; the City has received the two highest accountability awards that are given for accounting practices. She stated that the City received the sunshine award for having the highest degree of transparency in Davis County. She stated that people can say that they do not trust her, but she would ask them to come forward with factual information to explain what she is doing wrong. She stated that until that happens the Council needs to unite and work together. She stated that people were definitely excluded from the process in this situation. She stated that she does not want to have a big discussion about this. Councilmember Lisonbee stated that she wanted to respond because she feels the Mayor's comments border on personal attacks. She stated that she would like to see the Council quit arguing in front of the citizens. She stated that she contacted the Mayor after Ms. Brown recommended that she do so. She stated that she contacted the Mayor before she contacted the Council and she has yet to contact the Council. She stated that she does not see that the Council is not a high functioning body and that there is an "us versus them" environment. She stated that she did have multiple conversations with Ms. Brown and Mr. Andersen about scheduling the meeting because she was trying to do some ground work. She stated that she had every intention of contacting the Mayor and the Council and arranging the meeting as soon as she had a date that would work for Mr. Abood. She stated that she appreciates the Mayor's assistance in scheduling the meeting and she would welcome any other comments about the scheduling of the meeting. She stated that she also thinks the meeting is a great idea. She stated that she did contact the local newspaper to see if they would be willing to provide notification of the meeting by printing an article so that the City could forego paying to publish a notice of the meeting. She stated that she got some very good feedback about that. She stated she is excited to do the work to schedule the meeting. She stated that she respects the Mayor's position and she has no desire to serve in that position and she appreciates all the Mayor has done for the City.

Mayor Nagle asked if the Council is in agreement that the meeting should be scheduled for April 12.

Councilmember Johnson stated that he is supportive of that date. Councilmember Peterson stated he is not in agreement; he is disappointed that the Council would select that date. He stated that he feels it is very important that City Manager Rice be in attendance and he is not able to attend on April 12.

Mr. Day stated that it is great that it is possible to broadcast the meeting and that may appease some of the Planning Commissioners that are not willing or able to attend the meeting.

Councilmember Duncan stated that he wonders about the format of the meeting. He stated that there has been discussion about having a question and answer session at the meeting and he does not feel it would be appropriate for him to answer any questions. Councilmember Lisonbee stated that the Council will not be answering questions. Councilmember Johnson agreed and stated the developer will be answering any questions asked by those in attendance. Councilmember Lisonbee stated the Councilmembers will be part of the audience. Councilmember Johnson stated this meeting will be an opportunity for the citizens to address the developer. He stated that the developer asked the Council to spearhead this meeting and that is what has taken place. He stated that Councilmember Lisonbee has done a great job in organizing the

meeting. He stated that he feels the meeting should be held and he is sorry that some people may not be able to attend. He stated that it is more important to accommodate the members of the panel. He stated that the purpose of the meeting is for the citizens to be able to get the information they are seeking from Mr. Abood and his team. Councilmember Peterson stated that the meeting is being scheduled in conflict with a previously scheduled City event. Councilmember Lisonbee asked what City event Councilmember Peterson was referring to. Councilmember Peterson stated he was referring to the ULCT conference. Councilmember Lisonbee stated she did not know that was a City event. Councilmember Peterson stated the other thing that frustrates him is that this is an issue the Council talked about two weeks ago; the Council agreed to schedule such a meeting and this is not a new idea. Councilmember Lisonbee asked when the Council talked about the meeting. Councilmember Peterson stated the entire Council talked about scheduling this type of meeting two weeks ago and the entire Council agreed that it would be advantageous. Councilmember Lisonbee stated that she would be happy to email Mr. Abood and see if there are any other dates that would work for him. Councilmember Peterson requested that Councilmember Lisonbee tell Mr. Abood that the City Manager and a City Councilmember will be out of town on April 12. Councilmember Lisonbee stated that she will contact Mr. Abood. She then stated that if there are not other possible dates she would like to move forward with holding the meeting on April 12. She stated that the meeting can be recorded and those that are unable to attend can watch the meeting at a later date.

Mayor Nagle stated that currently there is a consensus of four Councilmembers to schedule the meeting for April 12. She stated that the rules of the Governing Body state that two members of the Council can call a meeting and that is what has happened. She reiterated that she is supportive of the purpose of the meeting; it is a good idea, but she wants to go on record and state that she is disappointed in the execution of scheduling the meeting. She stated that the ultimate result will benefit the City. She stated she hoped the Council could learn a lesson from this situation and that they can start being more inclusive rather than operating in silos.

3. Authorize Mayor to execute agreement with Siemens for Streetlight Conversion Project.

A staff memo from Finance Director Marshall included a PowerPoint presentation that highlight the energy cost savings the City could potentially realize after the execution of this streetlight conversion agreement. The agreement will authorize City Administration to move forward with the proposed street lighting project. Within the street lighting fund, the biggest expenses are for energy costs and installation and maintenance. Current estimates by Rocky Mountain power suggest that utility costs will continue to rise at 7.5% per year. Installation and maintenance costs will continue to rise at 2.5% per year. A PowerPoint slide illustrated what the City's projected costs will be over the next 10 fiscal years. If trends continue the City will be paying in excess of \$200,000 per year compared to \$108,100 in our budget this fiscal year. With the agreement to move forward with the street lighting project the City would agree to an eight year capital lease with Zion's Bank to fund the costs of the project. By purchasing the light fixtures and switching to induction lighting the City will cut its energy costs and installation costs by more than the cost to fund the capital lease. Mr. Marshall's memo concluded by stating that his recommendation is to move forward with the project to help save tax payer dollars and to help the City become more energy efficient.

Mr. Marshall approached the Council and summarized his memo. He added that Mark Cram, representing Siemen's Industry, Inc., is also present this evening to answer any questions the Council may have.

Mr. Cram then reviewed the PowerPoint presentation that was provided in the Council packets. He stated the City is currently spending money with Rocky Mountain Power and those funds will be shifted from one line item to another in the City's budget to fund the project in a cash flow positive way. He stated that as a result of the project the City will own 100 percent of the street lighting infrastructure. He added that there will be an extended warranty on the project. He stated Siemen's has predicted an eight-year payback period for the project, but the supplier has agreed to provide a ten-year material warranty. He then reviewed the energy escalation rate. He stated that Rocky Mountain Power (RMP) has indicated there is the potential for a 10 percent per year energy increase for the next eight to ten years. He stated, however, that he, RMP, and City staff agreed that a conservative projection of 7.5 percent would be more appropriate. He then stated the request for proposal (RFP) for this project was published by Siemen's with oversight from City staff. He stated the contract has been reviewed by legal departments representing both entities. He then provided photos of the street lights located in the City. He stated the appearance of the street lights will not change, but the visual color and nature of the lights will change. He then reviewed induction lighting costs; first installation costs, replacement costs, and energy costs. He stated the induction lighting option that the City has selected is the lowest cost/highest value solution. He then reviewed the history of the project to this point and stated the next step is to approve the agreement before the Council tonight.

Mr. Marshall then stated that he wanted to review the budgetary information related to the project. He stated that the current FY 2012 budget for street lights mainly covers energy costs and the rest is for maintenance and installation. He stated that there is a total of \$108,000 budget for street lighting this year. He stated that if the increase projections from RMP are correct, the City could potentially pay over \$200,000 by the year 2022. He stated that staff has found that half the street

lights in the City are owned by RMP and the other the half are owned by the City. He stated that the City currently pays \$.32 per kilowatt/hour (KWH) for the street lights owned by RMP versus \$.06 per KWH for the street lights owned by the City. He stated that the City will pay \$.06 per KWH for all street lights once they are all owned by the City. He stated that will reduce the budget of \$82,000 to approximately \$30,000. He stated that switching to induction light bulbs will reduce energy costs by one third, or down to \$12,500 per year. He reiterated that there will be a 10-year warranty for all street lights, though they do have a useful life of 18 to 20 years. He then reviewed financing of the project and explained that even with debt service calculated into the total budget amount, the City will be paying less for street lighting than is currently being paid to RMP for energy and maintenance. He stated that at the end of year eight the City will be paying just over \$20,000 for street lighting. He reiterated that his recommendation is to move forward with this project; not only will the City save costs over time, but the City will become more energy efficient.

Councilmember Duncan asked if other cities have done this type of project and, if so, what have their results been. Mr. Marshall stated that there have been other cities that have done this type of project. He stated that Siemens is a nationwide company and they have served several cities throughout the United States. He stated that Syracuse will be one of the first cities in Utah to do this type of project. Mr. Rice added that this is an energy savings performance contract (ESPC) that is basically a contract with a company that is paid the same amount that is currently being spent within the City's budget in return for a guaranteed energy efficient project that will take a certain amount of time to payback – in Syracuse City's case that time period is eight years. He stated that in the State of Utah the Legislature authorized ESPC's in 2010, though they have been in force in the federal government since 2005 or 2006. He stated that this is a relatively new concept at the local level, but it is proven and there is a guaranteed payback. He stated that if the City's power bill goes above the defined amount in the contract, Siemens will pay the difference. He stated that the City is being provided guaranteed rates and costs by Siemens. Councilmember Duncan reiterated his question and asked if this type of project has been proven in other cities. Mr. Cram stated that Siemens guarantees the savings included in the contract.

Councilmember Johnson asked if the energy savings realized by the City are used for debt service. Mr. Cram answered yes. Councilmember Johnson asked if that is why the project is referred to as budget neutral, to which Mr. Cram answered yes. He stated that the City would have been spending the money on energy costs rather than the project.

Councilmember Lisonbee asked if the performance guarantee is good for ten years. Mr. Cram stated that the performance guarantee is valid for the life of the project, but it will actually extend well past the eight year term.

Councilmember Duncan stated that it seems to him that energy costs are skyrocketing because of the price of oil and he asked how these numbers would change if oil prices were lowered and energy costs reduce in turn. Mr. Rice stated that staff discussed that with Siemens and RMP. He stated that the escalation rate provided by RMP are related to the capital infrastructure program and RMP will ask for those rates no matter what and those rates are based on growth in the area. He stated that the capital costs for building a power plant or electrical distribution plant are very expensive and that is why rate increases may be necessary over the next eight to ten years. He stated there is great potential for growth along the Wasatch Front and all of those new residents will need electricity and energy. He stated that is what drives rate increases, rather than increased fuel costs. He added that most of the power plants in this area are powered by coal, which is still very inexpensive.

Councilmember Lisonbee stated that most cities that she is familiar with are converting to LED lighting and she asked if Siemens has only done induction conversions. Mr. Cram stated that Siemens has done nearly as many LED conversions as induction; the challenge is the low cost of utilities. He stated that there are some areas of the country that are paying up to four times the amount that those living in Utah pay for energy and in those cases the payback for LED conversions are better. He stated there are some challenges with LED lights with regard to heat management. He stated that in discussions with the City his recommendation, which is based on his experience, was that induction would be the best technology for the types of fixtures that the City has as well as for the environment in this area. Mr. Rice added that the first time that he talked with Mr. Cram about this project they talked about LED conversion and both thought that would be the way to go with this project because it is a newer technology. He stated that the process took this project in another direction; it changed his mind about using LED.

Councilmember Duncan inquired as to the downside of this project. He stated there is a risk in everything and he asked what it is in this project. Mr. Marshall stated the biggest risk is that projections will not be correct and the result could be that the City will not realize the savings that are anticipated. He stated, however, that Siemens guarantees the projections and they would not guarantee something that they do not think will be viable. Councilmember Duncan stated that he understands that the guarantee is related to the amount of energy used rather than the costs. Mr. Rice stated that the energy savings convert to cost savings.

Councilmember Lisonbee asked if the induction bulbs are longer lasting than the other bulbs included in the comparison chart. Mr. Cram answered yes and stated that induction lights have the potential of lasting up to 100,000 hours. He stated that street lights are typically operated for 4,000 hours per year so the lights will have only been used

approximately 40,000 hours after 10 years. He then stated there are actually very few things that can go wrong throughout the project.

Councilmember Duncan asked Mr. Cram how many cities this project has been performed in. Mr. Cram stated that this project has happened in literally hundreds of cities across the country, but Syracuse will be on the leading edge in the State of Utah. Councilmember Duncan stated that he does not mind being on the leading edge in Utah. Mr. Cram then provided the Council with a sampling of projects that Siemens has been involved in.

Councilmember Peterson asked how many street lights there are in Syracuse City. Mr. Marshall stated there are approximately 750; Syracuse owns approximately 350 of those. Councilmember Duncan asked if all the street lights will be replaced, or just those being purchased from RMP. Mr. Marshall stated that the City will purchase all the fixtures currently owned by RMP and then retrofit all 750 lights. Mr. Rice stated that the City will not do any of the installation labor, which will only take four to six weeks for Siemens to complete. He stated that some of the employees from the Public Works Department will observe the work being done so that they know how to do it in the future if necessary. Councilmember Shingleton asked if there could be some maintenance expenses for the City to incur in the future. Mr. Marshall answered yes, but noted that it will be labor funds that are currently included in the City's budget.

Councilmember Lisonbee stated that the bulbs will run 4,000 per year up to 20 years. She asked if there are any problems with breakage. Mr. Cram stated that induction bulbs have been around for over 80 years and it is essentially fluorescent technology, but instead of having an arc from one end of the tube to another the phosphors are inducted in the bulb through voltage in the lamp. He explained that is why the life is so much longer. He then stated that he is convinced that in the future LED will be a great option for the City or other cities, but currently there are no LED's in service that have been in service for 20 years so it has not been proven that they have a life of 100,000 hours. He stated that the life has been proven for induction bulbs, which is why they were considered and ultimately chosen. Councilmember Lisonbee stated that she is just concerned about the cost the City will incur every 18 to 20 years to change bulbs. She stated that the cost per bulb is \$650 per bulb. Mr. Cram stated that because of the life cycle of the bulbs the City will actually be spending half of what is being spent now on utility bills. He stated the City is currently replacing bulbs every five years, if not sooner, as opposed to every 18 to 20 years. Councilmember Lisonbee stated the cost for the bulbs that the City is currently using is \$185 per bulb. Mr. Marshall stated that is correct. Councilmember Duncan stated the City will need to plan for a large expense in 18 to 20 years. Councilmember Shingleton stated that his hope is that this project will allow the City to lower or eliminate the street lighting fee.

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH SIEMENS FOR STREETLIGHT CONVERSION PROJECT. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

4. Accept or Deny Petition 2012-01 requesting the annexation into Syracuse City 20.56 acres of property located at approximately 3700 South 1500 West, and forward to City Recorder for certification

A staff memo from City Recorder Brown explained that on March 12, 2012 Michael J. Thayne (Irben Development) filed a petition to annex into Syracuse City 20.56 acres of property located at approximately 3700 South 1500 West. The City Engineer has reviewed the annexation petition and his comments have been addressed by the petitioner. If the Council votes to accept the annexation petition the City Recorder will begin the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated.

COUNCILMEMBER SHINGLETON MADE A MOTION TO ACCEPT ANNEXATION PETITION 2012-01 REQUESTING THE ANNEXATION INTO SYRACUSE CITY 20.56 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3700 SOUTH 1500 WEST AND FORWARD THE PETITION TO THE CITY RECORDER FOR CERTIFICATION. AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT WITH SIEMENS FOR STREETLIGHT CONVERSION PROJECT. COUNCILMEMBER PETERSON SECONDED THE MOTION.

Councilmember Johnson inquired as to some of the pros and cons of accepting this petition. Ms. Brown stated that in order for the property owner to develop into the City, the property must be annexed into the City. She stated that currently the property owner owns these 20 acres that are located in Davis County and they are seeking to purchase the adjoining 60 acres, which is owned by the City and is located within City limits. She stated that in order for the property owner to develop, the entire parcel must be located within City limits. Councilmember Shingleton added that the City will realize an increase in property tax revenue for the property.

Councilmember Lisonbee asked if the main sewer line runs through this property. Ms. Brown stated that there are questions about the sewer line throughout that entire area. She stated there is some work the property owner will need to do to mitigate any sewer line issues in the area. Councilmember Duncan asked if the property owner will pay the costs for that mitigation, to which Ms. Brown answered yes.

Mayor Nagle stated there has been a motion and a second regarding the annexation petition and she called for a vote. ALL VOTED IN FAVOR.

5. Authorize Administration to execute agreement for the 1275 South road improvement project.

A staff memo from City Engineer Brian Bloemen explained that the City conducted a request for proposal (RFP) process for the 1275 South road improvement project and the low bidder was Staker Parson Companies with a bid amount of \$160,136.85. Staff recommends awarding the contract to Staker Parson as soon as possible.

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AN AGREEMENT FOR THE 1275 SOUTH ROAD IMPROVEMENT PROJECT. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Authorize Administration to execute agreement for the 1700 South waterline project phase two.

A staff memo from Public Works Director Robert Whiteley explained that the City conducted a request for proposal (RFP) process for the 1700 South Waterline Project Phase Two. The low bidder was Leon Poulsen Construction Company with a bid amount of \$218,216.50. Staff recommends awarding the contract to Leon Poulsen as soon as possible. The scope of this project includes:

- Installation of approximately 880' of 12" C-900 Water pipe with associated fittings.
- Installation of approximately 100' of 8" C-900 Water pipe with associated fittings.
- Installation/reconnection of approximately 29 services.
- Installation of 5 Fire Hydrants.
- Connections to the existing water system.
- Abandoning undersized and deteriorated water main.

Construction on the first phase of this project was completed last year. Completion of this phase of the project will improve the integrity of the existing culinary water system in that area of the city. It will also provide an increase in capacity to accommodate growth that the city has experienced. The project area runs along 1700 South between the Syracuse 6 Theater (2350 West) and Bluff Road. There is also a section along 2500 West between 1200 South and 1700 South where we will reconnect existing service laterals to a larger existing water main in order to provide improved water service and improve efficiencies in our existing culinary water system.

COUNCILMEMBER JOHNSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AN AGREEMENT FOR THE 1700 SOUTH WATERLINE PROJECT PHASE TWO. COUNCILMEMBER PETERSON SECONDED THE MOTION.

Councilmember Peterson stated he is not as familiar with this project as he is with the 1275 South project and he asked for a brief explanation. Mr. Whiteley approached the Council and stated that the City completed the first phase of this project last summer. He stated the project area is on 1700 South in front of the Syracuse Theater west to Bluff Road. He stated that an old eight-inch culinary water main line will be replaced with a 12-inch culinary water main in order to increase capacity in the western area of the City. He stated the project will also go along 2500 West where there are existing six-inch and 10-inch water mains; the services will be disconnected from the six-inch main and reconnected to the 10-inch main. He stated the six-inch main will be abandoned. Councilmember Peterson asked if the project is being funded with impact fees or user fees. Mr. Whiteley stated it is funded with culinary water impact fees because the project will increase line size.

Mayor Nagle stated there has been a motion and a second regarding the execution of the contract and she called for a vote. ALL VOTED IN FAVOR.

7. Authorize Mayor to execute agreement for Trailside Park.

A staff memo from Community Development Director Mike Eggett explained that in 2006, the City approved development of the Trailside Park cluster subdivision by developers HT Development. Part of the approval was a requirement that the developers improve the adjacent park property in a way that fulfills the landscaping document submitted with this development. The Trailside Park subdivision was later amended in 2007. At some point thereafter, based upon the evidence Community and Economic Development staff has collected, the developer felt that the City had more responsibility to install landscaping improvements along the trail component of the park adjacent to Trailside Park. The City has disputed this up to current day and still believes that the previous developer, HT Development was responsible to improve this location of the park and the Trailside Park development. At current time a new developer, Ovation Homes (represented by Brad Frost), has picked up the remaining lots in phase 2 of this development (14 un-built lots) and since has proceeded

through a subdivision amendment process for phase 2 with the Planning Commission. Mr. Frost has received all subdivision amendment approvals, with the understanding by the Planning Commission that outstanding landscaping matters be resolved by Ovation Homes in working with CED staff. In light of the present circumstances within the Trailside Park subdivision, and as discussed above, Ovation Homes has presented a useful strategy to the CED Department, the City Attorney, and the City Engineer to resolve outstanding concerns associated with Trailside Park's adjacent park area. The proposed agreement requires HT Development to provide \$10,000 toward the completion of landscaping improvements along the trail corridor within the adjacent park area. Additionally, Ovation Homes has agreed to complete the improvement and installation of landscaping features within this trail corridor. In exchange for these actions by Ovation Homes and in order to support Ovation Homes' efforts to resolve this matter, Ovation Homes has requested that the City waive the requirement to pay Park Development impact fees that would otherwise be deposited into the Park Development Impact Fee fund. This waiver is expected to only cover the remaining costs associated with the development of this trail corridor park area. This request has been reviewed by the CED Department, the City Attorney, the City Engineer, and the City Manager; further the City Attorney drafted the agreement to fulfill the goals discussed herein. As a quick reference regarding this request, the estimated cost of improvement for this landscaping enhancement is \$21,230.22 (see attached document entitled "Trailside Park Phase II Bond" for more). The anticipated Park Development fee for each building permit would be \$1,653.00. The agreement would allow the City to waive impact fees up to \$25,000 for improvements within the City park facility adjacent to Trailside Park; however, based on the information presented on the attached bond document the expectation is to only need to waive impact fees up to \$11,230.22. This waiver would reflect an agreement for the installation of park enhancements in lieu of cost assessment. The City would commence assessing Park Development impact fees on home building permits within the Trailside Park Subdivision once Ovation Homes meets the required landscaping improvement amounts as identified in the attached bond document. Please note that Ovation Homes would like to continue building a similar residential product within the Trailside Park community and would be anticipating moving forward with a Trailside Park Phase 3 Subdivision in the coming months (which could bring an additional 30 residential units to this area). Park Development Impact Fees on building permits submitted in this future phase would still be assessed at full rate. The memo concluded by explaining that the Community and Economic Development Department and City Administration recommend that the City Council review this memorandum and the attached information. Further, the CED Department and City Administration request that the City Council authorize the Mayor to execute this agreement on behalf of Syracuse City.

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE AN AGREEMENT FOR TRAILSIDE PARK. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

Mayor Nagle stated that Trailside Park is the development located near the City owned Jensen Nature Park. She stated that one of the things that the City is seeing recently is a spike in building in the City and there seems to be a competition to develop as quickly as possible the areas that could potentially be home to different routes of the West Davis Corridor (WDC). She stated that would increase the number of impacts in those corridors and would make the other corridor options more attractive to the Utah Department of Transportation (UDOT). She stated that she worries that developers and home buyers will be investing a lot of money to develop these areas and there is probably nothing the City can do to prevent that. She stated she is happy that someone wants to develop in the City. Mr. Eggett stated that the developer of this property will benefit no matter which WDC corridor is chosen. Mayor Nagle stated she does not believe that all home buyers would see the close proximity of the WDC as a benefit. She stated that people will be upset about buying a home before the WDC is built. Mr. Eggett stated that the developer is using the WDC as part of his marketing strategy, so no one should buy a home from him without knowing about the potential construction of the WDC.

Councilmember Duncan stated that it seems that the risk is born by the developer in that they know that UDOT has advertised that they may build the WDC in that area. Mr. Eggett stated that the property is far enough away from the potential corridors that it will not be physically impacted.

Mayor Nagle stated there has been a motion and a second regarding the execution of the agreement and she called for a vote. ALL VOTED IN FAVOR.

8. Proposed Ordinance No. 12-03 amending various provisions of Title 10, the Land Use Ordinance, relating to animals.

A staff memo from City Planner Kent Andersen 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 (see attached 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. At the March 13, 2012 City Council Work and Regular Session, additional comments were received. Therefore, these additional changes are highlighted in yellow in the attached proposed changes. The memo concluded by explaining that the Community and Economic Development Department 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 Ordinance 12-03.

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

Councilmember Lisonbee stated that she has some questions regarding Planning Commissioner Jensen's comments in the previous meeting. She noted there were also letters from two Planning Commissioners regarding this issue included in the Council packets. She added that Councilmember Johnson made a motion to amend the proposed ordinance at the last Council meeting and she asked if those amendments had been included in the current version of the document. Councilmember Johnson asked Mr. Andersen what his intent was in writing the ordinance the way it is written regarding the total number of dogs and cats that can be kept by a resident. Mr. Andersen stated that the current language allows a resident to keep a total of four animals without requiring a conditional use permit for the keeping of up to four cats. He added, however, that a property owner can have two dogs without a conditional use permit and an additional two for a total of four with a conditional use permit. He clarified that no more than four total animals – cats or dogs – can be allowed in one household. Councilmember Johnson stated that was his understanding of the language.

Councilmember Duncan stated that Section 10-6-040(E)(1) of the ordinance reads "Household Pets. Property owners may keep dogs, cats, small animals and fowl as household pets in residential zones subject to the following conditions: 1. Dogs, cats, small animals and or fowl shall be kept in pens, or otherwise secured, unless housed within the dwelling unit." He asked if that means that cats must be penned and secured. Mr. Andersen stated that is what the section means. Councilmember Duncan stated that cats cannot be kept in pens and people will not do that so that means outdoor cats are prohibited in Syracuse City. He stated that cats should be excluded from that restriction. Mayor Nagle stated that this language provides a neighbor or the City to address any circumstance where a cat becomes a nuisance. Councilmember Duncan stated that as soon as a cat gets out of its owner's yard, that owner has violated City ordinance. Mayor Nagle stated that her son stayed with her some time ago and he owned an outdoor cat that he brought with him. She explained that all of her neighbors are bird watchers and they have bird feeders and the cat jumped the fences and killed the birds in her neighbors' yards. She stated that it was her responsibility to control her cat and other cat owners should feel that same responsibility. She stated that if she had not been a responsible neighbor her neighbors would not have had any recourse against what her animal is doing in their yard. Councilmember Duncan stated that if his cat is creating a problem by killing a neighbor's chicken he would hope his neighbor would come to him and tell him and at that point he would have a decision to make about what to do with his cat. He stated that cats naturally wander out of yards and adding this language to the City Code essentially prohibits those kinds of cats in the City. Councilmember Johnson asked Councilmember Duncan to

recommend amended language. Councilmember Peterson agreed that the wording may be bad, but he also agrees that there should be some recourse for residents when animals become a nuisance. Councilmember Shingleton asked if the City's nuisance ordinance would address nuisance animals. Police Chief Wallace stated that animal control officers receive frequent requests for cat traps; the cats ultimately end up at the pound and if they are licensed or chipped they may be returned to their owner for a fee. He stated that the City receives about 10 times more calls about nuisance dogs than cats.

Councilmember Lisonbee stated that a lot of people trap cats and then dump them by her house. She stated that she and many of her neighbors have cats and they roam the acres between the lots in that area and they catch mice. She stated that according to the wording in the Section referenced by Councilmember Duncan, that would not be allowed because they should be penned. She stated that she thinks that if Councilmember Duncan can craft some language to address this issue she would appreciate that. She stated that she and all of her neighbors would be violating this ordinance if it is adopted as written. Councilmember Shingleton stated that the nuisance section of the City Code should sufficiently address the issue. Councilmember Duncan agreed. He suggested that cats be excluded from Section 10-6-040(E)(1).

COUNCILMEMBER DUNCAN MADE A MOTION TO AMEND PROPOSED ORDINANCE 12-03 BY AMENDING SECTION 10-6-040(E)(1) TO READ AS FOLLOWS:

HOUSEHOLD PETS. PROPERTY OWNERS MAY KEEP DOGS, CATS, SMALL ANIMALS AND FOWL AS HOUSEHOLD PETS IN RESIDENTIAL ZONES SUBJECT TO THE FOLLOWING CONDITIONS: 1. DOGS, SMALL ANIMALS AND OR FOWL, EXCLUDING CATS, SHALL BE KEPT IN PENS, OR OTHERWISE SECURED, UNLESS HOUSED WITHIN THE DWELLING UNIT.

COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mayor Nagle then stated there was a motion and a second to adopt Ordinance 12-03 and she called for a vote. ALL VOTED IN FAVOR.

9. Councilmember Reports.

Councilmember Johnson reported that he recently participated in a local Boy Scout food drive and there was very good participation. He stated there was a lot of food, approximately 13,000 to 14,000 pounds, that was delivered to a local pantry and he thought that was very neat.

Councilmember Peterson stated that he will be attending the ULCT conference next month. He stated that he attended the conference the first year he was a Councilmember and he has been two or three times to the annual ULCT meeting, which is held in September. He stated that he thinks the meetings are very valuable and important, which is why he made arrangements to go. He stated that he will come back and report on the things that he learned. He stated there are a lot of educational and networking opportunities at the conference and most cities send a majority of their Governing Body. He stated that he looks forward to the meeting and being able to share some good information with the rest of the Council.

Councilmember Duncan stated that the last month has been a lot of work and he appreciates everyone's efforts. He stated that he appreciates the citizens who have contacted him and he also appreciates the Councilmembers that have taken the time to contact him to work through issues. He stated that this is an interesting assignment for him and it has been very difficult, but he appreciates those that have participated. He stated that he wants to meet with the City staff and get to know them better and hear their ideas, but he spends about eight hours after work reading through his Council packet. He stated that by the time he gets through the packet he does not have time to meet with the staff. He stated that he appreciates what they do and he puts a lot of trust in their recommendations.

Councilmember Shingleton stated that there is a lot of work that goes into running the City; he thinks that some good things are getting done and projects taking place that will save the City money in the long run. He appreciates staff and the leadership of the City. He stated that he looks forward to some events coming up in the City. He mentioned Heritage Days that will be held in June. He stated that he is willing to participate in the pancake breakfast during Heritage Days. He encouraged other members of the citizenry to get involved in volunteering and helping out in any way they can. Councilmember Peterson pointed out that the next City event is the Easter Egg Hunt.

Councilmember Lisonbee stated that the work that she has done with the staff over the last couple of weeks has been great and she feels that the City has one of the most professional group of staff that she has ever spoken with and she is very impressed with everything they do for the City and she appreciates that. She stated that she also appreciates the good Planning Commission that works so hard to make recommendations to the City Council; as a body they work very hard and put in a lot of time. She stated that most of all she appreciates the citizens who are coming together in Syracuse and do a lot of volunteering. She stated that she is excited to start working on the assignments she has been given so that she can report on those to the Council. She stated that she would also like to help with the pancake breakfast during Heritage Days.

10. Mayor Report.

Mayor Nagle stated that she wanted to formally recognize Haven Barlow for his generous donation of \$5,000 to the Chloe's Sunshine Park. She stated that he is so committed to the project and helping the City tap into other big donors for the park. She stated that Mr. Barlow has a legacy of philanthropy in the community and she wants him to know that she is very appreciative of him. She then stated that the City has been trying to formally recognize the Syracuse High School girls basketball team for their recent achievements and staff has been unable to schedule them for a City Council meeting.

11. City Manager Report.

Mr. Rice stated that last month the staff put together a presentation for the Davis County Gala Committee, which meets in February and March to determine which charity they will support at their annual gala. He stated that the City has been notified that the Chloe's Sunshine Park has been selected. She then stated that the City was recently recognized for finance practices for the second consecutive year. He stated there are some good things going on. He noted that staff is looking forward to the budget retreat scheduled for this Saturday; the City's finances are looking very good.

12. 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 JOHNSON, KIMMEL, LISONBEE, PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

The meeting adjourned into Closed Executive Session at 8:41 p.m.
The meeting reconvened at 9:55 p.m.

At 9:56 p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: August 14, 2012