

Minutes of the Regular meeting of the Syracuse City Council held on April 12, 2016 at 7:06 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

Mayor Terry Palmer
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Police Chief Garret Atkin

7:06:20 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 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. Councilmember Maughan provided an invocation. Councilmember Anderson then led all present in the Pledge of Allegiance.

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COUNCILMEMBER MAUGHAN MOVED TO REMOVE ITEM SEVEN FROM THE AGENDA AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Haylie Ricker and Noah Cella for the month of April 2016.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and City's website; be featured on the Wendy's product television; and receive a \$10 gift certificate to Wendy's.

Mayor Palmer noted both teens receiving the award for February 2016 were nominated by the Syracuse Arts Academy.

Haylie Ricker:

Haylie is a hard working student who makes every attempt to complete her work correctly. She is compliant and willing to do anything the teachers ask her to help her succeed. She is also very willing to help other students and treat everyone around her with respect and kindness. She is one of the students from Syracuse Jr High that competed in the District Level Science Fair. That is an example of how she continues to strive to improve herself and push beyond the normal limits of typical students. Haylie is a great example of what personal focus and dedication can accomplish.

Noah Cella:

Noah is a mature, responsible, reliable student, who is always respectful, pays attention in class, and does his best in class. He always tells the teachers in advance if he needs to be absent and catches up his missing assignments right away due to his absence. He not only cares about his grades but also his learning and his achievement. Noah is also a quick learner, loves to help others, and has leadership potential. Noah is a great student and has a lot of really great qualities. He is always polite and very kind when he speaks. He has good manners and is kind to the students around him. He is a hard worker and always comes to class prepared and ready to work. He has a good attitude about life despite the hard things that he is going through with his eyesight right now. Overall, we would love to have a whole school full of students just like Noah.

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3. Volunteer Week: Recognition of Police Department volunteers by Police Chief Atkin.

A staff memo from the Police Chief explained April 10-April 16, 2016, has been set aside as National Volunteer Week. One purpose of National Volunteer Week is to recognize those who have given back to their community through their acts of service. In the spring of 2013, Syracuse Police Department partnered with the Syracuse Lion's Club to build a Volunteers in Police Service (VIPS) program. The majority of volunteer efforts have centered on administering fingerprinting services for the public. Prior to the partnership, officers had to be called in from the field to perform this duty; volunteers have allowed the Department to continue this valuable community service, while keeping officers out patrolling the community. Volunteers have also helped with data entry and other administrative functions within the Department. In 2015, members of the Syracuse Lion's Club donated over 200 hours to the Department. Based on a national estimate of what volunteer time is worth, the service of our volunteers has been a benefit in excess of \$4,725.00. It is with great pride and admiration that I present the members of our Volunteers in Police Services program to the Mayor and Council for recognition.

Lynn John	Mike Eisenberg
Sandra John	David Ackerman
Steven Anderson	Candi Ackerman
Eric Ellington	Chris O'Shea

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Chief Atkin reviewed his memo and presented each of the volunteers named in his memo with a certificate of recognition from the Police Department.

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4. Approval of Minutes:

The following minutes were reviewed by the City Council: Special Meetings of March 11, March 18, March 25, and March 29, 2016 and the Special RDA and MBA Meetings of March 29, 2016.

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COUNCILMEMBER GAILEY MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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5. Public comments

There were no public comments.

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6. Authorize Mayor Palmer to execute the Memorandum of Understanding with the Utah Division of Forestry, Fire, and State Lands, and the Syracuse City Fire Department.

An staff memo from the Fire Chief explained the most recent MOU with the State Forestry Fire and State Lands (FFSL) was initiated in March of 2015. This year FFSL updated their Fire Department Manual and rate structure as it applies to cooperators involved in the Wildfire Response Program, requiring a renewal of an MOU. This agreement provides a mechanism for procurement, use and compensation for services provided by the fire department outside our jurisdictional area of responsibility, to the State of Utah and its cooperators; pursuant to cooperative agreements, operating plans, closest

forces agreements and suppression resource needs in support of fire suppression. Following are the changes in the MOU from 2015:

- 1) FFSL vehicle mechanical inspection eliminated.
- 2) Invoicing will be through Fire Business System (FBS) electronically. A reference to old system forms is updated.
- 3) Deleted reference in #6 "It is mutually agreed" to State owned land within the municipality boundary being the responsibility of the municipality. The Division is responsible for all State owned wildland.

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Chief Froerer reviewed his staff memo.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO AUTHORIZE MAYOR PALMER TO EXECUTE THE MEMORANDUM OF UNDERSTANDING WITH THE UTAH DIVISION OF FORESTRY, FIRE, AND STATE LANDS, AND THE SYRACUSE CITY FIRE DEPARTMENT. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

7. Authorize Administration to execute agreement for water utility service review.

This item was removed from the agenda.

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8. Cell tower contract renewals:

- a. Authorize Administration to execute second amendment to lease agreement with NCWPCS MPL 33-Year Sites Tower Holdings, LLC.
- b. Authorize Administration to execute First Amendment to Land Lease Agreement with American Tower.

A staff memo from the Finance Director explained the City originally entered into an agreement with Cingular wireless on June 20, 2005 for the construction of a cell tower located at Founders Park – approximately 1500 South and 1800 West. In return, the city receives a monthly cell tower lease payment of \$1,983.75 per month. The Lease was taken over by Crown Castle which is a cell tower site management company. They have requested an amendment to the contract for an extension on the term of the agreement for a 20 year extension. In return they have agreed to the following revised terms:

- o Rent will increase to \$2,281.31 in October 2020.
- o Rent will increase 3% each year after October 2020.
- o \$500 per month revenue share for any additional broadband tenants and \$200 per month for non-broadband tenants added to site.
- o Capability to add surveillance cameras to tower at founders park for security.

The memo concluded staff recommends the Council authorize Administration to execute Second Amendment to Land Lease Agreement with Crown Castle for cell tower located at Founders Park – approximately 1500 South and 1800 West.

An additional staff memo from the Finance Director explained the City originally entered into an agreement with Verizon wireless on June 25, 2002 for the construction of a cell tower located at 3151 South 2400 West. In return, the city receives a monthly cell tower lease payment of \$1,983.75 per month. The Lease was taken over by American Tower which is a cell tower site management company. They have requested an amendment to the contract for an extension on the term of the agreement for a 30 year extension. In return they have agreed to the following revised terms:

- o \$35,000 signing bonus.
- o Rent will increase to \$2,281.31 in November 2017.
- o Rent will increase 3% each year after November 2017.
- o 15% revenue share for any additional tenants added to site.

The memo concluded staff recommends the Council authorize Administration to execute First Amendment to Land Lease Agreement with American Tower for the cell tower located at 3151 South 2400 West.

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City Manager Bovero reviewed the staff memos. He indicated that Mr. Marshall is not present to answer questions regarding the agreements and he suggested that action be tabled until later in the meeting after the Council has had a chance to get answers to the questions they asked during the work session.

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COUNCILMEMBER LISONBEE MOVED TO TABLE CONSIDERATION OF THE AGREEMENTS UNTIL LATER IN THE MEETING. COUNCILMEBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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9. Proposed Resolution R16-19 amending the Syracuse City Council Rules of Order and Procedure.

An administrative staff memo explained the Council reviewed their Rules of Order and Procedure during their March 29 work session meeting and recommended minor changes to clarify the process for removing a Councilmember from a meeting and the format of work session meetings. City Attorney Roberts amended the rules document to incorporate the recommendations provided by the Council.

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City Attorney Roberts reviewed the staff memo.

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Councilmember Maughan indicated he is concerned that the language in the section dealing with the format of work session meetings is not specific enough and he would like to adjust the language to indicate that the Mayor shall recognize any person before they are allowed to speak during a work session.

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COUNCILMEMBER ANDERSON MADE A MOTION TO ADOPT RESOLUTION R16-19 AMENDING THE SYRACUSE CITY COUNCIL RULES OF ORDER AND PROCEDURE, WITH THE FOLLOWING CHANGE:

- INCLUDE THE WORD SHALL IN SECTION C RELATIVE TO THE MAYOR RECOGNIZING THOSE WISHING TO SPEAK DURING WORK SESSION MEETINGS.

COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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10. Proposed Resolution R16-18 amending the bylaws for the Syracuse City Planning Commission.

A staff memo from the City Attorney referenced the attached version of the Planning Commission bylaws, which includes the previous amendments which we have discussed over the past few months. If I have missed an amendment, please contact me at least a few hours prior to the meeting and I will prepare an alternate version with those additional changes. In a March meeting, the Commission has requested two minor changes, both in Section II A:

- Change the month of Chair election from January to December
 - o This will permit the new Chair to take the remainder of December to receive training and get up to speed on projects and other items of which the Chair needs to be aware.
- Allow the amendment to Subsection II A to be effective upon passage, rather than in July (avoiding need to elect someone to serve as Chair for 5-6 months)
 - o The Commission has unofficially indicated that it supports Chairman Vaughan's continued tenure until the December election. As the bylaws do not specifically call out "terms," he could continue until replaced in the election without any other changes.

The memo concluded staff recommends approval of the bylaws via adoption of the proposed resolution.

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City Attorney Roberts reviewed his staff memo.

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COUNCILMEMBER BOLDUC MADE A MOTION TO ADOPT RESOLUTION R16-18 AMENDING THE BYLAWS FOR THE SYRACUSE CITY PLANNING COMMISSION, WITH THE FOLLOWING CHANGES:

- AMENDING SECTION 2A TO CHANGE THE ELECTION DATE FROM JANUARY TO DECEMBER.
- ALLOWING THE AMENDMENT TO SECTION 2A TO BE EFFECTIVE UPON PASSAGE.

COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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11. Proposed Ordinance 16-14 amending Section 10.120.020 of the Syracuse City Code pertaining to manager dwelling units for storage unit complexes.

A staff memo from the Community and Economic Development (CED) Department explained the Planning Commission is requesting to amend the permitted uses in the Industrial Zone to address an existing non-conforming use that is occurring in an existing storage unit complex within the city. The complex has a dwelling unit for live-in management; however, caretaker quarters are not listed in the permitted uses of the zone. Planning commission passed a positive recommendation for approval for this amendment in their meeting on March 15, 2016. The dissenting votes were because of a desire for a different method of calculating max number of units. Following is the motion from the meeting minutes:

COMMISSIONER JENSEN MADE THE MOTION THAT THEY ADOPT THE 2ND OPTION FOR THE CODE AMENDMENT TITLE X 10.120.020 WITH RECOMMENDATION OF APPROVAL TO CITY COUNCIL WITH ONE CHANGE OF '1 DWELLING UNIT PER 350 UNITS PER STORAGE FACILITY PROJECT'. COMMISSIONER MCCUISTION SECONDED THE MOTION. COMMISSISONER VAUGHAN AND COMMISSISONER RACKHAM VOTED NAY. MOTION CARRIED BY MAJORITY BY 5/2.

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CED Director Mellor reviewed his staff memo.

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COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT ORDINANCE 16-14 AMENDING SECTION 10.120.020 OF THE SYRACUSE CITY CODE PERTAINING TO MANAGER DWELLING UNITS FOR STORAGE UNIT COMPLEXES, WITH THE FOLLOWING CHANGES:

- AMEND ITEM 4 TO READ: . . .SHALL: BE LIMITED IN ITS OCCUPANCY TO CARETAKERS OF THE STORAGE FACILITY AND THEIR FAMILY.
- ADD ITEM 9 TO READ: "NOT INCLUDE MOBILE LIVING FACILITIES, SUCH AS RECREATIONAL VEHICLES, MOBILE HOMES, OR CAMPERS."

COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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12. Proposed Resolution R16-20 amending the Syracuse City General Plan and land use map related to 4.7 acres located at 1972 S. 2000 W.

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Location:	1972 S. 2000 W.
Current Zoning:	R-2
General Plan:	R-3
Requested GP:	PRD
Total Area:	4.7 Acres
R-2 Density Allowed:	14 lots (3 lots/gross acre) PRD
Density Allowed:	28 lots (6 lots/gross acre)

The Planning Commission unanimously voted against this item in their April 5th meeting. They are forwarding a recommendation for denial because it does not meet the minimum 5 acres for a PRD and they felt that the current General Plan of R-3 residential would be more appropriate. The other requirement of the PRD zone is to have direct access from an arterial, which this does not have. This property is adjacent to the Craig Estates development. The applicant wishes to join the Craig Estates HOA and extend a similar product onto their property. The HOA presidents for Craig Estates have shown support for the project. PRD must have a minimum of five acres. The applicant plans to purchase acreage from Craig Estates in order to access the property and to meet the minimum acreage requirements. A development agreement is required in this zone and the details of the acreage calculations could be included in the document. The City's ordinance requires that there be a direct connection to an arterial or major collector roadway. The applicant's proposed access is off Craig Ln. which is not a major collector. However, if the subdivision is considered to be an extension of Craig Estates, that subdivision does have a connection to 2000 W. Craig Estates phase 1 plat was recorded in 1999, Phase 2 was 2002, and phase 3 was in 2005. The development was developed as an R-2 cluster subdivision that is no longer in ordinance. Our current cluster subdivision requires a minimum of 10 acres. The entitlement process would include the following: this general plan amendment, current zoning map amendment, development agreement, concept subdivision plan, preliminary subdivision plan, and final subdivision plan approvals. Any remaining houses along 2000 w must meet the minimum lot size for its zone.

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CED Director Mellor reviewed his staff memo.

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The applicant, Adam Benard, approached and indicated that he heard the concerns expressed by the Council during their work session meeting. The concern that stood out the most related to maintenance of frontage on 2000 West to preserve commercial opportunities in the future. He stated that the property is currently occupied by rental residential properties, but he feels it would be of greater benefit to the City to preserve that property for future commercial use rather than include it in the PRD. He stated, however, that he is willing to work with the City to develop the property in a way that complies with City ordinances and will provide the greatest benefit to the City.

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Councilmember Maughan asked Mr. Benard why he has not simply increased the size of the property to five acres in order to be compliant with City Codes regarding the minimum property size upon which a PRD can be developed. Mr. Benard stated he feels that allowing the .3 acres of frontage on 2000 West to remain outside of the PRD in order to provide for potential future commercial growth will be of greater benefit to the City. He stated the City's General Plan calls for that property to be zoned professional office (PO). He stated that increasing the subject parcel size to five acres would require elimination of one of the frontage lots, which would break up on the continuity of professional office zoning. Mayor Palmer suggested that replacing one of the frontage properties with an access road for the development makes sense to him. Mr. Benard stated that is an option, but it would eliminate privacy for the community and break up the professional office zoned properties. Councilmember Lisonbee stated she does not want to vary from the ordinance to approve a PRD on property that is less than five acres in size, but she can see the value in allowing for connectivity of the proposed development to other developments in the area to allow adequate ingress and egress. She stated that if lot three on the exterior of the development were to be removed she would prefer that it be replaced by a road.

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Councilmember Bolduc asked if PO lots are required to be a certain size; she suggested that the depth of the lots be decreased to the minimum size required for PO zoning in order to increase the size of the PRD subject property.

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Councilmember Maughan stated he does not want to approve a project that allows for rear yards to back up to main streets with sidewalks because the property owners are ultimately responsible for clearing the sidewalks during snow storms, but that can be very difficult for an owner of a rear facing lot. Councilmembers Bolduc and Lisonbee agreed. Councilmember Maughan stated he would prefer that a road be installed in place of the property fronting 2000 West.

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Councilmember Gailey asked if there is an opportunity to purchase property from Craig Estates to increase the size of the subject property. Mr. Mellor answered no and indicated that reducing the size of Craig Estates would make that development noncompliant with City Code.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO TABLE ADOPTION OF RESOLUTION R16-20 AMENDING THE SYRACUSE CITY GENERAL PLAN AND LAND USE MAP RELATED TO 4.7 ACRES LOCATED AT 1972 S. 2000 W. TO GIVE THE APPLICANT TIME TO AMEND THEIR PLAN ACCORDING TO THE FEEDBACK PROVIDED BY THE COUNCIL COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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13. Proposed Resolution R16-21 amending the Syracuse City General Plan and land use map related to 36 acres located at 715 S. 4000 W.

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Location:	715 S. 4000 W.
Current Zoning:	None – Not yet annexed
General Plan:	R-1
Requested GP:	R-2
Total Area:	36 Acres
R-1 Density Allowed:	82 lots
R-2 Density Allowed:	107 lots

Following is the excerpt from the minutes from the March 15 Planning Commission meeting:

COMMISSIONER THORSON MADE A MOTION THAT THEY RECOMMEND DISAPPROVAL TO THE CITY COUNCIL ON AN R-2 GENERAL PLAN MAP CHANGE BASED ON THE CONFORMANCE TO THE GENERAL PLAN AND RETAINING THE GENERAL PLAN INTACT AS R-1 AND THE IMPACT TO THE INFRASTRUCTURE. MOTION WAS SECONDED BY COMMISSIONER JENSEN. ALL WERE IN FAVOR, THE MOTION CARRIED UNANIMOUSLY.

This property is not yet annexed into the city but is in our annexation declaration. The land is currently under county jurisdiction but since it is in our declaration, we have given it a zone on our General Plan Map. Once annexed, the property's general plan zone would be applied as its current zoning. The decision at hand is whether or not the city would be willing to accept additional residential density at this location. The R-1 zone allows 2.3 lots per gross acre and the R-2 allows 3 lots per gross acre. This is an added approximately 25 houses above what would occur as an R-1. As with all general plan or zoning map amendment requests, it is within this body's purview to give a positive or negative recommendation after an analysis of potential impacts of the proposed amendment on existing infrastructure and public services such as traffic, streets, intersections, water and sewer, storm drains, electrical power, fire protection, garbage collection is considered. The city council will make the final vote on this legislative decision.

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CED Director Mellor reviewed his staff memo. He noted that he spoke with the applicant following the work session meeting and they would like to meet with two Councilmembers early next week to discuss options for addressing the concerns expressed during the work session. They are comfortable with the Council tabling this item.

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COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE ADOPTION OF RESOLUTION R16-21 AMENDING THE SYRACUSE CITY GENERAL PLAN AND LAND USE MAP RELATED TO 36 ACRES LOCATED AT 715 S. 4000 W. UNTIL APRIL 26, 2016. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:45:23 PM](#)

14. Proposed Resolution R16-22 appointing Carlos Nunez to the Architectural Review Committee.

An administrative staff memo explained the mayor has interviewed Carlos Nunez and would like to appoint Carlos Nunez as a member of the Architectural Review Committee. Please find the following applicable ordinance:

10.28.020 Architectural Review Committee (ARC).

The ARC is established to review all applicable development plans for compliance with the design standards in this chapter. This committee functions as a subcommittee of the Planning Commission and consists of seven members appointed by the Mayor with the advice and consent of the City Council in accordance with the Syracuse Municipal Code. Members consist of community residents, Planning Commissioners (maximum two), and City staff. The Planning Commission Chair may recommend candidates for the Mayor's consideration.

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CED Director Mellor reviewed his staff memo.

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COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-22 APPOINTING CARLOS NUNEZ TO THE ARCHITECTURAL REVIEW COMMITTEE. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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15. Minor Subdivision Plan Approval, Cowley Subdivision, located at approximately 1373 S. 2000 W.

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Zone: R-1 Residential
Applicant: Erik Craythorne
Requested Lots: 2
Acreage: 0.648 acres

The Planning Commission unanimously approved the minor subdivision and recommended conveyance of the “sliver” of city owned land to the applicant during their regular meeting on April 5, 2016. The applicant is requesting approval of a 2 lot minor subdivision plat on property located at approximately 1373 North 2000 West. In its current state, the property to be subdivided extends into the planned right-of-way of 2000 West by 33 feet. As such, the front 33 feet of the property will be dedicated as right-of-way. This is constituted of approximately 3,884.1 square feet. There is a narrow strip of property predominantly on the north side of the proposed lot 1. This strip is owned by Syracuse City and is not buildable in its current state. Section 3.10.080.(D) of the Syracuse Municipal Code states that the Planning Commission scope includes “The acquisition or acceptance of land for any public property, public way, ground, place, or structure; also the sale or lease of municipally owned property, and the location of public buildings, parks or other open spaces.” As such, a recommendation should be made by the Planning Commission before the City Council may grant requisition of the property to the applicant for inclusion in the subdivision. The applicant has expressed a desire to include the property in the subdivision and the property owner has been maintaining the property despite the City maintaining ownership. The property is to be subdivided into two building lots. The entirety of the subdivision falls within the R-1-Residential Zone. The lots feature the following dimensions:

Lot	Lot Size. (12,000 sqft Min.)	Lot Width (100' Min.)	Buildable Area	Structures to Remain
1	12,358 sqft	105'	5,890 sqft	Home (complies with setbacks)
2	12,005 sqft	102'	5,084 sqft	None

As indicated above, both lots meet all the minimum requirements for the R-1 Residential Zone.

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COUNCILMEMBER LISONBEE MADE A MOTION TO GRANT MINOR SUBDIVISION PLAN APPROVAL FOR THE COWLEY SUBDIVISION, LOCATED AT APPROXIMATELY 1373 S. 2000 W.

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COUNCILMEMBER MAUGHAN OFFERED A SUBSTITUTE MOTION TO GRANT MINOR SUBDIVISION PLAN APPROVAL FOR THE COWLEY SUBDIVISION, LOCATED AT APPROXIMATELY 1373 S. 2000 W., GIVING CITY ADMINISTRATION THE ABILITY TO NEGOTIATE REGARDING THE QUESTIONABLE PARCEL OF CITY PROPERTY. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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16. Final Plan Approval, Still Water Lake Estates Phase 8 and 9, located at approximately 1500 W. Gentile Street.

A staff memo from the Community and Economic Development (CED) Department provided the following information about the application:

Current Zoning:	R-1 Cluster
Phase 8 Acres:	5.25
Phase 8 Lots:	19
Phase 9 Acres:	7.01
Phase 9 Lots:	29
Preliminary Plan Approval Date:	March 6th, 2014
Development Agreement Date:	July 3rd, 2014

The Planning Commission unanimously voted in favor of granting final plat approval of this project in their April 5, 2016 meeting. Following is the motion that was made during the meeting:

COMMISSIONER DAY MADE A MOTION TO RECOMMEND APPROVAL TO CITY COUNCIL CONDITION UPON PROPER SIGNAGE ON THE ROAD TERMINATION AND ON THE FIRE HAMMERHEAD WITH EXCLUSIVE USE BY THE FIRE DEPARTMENT WITH BARRIERS AND ALSO WITH THE CLARIFICATION THAT THEY WILL BE ABLE TO BUILD ON LOTS 914 & 913. SECONDED BY COMMISSIONER THORSON. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY

The memo concluded the applicant has requested approval of the last two phases of the "Cottages" portion of the Stillwater Lake Estates. Fire, Engineering, and Planning departments have reviewed the attached plans for compliance with ordinances and the applicant has addressed all staff comments. The development agreement requires that a bond for 50% of

the cost of crossing the canal must be provided before the plat can be recorded. Please find attached additional documents about this application.

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CED Director Mellor reviewed his staff memo.

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COUNCILMEMBER GAILEY MADE A MOTION TO GRANT FINAL PLAN APPROVAL FOR THE STILL WATER LAKE ESTATES PHASES 8 AND 9, LOCATED AT APPROXIMATELY 1500 W. GENTILE STREET. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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17. Public comments

Ralph Vaughan addressed item 12 and stated that if the application is to be modified it should be referred back to the Planning Commission for public hearing and a new recommendation. He noted that the property owner would gain approval of a R3 development if he chose to proceed in that manner at this point in time. Councilmember Gailey stated that the Council discussed process during the work session and indicated that another public hearing would be necessary before the Planning Commission. Councilmember Maughan added that the Council is not trying to make the process for applicant's difficult and if a simple fix is an option, he would prefer to move in that direction rather than require applicants to go through another series of meetings. City Manager Bovero indicated there is no requirement for the application to be referred back to the Planning Commission, but the Council can give that direction if they choose. Mr. Mellor added that the application was for a General Plan change; there are several additional steps in the process that the Planning Commission will need to consider.

A resident, no name given, noted the Lions Club has chosen Saturday, April 23 at 10:00 a.m. as the date for their clean-up project at the City Cemetery. He invited all Councilmembers to participate in that event. The Council briefly discussed scheduling conflicts on that date, after which Councilmember Lisonbee indicated she would like to participate in the project if it were to be rescheduled or another date added.

Kevin Homer stated a friend of his mentioned a trend among law enforcement officials in other cities; Clearfield and Layton seem to be losing a significant number of their police force to Salt Lake City where officers are paid \$10,000 to \$15,000 more each year. He stated he is hopeful the Council will be proactive in considering adjusting wages for public safety employees. It is much easier and less expensive to retain current employees than it is to recruit new employees for vacant positions.

Councilmember Bolduc stated that she spoke with Jay Meyer who attended the last Council meeting to request approval to install a wall ball structure in a City park; he has asked that the Council revisit that issue soon and she would like to include an item on the next agenda to have discussion regarding that issue.

Mike Eisenberg extended the services of the Lions Club wherever needed in Syracuse. He added the Lady Lions Club is not affiliated with the international Lions Club and, for that reason, the Syracuse Lions Club is inclusive of all men and women serving the organization. He stated the club is the best kept secret in Syracuse.

The Council reverted to item 8 on the agenda.

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- o Rent will increase to \$2,281.31 in October 2020.
- o Rent will increase 3% each year after October 2020.

- \$500 per month revenue share for any additional broadband tenants and \$200 per month for non-broadband tenants added to site.
- Capability to add surveillance cameras to tower at Founders Park for security.

The memo concluded staff recommends the Council authorize Administration to execute Second Amendment to Land Lease Agreement with Crown Castle for cell tower located at Founders Park – approximately 1500 South and 1800 West.

An additional staff memo from the Finance Director explained the City originally entered into an agreement with Verizon wireless on June 25, 2002 for the construction of a cell tower located at 3151 South 2400 West. In return, the city receives a monthly cell tower lease payment of \$1,983.75 per month. The Lease was taken over by American Tower which is a cell tower site management company. They have requested an amendment to the contract for an extension on the term of the agreement for a 30 year extension. In return they have agreed to the following revised terms:

- \$35,000 signing bonus.
- Rent will increase to \$2,281.31 in November 2017.
- Rent will increase 3% each year after November 2017.
- 15% revenue share for any additional tenants added to site.

The memo concluded staff recommends the Council authorize Administration to execute First Amendment to Land Lease Agreement with American Tower for the cell tower located at 3151 South 2400 West.

[7:59:20 PM](#)

Mr. Marshall reviewed the memo and addressed the concerns expressed by the Council during the work session; first dealt with the fact that the renewal dates differ in the two agreements. That is because the first agreement was initially executed in 2002 and the second in 2005; each contract has five year renewal blocks and that is why the new renewal dates are staggered by three years. He stated that the original American Tower lease called for a 15 percent rate increase every five years, but staff has renegotiated that term to provide for a three percent increase every year to build the rates quicker, but the Crown Castle agreement is not set to increase until 2020.

[8:00:57 PM](#)

Councilmember Bolduc inquired as to when cameras will be installed at Founders Park, to which Mr. Marshall answered the contract indicates cameras will be installed within five years, but it will likely not take that long.

[8:01:03 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE SECOND AMENDMENT TO LEASE AGREEMENT WITH NCWPCSMPL33-YEAR SITES TOWER HOLDINGS, LLC., WITH THE ADDITION OF A CLAUSE DICTATING CAMERAS WILL BE INSTALLED WITHIN FIVE YEARS OF EXECUTION OF THE AGREEMENT. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

COUNCILMEMBER MAUGHAN MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE FIRST AMENDMENT TO LAND LEASE AGREEMENT WITH AMERICAN TOWER, WITH THE ADDITION OF A CLAUSE DICTATING CAMERAS WILL BE INSTALLED WITHIN FIVE YEARS OF EXECUTION OF THE AGREEMENT. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:02:54 PM](#)

18. Councilmember reports.

At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Bolduc's report began at [8:03:04 PM](#). She was followed by Councilmembers Anderson, Gailey, Maughan, and Lisonbee.

[8:27:13 PM](#)

19. Mayor's Report.

Mayor Palmer's report began at [8:27:18 PM](#).

[8:27:49 PM](#)

20. City Manager report

City Manager Bovero's report began at [8:27:53 PM](#).

[8:31:12 PM](#)

21. 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 GAILEY MADE A MOTION TO CONVENE IN 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 PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at [8:31:27 PM](#) p.m.

The meeting reconvened at 9:05 p.m.

At 9:05 p.m. COUNCILMEMBER LISONBEE MADE A MOTION TO ADJOURN. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: May 10, 2016