

Minutes of the Work Session meeting of the Syracuse City Council held on May 2, 2017 at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Dave Maughan
Jordan Savage

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

City Employees Present:

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

The purpose of the Work Session was to receive the introduction of and participation in review of the Tentative Budget for the Fiscal Year (FY) July 1, 2017 to June 30, 2018, discuss/review a potential ordinance prohibiting the holding of multiple public offices, and discuss Council business.

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Councilmember Bolduc led the audience in the Pledge of Allegiance. Councilmember Maughan provided an invocation.

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Public comments

There were no public comments.

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Introduction and review of Tentative Budget for the Fiscal Year (FY) July 1, 2017 to June 30, 2018.

A staff memo from the Finance Director explained that based on the Council's budget work groups, a draft budget as of April 28, 2017 has been developed by City Administration. Staff continues to receive cost estimates on various items, which will result in minor modifications before posting the Tentative Budget on May 9, 2017. Included with the attached budgets is a summary, by fund, showing the draft balances of each. Below is an outline of the high-level items:

New Positions:

- 2 Police Officers
- Victim Advocate. – with grant approval/shared with Clinton City
- Environmental Worker
- New Tax Revenue Growth ~ \$370,000
- Merit Raises of 2.88% for employees with 3.29% to public safety
- \$1.90 million dollars to park improvements (contingent on grant funding for some projects)
- \$4.36 million in capital infrastructure projects

Utility Rate increases – operational:

- \$0.65 per household per month – environmental worker
- \$0.35 per household per month – weber basin water
- \$3.00 per household per month – NDSD

Utility Rate Increase – Capital Projects

- \$6.90 per household per month (discussion to follow about funding options)

The memo discussed the process of balancing the General Fund of the City; based on the current draft, the General Fund is showing a \$23,292 deficit, which is a small amount (0.2%) of the \$10.5 million budget. Below is a suggested reduction plan to balance the budget:

Budget Cuts

		Reduction	Line Item Total (Draft)
Justice Court			
10-42-24	Office Supplies	\$150	\$3,000
10-42-37	Professional & Tech Services	\$925	\$18,500
10-42-60	Juror & Witness Costs	\$100	\$2,000
Administration			
10-44-24	Office Supplies	\$675	\$13,500
10-44-25	Passports	\$175	\$3,500
10-44-26	Vehicle Expense	\$55	\$1,100
10-44-38	Legal Expenses	\$250	\$5,000
10-44-37	Prof & Tech Services	\$7,000	\$81,250
Building Maintenance			
10-51-26	Vehicle Maintenance	\$200	\$4,000
10-51-30	Bldg & Grounds Maintenance	\$1,630	\$141,750
CED			
10-52-22	Public Notices	\$100	\$2,000
10-52-24	Office Supplies	\$280	\$5,600
10-52-26	Vehicle Maintenance	\$375	\$7,500
10-52-37	Prof & Tech Services	\$1,400	\$28,000
Police			
10-53-25	Equip, Supplies, Maintenance	\$1,688	\$33,750
10-53-26	Vehicle Maintenance	\$3,000	\$68,650
10-53-21	Books, Subscrip, Memberships	\$900	\$38,199
FD			
10-55-21	Books, Subscrip,Memberships	\$609	\$12,180
10-55-24	Office Supplies	\$313	\$6,250
10-55-25	Equip, Supplies, Maintenance	\$900	\$51,225
10-55-29	Fire Prevention & Education	\$100	\$6,500
10-55-43	Medical Supplies	\$900	\$46,320
P&R			

10-64-26	Vehicle Expenses	\$168	\$3,350
10-64-29	Building Equip, Supplies, Maint	\$450	\$10,350
10-64-31	Cemetery Maint	\$550	\$13,025
10-64-42	Senior Programs	\$150	\$3,000
10-64-45	Heritage Days	\$250	\$35,500

Total

\$23,292

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Finance Director Marshall reviewed the information contained in the Council packet regarding the proposed budget and he and City Manager Bovero facilitated a high-level discussion among the Council regarding the budget. Throughout the discussion there was a focus on items such as employee compensation adjustments, utility rate increases to fund capital projects, a rewrite of the City's website and possible development of a City mobile application, across-the-board budget cuts for professional and technical services, the Council training budget and training opportunities, and financial contributions to various committees and non-profit entities. Relative to the Community and Economic Development (CED) budget, there was a focus on economic development grant opportunities, marketing efforts, and redevelopment projects/funding proposals. Relative to the Administration budget there was a focus on training costs, reporting on the activities within the employee incentive program account, tuition aid and reimbursement, and the program allowing employees to cash out leave for money to be used to purchase emergency supplies. Relative to the Police Department budget, there was a focus on the body camera program and costs associated with secure storage of data collected by body cameras, the costs associated with participation in an insurance program that would provide benefits for the surviving spouse of a public safety officer following a line-of-duty death, and software license fees. Relative to the Fire Department budget, there was a focus on training costs, software usage and license fees, and disposal of surplus equipment/vehicles. Relative to the Parks and Recreation Department budget, there was a focus on the combination of the City's recreation website with the general City website and associated costs, efforts made to ensure that recreation programs are self-funding, and Heritage Days activities and associated costs as well as partnership with private businesses in the City to reduce various activity costs, and the potential insulation of the Jensen Park visitors center building to reduce energy costs. Discussion re-centered on utility rates in conjunction with Capital Improvement Plan (CIP) project funding and Public Works Director Whiteley provided a brief overview of the scope of various CIP projects and capital equipment purchases. Budget discussion then shifted to impact fee revenues and the use of impact fees to accomplish various projects throughout the City, such as parks projects. There was heavy discussion regarding the Tuscany Park project and the components to be funded in the FY18 budget. The Council concluded to support the construction of a restroom facility at Tuscany Park and that the total allocation for the project should be \$456,000 as previously determined by the Council with the understanding that the Council will consider additional allocations for the project if determined necessary upon determining the final design of the project and the components to be located there. Final budget discussion then centered on the City's policy regarding use of general fund balance monies and the internal service allocation; City Administration is proposing the use of one time monies for various project needs in the City, but the proposal may be contrary to the policy directives. Mr. Bovero indicated that Council may need to make a statement acknowledging the use of these one-time monies contrary to the internal service allocation policy. The transfer could take place following a future budget opening public hearing.

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Discuss/review potential ordinance prohibiting the holding of multiple public offices.

A staff memo from the City Attorney explained the Mayor has requested that a draft ordinance address a situation where a sitting councilmember or the mayor might seek to hold another public office while concurrently serving on the council.

This draft essentially requires one who is either: (1) holding an elected municipal office, or (2) elected to a municipal office, to vacate the previously held seat, upon being sworn into the new position. Thus, if a sitting member of the County Council ran for City Council and won, that person would need to vacate the County Council seat or forfeit their

position on the Council. Or if a sitting Councilmember was elected to a position on the Davis School Board, the Councilmember would need to vacate the City position upon being sworn into the new position.

While this arose out of a concern that holding a city elected position and the office of a legislator would violate the constitution, *see* Utah Const. Art. VI, § 6, it is also apparent that inherent conflicts of interest would exist with any other elected position or judicial appointment. Thus, the attached ordinance applies to more than just state legislators.

The question of what constitutes an “elected position” is addressed in Subsection (A), which provides that the only positions to which this prohibition applies are those positions whose elections are governed by Title 20A of the Utah Code. Simply put, if a general election will determine whether you can hold the office in question, then the prohibition against holding two offices will apply.

Requiring a person to vacate the seat is accomplished by deeming the acceptance of another office as a *voluntary resignation* under Utah Code Ann. § 10-3-201(1). It is deemed voluntary, because any person who seeks either a city position or another elected position will do so with knowledge that the act of being sworn into a concurrent elected position is prohibited, and will result in them forfeiting the right to hold the City position.

Under Utah law, any time that an ordinance enlarges or restricts the mayor’s powers, duties, or functions, the Mayor is entitled to participate in the vote. As this ordinance adds a section to Chapter 2.15, and affects the office of Mayor, allowing the Mayor to participate in the vote as a precaution could avoid later challenge to that provision’s enactment. I therefore recommend that the Mayor participate in the vote.

The enactment of 2.15.070 and 2.10.185 are linked together in one ordinance due to their common purpose. If the Council does not feel that the Mayor should participate in the vote related to the enactment Section 2.10.185, then it could vote to divide the question and consider them separately, with the Mayor only voting on the enactment of Section 2.15.070.

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Mr. Roberts reviewed his memo and facilitated a discussion among the Council regarding the implications of the proposed ordinance. The Council concluded to include an action item on the next City Council business meeting agenda to allow for consideration of adoption of the proposed ordinance.

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Council business

There was no Council business.

The meeting adjourned at 8:54 p.m.

Terry Palmer

Mayor

Date approved: June 13, 2017

Cassie Z. Brown, MMC

City Recorder