

Minutes of the Work Session meeting of the Syracuse City Council held on May 8, 2012, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

Mayor Jamie Nagle was excused from the meeting.

City Administrator Robert Rice
City Recorder Cassie Z. Brown

City Employees Present:

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

The purpose of the Work Session was for the Governing Body to review agenda for City Council Meeting to begin at 7:00 p.m.; hear a request to be on the agenda from Kathy Avery regarding the American Cancer Society's Relay for Life; receive a presentation from North Davis Sewer District (NDSD) Director Kevin Cowan; review the City Council Rules of Order and Procedure; review business meeting agenda items numbers eight, nine, and ten; and discuss Council Business.

**Councilmember Shingleton, acting as the Mayor Pro-Tem, called the meeting to order after the Mayor notified the Governing Body that she would be not be in attendance at the meeting.

Request to be on the agenda: Kathy Avery to discuss the American Cancer Society's Relay for Life

12:27:11 PM

The following letter regarding a request to be on the agenda was submitted by Kathy Avery to the City Recorder:

To Whom it May Concern,

I am with the American Cancer Society's North Davis Relay for Life and I am requesting that we be placed on the agenda for your next City Council Meeting (May 8th). We would like to discuss what Relay for Life is and how we would like to find a way for Syracuse City to participate.

We have done this meeting in years past, with a great response. Please advise if we are able to make this meeting.

Sincerely,

Kathy Avery

12:27:34 PM

Jamie Riccobono stated that she is representing Ms. Avery tonight and she summarized the letter written by Ms. Avery. She then provided a presentation regarding the Relay for Life and suggested opportunities for the City to get involved in the event. City Manager Rice noted that the City will be willing to include information about this year's Relay for Life on the City's website and at City Hall.

12:35:50 PM

The Council thanked Ms. Riccobono for the information she provided.

Presentation from North Davis Sewer District Director Kevin Cowan

12:35:55 PM

Ivan Anderson approached the Council and stated that his presentation will last more than 40 minutes and the NDSD failed to inform the City of that fact. He stated that after the presentation there will inevitably be questions; he recommended that this item be moved to a future Council agenda when there will be sufficient time for the presentation. Mayor Pro-Tem stated he felt that would be appropriate.

Review City Council Rules of Order and Procedure

12:37:52 PM

A staff memo from City Attorney Carlson explained that the Council packet included two drafts of a Rules of Order and Procedure document. The first draft is based on recommended changes by Councilmember Lisonbee. Where the City Attorney made differing recommendations, an endnote has been added. The second draft is based on City Council's direction to the City Attorney to draft a version that would be only one to one and one half pages in length. After several attempts, the City Attorney was able to create a draft that is two pages long, or one page front and back.

12:37:59 PM

Mr. Carlson reviewed his staff memo.

12:38:15 PM

Councilmember Lisonbee stated that Mr. Carlson did not include all of the changes that she recommended to the Rules of Order and Procedure. She stated, however, that she liked the document that Mr. Carlson drafted and she would like to review the document to offer a few suggestions. The other Councilmembers agreed that would be an appropriate course of action and discussion regarding the document ensued.

Review agenda items nine and ten regarding amendments to
Titles Ten and Eight of the City Code

1:01:28 PM

A staff memo from the Community Development Department explained that in response to requests from The Ninigret Group and City leadership, City staff has developed a proposed Flex Development Zone document that could meet the needs and intent of Ninigret to develop a portion of northeast Syracuse City, as well as allow the potential use of this zone in other locations within the City where it may be appropriate. City staff believes that this zone may have application elsewhere in the City, and therefore zoning language is included to make it transferable to other parts of Syracuse. The purpose of the Flex Development Zone is to provide for a range of development opportunities to allow a property owner/developer flexibility to tailor a project that meets the changing needs of the market—this could include uses such as: manufacturing, professional office, retail, distribution, warehousing, processing, packaging, storage, shipping and other transportation activities, and a general blend of similar uses contributing to the economic base of the city. The goal of such a zone would be to enhance employment opportunities, to encourage the efficient use of land, to enhance property values and the tax base, and to improve the design quality of similar uses.

On February 21, 2012, the Syracuse City Planning Commission received their first draft of the Flex Development Zone. Since that first review, three separate drafts have been developed through Planning Commission discussions (see attached Flex Development Zone Draft A, B, & C). Draft A is language staff initially prepared for this zone that has since been refined. Draft B is a more highly restrictive version, developed through working with the Planning Commission. Draft C reflects the final comments staff received during the Planning Commission Work Session on April 17, 2012, and is the most restrictive of the three drafts. In addition to this and prior to presenting the documentation to City Council, the Syracuse City Attorney has reviewed the language and provided suggested minor amendments to the document. On March 20, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed Flex Development Zone, in which multiple comments were received. On April 17, 2012, the Syracuse City Planning Commission voted to deny the proposed Flex Development Zone (which included all variants of the proposed zoning document) for inclusion into the Land Use Ordinance. The motion to deny was prefaced with the reasoning that industrial uses listed in the proposed Flex Development zoning document do not belong in Syracuse. The staff memo included the following recommendations.

1. The Community & Economic Development Department hereby recommends that the Mayor and City Council discuss the inclusion of a new Flex Development Zone in Title Ten within the Syracuse City Code to reflect attached Ordinance No. 12-09 and/or
2. The Community & Economic Development Department hereby recommends that the Mayor and City Council amend Title Ten, to include a new Flex Development Zone within the Syracuse City Code to reflect attached Ordinance No. 12-09.

An additional memo from the Community Development Department explained cul-de-sac length deficiencies were first brought forward to Planning staff from the City Engineer, who noticed multiple examples throughout the City where cul-de-sacs were well in excess of the current Title Eight standard of 400 feet. Examples include cul-de-sacs in excess of 800 feet (see attached City cul-de-sac examples). To assist in curing some of the existing deficiencies, expand development flexibility,

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and provide a mechanism that encourages creative design while also meeting City needs, amendments to the cul-de-sac ordinance are proposed as attached. Police, Fire, Public Works, and the City Attorney have all reviewed, commented, and accepted the proposed changes.

On May 1, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the cul-de-sac language, in which one comment was received. On May 1, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendment to Title Eight, Chapter Three, Public Improvements – Cul-de-sacs within the Syracuse City Code. Proposed changes include the increase of the standard cul-de-sac length from 400 feet to 500 feet with the ability to apply for an exception up to the length if specific provisions (as listed in the attached ordinance language) are met.

The Community & Economic Development Department hereby recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council amend Title Eight, Chapter Three, Public Improvements – Cul-de-sacs within the Syracuse City Code to reflect attached Ordinance No. 12-10.

[1:02:02 PM](#)

Community Development Director Eggett summarized the memo regarding the changes to Title Ten relative to the creation of a Flex Development Zone.

[1:05:38 PM](#)

City Planner Andersen then reviewed the staff memo regarding the changes to Title Eight relative to cul-de-sacs.

[1:08:28 PM](#)

Council discussion regarding the two items then commenced. The Council determined it would be appropriate to refer the item regarding cul-de-sacs back to the Planning Commission because of a procedural error that was made when the Commission voted on the item.

Review agenda item eight regarding Title Two of the City Code draft rewrite of Title Four of the City Code

[1:14:14 PM](#)

A staff memo from the City Attorney explained that on April 24, 2012 he reported to the City Council that the Council's majority vote to recodify Title II was in error because four adjustments to mayoral power in the recodification required either a unanimous vote of the Council without the Mayor or a majority vote with the Mayor. In response, the Mayor and City Council directed the City Attorney to draft revisions to Title II that would eliminate these adjustments. The drafted revisions are attached. The City Attorney recommends that the Mayor and Council vote in favor of Proposed Ordinance No. 12-08, affirming Title II as currently drafted. While this would adjust mayoral powers from the powers granted by the old title, the adjustments are minor and the lost powers are unlikely to be exercised by present and future mayors. This Ordinance requires either a unanimous vote of the City Council, or a majority vote of the City Council with an affirmative vote from the Mayor. Should the Mayor and Council decline to adopt Title II as currently drafted, the City Attorney recommends adopting First Substitute to Ordinance No. 12-11, affirming Title II with the attached revisions. This would keep the statutorily identified mayoral powers the same between the old and new versions of Title II. This vote would originally have required just a majority vote of the City Council, but because the argument could be made that these mayoral powers were removed by the first vote on Title II, the City Attorney recommends that the Mayor vote on this as well as a reinstatement of statutory mayoral powers. *See* Utah Code Ann. §10-3b-303(2). Should the Mayor and Council decide to make further or different revisions to Title II passing that new version of Title II would require either a unanimous vote of the City Council, or a majority vote of the City Council with an affirmative vote from the Mayor. This would be to resolve the discrepancies in mayoral power between the old title and the version of Title II which was voted on in January of 2011.

[1:14:33 PM](#)

Mr. Carlson reviewed his staff memo.

[1:15:43 PM](#)

Council discussion regarding the item began.

[1:24:35 PM](#)

The time allotted for the agenda item expired and Mayor Pro-Tem noted discussion could continue during the business meeting.

The meeting adjourned at [1:24:48 PM](#) p.m.

City Council Work Session
May 8, 2012

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: February 26, 2013