

Minutes of the Regular meeting of the Syracuse City Council held on May 8, 2018 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Dave Maughan
Doug Peterson
Jordan Savage

Mayor Mike Gailey
City Manager Brody Bovero
City Recorder Cassie Z. Brown

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Police Chief Garret Atkin
Fire Chief Aaron Byington
Public Works Director Robert Whiteley
Parks and Recreation Director Kresta Robinson

1. Meeting Called to Order/Adopt Agenda

Mayor Gailey called the meeting to order at 6:00 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. Police Chief Atkin provided the thought in observance of Peace Officers Memorial Week 2018. Gage Atkin led the audience in the Pledge of Allegiance.

Mayor Gailey thanked Chief Atkin for the thoughtful manner in which he commenced tonight's meeting; he has spent much time with Chief Atkin talking about critical issues, such as school safety, and he can assure the citizens that the City's Police Department is prepared. He stated that he is grateful for the sacrifices that the members of the City's public safety Departments make on behalf of the citizens.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT THE AGENDA WITH THE CHANGE TO MOVE ITEM EIGHT AHEAD OF ITEM SEVEN. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Presentation of Syracuse City and Syracuse Chamber of Commerce "Award for Excellence" for the month of May 2018.

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 the Syracuse Chamber of Commerce, present the recipients for the "Syracuse City & Chamber of Commerce 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 the City's website.

Mayor Gailey noted both youth receiving the award for May 2018 were nominated by the staff of Syracuse High School.

3. Presentation of Certificates of Recognition to Youth Council and Youth Court Members.

An administrative staff memo explained Councilmember Anderson is the Council's liaison to the Youth Council and Youth Court. She has requested that Certificates of Recognition be presented to members of the Youth Court and Youth Council who will be graduating from high school this year and will no longer be serving as members of their respective groups. The following youth will be recognized:

- Youth Council:
 - Sarah Lamb
- Youth Court:
 - Faith Black

- Ashlee McKell
- Robyn Shelter
- Erin Zagg
- Erika Roskelley
- Jared Nyre

Councilmember Anderson provided a summary of some of the work performed by the Youth Council and Youth Court members. She recognized each youth in attendance during the meeting and gave them the opportunity to express what they enjoyed most about their role with the Council or Court as well as the length of time they were a member of their respective organization and what they learned. She also recognized the Youth Court Advisors and stated they provide a great value to the members of Youth Court as well as youth referred to the organization to give them the opportunity to keep an illegal infraction off their record.

Mayor Gailey stated both the Youth Council and Youth Court are made up by quality young people from this community. He added that he attended a recent Youth Court session to observe and was so impressed by the group, which he declared an example of peer leadership at its best.

4. Public comment.

Lorene Kamalu stated she is a Planning Commissioner from Kaysville and she is running for County Commission in the current election cycle. She stated she was incredibly touched by the opening thought provided by Chief Atkin; it was really remarkable and deserving of a standing ovation. She stated she participated in the citizens police academy a couple of years ago in Davis County and she has always had a high regard for first responders, but the course was amazing and solidified what she already knew. She stated she wanted to thank the Council for allowing the observation of Peace Officers Week. She also thanked the City's Police force.

5. Approval of minutes

The following minutes were reviewed by the City Council: Work Session of February 27, 2018, Regular Meeting of March 13, 2018, Work Session of March 27, 2018, and Special Meeting of March 27, 2018.

COUNCILMEMBER BOLDUC MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER SAVAGE SECONDED THE MOTION.

6a. Common consent: Proposed Resolution R18-12 appointing Libby Fawcett, Nathan Fawcett, and James Parker to the Syracuse City Arts Council.

An administrative staff memo explained Arts Council leadership has requested that James Parker, Libby Fawcett, and Nathan Fawcett be appointed to the Arts Council Board. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

- 3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.

Councilmember Maughan invited James Parker to address the Council in advance of his appointment. Mr. Parker stated that he has a deep passion for the arts and a love for what it brings to the community. He stated he is looking forward to serving in any capacity he can to make sure arts are brought closer to the hearts and minds of the residency. He provided a brief review of his professional and personal experience in the arts.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT PROPOSED RESOLUTION R18-12 APPOINTING LIBBY FAWCETT, NATHAN FAWCETT, AND JAMES PARKER TO THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6b. Common consent: Proposed Resolution R18-13 updating and approving edits to training pay in the Syracuse City Personnel Policies and Procedures Manual.

A staff memo from the Finance Director explained staff discovered the need for one additional proposed change to the policy and procedures manual, which is the addition of Section 5.130 - on-call pay discussion:

- o *With City Manager approval, employees who are assigned by Department Heads, or their designee, to train new employees may be eligible for training pay. This additional compensation shall be paid at the same rate as the City's on-call pay. To be eligible, the training employee must spend at least half of the daily scheduled work period directly training and overseeing the new employee. Employees submitting for training pay shall record the number of training days during that pay period on his or her timecard.*

COUNCILMEMBER MAUGHAN MOVED TO ADOPT PROPOSED RESOLUTION R18-13 UPDATING AND APPROVING EDITS TO TRAINING PAY IN THE SYRACUSE CITY PERSONNEL POLICIES AND PROCEDURES MANUAL. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6c. Common consent: Proposed Ordinance 2018-07 amending Chapter 5.30 of the Syracuse Municipal Code related to door-to-door solicitation.

A staff memo from the City Attorney explained that as discussed in the City Council Work Session of April 24, the following subsection has been added to section 5.30.210:

- (C) Criminal penalties in this chapter may only be pursued if the conduct to be punished does not rise to the level of a more serious offense under local, state or federal law, or if the prosecutorial authorities for those agencies have declined to file more serious charges. The provisions of this chapter do not override those more serious offenses.

No other changes have been made to the text of the draft.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT PROPOSED ORDINANCE 2018-07 AMENDING CHAPTER 5.30 OF THE SYRACUSE MUNICIPAL CODE RELATED TO DOOR-TO-DOOR SOLICITATION. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6d. Common consent: Proposed Resolution R18-15 entering into an interlocal agreement with West Point City for the maintenance of storm and sewer lines and construction and maintenance of 1200 South between 4000 West and 4500 West.

A staff memo from the Community and Economic Development (CED) Department explained There have been long standing handshake verbal agreements between West Point and Syracuse City along 1200 south – however with extensive development taking place along the border of our two cities it has become apparent that more official documentation be enacted to clearly define what each municipality is responsible for with respect to maintenance.

COUNCILMEMBER MAUGHAN MOVED TO ADOPT PROPOSED RESOLUTION R18-15 ENTERING INTO AN INTERLOCAL AGREEMENT WITH WEST POINT CITY FOR THE MAINTENANCE OF STORM AND SEWER LINES AND CONSTRUCTION AND MAINTENANCE OF 1200 SOUTH BETWEEN 4000 WEST AND 4500 WEST. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

6e. Common consent: Authorize Administration to enter into Interlocal Agreement with Davis county for emergency dispatch services.

A staff memo from the City Manager explained the attached draft agreement outlines the terms of the City's use of the Davis County 9-1-1 communications center for emergency dispatch. The agreement is for FY 2019 (July 1, 2018-June 30, 2019). Fire Department fees are based on a 5-year average of annual calls. For FY2019, the Fire Department fee will be \$25,408.04. This is a \$2,341.10 increase from the current year's fee (FY2018). Police Department fees are based on the number of officers. For FY2019, the Police Department fee will be \$52,578.00. This is a \$5,979 increase from the current year's fee (FY2018).

COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO ENTER INTO INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR EMERGENCY DISPATCH SERVICES. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Public Hearing: Authorize Administration to dispose of surplus property.

An administrative staff memo explained Several City Departments have indicated they have surplus property to dispose of. Please review the lists provided by the respective Department Heads of the Departments referenced below:

FIRE DEPARTMENT:

See attached spreadsheet for expired turnout gear.

ADMINISTRATION

Konica Minolta Bizhub C451 copier. This printer breaks down about once a month. The supplier is having issues finding replacement parts since the copier is about 10 years old.

Finance Director Marshall reviewed the staff memo.

Fire Chief Byington provided the Council with information about the proposal to donate expired turnout gear to the Davis Applied Technical College.

Mayor Gailey opened the public hearing at 6:39 p.m. There were no persons appearing to be heard and the public hearing was closed.

COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO DISPOSE OF SURPLUS PROPERTY. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

7. Accept Fiscal Year (FY) 2018-2019 Tentative Budget and set public hearing for June 12, 2018 to consider adoption of Final Budget.

A staff memo from the Community and Economic Development (CED) Department explained that as required by Utah Code Annotated 10-6-111, the City Budget Officer is required to prepare and file with the governing body a tentative budget for consideration. Each tentative budget shall be reviewed and tentatively adopted during any regular City Council meeting on or before the last meeting in May. As required by Utah Code Annotated 10-6-112, each tentative budget adopted by the governing body and all supporting schedules and data shall be a public record in the office of the city auditor or the city recorder, available for public inspection for a period of at least 10 days prior to the adoption of a final budget. As required by Utah Code Annotated 10-6-113, the governing body shall establish the time and place of a public hearing to consider its adoption and shall order that notice of the public hearing be published at least seven days prior to the public hearing. The City Council should set a public hearing for June 12, 2018 to consider adoption of the final budget. If the council is considering going through the truth in taxation process to consider holding the tax rate, the following applies:

- As required by Utah Code Annotated 10-6-118, “before the last June 22 of each fiscal period, or, **in the case of a property tax increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is proposed.** the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption.”
 - If the council decides to hold the tax rate, it is considered a tax increase under state law and requires a truth in taxation process. The council will be required to hold a public hearing on or around August 14th to discuss holding the tax rate.
 - The Council would need to identify what items in the budget they would apply this tax increase too. This could include:
 - Road Funding
 - Funding SB 235 ~ \$51,000
 - Regional Park Funding

Mr. Marshall reviewed his staff memo and provided a few highlights of the tentative budget; he then facilitated discussion among the Mayor and Council regarding their ideas for distributing Recreation, Arts, and Parks (RAP) tax revenues. Councilmember Maughan suggested utilizing some of the revenue available to fund awards for a photo contest and bird house building contest associated with the annual Heritage Days celebration. Councilmember Savage reviewed the terms of the proposed bird house building contest and stated he and Councilmember Maughan would like for each year’s winner to be located somewhere along the City’s trail system. High level discussion between the Council and Parks and Recreation Director Robinson centered on the rules for each of the contests and the ability of the City advertise the addition of the contests to the celebration. Discussion then shifted to the amount of money that should be allocated to each of the contests and the award amount the winners would receive, with Councilmember Maughan noting that he would like for \$1,000 to be

allocated to each contest and that amount would be divided among a tiered group of winners. The Council ultimately concluded to set aside \$1,500 total to be divided between the two contests, with the potential to increase the award amounts in future years. For this year's Heritage Days celebration, the \$1,500 will be funded by the FY2017-2018 Heritage Days budget and from RAP tax revenues in future years.

Mr. Marshall then sought feedback and direction from the Council regarding whether they would like to consider holding the certified tax rate, which would be advertised as a tax increase, in order to fund some of the items addressed in his staff memo. Several Councilmembers indicated that though they are not certain they would vote to support holding the current tax rate, they feel it would be most responsible to – at a minimum – hold a public hearing to consider whether that action would be in the City's best interest in order to balance the budget. There was a focus on the Senate Bill that would require the City to dedicate approximately \$51,000 in sales tax revenue to aid in funding for homelessness issues in the State. The Council expressed concern that the State Legislature passed that issue on to the local government entities and indicated they would like to address that issue with local State Representatives.

Mr. Marshall stated he will proceed with developing an operating budget that can be presented to the Council during the June 12 meeting and following the action to accept an operating budget, it will be necessary to consider the certified tax rate and the manner in which the Council would allocate the additional revenue received by the City as a result of holding the current certified tax rate.

Mayor Gailey asked if the Council is comfortable leaving the City's membership with the Utah League of Cities and Towns (ULCT) in the tentative budget. Councilmember Maughan expressed his concern that the ULCT was not able to defeat the Senate Bill relating to homelessness issues. Councilmember Anderson added that she is concerned that the ULCT fee is based on a city's sales tax revenue and she asked if that includes the portion of the City's tax relating to the RAP tax collected by Syracuse. Mr. Marshall stated he can follow up on that issue. The Council ultimately concluded to leave the ULCT membership in the tentative budget and have further discussion about the issue before adoption of the final budget.

Councilmember Bolduc then noted that the Miss Syracuse Pageant is running at a deficit of approximately \$2,000 per year and she would like the Council to consider increasing the City's financial support of the program to \$2,500 per year. Councilmember Savage stated he has been very impressed by the level of involvement he has seen from the participants in the Miss Syracuse Pageant and he supports increasing the financial support as requested. Councilmembers Anderson and Peterson stated they would support the increase as well. Councilmember Bolduc stated that the Pageant participants and royalty provide a great amount of service to Syracuse and the community at large. Councilmember Maughan stated he has been happy to see the improvements in the program and he will support the increase as well.

COUNCILMEMBER PETERSON MOVED TO ACCEPT FISCAL YEAR (FY) 2018-2019 TENTATIVE BUDGET AND SET PUBLIC HEARING FOR JUNE 12, 2018 TO CONSIDER ADOPTION OF FINAL BUDGET. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mayor Gailey committed to include items on future work session agendas to provide the Council the ability to have more detailed discussion regarding specific budget items.

9. Proposed Resolution R18-14 adopting updated Syracuse City Engineering Standards and Construction Specifications.

A staff memo from the Community and Economic Development (CED) Department explained a complete copy of the proposed amendments to the City's Engineering Standards and Construction Specifications are available online at: <http://www.syracuseut.com/Departments/PublicWorks/PublicWorksInfo.aspx>. The Planning Commission reviewed the amendments on May 1, 2018 and voted unanimously to forward a positive recommendation to the City Council.

Public Works Director Whiteley reviewed the staff memo and provided a summary of the proposed Engineering Standards and Construction Specifications amendments.

COUNCILMEMBER SAVAGE MOVED TO ADOPT PROPOSED RESOLUTION R18-14 ADOPTING UPDATED SYRACUSE CITY ENGINEERING STANDARDS AND CONSTRUCTION SPECIFICATIONS. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

10. Mayor/Council announcements.

Councilmembers provided announcements of various upcoming community events.

Mayor Gailey stated that he attended the Annual Fire Department Awards Banquet and invited Fire Captain Dan Holman to present an additional award to a Councilmember this evening. Captain Holman stated that the Department was able to give Councilmember Savage an award the night of the banquet, but Councilmember Bolduc was unable to attend; both Councilmembers have been very involved in emergency preparedness efforts and the Department wished to honor their leadership, commitment, dedication, and passion in serving the community through the Community Emergency Response

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Team (CERT). He presented Councilmembers Savage and Bolduc with a plaque, patch, and certificate recognizing their service.

11. 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 (if necessary).

COUNCILMEMBER MAUGHAN 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 PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 7:40 p.m.

The meeting reconvened at 8:21 p.m.

At 8:21 p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Mike Gailey
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: June 12, 2018