

Minutes of the Regular meeting of the Syracuse City Council held on May 10, 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

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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. Boy Scout Kyle Porter of Troop 439 provided an invocation. Police Chief Atkin then provided a thought in recognition of National Peace Officers Memorial Day, which is May 15, 2016.

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COUNCILMEMBER LISONBEE MOVED TO ADOPT THE AGENDA. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Adel Roennebeck and Tyler Reynolds for the month of May, 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 May 2016 were nominated by the Syracuse Elementary School.

Adel Roennebeck:

Every school is filled with amazing students who light the world with their fresh vision and enthusiasm. Syracuse Elementary is no exception. Adel Roennebeck is one of those bright, shining stars that lights our world with new hope and energy.

Adel is always prepared, willing to help, and is a natural leader. In choir, she will help set up and stay late to clean up. One particular day, the conductor was a little late getting into the room and Adel had everyone seated and was practicing a song. There are about 140 members of the choir, so this was no easy feat. Her bright, willing attitude, along with her cheerful smile, are infectious as she enthusiastically follows directions and gives her all. Adel will redo assignments until she submits her best work. She has served on the student council and was a representative

for our school at the district STEM Fair this year. She is a great asset to the choir and helps Syracuse Elementary shine ever brighter.

Tyler Reynolds:

Tyler Reynolds is a 5th grade student in the Chinese Immersion program at Syracuse Elementary. He has shown great academic responsibility and performance and has very strong Chinese language skills. He solves difficult problems and absorbs new material very quickly. He finishes all his school work in class and is always willing to help his fellow students patiently and with a positive attitude. He is very reliable, academically proficient and optimistic. He is just as responsible in his English studies as he is in Chinese. Tyler participates in the school's enrichment program (SEM) in the subject of math. He is motivated and mature enough to see that it takes effort and work to be successful. He strives to always improve and give his 100% effort in everything he does.

He is a friend to everyone and includes shy classmates at recess so they don't feel lonely or left out. His fellow class members feel like Tyler is their best friend. He has never been heard speaking unkind words about anyone and is a great example to all who know him. Tyler is also an exemplary sportsman and has earned the right to represent Syracuse Elementary at the 5th grade District Decathlon to be held in May. Tyler's teachers are so happy to have him as a student, and are looking forward to the recognition of all his admirable qualities.

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3a. Citizen Recognition: Presentation of certificates to graduates of recent CERT training course.

A staff memo from the Fire Chief explained The Fire Department recently hosted a CERT Course, which is a program that prepares participants to be able to help themselves, their family and their neighbors in the event of a disaster. CERT teams also help the community year-round by helping with community emergency plans, neighborhood exercises, preparedness outreach, and workplace safety. In addition to supporting emergency responders during a disaster, the CERT program builds strong working relationships between emergency responders and members of our community." Completion certificates will be presented to: Neal Briggs, Caroline Briggs, Terry Palmer, Grant Tanner, Sharon Tanner, Corinne Bolduc.

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Chief Froerer reviewed his memo and presented each of the CERT graduates named in his memo with a certificate of recognition from the Fire Department.

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3b. Citizen Recognition: Recognition of graduating Youth Court members.

An administrative staff memo explained Councilmember Anderson serves as the City Council's liaison to the Syracuse City Youth Court and she, along with Youth Court Advisors, asked that the Council formally recognize members of the Youth Court that are part of a high school graduating class; some of these members have served for up to four years and provided a valuable service to the City.

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Councilmember Anderson summarized the memo and indicated that the Youth Court is very valuable program in the City as it provides an avenue for first time youth offenders to appear before their peers to receive a sentence of community service in lieu of a charge being included on their record. The members of Youth Court meet once a week and some have been serving for four years; she thanked them for the time they dedicated. She then recognized the following graduating members of the Youth Court: Anna Elmer, Ashley Robertson, Chelsea Martin, Jaquelle Norton, Jessica Hadley, Keanu Hansen, Mariah Pickard, Rosalie Beeli, and Takara Peterson. She also recognized the Youth Court Advisors, Lori Smith and Christian Silva, and thanked them for the valuable service they provides to the community.

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4. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session of March 29, 2016, Work Session of April 12, 2016, Regular Meeting of April 12, 2016, and Special Meeting of April 15, 2016.

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Councilmember Maughan corrected a typographical error in the minutes where the word “sated” was used instead of the word “stated”. Councilmember Bolduc also corrected a typographical error where the word “devilment” was used in place of the word “development”.

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

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5. Public comments

Mike Norton stated his daughter is one of the graduating members of the Youth Court and he thanked the City for recognizing all the hard work they have dedicated to their positions. It is an amazing program and he is grateful the City supports it. He then stated that he travels to work daily and drives past Ellison Park in Layton and Barnes Park in Kaysville; he grew up in Clinton and has watched as the field that was located across the street from his home was developed into a very large park. One thing he would like to convey as a citizen is that he would like to see the Council take the initiative to look into the future and plan for a large central park in Syracuse. The City currently has many different parks that are being managed as best the Parks and Recreation Department can, but there are many benefits of a centralized park that can support the increase in sports participation that has happened in Syracuse City. Councilmember Lisonbee indicated such a project is ‘in the works’. Mr. Norton stated he is grateful that as he feels it is very important; there is a need for a place to play by many local teams and having it located centrally would help the Parks Department as well. He concluded that during recent caucus meetings he heard that many other cities are live streaming their meetings and he asked if Syracuse is doing the same. Councilmember Lisonbee answered yes and referred Mr. Norton to the City’s website for a link to live streaming audio of Council meetings.

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6. Discussion and action regarding location for wall ball structure.

A staff memo from the Parks and Recreation Director explained the council was given a proposal on April 26, 2016 for the recommended locations of the Wall Ball proposed by Jay Meyer, Syracuse Lacrosse Representative. Proposed Park locations included: Rock Creek Park, Fremont Park, Linda Vista Park and Stoker Park. Pros and cons were given for each location, and after careful consideration the council narrowed the locations to Rock Creek Park and Fremont Park. The memo concluded staff is seeking approval and location for the Wall Ball.

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Parks and Recreation Director Robinson reviewed her staff memo. Jeff Ross stated that he is appreciative of the Council considering the request to locate a wall ball structure at a local park.

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Councilmember Maughan stated he feels the best potential for future Lacrosse tournaments is at Rock Creek Park. Discussion centered on the benefits of using Rock Creek Park, after which the Council ultimately concluded they could support the wall ball structure at that location. Ms. Robinson noted that the group that will complete the installation of the structure has committed to install netting at the park to keep lacrosse balls from being hit onto newly hydro seeded areas at the Park.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO LOCATE THE WALL BALL STRUCTURE AT ROCK CREEK PARK. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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7. Criddle Farms Subdivision: Preliminary Plat approval for property located at 4000 W. 1200 S.; and request for waiver of fees for General Plan/Rezone process.

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

Current Zoning:	PRD
Annexation/Concept Plan Date:	12/10/13
Total Area:	20.61 Acres

Development Agreement Density Allowed: 6.7 units/acre (134 units)
Concept Plan # of Lots: 99 lots
Preliminary Plan # of Lots: 101 lots

Following is the excerpt from the minutes from the April 5 Planning Commission meeting:

COMMISSIONER JENSEN MADE A MOTION TO TABLE THE PRELIMINARY SUBDIVISION PLAN FOR CRIDDLE FARMS SOUTH TO ADDRESS THE STATED CONCERNS. (Open Space, Trail location)

Following is the excerpt from the minutes from the April 19 Planning Commission meeting:

COMMISSIONER JENSEN MADE A MOTION TO DENY THE PRELIMINARY SITE PLAN APPROVAL FOR CRIDDLE FARMS SOUTH AND RECOMMEND DENIAL TO THE CITY COUNCIL BASED ON THE FACT THAT SPECIFICALLY IT DOES NOT ADEQUATELY MEET THE REQUIREMENTS IN 10.75.040 ADDITIONAL LOT STANDARDS RELATING TO TREES AND LANDSCAPING TO BREAK UP THE LOOK OF THE DEVELOPMENT WITH THE FINDING ADDITIONALLY THAT THE OPEN SPACE AND COMMON SPACE IS NOT OF HIGH ENOUGH QUALITY FOR THE DEVELOPMENT. COMMISSIONER THORSON SECONDED THE MOTION. VOTE ON MOTION: ALL WERE IN FAVOR EXCEPT CHAIRMAN VAUGHAN WHO VOTED NAY. MOTION CARRIED WITH A 4 TO 1 MAJORITY VOTE. COMMISSIONER VAUGHAN STATED HE VOTED NAY FOR REASONS BEING BELIEVES THEY HAVE MET ALL THE CONDITIONS. COMMISSIONER JENSEN STATED IT IS ULTIMATELY UP TO CITY COUNCIL IN ANY CASE.

This property was annexed into the city with a development agreement. The agreement determines the max density, housing type (single family), open space, trail, and concept plan.

Nevertheless, the project is required to go through the preliminary and final subdivision process during which modifications to the plan can be made as required by ordinance. Please review the attached documents for additional detail.

An additional staff memo explained the Criddle Farms subdivision is separated into two halves, the "north" half which is 36 acres and the "south" half which is 20 acres. The south half is annexed, has the desired zoning, concept plan, and is at the preliminary plat approval stage. The northern half is not as far down the road for development. It is not currently annexed and the applicant has proposed a general plan map amendment to change from R-1 to R-2. This application was reviewed by the Planning Commission on March 15th and was forwarded to City Council on April 12th with a recommendation for denial. During the City Council meeting on the 12th, an idea was discussed to look at both the north and south zoning together by changing the general plan/zoning map to R-3 for the entire project and create a development agreement outlining the objectives for both parties. This would essentially spread the density more evenly across the project but result in a similar number of development lots while creating a desirable trail amenity for the neighborhood. Both the applicant and city willingly agreed to explore this development option, not as a requirement of approval but as an alternative that could be mutually beneficial. Under this scenario, the applicant would apply for a general plan change from A-1 to R-3 on the north and the current zoning can be designated at time of annexation. For the south parcel, the applicant would submit application for both a general plan and rezone map change from PRD to R3. The fees associated with those three applications would total approximately \$1,500. Permission is requested at this time, for the Council to waive the zoning/general plan map fees associated with the R-3 development scenario.

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City Planner Steele reviewed the staff memo.

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Council discussion of the item centered on the implications of the action the Council is being asked to take tonight; Councilmember Maughan emphasized that the Council is considering land use and not the actual development plan for the property, which will come before the Council at a later time. Mr. Steele stated the land use has already been determined and the action before the Council tonight is the preliminary plat for the project. He added the original concept plan for the project contained 99 lots and the updated preliminary plat contains 101 lots; the development agreement for the project allows for 6.7 units per acre, which equates to 134 units, but given the open space requirements of the PRD zone he does not believe it would be possible to develop that many lots as the proposed project is a single family development with no attached units. Discussion then centered on the definition of open space included in the City's zoning ordinance and City Attorney Roberts indicated the light green areas included on the preliminary plat qualify as open space according to the current definition. Councilmember Lisonbee asked if the current plan meets the 50 percent open space requirement, to which Mr. Steele answered yes. Councilmember Lisonbee asked if the calculation includes side or rear yard or any other areas around homes as part of the common space calculation. Mr. Steele provided the differentiation between common space and open space and

noted that with the two combined, the applicant is meeting the 50 percent requirement. Common space is currently 29 percent. Councilmember Maughan stated that the common space requirement is actually 20 percent and he asked if the spaces directly behind homes were removed from that calculation, would the project still meet the 20 percent common space requirement. Mr. Steele stated he is unsure the answer to that question and would need to perform additional calculations.

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Councilmember Gailey stated that it may be necessary to revisit the definitions of open space and common space in order to provide greater clarity for future project, but his interpretation of the current definitions is that they only specify what is not considered open space rather than what is. The ordinance is somewhat vague, but he believes that the applicant has substantially met the requirements of the ordinance and he recommends the application be approved in good faith and allow discussion and negotiations regarding the project to continue. Councilmember Lisonbee also acknowledged other discussions are underway and the City will have some control over the project via the development agreement. She asked if the project is vested according to the preliminary plat design if it is approved tonight and she stated that she will abstain from voting if that is the case. She stated the current plat is something she cannot support, although with minor changes she could support it.

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Councilmember Maughan stated that he would like to understand the amount of common space if the areas behind structures were removed from the calculation. Councilmember Anderson stated that some backyard spaces are larger than others. Councilmember Gailey stated he is unsure how the City can require those portions of property to be removed from the calculation given that it meets the current definition of common space. Councilmembers Anderson and Maughan agreed, but Councilmember Maughan stated he would be more comfortable with the understanding that the common space calculation also meets the spirit of the law. Mr. Roberts stated that the plan that has been submitted contains parcels A through F; one of the parcels contains the playground area while others include additional amenities that truly meet the definition of common spaces. When adding those parcels together the calculation is 29 percent of the overall square footage. Councilmember Maughan stated that in that case he does not know how the Council cannot approve the preliminary plat. Councilmember Anderson asked why the trail was relocated. Mr. Steele stated staff asked for the relocation to make the trail more usable by the community at large; the relocated trail will not weave through backyards. Councilmember Lisonbee stated that the relocation creates the burden for the homeowners association (HOA) to clear the sidewalk on 4000 West whenever it snows. Mr. Steele stated the 10-foot asphalt trail will be constructed on 4000 West in lieu of the sidewalk. Councilmember Lisonbee asked if the City will clear the trail or if the HOA will be responsible for that. Mr. Steele stated that the draft version of the development agreement calls for the City to clear the trail.

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Mr. Roberts stated that if the Council grants approval of the preliminary plat, City staff will proceed with negotiation of a development agreement that will address issues like landscaping, fencing, development plans, and the trail amenities. The development agreement would eventually come back to the Council for review and consideration. Councilmember Lisonbee stated that the trail would become a way for children to walk to and from school and she would hate to put the burden of clearing it on the City because it would become a high priority given its use for travel to and from school. Mr. Steele stated that issue can be discussed through negotiations of the development agreement.

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COUNCILMEMBER GAILEY MOVED TO GRANT PRELIMINARY PLAT APPROVAL FOR THE CRIDDLE FARMS SUBDIVISION PRELIMINARY PLAT, LOCATED AT APPROXIMATELY 4000 W. 1200 S. COUNCILMEMBER ANDERSON SECONDED THE MOTION; VOTING "AYE": COUNCILMEMBERS ANDERSON, GAILEY, AND MAUGHAN. COUNCILMEMBERS BOLDUC AND LISONBEE ABSTAINED FROM VOTING.

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Discussion briefly centered on the reason for the request for the fee waiver, with Councilmember Maughan indicating he feels that both the City and the applicant are responsible for the delay in proceeding with this action and for that reason he cannot vote to waive fees. Councilmember Lisonbee stated she supports the fee waiver since the action is to simply change something that the applicant has already applied for and paid application fees. Mr. Steele stated that the applicant has already applied and paid for the general plan amendment and the City has requested that an additional land use change be considered by the applicant.

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COUNCILMEMBER ANDERSON MOVED TO WAIVE FEES FOR THE CRIDDLE FARMS SUBDIVISION GENERAL PLAN/REZONE PROCESS. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Councilmember Lisonbee explained the applicant already paid for and applied for a general plan and zone change to the south portion of the property and the City has asked them to reapply for a different zone and staff is recommending the fees be waived because the additional application is being made at the City's request. She stated she supports the fee waiver and the application because she believes R-3 zoning for the property with nice amenities that reflect the history of the property is much more beneficial to the City and property owner. She also supports helping the applicant proceed through the process as quickly as possible.

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Mayor Palmer stated there has been a motion and second to approve the fee waiver and he called for a vote; ALL VOTED IN FAVOR.

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8. Proposed Resolution R16-20 amending the Syracuse City General Plan Land Use Map related to 5.21 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:	5.21 Acres
R-2 Density Allowed:	14 lots (3 lots/gross acre)
PRD Density Allowed:	31 lots (6 lots/gross acre – developer indicated he is proposing only 16)

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 president for Craig Estates has shown support for the project. The initial proposal did not include sufficient acreage or access from an arterial street that is required in the PRD zone. For those reasons, the PC forwarded a recommendation for denial. The City Council reviewed the project and tabled it to give the applicant a chance to amend their application. The applicant revised their request to meet the minimum acreage and frontage requirements. Before any construction could begin for this project, there are multiple future layers of review that are required. The applicant would be required to submit application and receive approval for current zone change, concept plan, preliminary plan, and final plan. Now that the applicant meets the minimum acreage requirements, it is a legislative decision of whether or not this land use and density is desirable at this location.

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Planner Steel reviewed the staff memo.

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Councilmember Bolduc asked for confirmation that it is not problematic to change the general plan designation for a portion of one of the properties without first subdividing the property. Mr. Steele stated it is not problematic as general plan land use is not required to follow lot lines. Councilmember Lisonbee stated that the general plan change will actually dissect three lots. She asked that action to proceed with subdivision of the property be handled quickly. She also addressed access to the property and stated she believes access through Craig Lane to 2000 West creates access to an arterial road and will create an contiguous homeowners association (HOA) development and meets the requirements of the City Code.

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COUNCILMEMBER BOLDUC MOVED TO ADOPT RESOLUTION R16-20 AMENDING THE SYRACUSE CITY GENERAL PLAN LAND USE MAP RELATED TO 5.21 ACRES LOCATED AT 1972 S. 2000 W. COUNCILMEBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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9. Proposed Ordinance 16-15 amending the zoning map of Title 10 of the Syracuse City Code by changing from A-1 (Agriculture) to R-2 (Residential) the parcel of property located at approximately 920 S. 4000 W.

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

Location:	920 S. 4000 W.
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Current Zoning:	A-1
Proposed Zoning:	R-2
General Plan:	R-2
Property Acreage:	23.1 Acres
Permitted Maximum R-2 Density:	3 units per acre
Potential Gross Units with R-2 Zoning:	69

Following is the excerpt from the minutes from the May 3 Planning Commission meeting:

COMMISSIONER DAY MADE A MOTION TO APPROVE THE REZONE PROPERTY LOCATED AT 920 S 4000 W FROM A-1 TO R-2 RESIDENTIAL. COMMISSIONER JENSEN SECONDED THE MOTION. ALL WERE IN FAVOR, MOTION CARRIED UNANIMOUSLY.

The applicant has requested a rezone from A-1 Agriculture to R-2 Residential with the intention of developing a residential subdivision in accordance with the allowances in the R-2 Zone. The surrounding area is zoned R-1 and R-2 with development that complies with the densities allowed in those zones. There are 2 roads stubbed into the property at 4 locations (Killarney Drive and 3695 West). The development will be required to connect these roads This would provide the majority of the neighborhood easier access to Rock Creek Park.

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Planner Steel reviewed the staff memo.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-15 AMENDING THE ZONING MAP OF TITLE 10 OF THE SYRACUSE CITY CODE BY CHANGING FROM A-1 (AGRICULTURE) TO R-2 (RESIDENTIAL) THE PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 920 S. 4000 W. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

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Councilmember Gailey stated he was contacted by a resident who was concerned there may not be adequate water available to serve the property. Mr. Steele stated he has not heard that concern, but noted City staff ensures that sufficient water is available before proceeding with final approval and recordation of a subdivision.

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Mayor Palmer stated there has been a motion and second to adopt the ordinance and he called for a vote; ALL VOTED IN FAVOR.

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10. Adopt Fiscal Year 2016-2017 Tentative Budget and set public hearing for June 14, 2016 to consider adoption of Final Budget.

A staff memo from the Finance Director 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 14, 2016 to consider adoption of the final budget.

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Finance Director Marshall reviewed his staff memo as well as the highlights of the tentative budget.

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Councilmember Maughan stated he feels changes to the budget are needed. He discussed items such as City contributions to various entities like the Arts Council and the Miss Syracuse Pageant. The Council discussed and debated the concept of offering support, whether in-kind or financial, to various entities. They ultimately concluded to include in the tentative budget \$3,000 for the Arts Council and \$1,500 for the Miss Syracuse Pageant for seed money.

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Councilmember Maughan stated he desires adjustments to the benchmarks that have been used for the basis of budgeting pay increases for some employees; staff is asking for staff raises in some cases that do not make any sense and he

wants to address the policy that is used to conduct benchmarking for employee wages. One issue is an increase that will cause an additional employee to earn more than the top paid City official; this means that two Department Heads would be paid more than the City Manager. He stated he cannot support a budget that contemplates such increases. City Manager Bovero stated he respectfully disagrees and feels the benchmark increases do make sense, but he does not believe there is sufficient time to have an in-depth discussion regarding the methodology for the benchmarking practice. He suggested that when the Council adopts the tentative budget they include a placeholder in the budget for benchmarking increases subject to future discussions.

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Councilmember Maughan then discussed additional potential budget adjustments including items such as employee recognition in the Police Department budget, costs associated with the ice rink, miscellaneous parks needs, training for the utility software, and funding for the brush truck in the Fire Department.

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Councilmember Bolduc referenced the budget for the Farmer's Market; there has been discussion about the purpose of the City's funding contribution for the event and she wants to clarify that it is for things like stage setup and not entertainment. Councilmember Lisonbee stated she feels \$8,000 is too much money for that purpose and she would prefer to cut that amount in half and enlist the help of volunteers for stage setup.

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Discussion refocused on the City's contribution to various entities, such as the Arts Council and Miss Syracuse Pageant. Councilmember Lisonbee stated that she would like to have continued discussion regarding the purpose of those subsidies. Councilmember Gailey stated he can support the previously discussed contributions of \$3,000 and \$1,500 to the Arts Council and Miss Syracuse Pageant, respectively, but he would like to ensure that the entities are being audited and that the City has some control over their operations.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT THE FISCAL YEAR 2016-2017 TENTATIVE BUDGET AND SET A PUBLIC HEARING FOR JUNE 14, 2016 TO CONSIDER ADOPTION OF THE FINAL BUDGET, WITH THE CAVEAT THAT ALL PLACEHOLDERS AND BUDGET AMENDMENTS BE DISCUSSED BE INCLUDED IN THE FINAL BUDGET DOCUMENT PRESENTED TO THE COUNCIL ON JUNE 14, 2016. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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11. Public Hearing: Proposed Resolution R16-23 adjusting the Syracuse City budget for the Fiscal Year ending June 30, 2016.

A staff memo from the Finance Director summarized the following proposed budget amendments:

- Proposed changes to **general fund budget**:
 - Increase state grant revenue and police overtime budget by \$15,000 for UDOT Hill Field road project.
 - Transfer \$800,000 to capital projects fund for reservation of future capital equipment or capital projects purchases.
- Proposed changes to **park maintenance fund budget**:
 - Increase capital outlay by \$35,000 for equestrian park improvements including power and lights.
- Proposed changes to **street light fund budget**:
 - Increase street light participation revenue and street light installation expense by \$100,000 each. The net change to the fund is zero. This is related to new subdivision improvements in the City.
- Proposed changes to **culinary water fund budget**:
 - Increase culinary maintenance expense by \$40,000 for purchase of new water meters for new home development and replacement of old meters.
 - Increase depreciation expense by \$5,000.
- Proposed changes to **capital improvement fund budget**:
 - Transfer \$800,000 from general fund to this fund.
 - Increase capital equipment expense by \$150,000 for purchase of type 6 brush truck.

- o Leave remainder of \$650,000 reserved in the capital improvement fund until City Council adopts budget to spend the money.

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Finance Director Marshall reviewed his staff memo.

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Mayor Palmer opened the public hearing. There were no persons appearing to be heard and the public hearing was closed.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-23 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2016. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Mr. Marshall indicated staff will proceed with publishing the request for proposals (RFP) for the brush truck, but it may be difficult to execute a contract and purchase the equipment prior to the conclusion of the current fiscal year. Councilmember Maughan asked if money from the current budget can be used to complete the transaction in the next fiscal year. Mr. Marshall answered yes.

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12. Proposed Resolution R16-24 authorizing the Mayor to execute a Real Estate Purchase Contract (REPC) related to property located at 507 West 2700 South.

A staff memo from the City Attorney explained the City's Transportation Master Plan has identified the need to expand 500 West, including the road to the East of a residential property located at 507 W. 2700 S. An opportunity to purchase the property through amenable terms has arisen. The property owner has informally agreed to the sale of the property to the City for \$150,000.00. Approval of this Real Estate Purchase Contract, and authorization to execute all necessary, subsequent documents in order to complete the land transfer, will permit the City to move forward with the acquisition. Obtaining property under these circumstances is favorable to both parties; the land owner need not complete otherwise required upgrades to the property, and the City need not relocate a family or resident as part of the future widening project or pay for the increased value of those upgrades which the property owner would otherwise make. As we mentioned in our April 12 memo, the Planning Commission unanimously recommended the acquisition. By approving this resolution, you will authorize the Mayor to sign the REPC and all other documents necessary in order to complete the property sale. We anticipate that the transaction will be completed quickly after receiving your approval.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO AUTHORIZE MAYOR PALMER TO EXECUTE A REAL ESTATE PURCHASE CONTRACT (REPC) RELATED TO PROPERTY LOCATED AT 507 WEST 2700 SOUTH. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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13. Proposed Resolution R16-25 Authorize Execution of Professional Services Contract for review of unbilled or mis-billed utility services.

A staff memo from the City Attorney explained the City recently posted a Request for Proposals for companies to help identify unbilled or misbilled utility services (specifically, culinary water). As its name suggests, utility services which are either misbilled or unbilled will result in some people inappropriately getting free or reduced price water. These can arise from inadvertent actions, such as mistaken connections by homebuilders, or they can arise from deliberate actions such as homeowners intentionally bypassing the meter, using unmetered hydrants, or similar schemes. ISI Water Company provided the only response to the City's RFP. They are an experienced company with a record of analyzing utility data and assisting in correcting misbillings based upon both accidental and intentional conduct. It is proposed that the Council authorize the Mayor to execute an Agreement with ISI Water Company, consistent with the terms provided by that company in its proposal. ISI proposes that it share in increased revenues associated with accounts after corrective action is both recommended and taken, for three years from the date of correction. It proposes that it receive 60% of the increased revenue. As this is a performance-based proposal, ISI would only receive compensation if its information led to actual revenue generation from the identified account. Ultimately, the cost of misbilled or unbilled service is passed along to all other users of the water system. Thus, implementing this service may serve to postpone rate increases as the cost of delivery continues

to rise. The agreement will be terminable after a short amount of time, such as one year, if the City is not satisfied with the service or if it proves to be administratively burdensome. By approving this resolution, you will authorize staff to draw up, and the Mayor to sign, an agreement with ISI to provide this service, consistent with the general terms provided in the proposal.

[9:02:34 PM](#)

The Council briefly discussed the proposal to enter into agreement for an analysis of utility data and billing. Councilmember Lisonbee indicated she is comfortable authorizing administration to enter in to the agreement, but only upon negotiation of the revenue sharing terms included in the contract. If the consultant refuses to agree to the revenue sharing amendments requested by the Council, the item should be referred back to the Council for continued discussion.

[9:03:23 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-25 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR REVIEW OF UNBILLED OR MISBILLED UTILITY SERVICES, UPON NEGOTIATION OF ADJUSTED TERMS OF THE AGREEMENT BETWEEN THE CITY MANAGER AND CONSULTANT.

[9:03:58 PM](#)

Councilmember Lisonbee asked if the consultant will also be evaluating the functionality of water meters for the City's culinary water system. Mr. Bovero stated that is one component of the agreement; based on anomalies in the billing data, the consultant should be able to detect leaks in laterals or problems with a meter. Councilmember Lisonbee stated it may be possible to create an algorithm that detects such problems and she wondered why City staff does not inspect meters in-house to try to find anomalies rather than giving up potential revenue to the consultant. She still has concerns about the agreement. Mr. Bovero stated that entering into the contract takes that burden off of staff and requires no staff time; all risk is on the contractor. With over 7,000 accounts it may take a lengthy period of time to research leaks and detect malfunctioning meters. If the consultant were to recommend replacement of 2,000 meters, that is something the Council could consider before proceeding. If the City chose not to replace the meters, the consultant would not receive any revenue from their discovery. Councilmember Lisonbee stated she feels there is a risk to losing potential revenue; even if staff took six years to analyze all meters, but the City has the option to keep all revenues associated with any findings, she may prefer that. She is hesitant to proceed with the agreement; she feels there is a need to examine the City's billing practices and that is doable, though there has always been an argument against that because of the manner in which the City meters water. She feels that the City should consider charging for actual use rather than setting a minimum usage amount of 10,000 gallons; that could create a significant difference as well. She feels there are many different options for addressing this issue without entering into a professional services agreement. Councilmember Gailey disagreed and stated this is a very inexpensive way to find out if there are problems with the City's system; there is no cost associated with entering into the agreement, other than the potential loss of revenue that may or may not be there.

[9:08:29 PM](#)

Public Works Director Whiteley stated that there may be some staff time associated with entering into the agreement, but Mr. Bovero is correct that it would be much more burdensome to handle the scope of work in house; one of the things that would be the most time consuming would be comparing utility data with use and historical averages. The City does not have the staff to take on those duties. Mayor Palmer asked if the City has the expertise to perform the work that will be performed by the consultant. Mr. Whiteley stated it is possible that the City has the expertise, but the City does not have the experience of software needed to perform the work. He does not believe the City could perform the same scope of work as quickly or efficiently as the consultant.

[9:10:56 PM](#)

Councilmember Maughan stated that much of the work is based upon the software that the consultant has created and he wondered if it will catch things like transfer of ownership of a property that could result in varying uses that could be interpreted as a result of faulty equipment.

[9:11:31 PM](#)

Councilmember Anderson stated she would like more information about the process that the consultant would follow to complete the work. She suggested tabling this item to allow for continued discussion and a presentation at the next work session before the Council makes a decision. Mr. Bovero stated he can coordinate that.

[9:12:24 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO TABLE RESOLUTION R16-25 AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT FOR REVIEW OF UNBILLED OR MISBILLED UTILITY SERVICES. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

9:13:01 PM

14. Proposed Resolution R16-11 approving amendments to the bylaws of the Syracuse City Arts Council.

A staff memo from the City Attorney explained The Syracuse Arts Council previously prepared draft amendments to its by-laws. They have since revised their requested amendment. A previous staff memo (March 8, 2016) went through the changes included in their last request. Rather than highlight all amendments, I will highlight the differences between this amendment and the one previously submitted. For easy reference, the document uses a different color to highlight recent changes.

- The Arts Council's second objective has been further redacted to remove the phrase "workshops and other appropriate means." (Art. II, § 1(B)).
- The third objective has replaced "engage in and subsidize" with "encourage and sponsor," and also removed a redundant provision that says they will comply with the law. (Art. II, § 1(C))
- Provides that votes to remove board members must take place in a public meeting, although discussions of competence may take place in a closed session. (Art. IV, § 3)
- Allows Board to appoint Interim Board Members while the appointment process moves forward with the Mayor and Council. As discussed in Council meeting, this would be limited to up to 20% of the vacant Board positions. (Art. IV, §5)
- Elimination of distinction between Working Funds and Permanent Funds. (Art. VII, §2)
- Broadens scope of offering by replacing the term "plays" with the term "shows" or "productions." (Art. IX, § 1; Art. XIII, § 1)
- Removes the goal of fostering the enjoyment of production staff (Art. XIII, § 1(E)).

The other recommended amendments have not been modified.

9:13:11 PM

Council discussion of the bylaws focused on various issues. Councilmember Lisonbee stated she does not feel it is appropriate for any member of the Arts Council to profit from their relationship with the body if tax funds are used to support the entity. Councilmember Maughan stated that he does not believe any member intends to make a profit from their relationship with the body. Councilmember Gailey suggested that the Arts Council be required to submit to an annual audit to catch such an issue. Councilmember Lisonbee stated an audit may not catch such an issue and she suggested that section three of the bylaws be amended to say "organization" rather than "board". This led to a discussion of the definition of the term 'organization' to determine who is not able to benefit financially from their relationship with the Arts Council, with Councilmember Maughan stating that disclosure is the key and when participating with the Arts Council, members should be required to disclose any relationship that they may have that could lead to them profiting. He stated that the members of the Arts Council should be subject to the ethics clause of the City's personnel policy manual. Mr. Bovero read the ethics clause and all Councilmember expressed their comfort with including the ethics clause in the bylaws document. Mr. Roberts added that the Municipal Employee Ethics Act for the State of Utah will apply to all Arts Council Boardmembers. He suggested that the Arts Council also be subject to the purchasing policy of the City.

9:26:52 PM

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R16-11 APPROVING AMMENDMENTS TO THE BYLAWS OF THE SYRACUSE CITY ARTS COUNCIL, WITH THE ADDITION OF ARTICLE 17, WHICH WILL STATE:

- THE ARTS COUNCIL IS SUBJECT TO THE PURCHASING POLICY OF SYRACUSE CITY AND ETHICS LAWS PROVIDED IN UTAH STATE LAW.

9:27:36 PM

Councilmember Lisonbee stated she has additional concerns; she suggested removal of the language regarding vacant board positions in Article Four, Section Four. She added she has also received citizen comment from people who support her in her position that if taxpayer dollars are used to support the Arts Council then preference should be given to Syracuse citizens for participation in productions. She stated that is not reflected in the mission statement or bylaws for the Arts Council. Councilmember Maughan stated he will not support that request. Mayor Palmer agreed. Councilmember

Maughan stated the mission statement defines the role of the Arts Council and should not include language regarding participation. Councilmember Lisonbee stated that she is not suggesting that the Arts Council include Syracuse citizens over other people; she is simply suggesting that all things being equal, the Arts Council should give preference to the Syracuse resident. Councilmember Maughan stated that will create endless arguments about whether all things were actually equal. There is nothing to gain by including the language. Councilmember Lisonbee disagreed and stated that if tax payer dollars are being used, there should be some accountability. Councilmember Anderson indicated she feels it would be difficult to codify 'all things being equal'. Councilmember Lisonbee agreed, but added the language she is suggesting is not a requirement, but rather a suggestion for the Arts Council. She does not think it is too much to ask when tax payer dollars are being used. She added that the Arts Council Director could be responsible for determining whether all things are equal. Councilmember Anderson stated that once the language is codified it is subjective. Councilmember Maughan stated that he will not support inclusion of the language and including such language would be an exertion of more control than the Council should have over the Arts Council. Councilmember Gailey and Mayor Palmer agreed. Councilmember Lisonbee disagreed and stated that the language simply requires accountability and many citizens agree with her. Discussion regarding the language suggested by Councilmember Lisonbee continued, after which Councilmember Lisonbee stated she does not believe she has the support for including the language and for that reason she will vote no regarding the adoption of the bylaws. She then offered minor grammatical corrections to the document.

[9:36:14 PM](#)

Mayor Palmer indicated a motion was made to adopt the resolution and he asked if there is a second. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBERS BOLDUC AND LISONBEE, WHO ABSTAINED FROM VOTING.

[9:36:47 PM](#)

15. Proposed Ordinance 16-09 amending Chapter 4.35 of the Syracuse City Municipal Code pertaining to City Parks and Trails.

A staff memo from the City Attorney explained during a Council meeting last year, the Council and staff discussed several provisions of City code which apply to parks, trails and city-owned open space. This spurred potential amendments to the code to address some of the issues raised during Council meeting. As we were amending the chapter, we identified numerous other potential amendments and provisions for which we require policy direction. This memo – while not exhaustive – will identify the major changes or requests for direction located in the draft changes.

- Rulemaking authority & barring groups/individuals - § 4.35.020 & 4.35.030(D)
 - The Council has reserved the right to promulgate rules and to make a decision of whether to bar an individual or group from making reservations at facilities. These are tasks which could be delegated to the Parks & Recreation Director, City Manager, or another city official.
- Smoking - § 4.35.040
 - Current code does not list smoking as unlawful in city-owned parks, trails or recreational facilities. The City may prohibit smoking, if it wishes to do so.
- Nuisances - § 4.35.060
 - Current code includes some ambiguous terms which arguably could lead to suppression of protected speech under the constitutions of both the United States and the State of Utah. It is recommended that the language punishable under City code be limited to threats. Obscene or lewd acts are only prohibited if they fall under well-established state laws.

The current code also prohibits people from loitering while under the influence of alcohol or drugs (this is not limited to illegal drugs in the code), or who disturbs park users by soliciting, making undue noise, or engaging in disruptive activities. It is strongly suggested that this provision be amended to prohibit only aggressive soliciting, as an outright ban against soliciting in a public forum is likely unconstitutional. Multiple courts have upheld similar bans against aggressive solicitation – which refers to a person following, touching or pervasively antagonizing the person being solicited. It is unclear to what type of conduct “disruptive activities” refers, and it is recommended that this be removed, as well.

Staff also recommends putting a timeframe for the park to remain quiet, regardless of whether the park is open at this time. We have recommended quiet time between 10 PM and 7 AM.

- Trespass Notices - § 4.35.065

- When individuals violate the rules of the park, a citation does not prohibit them from returning the next day and committing the same offenses. This section expressly allows peace officers or the Parks Director to issue trespass notices against those who repeatedly violate rules, who are threatening, or who violate state laws.
- The public generally have an interest in not being unlawfully excluded from a park. In order to provide lawful trespass notices, there must exist a right to appeal the decision to a neutral decision-maker. If we lacked this level of basic administrative review, then there exists the possibility that this would be deemed a due process violation. Due process exists to ensure that no improper motives were involved in the decision to ban someone from the park. As an example, an employee who banned an ex-spouse from the park out of spite would be properly reversed by an appeal, as would an official who banned someone for belonging to a certain political party or on the basis of race, gender, national origin or religion.
- Signs & Advertising - § 4.35.080
 - This change is also necessary to remove the blanket prohibition against solicitation.
- Animals - § 4.35.090
 - A minor amendment is recommended, as this would prohibit anyone from allowing their animals to come close to trees or shrubs, rather than only prohibiting the actual damaging of those plants. A small amendment also expands the prohibition against trapping, shooting, poisoning or injuring animals to include all animals, rather than just wild animals.
- Personal Profit or Gain - § 4.35.120
 - Current code prohibits someone for reserving park areas and multi-use spaces for personal profit or financial gain. This policy could be re-visited in order to capture additional revenue from those who wish to make reservations of city facilities for financial gain. For instance, if a person wanted to rent the Jensen Pond Nature Center in order to hold a seminar for prospective clients, this would be prohibited by the ordinance. Rather than prohibit the use, the City could establish a separate fee for business uses of City facilities.
 - If the City wishes to retain the prohibition, then it should also consider whether non-profits or charitable organizations are similarly barred from holding fund-raisers at city facilities. This would arguably fall under the term “financial gain.”
- Hours of Closure - § 4.35.130
 - Staff recommend closing hours to be from dusk until dawn, rather than between midnight and 5:00 am. Although this results in opening hour adjustments throughout the year, it encourages park users to leave when night-time hours have set in. This rule does not apply to trails, or to areas which are posted with different hours, such as the Jensen Nature Pond (which allows for around-the-clock fishing). It also would not apply to scheduled events or city events (such as the Pumpkin Walk).
- Park Availability - § 4.35.140
 - This recommended change makes it clear that facilities may be closed due to the season and maintenance needs, rather than limiting reservations to specific dates. It also indicates that facilities for rent may be identified by referring to the Consolidated Fee Schedule. A further amendment requires organized sports teams to reserve and pay for City facilities. Team practices and games have a significantly greater impact on fields.
- Entertainment & Similar Activities - § 4.35.150
 - A recommended addition makes it clear that we are not prohibiting free speech events, protests or other First Amendment protected activities in public parks, which are considered public fora.
- Skatepark - § 4.35.190
 - These changes remove the prohibition related to bikes or scooters in the skatepark. It requires users to follow the rules, and encourages individuals to report dangerous conditions to the City.

When it comes to safety equipment, staff recommends that ordinance only strongly recommend the equipment. The underlying reason for this recommendation is that city staff do not have sufficient resources to enforce that type of rule. If the city cannot enforce the rule, then it is not recommended that we adopt a rule which could potentially open the city up to liability for negligent supervision. The specific violation section has been removed, but a chapter-wide enforcement section is added later, which still includes skateparks.

- Trails - § 4.35.210
 - We recommend a more succinct statement regarding Council establishment and termination of trails.
 - We also recommend removal of the prohibition on alcohol and drugs – not in order to encourage their use on trails – but due to it being duplicative of the rule already provided in section 4.35.040.
 - We further recommend that city officials be permitted to post signs on the trail, and that we provide an exception for medical emergencies that impede or obstruct the trail.
- Equestrian Park - § 4.35.220
 - As above, we needn't repeat the ban on alcohol, drugs or gambling, in light of section 4.35.040.
- Violations – Penalty - § 4.35.230
 - This proposed section makes any violation of park rules an Infraction. By state law, any infraction may be punished by up to \$750, but does not carry with it the possibility of jail time. Alternatively, the City could impose up to a \$1,000 fine for violations of city code.
 - The section makes it clear that the city could pursue other remedies, such as injunctions, trespass notices, or both administrative and criminal actions.

[9:37:15 PM](#)

Mr. Roberts reviewed his staff memo and summarized the changes contemplated in the proposed ordinance. The Council engaged in high level discussion regarding operations of the Parks and Recreation Department specific to general park use, restricting use of park space, smoking in parks or on trails, solicitation at parks, vandalism of or trespassing on park property, park hours, selling concessions in parks, camping in parks, mandating safety equipment in some parks (such as the skate park), penalties for violations of the ordinance, and park reservations.

[10:31:39 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-09 AMENDING CHAPTER 4.35 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO CITY PARKS AND TRAILS, WITH THE VARIOUS CHANGES RECOMMENDED THROUGHOUT COUNCIL DISCUSSION. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[10:32:49 PM](#)

16. Proposed Resolution R16-26 forming an ad hoc committee to advise the Council on the issue of park design.

A staff memo from the City Attorney explained The City Council may create subcommittees of an ad hoc nature to advise the Council generally. Two councilmembers have requested the formation of a Park Design Committee, which would function on an ad hoc basis. As such, there will not be a need to adopt an ordinance or go through more rigorous processes associated with standing committees, commissions and boards. Details as to the membership, scope, and length of time for service should be established by the Council in its resolution. A draft resolution with basic provisions and its anticipated scope is included in the packet. The resolution will need to be finalized between the Work and Regular sessions if you wish to take action on it during the May 10 meeting.

[10:33:08 PM](#)

Councilmember Maughan summarized the memo and provided the Council with his reasoning for his recommendation of creation of an ad hoc committee to advise the Council on the issue of park design. The Council engaged in discussion regarding the responsibilities of the potential ad hoc committee, with Councilmember Maughan indicating that he feels the committee is needed to focus on park design and better position the City for receiving grant funds for park development. Councilmember Lisonbee stated that she is not opposed to enlisting citizens to help the City with park design projects, but she takes issue with the fact that the City recently dissolved a Parks Advisory Committee and the proposed ordinance language for the new ad hoc committee is very similar to the language that was used for the dissolved Committee. She hesitates to create a committee that mirrors a committee that was recently abolished; it makes the Council look inconsistent and indecisive and can be an insult to those that were serving on the dissolved committee. Councilmember Maughan stated the reason the other committee was disbanded is that the Council did not know what they were doing; there was no mission and direction and they were going in their own direction without guidance from the Council. He is asking for a new committee that would work on specific projects and under the direction of the Council; he believes an ongoing committee is needed for future park projects. Discussion briefly centered on membership of the committee and how committee members would be selected and appointed. Councilmember Maughan stated his goal is to create a committee that will produce a plan. Councilmember Anderson stated she is supportive of that goal; she thinks such a committee is a great idea because she personally does not want to be involved in planning for parks, specifically those that are not located near

her. Councilmember Lisonbee stated that if that is the purpose of the committee, the mission statement should be “evaluating parks near where committee members reside”. Councilmember Bolduc agreed and stated if that were reflected in the ordinance, it may be possible to reach consensus. Discussion of the purpose of the committee continued, after which Councilmember Gailey noted that one constructive thing that came of dissolving the Parks Advisory Committee is that some level of distrust has been addressed and it may be appropriate to resurrect a similar committee. He likes the idea of a localized group of people studying a park and working on its design; people living in an area will benefit from being involved in the design of their park. Discussion then centered on the makeup of the committee and specifically whether the public would be deemed an advisory body or public body that would be required to adhere to the Open and Public Meetings Act. Councilmember Bolduc then referenced the draft ordinance language included in the Council packet and indicated she would prefer that Councilmember Maughan be only a liaison to the committee rather than the chair as she does not want him driving the committee and the design of parks throughout the City. Councilmember Maughan stated he wants to make sure that the committee sticks to a very limited mission and that was the reason he suggested that he be the chair of the committee. Councilmember Lisonbee stated that she would be comfortable with Councilmember Maughan chairing the committee for the park located in his area, but she feels other members should chair the committee when considering other parks.

[10:49:22 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R16-26 FORMING AN AD HOC COMMITTEE MADE OF NO MORE THAN FIVE MEMBERS PER PARK TO ADVISE THE COUNCIL ON THE ISSUE OF PARK DESIGN; THE COMMITTEE SHALL HAVE THE FOLLOWING MISSION STATEMENT:

- THE PARKS DESIGN COMMITTEE WILL SERVE TO EVALUATE THE PARK IN THEIR SERVICE AREA AND PROPOSE DESIGN ELEMENTS FOR THAT PARK WITHIN THREE MONTHS OF THEIR FORMATION.

COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[10:52:37 PM](#)

17. Public comments

Ralph Vaughan stated he needs guidance from the City Council; the Planning Commission will be meeting next year to discuss open space in planned residential developments (PRD) and the question is whether the City should be permissive or restrictive. Calculations are taken on a percentage basis and the ratio between percentages determines whether the City is being permissive or restrictive when considering PRDs. The nationally accepted standard is to locate densest housing in the core of the City and moving outward in various bands, the development becomes less dense. Tonight the Council voted to locate one of the densest projects in the City on the edge of the community. To the Council’s credit, the current Council had nothing to do with the original development agreement for the project and its location, but it has set a precedent. He added there will be more PRD development applications that will come before the Planning Commission and it is the most problematic land use in the City and he is suggesting that the Council go through the appropriate channels to consider direction or language that will give the Planning Commission better guidance. The Planning Commission must have guidance from the Council in the form of the City Code. He thanked the Council for all they do and the support they give the Planning Commission.

[10:56:38 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 [10:56:52 PM](#). She was followed by Councilmembers Anderson, Gailey, Maughan, and Lisonbee.

[11:04:17 PM](#)

19. Mayor’s Report.

Mayor Palmer’s indicated he had nothing to report.

[11:04:25 PM](#)

20. City Manager report

City Manager Bovero’s report began at [11:04:31 PM](#).

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[11:05:48 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 Lisonbee indicated the Closed Executive Session is not necessary.

At [11:05:52 PM](#) 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: June 14, 2016