

Minutes of the Special meeting of the Syracuse City Council held on June 10, 2014, at 7:28 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Mike Gailey
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson

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

City Employees Present:

Finance Director Steve Marshall
Public Works Director Robert Whiteley
City Attorney Clint Drake
Fire Chief Eric Froerer
Police Chief Garret Atkin
Parks and Recreation Director Kresta Robinson
Community Development Director Sherrie Christensen
Utilities Manager Holly Craythorn
City Planner Jenny Schow
City Planner Noah Steele

7:28:40 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 7:27 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Gailey provided the invocation. Councilmember Duncan then led all present in the Pledge of Allegiance.

7:30:50 PM

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

7:31:08 PM

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Emma Erikson and Porter Whyte.

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 students receiving the award for June 2014 are from Bluff Ridge Elementary School and he read the award nomination provided by each of their respective teachers.

Emma Erikson

I nominate Bluff Ridge Elementary's 5th grader Emma Erikson for the Syracuse City and Wendy's Award for Excellence. Emma is a top student and a role model to her peers. She is a top notch reader who loves to share her contagious enthusiasm for literature. In fact, she has read over 57 chapter books so far this school year, and we still have six weeks of 5th grade to go! Emma is also a strong math student with a high level of number sense and the ability to solve complex math related tasks. Emma has terrific class listening and behavior skills as well. Finally, Emma is a good friend to all and loves to challenge anyone to a good game of soccer; her favorite position to play is

mid-fielder. Emma is a true leader, always striving for excellence, and she deserves the Syracuse City and Wendy's Award for Excellence.

Porter Whyte

Porter is a student who is very inquisitive. He takes time to develop his ideas and then creates a plan to make his ideas come to life. He works very hard in math and reading. These skills have helped him Syracuse City – Community and Economic Development to become an all-around excellent student. Porter is kind to the other kids in the class and he is a good example to his peers. Porter is a gifted kid

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3. Presentation of Honor Guard Award to Ferron Johnson and Francis Child.

Mayor Palmer stated he has had recent personal interactions with members of the Honor Guard and they do so much to honor veterans, especially during funerals held for veterans. He recognized Ferron Johnson and Francis Child for their military service and their service as members of the Honor Guard.

[7:41:15 PM](#)

4. Approval of Minutes:

The minutes of the Work Session and Regular Meeting of April 8, 2014, the Work Session and Special Meeting of April 22, 2014, and the Work Session, Special Meeting, and Regular Meeting of May 13, 2014 were reviewed.

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COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE FOLLOWING MINUTES: WORK SESSION AND REGULAR MEETINGS OF APRIL 8, 2014, WORK SESSION AND SPECIAL MEETINGS OF APRIL 22, 2014, AND WORK SESSION, SPECIAL MEETING, AND REGULAR MEETING OF MAY 13, 2014. COUNCILMEMBER LISONBEE SECONDED THE MOTION. ALL VOTED IN FAVOR.

[7:42:17 PM](#)

5. Public Comments

TJ Jensen referenced the rezone requests listed on the Council meeting agenda; the Planning Commission had at least six people attend the last Commission meeting to express their concerns about the rezone of the property on 3000 West and they were concerned about the increased density, especially the proposed jump to R3 Residential. He noted the Planning Commission has followed the laws and procedures relative to noticing the public of the requested change. He then referenced the Stillwater application and stated he would like to see a stub road added to the development to provide a collector street for traffic in the subdivision; this will impact the potential for his own personal property to develop in the future.

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Arthur Miller referenced agenda item 15 and stated he is concerned about what the proposed zone change for property on 3000 West will do to the community; the community will lose when zoning is changed from R1 to R2 and eventually to R3. The people lose when the community is overdeveloped the way the Council is considering. He knows that there are many parties that will gain; he asked if Councilmember Johnson works for the developer based on the interactions he was having with the developer at the last Commission meeting. Councilmember Johnson said that is not correct. Mr. Miller stated that he believes in development, but it should be done wisely and intelligently and he does not believe this is a wise move for the City whatsoever.

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David Bond spoke in favor of eventually finishing the Ranchettes Park; last year there was some work being done in the park to improve it so it is no longer a weed pit. The citizens wanted to offer input and volunteer labor and were told volunteer labor was not acceptable to the City. There were plans to sod the field, but at the conclusion of the project the neighborhood ended up with some grass and one-third of the park is still a weed pit. He referenced fiscal responsibility and stated it would have cost much less to hydro-seed the entire thing and add more amenities. It is his understanding the budget for developing parks this year has been allocated to other projects, but the residents would like to have something done at the park. He noted there is no other park in the area that can service the residents that live there. Councilmember Johnson stated there is actually money in the proposed budget allocated for a pavilion and playground at the park. Mr. Bond thanked the Council for that funding dedication; they have waited a long time to have the park developed and for the weeds to be eliminated.

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6a. Authorize Mayor Palmer to execute cell tower lease agreement addendum with Crown Castle for Rock Creek Park Cell Tower.

A staff memo from Community Development Director explained the City has been approached by Verizon Wireless about co-locating on the existing cell tower at Rock Creek Park. The cell tower is owned by Crown Castle for which they pay the City a lease. The current lease requires any carrier that co-locates to enter into a lease with the City as well. Staff has reviewed lease and would prefer to have only one carrier pay the City per tower. Crown Castle has agreed to an amendment to the lease in which they would pay the City a per carrier fee for each additional carrier that co-locates on the tower. Staff has negotiated a per co-location fee of \$500/month for cellular carriers and \$200/month for non-cellular carriers.

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COUNCILMEMBER PETERSON MADE A MOTION TO AUTHRIZE MAYOR PALMER TO EXECUTE CELL TOWER LEASE AGREEMENT ADDENDUM WITH CROWN CASTLE FOR ROCK CREEK PARK CELL TOWER. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

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6b. Authorize Mayor Palmer to execute cell tower lease agreement with Digis for location on top of public works building.

A memo from the Finance Director explained Digis has approached the City and requested to enter into a contract with the City to mount a cell tower on top of the public works building located at 3061 South 2400 West in Syracuse. Digis is an internet service based company and provides a variety of services such as phone, internet, and cell service. Staff has reviewed and negotiated a rate of \$850.00 per month with an additional \$25.00 for electricity. This rate is very competitive for an internet service based cell tower. I have also negotiated a 3% per year annual increase. This is also a competitive rate. The City currently has five cell tower agreements in the city ranging from \$552.00 per month to \$1,983.00 per month. We currently have a lease with Digis for a tower that is located on our water tower. We pay a monthly rate of \$719.63 which includes a \$25.00 electricity charge. Section VI of the contract identifies and addresses access to the property and restrictions that would be applicable to Digis.

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COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE MAYOR PALMER TO EXECUTE A CELL TOWER LEASE AGREEMENT WITH DIGIS FOR LOCATION ON TOP OF THE PUBLIC WORKS BUILDING. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

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6c. Proposed Resolution 14-17 pledging funds toward the 200 South Trail Project.

A memo from the City Manager explained West Point City was awarded a \$367,000 federal grant through WFRC for a paved trail project from 2000 W to the Emigration Trail (4000 W) along 200 South, based on an estimated total project cost of \$393,650. West Point City is obligated to pay a 6.77% match, which amounts to \$26,650. Since the grant award, the construction cost has risen by an estimated \$60,000, making the total cost estimate at \$453,650. West Point paid the full cost for the Environmental Impact Statement (EIS). Since approximately 15% of the trail is located in Syracuse, West Point has reached out to us to see if we would be willing to share in some of the cost. Since 15% of the trail is in Syracuse, Administration feels that an equitable cost sharing amount would be 15% of the total municipal investment (West Point + Syracuse). The total municipal amount equals \$101,650, which is made up of the following: \$26,650 Grant Match; \$60,000 New Cost Estimate Overage; \$15,000 EIS. 15% of the Total municipal amount equals \$15,250, which is the staff recommendation. We feel in the spirit of cooperation across municipal boundaries that this is a good project that will provide a great benefit to Syracuse residents at a minimal cost. The source of funding would be the park impact fee fund.

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COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-17 PLEDGING FUNDS TOWARD THE 200 SOUTH TRAIL PROJECT. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

[7:53:00 PM](#)

7. Proposed Resolution R14-15 adopting the Syracuse City Recruitment and Retention Policy.

A staff memo from the City Manager explained the City Council has reviewed this policy and its purposes at previous work sessions. The policy provides direction from the City Council on the City's intent to attract, retain, and develop the best employees possible, for the benefit of the citizens of Syracuse City.

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Mr. Bovero summarized his staff memo and briefly reviewed the resolution that was drafted to adopt the Recruitment and Retention Policy.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-15 ADOPTING THE SYRACUSE CITY RECRUITMENT AND RETENTION POLICY. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Councilmember Duncan commented that during his campaign for City Council he committed to be responsible with City funds; this action will cost the City some money, but he supports it for a number of reasons: first is that the proposed Fiscal Year (FY) 2014-2015 budget includes funding for an efficiency audit for the City and that will help to ensure that the City has the appropriate number of employees and that they are being paid a reasonable and fair wage. From a fiscally responsible point of view, when employees are paid fairly they tend to stay with an organization for a longer period of time and that eliminates increased training or recruitment costs. He noted the fiscal impact of accepting the City's benchmarking study and recommendation is approximately \$30,000, which is a small amount when considering the total City budget is \$7 million.

Councilmember Gailey thanked Mr. Bovero and Mr. Marshall for their hard work to complete the benchmark study and for being so open in working through the results of the study with the Governing Body.

Councilmember Peterson stated that there have been many comments about the fact that the City's wages will fall within the 60th to 70th percentile of the wages paid in benchmark cities; he feels that communicates that the City's employees are only average and he would prefer that City employees be among the top paid in the area.

Councilmember Johnson stated this is a step in the right direction and allows City Administration to develop a wage and benefit package that will attract good employees; it also offers a career plan for employees to look forward to. Councilmember Duncan agreed and noted that the culture of the City is very important as well; pay is only part of the reason that employees desire to work for an organization and it would be wise to focus on improving the culture of the City.

Councilmember Lisonbee thanked Mr. Bovero and Mr. Marshall for their hard work on this item.

[8:01:03 PM](#)

Mayor Palmer stated there has a motion and a second regarding the proposed resolution and he called for a vote; ALL VOTED IN FAVOR.

[8:01:15 PM](#)

8. Proposed Resolution R14-16 adopting the Employee Compensation Plan and the FY2014-2015 wage scale.

A staff memo from the City Manager explained that as stated in the draft Recruitment and Retention Policy, a 3-5 year compensation plan will be adopted. This plan is also referred to in the City's Personnel Policies and Procedures Manual. The City's Recruitment & Retention Policy outlines the "what" we are trying to accomplish and "why". The Compensation plan is one of the components that will outline the "how". The Council packet included a salary benchmark study and proposed wages scale for fiscal year 2014 - 2015. Included in the packet are the current wage scale, the proposed wage scale, and the salary benchmark study. The City performed a comprehensive salary benchmark study with surrounding cities. This benchmark was performed to compare salary ranges against other cities that compete in our employment market. Here is a list of cities that were benchmarked. If we did not get at least 10 benchmark results from the main list, we pulled information from the alternative benchmark listing below until we were able to get a minimum of 10 benchmark comparisons for each position. NOTE: A final review of the benchmark study was conducted and two positions were adjusted to a lower wage because a couple of benchmarks were being compared to positions with very different duties or supervisory levels.

- | | | | |
|----|------------------------------|----|-------------------------------------|
| 1 | • Farmington | 11 | • Centerville |
| 2 | • Woods Cross | 12 | • Roy |
| 3 | • West Point | 13 | • Clearfield |
| 4 | • South Ogden | 14 | • Layton |
| 5 | • North Ogden | 15 | • Bountiful |
| 6 | • Riverdale | 16 | • North View Fire Department |
| 7 | • Washington Terrace | 17 | • North Davis Fire Department |
| 8 | • North Salt Lake | 18 | • South Davis Metro Fire Department |
| 9 | • Kaysville | 19 | • Weber Fire District |
| 10 | • Clinton | | |
| 20 | Alternative Benchmark Cities | | |
| 21 | • Herriman | 28 | • Saratoga Springs |
| 22 | • American Fork | 29 | • Springville |
| 23 | • Midvale | 30 | • Highland |
| 24 | • Payson | 31 | • Holladay |
| 25 | • Pleasant Grove | 32 | • Riverton |
| 26 | • Cottonwood Heights | 33 | • Brigham City |
| 27 | • Eagle Mountain | 34 | • Tooele |

35 Staff compiled the revised wage scale based on the results of our benchmark study. Almost all the positions in the
 36 wage scale were adjusted based on our benchmark study. Most of the adjustments were minor. There are a total of 10-12
 37 positions in which the bottom end of the scale need to be increased. The total impact of the benchmark study and wage scale
 38 adjustments is approximately \$31,500, which includes benefits. This amount has already been included in the tentative
 39 budget approval that was presented to the City Council on the May 13, 2014 meeting.

40 [8:01:36 PM](#)

41 Mr. Bovero and Mr. Marshall reviewed the staff memo and Mr. Marshall briefly reviewed the changes that have
 42 been made to the wage scale since it was previously discussed by the City Council; the change reduces the number of tiers in
 43 the Department Head scales and combines two positions with similar salary ranges.

44 [8:05:43 PM](#)

45 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-16
 46 ADOPTING THE EMPLOYEE COMPENSATION PLAN AND THE FY2014-2015 WAGE SCALE.
 47 COUNCILMEMBER DUNCAN SECONDED THE MOTION.

48 [8:06:07 PM](#)

49 Councilmember Peterson referenced the section of the policy that addresses promotions or advancements and stated
 50 that a long-term employee could potentially be promoted to a new position and with a 7.5 percent increase they would still be
 51 paid at the bottom of that wage scale, even though they may have worked for the City for 15-20 years. He stated that
 52 employee may not be paid what they deserve to be paid after being with the City for so long. Mr. Bovero provided an
 53 explanation of the difference between a promotion and advancement and stated that if someone is promoted they will either
 54 start at the entry wage for the new pay scale or they will make at least 7.5 percent more than what they are currently earning,
 55 whichever is greater. Councilmember Peterson stated a 7.5 percent increase may not be adequate when someone is taking on
 56 many new job responsibilities. There was a brief discussion regarding examples of promotions that could occur in the City
 57 and Councilmember Lisonbee stated she feels a 7.5 percent increase is actually fairly sizeable. Councilmember Gailey added
 58 that an employee promoted to a new wage scale will also have the opportunity for vertical movement where they may have
 59 been none in their old wage scale. There was then a discussion regarding examples of employee advancement opportunities
 60 and Mr. Bovero noted that pay for advancement is difficult to budget for and employees will understand that they may not be
 61 compensated for an advancement until the beginning of the following year. Councilmember Peterson stated he would prefer
 62 to amend the policy to allow for Department Heads to include funding in their budget to compensate employees for
 63 advancements at the time that they receive a certification that justifies the advancement. Councilmember Johnson stated that
 64 advancements could be considered on a case by case basis and it would be possible to request additional funding during a
 65 budget opening throughout a given fiscal year. Councilmember Lisonbee asked if the policy could be amended to state the
 66 City Manager has latitude to consider funding an advancement outside of what is prescribed in the policy. Mr. Bovero stated
 67 the text of the policy could be amended to allow for that. Councilmember Lisonbee stated the policy recognizes budget
 68 constraints, but she understands that it can sometimes be necessary to operate outside of the policy and adding language to
 69 the policy to give the City Manage some discretion would accomplish that. There was a brief discussion regarding

1 possibilities for amending the policy to address the issue of requiring an employee to wait an extended period of time to
2 receive a pay increase for an advancement.

3 Councilmember Duncan commented that in 2012 the Council was asked to allocate \$150,000 for pay raises for
4 employees to be awarded at the discretion of the former Mayor and City Manager; he felt there were officers in the Police
5 Department that were not fairly compensated and he asked for the pay raises to be awarded based on actual needs. He voted
6 for the pay raise, but he regrets doing so because he feels that many employees did not receive the increases they deserved.
7 He thinks the process has been done correctly this time and many people that were not treated fairly in the past will be treated
8 fairly according to this new policy.

9 Councilmember Gailey stated the proposed policy is a great improvement over what the City has used in the past.
10 Councilmember Johnson agreed and stated he feels employees that perform should be rewarded.

11 [8:21:04 PM](#)

12 COUNCILMEMBER PETERSON MADE A MOTION TO AMEND THE POLICY TO CHANGE THE
13 LANGUAGE IN THE PARAGRAPH DEALING WITH ADVANCEMENTS TO INDICATE A WAGE INCREASE FOR
14 AN EMPLOYEE ELIGIBLE FOR AN ADVANCEMENT WILL BE EFFECTIVE UPON BUDGET AVAILABILITY, OR
15 BY THE FOLLOWING JULY 1 AT A MINIMUM. COUNCILMEMBER LISONBEE SECONDED THE MOTION. ALL
16 VOTED IN FAVOR.

17 [8:21:23 PM](#)

18 Mayor Palmer stated there has a motion and a second regarding the proposed resolution and he called for a vote;
19 ALL VOTED IN FAVOR.

20 [8:21:37 PM](#)

21 Councilmember Lisonbee stated she appreciated Councilmember Duncan raising the issue of wage increases in 2012
22 and indicated she was the only Councilmember that voted in opposition of the recommendation; she would vote no again
23 today. She stated she was booed by a lot of the employees and it was interesting that a proposed wage increase because a
24 political fight; she agrees that the wage increases were allocated inappropriately and that is why she is supportive of the
25 proposal this evening. She stated that it is based on factual information and it is an important step in the right direction. She
26 appreciates Mr. Marshall and Mr. Bovero developing the plan for the employees and the citizens because it allows the City to
27 project future wage costs of the City for up to 10 years and the Council owes it to the residents to understand if funding is
28 available for the future of the City while treating employees fairly.

29 Councilmember Peterson stated that he has always been in favor of pay increases for employees. He added that
30 since a percentage of the budget is being allocated for pay increases, that means the higher paid employees will naturally
31 receive larger pay increases and that could be unpopular as it was at the time the \$150,000 was allocated in 2012; he does not
32 know how to get around that problem and noted a percentage available for all employees is fair. Councilmember Duncan
33 stated at some point in time the higher paid employees will max out on their wages.

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35 [8:26:47 PM](#)

36 9. Public Hearing – Proposed Resolution R14-14
37 amending the Syracuse City Consolidated Fee
38 Schedule by making adjustments throughout

39 A memo from the Finance Director explained staff periodically reviews and recommends changes to the
40 consolidated fee schedule. Staff is recommending the changes outlined in red in Exhibit A. The most significant change is the
41 increase in the NDSF fee by \$3.00 per month. The new fee will increase to \$17.80. I am also proposing that we decrease the
42 garbage fee on the 1st can by \$0.50 to \$9.95 and moving the savings to the storm water fee and increasing that fee by \$0.50 to
43 \$4.55. The net change for city utilities (excluding the NDSF fee) would be \$0.

44 [8:26:51 PM](#)

45 Ms. Marshall reviewed his staff memo.

46 [8:27:50 PM](#)

47 Councilmember Peterson stated there were discussions at the budget retreat regarding the potential need to increase
48 utility rates and he asked if there are any increases included in the budget. Mr. Marshall answered no, but stated it would be
49 best for the Council to consider a long term rate plan that would cover depreciation of the City's infrastructure systems.
50 Councilmember Duncan agreed the utilities should be self-funding, but he has been hesitant to address utility rates until after
51 bond debt can be paid off or until an efficiency audit can be conducted. He stated he wants to take a global look at the total
52 financial situation of the City, namely the utility funds. Councilmember Peterson agreed, but stated he is worried about

1 getting too far behind on addressing appropriate utility rates; it would be easier to implement smaller increases than one large
2 increase because the City has waited too long to address the issue.

3 [8:34:37 PM](#)

4 Councilmember Lisonbee stated the City has funded many small infrastructure projects and that has been a priority
5 of the Council that will continue into the future whether the funding comes from utility rate revenues or the general fund.

6 [8:35:38 PM](#)

7 Mayor Palmer opened the public hearing.

8 [8:35:55 PM](#)

9 TJ Jensen stated at the last work session meeting the Council expressed that they did not want to fund a part-time
10 position for the farmer's market and for that reason he talked to Brandon Law from Black Island Farms about spreading the
11 word to the farming community that they should take charge of the farmer's market. He then commended Mr. Whiteley for
12 his tenacity in finding funding and completing road projects. He added Parks and Recreation Director Robinson has also
13 done a good job being efficient, which eliminates the need to increase fees in the City's fee schedule. He concluded that he
14 generally supports the proposed budget.

15 [8:37:46 PM](#)

16 There were no additional persons appearing to be heard and the public hearing was closed.

17 [8:37:45 PM](#)

18 COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-14 AMENDING
19 THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT.
20 COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

21
22 [8:38:45 PM](#)

23 10. Public Hearing – Proposed Resolution R14-18
24 accepting the certified tax rate provided by Davis County
25 and adopting the FY2014 - 2015 budget.

26 A memo from the Finance Director explained as required by Utah Code Annotated 10-6-113, the governing body
27 shall establish the time and place of a public hearing to consider its adoption and shall order that notice of the public hearing
28 be published at least seven days prior to the public hearing. This requirement has been met since the City Council adopted the
29 tentative budget on May 13th and set a public hearing on June 10, 2014 to consider adoption of the final budget. As required
30 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
31 under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is proposed, the
32 governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget
33 is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with
34 the state auditor within 30 days after adoption." There have been a few changes made to this budget proposal since the
35 tentative budget was adopted on May 13, 2014. These include:

- 36 • Minor changes to proposed wage scale and salaries in budget.
- 37 • Addition of funding for SR-193 trail = \$15,250.
- 38 • Added Chloe Sunshine Park construction = \$384,000.
- 39 • Increase of \$10,000 to parks master plan cost for a total of \$50,000.
- 40 • Addition of \$23,000 for efficiency audit.
- 41 • Utility expenses added to general fund totaling \$31,000 for buildings and parks.
- 42 • Addition of \$12,500 for cell tower rent for Digis and Verizon leases.
- 43 • Added \$11,000 to LED light installation at the community center for a total of \$21,000.
- 44 • Change in accounting methodology for interfund reimbursements made from the utility funds to the general
45 fund for administrative costs = \$641,782. These costs were previously charged to the utility funds as an
46 expense and charged to the general fund as revenue. The Utah State Auditor's Office has given clarification
47 to this issue by recommending that these charges be shown as an expense to the utility funds and a credit or
48 reduction of expense in the general fund.
- 49 • Interfund transfers are defined as "repayments from the funds responsible for particular expenses to the
50 funds that initially paid for them." This would include accounting, payroll, human services, city manager
51 oversight, general liability expenses, and utility bill collection. The city charges 100% of those costs to the
52 general fund, when a portion of those expenses should be charged to the utility funds. The net effect of the

1 change is \$0. However, the general fund revenues and expenses will show \$641,782 less in the current year
2 as compared to prior years.

3 This is the last council meeting during which the Council can adopt a final budget in order to meet the June 22
4 deadline provided by State Law.

5 [8:38:57 PM](#)

6 Mr. Marshall reviewed his staff memo and briefly reviewed the changes that have been made since the Council
7 accepted the tentative budget.

8 [8:43:17 PM](#)

9 Mayor Palmer opened the public hearing.

10 [8:43:24 PM](#)

11 TJ Jensen addressed the funding in the budget to assist with the 200 South trail project that will be completed by
12 West Point. He is very supportive of improving trail infrastructure as it increases property values. Syracuse City may not
13 have a trail system as comprehensive as other cities, but it is great to improve the trail system whenever possible.

14 [8:44:44 PM](#)

15 There were no additional persons appearing to be heard and the public hearing was closed.

16 [8:44:50 PM](#)

17 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-18
18 ACCEPTING THE CERTIFIED TAX RATE PROVIDED BY DAVIS COUNTY AND ADOPTING THE FY2014-2015
19 BUDGET. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

20 [8:45:30 PM](#)

21 Mr. Marshall indicated he is still working with Davis County to finalize the certified tax rate; the property values in
22 Syracuse City have increased by approximately seven percent and the tax rate will be adjusted to account for that increase
23 and the amount of money the City will receive in property tax revenue will be unchanged.

24 Councilmember Duncan stated he appreciates citizen involvement in the development of the budget, namely in
25 funding for community park projects. He also thanked staff for their hard work to develop the budget. Councilmember
26 Johnson agreed and stated he feels the budget is great and it is important that it is balance. Councilmember Duncan thanked
27 staff and the Council for supporting his vision for an efficiency audit and he is grateful funding for that effort is included in
28 the budget. Councilmember Peterson also thanked staff, specifically Mr. Marshall for his hard work on the budget.
29 Councilmember Lisonbee echoed the comments that have been made and added this is the first time she will have voted in
30 support of a City budget.

31 [8:49:19 PM](#)

32 Mayor Palmer stated there has a motion and a second regarding the proposed resolution and he called for a vote;
33 ALL VOTED IN FAVOR.

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35 [8:49:29 PM](#)

36 11. Public Hearing – Proposed resolution R14-19 adjusting
37 the Syracuse City budget for the fiscal year ending
38 June 30, 2014.

39 A memo from the Finance Director explained the Council discussed during the May 27, 2014 charging utilities
40 expenses to the general fund for the buildings and also the parks. Staff has estimated the cost of those utilities and
41 summarized them below:

42 City Hall = \$1,080 per year

43 Culinary Water = \$16.50/month = \$198/year

44 Secondary Water = \$21.50/month = \$258/ year = 1 inch connection

45 Garbage Service = \$10.45/month = \$125/ year

46 Sewer Service = \$14.80/month = \$178/year

47 Storm Service = \$25.45/month = \$305/ year = 3.4 Acres

48 Street Lighting = \$1.32/ month = \$16/year

49
50 Community Center = \$1,080 per year

51 Culinary Water = \$16.50/month = \$198/year

52 Secondary Water = \$21.50/month = \$258/ year = 1 inch connection

1 Garbage Service = \$10.45/month = \$125/ year
2 Sewer Service = \$14.80/month = \$178/year
3 Storm Service = \$25.45/month = \$305/ year = 3.3 Acres
4 Street Lighting = \$1.32/ month = \$16/year
5

6 Police Station = \$670 per year
7 Culinary Water = \$16.50/month = \$198/year
8 Secondary Water = N/A
9 Garbage Service = \$10.45/month = \$125/ year
10 Sewer Service = \$14.80/month = \$178/year
11 Storm Service = \$12.75/month = \$153/year = 1.7 Acres
12 Street Lighting = \$1.32/ month = \$16/year
13

14 Fire Station = \$746 per year
15 Culinary Water = \$16.50/month = \$198/year
16 Secondary Water = N/A
17 Garbage Service = \$10.45/month = \$125/ year
18 Sewer Service = \$14.80/month = \$178/year
19 Storm Service = \$19.10/month = \$229/year = 2.2 Acres
20 Street Lighting = \$1.32/ month = \$16/year
21

22 Public Works = \$822 per year
23 Culinary Water = \$16.50/month = \$198/year
24 Secondary Water = N/A
25 Garbage Service = \$10.45/month = \$125/ year
26 Sewer Service = \$14.80/month = \$178/year
27 Storm Service = \$25.45/month = \$305/ year = 4.0 Acres
28 Street Lighting = \$1.32/ month = \$16/year
29

30 Total for Buildings = \$4,398 per year
31

32 Parks = \$26,568 per year
33 The City has 12 parks with 3” secondary water connections:
34 = 12 Parks * 184.50 fee * 12 months = \$26,568
35

36 Total for All = \$30,966 per year

37 The amount will be charged to the utility funds as follows:

- 38 ○ Culinary = \$990.00
- 39 ○ Secondary = \$27,084.00
- 40 ○ Garbage = \$625.00
- 41 ○ Sewer = \$890.00
- 42 ○ Storm = \$1,297.00
- 43 ○ Street Lighting = \$80.00
44

45 Total for All = \$30,966 per year

46 The proposed budget opening also includes an increase in sundry revenue and fire apparatus expense for \$11,500.
47 This is due to an engine repair and an insurance claim to pay for the repair. Staff recommends adopting the proposed
48 resolution adjusting the Syracuse City budget for the fiscal year ending June 30, 2014.

49 8:49:50 PM

50 Mr. Marshall reviewed his staff memo.

51 8:51:20 PM

52 Mayor Palmer opened the public hearing.

1 [8:51:29 PM](#)

2 TJ Jensen commended staff for their hard work to develop the budget. He added this is the first budget hearing in
3 years that there has not been some sort of citizen clamor about the budget.

4 [8:51:58 PM](#)

5 There were no additional persons appearing to be heard and the public hearing was closed.

6 [8:52:00 PM](#)

7 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R14-19
8 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2014.
9 COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

10
11 [8:52:29 PM](#)

12 12. Authorize Mayor Palmer to execute the Land and
13 Water Conservation Fund Contract with the State of
14 Utah.

15 A staff memo from the Parks and Recreation Director explained in May of 2012 Syracuse City submitted a grant
16 application to the Division of State Parks and Recreation requesting funds from the Land and Water Conservation Fund. This
17 request was made to help with the funding of Chloe's Sunshine playground. In May of this year Syracuse City was awarded
18 \$192,000.00 from the Land and Water Conservation Fund. The contract is being presented to accept the grant with the
19 requirement of matching funds. The matching requirement is being funded through donations.

20 [8:52:50 PM](#)

21 Ms. Robinson reviewed the staff memo.

22 [8:53:36 PM](#)

23 Councilmember Johnson inquired as to the total cost for phase one of the project. Ms. Robinson answered the cost
24 will be just over \$400,000 and the remaining amount could be adjusted depending upon the components included in the
25 project. She also summarized the continuing efforts to raise funding for the future phases of the project. Councilmember
26 Peterson stated that when similar parks have been constructed in other states, the initial phase of construction encouraged
27 more people to donate to future phases; he thinks the same thing will happen in Syracuse.

28 [8:55:30 PM](#)

29 Mayor Palmer asked when the project will commence. Ms. Robinson stated she will not know an exact start date for
30 a few more weeks.

31 [8:55:44 PM](#)

32 COUNCILMEMBER GAILEY MADE A MOTION TO AUTHORIZE MAYOR PALMER TO EXECUTE THE
33 LAND AND WATER CONSERVATION FUND CONTRACT WITH THE STATE OF UTAH. COUNCILMEMBER
34 PETERSON SECONDED THE MOTION.

35 [8:56:06 PM](#)

36 Councilmember Duncan stated it is important to note that the matching funds for this grant are provided by
37 donations, which has allowed the City to keep its park development commitments to other areas of the City.

38 [8:56:32 PM](#)

39 Mayor Palmer stated there has a motion and a second regarding the proposed agreement and he called for a vote;
40 ALL VOTED IN FAVOR.

41
42 [8:56:38 PM](#)

43 13. Proposed Ordinance 14-12, Rezone request from
44 Mark Flinders, property located at 2481 W. 1700 S.,
45 change from R-2 Residential to Professional Office.

1 A memo from the Community Development Department explained this property is an approved lot in the Criddle
2 Homestead Subdivision. The lot directly adjacent to the east is zoned PO. Both properties are General Planned for the PO
3 zone. The PO zone requires ½ acre as a minimum lot size for development. Both properties are bank owned and Mr. Flinders
4 wishes to combine the properties for Professional Office. City staff has reviewed the application and finds that it is consistent
5 with the City’s General plan and that it is harmonious with the overall character of the surrounding development with no
6 adverse effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on May
7 20, 2014 for rezone request on the above noted property. The property is 0.31 acres in size and is currently zoned R-2
8 Residential with a General Plan designation of PO, Professional Office. The proposed zone change is in accord with the
9 General Plan as amended. The Syracuse City Planning Commission hereby recommends that the City Council approve the
10 rezone request, located at approx. 2481 W 1700 S, change from R-2 Residential to PO, Professional Office.

11 [8:57:00 PM](#)

12 Ms. Christensen reviewed her staff memo.

13 [8:57:42 PM](#)

14 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-12
15 APPROVING THE REZONE REQUEST FROM MARK FLINDERS FOR PROPERTY LOCATED AT
16 APPROXIMATELY 2481 W. 1700 S. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN
17 FAVOR.

18
19 [8:58:00 PM](#)

20 14. Proposed Ordinance 14-13, Rezone request from
21 Castle Creek Homes, property located at 1183 S.
22 3000 W., change from R-1 and A-1 to R-2.

23 A memo from the Community Development Department explained the City Council amended the General Plan on
24 May 13, 2014 for the R-2 Residential. The developer’s intent is to develop single family housing that is consistent with the
25 residential character of the surrounding development. A portion of this request is located in the Country Fields Subdivision
26 and will be amended out as part of this new subdivision. The Planning Commission held a public hearing on June 3, 2014 for
27 the zone change and made a favorable recommendation for the Zoning Amendment. The Planning Commission recommends
28 approval to the City Council for the Zone Amendment, request from Castle Creek Homes, property located at approximately
29 1183 S. 3000 W., change from R-1 Residential & A-1 Agriculture to R-2 Residential Zone, subject to all applicable
30 requirements of the City’s municipal codes.

31 [8:58:17 PM](#)

32 Ms. Christensen reviewed her staff memo.

33 [8:58:40 PM](#)

34 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-13
35 APPROVING THE REZONE REQUEST FROM CASTLE CREEK HOMED FOR PROPERTY LOCATED AT
36 APPROXIMATELY 1183 S. 3000 W. COUNCILMEMBER PETERSON SECONDED THE MOTION.

37 [8:59:06 PM](#)

38 Councilmember Duncan urged the Council to be careful when considering general plan amendments and zone
39 changes that move away from low density housing. He stated such development will change the look and feel of Syracuse
40 and citizens are concerned about those changes. Councilmember Lisonbee agreed and stated that she abstained from voting
41 on the general plan change for this property and for the next property listed on the agenda. She has great concerns about
42 these types of land use changes and she feels the Council should proceed with caution because residents may not be paying
43 attention and they have some reliance upon the Council following the general plan. She stated she will not vote in favor of
44 this zone change and she would prefer that no additional similar zone changes be requested in the future.

45 [9:02:59 PM](#)

46 Mayor Palmer stated there has a motion and a second regarding the proposed ordinance and he called for a vote;
47 ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER LISONBEE WHO ABSTAINED FROM
48 VOTING.

1 [9:03:19 PM](#)

2 15. Proposed Ordinance 14-14, Rezone request from
3 Lakeview Farms, LLC, property located at 700 S.
4 3000 W., change from R-1 to R-2 & R-3 Residential.

5 A memo from the Community Development Department explained the City Council amended the General Plan on
6 May 13, 2014 for the R-2 and R-3 Residential Zoning. The developer's intent is to develop single family housing that is
7 consistent with the residential character of the surrounding development. The Planning Commission held a public hearing on
8 June 3, 2014 and made a favorable recommendation for the Zoning Map Amendment. The Planning Commission
9 recommends approval to the City Council for the Zone Map Amendment, request from Castle Creek Homes, property located
10 at approximately 700 S. 3000 W., change from R-1 Residential to R-2 Residential Zone, subject to all applicable
11 requirements of the City's municipal codes.

12 [9:03:33 PM](#)

13 Ms. Christensen reviewed her staff memo.

14 [9:04:17 PM](#)

15 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-14
16 APPROVING A REZONE REQUEST FROM LAKEVIEW FARMS, LLC, FOR PROPERTY LOCATED AT
17 APPROXIMATELY 700 S. 3000 W. COUNCILMEMBER PETERSON SECONDED THE MOTION.

18 [9:04:44 PM](#)

19 Councilmember Johnson stated R-3 zoning may be higher density, but this development will be more similar to an
20 R-2 development, and the R-3 zoning will simply accommodate a few smaller lots included in the development. He agrees
21 the Council should be cautious in proceeding with any additional rezone requests and he would be hesitant to consider any
22 additional R-3 zoning requests. Mayor Palmer stated there were many comments regarding this application during a recent
23 Planning Commission meeting; he also has concerns about allowing smaller lot sizes on the property given that it has always
24 been zoned for R-1 development.

25 [9:06:27 PM](#)

26 Mayor Palmer stated there has a motion and a second regarding the proposed ordinance and he called for a vote;
27 ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER LISONBEE WHO ABSTAINED FROM
28 VOTING.

30 [9:06:43 PM](#)

31 16. Proposed Ordinance 14-15, Rezone request from
32 Dennis Higley, property located at 3000 S. Bluff
33 Road, change from A-1 to R-2 Residential.

34 A memo from the Community Development Department explained this property is a vacant lot south of Kara
35 Estates. Mr. Higley wishes to rezone the property to conform to the General Plan and then subdivide the property into two
36 lots to be included in the Kara Subdivision. City staff has reviewed the application and finds that it is consistent with the
37 City's General plan and that it is harmonious with the overall character of the surrounding development with no adverse
38 effects, and it has adequate facilities to serve the property. The Planning Commission held a public hearing on June 3, 2014
39 for rezone request on the above noted property. The property is 0.69 acres in size and is currently zoned A-1 Agriculture with
40 a General Plan designation of R-2 Residential. The proposed zone change is in accord with the General Plan as amended. The
41 Syracuse City Planning Commission hereby recommends that the City Council approve the rezone request, located at approx.
42 3000 S Bluff, change from A-1 Agriculture to R-2 Residential.

43 [9:06:55 PM](#)

44 Ms. Christensen reviewed her staff memo.

45 [9:07:39 PM](#)

46 The Council briefly reviewed the plat for the proposed development.

47 [9:08:14 PM](#)

1 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-15 APPROVING
2 A REZONE REQUEST FROM DENNIS HIGLEY FOR PROPERTY LOCATED AT APPROXIMATELY 3000 W.
3 BLUFF ROAD. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

4
5 [9:08:50 PM](#)

6 17. Proposed Ordinance 14-16, Rezone request from
7 Mark Sandberg, property located at 3250 W. 700
8 S., change from R-1 and A-1 to R-3 Residential.

9 A memo from the Community Development Department explained the City Council amended the General Plan on
10 May 13, 2014 for the R-3 Residential Zoning. The developer's intent is to develop single family housing that is consistent
11 with the residential character of the surrounding development The Planning Commission held a public hearing on June 3,
12 2014 and made a favorable recommendation for the Zoning Map Amendment. The Planning Commission recommends
13 approval to the City Council for the Zone Map Amendment, request from Mark Sandberg, property located at approximately
14 3250 W. 700 S., change from A-1 Agriculture & R-1 Residential to R-3 Residential Zone, subject to all applicable
15 requirements of the City's municipal codes.

16 [9:09:07 PM](#)

17 Ms. Christensen reviewed her staff memo.

18 [9:09:49 PM](#)

19 COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED ORDINANCE 14-16 APPROVING
20 A REZONE REQUEST FROM MARK SANDBERG FOR PROPERTY LOCATED AT APPROXIMATELY 3250 W. 700
21 S. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

22
23 [9:10:26 PM](#)

24 18. Final Plan, Gailey Farms, K.W. Advisory Group, property
25 located at approximately 750 S 2000 W, R-3
26 Residential Zone.

27 A memo from the Community Development Department explained Gailey Farms is a 40 lot subdivision located at
28 750 S. 2000 W. All requirements and standards of Subdivision have been met. The project outline is as follows:

- 29 • General Plan Amendment
 - 30 ○ Planning Commission February 4, 2014
 - 31 ○ City Council February 10, 2014
- 32 • Rezone Approval
 - 33 ○ Planning Commission March 4, 2014
 - 34 ○ City Council March 11, 2014
- 35 • Sketch Plan Approval
 - 36 ○ Planning Commission March 4, 2014
- 37 • Preliminary Plan Approval
 - 38 ○ Planning Commission April 15, 2014
- 39 • Final Plan Recommendation
 - 40 ○ Planning Commission June 3, 2014

41 The Planning Commission recommends approval to the City Council for the Final Plat of Gailey Farms Subdivision,
42 request from KW Advisory Group, property located at approximately 750 S 2000 W, subject to all applicable requirements of
43 the City's municipal codes and city staff reviews.

44 [9:10:45 PM](#)

45 Ms. Christensen reviewed her staff memo.

46 [9:11:14 PM](#)

47 COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL PLAN APPROVAL FOR GAILEY
48 FARMS SUBDIVISION LOCATED AT APPROXIMATELY 750 S. 2000 W. COUNCILMEMBER DUNCAN
49 SECONDED THE MOTION.

50 [9:11:30 PM](#)

1 Councilmember Duncan stated the Planning Commission had some problems when addressing this application,
2 mainly due to the construction of homes on 700 South and he feels the Commission was unfair to the developer because his
3 request was in accordance with City Code. Councilmember Johnson agreed and thanked the developer for their patience.

4 [9:12:52 PM](#)

5 Mayor Palmer stated there has a motion and a second regarding the proposed final plan approval and he called for a
6 vote; ALL VOTED IN FAVOR.

7
8 [9:12:59 PM](#)

9 19. Final Plan, Harvest Point Phase 8, THR Investment,
10 property located at approximately 1070 W 2150
11 S, R-3 Residential Zone.

12 A memo from the Community Development Department explained Harvest Point 8 is the last phase and consists of
13 11 lots located at 1070 W. 2150 S. and will complete the street connection to Stoker Gardens. All requirements and standards
14 of Subdivision have been met. The project outline is as follows:

- 15 • Sketch Plan Approval
 - 16 ○ Planning Commission May 7, 2013
- 17 • Preliminary Plan Approval
 - 18 ○ Planning Commission June 2, 2013
- 19 • Final Plat Recommendation
 - 20 ○ Planning Commission June 3, 2014

21 The Planning Commission recommends approval to the City Council for the Final Plat of Harvest Point Subdivision
22 Phase 8, request from THR Investment, property located at approximately 1070 W 2150 S, subject to all applicable
23 requirements of the City's municipal codes and city staff reviews.

24 [9:13:16 PM](#)

25 Ms. Christensen reviewed her staff memo.

26 [9:13:38 PM](#)

27 COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL PLAN APPROVAL FOR HARVEST
28 POINT SUBDIVISION PHASE 8 LOCATED AT APPROXIMATLEY 1070 W. 2150 S. COUNCILMEMBER DUNCAN
29 SECONDED THE MOTION; ALL VOTED IN FAVOR.

30
31 [9:14:07 PM](#)

32 20. Final Plan and Development Agreement, Still Water
33 Cluster Subdivision Phases Four through Six, Irben
34 Development LLC, property located at 1500 West Gentile.

35 A memo from the Community Development Department explained the City has been working with the developer on
36 this project for approximately two and one-half years. The project outline is as follows:

- 37 • Sales Contract of City Property
 - 38 ○ City Council January 31, 2012
- 39 • Annexation of Irben Property
 - 40 ○ City Council May, 2012
- 41 • General Plan/Rezone Approval
 - 42 ○ City Council June 26, 2014
- 43 • Sketch Plan Reviews-(30 ski lots, 288 Town Homes)
 - 44 ○ Planning Commission July 17, 2017- **Tabled**
 - 45 ○ August 7, 2012-Tabled (dead end street length, county canal crossing)
- 46 • Annexation of Weaver Property
 - 47 ○ City Council March 12, 2013
- 48 • Sketch Plan Amendment-(30 ski lots, 202 cottage lots, 168 Town Homes=400 units)

- 1 ○ Planning Commission June 4, 2014- **Tabled** to modify lots to minimum 5,000 sq. ft., 55 feet
- 2 frontage, side setbacks of 8 feet, reduce number of entrances on gentile, and replace flag lot
- 3 with cul-de-sac.
- 4 ○ August 6, 2013- **Approved Sketch**, conditional upon removing phase 8 if purchased by
- 5 UDOT.
- 6 • Sketch Plan Amendment-(30 ski lots, 134 cottage lots, 54 courtyard lots, 56 town homes)
- 7 ○ Planning Commission October 16, 2013- **Denied** for deviating from previous approval which
- 8 required 5,000 sq. ft., 55 feet of frontage, and 8ft. side setbacks.
- 9 • Preliminary Plan-(30 ski lots, 165 cottage lots)
- 10 ○ Planning Commission February 18, 2014- **Tabled** to review previous approvals/requirements
- 11 ○ March 4, 2014- **Approved**
- 12 • Final Plan Recommendation Phase 4a, 4b & 5 and CUP
- 13 ○ Planning Commission May 6, 2014- **Approved**
- 14 • Final Plan Recommendation Phase 6
- 15 ○ Planning Commission June 3, 2014- **Approved**

16 Attached to with this review is the draft Development Agreement, including all exhibits and the Development Plan.
17 The proposal consists of two neighborhoods, the Ski Lake Estates which has 2 ski lakes, 30 homes a walking trail and two
18 private parks and one private park with a public easement. The second neighborhood is the Cottages, consists of 165 single
19 family lots, a walking trail and two private parks with a public easement. The development proposed is 86.55 with a net
20 density of 2.78 DU/AC. The Planning Commission recommends approval to the City Council for the Final Plan for Still
21 Water Cluster Subdivision, request from Irben Development, property located at approximately 1500 W Gentile Street,
22 subject to all applicable requirements of the City's municipal codes and city staff reviews.

23 9:14:22 PM

24 Ms. Christensen reviewed her staff memo.

25 COUNCILMEMBER PETERSON MADE A MOTION TO GRANT APPROVAL OF THE FINAL PLAN AND
26 DEVELOPMENT AGREEMENT FOR STILL WATER CLUSTER SUBDIVISION PHASES FOUR THROUGH SIX FOR
27 IRBEN DEVELOPMENT LLC, PROPERTY LOCATED AT 1500 WEST GENTILE. COUNCILMEMBER GAILEY
28 SECONDED THE MOTION.

29 9:16:07 PM

30 Councilmember Duncan stated he has deep concerns about this subdivision; he phase surrounding the ski lakes is
31 very troublesome because it is an half-mile area with no real access to other areas or onto Gentile Street; he feels the plan will
32 sacrifice public safety and will push traffic through higher density areas where more children will live. This is being done to
33 keep traffic from driving in front of the larger houses. He is disappointed that this issue has not been addressed before now.
34 He feels the Planning Commission did a poor job in considering this application and their actions have done a disservice to
35 the residents pertaining to public safety. Councilmember Lisonbee agreed and stated the road configuration creates a serious
36 safety issue. Councilmember Johnson agreed and stated the configuration will have long lasting affects relative to
37 accessibility to main roads and ultimately to Interstate-15. He acknowledged the City has received an opinion from the State
38 Property Rights Ombudsman regarding the application, but the Council has the authority to make minor amendments to the
39 details of the final plan in order to fine tune the proposed development and provide improved public safety. He stated he
40 feels the Council and developer can work together effectively to make the project better. Councilmember Peterson stated that
41 the proposed development and traffic configuration complies with the City Code and there are future plans for road
42 extensions in the area; he does not feel the City Council should force the developer to extend the road that is currently
43 designed as a cul-de-sac. Councilmember Duncan reiterated he is disappointed and he feels the Planning Commission and
44 developer were wrong in their design of the subdivision and the developer put a 'cool idea' above the needs of the rest of the
45 citizens in the area.

46 Mayor Palmer stated staff recommended that the cul-de-sac be extended as a through street. Ms. Christensen stated
47 that is correct; staff made that recommendation to the Planning Commission. She added that she also asked for escrow
48 money to pay for a future road crossing the canal bordering the subdivision, but when the Planning Commission made the
49 motion regarding the application they rejected those two recommendations. Mayor Palmer then asked the developer about
50 his feelings regarding the amendments the City Council is suggesting this evening. Craig Call, legal counsel for the
51 developer, stated it is not unusual for issues such as this to arise, but the Ombudsman addressed this issue and determined the
52 application is vested; the only way to deny the application at this point would be to determine that it does not comply with

1 City ordinances. The ordinances of the City have been written and the application complies with them. There is much to be
2 gained by a positive relationship between the City and any land developer and he indicated there is a through road in the
3 development that crosses the canal and will provide connectivity and the Planning Commission approved this road
4 configuration. He noted his client does not want a negative vote on his application, but it is not appropriate for the developer
5 to be required to accommodate requests from the City Council when his application meets the provisions of the City
6 ordinances. Mike Thayne, developer, stated he is very emotionally involved in this project and he is disappointed that the
7 project has gotten to this point and these types of discussions are still occurring. He stated that this issue should have been
8 addressed three months ago. He then noted the application has been delayed while the City waited for an opinion from the
9 Ombudsman and now that the opinion has been rendered the City Council is ignoring it. He stated that he has experienced
10 contract extensions and increased costs due to the delays and he would ask that the Council do what is right and what they
11 have been advised to do by the Ombudsman. He stated he does not feel the two issues raised by the Council this evening
12 should be discussed in detail because they have already been discussed many times and the Planning Commission approved
13 the road configuration. Councilmember Duncan stated the Council has had many discussions regarding this project with Mr.
14 Thayne and he is frustrated that Mr. Thayne did not incorporate the recommendations of the Community and Economic
15 Development Director into the plan for his development. He asked why Mr. Thayne ignored a recommendation that was
16 based on public safety of the residents of the development and convinced the Planning Commission to vote in favor of his
17 proposal. Mr. Thayne stated that the Planning Commission voted for his recommendation for many valid reasons; it does not
18 make sense for the road to be stubbed to the north. The reasons were considered by logical and reasonable people that
19 participated in the entire discussion regarding the project. Councilmember Duncan stated the approval was contrary to staff's
20 recommendation, but in the past Mr. Thayne has requested that the Council follow staff recommendations; he is trying to
21 understand the dichotomy in that situation. Mr. Thayne stated that he does not feel the road configuration creates public
22 safety issues and the issue is simply a matter of whose homes the vehicles should drive by when being routed out of the
23 development. He then stated there has never been a development like this in Syracuse and staff may make recommendations
24 regarding the plans for the subdivision and, if appropriate, he has responded to explain why their suggestion is not feasible or
25 reasonable; his arguments regarding the road configuration were accepted and approved.

26 Mayor Palmer stated that he had a discussion with Mr. Thayne and his brother and they committed to bond for
27 future road improvements for the canal crossing if necessary. Mr. Thayne stated that is correct; he would be foolish to say no
28 to that request this evening and have that be the cause for denial of the application. He does not think it is right for that to be
29 requested of him.

30 Councilmember Gailey called to question. Councilmember Lisonbee stated that a call to question is a mechanism in
31 Roberts Rules of Order that cuts off debate regarding an issue; she indicated she is not ready to be finished with debate.

32 Mayor Palmer called for a vote on the call to question. Councilmembers Gailey and Peterson voted in favor.
33 Councilmembers Duncan, Johnson, and Lisonbee voted in opposition and Mayor Palmer declared debate can continue.

34 Mayor Palmer asked Mr. Thayne if he would be willing to place money in escrow for the future connection over the
35 canal in return for a favorable vote this evening. Mr. Thayne answered yes, but noted the other recommendation would
36 require a plat change and he is not willing to do that. Councilmember Duncan asked which item being requested by the
37 Council is more expensive. Mr. Thayne stated it is not a matter of cost, it is a matter of principle; he wants to provide privacy
38 and a certain look and feel for the homes surrounding the lakes. If the road is pushed through, the value of the lots around the
39 lakes will decrease and the development is based upon that design. Councilmember Duncan stated that he had discussions
40 with Mr. Thayne in the past regarding this issue and he indicated that one of the reasons he did not want to extend the road is
41 because he was considering privatizing it at some point in the future and he asked if that is a real option or just a 'sales pitch'.
42 Mr. Thayne stated it is a real option that is actually included in the development agreement as a future option.
43 Councilmember Duncan stated the development includes roads that are of no use to any other resident in the City and it
44 makes no sense to him for the City to maintain them and for the roads to only provide a benefit to the few houses located
45 there; they will have privacy and higher property values and there is no value for the roads to be public. Councilmember
46 Peterson disagreed and stated that there are many roads in the City that many residents have likely never driven upon, but
47 there is value to have the roads in front of residents' homes. Councilmember Duncan stated there is value to other roads
48 because people can use them to access a destination. Councilmember Peterson stated that is not the case with every road in
49 the City. Councilmember Duncan disagreed and noted most of the other roads in the City provide connections and prevent
50 segregation; the cul-de-sac near the lakes does not provide a public benefit to the rest of the City. He asked Mr. Thayne if he
51 would commit to privatizing the road rather than making the privatization an option. He stated that approval of the cul-de-
52 sac would basically give Mr. Thayne a private road maintained by public dollars. Councilmember Gailey stated the same is

1 true for all other cul-de-sacs in the City. Councilmember Lisonbee stated that is not the case if a resident is trying to visit
2 another resident living on a cul-de-sac. Councilmember Gailey stated the same is true for the cul-de-sac in the Stillwater
3 development. Councilmember Lisonbee stated she agrees with Councilmember Duncan.

4 Councilmember Johnson asked if there is any chance Mr. Thayne would be willing to extend the cul-de-sac. Mr.
5 Thayne answered no. Councilmember Duncan asked Mr. Thayne if he would commit to privatizing the road. Mr. Thayne
6 stated that he cannot see how that would benefit the City. There was a general discussion regarding the manner in which
7 public roads benefit the City, with Councilmember Lisonbee indicating the Ombudsman's opinion has no bearing on the
8 development agreement for the project and she believes the City could require the road to be privatized. Councilmember
9 Peterson asked if that is the right thing to do. Councilmember Lisonbee answered yes. Councilmember Peterson disagreed.
10 Councilmember Duncan stated there has been an argument throughout the consideration of this process based on what is
11 legal compared to what is right. He stated if the City wants to do what is right and moral the developer should be required to
12 extend the cul-de-sac to prevent a safety issue in the City. Councilmember Peterson disagreed.

13 Mayor Palmer stated he feels the debate has stalled and if the developer has agreed to place money in escrow to pay
14 for future improvements over the canal he is satisfied with that. Councilmember Gailey stated he is also satisfied and he
15 called to question.

16 Mayor Palmer called for a vote on the call to question. Councilmembers Gailey and Peterson voted in favor.
17 Councilmembers Duncan, Johnson, and Lisonbee voted in opposition.

18 Mr. Call stated he has participated in the public process for many years in different capacities, including serving as
19 the State Property Rights Ombudsman. He stated there was a similar situation in the City of Washington and the question
20 was whether the city could force a property owner to push a cul-de-sac through to serve the public good and Chief Justice
21 Zimmerman said the City could condemn the property and pay just compensation if the road was truly to serve the public.
22 He stated that the property owner is entitled to the use of his land and if the City tries to declare that the road must be private
23 that would raise equal protection issues. He stated he has never found it to be effective in the public arena to be so candid
24 about the legal implications of a Council action, but he tried to express that not approving the application this evening would
25 not be in the best interest of any of the parties involved.

26 Councilmember Lisonbee stated that she has spent hours meeting with the developer and his entourage and she has
27 shared the same concerns she is sharing this evening multiple times. Councilmember Johnson stated he feels the Council is
28 simply trying to gauge the developer's willingness to reach a compromise to accomplish the goals of both parties. He stated
29 he feels Mr. Thayne wants the best for the City as does the City Council and the two parties must reach some common
30 ground; if the developer is willing to make some concessions it will be possible to move forward this evening. He asked Mr.
31 Thayne what he is willing to do. Mr. Thayne stated that he would be willing to privatize the street, but he is tired of being the
32 only party that is giving. He feels the delays have been unreasonable, but he has had no choice to comply and now the City
33 has a legal opinion and is not following it. He stated that if the street had to be privatized in order to gain approval of the
34 development he would not oppose that request.

35 Councilmember Gailey asked City Attorney Drake to provide his opinion regarding the concessions that have been
36 agreed to by Mr. Thayne this evening. Mr. Drake stated that his opinion will always be that if the City can get an issue
37 resolved that should happen. Through all his discussions with the developer, Planning Commission, City Council, and staff
38 he has a good idea of the position of each party and he feels the Thaynes are willing to bond for future improvements over the
39 canal, but they are not willing to extend the cul-de-sac. He stated the City has received an opinion from the Ombudsman that
40 states the application is vested and at this point the developer feels they do not have to compromise, though it seems they are
41 still willing to do so. He stated he agrees that the developer is not required to compromise and if the issue were litigated the
42 end result would be bad for the City. If the developer is willing to make concessions that address Councilmember Duncan's
43 concerns regarding connectivity and public safety, that is a great compromise and the City should be happy with it. He stated
44 he is concerned about the requirement to privatize a road, but he is not prepared to adequately address that issue. He stated
45 he is confused by that request because the argument he has heard about the development is that it is two different
46 developments that provide for the "haves and have nots"; a private gated road would further that feeling of segregation and
47 would prevent any meaningful interaction between the residents of the two neighborhoods. He concluded if the Council is
48 willing to approve the application this evening based on the concessions of the developer he feels that would be a good
49 compromise. He stated that if the Council denies the application this evening the issue will be litigated. Councilmember
50 Duncan stated that he feels Councilmember Gailey put Mr. Drake in a difficult position and the issues regarding potential
51 litigation should have been discussed in a closed session. Councilmember Gailey stated he has heard the legal opinion of the

1 attorney representing the developer and in order for him to make an intelligent decision he needed the City's legal opinion.
2 Councilmember Duncan stated the Council has heard that opinion in closed sessions, but now the public has heard it as well.

3 Discussion regarding a compromise between the City Council and developer continued, with Ms. Christensen
4 stating the specific language she recommended relative to the developer's bond for future road improvements to provide a
5 canal crossing was "at the time of final plat approval for phase nine of the development, the developer will place in escrow or
6 bond for 50 percent of the cost estimate for the necessary work to be completed within five years; if the City decides against
7 proceeding with the road extension the bond would be released back to the developer". Councilmember Duncan asked if Mr.
8 Thayne understands that compromise and if he is willing to agree to it. Mr. Thayne answered yes.

9 COUNCILMEMBER DUNCAN MOVED THAT AT THE TIME OF FINAL PLAT APPROVAL FOR PHASE
10 NINE OF THE DEVELOPMENT, THE DEVELOPER WILL PLACE IN ESCROW OR BOND FOR 50 PERCENT OF
11 THE COST ESTIMATE FOR THE NECESSARY WORK TO BE COMPLETED WITHIN FIVE YEARS; IF THE CITY
12 DECIDES AGAINST PROCEEDING WITH THE ROAD EXTENSION THE BOND WOULD BE RELEASED BACK TO
13 THE DEVELOPER. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

14 Councilmember Lisonbee thanked Mr. Thayne for his willingness to agree to the compromise, but noted she still has
15 concerns regarding the development agreement.

16 Mayor Palmer stated there has been a motion and second to amend the development agreement and he called for a
17 vote. ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER PETERSON WHO VOTED IN
18 OPPOSITION.

19 Councilmember Lisonbee inquired as to whether the Council would like to entertain a requirement to privatize the
20 cul-de-sac. Councilmember Duncan stated he is ready to proceed with approval of the development, but he has frustrations
21 with the process, with the Planning Commission, and with the developer. He focused on the City's cluster subdivision
22 ordinance and associated vesting rights. He feels those issues need to be addressed soon by the City Council.
23 Councilmember Lisonbee thanked Mr. Thayne for continuing to work with the City and for compromising on the
24 development tonight. She added she is sorry that he is frustrated that he was required to wait for the Ombudsman's opinion,
25 but she noted that he is the person that requested the opinion, not the City. Councilmember Johnson stated he is disheartened
26 that the cul-de-sac will not be completed because he feels it would provide much better connectivity for the area; however, he
27 is ready to proceed as well.

28 [10:06:18 PM](#)

29 Mayor Palmer stated there has been a motion and second to approve the final plan and development agreement and
30 he called for a vote. ALL VOTED IN FAVOR.

31 [10:06:35 PM](#)

32 21. Authorize Administration to execute Animal Control
33 Agreement with Davis County.

34 A memo from the Police Chief explained the proposed contract represents an interlocal agreement between Davis
35 County and Syracuse City for animal control services. The contract is in effect from January 1, 2013, through December 31,
36 2017. The information submitted for your review does not represent any change in service; however, each year the rate we
37 pay for animal control services is subject to adjustment based on the percentage of calls that Davis County Animal Care and
38 Control receives from Syracuse residents and the City. The total compensation amount noted in the 2013 contract was
39 \$42,147.39; the total compensation amount noted in the 2014 amendment is \$40,441.98.

40 [10:06:47 PM](#)

41 Chief Atkin reviewed his staff memo.

42 [10:08:49 PM](#)

43 COUNCILMEMBER GAILEY MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE THE
44 ANIMAL CONTROL AGREEMENT WITH DAVIS COUNTY. COUNCILMEMBER DUNCAN SECONDED THE
45 MOTION; ALL VOTED IN FAVOR.
46
47
48

1 Councilmember Lisonbee asked that the Governing Body forego Councilmember, Mayor, and City Manager reports
2 this evening due to the late hour.
3
4

5 At [10:09:25 PM](#) p.m. COUNCILMEMBER LISONBEE MADE A MOTION TO ADJOURN.
6 COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.
7
8
9

10 _____
11 Terry Palmer
12 Mayor

Cassie Z. Brown, CMC
City Recorder

13
14 Date approved: July 8, 2014