

Minutes of the Regular Meeting of the Syracuse City Council held on June 12, 2012, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

Mayor Jamie Nagle
City Manager Robert D. Rice
City Recorder Cassie Z. Brown

City Employees Present:

Police Chief Brian Wallace
Fire Chief Eric Froerer
Community Development Director Michael Eggett
City Attorney Will Carlson
Information Technologies Director TJ Peace
City Planner Kent Andersen

Visitors Present: The visitors roster for this meeting was removed from the Council Chambers.

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Councilmember Lisonbee provided an invocation. Councilmember Shingleton then led all present in the Pledge of Allegiance.

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to McKenna Arciaga and Collin Clark.

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 Nagle stated that this month the nominees are McKenna Arciaga and Collin Clark. She stated that both individuals were selected from Bluff Ridge Elementary School and she wanted to read the statements that were submitted to justify their selection for the award. She first read the statement regarding Mr. Clark as follows:

"Collin is an excellent student with the highest of grades. He is also a model citizen, and treats everyone with kindness and respect. He went the extra mile this year in petitioning the school district to get our air conditioning turned on due to the extreme early heat wave which made our classroom unbearably hot. Collin is a model student in every sense of the phrase. He sets a great example for all of us to follow!"

She asked everyone present to give Mr. Clark a round of applause. She also invited Mr. Clark to the front of the room to shake the hand of each Councilmember.

Mayor Nagle then stated the second award recipient is McKenna Arciaga; she read what was written about Ms. Arciaga as follows:

"McKenna has worked extremely hard to improve her reading skills this year. She has made amazing progress! Her oral reading fluency has grown 45 words per minutes. She has reached a perfect score in her story retell and she has grown 2.3 grade levels in comprehension in one year taking her to an "above grade level" status."

She asked everyone present to give Ms. Arciaga a round of applause. She also invited Ms. Arciaga to the front of the room to shake the hand of each Councilmember.

3. Public recognition of the winners of the Syracuse Museum and Cultural Center's 2012 Essay Competition.

Museum Board Member Sue Warren made a request to add an item to the agenda to allow her to recognize the winners of the Syracuse Museum and Cultural Center's 2012 Essay Competition. The email she submitted to staff is included below:

The 2nd Annual Syracuse Museum Essay Competition is again funded by the Rentmeister Family. The theme this year was "Finding a Treasure at the Museum." Don and Genevieve Rentmeister were instrumental in helping to found

the museum a decade ago and donated many of the items in the collections. Both felt preserving and celebrating the history of Syracuse was vital, as well as educating the younger generation about its heritage. The family, now headed by Genene after Don's passing a few years ago, felt an essay competition for elementary, junior high, and senior high school-age Syracuse residents was one way of achieving these goals.

Winners of the 2012 competition:

Elementary Age Prize Winners:

1st--Kilie Garner (Syracuse Elem.) \$50.00

2nd--Te'a Roberson (Buffalo Point Elem.) \$25.00

3rd--Keeley Fajtek (Home Schooled) \$10.00

Hon. Mention--Elizabeth Beeli (Home Schooled) Certificate

Hon. Mention--Savannah van Dijk (Syracuse Elem.) Certificate

Junior High Age Prize Winners:

1st--Kassidy Garner (Syracuse Jr. High) \$100.00

2nd--Rosalie Beeli (Home Schooled) \$50.00

3rd--Clarissa Prigmore (Home Schooled) \$25.00

Hon. Mention--Nathan van Dijk (Syracuse Jr. High) Certificate

No prizes were awarded in the Senior High age group this year.

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Phil Gooch, president of the Museum Board, thanked the Council for the opportunity to tell them about this award, which is given by Don Rentmeister. Ms. Warren then approached and announced the award winners for the record.

4. Approval of minutes.

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The minutes of the Special Meetings of April 24 and May 22, 2012 were reviewed.

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COUNCILMEMBER SHINGLETON MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETINGS OF APRIL 24 AND MAY 22, 2012 AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE MOTION.

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COUNCILMEMBER LISONBEE MADE AN AMENDED MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETINGS OF APRIL 24 AND MAY 22, 2012 AS AMENDED AS FOLLOWS:

APRIL 24 MEETING, PAGE FIVE, LINE 23, CHANGE "STAFF" TO "GOVERNING BODY".

MAY 22, PAGE 18, LINE 16, CHANGE THE WORD "MADE" TO "MAY".

COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Mayor Nagle then called for a vote on the original motion. ALL VOTED IN FAVOR.

5. Public comment.

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Tricia Roundy, 1963 S. Bluff Road, stated that she saw on the agenda that there is a proposal to reappoint two Planning Commissioners. She stated she felt there are probably a lot of able bodied people that are willing to do that job and "we" should give someone else a chance to do it. She stated she wanted to thank the Planning Commissioners for their time and sacrifice that they have made, but maybe they should move along and let someone else have the opportunity to be appointed and help the City grow.

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Terry Palmer, 2486 W. 1500 S., stated his comments are related to City leadership. He stated that about six months ago he put a comment on Facebook stating that the City Council was the body that actually runs the City and he was straightened out by one of the past City Managers wife, who told him that the City Manager actually runs the City. He stated that in his dealings over many years he has found that leaders lead and managers manage people and projects. He stated that, to him, the Council are the leaders of the City and it is time to step forward. He stated there have been some audits done and it was found that over \$150,000 was taken from the road fund and put somewhere else; \$315,000 magically reappeared via a transfer from the general fund to the road fund. He stated he thinks the Council needs to look at these things. He stated he is working with a committee regarding the Ninigret project and Ninigret was allotted 10 minutes and they ended up taking

about an hour. He stated he does not think that the committee members had much of an opportunity. He would recommend that the Council step up, lead, and get the City straightened out.

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Gerald Jacobs, 741 W. 2525 S., stated he feels privileged tonight after he and his wife have lived over in a former communist bloc in Europe doing humanitarian work. He stated he watched the people that lived under communism for years and they never want to step forward and voice their opinion because they would rather stay under the radar. He stated that he appreciates the democracy that is available to "us". He stated that his comments pertain to the audit that was initiated by the State of Utah Office of the State Auditor last February. He stated that they looked into Syracuse's prior year's questionable use of the Class C road funds. He stated there was an article in the Standard-Examiner on March 5 that included a quote from Bob Rice where he said the State's inspection is a waste of time. He stated that he further stated that he was disappointed that the City got the hotline call after the problem was fixed. He stated earlier and better transparency by the City Manager's efforts to correct the problem may have prevented the hotline action. He stated that in September of 2011 Wood Richards and Associates, the City's financial auditors, reported that Syracuse was properly using the Class C road funds provided by UDOT. He stated this audit report gave Syracuse City the highest financial award for municipal financial excellence. He stated that Mayor Nagle seemed particularly proud of the award, personally giving John Lewis a copy of the report in this very room. He stated the Utah State Auditor findings and recommendations of May 29 revealed over \$156,000 of Class C road funds that were used inappropriately for City administrative costs during the Fiscal Year 2010-2011. He stated that if they would have looked back a couple of years further than that they would have found the same type of problem. He stated that contrary to the erroneous audit findings from Wood Richards and Associates, the Utah State Audit revealed \$156,000 in Class C road funds were used improperly for the last two years.

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John Lewis, 2330 S. 950 W., stated that "we" have within the City employees that use their time on programs that are not supported by the Council and the Planning Commission or by the residents. He stated it is nothing but a waste of time and money; some of the programs include the metering of secondary water and development of a flex zone and they have cost the City man hours from Mr. Rice and the City staff spending taxpayer dollars and something voted down by the Council. He stated it was not brought to the Council, nor was it considered important because of the back room planning that has been going on, bypassing the residents and the Planning Commission and City Council. He stated this waste of time, which is money, needs to be addressed upon the heads of those who are responsible. He stated that if they can not consider the will of the people, the Planning Commission, and the Council they need to be relieved of their duties and others need to be hired in their place that will not waste the taxpayers' money on their own agendas. He stated that Mr. Rice has boldly stated that he is here to save money for the City and he has also stated that he felt the State audit was nothing but a waste of time and money. He stated that is hardly so; with \$156,000 misappropriated in funds, the Council needs to look at where the funds were used. He stated there is a lack of transparency that was obviously found by the State wherein they found money that was "pulled from Paul to pay Peter". He stated these disparities need to be addressed by the Council. He asked which administrative department the funds were used in. He stated the misuse of the funds is a grievous violation of State law; they are dedicated funds and not general funds and all the City needs is for UDOT to start withholding funds because of the misuse. He stated that he was personally given by the Mayor a copy of the audit from Wood Richards and Associates and that copy was not accurate because the State has proved there is a problem with transparency in this City. He stated he would ask the Council to look into it and go to the administrative departments that have used the money and hold them accountable.

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Ryan Chandler, 1555 W. 700 S., stated he wanted to talk about the new committee that has been assembled. He stated that he appreciates that people were willing to step forward and participate with the committee. He stated he is not sure of the official title of the committee, but its purpose is to analyze the Ninigret development. He stated that last he understood there was supposed to be an even representation of people that are for and against the development. He stated the Ninigret team was also invited to participate. He stated that he does not know how that can seem fair or balanced to anyone; it is unequal and it sounds like the last meeting was a Ninigret pep rally. He stated he was curious about the last meeting because he was unable to attend; he plans on attending all future meetings. He stated that he understands the needs to control the time in the meetings, but a lot of people want to be involved and heard whether they have been heard before or not. He stated that he also does not appreciate some of the comments that have been made about the land as far as respecting land owner rights. He stated that he is talking about PRI because they own the land and if they want to develop the land that is perfectly find and he fully respects that and the opportunity to develop the land will come with or without Ninigret. He stated his hope is that the meeting is not an amazing exercise in redundancy though it seems to him that it is. He stated that in the end there will be the same result; the reason for the meetings is to allow people to come forward and say how they feel. He stated that those that are for the project have had that time and he asked at what point the City will acknowledge that the

development is not wanted. He stated there are other ways to help the City and this development is not the “only dance in town”. He stated that as soon as the SR193 project is completed by UDOT, PRI will be beating off the suitors that want to develop the land. He stated it is important for the Council to realize that.

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TJ Jensen, 3242 S. 1000 W., stated that his potential reappointment to the Planning Commission is on the agenda this evening. He stated he has very much enjoyed his service to the City and hopes to continue. He stated he also wanted to talk about Curt McCuiston and that he is a great asset as an alternate member of the Planning Commission. He stated that he participates in all meetings and has been called to serve when other members have not been present. He stated his input is very valuable; one of the things that he has done over the last year was to serve on the trails committee and his input was very valuable. He stated that he came up with a lot of great ideas. He stated the other thing that sticks out in his mind is that when the Planning Commission was talking about the new Stoker Gardens development, Mr. McCuiston spotted something on the engineering drawings that was very difficult to spot; he found a one inch variation in the grade for the drainage and he pointed that out to the developer and suggested how to correct the problem. He stated he has great engineering skills and the Planning Commission is currently a very well rounded by with members from many disciplines. He stated that he would recommend that Mr. McCuiston be reappointed as an alternate member of the Planning Commission.

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Scott Holt, 1123 W. 3150 S., stated that he wants to address the audit and he does not want to be redundant. He stated that he did want to point out that there checks and balances in place in the government system; one of the checks and balances is the use of the audit. He stated that he served the State Legislature for six years in the 1990’s and when they looked at different functions of the government if it seemed they were getting out of line there was usually an audit ordered. He stated the audit helped the legislative branch determine if the money was being spent correctly or incorrectly. He stated that he does not think politics should be involved in an audit and he hated to see the headlines that said the Mayor accused the auditor of using Syracuse as political fodder. He stated he does not think that is correct and the Mayor is out of line. He stated it is not political and this is not a witch hunt; when someone requests an audit they are trying to make sure that the taxpayer money is being used appropriately and correctly. He stated that in looking at the audit report it is obvious that it was not. He stated that Class C money is a dedicated fund set aside by the legislature for personal use by the cities. He stated that money should not be commingled with other funds. He stated that the City no longer needs to bond or raise property taxes and there is magically \$350,000 available in the general fund. He asked what the City is taking from to refund the Class C money that was improperly used. He stated an audit has its place and politics does not have its place. He stated that before the City makes political fodder out of a reasonable check and balances system to make sure that the taxpayer money is doing what it is supposed to do, people should limit their comments and not embarrass the City any further.

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Pat Zaugg, 1593 W. 700 S., stated there has been a lot of talk about property owners rights and she has some questions. She asked who on the Council is willing to protect current property owners. She stated she has rights as a property owner to ensure that her property values will not decrease as a result of a development being constructed so close to her home. She stated that she owns 10 acres behind her house and she and her husband currently farm that property; it is an inheritance for her husband’s nieces and nephews as well as all of her children. She stated that inheritance will be diminished if the City allows certain things to go on around the property that she owns. She stated that she wants to know who will be looking out for the property rights of the current property owners. She stated that “we” need to be very careful about what development “we” allow and ask if it will increase the property value and increase the value of Syracuse City as a whole. She asked if the City is only concerned about the rights of the big property owners. She stated she understands that PRI is a property owner and she recognizes their rights to develop, but she also recognizes that the City has a Master Plan for a reason and PRI, as a property owner, needs to adhere to that Master Plan and not demand that the City roll over and play dead and let them do whatever they want. She stated that if PRI is looking for someone besides Ninigret to develop the property, she is hopeful that developer will build according to the City’s Master Plan as well as the desires of the citizens of Syracuse.

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Ray Zaugg, 1593 W. 700 S., stated that he sees an agenda item to discuss cul-de-sacs. He stated this has been an ongoing discussion with the Planning Commission and City Council. He stated he wondered why this is all of a sudden an issue. He stated there are cul-de-sacs in the City that are longer than what is allowed by the current ordinance and if the City is trying to make changes to bring those into conformance with the ordinance that is not necessary and they should just be seen as a past mistake. He stated that “we” have heard from Public Works and the Fire Department in the Planning Commission meetings and they have discussed their preference for the limit of the length of the cul-de-sacs. He stated he thinks that limit is somewhere around 650 feet with some strict guidance and requirements. He stated that to go beyond that would not be helpful to those that enjoy living in cul-de-sacs; they like to build in a cul-de-sac, but the longer the cul-de-sac

is the less attractive it is because it can become more like a street rather than a dead end. He stated that the longer they are, the more people have a tendency to drive down them thinking they are a thru street, even though there is signage stating otherwise. He then stated he also wanted to mention the PRI property; it was stated last week in the committee meeting by the attorney for PRI that it does not matter to them whether Ninigret develops and that they will sell the land to whomever wants to purchase it. He stated they are looking to get the best value for the property. He stated that if “we” look at the General Plan and remember where it came from and how it has been adjusted to meet the needs of the new SR193. . . “we” need to look at that and vet it very carefully before making any adjustments to it.

6. Site Plan Approval, Syracuse Tanner Clinic expansion, located at approximately 2038 W. 1900 S.

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A staff memo from the Community Development Department explained this Syracuse Tanner Clinic Expansion Site Plan is a 6,900 square foot expansion of their existing facility of 11,212 square feet. According to the applicant, the Tanner Clinic facility was originally built with the intent of expanding, however due to the downturn in the economy was postponed. The expansion will include an additional seven doctors, which include family practitioners and an OBGYN.

On May 24, 2012 the Syracuse City Architectural Review Committee met and discussed the Site Plan. No additional concerns were brought up that were not addressed in the City staff review. On June 6, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed Syracuse Tanner Clinic Expansion Site Plan, in which no comments were received. On June 6, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the Syracuse Tanner Clinic Expansion Site Plan, contingent upon satisfactory completion of City staff comments. Staff asked that the developer provide an explanation of why the development exceeded the allowed maximum parking spaces of 82 based on the square footage of the building. City staff and Planning Commission are comfortable with allowing 118 parking spaces, specifically as this will provide for greater public safety by reducing on street parking.

A primary point that City staff would like to see addressed is an access easement letter between Tanner Clinic and the adjacent property to the west, allowing the provision of a secondary ingress/egress.

The Community & Economic Development Department hereby recommends that the City Council review the Syracuse Tanner Clinic Expansion Site Plan approval request for discussion purposes. The Community & Economic Development Department recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council approve the Syracuse Tanner Clinic Expansion Site Plan, located at approximately 2038 West 1900 South, subject to all recommendations made by the City Council, Planning Commission, and City Staff.

City Planner Andersen summarized the staff memo.

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COUNCILMEMBER PETERSON MOVED TO GRANT SITE PLAN APPROVAL FOR THE SYRACUSE TANNER CLINIC EXPANSION, LOCATED AT APPROXIMATELY 2038 W. 1900 S. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

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Councilmember Duncan stated asked why 86 spaces are allowed for the development. Mr. Andersen stated it is hard to set a hard and fast rule for parking for this type of development. He stated it may be a good idea to look at the parking standards the City currently has in place because the use being proposed at the subject property is not conducive to what is written in the ordinance right now.

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Mayor Nagle stated there has been a motion and a second regarding the site plan and she called for a vote. ALL VOTED IN FAVOR.

7. Proposed Ordinance 12-13 amending various provisions of Title 10, the Land Use Ordinance, relating to administrative review and development review procedures – Site Plan Review.

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A staff memo from the Community Development Department explained that on February 8, 2011, City Council adopted Ordinance No. 11-02 amending various provisions of Title 10 (see attached Ordinance No. 11-02 excerpt). Included in this Ordinance was an amendment to the Site Plan review process, changing the land use authority for Site Plan approvals from the City Council to the Planning Commission and the City Council became an appellate body. However, staff missed the removal of a line in 10-4-090 (H), which states, “Upon approval by the Planning Commission, the Site Plan will be forwarded to the City Council for final approval.” Ensuring compliance with Title 10, staff has continued to bring Site Plan approvals to City Council. To reflect the intent of the Planning Commission recommendation and City Council Ordinance

No. 11-02, staff recommends the removal of the subject line in 10-4-090 (H), thereby expediting the site plan approval process. Also included in proposed Ordinance No. 12-13 are inclusions to the process table to match Title 10 Chapter 4 language.

On June 5, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the Site Plan Review, in which no comments were received. On June 5, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendments to Title Ten, Chapter 4, Administrative and Development Review Procedures as it relates to Site Plan Review within the Syracuse City Code.

The Community & Economic Development Department hereby recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council amend Title Ten, Chapter Four, Administrative and Development Review Procedures as it relates to Site Plan Review within the Syracuse City Code to reflect Ordinance No. 12-13.

Mr. Andersen summarized the staff memo.

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COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-13 AMENDING VARIOUS PROVISIONS OF TITLE 10, THE LAND USE ORDINANCE, RELATING TO ADMINISTRATIVE REVIEW AND DEVELOPMENT REVIEW PROCEDURES – SITE PLAN REVIEW. COUNCILMEMBER PETERSON SECONDED THE MOTION;

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Councilmember Lisonbee stated that in the chart included in Title 10 lists the Planning Commission as the land use authority and the appellate body is the City Council. She stated before it stated that “as provided by this section the City Council is authorized to approve site plans after recommendation of the Planning Commission”. She stated the new language says the Planning Commission is now authorized to give approval after recommendation of the land use administrator, which for site plans would be the Community Development Director. She asked if that should not be specifically called out in the ordinance so it is clear to the citizens. Mr. Andersen stated the Community Development Director is the land use administrator, so it is a synonymous term used throughout Title 10.

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

8. Proposed Resolution R12-18 appointing TJ Jensen and Curt McCuiston to the Syracuse City Planning Commission with their terms expiring June 30, 2016.

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A staff memo from the Community Development Director explained that back in February of 2011, TJ Jensen was appointed to complete the term of Nathan Miller on the Syracuse City Planning Commission. During this same time Curt McCuiston was appointed as the alternate Syracuse City Planning Commissioner. Both terms are set to expire at the end of June 2012, in order to keep the two terms in line and to maintain the establish Commission appointments rotation.

Greg Day, the Planning Commission Chairperson, has recommended to the Mayor the reappointment of TJ Jensen and Curt McCuiston to another four-year term in their respective Planning Commission positions. Both Commissioner Jensen and Commissioner McCuiston have affirmed their interest and intent to continue filling these positions for a new four-year term.

The Community and Economic Development Department fully endorses and is in support of the Mayor’s proposed reappointment of these fine Commissioners. Commissioners Jensen and McCuiston have brought a great balance of opinions and insight to the Planning Commission and the CED Department looks forward to continuing its relationship with them.

For your use and review, City Staff has provided resolution 12-18 that supports the aforementioned reappointments to the Planning Commission.

The Community and Economic Development Department hereby recommends that the Mayor and City Council show their continued support for Commissioners Jensen and McCuiston by approving their reappointment to the Planning Commission in the seats that they currently hold.

Mr. Eggett reviewed his staff memo.

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COUNCILMEMBER SHINGLETON MOVED TO ADOPT PROPOSED RESOLUTION R12-18 APPOINTING TJ JENSEN AND CURT MCQUISTION TO THE SYRACUSE CITY PLANNING COMMISSION WITH THEIR TERMS EXPIRING JUNE 30, 2016. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

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Councilmember Johnson asked if it is correct that Mr. Jensen will be a full member of the Planning Commission while Mr. McCuiston will be an alternate. Mr. Eggett answered yes.

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Councilmember Duncan stated that he has had quite a few discussions with Mr. Jensen and they have differences of opinion, but he appreciates that Mr. Jensen works hard and his heart is in his work as a Planning Commissioner.

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Mayor Nagle stated there has been a motion and a second to adopt the resolution and she called for a vote. ALL VOTED IN FAVOR.

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Mayor Nagle stated she wanted to respond to Ms. Roundy's comments. She stated that Mr. Jensen and Mr. McCuiston have only served on the Planning Commission for 16 months. She stated she was a member of the Planning Commission herself and she understands there is an incredibly large learning curve. She stated that had these members been on the board for four years she would have likely vacated the position and asked for applications for interested parties. She stated that if Ms. Roundy has desire to serve she would encourage her to apply for future committee appointments in the future.

9. Public Hearing – Proposed Resolution 12-17 adopting the Fiscal Year (FY) 2012-2013 budget.

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A staff memo from the Finance Director explained that 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. This requirement has been met since the City Council adopted the tentative budget on May 8th and set a public hearing on June 12, 2012 to consider adoption of the final budget.

Also required by Utah Code Annotated 10-6-118, "before the last June 22 of each fiscal period, or, in the case of a property tax increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption."

No changes have been made to the FY2012 – 2013 tentative budget adopted on May 8, 2012 and this is the last council meeting we have to adopt a final budget before the June 22 deadline provided by State Law.

Staff recommends adopting the tentative budget as the final budget for the Fiscal Year 2012-2013.

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Mayor Nagle convened the public hearing.

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TJ Jensen, 3242 S. 1000 W., stated he knows the staff has worked very hard to free up some funds so the City can complete some road projects and he understands that the City will have close to \$3 million to use for that purpose, which is absolutely amazing considering where the City was three years ago. He stated he understands a lot of that money is one-time money, but he wanted to commend Mr. Rice and the rest of the staff for juggling some money around so the City can get a few roads fixed.

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There being no further persons appearing to be heard Mayor Nagle closed the public hearing.

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COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION 12-17 ADOPTING THE FISCAL YEAR 2012-2013 BUDGET. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

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Council discussion regarding the item then began. Councilmember Lisonbee stated she has raised some concerns at previous meetings and the Council was told there would be time later to address their concerns. She stated that she thinks the City Council should be exemplary in its own budget and she sees that in the recommended budget the Council's sundry budget is nearly tripling and she is wondering what the purpose of that increase is. Mayor Nagle stated that fund is being increased to allow for the purchase of a table at the Davis County Gala supporting the Chloe's Sunshine Playground. She

stated the fee for a table is \$2,500, but the City stands to benefit via the receipt of anywhere between \$50,000 to \$75,000 from the event. She stated she explained that during the Council retreat. Councilmember Lisonbee then asked why the books and subscriptions line item is being increased. Mayor Nagle stated that is for the City's membership in EDCUtah for assistance in the development of the City's Economic Development Area (EDA). Councilmember Lisonbee stated she does not remember that discussion. Mr. Rice stated that was discussed during the review of the tentative budget. He stated that the City will be joining EDCUtah and the City will get full benefit of all their services; they are a 501C3 entity that works on economic development in Utah. He stated that the City will have a position on the Board of Directors for EDCUtah as well. He added that the City will have full access to the services they provide. Councilmember Lisonbee asked what services they provide. Mr. Rice stated they provide economic analysis, economic development, ties to several organizations that provide economic and job growth support in the State of Utah. Councilmember Lisonbee asked how much the membership fee is. Mr. Rice stated that it is \$2,900 per year. Councilmember Lisonbee then stated permanent employee wages for the Council are increased. Mayor Nagle stated that it must be for mandatory expenses because there is no wage increase. Mr. Rice directed Councilmember Lisonbee to the budget report and stated that the wages are the same; there was a vacancy for one month so the actual expenses may be lower. Councilmember Lisonbee stated that in the Administration Budget, the wages for permanent employees is also being increased. Mr. Rice stated that is because the City hired an attorney and the legal fees of the City were reduced. Councilmember Lisonbee stated that the Administration budget includes a line item for the Youth Court, but it is not listed in the Justice Court budget. She asked why that is. She stated it is listed as a contribution. Mayor Nagle stated that item was discussed during the retreat; in the past the Youth Court has not been funded though they do a lot to keep the youth out of the court system. She stated the Council talked about diverting a small portion of money to the youth court. Councilmember Lisonbee stated she does not have a problem with the contribution but asked if it would be more appropriate to include it in the Justice Court budget. She then asked about the budget for the newsletter. She asked if the current practice of publishing the newsletter will continue. Mr. Rice answered yes; he stated that it is up to the Council to change the format of the newsletter, but he has not received any firm feedback about how to make changes to the newsletter. Councilmember Lisonbee recommended putting one piece of paper in the utility bill. Mr. Rice stated that the budget will include an amount to continue the current practice, but if the Council wants to make changes that is up to them. He stated it is a policy issue. Councilmember Duncan stated that if the Council determines there is a less expensive option the funds can be reallocated. Mr. Rice stated that is correct. Mayor Nagle stated she thinks there is an opportunity for the City to create some efficiencies relative to the newsletter, but that will require a conversation and decision of the Council. Mr. Rice reviewed the options for making changes to the newsletter. Mayor Nagle suggested adding an item to the agenda to discuss that further and she encouraged the Council to reach out to residents to see what they would like to see happen. Councilmember Duncan suggested adding a survey to the next newsletter asking citizens how they feel about the newsletter options. Councilmember Lisonbee then stated she is really concerned about another issue; she does not believe that the economic recession is coming to an end and the budget statement says that it is. She stated she does not agree and she believes there are still some tough times ahead. She stated she thinks Utah is doing well, but it is a latent monetary affect and she feels there will be some long term consequences and reverberations from what is happening in Europe. She stated that her husband saw a CNN piece about a car manufacturer in the east advertising 300 jobs and 22,000 people showed up to apply; that shows the real level of unemployment in the country. She stated that her concern is that a lot of various line items in the budget have increased, some of them almost double what they were last year. She stated she realizes there are things that need to be done, but she is concerned that perhaps the City needs to be a little more conservative. Mr. Rice stated that the budget is balanced and it is the first balanced budget the City has had in many years; it uses conservative revenue estimates and liberal expense estimates. He stated that when he began working for the City the fund balance was nine percent and at the end of last year it was 14.5 percent. He stated that he is projecting that it will be higher than that next year. He stated there is some padding in the budget to address Councilmember Lisonbee's concerns. He stated the City will spend \$3.9 on capital projects this year, including \$1.1 million for road projects. He stated all Class C road money is being used for road projects and all the salaries and wages were moved to a different place in the budget. He stated that if the City's revenues are underestimated by one percent, that translates to \$70,000 and if expenses are overestimated by one percent that is also \$70,000; that means that the City could have a \$140,000 swing in the budget. He stated staff knew there were problems with the road funds and they have been fixed for over a year; the auditors knew that and they pointed out that the problems were fixed by the City and the last time the problem existed was in the FY2010-2011 budget. He stated that the City has put significant money towards roads and other capital projects. Councilmember Lisonbee stated she understands that, but the City also has huge infrastructure costs coming up in the next couple of years.

[2:51:37 PM](#)

Councilmember Duncan stated that the City has balanced budget in the City for a few reasons. He stated that the City cannot spend more unless it bonds or raises taxes and both have been proposed in the past. He stated that the City

Council voted against a tax increase and the citizens voted down a referendum to bond; both were proposed by the City. He stated that the City has a balanced budget in spite of recommendations to do those things. Mayor Nagle stated that she wanted it to be clear that those increases would have gone 100 percent to road projects. She stated the City was not asking for any additional money for salaries or other expenses. She stated the bond was suggested by citizens; the Council said they would not take on more debt without letting the citizens vote on it. She stated there is \$10 million in outstanding roads and the longer those repairs are put off they can cost more in the long run. She stated that the City is trying to balance those needs. Councilmember Lisonbee stated that is to her point; if the City has \$10 million in outstanding road costs, the City's budget is not really balanced. She stated maybe everyone would think differently about it when considering a \$10 million deficit. Councilmember Peterson stated that the City cannot make all that up in one year. Councilmember Lisonbee agreed, but stated that the City also cannot pat itself on the back and say how great the balanced budget is. She stated she understands a lot of work has been put into the budget and she appreciates that, but, like she said in the budget retreat, she thinks the City cannot be too conservative with the budget. Councilmember Duncan stated one of the things he suggested was to take a closer look at the budget and allocate more money to the Class C road funds and the response was that until the City knows how big of a problem there is that cannot be done; yet tonight there is mention of \$10 million in outstanding projects. Mayor Nagle stated that was a discussion about infrastructure, not roads. Councilmember Duncan stated that everyone is aware of the problem, so why not do something about it. Mayor Nagle stated that something is being done; the amount being spent on roads is being increased greatly in this budget to \$3.9 million. She stated that is a pretty great improvement. Councilmember Duncan stated he would like to increase that to \$4.0 or \$4.1 million because every little bit helps. Councilmember Peterson stated he trusts that staff will be able to do that.

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Mayor Nagle stated she wanted to point out that two years ago staff brought a proposal to the Council to buy a tender truck to assist in increasing public safety in the City and on Antelope Island, but also to generate additional revenue for the City. She asked how much has been raised by the truck to date. Mr. Rice stated that the City has made nearly \$80,000 this year. Councilmember Duncan asked if that is gross or net. Mr. Rice stated that is gross, but the net is not much less because the City is already paying the salaries of the people operating the equipment. Mayor Nagle stated that she understands and shares the concerns of the Council and she believes the roads are the most critical issue for the City and to that end she believes the City has made tremendous strides to put more money to roads. She stated the auditor said specifically that they were issuing a favorable audit finding, but the reason they issued a press release was that it was an election year and they were getting heat that they had not been doing enough audits. She stated the Council and staff found those errors in Class C road funds and even though UDOT said that the expenses were allowed they were not best practice. She stated that staff made changes to address those problems; not only were they corrected, but it was possible to refund the money and put over \$300,000 back into the budget last year. She stated that she understands and shares the concerns, but she wants the Council to not lose sight that really good strides are being made towards the roads.

[2:58:10 PM](#)

Councilmember Shingleton stated that the budget introduction states the economic recession is over and he disagrees with that wholeheartedly. He stated there are things the City needs to be careful of. He stated that probably the two biggest concerns he has are relative to the amount of overtime budget for the Police and Fire Departments. He stated he does not know why that much is necessary.

[9:02:28 PM](#)

Fire Chief Froerer stated that part time is necessary because his Firefighters work an average of 56 hours per week in 24 hour shifts. He stated that according to the Fair Labor Standards Act (FLSA) the City must pay overtime for some of those hours worked. He stated that the other portion of the overtime is simply the cost of providing public safety; he tries to cover as many calls as possible with part time staff, but that is not always an option. He stated sometimes it is necessary to callback a fulltime employee, which results in overtime costs. He stated that some of the Firefighters working wild land fires will be paid overtime rates, but that is offset by the revenue generated by that service. Councilmember Shingleton asked if the revenue generated through fighting wild land fires more than covers the overtime expenses. Chief Froerer answered yes and provided an example of how that would work. Mr. Rice added that overtime costs for the Fire Department are increasing by approximately \$10,000, but the revenue generated by fighting wild land fires is over \$80,000. He noted that part of the overtime costs will be covered by ambulance revenues.

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Police Chief Wallace stated that most of his overtime, approximately 95 percent, is money that is paid for Officers that work DUI or seatbelt enforcement shifts and other special projects. He stated his department is reimbursed by the State of Utah or the Federal Government for all of those overtime costs so there is essentially no cost to the City. He stated there are some instances where true overtime is incurred, but most of those hours are converted to comp time rather than overtime

pay. He stated that his department gets approximately \$80,000 in revenue each year to cover his overtime. Councilmember Lisonbee asked Chief Wallace if the seatbelt shift is the type of shift where an officer sits outside a school and pulls over the moms that are dropping their children off at school without seatbelts. She asked if he got a grant from the Federal Government to cover those costs. Chief Wallace stated the National Highway Safety Board gives the State of Utah money on Memorial Day and Labor Day to enforce seatbelt infractions. He stated the program is known as "click it or ticket". He stated the program was very successful; the number of parents that were pulled over the second time the officer sat outside the school decreased by 95 percent. He stated that people need to wear their seatbelt even if they are just bringing their kids to school. Councilmember Lisonbee stated her understanding was that the Police Department receiving the money was contingent on the number of tickets they issued. Chief Wallace stated that is not correct; the number of tickets does not matter, but the cities that are granted money in future years are those that took a no tolerance stance on the seatbelt issue. He stated that he used to give a lot of warnings, but that was not effective. He stated that as a result of a no tolerance stance Utah is one of the highest ranked states for people wearing seatbelts.

[9:12:02 PM](#)

Councilmember Johnson asked about the discussion that was held during the budget retreat regarding the Web QA Shop Local website. He asked if there was any follow up discussion regarding other available options. He stated it is included in the Community Development budget. Mr. Eggett stated that the funding for that program was left in his budget because he wanted to have the discussion with the Council regarding whether to proceed with that program; the money can be used according to the decision of the Council. Councilmember Duncan stated it is essentially a placeholder. Mr. Eggett agreed. Councilmember Johnson stated he would like to talk about the program and other options further before staff spends the money.

[9:13:39 PM](#)

Councilmember Lisonbee asked if there are any wage increases in the budget. Councilmember Johnson stated there are wage increases for the Planning Commission. He stated Councilmember Lisonbee had mentioned she was still thinking about her feelings regarding that increase. Councilmember Lisonbee asked if there are any other wage increases. Mayor Nagle stated that she would like to suggest that the wage increases for the Planning Commissioners be left in the budget; she has been approached by some Commissioners that have said they feel the wage increase is valuable. She stated that those that do not want to accept the increase can choose not to. She stated the increase is \$25 per month per Commission member. Councilmember Lisonbee asked if there are any other wage increases in the budget. Mr. Rice stated there are a couple that were discussed during the budget retreat. Councilmember Lisonbee asked Mr. Rice to name those increases. Mr. Rice stated that there were raises for Steve Marshall and Kent Andersen. Councilmember Duncan asked about raises for the Police Department. Mr. Rice stated that there will be money available for raises in that Department if Police Chief Wallace retires during this fiscal year. Councilmember Johnson asked if the wage increases will be implemented immediately. Councilmember Lisonbee asked Mr. Rice if he is saying the money is in the budget, but before he gives any Police Officers raises he will come to the Council to amend the wage scale. Mr. Rice stated that if Chief Wallace retires this year, that will free up excess money for wages in the Police Department. He stated that is dependent on promotions and other things that will take place upon his retirement. Councilmember Duncan stated that he has some concerns about that; he realizes that people want raises, but it seems to him that the City is creating a zero sum game by saying that when Chief Wallace retires they will use all the excess money and give it to Police Officers. He stated that if the City is going to hire a new Assistant Fire Chief and pay him \$35,000, would it not be necessary to dock everyone else's pay to create that \$35,000. He stated that he does not see Chief Wallace retiring just to give everyone raises. He stated that if the decision is made to give the Police Department raises, what about the Fire Department and other departments. He stated that he does not understand the logic between the Chief retiring and giving raises to the officers. Mayor Nagle encouraged the Council to take a look at the wages for the first responders in the City and look at how low they are; she has never heard anyone say that they do not want the City to pay for Police and Fire services and last year when a tax increase was proposed there were people that came forward and said only the Police and Fire Departments should receive pay increases. She stated that these are the guys that are saving lives and the amount that they are paid is way too low; they are making \$15 or \$16 per hour and they are literally kissing their family goodbye every morning. She stated she does not find it offensive that the City is trying to incent the first responders at all and she thinks that should be a priority for the City along with the roads. Councilmember Duncan stated he is not saying that it should not be a priority, but he wants to look at it first before simply saying that just because Chief Wallace is retiring that the extra money should be given to the Police Officers. He stated that there should be more of a global perspective; why not take the money that will be saved and give half of it to the Fire Department, too. Councilmember Peterson stated that he agrees to a point, but he thinks what the staff is talking about is a specific group of Police Officers that have been working for the City for four years and have never had a raise. Mr. Rice stated that it is more than that; there are some officers that are making the same wage that they have been making for eight, nine, or ten years. Chief Wallace stated

that he understands the recession and everyone is tightening their belts and they have endured six years since anyone has received a raise. He stated he was looking at what will be his final budget this year and he did not want to pass on to the citizens any increased costs for the Police Department, but there is a savings that is realized because the City lost an officer that was being paid \$22 per hour and an officer was hired to take his place and is being paid \$17 per hour. He stated that benefit has already been realized this year and the same will be true next year; plus the Department will also benefit financially from his retirement this year and those two numbers added together are all that is being considered for an increase. He stated he is not suggesting giving every officer and employee an increase, but as he looked at all the officers he found some that have 10 years' experience and they are still classified as Police Officer One or Two. He stated some of the Patrol Officers have 15 years' experience and bachelor's degrees or master's degrees and they have received nothing in the way of wage increases for six years. He stated that if the Council wants to send the message that all their hard work and advanced training is not valued. . .he is simply asking for the City to give them a promotion by moving from Police Officer One to Two or from Two to Three and then recognize some of the other officers that have received college degrees. He stated he wants to reward people for doing a good job for the City. He stated it is not a ton of money and it will not cost the citizens of Syracuse one dime more than what they paid last year for police coverage. Councilmember Johnson stated the increases will only occur if the City hires a new Police Chief and pays him less than Chief Wallace is currently earning. Chief Wallace asked why the City would hire someone and pay them the same wage he is earning; he stated he is near the top of the wage scale currently. Councilmember Johnson stated that is the point he is trying to make; he agrees with Chief Wallace's proposal, but he wants to make sure that something is put in place to ensure that the new Chief will be earning less than Chief Wallace so it is not necessary to offset the wage increases. Mayor Nagle stated the Council has the final say in the hiring of the Police Chief.

[9:22:46 PM](#)

Councilmember Duncan stated he would like for this to simply be a placeholder; the money can be left in the budget as it is currently listed and in November or December the Council will have the discretion to determine what is appropriate. He stated they can readdress that issue without determining where the money is going right now. Mr. Rice stated that the money is already being spent on wages; if the Chief retires and someone is hired at a lower wage that will create money that does not execute in the particular wages line item. Councilmember Johnson stated the Council can simply make sure that they do not hire a Police Chief at the same wage as Chief Wallace is earning. Chief Wallace stated that he started at the bottom and he is near the top of the wage scale now. Councilmember Johnson stated it sounds like the Council has control over hiring a new Police Chief and he is in agreement. Mr. Rice stated the Council will hire the new Chief and determine the amount of money that will be offered to that person. Councilmember Duncan stated the budget issue can be reviewed at that time as well. He stated that the Council can address the issue when Chief Wallace actually retires.

[9:24:39 PM](#)

Councilmember Lisonbee stated that she looked at the Police Department budget for wages and she does not see any Police Officer Three's, so she is confused by his statement that he would promote people to that position – that is not a position that is currently existing. Chief Wallace stated it is a position. Councilmember Lisonbee stated she found Sergeant, Detective, Administrative employee. Mr. Rice stated there is a Police Officer Three position in the wage scale but there are no people with that title right now. Chief Wallace stated that is correct; there are some that have been in the same position for 10 or more years. Councilmember Lisonbee stated it is helpful to point out that even though that is the case they also have a huge amount of money dedicated through the State pension fund every year that people in the private sector or armed forces do not have as a benefit. She stated if those people have been here that long they will retire after 20 years; if they just got hired they will retire after 25 years with a pension, which is a significant benefit that many people do not see. She stated that she agrees their wages are low, but she also has to look at every other citizen in Syracuse and their wages and the fact that they do not have a pension. She stated she realizes that they put their lives on the line. Mayor Nagle stated that other employees do have a pension. Councilmember Lisonbee stated she is talking about citizens. Councilmember Peterson stated the median wage in Syracuse is twice as much as much as a Police Officer makes. Councilmember Lisonbee stated it is not and she is talking about citizens; most citizens do not have a pension and they do not even have a retirement anymore. She stated that if they did their retirement accounts. . . Chief Wallace stated that he does not believe that is true and it is Councilmember Lisonbee's opinion. Councilmember Lisonbee stated that it is true and what she is trying to say is that she appreciates the Police and Fire employees putting their lives on the line for her; anyone that will jump into a burning building to save her family from a fire is a hero to her, but as a Councilmember she has to represent the entire City. She stated that all she is saying is that it is appropriate to fully disclose the benefits that are sometimes not seen; it is true that they do have benefits that not everyone sees. Chief Wallace stated that the pensions and benefits offered to public safety employees in Utah are much lower than in other states. Councilmember Lisonbee stated that it is 17 or 21 percent. Chief Wallace stated there are Police Chiefs all over the country that have much better pensions than his and there are military members that have

benefits in addition to their pension. Councilmember Lisonbee stated she is just trying to promote full disclosure. Councilmember Peterson stated there is a line item in the budget for benefits totaling \$688,000; that is full disclosure. Councilmember Lisonbee stated that is correct and she asked what the percentage that a Police Officer gets dedicated to the pension fund. Mayor Nagle stated she believed it is 17 percent. Mr. Rice added that the contribution went up and the benefit went down and he added that the benefit has changed for new employees. Mayor Nagle asked Councilmember Lisonbee what her suggestion is. Councilmember Lisonbee stated she does not have a suggestion and she is just pointing it out because the statements were being made that they do not make very much money and she wanted to clarify that while their salaries may be very low, there are other benefits that need to be considered. She stated that people that work in the public sector receive benefits that are not seen by people that work in the private sector. Mayor Nagle stated she just moved from the public sector to the private sector and she did so because the benefits are not good anymore and the pay is not what everyone thinks it is. Councilmember Duncan stated he moved from the public sector to the private sector and he wished he had the benefits he used to have. He stated it depends on the person.

[9:29:01 PM](#)

Councilmember Peterson stated this is a discussion about the City's employees and his feelings about raises are as follows: the City has not given an across the board raise since he has been on the Council. He stated he is in favor of giving everyone a raise and he has talked to Mr. Rice about it and he is in favor of merit increases. He stated that if it were his budget he would give everyone a raise. He stated he thinks there is room for merit increases and it is tough to be in a job and make the same amount every year when expenses continue to increase. He stated that offering raises to a few people while still having a balanced budget makes him ecstatic, even though he wished that it were possible to give everyone a raise. He stated he is a school teacher and his pay comes from taxpayer money and there have been some years that raises have not been given, but most years every teacher gets a raise. He stated that is not happening in Syracuse City. He stated that he had a Police Officer that he knew from another City approach him a while ago and the statement he made was that he was a Councilman that does not give raises to his Police Officers. He stated that there was a situation in the past where the City had foregone wage increases for a long period of time and it finally became necessary for the Council that was in place to pass a tax increase in order to get enough money to provide appropriate raises. He stated he fears the City is getting to that point again if decisions are not made to keep employees happy. Councilmember Duncan stated that he thinks that it is important to be careful when talking about these issues. He stated that he and his dad both used to be teachers and over and over it is said that teachers need to make more money because they are educating our children. He stated that when he decided to become a prosecutor working 12 months a year and paying off student loans he was only making \$3,000 more than a school teacher's starting wage. He stated that it is necessary to be realistic and take the emotion out of the discussion. He stated he has not looked at all the numbers, but he suggested that a wage analysis be done to get factual information.

[9:32:23 PM](#)

Mayor Nagle stated this discussion is a tangent and she asked if any Councilmember has a suggestion. Councilmember Peterson stated that the Chiefs have adequately explained the overtime issues and he would like to move on. Councilmember Duncan stated there was a suggestion that the grant of \$150,000 for secondary water study had been abandoned and he wanted to confirm that is no longer in the budget. Mr. Rice stated that is correct. Councilmember Duncan asked if that \$150,000 went to Class C road funds. Mr. Rice answered no; that money would have come from an enterprise fund and has nothing to do with road funding. He stated it did allow the City to do a secondary water line project.

[9:33:58 PM](#)

Mayor Nagle stated there has been a motion and a second regarding the budget and she called for a vote. ALL VOTED IN FAVOR OF ADOPTING THE BUDGET, WITH THE EXCEPTION OF COUNCLMEMBER LISONBEE WHO VOTED IN OPPOSITION.

10, Public Hearing – Authorize Administration to dispose of surplus property.

[9:34:15 PM](#)

A staff memo from the City Recorder explained Fire Chief Eric Froerer, Police Chief Brian Wallace, and Parks and Recreation Director Kresta Robinson have each compiled and attached a list of items that the City would like to dispose of. The lists of items to be disposed of was included in the Council packet.

Mr. Rice summarized the staff memo.

[9:35:15 PM](#)

Mayor Nagle convened the public hearing. There being no persons appearing to be heard, the public hearing was closed.

[9:35:33 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO DISPOSE OF SURPLUS PROPERTY. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

[9:35:42 PM](#)

Councilmember Duncan asked how the City employees put so many miles on the vehicles they drive. He stated the 2004 Dodge Dakota has 77,000 miles. Mr. Rice stated that is only about 8,000 miles a year. Councilmember Duncan asked if the vehicles are used outside the City. Mr. Rice stated that it is below average usage. Councilmember Duncan then asked why the City is getting rid of the vehicles; they are not that old and they do not have too many miles. Mr. Rice stated the City no longer needs them; one of the things he has talked about over the last year and a half is really looking at what the City needs. He stated the City's fleet has been cut by eight vehicles over the last year and this is another net decrease of one vehicle. He stated one of the two vehicles will be replaced and he added that the vehicles are pretty beat up. Councilmember Duncan stated that his car is older and has more miles. Mr. Rice stated that the two trucks will be sold with the use of KSL Classifieds.

[9:37:35 PM](#)

Councilmember Peterson asked why the Council has to vote to donate the turnout gear from the Fire Department. Mr. Rice stated that any time equipment is being disposed of, no matter the manner of disposal, the Council must vote on it.

[9:38:01 PM](#)

Mayor Nagle stated there has been a motion and a second regarding the disposal of surplus property and she called for a vote. ALL VOTED IN FAVOR.

11. Authorize Administration to execute lease agreement for a portion of Syracuse City Hall.

[9:38:04 PM](#)

A copy of the draft lease agreement for rental of space in City Hall was included in the Council Packet. Mr. Rice reviewed the agreement and stated that the prospective tenant has also reviewed it. He stated that executing the lease will allow the City to have more money to use in paying down City debt associated with the City Hall building.

[9:39:25 PM](#)

Councilmember Shingleton asked if there is a stipulation in the lease that the tenant must pay the City if they back out of the lease after renovations have been completed. Mr. Rice stated the City will not do any renovations until the lease is signed and the deposit is paid. Councilmember Shingleton stated that was a problem last time. Mr. Rice stated that the City was not compensated in cash, but ended up receiving free realty services to market the space.

[9:40:14 PM](#)

Councilmember Duncan stated that the lease rate seems low. Mr. Rice stated it is actually a good rate based on the market and it works out to about \$13.50 per square foot the first year of the lease.

[9:40:52 PM](#)

COUNCILMEMBER SHINGLETON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE THE LEASE AGREEMENT FOR A PORTION OF SYRACUSE CITY HALL. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

12. Authorize Administration to execute agreement for Jensen Pond 18" Secondary Transmission Line Project.

[9:41:19 PM](#)

A staff memo from the Public Works Director explained this secondary project is one that was identified on the list presented to City Council as a high priority due to the restrictions the existing 6" line places on the Jensen Pond Pump House. This project will involve the installation of an 18" transmission line along Bluff Road from 2700 South Street to 3150 West Street. A portion of this main at 1500 West Street will need to be bored due to utility conflicts. The cost of the boring will be bid out separately from this project on June 12, 2012. The engineers estimate for the boring is \$40,000. Syracuse City will also be purchasing the pipe for the boring at a discounted price from Kaysville City. The estimated cost of the pipe and fusion of the pipe is \$25,000. Jensen Pond 18" Secondary Transmission Line Project: \$310,178.05 Jensen Pond 22" Secondary Transmission Line Project (Boring): \$40,000.00 (Estimate) 22" HDPE Pipe and fusion: \$25,000.00. The total estimated project cost before contingency is \$375,178.05. The construction will begin as soon as contract documents are in place and be completed in September. The cost for this project came in about \$65,000 less than the estimate. The two lowest bids came in fairly close to one another. The bid amount on this project is \$310,178.05. Funding for this project will come from our secondary water budget. \$432,000 has been budgeted this fiscal year for this project. Staff recommends the contract be awarded to Craythorne, Inc.

Public Works Director Whiteley summarized the staff memo.

[9:44:29 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE THE ADMINISTRATION TO EXECUTE THE AGREEMENT FOR THE JENSEN POND 18" TRANSMISSION LINE PROJECT. COUNCILMEMBER PETERSON SECONDED THE MOTION.

[9:44:41 PM](#)

Councilmember Duncan stated he does not know much about Craythorne, Inc., but he wondered if there is ever a reason to consider going with someone other than the low bidder, especially when there is only \$400 difference between the two low bids. Mr. Whiteley stated that he has dealt with that issue in the past; the City's responsibility is to select the lowest responsible bidder. He stated responsible earns the City looks at the bid amount as well as the contractor's capability to do the work. He stated if this were a contract he did not know he would be researching their referrals and look closer at their bid. He stated he will always recommend the lowest responsible bidder and that is what he has done here. Mr. Rice stated that Craythorne has done a couple of different projects in the City.

[9:47:09 PM](#)

Councilmember Peterson stated this project is a long time coming; he has heard public works officials talk about this project for a long time and it will make residents very happy to have increased water pressure.

[9:47:55 PM](#)

Mayor Nagle stated there has been a motion and a second regarding approval of the contract and she called for a vote. ALL VOTED IN FAVOR.

13. Proposed Ordinance 12-10 amending various provisions of Title 8, the Subdivision Ordinance, relating to Cul-De-Sacs.

[9:48:00 PM](#)

A staff memo from the Community Development Department explained cul-de-sac length deficiencies were first brought forward to Planning staff from the City Engineer, who noticed multiple examples throughout the City where cul-de-sacs were well in excess of the current Title Eight standard of 400 feet. Examples include cul-de-sacs in excess of 800 feet (see attached City cul-de-sac examples). To assist in curing some of the existing deficiencies, expand development flexibility, and provide a mechanism that encourages creative design while also meeting City needs, amendments to the cul-de-sac ordinance are proposed as attached. Police, Fire, Public Works, and the City Attorney have all reviewed, commented, and accepted the proposed changes.

On May 1, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments to the cul-de-sac language, in which one comment was received. On May 1, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendment to Title Eight, Chapter Three, Public Improvements – Cul-desacs within the Syracuse City Code.

At the May 8, 2012 City Council meeting, aware that a procedural error had occurred during Planning Commission voting, the City Council remanded the consideration of cul-de-sacs back to the Planning Commission. On May 15, 2012 the Planning Commission voted to reconsider the amendment to cul-de-sacs, after which was tabled to the next meeting so that additional Planning Commission members could participate in the discussion. On June 5, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendment to Title Eight, Chapter Three, Public Improvements – Cul-de-sacs within the Syracuse City Code. Proposed changes include the increase of the standard cul-de-sac length from 400 feet to 500 feet with the ability to apply for an exception to the length if specific provisions (as listed in the attached ordinance language) are required to be met.

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

Mr. Andersen summarized the staff memo.

[9:50:24 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-10 AMENDING VARIOUS PROVISIONS OF TITLE 8, THE SUBDIVISION ORDINANCE, RELATING TO CUL-DE-SACS. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

[9:50:42 PM](#)

Council discussion and debate regarding the item began with Councilmember Johnson suggesting that a maximum length of somewhere around 650 needs to be mandated. Mr. Andersen responded to questions of the Council regarding the proposal.

[9:59:48 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND THE PROPOSAL TO ALLOW CUL-DE-SACS TO BE 500 FEET WITH NO REVIEW, BUT ANY CUL-DE-SAC BETWEEN 500 AND THE 650 FOOT MAXIMUM WILL NEED TO ADHERE TO THE REVIEW PROCESS.

[10:00:38 PM](#)

Mr. Andersen stated that the International Fire Code allows cul-de-sacs of 750 feet.

[10:01:00 PM](#)

COUNCILMEMBER JOHNSON STATED THAT HE WOULD AMEND HIS MOTION TO LIMIT THE LENGTH OF CUL-DE-SACS AT 750 FEET.

[10:01:30 PM](#)

Council discussion regarding the proposal continued.

[10:07:00 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ALLOW A RESIDENT TO SPEAK. COUNCILMEMBER JOHNSON SECONDED THE MOTION. ALL VOTED IN FAVOR.

[10:07:41 PM](#)

Tricia Roundy, 1963 S. Bluff Road, stated that she is aware of the cul-de-sac that may be proposed by UDOT in conjunction with the construction of the West Davis Corridor. She stated that she knows the people whose homes would be "saved" by the cul-de-sac and she knows they would rather their homes be destroyed than live so close to a freeway interchange. She stated he also feels this is a back door deal; there have been a lot of comments about hypothetical cul-de-sacs as well as things that already exist in the City. She stated she feels the limit would be a good idea, but it also defeats the purpose of the ordinance. She stated that UDOT would like to construct a cul-de-sac that would basically ruin her neighborhood and she is opposed to that.

[10:09:07 PM](#)

Council discussion regarding the issue, specifically the cul-de-sac that may be proposed by UDOT, continued.

[10:13:47 PM](#)

Mayor Nagle stated there has been a motion and a second to adopt the ordinance and she called for a vote. Councilmember Johnson asked for acknowledgement of his amended motion. City Attorney Carlson noted that Councilmember Johnson's motion had not been seconded.

[10:14:08 PM](#)

COUNCILMEMBER JOHNSON STATED HIS MOTION WAS TO ALLOW CUL-DE-SACS OF 500 FEET AND ANY CUL-DE-SACS BETWEEN 500 AND 750 WOULD NEED TO MEET CERTAIN REQUIREMENTS VIA AN APPROVAL PROCESS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

[10:14:54 PM](#)

Mayor Nagle called for a vote. COUNCILMEMBERS DUNCAN AND JOHNSON VOTED IN FAVOR. COUNCILMEMBERS LISONBEE, PETERSON, AND SHINGLETON VOTED IN OPPOSITION.

[10:15:11 PM](#)

The motion failed and Council discussion regarding the item continued.

[10:18:05 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE ORDINANCE TO LIMIT THE LENGTH OF A CUL-DE-SAC TO 850 FEET. Councilmember Lisonbee's motion died due to lack of a second.

[10:18:19 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND THE ORDINANCE TO LIMIT THE LENGTH OF A CUL-DE-SAC TO 800 FEET. COUNCILMEMBER LISONBEE SECONDED THE MOTION. COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE VOTED IN FAVOR. COUNCILMEMBERS PETERSON AND SHINGLETON VOTED IN OPPOSITION.

[10:19:05 PM](#)

Mayor Nagle stated there has been a motion and a second to adopt the ordinance regarding cul-de-sacs and she called for a vote. COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE VOTED IN FAVOR. COUNCILMEMBERS PETERSON AND SHINGLETON VOTED IN OPPOSITION.

14. Proposed Ordinance 12-14 amending various provisions of Title 10, the Land Use Ordinance, relating to a new Business Park Zone.

10:19:35 PM

A staff memo from the Community Development Department explained the Syracuse City Planning Commission, in coordination with a 200 South Subcommittee, created the Business Park Zone (see attached). Planning Commission review of the first draft of the Business Park Zone began December 6, 2011. The Business Park Zone went through three additional refinements to get it to the present product. The purpose of this zone is to provide areas primarily for planned general office and business park developments and related service that will be compatible with, enhance value of, and provide a transition to, nearby residential areas and will promote a quiet, clean environment. Development in this zone should emphasize a high level of architectural and landscape excellence. These zone districts will generally be established along high volume arterial streets in order to buffer the impacts of these streets from less intensive land uses. The intent is to create an attractive environment that will compliment, and serve as a transition to, surrounding uses.

On March 20, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed Business Park Zone, in which a few comments were received. On April 17, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached amendment to Title Ten, a new Business Park Zone within the Syracuse City Code.

Within the Business Park Zone, the way the Architectural Review Committee is structured, it is in conflict with other chapters within Title Ten which also outline the structure of the Committee. In other chapters of Title Ten, the Mayor, with consent of the City Council, appoint the Committee members. However, in the Business Park Zone, the Planning Commission Chair, with consent of the Planning Commission, appoint the Committee members. Staff recommends consistency with the application of the Architectural Review Committee. The Syracuse City Planning Commission hereby recommends that the Mayor and City Council amend Title Ten, to include the addition of the Business Park (BP) Zone within the Syracuse City Code to reflect attached Ordinance No. 12-14.

Mr. Andersen summarized the staff memo.

10:21:22 PM

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-14 AMENDING VARIOUS PROVISIONS OF TITLE 10, THE LAND USE ORDINANCE, RELATING TO A NEW BUSINESS PARK ZONE. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

10:21:54 PM

Council discussion regarding the item began.

10:27:12 PM

COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND BY REDUCING THE LANDSCAPING REQUIREMENT IN THE TOWN CENTER.

10:27:32 PM

Council discussion continued.

10:31:39 PM

Mayor Nagle suggested tabling the item and continue the discussion in the next extended work session meeting so a more thorough discussion with staff can occur.

10:32:39 PM

COUNCILMEMBER LISONBEE STATED SHE WOULD SOLIDIFY HER MOTION TO AMEND BY REDUCING THE LANDSCAPING REQUIREMENT TO 10 PERCENT. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR WITH THE EXCEPTION OF COUNCILMEMBER JOHNSON WHO VOTED IN OPPOSITION.

10:33:48 PM

Mayor Nagle stated there has been a motion and second to adopt the ordinance and she called for a vote.

10:34:09 PM

Councilmember Duncan stated he had additional questions and the discussion regarding the item continued.

10:36:21 PM

Mayor Nagle again called for a vote on the original motion. ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER DUNCAN WHO VOTED IN OPPOSITION.

10:36:48 PM

City Council Meeting
June 12, 2012

Councilmember Shingleton called for a roll call vote on the original motion. VOTING "AYE" – COUNCILMEMBERS JOHNSON, LISONBEE, AND PETERSON. VOTING "NO" – COUNCILMEMBERS DUNCAN AND SHINGLETON.

15. Councilmember reports.

Councilmember reports began at [10:38:04 PM](#) . Councilmember Johnson provided his report first, followed by Councilmembers Peterson, Duncan, Shingleton, and Lisonbee.

16. Mayor report.

Mayor Nagle's report began at [10:52:44 PM](#)

17. City Manager report.

City Manager Rice's report began at [10:54:14 PM](#)

At 10:19 p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: March 12, 2013