

Minutes of the Regular meeting of the Syracuse City Council held on June 14, 2016 at 6:07 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

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

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Police Chief Garret Atkin

6:07:33 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 6:07:37 PM 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 Maughan provided an invocation. Mayor Palmer led the audience in the Pledge of Allegiance.

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COUNCILMEMBER BOLDUC MOVED TO ADOPT THE AGENDA. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Teara Bennett and Cole Flinders for the month of June, 2016.

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and City's website; be featured on the Wendy's product television; and receive a \$10 gift certificate to Wendy's.

Mayor Palmer noted both teens receiving the award for May 2016 were nominated by the staff of Bluff Ridge Elementary School.

Teara Bennett:

Teara Bennett is one of the hardest working, determined students in the class. Teara believes in the importance of facing any difficult or unknown challenge with great determination. Even when she is afraid to try something, she will set it in her mind that she can do it. Teara has overcome many challenges both academically and socially. Teara believes in the importance of education. Even though school has been difficult at times, she continues to push herself to succeed.

This past year Teara has tried to be a friend to everyone in the class. She has cared about others in the class. Over the last year, she has also asked teachers what she can do to help get things done. She has always been willing to do whatever was asked of her. On many accounts, she has been seen helping others without even being asked.

Teara has also improved academically in the last year. She has taken on many challenging math concepts. Every time she did not understand a concepts or math strategy, she would ask for help. She was also very willing to share

with others what she learned. Teara does a wonderful job to work in groups and is a supportive partner during different class activities. In Reading and writing Teara has accomplished great growth. She loves to write. She makes sure that she takes her time and that what she would like to say in her writing comes across clear and concise. Teara has also worked very hard in reading comprehension. She takes the time to understand an article or text and connects it with real life experiences.

If Teara keeps up this strong desire to be successful, she will become a great asset to society. She has shown her whole class what it means to stay determined, focused, and has a great love of learning. Teara's teachers have expressed great in having the opportunity to have Teara in their class. Ms. Orme, her teacher said "I have learned a lot through her great example; I also know that others have as well."

Cole Flinders:

Cole Flinders is an amazing student and an extraordinary young man! He is intuitive and pays close attention to the feelings of others. He willingly extends himself to students who are struggling socially and goes out of his way to include others in his friendship circle. He is an excellent peer tutor for his classmates who are challenged academically. He works with them to help them understand and grasp concepts in such a way that he builds and strengthens their ability to be successful academically, but more importantly he builds their desire to risk and feel valued. He has a maturity that goes beyond his 10 years of age. He has come to me on several occasions to express his concern regarding a sensitive situation that he has observed in the classroom or in other school settings. He asks for advice on how he can help; and with great sensitivity and wisdom has even offered counsel on how the teacher might improve her approach in dealing with challenging situations. She challenged him at the beginning of the year to broaden and enrich his reading horizons. He has risen to the challenge given to him and has become an avid reader of a vast variety of books. Some of the most favorite moments with Cole have involved animated discussions of books that we both love. Cole is very appreciative and will often express his gratitude for some small effort that I have extended on his behalf. His enthusiasm for life, learning and his ability to communicate unconditional love to others makes him a very worthy recipient of this Award of Excellence. She states that she's honored to be his teacher!

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3. Request to be on the agenda: Dan Aamodt of Lone Peak Events re: Ghost Town Triathlon.

Dan Aamodt was not present and this item was moved to the June 28 work session agenda.

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4. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session and Regular Meeting of May 10, 2016 and the Work Session of May 24, 2016.

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Councilmember Lisonbee stated that she has a few small typographical corrections that she will email to City Recorder Brown.

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

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5. Public comments

TJ Jensen referenced the items included on the agenda dealing with amendments to Title Two of the City Code; he took time to conduct research regarding regulations in other cities as well as in State Code relative to committee or board appointments and the language used in Syracuse City actually mirrors State Code language with one nuance: the State Code indicates that the Mayor may appoint rather than shall appoint. The language also indicates the Council shall provide for the filling of vacancies for boards and commissions and he feels the Governing Body already has the power to appoint as desired. He recommended the group have more dialogue regarding opportunities for working together under the existing language before making any unnecessary changes to Title Two. He addressed appointments to special districts as previously discussed by Councilmember Lisonbee and indicated that is another matter that should be addressed separately. He feels it is best for

the Council and Mayor to work together to find the best appointees rather than creating a turf war.

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6. Proposed Resolution R16-28 awarding a contract for liability and property insurance coverage for Fiscal Year 2017.

A staff memo from the City Manager explained at the request of the City Council, administration advertised a request for proposal (RFP) for general liability, auto, and property insurance. There were two bidders on the RFP – Olympus and Utah Local Government Trust. Administration assembled a review committee of six individuals to evaluate the written bids and grade them based on the following factors:

- Overall Cost, Coverage, and Approach
- Experience and qualification servicing the public sector
- Service Team - a. Experience b. Expertise c. Education
- Loss Prevention
 - a. Extent of agency's ability to analyze risk
 - b. Scope of loss prevention programs and training
 - c. Breadth of education and certification offerings
- AM Best ratings for proposed carriers and/or reinsurers
- Quality of references

Each bidder was given the opportunity to make a 10-15 minute presentation to the City Council during their May 24, 2016 work session meeting. The Council must determine which proposal best meets the needs of the City, considering the written submissions and presentations by the proposers. Action at this meeting is essential in order to ensure coverage beginning in July.

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Mr. Marshall reviewed the staff memo.

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COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R16-28 AWARDING A CONTRACT FOR LIABILITY AND PROPERTY INSURANCE COVERAGE FOR FISCAL YEAR 2017 TO OLYMPUS INSURANCE. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Councilmember Lisonbee stated the Council had a fairly robust discussion regarding this issue during the May 24 work session meeting and she referred to the minutes of that meeting if any person is interested in more information regarding the proposal regarding the services to be provided by Olympus Insurance.

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

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7. Accept or Deny Petition 2016-01 requesting the annexation into Syracuse City 237.46 acres of property located at approximately 2000 West and Gentile Street and forward to the City Recorder for certification.

A staff memo from the City Recorder explained on June 1, 2016 Woodside Homes filed a petition to annex into Syracuse City 237.46 acres of property located at approximately 2000 West and Gentile Street. If the Council votes to accept the annexation petition I will begin the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated.

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City Recorder Brown reviewed her staff memo.

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COUNCILMEMBER MAUGHAN MOVED TO ACCEPT PETITION 2016-01 REQUESTING THE ANNEXATION INTO SYRACUSE CITY 237.46 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 2000 WEST AND GENTILE STREET AND FORWARD TO THE CITY RECORDER FOR CERTIFICATION. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

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Councilmember Lisonbee stated she is excited about the momentum current underway on and around the subject property and she feels that the development to be completed on the property will benefit the City.

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Councilmember Gailey commended staff for their work on the project to date, specifically for identifying the need to include in the annexation petition the contiguous property to the east of the subject property. Councilmember Maughan also thanked staff and indicated he feels the entire process has been handled very well to this point and the Council has been kept apprised of the status of the project throughout.

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Mayor Palmer stated there has been a motion and second to accept the annexation petition for certification and he called for a vote; ALL VOTED IN FAVOR.

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8. Proposed Ordinance 16-16 amending Titles Seven and Eight of the Syracuse City Code as they pertain to cul-de-sacs and engineering design standards.

A staff memo from the Community and Economic Development (CED) Department explained it was brought to the attention of the CED department that there were conflicts in the Syracuse Municipal Code: SMC § 8.15.010 (L) Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than 500 feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than 100 feet in diameter, measured to the property lines. VS. SMC § 7.05.020 And Syracuse engineering standards The International Fire Code as currently adopted by the state of Utah is hereby adopted by reference and made part of this chapter. Appendices B, Fire-Flow Requirements for Buildings; C, Fire Hydrant Locations and Distribution; and D, Fire Apparatus Access Roads of the International Fire Code are also hereby adopted. Any successive amendments or editions adopted by the state of Utah are hereby incorporated herein by reference and shall be effective upon the date they are effective as a Utah State Statute. In the event a successive amendment or edition is adopted, Appendices B, C and D shall also be adopted and are hereby incorporated herein by this reference and shall be effective upon the same date. Appendices A, Board of Appeals; E, Hazard Categories; F, Hazard Ranking; and G, Cryogenic Fluids – Weight and Volume Equivalents are included as guides. A copy of said code shall be deposited in the administrative office of the City and open for public inspection. This item was discussed in the extended work session of the city council on April 26, 2016 where city staff and the development community (represented by Mike Shultz of Castle Creek homes) discussed the pros and cons of each of the code text examples above and felt that 110 feet diameter is a good compromise. Planning Commission weighed in on the subject in their May 17, 2016 meeting and felt that the city should stick with the 120 foot diameter because they felt that that allowed the best turnaround for fire apparatus, other delivery trucks, and wider lot designs. The motion passed 5-1. The memo concluded staff recommends the Council amend Syracuse City Code Sections 07.05.020 and 08.15.010 to reflect the width the city would like to see going forward based on the information presented to the council correcting the conflict between the 2 codes.

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CED Director Mellor reviewed the staff memo.

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The Council engaged in discussion regarding the implications of the proposed ordinance, with a focus on the recommendation provided by the Planning Commission. They also heard from Deputy Fire Chief Hamblin regarding the proposed ordinance and amendments and how a reduction in cul-de-sac lengths would impact the ability of a driver to turn their fire apparatus. Mr. Mellor concluded the current recommendation is to adjust the ordinance to require a 120 foot diameter in cul-de-sacs, after which Council discussion regarding the implications of the ordinance concluded.

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COUNCILMEMBER GAILEY MOVED TO ADOPT ORDINANCE 16-16 AMENDNG TITLES SEVEN AND EIGHT OF THE SYRACUSE CITY CODE AS THEY PERTAIN TO CUL-DE-SACS AND ENGINEERING DESIGN STANDARDS. COUNCILMEBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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9. Proposed Ordinance 16-20 amending the existing zoning map of Title Ten of the Syracuse City Code by changing from Residential (R-2) to Residential (PRD)

the parcel of property located at approximately 1972 S. 2000 W.

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

Location:	1972 S. 2000 W.
Current Zoning:	R-2
Proposed Zoning:	PRD
General Plan:	PRD
Property Acreage:	5.21 Acres
R-2 Density allowed:	14 lots (3 lots/gross acre)
PRD Density allowed:	28 lots (6 lots/gross acre)

The Planning Commission reviewed this rezone application in their meeting on June 7th, 2016 and is forwarding a unanimous recommendation of approval. City Council approved the General Plan designation of this land to PRD on May 10th, 2016 after tabling the item on April 12th, to give the applicant a chance to provide the minimum 5 acres required in the PRD zone. The Planning Commission reviewed the General Plan Map change on April 5th and recommended denial to City Council because it did not meet the minimum acreage among other items. This property is adjacent to the Craig Estates development. The applicant wishes to join the Craig Estates HOA and extend a similar product onto their property. The Craig Estates HOA board has shown support for the project. A PRD development must have a minimum of five acres. Minimum acreage requirements are met. A development agreement is required in this zone. This will be required at the subdivision stage of the development process and not required at the rezone stage. Early concept plans that staff has seen from the developer show approximately 18 new homes. The entitlement process would include the following: a general plan amendment (done), current zoning map amendment (this application), development agreement, concept subdivision plan, preliminary subdivision plan, and final subdivision plan approvals.

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CED Director Mellor reviewed the staff memo.

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COUNCILMEMBER BOLDUC MOVED TO ADOPT ORDINANCE 16-20 AMENDNG THE EXISTING ZONING MAP OF TITLE TEN OF THE SYRACUSE CITY CODE BY CHANGING ROM RESIDENTIAL (R-2) TO RESIDENTIAL (PRD) THE PARCEL OFPROPRETY LOCATEDAT APPROXIMATLEY 1972 S. 2000 W. COUNCILMEBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Councilmember Lisonbee asked if the Planning Commission forwarded to the Council any special concerns regarding this application. Councilmember Gailey stated the Planning Commission had discussion regarding a small sliver of property, the zoning of which is not in harmony with the surrounding area and will need to be changed. He added that any additional concerns will be addressed in a development agreement for the project.

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Planning Commissioner Jensen stated that aside from the concerns regarding the zoning for the small sliver of property referenced by Councilmember Gailey, the Planning Commission liked the zoning request and the design for the project.

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

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10. Minor Subdivision Plan Approval, Jensen Park Estates, located at approximately 3025 S. Bluff Road.

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

Location:	3025 S. Bluff Road
Current Zoning:	R-2
General Plan:	R-2
Total Subdivision Area:	0.69 acres

The Planning Commission reviewed this application in their meeting on June 7th, 2016 and is forwarding a unanimous recommendation of approval. The applicant has requested approval of a 2 lot minor subdivision known as Jensen

Park Estates 2 lots in the R-2 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size	Lot Width	Existing Structures to Remain
1	R-2	12,066	85	None
2	R-2	17,934	88.68	None

All proposed lots meet the minimum lot dimension requirements in the R-2 Zone. There is one problem, the survey boundaries do not match county property lines. This must be rectified with the county recorder's office before the plat can be recorded. An approval can be made with the condition that this is corrected. This is a minor (less than 10 lot) subdivision and because of that, the preliminary and final approval stages are combined.

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CED Director Mellor reviewed the staff memo.

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COUNCILMEMBER BOLDUC MOVED TO GRANT MINOR SUBDIVISION PLAN APPROVAL FOR THE JENSEN PARK ESTATES, LOCATED AT APPROXIMATELY 3025 S. BLUFF ROAD, BASED ON THE CONDITION RECOMMENDED IN THE STAFF REPORT RELATIE TO CORRECTING BOUNDARY LINES INCLUDED ON THE PLAT. COUNCILMEBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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11. Final Subdivision Approval, Keller Crossing Phase 2, located at approximately 1975 S. 1000 W.

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

Location:	1300 W. 2000 S.
Current Zoning:	R-2 and R-3
General Plan:	R-2 and R-3
Total Subdivision Area:	3.34 acres

The preliminary plan for Keller Crossing subdivision was approved by the City Council on June 9, 2015. The applicant has requested approval of a 10 lot subdivision phase known as Keller Crossing Subdivision Phase 2 with 8 lots in the R-2 Zone and 2 lots in the R-3 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size	Lot Width	Existing Structures to Remain
201	R-2	12,166	85	None
202	R-2	11,491	85	None
203	R-2	12,168	90	None
204	R-2	11,493	85	None
205	R-3	12,170	90	None
206	R-3	12,153	90	None
207	R-2	11,478	85	None
208	R-2	12,153	90	None
209	R-2	11,478	85	None
210	R-2	12,153	90	None

As is shown, all proposed lots meet the minimum requirements for their respective zones.

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CED Director Mellor reviewed the staff memo.

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COUNCILMEMBER ANDERSON MOVED TO GRANT FINAL SUBDIVISION APPROVAL FOR KELLER CROSSING PHASE 2, LOCATED AT APPROXIMATELY 1975 S. 1000 W. COUNCILMEBER BOLDUC SECONDED THE MOTION.

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Councilmember Gailey noted that phases one and three of the project are currently underway and phase two will provide connectivity between those two phases.

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The applicant thanked the Council and staff for working with him on the manner in which he proceed with phasing of the project. He does business in many cities and counties and he has found that doing business in Syracuse is one of the best experiences he has had.

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Mayor Palmer stated there has been a motion and second to grant final subdivision approval and he called for a vote; ALL VOTED IN FAVOR.

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12. Public Hearing – Proposed Resolution R16-29 adopting the certified tax rate provided by Davis County and adopting the Fiscal Year 2016-2017 budget.

A staff memo from the Finance Director explained 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 10th and set a public hearing on June 14, 2016 to consider adoption of the final budget. As required by Utah Code Annotated 10-6-118, “before the last June 22 of each fiscal period, or, in the case of a property tax increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption.” The changes discussed at the May 24th meeting have been incorporated into the budget proposal. These include:

- Removed **\$1,500** from City Council budget account 10-41-59 for Davis County Gala.
- The Animal Control contract was negotiated at a 50/50 expense split. With that change, the total cost to the City will be \$59,012. The budget was increased from \$54,755 in the tentative budget proposal or an increase of **\$4,257** in expense in the general fund.
- Our building inspector II quit and we need to replace him. Brigham is requesting the ability to hire a new building inspector II up to the midpoint if needed. Currently, the rate of pay for this position in the budget is \$18.92. The midpoint for a building inspector II is 22.70. The net increase in salaries and benefits for this position would be approximately **\$10,086**.
- We recommended that **\$20,000** be added for contract services to mow all parcels related to subdivision entrances, mow lawns at city office buildings, and the library. This would be split 1/3 (**\$6,700**) to building maintenance in general fund and 2/3 (**\$13,300**) to the park maintenance fund.
- We recommend adding **\$75,000** to the transportation impact fee fund for an environmental study for the gentile and bluff street improvement project. This project is funded by the Wasatch front regional grant and will take place in 2021. If we do the environmental study now, there is a good chance that project will be pushed up and completed sooner.

This would change the general fund surplus to \$29,348 with the items above added to the budget. The parks maintenance budget would increase \$13,300; however, we recommend using the line item in 17-40-30 titled miscellaneous park improvements to pay for this item. The transportation impact fee fund expense would increase \$75,000. We have money in the fund to pay for this study if the council desires to go ahead with it. The memo concluded this is the last council meeting the Council has to adopt a final budget before the June 22 deadline provided by State Law.

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Finance Director Marshall reviewed his staff memo.

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Councilmember Maughan stated he would like to provide the Council with a proposal he has developed to address employee compensation issues in the Police Department and across all City Departments. He stated he is suggesting a one-time market adjustment for City employment positions; this would supersede any merit, compression, or benchmarking increases and would ‘right the ship’. Additionally, he would recommend evaluating Departments on a biannual basis going forward; every four months one Department would be selected for a ‘deep dive’ to evaluate the market for the positions in the Department and what their wage scale should be. This would give the City the chance to consider all factors relevant to benchmarking. He has spoken with many cities who use this type of practice and it addresses the concerns that have been raised regarding simple benchmarking being too subjective and easily manipulated. He stated that prior to tonight’s meeting he asked Mr. Bovero to run a report that would give the Council an idea of how a one-time market adjustment would impact the Department and the City’s budget. The

fiscal impact of the one-time market adjustment is just \$9,000 more than the money the Council has already set aside to address employee compensation issues. He distributed the report to the Council for their review, after which he further expounded on his proposal to review Departments on a biannual basis; he would recommend the review take place in the following order: Police, Fire, Public Works, Administration and Community and Economic Development (CED), and Parks and Recreation. This means the wages in each Department would be reviewed in-depth every two years.

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The Council engaged in discussion regarding Councilmember Maughan's proposal, with a focus on how the recommended market adjustments were determined. Councilmember Bolduc then stated that she believes an in-depth review for each Department every two years is too often. Councilmember Anderson inquired as to Councilmember Maughan's definition of a 'deep dive'. Councilmember Maughan stated that to him a 'deep dive' means that the City would first consider benchmarking ratings as a partial market indicator; then City Administration would consider how actual staff members compare with staffers in other cities relative to longevity, performance, and other variables. He added he wants some flexibility in the plan to allow the City to also compare with the private sector. The current system is a 'one size fits all' for all employees, but that is not realistic and the market does not bear that.

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Councilmember Lisonbee stated that she cannot support Councilmember Maughan's recommendation because some Departments in the City are already competitive with the market and she is not willing to apply a one percent market adjustment across the board and adjust compensation for positions that are already competitive. Councilmember Maughan stated he is not recommending a one percent adjustment across the board; rather, he is suggesting a one-time market adjustment. Councilmember Lisonbee reiterated that some positions do not need a market adjustment. She indicated that she is convinced that the City makes a mistake in proactively benchmarking without completing all relevant interest; she also believes there is a conflict of interest in having the City Manager and Department Heads complete that work and she believes and independent contractor completing a compensation study would be a better solution for the City because they will provide data with no interest in skewing or altering it. She stated she does not want to create a policy in the City that would give City Administration the opportunity to be dishonest. She feels benchmarking is problematic and the data used to develop Councilmember Maughan's market adjustment proposal is based upon the benchmarking that has been completed this year. She stated she spent 20 hours completing her own research and found that the benchmark data was not in line with the market. She noted that in the private sector positions are addressed on an individual basis and making adjustments based on irrelevant data is problematic and will only compound the problems the City has with employee compensation. The Council owes it to the taxpayers to ensure that every dollar is spent appropriately and responsibly; she appreciates the recommendation, but cannot support it. Discussion regarding the details of Councilmember Maughan's proposal continued, with debate regarding the factors used to determine the market adjustment amounts that would be allocated to each Department. Councilmember Lisonbee then stated that there was discussion about employee compensation during yesterday's special meeting and the Council made the decision to take an extended period of time to address the City's compensation plan; she is not prepared to consider a policy tonight and she came to tonight's meeting prepared to consider and approve adjustments for the Police Department.

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Discussion regarding the definition of the term 'deep dive' continued among the Council. Councilmember Maughan stated he envisions the 'deep dive' being a Departmental review to determine how Departments are positively impacting the City. Mr. Bovero then clarified that while the numbers included in Councilmember Maughan's market adjustment proposal may have been based on benchmarking data, they do not completely mirror them and adjustments have been made according to Councilmember Maughan's feeling that the City cannot afford to implement all wage increases recommended by the benchmarking study. Councilmember Lisonbee stated that the Council has agreed the benchmarking data is not correct and that bad data cannot be used for the basis of decisions. It would be irresponsible to vote on a policy that is based upon bad data. Mayor Palmer stated he is not sure the entire Council agreed that the benchmarking data is not correct; there are differing opinions regarding the data that resulted from the benchmarking study, but staff has had no intention of providing false data to the Council. Councilmember Lisonbee stated no one has insinuated that, but an 'apples to apples' comparison has not been completed to this point and that has resulted in skewed data. Mayor Palmer stated there may be two Councilmembers who feel that is correct, but he is not sure all six members of the Governing Body feel that way. Councilmember Anderson stated that she does not know whether or not the data is correct, but there have been concerns expressed regarding the process that was used to gather the data; she has not declared that the information provided by Mr. Bovero is incorrect, but she had questions about the cities that were used for benchmarking and the manner in which the data was collected. Councilmember Lisonbee stated she actually does not believe the data is correct; she spent 20 hours of her time that she will not be remunerated for to contact cities to conduct her own comparison of Syracuse City employment positions with their positions and she knows for a fact that the data is not correct. She stated she is

not accusing anyone of doing anything nefarious and the process used by City Administration was in line with the City's compensation plan, but it is not possible to make the adjustments that are recommended by the benchmark data. Councilmember Maughan stated that all Councilmembers spend time doing things for the City that they are not compensated for; Councilmember Lisonbee chose to spend time that was not required of her, but she is grateful that she did that. However, all Councilmembers attended a meeting yesterday for the sole purpose of trying to find a solution that could be incorporated into the budget and he feels they spent a lot of time on a plan that he did not believe would move the City in the right direction. As a result, he spent time developing an alternative recommendation; the Council does not need to support it, but he believes that it is inappropriate to attack one another for their opinions or recommendations. He was simply trying to propose a solution for the Council to consider tonight. Councilmember Lisonbee thanked Councilmember Maughan, but stated that she did not expect that during the meeting held yesterday the Council would find a solution that could be incorporated in the budget that is scheduled for passage tonight. She feels that any policy must be connected to detailed and accurate data. Councilmember Bolduc added that she feels blindsided by Councilmember Maughan's proposal; there is not time to digest it and information should have been included in the packet for the meeting. Councilmember Maughan stated that following yesterday's meeting where no resolution was reached, he began to work on an alternative proposal and there was not time to include documentation of his proposal in the packet for tonight's meeting. He stated there was no nefarious attempt to withhold information from the rest of the Council.

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Councilmember Gailey stated he feels there is merit in what was presented yesterday and what has been presented tonight and he proposed that the Council move forward with the public hearing regarding the budget and, at the conclusion of the public hearing, consider adoption of the budget as discussed previously. He added he has not seen any documentation regarding the recommendations made by Councilmembers Bolduc and Lisonbee during yesterday's meeting and he would like to see that data. Councilmember Anderson supported Councilmember Gailey's recommendation.

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Mayor Palmer opened the public hearing.

[7:35:13 PM](#)

TJ Jensen noted there are not many residents in attendance this evening to hear discussion regarding the proposed budget and that should be taken as a testament to the work done by the Council, Mayor, and staff and that the citizens trust them to make the right decisions. He added that following the last meeting another citizen made the comment to him that they were impressed by the civility of the Mayor and Council as they deliberated regarding the budget. The Council is forced to deal with issues that can sometimes create tension and they are doing a good job. He commended the Council for the long hours they have put in to consider the budget. He referenced Councilmember Maughan's proposal and indicated that he likes the idea of evaluating Departments individually and every two years. He applauded the Council for taking seriously the compensation issues in the Police Department and he is glad they are doing what they can to try to keep good officers in the City.

[7:37:27 PM](#)

Kevin Homer stated he follows politics at all levels of government; when he sees the House of Representatives or the Senate propose massive bills composed of hundreds of thousands of pages after they have been presented to the body at the last minute, he feels a disservice is done to the citizens; people cannot be expected to analyze and understand proposals in a short amount of time. However, he appreciates the initiative that has been recommended by Councilmember Maughan and he feels there is value to the ideas presented. He suggested the Council determine a process that would require any documentation regarding a proposal be submitted to the entire body within a certain amount of time before it is to be discussed. He was surprised to see something presented at the last minute and when the Council is expected to adopt a budget tonight. He then suggested that the Council consider more than one source of data for benchmarking; an independent study would be risky, but he would prefer to see two or three sets of data.

[7:39:59 PM](#)

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

[7:39:54 PM](#)

The Council then engaged in high level discussion regarding the tentative budget. Councilmember Bolduc wondered if it is necessary to remove the \$500 budgeted for the City's participation in the Utah Benchmark Study System due to the fact that the Council has concerns regarding the benchmark data that the City has received. Mr. Bovero clarified that participation in the system does not relate to salary data; it provides statistical information about other cities that can be used to mine data to determine how the City is performing compared to other cities.

[7:44:42 PM](#)

Discussion regarding the proposal for addressing compensation in the Police Department ensued and Councilmember Lisonbee indicated she would like to pass the budget and the proposal for the Department with adjustments made for factor years. She stated she would like an understanding moving forward that if someone is underperforming year after year and they are not receiving the full 2.3 merit increase – which is meant to move them through their wage scale at a certain rate – they are going to seem compressed after 10 years, but that will not be because the City has not remunerated them appropriately; rather, it will be because they were underperforming. She wants to ensure that merit increases are tied to performance ratings and that the adjustments made in the Police Department be adjusted to consider factor years. Councilmember Maughan suggested that the wage increases for the Police Department not be adjusted to consider factor years; it has been explained to the Council that not every employee in a Department can receive the full merit increase and, in fact, high performers may receive less than the 2.3 percent allowed. He indicated Councilmember Lisonbee’s suggestion would work if everyone in a Department were eligible to receive the full merit increase, that according to the City’s policy that is not allowed. Mr. Bovero agreed and indicated that each employee group is divided into thirds based on their performance scores and the middle and bottom thirds will not receive the full merit increase. Councilmember Lisonbee stated she does not like that policy and would like to review it. She stated she would like every employee to have the opportunity to receive the 2.3 percent merit increase.

[7:52:36 PM](#)

COUNCILMEMBER LISONBEE MOVED TO ADOPT RESOLUTION R16-29 ADOPTING THE CERTIFIED TAX RATE PROVIDED BY DAVIS COUNTY AND ADOPTING THE FISCAL YEAR 2016-2017 BUDGET AS PRESENTED, FREEZING THE FUNDS THAT MR. BOVERO SUGGESTED YESTERDAY AND PASSING POLICE DEPARTMENT WAGE PROPOSAL ‘A’ WITH ADJUSTMENTS TO THE FACTOR YEARS AND MERIT PERFORMANCE.

[7:53:12 PM](#)

Councilmember Maughan stated he is not comfortable with that motion; just as complaints have been made about insufficient time to digest his proposal, there was not sufficient time to review and consider Police Department Wage Proposal ‘A’. He is also uncomfortable passing a budget with frozen monies. He wants to finalize a timeline for dealing with outstanding issues to communicate the Council’s commitment to addressing them.

[7:54:29 PM](#)

Mayor Palmer stated there is a motion on the table and he asked if there is a second. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[7:54:43 PM](#)

Discussion and debate of Councilmember Lisonbee’s motion ensued. Councilmember Maughan stated he wants to address the Police Department, but he also feels the Council owes it to the rest of the City to send a message that they are willing to consider a proposal that will address other Departments as well. Councilmember Lisonbee stated that she is comfortable including a deadline in her motion and she is committed to addressing the rest of the Departments. Discussion of a timeline and the opportunity to meet and address policy issues continued.

[7:58:28 PM](#)

COUNCILMEMBER LISONBEE AMENDED HER MOTION TO INCLUDE A DEADLINE FOR ADDRESSING THE COMPENSATION FOR ALL OTHER CITY DEPARTMENTS BY THE END OF JULY WITH THE OPPORTUNITY TO CONSIDER PASSAGE OF PLAN ADJUSTMENTS AT THE CITY COUNCIL AUGUST 9 MEETING.

[7:59:52 PM](#)

Mr. Bovero then proceed with his review of the Police Department Wage Proposal ‘A’. The wage scale for the Department is split into sections or categories according to same or comparable positions; he has recommended a special adjustment across the board that will send the message to the entire Department that they are supported and the City desires to retain them as employees. The total fiscal impact of the adjustments would be \$66,000 in the next FY. In addition, all employees in the Police Department will be eligible for a merit increase. He briefly discussed how the employees in the Department will compare with their counterparts in other cities and noted that most cities are implemented wage increases as well, some of them sizeable, and that will change the City’s ranking when compared to those cities. High level discussion regarding the proposal continued, with Councilmember Maughan expressing concerns that the increases may not make the City as competitive as the Council desires if other cities are also increasing wages. Councilmember Lisonbee disagreed and stated she feels the increases will make the City very competitive and comparable and if an officer chooses to leave the City there is nothing that could have been done to stop them because the increases are more than fair. Councilmember Anderson asked if Police wages will be considered again once there is a clear understanding of the increases that have been given to Police Departments in other cities. Mr. Bovero answered yes, but it would be best to consider that data in conjunction with a

finalized City-wide compensation policy so that the Council and City Administration have clear direction regarding how to proceed.

[8:11:14 PM](#)

COUNCILMEMBER LISONBEE RESTATED HER MOTION TO ADOPT RESOLUTION R16-29 ADOPTING THE CERTIFIED TAX RATE PROVIDED BY DAVIS COUNTY AND ADOPTING THE FISCAL YEAR 2016-2017 BUDGET AS PRESENTED, FREEZING THE FUNDS THAT MR. BOVERO SUGGESTED YESTERDAY AND PASSING POLICE DEPARTMENT WAGE PROPOSAL ‘A’ WITH ADJUSTMENTS TO THE FACTOR YEARS AND MERIT PERFORMANCE, AND INCLUDING A DEADLINE FOR ADDRESSING THE COMPENSATION FOR ALL OTHER CITY DEPARTMENTS BY THE END OF JULY WITH THE OPPORTUNITY TO CONSIDER PASSAGE OF PLAN ADJUSTMENTS AT THE CITY COUNCIL AUGUST 9 MEETING. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:12:39 PM](#)

13. Proposed Resolution R16-30 authorizing and directing the participation of Syracuse City in the public employee’s retirement system and the public safety retirement system of the Utah retirement systems for fiscal year 2016-2017.

A staff memo from the Finance Director explained the City is required by Utah Code Title 49, Chapters 11-15 to pay retirement on our full-time employees. Each year, the City is required to certify the contribution rates that will be paid for retirement to Utah Retirement Systems (URS) for our full-time employees. These rates vary depending on which system the employees are in and when they were hired. We currently participate in 9 different retirement programs offered by URS. This includes our police, fire, and administrative staff as well as tier I and tier II employees. They are outlined below and in the URS rates table attached.

Local Government Employee	Tier I – DB	18.47%
Local Government Employee	Tier II – DB Hybrid	16.69%
Local Government Employee	Tier II – DC	16.69%
Public Safety – Police	Tier I – DB	34.04%
Public Safety – Police	Tier II – DB Hybrid	23.83%
Public Safety – Police	Tier II – DC	23.83%
Public Safety – Fire	Tier I – DB	18.94%
Public Safety – Fire	Tier II – DB Hybrid	12.08%
Public Safety – Fire	Tier II – DC	12.08%

Approve resolution authorizing and directing the participation of Syracuse City in the public employee’s retirement system and the public safety retirement system of the Utah retirement systems for fiscal year 2016-2017.

[8:12:54 PM](#)

Mr. Marshall reviewed his staff memo.

[8:13:28 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-30 AUTHORIZING AND DIRECTING THE PARTICIPATION OF SYRACUSE CITY IN THE PUBLIC EMPLOYEE’S RETIREMENT SYSTEM AND THE PUBLIC SAFETY RETIREMENT SYSTEM OF THE UTAH RETIREMENT SYSTEMS FOR FISCAL YEAR 2016-2017. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:13:51 PM](#)

14. Proposed Resolution R16-31 adopting the Fiscal Year 2016-2017 wage scale.

A staff memo from the Finance Director explained City Administration is recommending adding 2 additional job classifications to the employee wage scale as discussed with this year’s budget proposal. They include:

- Parks Superintendent
- IT Technician – part-time

City staff performed a salary benchmark for both of these positions and have set the proposed wage scale to match the wages to the 60th percentile of comparative cities based upon our current compensation plan. The detail benchmark is attached with this write-up. No other changes have been proposed with this wage scale update.

[8:14:00 PM](#)

Mr. Marshall reviewed his staff memo.

[8:14:29 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-31 ADOPTING THE FISCAL YEAR 2016-2017 WAGE SCALE, WITH THE UNDERSTANDING THAT THE WAGE SCALE WILL BE RECONSIDERED UPON THE ADOPTION OF A CITY-WIDE EMPLOYEE COMPENSATION PLAN. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:16:12 PM](#)

15. Public Hearing – Proposed Resolution R16-27 authorizing the adoption of the 2016 Storm Water Management Program for Syracuse City, Utah.

A staff memo from the Public Works Director explained Syracuse City has updated the SWMP in compliance with the Utah Pollutant Discharge Elimination System General Permit for discharges from small municipal separate storm sewer systems issued by the Utah Division of Water Quality. This general permit is issued in compliance with the provisions of the Utah Water Quality Act, Title 19, Chapter 5, UCA 2004 and the Federal Water Pollution Control Act (33 USC). Updates to the SWMP are required each time the general permit is reissued. This permit is effective March 1, 2016 and expires Feb 28, 2021 when the permit will again be renewed. Permittees that are renewing are given 120 days after the effective date to submit an updated SWMP to the division. The main purpose of the SWMP is to provide a program that will improve the quality of storm water to the maximum extent practicable. These are achieved by setting measurable goals through six control measures. The control measures include the following:

- Public education and outreach on storm water impacts
- Public involvement / participation
- Illicit discharge detection and elimination
- Construction site storm water runoff control
- Long-term storm water management in new development and redevelopment
- Pollution prevention and good housekeeping for municipal operations

[8:16:52 PM](#)

Mr. Whiteley reviewed his staff memo.

[8:18:25 PM](#)

COUNCILMEMBER BOLDUC MADE A MOTION TO ADOPT RESOLUTION R16-27 AUTHORIZING THE ADOPTION OF THE 2016 STORM WATER MANAGEMENT PROGRAM FOR SYRACUSE CITY, UTAH. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[8:18:44 PM](#)

Councilmember Lisonbee referenced page 343 of the document which includes the statement that water usage in the home can easily be reduced by 15 to 20 percent without major discomfort by implementing a program to conserve water in homes. She stated that the City has been asked to conserve year after year and sometimes the 15 to 20 percent reduction is not absorbed as easily as indicated in the document. Mr. Whiteley stated that the statement is considered a best management practice (BMP) and the plan refers more to standard operating procedures that BMPs. Councilmember Lisonbee referenced a form in the plan entitled 'storm water activity permit application agreement' and she asked if such an agreement is required for parcels on acre and larger or just parcels larger than one acre. Mr. Whiteley stated it is required for parcels one acre and larger and is called out in the City Code.

[8:20:42 PM](#)

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

[8:20:50 PM](#)

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

[8:21:11 PM](#)

16. Public Hearing – Proposed Resolution R16-32 amending the Syracuse City Consolidated Fee Schedule by making adjustments throughout.

A staff memo from the Finance Director explained staff periodically reviews and recommends changes to the consolidated fee schedule. I am recommending the following changes outlined in red in Exhibit A. These changes include:

- Increase our utility bill advertising fees to cover the cost of printing and mailing.
- Added new fees for our passport program. They include:
 - Passport photo - \$10.00
 - Passport Acceptance Fee - \$25.00
 - Passport Expediting Shipping Fee - \$25.00
- Added a car restoration permit fee of \$25.00 and a renewal fee of \$15.00

[8:21:22 PM](#)

Mr. Marshall summarized his memo.

[8:22:34 PM](#)

Councilmember Lisonbee stated she was the City's first passport customer and the City's team members did a great job in assisting her. She feels the City's designation as a passport acceptance facility will be a great asset to the citizens and the City.

[8:22:47 PM](#)

Mayor Palmer opened the public hearing.

[8:22:57 PM](#)

TJ Jensen stated that the fee schedule includes a \$20 late fee for those that pay their utility bills late; this is well over 25 percent of the total bill and that seems too high to him. He suggested lowering the fee as it seems too punitive.

[8:23:26 PM](#)

Councilmember Lisonbee stated she received another citizen comment regarding the utility bill late fee being too high and she would be willing to consider lowering it.

[8:23:49 PM](#)

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

[8:23:51 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-32 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT.

The motion failed for lack of a second.

[8:24:26 PM](#)

The Council engaged in discussion regarding the utility bill late fee, with a focus on potentially lowering it. Mr. Marshall stated that the City initially implemented a \$10 late fee and it did not result in a decrease of past due utility accounts each month; the Council later made the decision to increase the late fee to \$20 to accomplish the goal of reducing past due accounts. He stated since the implementation of the \$20 fee the number of past due accounts has decreased by 10 percent. Councilmember Lisonbee proposed reducing the late fee to \$15 per month. This led to a discussion regarding whether the fee would cover costs. Mr. Marshall stated he is comfortable with lowering the fee as it does not have much impact on the utility bill collection process. Councilmember Maughan stated he would prefer to leave the late fee as is; if it was raised to try to curb a certain behavior and that has not been accomplished, it does not make sense to lower the fee. Mr. Marshall added that City staff works with citizens that may be experiencing a hardship and oftentimes the late fee is waived. Councilmember Maughan stated he believes that reducing the late fee is incentivizing bad behavior. Councilmember Lisonbee stated that if the fee is not impacting behavior and the City has received comment that it is too high, she does not have a problem lowering it. She stated that a lower fee would be more in line with what other cities are doing and she supports reducing it to \$15.

[8:31:23 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-32 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT AND LOWERING THE UTILITY BILL LATE FEE FROM \$20 TO \$15. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:31:49 PM](#)

17. Public Hearing – Proposed Resolution R16-33 adjusting the Syracuse City Budget for Fiscal Year ending June 30, 2016.

A staff memo from the Finance Director explained that with the bond refinance in March 2016, the City must show the gross bond proceeds as revenue to the City and a corresponding bond principal payment and bond fees expense to show the retirement of the old bonds. This is a net zero cost to the City. The proposed budget opening requests the following changes:

- Increase bond proceeds revenue by **\$11,300,000**
- Increase bond principal payment by **\$11,136,000**
- Increase bond fees expense by **\$164,000**.
- **Net change to the MBA fund is \$0.**

[8:32:05 PM](#)

Mr. Marshall summarized his memo.

[8:32:29 PM](#)

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

[8:32:44 PM](#)

COUNCILMEMBER BOLDUC MADE A MOTION TO ADOPT RESOLUTION R16-33 ADJUSTING THE SYRACUSE CITY BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2016. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:33:07 PM](#)

18. Proposed Resolution R16-34 authorizing the Mayor to execute an Interlocal Agreement with Davis County regarding animal services.

A staff memo from City Manager Bovero explained that following the County's proposal to shift the majority (90%) of the animal control service costs to the cities, the city managers in Davis County convened a meeting to discuss the issue. In conjunction with the desires of each city's elected bodies, the group decided to open a dialogue with the County regarding both operational costs and capital needs in hopes to find a preferred scenario for providing animal control services to residents. This contract is the result of that dialogue with the County. The agreement authorizes the County to provide animal control services within Syracuse City, including enforcement of the City's animal control ordinances. Prosecution for violations of the animal control policy will be the responsibility of the City. Animal Control will be funded from the following sources:

- Davis County general fund
- Cities within the interlocal agreement
- Fines, fees, and other collections by Davis County Animal Control
- Donations

The cities will be responsible for 50% of the projected expenses, after subtracting the revenue received by the County from licenses, fees, etc. Syracuse City's obligation will be based on the City's proportion of animal control calls for services, compared with all calls for service county-wide. Wild and nuisance animals are billed separately at \$25.75 per call. A 5-year capital projects fund is established at \$562,000 and will be funded 50% by the cities, at 20% of each city's obligation per year. The City's obligation is, again, calculated based on the proportional calls for service versus the entire County. An advisory committee is established to advise the County on budgetary issues. The committee is made up of 2 members from the County and 2 city managers recommended by the city managers group. Every two years, the County will conduct a fee/fine survey to ensure rates are set at market levels. The term of the agreement is through December 31, 2020. Either party may terminate the agreement. Each party holds the other party harmless and indemnifies the other party. The 2016 Calendar year contract amount for the City is:

- Usage Rate-Based Cost: \$52,514.93
- Wild Life Calls: \$2,214.50
- Capital Project Fund: \$4,282.44
- **Total: \$59,011.87**

The memo concluded that based on the average 880 calls for service, and an additional 86 calls for wild animals, it was determined that approximately 1,932 hours per year, or 37 hours per week, would be needed to cover animal control response in the City. Factoring in related personnel costs, such as equipment, uniform, etc., along with additional fees related to animal impoundment, veterinary fees, and other animal holding costs, the proposed contract amount with Davis County was found to be more advantageous to the City.

[8:33:28 PM](#)

Mr. Bovero summarized his memo.

[8:33:35 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT RESOLUTION R16-34 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY REGARDING ANIMAL SERVICES. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:34:48 PM](#)

19. Proposed Ordinance 16-17 amending various provisions of Titles Two and Three of the Syracuse Municipal Code pertaining to disorderly conduct, removal proceedings, Youth Court, Youth City Council, Council Liaisons, and Volunteer Coordinators.

A staff memo from the City Attorney explained staff and the City Council has discussed potential amendments to Titles Two and Three of the City Code previously, and no changes have been made to these amendments since the last work meeting. The draft ordinance would adopt the following changes:

- Confirms that expulsion from a council meeting for disorderly conduct applies only to that meeting
- Confirms that removal proceedings must be initiated in accordance with state law, should an individual seek to permanently remove an elected official from that official's post
- Adopts provisions authorizing and governing Youth Court & Youth City Council
- Codifies the Council's practice of appointing liaisons to various organizations outside of the City, as well as to committees and commissions within the City's organization
- Establishes the position of Volunteer Coordinators (formerly called the Volunteer Committee) for Councilmembers to help facilitate community service within the City

[8:35:05 PM](#)

Mr. Roberts summarized his memo.

[8:35:54 PM](#)

Discussion regarding the manner in which members of the Youth Council are selected took place.

[8:37:56 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-17 AMENDING VARIOUS PROVISIONS OF TITLE TWO AND THREE OF THE SYRACUSE MUNICIPAL CODE PERTAINING TO DISORDERLY CONDUCT, REMOVAL PROCEEDINGS, YOUTH COURT, YOUTH CITY COUNCIL, COUNCIL LIAISONS, AND VOLUNTEER COORDINATORS. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:38:32 PM](#)

20. Proposed Ordinance 16-18 adopting Chapter 2.15 of the Syracuse City Municipal Code pertaining to appointment procedures.

A staff memo from the City Attorney explained the accompanying ordinance implements specific procedures related to appointments. Specifically, it adds sections to our Administrative Code governing the means by which appointments are made by the Mayor and Council.

Mayor with Advice & Consent

When the code calls for mayoral appointment, with advice and consent, the procedure is that the Mayor will first seek Council advice using a variety of methods. After seeking their advice, he submits the nominee to the Council at a regular or special meeting. If the voting councilmembers do not support the nominee by a majority vote, the Mayor identifies another nominee, until there is agreement between the Mayor and Council.

Council Appointments

When code identifies the Council as the appointing authority, the usual method for appointment is to discuss potential appointees during a work session. After this discussion, the item will come before the council in a regular or special meeting for an official vote.

Vacant Elected Positions

This section provides structure for times when the Council may need to fill a vacant elected position. In those cases, the public is notified of the need for an appointment, and questions may be submitted to all of the candidates by the City Recorder, in consultation with the Mayor and Council. The interested parties are invited to a regular or special council meeting, where they will be given five minutes to introduce themselves to the Council.

Based upon the written responses provided and the introduction, the Council will then narrow the field of candidates by ballot. Three ballots each will be distributed to Councilmembers with the Councilmember's name written on it. They will then cast their ballots, and the results will be read in the open meeting. Only one ballot may be cast for a candidate by each councilmember, although the councilmember may choose to cast only one ballot if they have a clear preference. Those who receive no votes will not advance to the next round. The remaining 1/3 of the candidates will move forward, based upon the number of ballots cast in their favor.

The second round will involve unscripted questions by the Council to individual candidates. At the conclusion of this round, discussion ensues and a motion is made to appoint one of the remaining candidates.

The candidate receiving a majority vote is immediately sworn in and may take part in the remaining business on the council agenda for the evening.

City Manager Appointment

The provisions of this section have changed since our work session. Those changes are to subsection D. Previously, it provided:

“The Mayor may remove the City Manager, with the advice and consent of the Council.”

That language has been replaced by:

“Removal of the City Manager shall proceed in accordance with section 2.25.020.”

That section allows either the Mayor or the Council to initiate removal proceedings. However, both must be in agreement in order for a Manager to be removed.

The remainder of the section has not changed. It seemed appropriate to have this section due to the unique provision in state code that permits the Mayor to participate as a voting member in the cases of manager appointment or removal.

[8:38:31 PM](#)

Mr. Roberts summarized his memo.

[8:39:41 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-18 ADOPTING CHAPTER 2.15 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO APPOINTMENT PROCEDURES. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:41:09 PM](#)

Mr. Roberts indicated that the ordinance does not include the language regarding removal that is included in the staff report. He asked that the Council reconsider their motion and adopt the ordinance with the language included in his staff report.

[8:41:18 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO RECONSIDER ORDINANCE 16-18. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:41:48 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT ORDINANCE 16-18 ADOPTING CHAPTER 2.15 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO APPOINTMENT PROCEDURES INCLUDING THE LANGUAGE FROM THE STAFF REPORT REGARDING THE REMOVAL OF THE CITY MANAGER. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:42:28 PM](#)

21. Proposed Ordinance 16-19 amending Subsection 2.10.010(B) and enacting Section 2.45.060, relating to appointments to certain local districts.

A staff memo from the City Attorney explained accompanying this staff report are two conflicting ordinances. The first removes from the Mayor the power to appoint (with advice and consent) board members of the Sewer and Mosquito Abatement local districts. Under the proposed code, the Mayor would participate as a voting member after the motion is made. Additionally, it provides that any appointment to local districts which are occasioned by the resignation of a councilmember would need to take place after that person's successor is appointed. Because the Mayor's power will be restricted by this ordinance, pursuant to section 10-3b-302(1)(b) of the Utah Code, the Mayor participates as a voting member of the council. As expressed in a prior opinion, however, only a majority vote is necessary in order to enact this ordinance. The second ordinance expressly provides that local district boards are included within the Mayor's powers to appoint with advice and consent, and requires that he solicit Council input during a Work Session prior to making the nomination. As I

mentioned in our previous work meeting, these ordinances are not compatible, so passing both of them would not be advisable. Both are legally defensible. If neither passes, then the Mayoral power to appoint with advice and consent will remain unchanged. A motion to enact should therefore designate which ordinance is being adopted (A or B).

[8:42:40 PM](#)

Mr. Roberts summarized his memo.

[8:44:14 PM](#)

Council discussion regarding the implications of option 'B' of Ordinance 16-19 ensued, with a focus on the process the City would follow to select appointees to special districts.

[8:46:18 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT ORDINANCE 16-19A AMENDING SUBSECTION 2.10.010(B) AND ENACTING SECTION 2.45.060, RELATING TO APPOINTMENTS TO CERTAIN LOCAL DISTRICTS. COUNCILMEMBER BOLDOC SECONDED THE MOTION.

[8:46:34 PM](#)

Councilmember Gailey indicated he spoke with LeGrand Bitter, who works with local service districts, to understand his experience with appointment processes employed throughout the State. His position is that adopting option A of the ordinance would put the City out of step with most every city in the State of Utah. Councilmember Bolduc stated she does not mind being different; the process has been contentious in the past and the proposed ordinance addresses that and allows the City to be revolutionary. Councilmember Anderson stated she has heard all arguments regarding this issue and she has thought long and hard about it; she believes that either option is acceptable and legal and follows the spirit and letter of the law. The Council must determine what is best for the City and she believes that option A addresses any issues that could arise when considering appointments to special district. It also provides an opportunity for the Mayor to be nominated for appointment to a special district. She stated that the process has been very controversial in the past and sticking with something just because every other city does it that way may not be the best answer for Syracuse.

[8:50:15 PM](#)

Mayor Palmer stated there has been a motion and second to adopt the ordinance and he called for a roll call vote. VOTING 'AYE': COUNCILMEMBERS BOLDOC, ANDERSON, MAUGHAN, AND LISONBEE. VOTING 'NAY': COUNCILMEMBER GAILEY AND MAYOR PALMER.

[8:50:47 PM](#)

22. Public comments

There were no public comments.

[8:51:18 PM](#)

23. Councilmember reports.

At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Lisonbee's report began at [8:51:23 PM](#). She was followed by Councilmembers Maughan, Gailey, Anderson, and Bolduc.

[9:12:55 PM](#)

24. Mayor's Report.

Mayor Palmer's report began at [9:13:10 PM](#).

[9:14:00 PM](#)

25. City Manager report

City Manager Bovero's report began at [9:14:06 PM](#).

The Council recessed the meeting briefly at [9:18:44 PM](#) to convene in special Redevelopment Agency and Municipal Building Authority meetings.

The meeting reconvened at [9:23:31 PM](#).

[9:23:57 PM](#)

26. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange, or lease of real property.

9:24:00 PM

COUNCILMEMBER BOLDUC MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 9:24 p.m.

The meeting reconvened at 9:55 p.m.

At 9:55 p.m. COUNCILMEMBER BOLDUC MADE A MOTION TO ADJOURN. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: July 12, 2016