

Minutes of the Special meeting of the Syracuse City Council held on June 23, 2015, at 7:55 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

City Manager Brody Bovero
City Recorder Cassie Z. Brown

Excused: Mayor Terry Palmer

City Employees Present:

Finance Director Steve Marshall
City Attorney Clint Drake
Public Works Director Robert Whiteley
Acting Community and Economic Development Director Noah Steele

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1. Meeting Called to Order

Mayor Pro-Tem Johnson called the meeting to order at [7:39:41 PM](#) p.m.

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COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE AGENDA BY SEPARATING COMMON CONSENT ITEMS AS INDIVIDUAL ITEMS, ADD PUBLIC COMMENT AT THE BEGINNING OF THE AGENDA, AND ADOPT THE AGENDA WITH THOSE CHANGES. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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Public comments

TJ Jensen stated that he wanted to address some concerns that were expressed during the public comment portion of the work session meeting this evening. He stated the Planning Commission has also been very concerned about General Plan amendments and they carefully consider each application for such an amendment and a subsequent property rezone. He stated that he feels it is appropriate to change the manner in which the City considers General Plan changes due to the fact that frequent General Plan changes can be detrimental to the citizenry. He added, however, that he feels the Planning Commission recommended the best General Plan change that could be made relative to Mr. Craythorne's property located in the vicinity of the intersection of Banbury Drive and Antelope Drive.

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Kevin Homer addressed item nine on the agenda regarding overage charges for culinary water and noted that he was reviewing the City's ordinances pertaining to water usage and found that the City provides an unlimited amount of water with no cap or measurement. Councilmember Lisonbee stated she believes Mr. Homer is referring to secondary water. Mr. Homer stated that in his reading of the ordinance his interpretation was that there is no cap on culinary or secondary water use and he suggested that the City develop a way of measuring water usage. He stated the Weber County Water Conservancy District has the ability to meter secondary water and he suggested that the City check into that, particularly if there is consideration of implementing a mandatory watering schedule.

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Byron Hellewell stated that he was a member of the Planning Commission for several years and he also participated in the General Plan committee; the General Plan is supposed to be a long term plan for the City that provides developers and citizens some solid ground upon which to build and plan. He noted if the Plan continues to change as often as it has recently, it is like trying to build upon quick sand. He recommended establishing a status quo that would only allow for the Plan to be amended every five to 10 years rather than whenever someone wants a change. He then referenced item nine regarding culinary water usage and stated that in the past secondary water was always so much less expensive than culinary water and it was not worth the cost of measuring or metering it. He stated he is supportive of reducing fees for the month of June or waiving overage charges because the City required users to use the water in response to the cross contamination issue.

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2a. Common Consent: Proposed Resolution R15-18 re-appointing Dale Rackham to the Syracuse City Planning Commission with his term expiring June 30, 2019.

An administrative staff memo explained the term for Planning Commissioner Dale Rackham is set to expire June 30, 2015. Mayor Palmer has indicated he would like to reappoint Mr. Rackham for an additional four-year term.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-18 RE-APPOINTING DALE RACKHAM TO THE SYRACUSE CITY PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE 30, 2019. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

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Councilmember Duncan stated that he has appreciated Mr. Rackham and his willingness to communicate with the City Council about things that he feels passionate about; he has gone above and beyond the call of duty and he appreciates his service. Mayor Pro-Tem Johnson echoed Councilmember Duncan's comments.

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Mayor Pro-Tem Johnson stated there has been a motion and second to adopt the proposed resolution and he called for a vote; ALL VOTED AYE.

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2b. Common Consent: Proposed Resolution R15-19 re-appointing Curt McCuistion to the Syracuse City Planning Commission with his term expiring June 30, 2019.

An administrative staff memo explained the term for Planning Commissioner Curt McCuistion is set to expire June 30, 2015. Mayor Palmer has indicated he would like to reappoint Mr. McCuistion for an additional four-year term.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-19 RE-APPOINTING CURT MCCUISTION TO THE SYRACUSE CITY PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE 30, 2019. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED AYE.

Councilmember Duncan thanked Mr. McCuistion for his service on the Planning Commission over the past three years.

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2c. Common Consent: Proposed Resolution R15-20 appointing Grant Thorson to the Syracuse City Planning Commission with his term expiring June 30, 2018.

An administrative staff memo explained there is a vacancy on the Planning Commission that was created by the resignation of Trevor Hatch. Mayor Palmer has recommended Grant Thorson be appointed to complete the remainder of Mr. Hatch's term, which expires June 30, 2018.

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COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-20 APPOINTING GRANT THORSON TO THE SYRACUSE CITY PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE 30, 2018. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

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Mayor Pro-Tem Johnson asked Mr. Thorson to provide the Council with some information about himself. Mr. Thorson provided the Council with a brief overview of his professional and personal background and indicated he is looking forward to being involved in service for the City.

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Councilmember Duncan asked Mr. Thorson his opinion about amending the General Plan. Mr. Thorson stated things can become complicated when the Plan is changed to regularly; he feels it is appropriate to let property owners do what they want with their property whenever possible, but he reiterated it is possible to amend the General Plan too regularly.

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Mayor Pro-Tem Johnson stated there has been a motion and second to adopt the proposed resolution and he called for a vote; ALL VOTED AYE.

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2d. Common Consent: Proposed Resolution R15-21 appointing Adam Bernard as an alternate member of the Syracuse City Planning Commission with his term expiring June 30, 2019.

An administrative staff memo explained Mayor Palmer would like to appoint an alternate Planning Commissioner to fill in for absent Planning Commissioners to ensure a quorum of the Planning Commission is present at meetings to take action on agenda items. He has recommended Adam Bernard be appointed with a term set to expire June 30, 2019.

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COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-21 APPOINTING ADAM BERNARD AS THE ALTERNATE MEMBER OF THE SYRACUSE CITY PLANNING COMMISSION WITH HIS TERM EXPIRING JUNE 30, 2019. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Mayor Pro-Tem Johnson noted he is opposing the appointment of an alternate Planning Commission because he does not feel it is necessary to have an alternate member; he would prefer that those appointed to the Commission be encouraged to attend and if it is not possible for them to attend it may be necessary to replace them. Councilmember Lisonbee added that she has spoken in opposition to appointing an alternate member in the past and she still feels it is not necessary to have an alternate Planning Commissioner.

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Planning Commission Chair Jensen indicated that he feels the position can bring some value to the Planning Commission; in the past the Planning Commission had an alternate member who participated in three-quarters of the meetings held throughout the course of the year due to absences of other Planning Commissioners. Discussion of the recommendation to appoint an alternate ensued, with Councilmember Lisonbee stated she feels the position could create some confusion; she feels that all members voting on actions considered by the Planning Commission should be fully vested and she recommended sending this issue back to the Planning Commission to ask them to address the issue of attendance of fully vested members in their bylaws. Mr. Jensen stated he will discuss attendance issues with the Planning Commission, but noted he does not have the authority to remove a Planning Commission for failure to attend.

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Councilmember Lisonbee stated this has nothing to do with Mr. Benard and she feels he would be a great member of the Planning Commission. Councilmember Peterson agreed and noted that the next time there is a vacancy on the Planning Commission he would suggest that Mr. Benard be selected to fill the vacancy.

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Mayor Pro-Tem Johnson stated there has been a motion and second to adopt the proposed resolution and he called for a vote; ALL VOTED IN OPPOSITION TO ADOPTING THE RESOLUTION AND APPOINTING AN ALTERNATE MEMBER OF THE PLANNING COMMISSION.

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2e. Common Consent: Proposed Resolution R15-23 appointing Brigham Mellor as the Community Development Director for Syracuse City.

An administrative staff memo explained Mayor Palmer has extended a conditional offer to Brigham Mellor for the Community and Economic Development Director position. This was following two rounds of interviews that involved Council Member Lisonbee, Shauna Greer (HR Specialist), and Mayor Palmer. The second round of interviews also included City Manager Bovero, City Recorder Cassie Brown, Finance Director Stephen Marshall. Mr. Mellor has a solid background in economic development and we believe he has the managerial and leadership skills to run the department well.

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City Manager Bovero introduced Mr. Mellor and indicated that City Administration feels Mr. Mellor has the qualifications and ability to meet the requirements of the position; he provided a brief overview of Mr. Mellor's professional background, after which Councilmember Lisonbee indicated she feels Mr. Mellor is very qualified to fill the position.

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Mr. Mellor then expressed his reasons for seeking appointment to the position of Community and Economic Development (CED) Director.

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The audio for the meeting failed for the remainder of the meeting.

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE CONSIDERATION OF PROPOSED RESOLUTION R15-23 APPOINTING BRIGHAM MELLOR AS THE COMMUNITY DEVELOPMENT DIRECTOR FOR SYRACUSE CITY UNTIL IT IS POSSIBLE TO CONVENE IN A CLOSED EXECUTIVE SESSION TO FURTHER DISCUSS THE ISSUE. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED AYE.

3. Public Hearing: Proposed Ordinance 15-13 enacting and codifying Section 3.50 of Title III of the Syracuse City Code relating to the Syracuse City Disaster Preparedness Committee.

A staff memo from the City Manager explained Mayor Palmer has given the direction that the City, in conjunction with Syracuse residents and businesses, should provide leadership on preparing for natural disasters and other larger scale emergencies. In order to provide better coordination with residents and volunteers, administration is proposing a Disaster Preparedness Committee, which will serve as an advisory body to the Mayor and City Council. This ordinance would be placed under Title Three of the Syracuse City Code, specifically Chapter 3.50.

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED ORDINANCE 15-13 ENACTING AND CODIFYING SECTION 3.50 OF TITLE III OF THE SYRACUSE CITY CODE RELATING TO THE SYRACUSE CITY DISASTER PREPAREDNESS COMMITTEE. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED AYE.

4. Proposed Resolution R15-22 appointing members to the Syracuse City Disaster Preparedness Committee.

A staff memo from the City Manager explained Mayor Palmer has given the direction that the City, in conjunction with Syracuse residents and businesses, should provide leadership on preparing for natural disasters and other larger scale emergencies. Upon creation of the Disaster Preparedness Committee, he would like to appoint to the Committee members of the community that are currently actively serving in a disaster preparedness committee capacity. The six residents he has identified at this time are: William Moody, Joe Thornton, Gregg Brustad, Byron Hellewell, Lee Hammond, and Matt Jones. He would also like the Council to appoint himself or a member of the City Council to serve as an advisor to the Committee.

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-22 APPOINTMENT MEMBERS OF THE SYRACUSE CITY DISASTER PREPAREDNESS COMMITTEE. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED AYE.

5. Proposed Ordinance 15-07 rezoning the property located at approximately 1950 S. Doral Drive from Agriculture A-1 to Residential R-1.

A staff memo from the Community and Economic Development Department provided the following information regarding the application:

Subdivision Name:	To be determined
Location:	1950 S Doral Dr.
Current Zoning:	A-1 Agricultural
General Plan:	R-1 Residential
Requested Zoning:	R-1 Residential
Total Area:	34.018 Acres
Net Developable Acres:	27.214 Acres
Density Allowed:	78 lots

This application is for single family residential zoning that is consistent with the surrounding development. The Planning Commission recommended approval, to the City Council, to rezone property located at 1950 S Doral Dr., from A-1 Agriculture to R-1 Residential, subject to all applicable requirements of the City's municipal codes.

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION R15-07 REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1950 S. DORAL DRIVE FROM AGRICULTURE A-1 TO RESIDENTIAL R-1. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Proposed Ordinance 15-11 rezoning the property located at approximately 1600 W. 1700 S. from Agriculture A-1 to Residential PRD.

A staff memo from the Community and Economic Development Department provided the following information regarding the application:

Subdivision Name:	To be determined
Location:	1600 W 1700 S
Current Zoning:	A-1 Agricultural
General Plan:	PRD Planned Residential Development
Requested Zoning:	PRD Planned Residential Development
Total Area:	6.71 Acres
Density Allowed:	40 lots

This application is for Planned Residential Development. The adjacent property to the north is zoned R-3, the property to the south is zoned General Commercial and A-1 Agriculture. The applicant has indicated his interest in developing a retirement community. The Planning Commission moved to recommend approval, to the City Council, to rezone property located at 1600 W 1700 S, from A-1 Agriculture to PRD Planned Residential Development, subject to all applicable requirements of the City's municipal codes.

COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED ORDINANCE 15-11 REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1600 W. 1700 S. FROM AGRICULTURE A-1 TO RESIDENTIAL PRD. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED AYE.

7. Proposed Ordinance 15-12 amending Title 10 of the Syracuse City Code pertaining to land use, specifically related to accessory structures.

A staff memo from the Community and Economic Development Department reviewed the dates of Planning Commission and City Council review of the proposed ordinance as follows:

Planning Commission Discussions
February 17, 2015
March 17, 2015
April 7, 2015
April 21, 2015 –made motion to forward to City Council
June 16, 2015-Public Hearing

City Council
May 12 – tabled for additional discussion
May 26 – addition discussion during work session

The Planning Commission has conducted a review of the accessory structure ordinance in Title X of the City Code. The following is a summary of the changes:

- Clarify confusing language throughout
- Remove the fencing requirement
- Change the setback requirements
- Change the allowed height requirements
- Change the pool/hot tub requirements

The Planning Commission moved to recommend approval, to the City Council, of the proposed Code Amendment to Title X pertaining to Accessory Structures on June 16, 2015.

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED ORDINANCE 15-12 AMENDING TITLE 10 OF THE SYRACUSE CITY CODE PERTAINING TO LAND USE, SPECIFICALLY RELATED TO ACCESSORY STRUCTURES. COUNCILMEMBER PETERSON SECONDED THE MOTION.

8. Authorize Administration to award contract for Steed Storm Drain Outfall Project.

A staff memo from the Public Works Director explained this project will install a storm drain trunk line from 3000 West to Rock Creek Park having an outfall into the 700 South ditch. This trunk line will allow future development of properties in the area to detain in Rock Creek Park as a regional detention basin instead of creating numerous smaller detention basins as each subdivision develops. The construction of the regional detention basin at Rock Creek Park is not included in the project and will be bid out separately. The construction will begin as soon as contract documents are in place and be completed by the winter of 2015. Bids were opened on June 16, 2015. Five bids were submitted. The low bidder is Ormond Construction. The bid amount is \$609,810.54. The funding for this project will come from the storm drain impact fee fund. The project came in \$209,810.54 over what was originally budgeted. The increased cost is believed to be from some required design changes which were not originally anticipated. Public Works believes the bids were competitive and would not change significantly if the project were to be re-bid. Staff recommends awarding the contract to Ormond Construction.

COUNCILMEMBER GAILEY MADE A MOTION TO AUTHORIZE ADMINISTRATION TO AWARD CONTRACT FOR STEED STORM DRAIN OUTFALL PROJECT. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Discussion and/or action regarding potential waiver of overage charges for culinary water utility bill.

A memo from City Administration indicated that staff recommended placing this item on the council agenda to discuss any potential waiver of fees on the culinary water utility bill. This discussion revolves around the cross connection of the secondary water and culinary water systems. The city recommended that all citizens flush their culinary water systems as a precautionary measure after the culinary water was deemed safe to drink. Citizens have expressed their concern that they may be billed for excess water use based upon flushing their systems. Staff recommends that the base fee of \$16.50 per home be charged and should not be waived. This fee is charged for the first 8,000 gallons of water used. The City Council could discuss the potential waiver of any overage charges that a citizen may incur on their bill. Residential homes are charged an excess fee of \$2.05 per 1,000 gallons over the 8,000 gallon base amount. If they reach 15,000 gallons, they are charged \$2.45 for each additional 1,000 gallons.

COUNCILMEMBER DUNCAN MADE A MOTION TO AUTHORIZE ADMINISTRATION TO ADJUST CULINARY WATER UTILITY BILLS FOR THE MONTH OF JUNE 2015 BY ISSUING A \$2.05 CREDIT FOR ALL RESIDENTS. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

At 8:44 P.M. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: July 28, 2015