

Minutes of the Special meeting of the Syracuse City Council held on July 9, 2013, at 7:10 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 Rice
City Recorder Cassie Z. Brown

City Employees Present:

Finance Director Steve Marshall
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Police Chief Garret Atkin
Information Technologies (IT) Director TJ Peace
Community Development Director Sherrie Christensen

1. Meeting Called to Order/Adopt Agenda

8:45:30 AM

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 Duncan offered an invocation. Councilmember Lisonbee then led all present in the Pledge of Allegiance.

8:47:03 AM

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

8:47:08 AM

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Spencer Hale and Haley Smith.

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 noted both students being recognized this month are from Syracuse High School and she read the award nomination provided by Syracuse City Recreation Coordinator Chad Smout.

Spencer Hale

Spencer has participated in Syracuse Rec. programs since he was been old enough to do so. Spencer has always displayed incredible leadership and an intense competitive nature. Spencer has several admirable characteristics and people enjoy being around him.

-Chad Smout, Syracuse Recreation

Haley Smith

Haley has been an outstanding participant in the Syracuse Rec. program for a number of years. Coaches love having Haley on their team because she not only has an incredible athletic ability; she is also an outstanding team leader.

Haley is very well liked on and off the field, and is a friend to all.

-Chad Smout, Syracuse Recreation

Both students received a round of applause from those present and shook the hand of each Councilmember and the Mayor. Mayor Nagle stated she looks forward to this item on the agenda each month; recognizing the award recipients is the highlight of the meeting for her.

[8:49:54 AM](#)

3. Public Recognition of City Manager Bob Rice for his service to Syracuse City.

Mayor Nagle stated that nearly three years ago the City made a move in a different direction in hiring a new City Manager and she has never met a better leader in her life and she has never seen the staff rally behind an individual so much to get so many things accomplished in such a short amount of time. She stated she wished the community had been a little kinder to Mr. Rice, but he has always been a true professional and what he has accomplished has been nothing short of a miracle. She stated she wanted to thank him on behalf of the City, the citizens, and herself; she has learned so much from him and she appreciates everything he has done for her as a citizen of the City. She stated that on behalf of the staff she wanted to thank him for leading them in such a positive direction. She then presented Mr. Rice with a key to Syracuse City. She added that she was planning to review a list of the things Mr. Rice has accomplished in the short time he has been employed by the City, but that is not who Mr. Rice is; it is not about ticking off accomplishments in a list, but it is about getting the job done and doing it well without recognition or glory. She stated that likely comes from Mr. Rice's military background and she thanked Mr. Rice again for everything he has done.

[8:52:41 AM](#)

4. Approval of Minutes:

The minutes of the Work Session and Regular Meetings of June 11, 2013 were reviewed.

[8:52:44 AM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES OF THE WORK SESSION AND REGULAR MEETINGS OF JUNE 11, 2013 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:53:03 AM](#)

5. Public comments

Terry Palmer, no address given, stated he wanted to talk about the equestrian park in the City; he witnessed two weeks ago some citizens asking for help and support and he felt like the City did not really know what they wanted. He stated he spoke with Merrill Thurgood and all they want is someone to help out a little bit; they are willing to do all the work and they just need some materials to build a restroom and a water fountain at the park. He stated he does not think this is a lot to ask and it would cost the City \$5,000 at the most in materials and the City could run a sewer line. He stated he feels City officials should be problem solvers instead of scaring people away with a \$100,000 figure for the request they are making. He stated he would like to help those asking for help at the equestrian park.

[8:55:04 AM](#)

Joe Levi, no address given, stated he would like to address appointments. He stated there are some vacant positions currently in the City and he wanted to go back in the history of the City and talk about when the Police Chief position was going to be vacated by the retiring Chief and a request was made by the Mayor that positions in the Police Department not be filled until a new Police Chief was appointed and could have a say about what is going on in his department. He stated the Mayor said that if the Council did not want for the new Police Chief, that would be disrespectful to him and his ability to fill the department with people he felt he would best work with. He stated that tonight he would like the Council to consider those same sentiments when considering the vacancies to be filled in the City; there is a City Manager position and City Attorney position that are both vacant as well as some Planning Commission positions and Mayor Nagle is not running for election and it would be necessary to ratify appointments made now shortly after a new Mayor takes office. He stated he feels that same courtesy should be extended to the individual that will ultimately be elected as Mayor and hold off on filling the positions as long as possible until a new individual is in office. He stated there is a statutory requirement to get things done quickly after someone does take office.

[8:57:12 AM](#)

Pat Zaugg, no address given, stated she wanted to briefly acknowledge the passing of one of Syracuse's great farmers, Mr. Charlie Black. She stated it should be acknowledged that he is someone that will leave a hole in the community and she is hopeful his family will recover from the tragedy they are going through right now. She stated she would like to offer her condolences to the family and acknowledge them tonight.

8:57:58 AM

TJ Jensen, no address given, echoed Ms. Zaugg's comments; Charlie Black was a good friend of his and he has done a lot for the community over the years. He stated his loss is huge for the community and he will be missed. He added that he did want to address a discussion in the work session regarding a recommendation from the Planning Commission and he heard the comment made that the Commission had made certain recommendations, but he wanted to point out that on this particular issue it was a split decision of five to two; two Commissioners in particular are not in favor of the revocation of the C-2 Commercial Zone. He stated that is Commissioner Bodrero and himself. He stated that they both like Ninigret's proposal of a development including R-1 and PRD zoning and he thinks the proposal they have made is compromising and fair. He added Councilmember Lisonbee raised the issue of the potential to have eight houses per acre and he feels that number will be realistic due to the PRD zoning and the proximity of the development to 700 South. He stated he feels it can be lost sometimes that the members of the Planning Commission are volunteers that donate their time to consider issues and give their best recommendation to the City Council regarding any decisions they are required to oversee pertaining land use. He stated that one alternate Planning Commissioner was up for appointment as a permanent Planning Commissioner a couple of weeks ago and that appointment was not approved by the Council and on the way out of the room the prospective appointee said that he did not want to deal with the drama and being beat up when he was trying to be a good citizen and donate his time. He stated he would ask that the City Council remember going forward that the Commissioners are volunteers donating their time and they are not paid employees and they should be treated with dignity.

9:00:39 AM

Robert Spendlove, stated that on the night of July 3 he was outside his home at 9:45 p.m. and he heard some motorcycles take off on 1830 West heading east and they were driving very fast while kids were outside lighting fireworks; he estimated they were driving at least 55 or 60 miles per hour. He stated they turned around and raced back in the other direction and he was unable to get a license plate number for them. He stated he wants the City to address the street racing that he heard almost every night during the summer, especially on the weekends. Mayor Nagle stated that information will be passed on to the Police Chief.

9:02:09 AM

6. Public hearing – Proposed Resolution R13-15 updating and amending the Syracuse City consolidated fee schedule, which includes proposed changes to the utility rate structure.

A staff memo from Finance Director Marshall explained that at the June 25, 2013 council meeting, the direction given to staff was to bring forward rate increases as follows:

- \$0.75 - increase for Secondary Water/ per user per month
- \$0.75 - increase for Storm Water/ per user per month
- (\$0.55) - decrease for Garbage / per user per month
- \$0.95 – Total increase per user per month.

Staff has updated the consolidated fee schedule with these recommended changes. There was one other minor change made to the consolidated fee schedule for solicitor's fees. We are proposing reducing this fee to \$25 for each businesses annual fee. The current fee is \$75. The staff recommendation is to approve resolution R13-15 updating and amending the Syracuse City consolidated fee schedule, which includes proposed changes to the utility rate structure.

Mr. Marshall summarized his staff memo.

Mayor Nagle opened the public hearing.

9:03:59 AM

Joe Levi stated that for the past two years he has worked at a company outside the City limits, but he spends most of his time and money in City limits. He stated he received a five percent raise two years ago for a two year time period so he essentially received 2.5 % each year. He stated the consumer price index (CPI), which is a very biased figure, does not include the cost of food or energy and based on that number he paid his employer one-tenth of one percent to work for them. He stated he lost money by staying here and he did that because he likes the community and environment. He stated when he see increases to the fee schedule he is torn; prices are increasing all around the City and the services that the citizens have to purchase are increasing in price as well, but his concern is that there are people that are possibly not as well off as he is that have been receiving less of a pay increase than he has and they are now being hit with more outlay that they have to pay, which means less food on their table and less enjoyment they have because the City may not be doing everything possible to keep the prices down. He stated this is nothing against the City staff, but he has not seen or heard any discussion about seeing if anything can be done to minimize the impact on an individual or mitigate the increase in cost. He stated there is a

new law that allows for rain barrels and cisterns that would reduce impact on storm sewers and secondary irrigation water, but he has seen no discussion of those items by the City. He stated instead the City has only talked about how to pass costs onto citizens. He stated the City also has the potential to use gray water to irrigate, but currently State law forbids that and the City has not gone lobbying to them to say that the law needs to be changed. He stated the State is not looking at ways to reduce and reuse water to save money so that it is not necessary to pass these kinds of fee increases on to citizens. He stated there is a lot that can be done and he is disappointed that the City has not talked about ways to incentivize the citizens to come up with those ideas.

[9:07:15 AM](#)

TJ Jensen stated he is a proponent of implementing a billing system by which people will pay for what they actually use rather than having a flat rate for 8,000 gallons. He stated he provided a handout entitled suggestion for alternate billing schedule and he has talked to Mr. Marshall about it as well. He reviewed the numbers in his proposal and stated that he and Mr. Marshall had a discussion about how other cities handle their billing and he noted his proposal would allow people that are do not use as much water to pay lower rates. He stated he would still like to speak with Public Works Director Whiteley to get technical information about water usage, but he thinks his proposal would be a good starting point that could be adjusted in the future if necessary.

[9:09:18 AM](#)

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

[9:09:19 AM](#)

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT RESOLUTION R13-15 UPDATING AND AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE WITH THE AMENDMENT THAT ALL RATES BE KEPT THE SAME, EXCEPT FOR THE SEWER FEE INCREASE AS PASSED ON BY THE NORTH DAVIS SEWER DISTRICT, AND BY REDUCING THE GARABAGE RATE BY \$0.55 AND INCREASING THE STORM WATER RATE BY \$0.55. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

[9:10:01 AM](#)

Council discussion of the motion then ensued and Mr. Marshall noted that the sewer rate was already increased during the June 11 Council meeting. Councilmember Duncan stated he would remove that recommendation from his motion. Councilmember Lisonbee stated her second of the motion would stand.

[9:10:41 AM](#)

Mayor Nagle stated there has been a motion and a second regarding the proposed resolution and she called for a vote. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE. VOTING "NO": COUNCILMEMBERS PETERSON AND SHINGLETON.

[9:10:48 AM](#)

7. Authorize Mayor to execute the Utility Franchise Agreement with Rocky Mountain Power.

A staff memo from Finance Director Marshall explained this utility franchise contract is being brought to the council to renew and extend our contract with Rocky Mountain Power granting them "the right, privilege and authority to construct, maintain, operate, upgrade, and relocate its electrical distribution and transmission lines and related appurtenances, including underground conduits and structures, poles, towers, wires, guy anchors, vaults, transformers, transmission lines, and communication lines (collectively referred to herein as "Electric Facilities") in, under, along, over and across the present and future streets, alleys, public ways and public places (collectively referred to herein as "Public Ways") within the City, for the purpose of supplying and transmitting electric power and energy to the inhabitants of the City and persons and corporations beyond the limits thereof. In return state law allows the city to assess a franchise tax of up to 6% on all utilities that Rocky Mountain Power provides. This franchise tax is collected and recorded in our capital improvement fund. This fund is mainly responsible for paying the long-term debt of the city and also to construct or purchase capital assets.

The staff recommendation is to authorize Mayor Nagle to execute the utility franchise contract with Rocky Mountain Power. Staff recommends a time frame of 10 years. The current contract that expires on December 31, 2013 had an original term of 15 years.

Mr. Marshall summarized his staff memo

[9:12:00 AM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE MAYOR NAGLE TO EXECUTE THE UTILITY FRANCHISE AGREEMENT WITH ROCKY MOUNTAIN POWER FOR A PERIOD OF 10 YEARS. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:12:10 AM](#)

8. Proposed Ordinance 13-11, adoption of Architectural Review Committee and Design Guidelines.

A staff memo from Community Development Director Christensen stated The Planning Commission has been working for the previous several months to adopt design guidelines which the Architecture Review Committee will use to review site plans for commercial, office and industrial developments. The proposed guidelines have been placed within one new chapter of Title 10, with references to the Architecture Review Committee added to the applicable zones. The Planning Commission held public hearings on the proposed amendments on February 19, 2013 & on May 7, 2013. At a public meeting on July 2, 2013 the Planning Commission recommended to the City Council the adoption of the proposed amendments.

Ms. Christensen reviewed her staff memo.

[9:15:07 AM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 13-11, ADOPTION OF ARCHITECTURAL REVIEW COMMITTEE AND DESIGN GUIDELINES. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

[9:15:13 AM](#)

Council discussion regarding the motion ensued.

[9:18:49 AM](#)

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

[9:18:59 AM](#)

9. Proposed Resolution R13-16, prohibiting the use of aerial fireworks within specified areas in the City.

A staff memo from Fire Chief Froerer explained that as previously discussed in the June 25 Work Session, he would like to propose the City restrict aerial fireworks in certain high-risk areas of the City. A map of the proposed ban areas was included in the Council packet.

Chief Froerer reviewed his staff memo and the attached map.

[9:22:15 AM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUITON R13-16 PROHIBITING THE USE OF AERIAL FIREWORKS WITHIN SPECIFIED AREAS IN THE CITY. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

[9:22:29 AM](#)

Council discussion of the motion ensued.

[9:27:08 AM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPSOED RESOLUTION R13-16 PROHIBITING THE USE OF AERIAL FIREWORKS WITHIN SPECIFIED AREAS IN THE CITY, WITH ONE AMENDMENT REGARDING THE MEASUREMENT FROM A PROPERTY LINE. COUNCILMEMBER DUNCAN SECONDED THE MOTION, ALL VOTED IN FAVOR.

[9:27:24 AM](#)

10. Councilmember Reports

Councilmember Johnson's report began at [9:27:29 AM](#). He was followed by Councilmembers Shingleton, Lisonbee, Duncan, and Peterson.

[9:32:29 AM](#)

11. Mayor's report.

City Council Regular Meeting
July 9, 2013

Mayor Nagle's report began at [9:32:28 AM](#).

[9:35:40 AM](#)

12. City Manager's Report.

City Manager Rice's report began at [9:35:43 AM](#).

[9:41:09 AM](#)

The Council took a break to convene in a special RDA meeting prior to holding a closed session. The meeting reconvened at [9:45:20 AM](#).

[9:45:28 AM](#)

13. 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 a strategy session to discuss the sale of real property, including water rights or water shares directly south of Jensen Park.

COUNCILMEMBER PETERSON MOVED THE COUNCIL ADJOURN INTO A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF A STRATEGY SESSION TO DISCUSS THE SALE OF REAL PROPERTY, INCLUDING WATER RIGHTS OR WATER SHARES DIRECTLY SOUTH OF JENSEN PARK. COUNCILMEMBER SHINGLETON SECONDED THE MOTION, WITH THE FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

The meeting adjourned into Closed Executive Session at [9:45:52 AM](#) p.m.

The meeting reconvened at 8:49 p.m.

At 8:50 p.m. COUNCILMEMBER DUNCAN MADE A MOTION TO ADJOURN. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: August 27, 2013