

Minutes of the Work Session meeting of the Syracuse City Council held on July 9, 2013, at 6:00 p.m., in the Council Work Session Room, 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
Parks and Recreation Director Kresta Robinson
Fire Chief Eric Froerer
Police Chief Garrett Atkin
Community Development Director Sherrie Christensen

The purpose of the Work Session was for the Governing Body to review the agenda for the business meeting to begin at 7:00 p.m., discuss agenda items seven, eight, nine, and ten, and discuss proposed General Plan/Zone Map amendments in Districts 1, 2, and 9, and discuss Council business.

[8:45:14 AM](#)

Agenda review

Councilmember Lisonbee stated staff sent an amended business meeting agenda to the Council and she asked for an explanation of the amendments. Mayor Nagle stated item three, recognition of City Manager Rice, was added to the agenda.

[8:45:48 AM](#)

Discuss agenda item 7: Authorize Mayor Nagle 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

[8:47:31 AM](#)

Council discussion regarding the item commenced, with the conclusion of the discussion being that the Council will authorize execution of the agreement with a 10 year term.

[8:49:59 AM](#)

Discuss Proposed General Plan/Zone Map amendments in Districts 1, 2, and 9.

A staff memo from Community Development Director Christensen explained Ninigret Construction North LLC has requested a General Plan Amendments for property located at 1525 W 500 S. The property is currently designated on the General Plan as C-2 (Commercial) and Professional Office. Ninigret had filed 3 applications for these designations be changed to Industrial on 43.4 acres, PRD (Planned Residential) on 15.8 acres & R-3 (Residential) on 25 acres, as per the attached map. The Planning Commission held a public hearing on May 22, 2013 and recommended denial of the proposal with a 4 to 3 vote. On June 27, 2013 (see attached) the Community & Economic Development Office received letters from Ninigret Construction North, L.C. to withdraw the application for the General Plan Rezone of the 43.4 acres to Industrial. The second letter asks for the Council to act on the other two applications on the requests for PRD (15.8 acres) and R-3 (25 acres). Also on May 22, 2013 the Planning Commission initiated a General Plan Amendment that removes C-2 from the General Plan. The Planning Commission held a public hearing on May 21, 2013 and recommended approval of the proposal with a 5 to 2 vote.

Summary of changes:

District 1:

C-2/PO zones on the Ninigret/PRI properties from C-2 to General Commercial, Business Park, and R-1.

The C-2 zone at the corner of 700 S & 2000 W to Professional Office, General Commercial and Planned Residential Development.

District 2:

C-2 Zone in Town Center to General Commercial

District 9:

C-2 Zone at Bluff & Gentile to General Commercial

On June 19, 2013 staff meet with representatives of PRI regarding the proposed General Plan change on their property on the corner of 2000 West and 200 South from C-2 to General Commercial. Steve Romney, Director, Land Portfolio for PRI discussed the proposed change and the permitted uses that would be allowed under the General Commercial zone. He requested that the Council not act on the General Plan amendment on the PRI property, until they could analyze the effects on not only that property, but the other considerable holdings further west. A letter from PRI is attached.

Another topic of discussion centers on the effects of rescinding the C-2 and replacing it with Professional Office on the property at the corner of 2000 West & 700 South (South of the IHC). Health care facilities are allowed in the PO zone and thus IHC did not have an objection to the change in the General Plan designation. The parcel south of the IHC is owned by Lindquist Mortuary. The PO zone does not permit funeral homes, thus the Planning Commission has recommended an amendment to the PO zone to include funeral homes. A public hearing was held on June 18, 2013 and recommended approval of the amendment.

Municipal Code Section 10-4-060 provides the process for General Plan Amendments, the following subsections are pertinent to this item:

2. The Planning Commission, as the Advisory Body, shall schedule and hold a public hearing on the proposed amendment in accordance with the provisions of Section 10-4-050. After the public hearing, the Planning Commission may modify the proposed amendment before forwarding its recommendation to the City Council. (Ord. 10-02)

3. The City Council may schedule and hold a public hearing on the recommended General Plan amendment in accordance with the provisions of Section 10-4-050. (Ord. 10-02)

(E) Approval Standards. A decision to amend the General Plan is a matter within the legislative discretion of the City Council. After the public hearing described in Subsection (d)(5) of this Section, the City Council may make any modifications to the proposed General Plan amendment that it considers appropriate. The City Council may then adopt or reject the proposed amendment either as proposed by the Planning Commission or after making said modifications. The City Council may also table the matter for further information, consideration or action. (Ord. 10-02)

Upon consultation with acting City Attorney, Steve Garside, staff is recommending that in amending the General Plan the Council should have findings to support the amendment as to why “the current General Plan designation for the area is no longer appropriate, desirable or feasible”, in accordance with City Code Section 10-4-060(D)1(a)vi.

All of these matters are inter-related and are extremely complex. General Plan changes should not be made hastily. The staff is requesting direction from the City Council on these matters so that we may draft appropriate ordinances for consideration at the next meeting of the City Council when the acting City Attorney has had time to review the proposed changes and draft ordinances.

Ms. Christensen reviewed her staff documentation with input from guests Peter Carroon and Nick Mangos.

[8:53:00 AM](#)

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Council discussion regarding the item commenced.

[9:41:01 AM](#)

The time allotted for this item expired and Mayor Nagle recommended that it be added to the next work session meeting agenda for further discussion.

Discuss agenda item 8, Proposed Ordinance 13-11 updating guidelines for Architectural Review Committee

This item was not discussed.

Discuss agenda item 9, Proposed Resolution R13-16, restricting fireworks around brush and agricultural land.

This item was not discussed.

[9:42:48 AM](#)

Council business

There was a short Council discussion about scheduling of future Council meetings with the outcome being that the regularly scheduled meeting of July 23 will be cancelled and a special meeting will be held July 30. The decision was also made to cancel the August 13 Council meeting due to the fact that the primary election will be held August 13.

The meeting adjourned at [9:43:58 AM](#).

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: August 27, 2013