

Minutes of the Regular meeting of the Syracuse City Council held on June 14, 2016 at 6:05 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

[6:05:10 PM](#)

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at [6:05:23 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 Gailey provided an invocation. Councilmember Maughan Palmer led the audience in the Pledge of Allegiance.

[6:08:12 PM](#)

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

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COUNCILMEMBER GAILEY MOVED TO SET ASIDE THE AGENDA TO MOVE ITEM TWO TO A LATER TIME WHEN THE WENDY'S AWARD RECEIPIENTS MAY BE IN ATTENDANCE. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:09:24 PM](#)

3. Approval of Minutes:

The following minutes were reviewed by the City Council: Special Meeting and Work Session of April 26, 2016; Special Meeting of June 13, 2016; Regular Meeting of June 14, 2016; Special RDA Meeting of June 14, 2016; Special MBA Meeting of June 14, 2016.

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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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4. Public comments

Gary Pratt stated he is here to speak about the process the City uses to appoint Planning Commissioners; he served on the Planning Commission in the past as co-chair. He desired to be reappointed to the Planning Commission, yet he was not; the same was true for the Chairman of the Planning Commission at the time. The loss of himself and the Chair removed over 11 years of experience. Tonight the Council is being asked to consider reappointing someone to replace another member with tenure; this will result in the loss of an additional four years of experience unless the Council can do something tonight to stop the action listed on the agenda. He stated himself and the other two individuals have served on several other committees in the City and they are very familiar with the history of land use in the City and the desires of the community; accordingly, many of the changes that have been requested by residents and the three Commissioners have been encompassed on the current General Plan. He applauded the City Council for accepting and fine tuning the recommendations of the

Planning Commission over the past several years. His point tonight is that the City has always fought hard to keep employees with Syracuse City, but that has not applied to the Planning Commission and instead the mentality has been to continue to appoint as many new people as possible, though that does not serve the City well as it eliminates any historical and institutional knowledge. The City Council relies on the Planning Commission more than any other committee or body in the City and he asked that the Council reappoint TJ Jensen to the Planning Commission rather than appointing the person selected by the Mayor.

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TJ Jensen stated that last week there were multiple occurrences in the Country related to violence and shootings involving Police Officers; two individuals were killed and according to social media footage, those killings seem unjustified and resulted from excessive use of force on the part of the Police Officers. Additionally, there were two other instances where offenders opened fire on Police Officers killing several and injuring many others. One thing that he has noticed in Syracuse City over the years is that both the individuals that have held the position of Police Chief in most recent history have encouraged Police Officers to use a de-escalation policy to try to reduce the likelihood of these kinds of events happening in Syracuse. The Department has had some tough situations to deal with, but their actions have been commendable and they do a wonderful job. He commended Chief Atkin for instilling in his officers that they are to protect and serve while keeping the peace and there is no need to be confrontational.

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Garret Atkin thanked Mr. Jensen for his kind comments. He addressed the tragedy that occurred in Dallas, Texas recently and stated there is no way to watch things like this happen without being concerned and frightened for his younger officers. He stated in a press conference on the night of the shooting, the Dallas Police Chief said "We don't feel a lot of support most days; let's not let today be most days. Please, we need your support." His comments were striking and it made him reflect on how unbelievably grateful and fortunate he and his officers are to serve in Syracuse City. He discuss the outpouring of support that his Department has received in recent months and he knows that the community is there for him and his officers. He thanked residents for their visits, kind words, and offering gratitude over the past few days; so many residents have brought their young children, which indicates to him that parents are doing things the right way and teaching their kids to have respect. For whatever he sees in the media, the future of Syracuse is in good hands.

Mayor Palmer stated he and the Council are truly grateful for the service the Police Department provides to the community.

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Roland Walker stated he is a longtime resident and he wants to address the pressure issues with secondary water. He has no pressure at his property and it is his understanding that the water tanks are emptied quickly in the night and they are not able to refill fast enough to provide adequate pressure. As an Australian, he treasurers water and secondary water is a luxury, but he also expects to be able to use that luxury. He lives on Dahl lane at the end of a cul-de-sac and he does not have enough pressure to get his pop up sprinklers to work. He stated this is not a dry year and it is cold compared to recent years when people were rationing and being more water wise. He asked what has happened this year that has resulted in water being shut off at 5:00 or 6:00 a.m. He does not want his sprinklers to operate during the overnight hours because he wants to be able to see that they are working properly; many people wake up after watering overnight and see that their water did not come on or there was not enough pressure so they water again and that is not good for the system either. He stated he would like for the Council to discuss and address the issue.

Mayor Palmer indicated the issue of secondary water will be discussed later in the meeting.

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5. Proposed Resolution R16-37 appointing Gary Bingham to the Syracuse City Planning Commission.

An administrative staff memo explained the term for Planning Commissioner TJ Jensen expired on June 30, 2016. Mayor Palmer has indicated he would like to appoint Gary Bingham to fill the vacancy on the Commission.

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Mayor Palmer summarized the memo and indicated that he has interviewed six people interested in filling the vacancy on the Planning Commission; he conducted interviews and reviews of the applicants on an analytical basis considering the following criteria: commitment to the City, commitment to learn the laws and ordinances of the City, trustworthiness, promptness, attitude, knowledge of the City and the role of the Planning Commission, self-confidence or self-perception and how they might fit with the makeup of the Commission, and their ability to do the job. He stated that Gary Bingham received the highest score based on that criteria and he invited the Council to ask him any questions they may

have. He briefly reviewed Mr. Bingham's professional background and indicated he feels he is very analytical. He has a financial background and he has been very forthright and honest in his past dealings.

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Councilmember Maughan stated that the Council does not have knowledge of the qualifications of the applicants that were interested in filling the vacancy. He asked Mr. Bingham to provide the Council with information about himself.

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Mr. Bingham stated he and his family live in Syracuse and his wife has worked at Sheldon Peck Orthodontics; she is now a stay-at-home mom. His family has gotten to know many members of the community and they love the area. He graduated from Weber State University, with a Bachelor's degree in Political Science and Business Administration. He also received his Masters of Business Administration and has since been working in the financial services industry; he is currently a financial analyst and he works on large data sets, financial trends, statements, and provides budget advice.

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Councilmember Maughan asked Mr. Bingham how he can be an asset to the Planning Commission based on his background. Mr. Bingham stated when he interviewed with Mayor Palmer he was asked if he is able to conduct research and understand law. He stated that he is fully capable and able to do that and when working on his under-grad for his Political Science degree he conducted extensive research to write papers including much legal jargon regarding codes and regulations. One of his previous jobs was as a compliance officer where he had to read legal regulations from the federal government. He has a great ability to understand and translate legal jargon. He also has an analytical mind and he is able to look at complex data and point out bits of information that are necessary and crucial. With his background in political science and business, he has a solid foundation in government and business strategy and that would be very helpful as well. Councilmember Maughan asked Mr. Bingham if he has ever attended a Planning Commission meeting, to which he answered no; however, he indicated his father-in-law is a Planning Commissioner in West Point and has been for 12 years. He has not attended any of West Point's meetings, but he has talked regularly with his father in law about the items he has worked on.

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Councilmember Gailey asked Mr. Bingham how he feels compromise is used in a municipal government environment. The Planning Commission is responsible to advise the Council according to ordinances as they are written and he asked if there is room for compromise relative to that duty. Mr. Bingham stated that he does not believe the laws of the City can or should be compromised; integrity also should not be compromised. It is sometimes necessary to have a vigorous debate regarding the intent or meaning of a law before deciding upon the best solution that obeys and sustains the laws of the City. He indicated that is what he intends to do.

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Councilmember Anderson asked Mr. Bingham why he wants to be a member of the Planning Commission. Mr. Bingham stated that since he was younger and after serving an LDS mission he has had an interest in government; he feels this is a great place to start and he is in a position at this time to bring value and experience to the City. He can learn at the Planning Commission level before moving forward. Councilmember Bolduc inquired as to where Mr. Bingham desires to move forward to. Mr. Bingham stated he would like to learn as much as possible about laws, ordinances, and other code as a Planning Commissioner; he has no other plans beyond that, but if the opportunity were to present itself to become a Councilmember, he would like to do that as well.

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Councilmember Anderson addressed Mayor Palmer and stated she appreciated the comments that were made about Commissioner Jensen and the value that he brings to the City due to his institutional knowledge. She asked if some of the qualities that Mr. Bingham possesses will balance his lack of historical knowledge of the City. Mayor Palmer stated that he has found that attitude and trustworthiness is a must and that Mr. Bingham can gain the knowledge needed to serve as a Planning Commissioner fairly quickly. He stated that Councilmember Anderson likely knows much more today than when she was first sworn into office six months ago; likewise, he had to learn things very quickly when he was elected as Mayor. He stated two of the criteria that he used to evaluate applicants were weighted higher than the other criteria and that was attitude and ability to do the job.

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Councilmember Lisonbee thanked Mr. Bingham for his willingness to answer the questions of the Council and she stated he is clearly an impressive individual. She appreciates his willingness to serve, but she also has some concerns. She stated as the veteran Councilmember she has seen other Councilmembers gain knowledge very quickly since their election, but much of that has come because they have had conversations with people like her who have institutional knowledge, with

is so important. She stated Mr. Pratt is correct that the current Planning Commission is very young and there is a lack of institutional knowledge, though institutional knowledge is extremely important and cannot be overcome by attitude in her opinion. She stated she is very concerned that the Commission needs institutional knowledge.

[6:35:22 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-37 APPOINTING GARY BINGHAM TO THE SYRACUSE CITY PLANNING COMMISSION. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

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Councilmember Lisonbee stated she would like to make a substitute motion; for a long time she has spoken against using alternate Planning Commissioners and that is for very good reasons. The City has had some unique situations recently and absences on the body have been an issue. That has seemed to clear up lately and attendance has been better, however. She stated she would like to propose to appoint Mr. Bingham as an alternate member to allow him to gain institutional knowledge and fill in and sit on the dias with the Planning Commission while another member with greater institutional knowledge continues to serve.

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COUNCILMEMBER LISONBEE OFFERED A SUBSTITUTE MOTION TO APPOINT GARY BINGHAM AS AN ALTERNATE PLANNING COMMISSIONER.

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Mayor Palmer wondered if the Council has the ability to consider such a motion since the item included on the agenda is an appointment of a Planning Commissioner, not an alternate member. Councilmember Lisonbee deferred to legal counsel. City Attorney Roberts stated the appointment before the City Council is for a Planning Commissioner and not an alternate; unless the Mayor wants to amend his nomination, the Council cannot change the office to which the Mayor is recommending appointment.

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Councilmember Bolduc stated that concerns have been raised about Mr. Jensen and she asked that Mr. Jensen be given the opportunity to address those concerns.

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Mr. Jensen stated that he has always understood that Commissioners serve at the pleasure of the Mayor with the advice and consent of the Council. The appointment is for the Mayor to recommend, but if the Council chooses not to support the appointment, he will continue to serve until a replacement is found and he is willing to do that. He stated the Mayor has his reasons for choosing Mr. Bingham and that is his prerogative.

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Councilmember Bolduc stated one concern that was brought forth to her is an accusation that Mr. Jensen approached developers about how they could repair a situation in order for an application of theirs to move forward. Mr. Jensen stated that he has never spoken to a developer; occasionally the Planning Commission members receive emails from developers as they are trying to seek clarification on a given ordinance and he usually directs those emails to staff, though sometimes he expresses his opinion. He reiterated he has never spoken to a developer about what they need to do to make their application successful. He added that any time his property is involved or near another property for which an applicant is requesting some sort of development approval, he recuses himself from participating in discussions or actions on those issues, though he is not legally required to do so. He stated he has been interested in reducing the City's liability related to a perceived conflict of interest. He stated this displays his integrity. Councilmember Bolduc asked Mr. Jensen what he offers to the Commission other than his institutional knowledge. Mr. Jensen stated that every Commissioner brings a unique skill set to the Commission; the City is fortunate to have a great mix of Commissioners with different viewpoints. When considering an administrative application the Commission must rely upon ordinances in place, but when recommending legislative decisions each Commissioner's point of view and opinion comes into play because they are trying to make improvements based on their own experience. He stated one thing he brings to the Commission is that he was born in the City in 1965 and has lived here almost his entire life and that gives him an understanding of history and background information about many issues that have arisen in the City. He has attended numerous meetings in the City since 2004 and he has much knowledge about the basis for many decisions that have been made in the City.

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Councilmember Lisonbee stated that she appreciates Mr. Jensen's service; she has seen how hard he has worked to make the City a better place and he has been a great asset. She then stated that her substitute motion is not about telling

Mayor Palmer who should be appointed to the Commission; however, she understands there was a good pool of applicants and several of them have a great background based on long-term history in the City.

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COUNCILMEMBER LISONBEE AMENDED HER SUBSTITUTE MOTION TO TABLE RESOLUTION R16-37 APPOINTING GARY BINGHAM TO THE SYRACUSE CITY PLANNING COMMISSION.

Councilmember Lisonbee stated she would like to consider appointing someone with a great knowledge of the City and appoint Mr. Bingham as an alternate to allow him to gain institutional knowledge as well.

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COUNCILMEMBER BOLDUC SECONDED THE MOTION. COUNCILMEMBERS BOLDUC AND LISONBEE VOTED IN FAVOR; COUNCILMEMBERS ANDERSON, GAILEY, AND MAUGHAN VOTED IN OPPOSITION. The motion failed.

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Mayor Palmer called for a vote on the original motion to adopt the resolution. COUNCILMEMBERS ANDERSON AND GAILEY VOTED IN FAVOR. COUNCILMEMBER BOLDUC VOTED IN OPPOSITION. COUNCILMEMBERS LISONBEE AND MAUGHAN ABSTAINED FROM VOTING.

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Councilmember Lisonbee stated she has no concerns about Mr. Bingham, but she has concerns about appointing someone with very little institutional knowledge to an already young Planning Commission. She reiterated she feels he would be a fabulous alternate member.

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Councilmember Anderson asked Councilmember Maughan why he abstained from voting or if there is a different course of action. Councilmember Maughan stated he has no explanation to offer at this time.

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City Attorney Paul stated that it takes three affirmative votes of the Council in order for any action to be approved; generally speaking, an abstention is a no vote and so in this case the resolution has not been approved. City Recorder added that based on the votes case, the resolution has failed. The Mayor can bring a subsequent resolution to the Council at a future date recommending another appointee, but in order for the proposed resolution to be reconsidered and for Mr. Bingham to be appointed as recommended, the Council would need to reconsider the action taken tonight either during this same meeting or when the minutes for this meeting are approved.

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Councilmember Anderson asked if the Council can reconsider the idea of tabling the resolution. Ms. Brown answered yes; the Council would need to vote to reconsider the resolution and then vote to table it. Otherwise the resolution is 'dead' and it would be inappropriate for the Mayor to bring it forward again at a future date.

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6. Public Hearing: Authorize Administration to dispose of surplus property.

A staff memo from the City Recorder explained several City Departments have indicated they have surplus property to dispose of. Please review the lists provided by the respective Department Heads of the Departments referenced below as well as the attached list from the Police Department.

FIRE DEPARTMENT:

The Fire Department would like to surplus for sale our 2002 Horton (Ford F350 Chassis) Ambulance, VIN 1FDWF36F02EC51267. This ambulance has been held in reserve since the addition of our new 2015 Horton Ambulance went in service in August 2015 to replace the 2002. Currently we have two ambulances in regular service; a 2015 front-line and a 2007 as reserve. The 2002 ambulance does not get used enough as a reserve to justify keeping it in the fleet. We recommend putting it for sale as it has become a maintenance liability.

PUBLIC WORKS DEPARTMENT

2005 Dodge Ram 2500 hemi (Quantity 2)
1999 Chevrolet Silverado 2500

POLICE DEPARTMENT

Black Office Chair (5)
Maroon Office Chair (6)
Tall Black Office Chair (5)

Tall Maroon Office Chair (7)
Gray Office Chair (1)

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City Manager Bovero reviewed the staff memo.

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Councilmember Lisonbee stated that the Council was contacted by a resident who had questions about some of the items recommended for disposal and she asked that Chief Atkin address the Council and provide an explanation regarding how the Department acquired the items that are included on his list for disposal. The resident was concerned about asset forfeiture, but Chief Atkin has told her that the City does not have items that have been forfeited through the asset forfeiture process. Chief Atkin stated that is correct; the chairs recommended for disposal have been in the Department's possession for several years and long before he was appointed as Police Chief. They were not acquired through the asset forfeiture process.

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Mayor Palmer opened the public hearing.

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TJ Jensen offered his support for the proposed action.

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COUNCILMEMBER BOLDUC MOVED TO AUTHORIZE ADMINISTRATION TO DISPOSE OF SURPLUS PROPERTY. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[6:51:45 PM](#)

7. Public Hearing: Proposed Ordinance 16-21 amending Section 10.40.030 of the Syracuse City Municipal Code pertaining to onsite parking.

A staff memo from the City Attorney explained that due to its presence in the zoning code, the proposed amendment of section 10.40.030 was brought to the Planning Commission on July 5 and received significant attention and discussion. Ultimately, the Planning Commission recommended approval of the amendment, with some changes from what was presented:

- A reference to subsection (4) was added to subsection (1), as it provides for parking in driveways, which can be located in side yards
- Undeveloped properties are included with non-residential properties as prohibiting parking, except in paved areas.
- "Paved areas" includes concrete, asphalt, and gravel of at least 2 inches in depth
- Side yard parking is only permitted if the area is paved
- It was clarified (at Council's suggestion during our work meeting) that the provisions in subsection (6) mean that tractors may park in any yard area in the A-1 Zone (including the front yard). In all other zones, they will be treated as other vehicles, and would need to park in either the back yard, or on paved surfaces in the side or front yard.

The approval was given by a margin of 5-2. This item is now ready for Council review in a business session; a public hearing must be held.

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City Attorney Roberts reviewed his staff memo.

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COUNCILMEMBER LISONBEE MOVED TO ADOPT THE COUNCIL'S VERSION OF ORDINANCE 16-21 WITH THE UPDATE AT THE COUNCIL'S SUGGESTION ACCEPTING ALL CHANGES THE PLANNING COMMISSION FORWARDED EXCEPT THE REFERENCE TO SUBSECTION 4 PROVIDING FOR PARKING IN SIDEYARDS IF THE SIDEYARD IS A DRIVEWAY.

City Attorney Roberts noted the City Council must hold a public hearing. Councilmember Lisonbee stated she may make the same motion following the public hearing.

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Councilmember Bolduc asked if it would be a problem for a resident to park a tractor on their property if they have a larger lot size that is not zoned A-1. Mr. Roberts stated that pieces of heavy equipment, such as tractors, should be kept in the side or rear yard of properties not located in agricultural zones.

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Councilmember Lisonbee referenced the section of the ordinance dealing with the height of vegetation and what constitutes a nuisance; according to the ordinance and existing ordinance, the height of any grasses growing under a parked vehicle would need to be kept shorter than the height defined in the ordinance.

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Mayor Palmer opened the public hearing.

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TJ Jensen stated the recommendation offered by the Planning Commission is a move in the right direction as he feels the City has been too restrictive on this issue in the past. He has a philosophical objection to this ordinance based on his feelings regarding property rights. When someone agrees to incorporate their property into a City they agree to surrender to certain property maintenance standards for the benefit of the community and the City has an interest in addressing nuisances, but negative occurrences resulting from the maintenance of a nuisance on a residents property will become a civil matter between property owners. He stated that he conducted an extensive amount of research into the nuisance ordinances used in other cities and there are many approaches the City could take to address problems associated with on-site parking. While he is generally in favor of the Planning Commission's recommendation, he does not believe it goes far enough to protect property rights.

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Troy Moultrie stated he is also a member of the Planning Commission and he feels the reason the body arrived as their recommendation is due to safety; if a vehicle is parked on the grass, especially during dry times of the year when other vegetation may accumulate around them, it would be possible for them to catch on fire. He added that parking a vehicle on the grass, especially in the front yard, can look very unsightly and create a nuisance for neighboring property owners.

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

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COUNCILMEMBER LISONBEE MOVED TO ADOPT THE COUNCIL'S VERSION OF ORDINANCE 16-21 WITH THE UPDATE AT THE COUNCIL'S SUGGESTION ACCEPTING ALL CHANGES THE PLANNING COMMISSION FORWARDED EXCEPT THE REFERENCE TO SUBSECTION 4 PROVIDING FOR PARKING IN SIDEYARDS IF THE SIDEYARD IS A DRIVEWAY AND ADDING THE FOLLOWING CLARIFICATION:

- THAT THE PROVISIONS IN SUBSECTION (6) MEAN THAT TRACTORS MAY PARK IN ANY YARD AREA IN THE A-1 ZONE (INCLUDING THE FRONT YARD). IN ALL OTHER ZONES, THEY WILL BE TREATED AS OTHER VEHICLES, AND WOULD NEED TO PARK IN EITHER THE BACK YARD, OR ON PAVED SURFACES IN THE SIDE OR FRONT YARD.

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Councilmember Maughan stated he would like to see a written version of the ordinance incorporating the changes recommended by Councilmember Lisonbee before taking action to adopt it. Councilmember Lisonbee agreed; she is surprised and disappointed that the language discussed by the Council was not included in the packet. She stated the Council can table the ordinance until the next meeting to give the Council the opportunity to review all documentation before taking action.

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COUNCILMEMBER ANDERSON MOVED TO TABLE ORDINANCE 16-21 AMENDING SECTION 10.40.030 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ONSITE PARKING. COUNCILMEBER BOLDUC SECONDED THE MOTION.

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Councilmember Lisonbee stated the changes being recommended are in response to feedback from a large number of citizens who were attempting to use their property appropriately and not causing harm or damage to any other resident, yet they were being harassed by the City's laws; it is unfortunate when something like that happens and there is no reason someone should not be allowed to park on mowed grass on their side yard behind the front line of their home.

[7:03:07 PM](#)

Councilmember Maughan stated that he can understand where a problem could arise by on-site parking when vegetation or the property in general is unkempt, but those who maintain their properties should be allowed to take advantage of the ability to park their vehicles on their property. He is disappointed the Planning Commission did not take the advice of the City Council and went in their own direction. Councilmember Lisonbee agreed and stated the City already has an ordinance in place that requires property owners to maintain vegetation on their property.

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Councilmember Anderson stated that one reason it was necessary to consider amendments to the ordinance is that it was causing an undue economic burden on residents who were being forced to pour a driveway or lay gravel in their side yard in order to park there.

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Mr. Roberts and Councilmember Lisonbee had a brief discussion regarding her direction relative to amendments to the draft ordinance.

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

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8. Public Hearing: Proposed Ordinance 16-22 amending various provisions of the Syracuse City Municipal Code pertaining to public nuisances and parking within the public right-of-way.

A staff memo from the City Attorney explained that in light of Council discussion during the June 26, 2016 work meeting, some changes have been made to the draft version of the proposed ordinance. It is important to note that, due to its land use implications, the changes related to subsection 10.40.030 have been separated and will be heard apart from these changes. The changes include the following:

- Added subsection (10) to section 6.15.010(B), providing that construction sites which have been abandoned for more than three months are deemed nuisances, if there are conditions present that are dangerous or an attractive nuisance, such as holes, sharp metal objects, exposed rebar, etc. The property owner, not the developer, will be ultimately responsible for the cleanup of the site.
- New Subsection (D) in section 11.20.040 – This provides that even if you park your RV in the road for a short time, it cannot be a place of habitation. It also prohibits using a trailer's bump-out feature, if it is parked in the right-of-way
- New Subsection (E) in section 11.20.040 – Prohibits the storage of trailers used in the course of business in residential zones, during nighttime hours. This would override the usual 24 hours prohibition in cases of trailers that are used in business. Evidence of their use in business would need to be gathered in order to enforce these provisions, such as registration to a business entity, statements by the owner or neighbors, signs or advertising posted on the trailer, or other circumstantial evidence.

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City Attorney Roberts reviewed his staff memo.

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Mayor Palmer addressed construction trailers and vehicles and asked what would happen if the trailers are left in a location after work has been completed. Mr. Roberts stated that activity is a violation of the ordinance; if a trailer is left on a site for which a permit has expired or when a project has been expanded, that activity is deemed illegal or a nuisance.

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Councilmember Lisonbee stated that she has heard concerns about dark trailers parked in the road with no reflective markings. She asked if this ordinance would address that issue. Councilmember Bolduc stated that the instance was actually a dumpster that was located in a driving lane. Mr. Roberts stated there is no provision that addresses the use of reflective markings on vehicles or dumpsters jutting into the road. Mr. Bovero added that such activity is addressed in the City's permitting regulations. In the situation referenced, City staff contacted the property owner to ask that the dumpster be moved to a safe place.

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Mayor Palmer opened the public hearing.

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TJ Jensen addressed the situation raised by Councilmember Bolduc regarding the placement of a dumpster in a travel lane and he feels there should be a restriction in the ordinance prohibiting placement of dumpsters in the right-of-way. He also suggested that language in the ordinance regarding additional parking restrictions should be based on vehicle weight as weights of business vehicles can vary widely.

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Kevin Homer stated he appreciates the Council's efforts to modify ordinances in order to protect property rights of residents. He does have concerns about the definition of public nuisances, but that can be addressed at a different time. He stated

he supports the ordinances that have been drafted to address parking issues, but he senses that exceptions are being carved out for commercial or construction vehicles. He suggested that an exception also be carved out for camping trailers or boats to be parked on the street while residents are loading them. It can sometimes be difficult to complete all loading or unloading of a travel trailer in 24 hours and the same could be true for boats and it may be worthy to give property owners some leeway for parking of recreational vehicles.

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Ralph Vaughan stated that he feels the ordinance should be even more strict than is being recommended. He would suggest that the ordinance prohibit any unattached trailer from being parked on the street in the evening or overnight hours as such an activity creates a major safety hazard. He noted construction trailers are usually heavier and must be licensed, but some smaller trailers do not need to be licensed and, therefore they are nearly impossible to see on a residential street because they are almost always black and have no reflective materials on them. Additionally, they are a target for theft. In a residential area there is absolutely no reason for an unattached trailer to be parked on the street overnight. Given the previous ordinance considered by the Council that will offer leniency for those wishing to park vehicles on their side or year yard, those with trailers should be able to comply and if they cannot comply they deserve to have their vehicles cited and towed away.

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TJ Jensen re-approached and stated that he proposes changing the vehicle weight cited in the ordinance from 50,000 pounds to 26,000 pounds.

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

[7:17:46 PM](#)

The Council engaged in brief discussion with staff regarding the licensure of trailers and requirements to use reflective materials on dark trailers. Chief Atkin stated that many concerning activities that have been discussed tonight would be addressed by the City’s nuisance ordinance, while other issues that create a clear hazard can be addressed by the Police Department. The Council also discussed Mr. Homer’s recommendation that recreational vehicles and trailers be allowed to stay on the street for longer than 24 hours; they ultimately concluded to leave the provision as recommended in the ordinance as any enforcement of illegal on-street parking is typically complaint driven and is not actively enforced by the City.

[7:23:40 PM](#)

COUNCILMEMBER GAILEY MOVED TO ADOPT ORDINANCE 16-22 AMENDING VARIOUS PROVISIONS OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO PUBLIC NUISANCES AND PARKING WITHIN THE PUBLIC RIGHT-OF-WAY, WITH THE AMENDMENT TO EXTEND AN EXCEPTION TO CONSTRUCTION TRAILERS ASSOCIATED WITH AN ACTIVE BUILDING PERMIT. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:24:26 PM](#)

Mr. Roberts indicated he will add a Subsection F to the ordinance to read: “this section does not prohibit parking of construction trailers associated an active building permit”.

[7:25:32 PM](#)

Councilmember Gailey thanked Mr. Roberts for his effort to include language that will address dangerous conditions on properties where a construction project has been abandoned. He stated this will address a property in his neighborhood that has been concerning to residents for some time.

[7:26:20 PM](#)

9. Subdivision Amendment, San Melia Subdivision, located at 1025 S. 2200 W.

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

Location:	1025 S. 2200 W.
Current Zoning:	R-2
General Plan:	R-2
Total Subdivision Area:	1.408 acres

The applicant has requested approval of a 2 lot amendment to a subdivision known as San Melia in the R-2 Zone. The dimensions of these lots are as follows:

Lot	Zone	Lot Size (R-2 10,000 Sq. Ft. Min.)	Lot Width (R-2 85 Ft. Min.)	Existing Structures to Remain
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19	R-2	24,781	140	Home
20	R-2	15,311	97.20	None

As is shown, all proposed lots meet the minimum lot dimension requirements in the R-2 Zone. The main intent of the amendment is to rectify an issue with the previously recorded plat and move the western property line of lot 19 to the west approximately 20 feet. The discrepancy is result of surveying errors made when the lot was developed. Utah State Code 10-9a-523 has come to the attention of staff. This Code states that "A parcel boundary adjustment is not subject to the review of the land use authority." As such, staff will be sure to direct all future requests for parcel boundary adjustments to comply with the State Code.

[7:26:27 PM](#)

CED Director Mellor reviewed the staff memo.

[7:28:54 PM](#)

The Mayor and Council engaged in high level discussion about the history of the subject property and the need for the lot amendment, which arose because of the incorrect placement of a driveway resulting from a surveying mistake.

[7:30:28 PM](#)

COUNCILMEMBER LISONBEE MOVED TO GRANT THE SUBDIVISION AMENDMENT FOR THE SAN MELIA SUBDIVISION, LOCATED AT 1025 S. 2200 W., SUBJECT TO INCLUDING LANGUAGE ON THE SUBDIVISION PLAT TO INFORM ANY FUTURE PURCHASER OF THE SUBJECT PROPERTY THAT THEY MUST COMPLY WITH HOME OWNERS ASSOCIATION (HOA) CONDITIONS, COVENANTS, AND RESTRICTIONS (CCRS).

[7:31:24 PM](#)

Councilmember Maughan stated he is concerned about enacting a condition that would be problematic for future property owners or would put the property in a position where it cannot obtain conforming status or be developed legally. Mr. Mellor stated he does not believe that would happen and he believes the HOA will be willing to modify their CCRs to allow construction on the property.

[7:32:24 PM](#)

Councilmember Anderson inquired as to the options available to the property owner if the Council were to reject the lot amendment. She asked if the property owner would be forced to purchase the lot next to theirs in order to keep the driveway where it is, or tear their driveway up. Mr. Mellor answered yes. He added that Ivory Homes has indicated they feel they will be able to build on the subject property.

[7:33:25 PM](#)

Mr. Roberts stated this is an administrative decision and if the Council is considering denying the application they should identify the sections of the Code that the application does not comply with.

[7:33:21 PM](#)

COUNCILMEBER GAILEY SECONDED COUNCILMEMBER LISONBEE'S MOTION; ALL VOTED IN FAVOR.

[7:33:51 PM](#)

COUNCILMEMBER LISONBEE MOVED TO AMEND THE AGENDA TO MOVE ITEM 13 AHEAD OF ITEM 10 ON THE AGENDA. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[7:34:48 PM](#)

13. Discussion of the adequacy of the secondary water system and a plan for education and enforcement of a watering schedule during weather events and other stress events on the system.

Councilmembers Lisonbee and Anderson asked that this item be added to the agenda to give the Council the opportunity to discuss concerns expressed regarding the current operation of the City's secondary water system. The Council engaged in high level discussion with staff regarding opportunities for addressing concerns related to the lack of water pressure in various areas of the City. There was a heavy focus on enacting a watering schedule in the City to prevent residents from watering their lawns daily. Councilmember Maughan also suggested that the City's water system not be pressured as early in the year and shut off earlier in the fall when the weather is cool enough or there is enough natural water through rainstorms to water landscaping. The Council indicated they are willing to explore that idea. City Manager Bovero clarified that the situation the City is currently dealing with does not relate to the time of year that the City's system is

pressurized; rather, the problem is due to the reservoirs being drained during each 24 hour cycle before they can be refilled. An option for solving the problem is to develop a reserve reservoir to meet demand during peak hours. Councilmember Lisonbee agreed and stated that people are overwatering; when they water every day or water during the middle of the day when evaporation occurs, that impacts other users that are located in other areas of the City. She feels the Council needs to address that issue through a watering schedule. The Council engaged in high level philosophical discussion regarding restricting water use to ensure equal treatment and fairness for all users. Councilmember Lisonbee stated that it has been her proposal in the past to create a system where people water fairly; a watering schedule could be created and implemented upon a defined trigger and at that point City employees will drive throughout the City and find properties violating the watering schedule. The first violation would result in a warning, the second violation would result in a fine, and the third violation would result in that properties water being shut off for the remainder of the season. She stated other cities use a similar program. She noted she would like to begin with education of residents, but she supports a program enacting watering restrictions based on defined triggers. Mayor Palmer stated he is concerned about triggers that have been discussed in the past and while he likes the idea of issuing warning or fines for violations, he feels it is too harsh to shut off water for the remainder of a season for the third violation.

7:54:05 PM

Councilmember Maughan indicated the Council needs to develop a program that is less taxing on the system, but is implemented each year and is learned by the citizens as a standardized policy. Councilmembers agreed, but Councilmember Lisonbee stated the issue with enacting a standardized policy is enforcement; if the policy is always in effect rather than being implemented by a trigger, it will be costly to enforce it all year, every year. Councilmember Gailey stated he would like for the Council to take an extended period of time in the off-season to consider development of a policy so that education can start in March or April of next year. He suggested that the community get involved in the development of the policy as well. Councilmember Maughan stated he will support that course of action, but there is still a problem this year that needs to be dealt with. Public Works Director Whiteley stated that he can investigate acquiring more water or renting available water shares for the remainder of the season. Mayor Palmer stated that he would like to start by enacting a watering schedule encouraging residents to only water two or three times per week before purchasing or renting additional water. Councilmember Gailey agreed and suggested that volunteers in the Community Emergency Response Team (CERT) be used to deliver information about the watering schedule to each household in the City. Discussion regarding technical information about operation of the system continued, after which the Council concluded to proceed with advertisement of a watering schedule on the City's website, social media outlets, in the newsletter, and through volunteer efforts. Mr. Bovero indicated he will work with Mr. Whitely and his staff to develop a notice that could be provided to the Council before it is delivered to residents.

8:07:06 PM

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Jared Hunter and Laine Hamblin 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 July 2016 were nominated by the staff of the City's Parks and Recreation Department.

Jared Hunter:

Jared is an exceptional athlete and leader. Throughout the season we have noticed that not only is Jared an amazing athlete, even more important he is a great teammate and is always cheering on his teammates and picking them up when they make a mistake. Jared led his team to an undefeated season and the championship game where he went 2 for 2 and had 6 strikeouts, where they won a close game 7-6.

Laine Hamblin:

Lainee is a great softball player and teammate. Lainee has shown this season great leadership and sportsmanship, Lainee is always heard cheering on her team and starting the chants to get her team excited to play. Lainee helped lead her team to an undefeated season and pitched in the championship game which they won. Lainee is a great example of hard work and a great teammate.

Mayor Palmer indicated that Mr. Hunter was unable to attend tonight's meeting and he will be given his award during the next regularly scheduled meeting.

8:10:29 PM

10. Proposed Ordinance 16-23 amending Section 10.30.050(c) of the Syracuse City Code related to yard encroachments.

A staff memo from the Community and Economic Development (CED) Department explained recent review of home plans has raised concern about restrictions in our ordinance relating to cantilevered floors, roofs, and other yard encroachments. The first section of Code that has presented issues is:

10.30.050.C.1 Chimneys, bay windows, sills, lintels, cantilevers, or other ornamental features may project not more than 24 inches into required front, rear, and side yard spaces, provided they are not more than eight feet in width. This title prohibits side yard encroachments within cluster subdivisions with side yard setbacks less than seven feet, and in no instance shall the side yard distance between two structures be less than 10 feet.

This has been an issue for developers as many times cantilevered floors are wider than 8 feet. It's likely that this code was only meant to apply to bay windows and other similar features and as such, would be sufficient, however it continues to be an issue as homes built to setback lines become more and more common. The next section of code that has caused concern is:

10.30.050.2 Unsupported cornices, eaves, gutters, and terraces may project 10 feet into any required front, rear, or side yard. Uncovered porches and decks may project 10 feet into any required front or rear yard.

The final section of Code is:

10.30.050.C.3 Attached covered decks and patios may encroach into rear yards provided the total covered patio width does not exceed 33 percent of the total length of the principal structure to which it will attach and it does not extend closer than 20 feet to the required rear yard line.

Since the rear setback in the R-3 Zone is 20 feet, this code does not allow covered deck/patio encroachments into the rear setback of the zone. This may have been intentional and is not a significant concern to staff, but has been of concern to developers trying to include covered decks/patios in the R-3 Zone. Developers have expressed that the cantilever Codes are too restrictive and should be loosened.

It is also possible that the concerns expressed by developers are a symptom of homes being built to setback lines in many cases. This issue arises from home builders acquiring a few home floor plans and attempting to apply them to lots of various sizes and shapes rather than designing a home to fit a specific property. However, as this is generally a more affordable option, it is likely that this type of ones-size-fits-all home development will continue to be proposed. The Code sections in question have been discussed in detail with the Planning Commission during two work sessions held on June 7, 2016 and June 21, 2016. As result of these sessions, staff has been directed to address minimum side yard distances, covered decks and patios, and building cantilever widths. The proposed code is included as an attachment to this report. The proposed ordinance was recommended for approval by the Planning Commission on July 5, 2016.

8:10:58 PM

Community and Economic Development (CED) Director Mellor reviewed the staff memo.

8:12:01 PM

Council discussion of the Planning Commission's proposal ensued, with a focus on areas throughout the City in which the amendments could benefit a development or individual property owner. Mr. Mellor stated that cantilevering is an esthetic preference of some developers and the activity being requested should not create a negative impact between adjacent properties. Councilmember Lisonbee stated that allowing one property owner to cantilever their structure into the setback may restrict an adjacent property owner from doing the same thing. Mr. Mellor stated that cantilevering could be allowed on two adjacent properties under the current as long as the setback is maintained. Councilmember Lisonbee stated that is not how the ordinance reads. Mr. Mellor indicated that additional review and discussion of the proposed ordinance may be needed in a work session meeting. Councilmember Lisonbee agreed as she is not in favor of an amendment that would restrict one property owners actions based upon the actions of their neighbor. Mr. Bovero stated it is his understanding that a minimum setback would be in force even if two homes were both allowed to encroach into the setbacks. Mr. Roberts agreed

and stated that under the recommended language there would still be a minimum of 10 feet between structures if two neighboring homes were allowed to encroach into the setback. Council discussion of the language continued and the body concluded they would like to have additional discussion in a work session meeting in order to gain clarity on the implications of the proposed amendment.

[8:22:21 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO TABLE ORDINANCE 16-23 AMENDING SECTION 10.30.050(C) OF THE SYRACUSE CITY CODE RELATED TO YARD ENCROACHMENTS. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[8:22:44 PM](#)

11. Proposed Resolution R16-36 adopting the Fiscal Year 2016-2017 wage scale.

A staff memo from the Finance Director explained Please see the proposed changes to the fiscal year 2016 – 2017 wages scale. All recommended changes to the wage scale are highlighted in red. The City Council has expressed a desire to increase the wage scales for the police department. These positions include:

- o Police Officer I – raise wage scale by \$1.50/hour
- o Police Officer II – raise wage scale by \$1.75/hour
- o Police Officer III – raise wage scale by \$2.00/hour
- o Police Sergeant – raise wage scale by \$2.00/hour
- o Police Lieutenant – raise wage scale by \$1.50/hour
- o Police Chief – raise wage scale by \$1,000.00 annual salary.

The recommendations above were determined by gathering information from surrounding cities. This recommendation is being made to make the City competitive with other cities.

[8:23:01 PM](#)

Finance Director Marshall reviewed his staff memo.

[8:24:29 PM](#)

Mr. Bovero stated there are two officers in the Police Officer position who would receive pay increases to the minimum pay proposed in the wage scale; the total annual budgetary impact of that action is approximately \$550. The hypothetical budgetary impact that could occur due to the fact that City Administration can hire an employee up to the midpoint of their wage scale is more dramatic, but this scenario is very unlikely.

[8:25:46 PM](#)

Councilmember Lisonbee stated that she did not see any data in the packet that supported increasing the midpoint and maximum pay for the wage scales; she wants to adjust the wage scale, but she does not see anything that supports adjusting the midpoint and maximum pay by \$1.50. Mr. Bovero stated that the Council can adjust the minimum pay by \$1.50 at this point and delay action on adjusting the midpoint and maximum pay.

[8:28:02 PM](#)

Councilmember Maughan stated he wishes that the Council could have taken the time to address this issue through a more comprehensive policy, but at this point in time, the Council is committed and he does not support delaying action on increasing the midpoint and maximum pay in the scales for the Police Department.

[8:28:23 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R16-36 ADOPTING THE FISCAL YEAR 2016-2017 WAGE SCALE. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[8:29:00 PM](#)

Councilmember Lisonbee stated she could support that motion if it were supported by good data; the Council received data to support an increase to the minimum pay and that is why she was supportive of making changes and offering increases that have been given. She stated she would support the motion if there were an understanding that the wage scales could be adjusted further if needed based on the data to be gathered to support final decisions to be made in August.

[8:29:47 PM](#)

Mr. Marshall added that the majority of the City's wage ranges have 35 to 40 percent between the minimum and maximum pay; the proposal would result in the Police Officer 1 range in having a difference of 40 percent between the minimum and maximum, but if the maximum pay is not increased, the difference between minimum and maximum would be just 32 percent.

[8:30:14 PM](#)

Councilmember Maughan stated the Council always has the ability to revisit decisions made and he stands by his motion to adopt the wage scales as presented based on commitments that have been made to the Police Department. Councilmember Lisonbee argued that the Council has not made a commitment to the Police Department to adjust the maximum pay in the wage scale. Councilmember Maughan stated it is his opinion that commitment was made.

[8:31:26 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.

[8:31:58 PM](#)

12. Proposed Resolution R16-35 awarding a contract for the review of unbilled or misbilled culinary water services.

A staff memo from the City Manager explained the City Council has discussed this contract in two previous work sessions, with July 28, 2016 being the most recent. Pursuant to the City's advertised RFP process, ISI Water Company is proposed to receive the contract award. In summary the RFP outlines the following scope of work:

- The selected contractor reviews the City's utility billing accounts and, usually with the assistance of software-based analytics, identifies possible problems in the City's water system. Typically, the software identifies anomalies in the billing accounts that flag a potential problem, whether it is a leak in a valve, a faulty meter, or other similar problem.
- Based on the analysis, the specific locations in the field are investigated to see if there is, in fact, a problem.
- Based on the findings, the problems are addressed by the City, and the difference between the recaptured revenue from the fix and the historical revenue is measured.
- The selected contractor is paid only from the recaptured revenue, typically a percentage of the recaptured revenue for a specified number of years. The RFP is set up so that the City has no up-front cost or risk.

This service is designed to improve the operational efficiency of the City's water system, and discover hard to find problems in the system in order to ensure the system is operating appropriately.

During previous Council discussions of the proposed contract, there was a focus on the following:

- Confidentiality Assurance: Contract language has been added to protect sensitive information of the City's utility customers.
- Require Notice of Overbilling: Contract language has been added to notify the City of any anomalies that indicate a situation where a customer might be overbilled.
- Fee: The original proposal from the contractor included a 60% fee on all new revenue obtained from the study for 36 months. Contract language has been amended to a contractor fee of 50% over 43 months.

[8:32:07 PM](#)

Mr. Bovero reviewed his staff memo and noted changes were made to the agreement based on feedback provided by the Council during the June 28 work session.

[8:32:57 PM](#)

Councilmember Lisonbee expressed her concerns about entering into the agreement; she feels the City can use existing staff to perform the services that are being offered by Water Company of America and any savings realized would be retained solely by the City rather than divided between the City and the firm. Councilmember Maughan stated that it was made very clear to him that the City does not have the ability to perform the services that are being offered by the firm as most of the work conducted is done by proprietary software that only the firm has access to. However, he is concerned about entering into the agreement for other reasons; he has an uneasy feeling about the agreement and the work to be completed by the firm could upset residents. Councilmember Lisonbee stated that she understands the firm would use proprietary software to perform the services offered in the agreement, but she feels City can review utility billing accounts to look for data that may be skewed in some manner. Councilmember Gailey stated he would rather have staff focusing on other needs of the City. He emphasized that if the firm does not find any billing issues, the City will pay nothing for their services; any costs paid to the firm would be a result of any revenues or cost savings identified by that firm.

[8:35:57 PM](#)

Councilmember Anderson asked for Mr. Whiteley's input regarding the service being offered. Mr. Whiteley stated that he does not believe the firm would find many instances where billing issues or misuse of water is occurring. Councilmember Anderson stated she also has an uneasy feeling about entering into the agreement after thinking about over

the course of the past several weeks. Mr. Whiteley did clarify that staff does not currently have the time or expertise to perform the services being offered by Water Company of America.

[8:40:10 PM](#)

Councilmember Bolduc addressed Mr. Marshall and noted that one thing the firm would look for is properties who are using water illegally by turning water on after it has been shut off by the City or without signing up for service. She asked how often the City encounters this type of issue. Mr. Marshall stated that in the five years he has been employed by the City he has seen between five and 10 of these types of cases. Councilmember Bolduc asked how quickly the illegal activity is detected. Mr. Marshall stated fairly quickly; if a water service is shut off and the resident has not contacted the City to make payment within two to three days, an employee is dispatched to the property to investigate whether the resident has made an illegal connection. The City has only applied a \$35 tampering fee a handful of times; the intent to steal water in the City has been very minimal. He added that the City has 7,500 residents and 120 businesses; of this number of accounts, not all of them will be investigated as the agreement indicates that the firm will not examine individual single family homes or dwelling units and their focus would be on multi-family developments and commercial accounts.

[8:44:26 PM](#)

Discussion then centered on the implications of the agreement and the options the City would have to cancel the agreement if the firm is not performing or if not cost savings opportunities are discovered by the firm.

[8:45:40 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION TO ADOPT RESOLUTION R16-35 AWARDING A CONTRACT FOR THE REVIEW OF UNBILLED OR MISBILLED CULINARY WATER SERVICES.

The motion failed for lack of a second.

[8:46:15 PM](#)

COUNCILMEMBER BOLDUC MADE A MOTION TO DENY RESOLUTION R16-35 AWARDING A CONTRACT FOR THE REVIEW OF UNBILLED OR MISBILLED CULINARY WATER SERVICES. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER GAILEY WHO VOTED IN OPPOSITION.

[8:46:55 PM](#)

Mr. Bovero indicated that staff can look into billing data of the City to try to determine if there are any problems with any utility connections in the City. Mr. Marshall stated that he and his staff currently work closely with the Public Works Department to do that; annually they look for high usage readings and they dispatch an employee to verify that meters are functioning properly.

[8:48:05 PM](#)

14. Public comments

TJ Jensen referenced the previous discussion regarding enacting a watering schedule in the City; he feels that the schedule that was used last year worked very well. There will always be people that do not conform with the schedule, but as long as the City makes its best effort to get the word out to residents most residents will follow the recommendation. He stated that long term the City needs to consider other options for addressing the issue; the biggest problem is the lack of pressure for residents living on the east side of the City. There are three ponds in the City and some zoning could be done to dedicate water in those ponds to different areas of the City. The problem is not necessarily a lack of water from Jensen Pond, but that once the water is drained it cannot be recharged quickly enough when everyone is watered though there are three sources that feed the pond. He stated he feels the City needs a fourth pond in the City and he suggested a location on Antelope Drive below Bluff Road. He has asked the Utah Department of Transportation (UDOT) if it may be possible to locate a pond near one of the interchanges for the West Davis Corridor and the project manager for that project was not opposed to that suggestion. He stated that is a long term solution, but enacting a watering schedule may work in the short term.

[8:51:42 PM](#)

Ralph Vaughan also addressed secondary water and stated that the City will not get a handle on secondary water until it is metered. Also, for \$150 he can pay to have a hose bib installed on his secondary water system to fill his swimming pool with secondary water rather than culinary water. He stated he believes that someone filling a pool should be using water they have paid for – culinary water – rather than free water – secondary water. He then addressed the earlier discussion regarding yard encroachments and indicated that the cantilevers on a given home should be limited to one side of a home. He has five rooms on two sides of his home and according to the ordinance that was being considered, he could have five pop outs or cantilevers, with three on either side of his home. This may not be esthetically pleasing. He also asked if pop outs

would only be added on the main level of a home. He then thanked the Council for their time and indicated they do a great job.

[8:53:48 PM](#)

Councilmember Maughan stated he would like for the Council to reconsider item five on the agenda, but he is unsure that he can make the motion given that he abstained from voting when it was initially considered. City Recorder Brown reviewed the Council's Rules of Order and Procedure and indicated that a person voting on the prevailing side of a motion can make a motion to reconsider. Given that Councilmember Maughan's abstention was recorded as a no vote, which was on the prevailing side, he can make the motion to reconsider. The motion to reconsider must pass with a majority vote in order for the Council to reconsider the resolution.

[8:55:56 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION RECONSIDER RESOLUTION R16-37 APPOINTING GARY BINGHAM TO THE SYRACUSE CITY PLANNING COMMISSION. COUNCILMEMBER GAILEY SECONDED THE MOTION. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: VOTING "AYE": COUNCILMEMBERS ANDERSON, GAILEY, AND MAUGHAN. VOTING "NAY": COUNCILMEMBERS BOLDUC AND LISONBEE.

[8:57:06 PM](#)

COUNCILMEMBER GAILEY MADE A MOTION ADOPT RESOLUTION R16-37 APPOINTING GARY BINGHAM TO THE SYRACUSE CITY PLANNING COMMISSION. COUNCILMEMBER MAUGHAN SECONDED THE MOTION.

[8:57:31 PM](#)

Councilmember Lisonbee stated she still feels that Mr. Bingham would be a great alternate member of the Planning Commission, but that the body truly needs institutional knowledge. Councilmember Bolduc stated she is also concerned about the lack of institutional knowledge as well as the fact that Mr. Bingham has not attended any City meetings in the past.

[8:58:07 PM](#)

Mayor Palmer stated a motion and second has been made to adopt the resolution. THE FOLLOWING ROLL CALL VOTE WAS TAKEN: VOTING "AYE": COUNCILMEMBERS ANDERSON, GAILEY, AND MAUGHAN. VOTING "NAY": COUNCILMEMBERS BOLDUC AND LISONBEE.

[8:58:25 PM](#)

15. 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 [8:58:50 PM](#). She was followed by Councilmembers Maughan, Gailey, Anderson, and Bolduc.

[9:00:49 PM](#)

16. Mayor's Report.

Mayor Palmer's report began at [9:00:51 PM](#).

[9:03:27 PM](#)

17. City Manager report

City Manager Bovero's report began at [9:03:33 PM](#).

At [9:07:40 PM](#) p.m. COUNCILMEMBER MAUGHAN MADE A MOTION TO ADJOURN. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

City Council Regular Meeting
July 12, 2016

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: August 9, 2016