

Minutes of the Regular meeting of the Syracuse City Council held on August 8, 2017 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc (via telephone)
Mike Gailey
Dave Maughan
Jordan Savage

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
Police Chief Garret Atkin
Fire Chief Eric Froerer
Public Works Director Robert Whiteley
Assistant Parks and Recreation Director Chad Smout

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1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 6:04 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 Savage provided an invocation and Councilmember Gailey led the audience in the Pledge of Allegiance.

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

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2. Public comment

There were no public comments.

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3. Presentation from City Administration and "Town Hall" dialogue among the Governing Body and residents regarding potential tax increase

City Manager Bovero used the aid of a PowerPoint presentation to introduce to those in attendance the proposal to maintain the current certified tax rate of Syracuse City, which is also defined as a tax increase according to the State of Utah Truth in Taxation law.

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Mayor Palmer then moderated discussion among those present and the City Council regarding the content of Mr. Bovero's presentation.

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Mark Erickson stated that he decided to attend the meeting tonight to learn more about the proposed tax increase and he is pleased to see that the City is using money responsibly. The only question he has is why the amount he pays in property tax is increasing though Mr. Bovero indicated in his presentation that the Council is only considering maintaining the current tax rate. He stated he is supportive of the action after seeing what the increased revenue will be used for.

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Mayor Palmer stated that property taxes are based upon the assessed value of property; if values increase, the City's tax rate is automatically adjusted downward to ensure that the City receives the same amount of revenue year after year. However, if the City would like to maintain the current rate in order to capture the increased revenue associated with increased property values, that action must be advertised as a proposed tax increase.

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Spencer Tiramato asked if a resident's property tax rate is adjusted based upon their home value.

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Mayor Palmer reiterated his previous statement indicated that the rate is automatically adjusted each year to ensure that the City captures the same property tax revenue regardless of property values. If the City desires to consider a rate other than what is automatically generated by the Utah Tax Commission and Davis County, that action must be advertised as a tax increase. Mr. Tiramato asked if the rate would be adjusted upwards if property values decrease. Mayor Palmer answered yes. He then stated that the City considers its certified tax rate each year, meaning that the rate decided upon tonight by the City Council is only guaranteed to be in effect for one year.

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Karianne Lisonbee stated that having been a member of the City Council recently and having had the opportunity to review the financial data for the City, she can attest to the fact that the City Council has been 'very careful with taxpayer dollars'. She does not necessarily have a problem with a tax increase if it is truly needed, but after having conversations with different Council members over the past two weeks, she has heard several different proposals regarding how the increased property tax revenue would be allocated. She stated she has heard the information about funding capital projects in the City's five-year road plan or dedicating funding to the Fire Department, but if the Council is truly going to raise taxes she would prefer that the increase be tied to a very specific project with a very specific timeframe. The City will experience a significant increase in available funds within the next nine years as bond debt is retired and with that in mind it is not necessary to raise taxes just to raise taxes; however, that is what she feels the City is proposing and she disagrees with that action. She stated that she is aware of a looming need to construct a new water tower in the City at an approximate cost of \$4 million and it will be difficult to absorb that amount in the budget; she suggested creating a fee or tax increase that will be tied to that project for a defined amount of time, such as two years. She stated she could support that idea, but what she struggles with is that the proposed tax increase will generate a minimal amount of \$164,000 and there is uncertainty about where that funding will be allocated. She then stated there are many Syracuse residents who live on fixed incomes and it is not fiscally responsible for the City to ask them to contribute more than they are already contributing unless the increase can be justified appropriately. She then addressed Mayor Palmer's explanation that the tax rate will only be in effect for one year; she stated that is not correct as a change in the tax rate will remain in perpetuity unless the City holds another truth in taxation hearing. Mayor Palmer stated that is correct, but the tax rate is considered each year. Ms. Lisonbee stated that if the City continues to hold the rate and property values continue to increase, the amount of property tax revenue the City receives will also increase.

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Jason Henrie referred to a slide in Mr. Bovero's presentation that identifies the amount to be generated by the tax increase as \$162,000 and stated that another slide provides financial data illustrating the increase compounding on itself over a five years term. He stated that means the increase is intended to be in effect in perpetuity. Mayor Palmer stated that is correct and that data is not something the City has tried to hide. Mr. Henrie stated the tax increase will be in force for the next five years. Mayor Palmer stated that is correct and it could actually be in effect for the next 10 years. He then clarified that the City's bond debt will not be retired for another 11 years. Mr. Bovero added that the \$162,000 increase in annual property tax revenues would equate to \$810,000 over a five-year period. Mayor Palmer added that the City would still be short of funding the current five-year plan by \$3.3 million.

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A visitor, no name given, referenced Ms. Lisonbee's comments about tying the tax increase to a specific project and he asked if there are certain road projects the City plans to dedicate the increased revenue to. Councilmember Maughan referenced various road projects throughout the City to be targeted in the coming fiscal year, including roads in the Ranchette's West subdivision. These roads are aging and in dire need of repair or replacement. Another area of the City in need of attention is Marilyn Acres, and specifically Melanie Drive. Additionally, throughout the City there are roads that are experiencing 'alligator cracking' that must be filled. These projects were discussed in depth during the City's most recent budget retreat and the Council understands that while not all projects can be completed at one time, it is necessary to do something to provide increased road maintenance funding. Deferring maintenance for too long a period of time will result in higher replacement costs in the future. Also, the City has a policy that a road will not be replaced until it is also possible to fund replacement of the infrastructure beneath the roadway and there are sewer and water lines throughout the City that need to be replaced while a roadway is being replaced and this only increases the costs of infrastructure projects.

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Ms. Lisonbee stated that roads in Ranchette's West are currently on the City's five-year capital plan and slated for completion. Mayor Palmer stated that may be correct, but the City may not have all funding needed to complete the projects. Ms. Lisonbee stated that Public Works Director Whiteley told her a year and a half ago that those projects definitely be funded and she wondered if that has changed. She then stated that in Marilyn Acres there is just one cul-de-sac in need of replacement as all other road projects in that development have been completed. She then stated that before she was elected to the City Council there was a proposal to issue a \$13 million bond to allow the City to 'catch up' on road projects; every citizen in the City would have been charged a monthly fee for a six or 10-year term to repay the bond debt. Over her first four years in office the Council dedicated \$11 million to road projects and since then that work has continued, though prior to that time nearly zero dollars were being spent on roads and even some B&C Road monies were inappropriately being diverted to other projects in the City. Road projects had not been funded for approximately 10 to 15 years, which is egregious and horrible, and she agrees that 'catch up' work is necessary, but she also believes that good work has been done and the City is 'catching up'. She stated that the five-year capital projects plan is labeled as 'tentative' and if all of the projects on that list are not completed within five years it does not mean the City has been derelict because progress is still being made. She stated she feels as if the City is 'cherry picking' data and she would prefer to see a defined need for which the tax increase to be connected. She stated she appreciates the Council's good work and that they dedicated most of their excess funds at the end of the last FY to infrastructure as she would have done that same thing.

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Kevin Homer stated that he built his first home on 3300 West in the Ranchette's development and that area has a special place in his heart. He stated he supports what the City is trying to do, but he would prefer that the City consider a bond election to fix the roads. He stated he is not in favor of a tax increase. Mayor Palmer indicated that he is not supportive of bond debt and pointed out that if the City were to bond, it would be necessary to identify a source of funds to repay the bond debt. Mr. Homer noted that his concern is that taxes, once increased, are rarely decreased. He stated that if a bond were submitted to the people on the election ballot, they could be informed that it would be necessary to increase taxes or fees to generate revenue for debt service. Councilmember Maughan stated the deeper issue is that the City continues to fall short in many areas relative to service provision. When he was elected to the Council he learned of the State law regarding the certified tax rate and an item of concern to him was how to adjust the rate to cover increased costs of providing service and completing infrastructure projects. He has learned by reviewing the budget line by line is that inflation is not captured by fees and taxes and it is necessary to determine how to fill that gap. The City regularly receives complaints regarding the condition of City roads and gradually increasing rates will provide for headway to be made to complete some of those projects. It is not reasonable to consider to 'rob from the general fund' to complete projects that should be funded by property taxes. If the City does not act soon, it will find itself in a situation similar to what occurred in Kaysville City where a 100 percent tax increase was considered by their city council. He does not want to be in that position, but he is willing to pay \$1.08 extra per month to make a dent in making progress in the City. If no action is taken and it takes 10 to 15 years to complete projects on the five-year project list, the City may never get caught up. He stated he has not yet made his decision on how he will be voting on the tax increase tonight, but he sees the value in maintaining the current property tax rate to increase funding that can be dedicated to road projects.

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Mr. Henrie stated that in his military job he manages large budgets and he is required to identify revenues for expenses in his budget; he would prefer that the City do the same by tying the proposed tax increase to a specific project. Instead, what he believes the City is doing is considering increasing rates that will only generate enough revenue to partially fulfill the requirement and that is concerning to him as a taxpayer. He stated that the City should finalize a road project plan and determine the costs associate with that plan and then approach the citizens with a request for increased taxes or bond debt that would completely cover the identified costs. Once the projects are complete, the fee or tax should be eradicated and that is the piece that is missing in his opinion. Councilmember Maughan stated that the part that is actually missing is that the City is operating on a budget that is 'not on target' to begin with. The current Council has been handed a tax rate that was supposedly set to cover all the needs of the City, but that is not the case. He stated that costs continually change and he feels that tax and fee revenues should fluctuate with the market rather than remain fixed. Each year the City faces a deficit when dealing with funding service provision and this is an issue the City must address. Mayor Palmer added one important thing to note is that the Council wanted to consider smaller, incremental increases to limit the impact on residents.

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Councilmember Anderson added that she does not disagree with what has been said about the importance of identifying a project or plan in connection with the proposed tax increase and that is one reason she has had some anxiety about the proposal. However, she asked that residents provide their input on the following scenario: if the Council were to perform an analysis of the road funding needs throughout the City, it may be necessary to consider a tax increase greater than what is being considered tonight to fund that plan. She asked how the public would feel about a higher tax rate if it were justified by any analysis to be performed by the City. Mayor Palmer clarified that the Council must vote to set the certified tax rate tonight and adopt the final budget.

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Mr. Homer stated he appreciates the information that has been provided tonight; he does not need to be convinced that a tax increase is necessary because he understands the infrastructure needs in the City. However, his point is that he would prefer that the needs be funded through a voluntary bond election rather than an involuntary increase in property tax rates. He stated he works with people involved in government in Saratoga Springs, which is a city close in size to Syracuse, and nearly everything in that city is funded by bond election and he would prefer that for Syracuse because it gives the citizens a voice in the process rather than a council of five or six people forcing decisions on the citizens.

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Sherry Brophy stated she feels the problem with bonds is that they are interest bearing; she would prefer for all money paid by the residents to go towards a project rather than a debt service payment with interest. She thinks the City has made a very reasonable presentation. She hates taxes more than most people and would usually oppose a tax increase, but what has been presented tonight is reasonable and makes sense to her. She stated her daughter lives in South Weber and that city got so far behind on roads that they are now charging their residents \$27 per month to cover costs associated with road improvement projects. She would prefer to do what the City has discussed tonight rather than wait too long that it becomes necessary to charge an outrageous fee. She concluded that she does not know why the County gets more than the City because it seems as though the City provides all services to its residents.

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Ralph Vaughan stated this dialogue is great. He stated the problem is that the City's infrastructure needs have compounded year after year and it is his observation that this is a classic debate between how to finance a City. He considers Finance Director Marshall to be a very intelligent individual and he has likely had input on the data included in the presentation. He respects his opinion and after considering the fact that the Council has taken advice from Mr. Marshall, it's as though the residents are now asking the Council to make a philosophical change of course in the way that the City's needs have been financed. He stated that a \$9.08 million deficit in road projects is significant and he asked how long it took for the City to get in that situation. Mayor Palmer stated that in 2007 the City Council approved the last major tax increase, which was 47 percent. In 2008, the City Council maintained the tax increase, which was advertised as a tax increase. In 2011 there was some consideration of raising taxes, but the City Council did not vote for that increase.

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Council member Anderson asked when the current capital improvement plan was developed, to which Ms. Lisonbee answered three or four years ago. Councilmember Anderson stated that when she ran for a City Council position the plan was touted as something great that had been created for the benefit of the City, but one thing that is missing is how to fund that plan and that is one reason the City is in this situation tonight. The Council can continue to 'kick the can down the road', take baby steps to fund it, or table the entire matter and develop a complete funding plan for all road projects.

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Councilmember Savage stated that some citizens have suggested to him that the Council reduce expenses rather than raising taxes. He can attest to the fact that the Council has reviewed the budget line by line and reduced in every area possible. He still has not made his decision regarding the proposed tax increase and he is grateful for the input that the Council has received tonight, but he wanted to assure all citizens that the Council is constantly considering efficiencies and budget cuts. One person has suggested to him that the recreation budget be eliminated in favor of funding roads, but it is important to understand that the recreation programs are largely self-sustaining and eliminating those programs would be an elimination of services that residents enjoy. He wants everyone to understand that the optional tax increase was not the Council's first choice and it was not a decision that was taken lightly. He stated that the input that he has received from residents has helped him to

form an opinion. He added that some have argued that inflation has not occurred to the level that the City has communicated to its residents, but it is a fact that wages and other costs have not been stagnant since 2008. The City is considering an eight percent increase to aid in paying for costs that were much lower than the last time the property tax rate was considered.

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Councilmember Gailey reiterated Councilmember Anderson's question about whether the citizens would like the Council to 'go back to the drawing board' to develop a formal funding plan for all capital needs in the City. He addressed Ms. Lisonbee and former Councilmember Craig Johnson and indicated it was a delight serving with them when they were members of the City Council. The entire process to review the budget and tax revenue began eight months ago, but just two weeks ago the Council had a very focused discussion on the manner in which any increased revenues should be appropriated in the City. Initially, there was thought of dedicating the bulk of the increased revenue to the Fire Department to fund increased staffing levels, but that was shifted by the Council as all Councilmembers felt that road needs were more important. He asked if the citizens support smaller increases or one large increase to completely fund the capital plan.

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Councilmember Bolduc attempted to provide input, but the telephone connection with her was lost.

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Councilmember Maughan stated the last thing he wants to consider is increased taxes or fees except when the citizens are demanding something that the City cannot otherwise provide. He stated he receives calls and emails every week about varying deficiencies in the City. He discussed various projects being considered in the City, but emphasized that road and other utility infrastructure projects are of utmost importance and there is no other way to complete them besides the City funding those needs.

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Seth Teague thanked the Council for their serious deliberation of this issue and for their fiscal restraint. He stated he agrees that infrastructure needs are something that should not be delayed as the roads become more decrepit. The roads will not be fixed on their own and a bond election is very risk as it may not be approved by the voters in the City and that will result in action being delayed even longer.

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Ms. Lisonbee responded to several comments that have been made. There are studies that show that tax revenues to cities do not fully fund the cost of providing services, but he wondered how the City knows that its costs are not being covered. There are still matters that the City is catching up on that were created by neglect by former elected officials, but she would prefer that the Council cite a specific project for which any tax increase to be connected. She responded to Councilmembers Anderson and Gailey and stated she would prefer that a thorough analysis be conducted to determine the actual amount of additional property tax needed to fund projects in the City and then come back to the citizenry with that information. She would prefer that decisions be based upon solid data. She then stated she does not support the idea of a bond because of the issues raised by Ms. Brophy and she wished that the City had not bonded in the past. If people are demanding items that cannot be funded, that is all the more reason to place the matter on an election ballot and let voters vote in order to gauge the true pulse of the City. She stated that she fully supports the Council and the decision they will make tonight, but the minimal increase proposed tonight will not preclude future increases.

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Councilmember Maughan stated that the Council is supportive of placing issues on the ballot and that is the reason they voted to include a ballot question regarding the recreation, arts, parks (RAP) tax on the general election ballot. However, providing roads and other infrastructure are mandatory and the items to be covered by a RAP tax are not. Mayor Palmer added that the Mayor and City Council members were elected to make these types of decisions; this has been very hard for the Council to consider.

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Mr. Teague referenced Ms. Lisonbee's comments about other funding allocation options that were considered by the Council, but the Council has not mentioned those options and he would like to know if it is true that other options were considered. Councilmember Anderson stated that the Council discussed several priorities with City Administration over the course of multiple meetings; in the most recent discussion, there was a focus on allocating funding to the Fire Department, but

the day after that discussion several Councilmembers concluded that the only funding allocation they could support would be for road projects.

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Mayor Palmer called for a five minute recess and the meeting reconvened at [7:30:05 PM](#).

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4. Truth in Taxation Public Hearing and consideration of Proposed Resolution R17-28 adopting the Fiscal Year 2017-2018 budget and setting the final property tax rate.

A staff memo from the City Manager explained that as required by Utah Code Annotated 10-6-118, “before the last June 22 of each fiscal period, or, in the case of a property tax increase under Sections 59-2-919 through 59-2923, before August 17 of the year for which a property tax increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the budget officer and filed with the state auditor within 30 days after adoption.”

- Since the Council is considering holding the tax rate, it is considered a tax increase under state law and requires a truth in taxation process. The council is holding a public hearing on August 8th to discuss holding the tax rate.
- The current tax rate for 2016 is 0.001573. The County has calculated the new certified tax rate for 2017 to be 0.001447, which is approximately an 8% decrease in the rate. The property values for a single-family dwelling have increased approximately 9% from the prior year. If the Council elected to hold the tax rate at the 2016 rate, it would generate an additional \$162,000 in ongoing money. If the Council decides to hold the tax rate, they will also need to appropriate the money in the annual budget.

In previous work sessions and at the annual retreat, the Council discussed issues needing attention with the possible added revenue, including (in no particular order):

- Additional Fire/EMS personnel, equipment, and training in order to implement the 5-member crew staffing level.
- Additional funding to the Class C Road Fund for road resurfacing projects.
- Additional funding to complete planned park projects
- Additional personnel in the Police Department for added traffic safety coverage.
- Additional funding to supplement utility capital funds in order to complete planned infrastructure projects.

In addition to the changes above, the following amendments to the budget are proposed:

- Allocate \$1,000 from existing unallocated funds in the General Fund to assist in the cost of holding the Miss Syracuse Pageant.
- Transfer \$4,000 from CED to Administration for start-up costs of the new city magazine.

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Mayor Palmer opened the public hearing.

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Ralph Vaughan stated that he has attended several of the meetings during which this matter was discussed and he feels the Council and Administration have done an excellent job at deliberating the choices before them. At this point he agrees with the proposal to maintain the tax rate, though that may not be popular among others in attendance this evening. He believes this will give the Council an opportunity to consider other plans in preparation for consideration of next year’s tax rate and budget when this same debate may arise. He then stated that one item to be funded in the budget that he feels does not set a good precedent is the \$1,000 to be dedicated to the Miss Syracuse Pageant; under the circumstances, giving a cash amount to a worthy cause sets a bad example because there are several other worthy causes in the community who are not receiving the same consideration. If the City desires to support the Miss Syracuse Pageant, he would suggest that fees be increased so that it is an in-kind gift rather than a monetary gift. That \$1,000 could be dedicated to a pot hole repair that would benefit thousands of residents while the \$1,000 to Miss Syracuse will just benefit a few.

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Ray Zaugg stated he has lived in Syracuse his entire life. He stated that the City is fundamentally required to provide water, sewer, refuse collection, and law enforcement. Some of that is funded by property tax and some through other fees, but in reviewing the budget annually the Council should be focused on those things that are necessary and those that may not be necessary. Any item that is not necessary could be likened to a special interest.

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Craig Johnson stated that he feels the tax increase is not necessary; the budget is a 'crazy animal' and there are many ways to 'slice and dice' it. There are also ways to increase certain programs. In the Recreation Department, the programs may be self-sustaining, but not the entire Department; fees that are charged by those electing to participate in the programs could be increased to make the Department more self-sustaining. He then stated that 'bare bones' government should be considered; the Council should ask if they are providing the proper role of government or if they are beyond it and it is his opinion they are beyond it. The proper role of government is to preserve health and safety and provide necessary services. Parks and Recreation are a bonus and should be self-sustaining. He stated that in the private sectors, consultants regularly advise companies on how to reduce their budget by making cuts; they do not tell them how to make the cuts, just that they need to and he thinks that is maybe something that should happen in the City. Department Heads do not need to be told how to make cuts, but simply that they need to do it; government needs to make sacrifices before the citizens of the community. It should be possible to find more money without raising taxes.

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Lane Smith stated that in previous community service he has dealt with this type of issue and he has found that if it is not 'tackled' the right way, the entity will continue to 'chase its tail'. His personal opinion is that \$162,000 in increased revenue per year, which is the equivalent to two or three full time employees, is not enough to deal with the problem on a larger scale for a City of this size. When considering the miles of road, the City is responsible for, he wondered how far \$162,000 will really go. He stated that is something that should be contemplated by the Council. He wondered if an increase enacted tonight will be meaningful in five years or if the City will only continue to fall further behind.

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Councilmember Maughan asked Mr. Smith if he is suggesting the Council consider a greater increase. Mr. Smith stated that he is unaware of past discussions of the issue, but if there are other options available to the Council it may be appropriate to consider them.

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There were no additional persons appearing to be heard and Mayor Palmer closed the public hearing at 7:39 p.m.

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Councilmember Bolduc stated that maintaining the tax rate will not generate a significant amount of money; however, her concern is actions that may be taken by future Councils. The current Council has no way of preventing the tax rate from being abused by future elected officials and she wondered if there is a way to designate a time-frame or sunset date for the tax increase. As she has been campaigning for herself and another candidate, people have urged her to oppose the tax increase, but as she has explained the needs in the City, the concerns of residents have shifted towards the perpetuity of the tax increase. She stated that the proposed tax increase would generate just over \$800,000 in five years, but a \$5 per month fee per household would generate nearly \$2.5 million in the same amount of time; there are different options for the City to consider and she wants to be sure all options are on the table.

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The Council then participated in high level philosophical discussion about various funding options municipalities may legally consider to fund essential needs, earmarking any increased revenues for certain infrastructure projects, and the matter of a potential sunset date for the tax increase as suggested by Councilmember Bolduc. City Attorney Roberts noted that property tax revenues cannot be specifically earmarked and the current City Council does not have the power to bind future elected officials. He also clarified that bond proceeds could be earmarked.

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COUNCILMEMBER GAILEY MOVED TO ADOPT RESOLUTION R17-28 ADOPTING THE FISCAL YEAR 2017-2018 BUDGET AND SETTING THE FINAL PROPERTY TAX RATE 0.001573. COUNCILMEMBER SAVAGE SECONDED THE MOTION.

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Discussion centered on any future action needed by the Council to maintain the tax rate that is being considered tonight. City Recorder Brown indicated that each year Davis County provides to the City its recommended certified tax rate; if the Council chooses to accept the certified tax rate, the truth in taxation process is not required. The action before the Council tonight is whether to maintain the 2016 certified tax rate of 0.001573, accept the rate recommended by Davis County, or select any number in between the two. Councilmember Anderson asked if the 0.001573 rate could be adjusted downward next year by Davis County to offset increased property values, to which other Councilmembers answered yes. Councilmember Anderson asked if the City would be required to hold a truth in taxation hearing to continue to maintain the current tax rate of 0.001573. Mr. Marshall answered yes; if the Council chooses to accept the rate recommended by the County, which would result in the same amount of property tax revenue collected by the City, the truth in taxation process is not needed. Councilmember Maughan stated that he has suggested that the Council thoughtfully consider the certified tax rate each year. Councilmember Anderson agreed.

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Councilmember Bolduc asked if Councilmember Gailey's motion includes approval of the transfer of \$4,000 from the Community and Economic Development (CED) Department to Administration and the \$1,000 contribution to the Miss Syracuse Pageant. Mr. Bovero answered no.

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Continued discussion centered on assigning a sunset date to the potential tax increase as well as earmarking funds for certain projects, with Mr. Bovero noting a funding alternative to property taxes that could be sunset and for which revenues could be earmarked is a utility fee similar to the South Weber transportation utility fee referenced earlier in the meeting by Ms. Brophy. The City has similar fees, such as the parks maintenance and street lighting fee and the revenues generated by both of those fees are earmarked for very specific projects. Councilmember Maughan stated that any such fee would need to be aggressive enough to generate sufficient funding for actual projects; it is an option he is willing to consider, but he feels very strongly that the Council needs to figure out a way to solve the City's road problems.

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COUNCILMEMBER GAILEY MOVED TO ADOPT RESOLUTION R17-28 SETTING THE FINAL PROPERTY TAX RATE AT 0.001573 AND SEPARATE THAT QUESTION FROM THE BUDGET. COUNCILMEMBER SAVAGE SECONDED THE MOTION.

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Council discussion of Councilmember Gailey's motion ensued, after which Mayor Palmer called for a roll call vote on the motion to maintain the City's current tax rate; VOTING 'AYE' – COUNCILMEMBERS GAILEY, MAUGHAN, AND SAVAGE; VOTING 'NO' – COUNCILMEMBER BOLDUC. Councilmember Anderson abstained and her vote was recorded as a vote in opposition.

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Discussion then centered on the two budget amendments referenced by Councilmember Bolduc and Mr. Marshall reviewed the staff memo detailing the purpose of the budget amendments.

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COUNCILMEMBER ANDERSON MOVED TO SEPARATE THE TWO PROPOSED BUDGET AMENDMENTS FROM ONE ANOTHER. COUNCILMEMBER MAUGHAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Councilmember Bolduc stated she has spoken with Mr. Marshall about sources for funding for the \$1,000 contribution to the Miss Syracuse Pageant; Mr. Marshall has indicated that the money come from the general fund balance. Councilmember Anderson stated that she initially had concerns about providing money for a scholarship for an event that so few residents have the ability to participate in. However, she sees the value of the pageant and now feels that it is simply mis-categorized in the budget and instead it should be moved to the youth development budget of the City. This would make it similar to other youth development programs in the City where participants are required to fund raise to meet their budgetary needs. Councilmember Maughan stated he can support that idea, after which Mr. Bovero noted that the difference between the Miss Syracuse Pageant and other youth development programs in the City is that the Pageant is a separate entity that is not under the City's purview; however, it may be possible to lump the money offered to the Pageant with other contributions, but as a donation.

Councilmember Anderson stated she is uncomfortable classifying the contribution as a donation. Mr. Bovero suggested that action on the contribution be tabled tonight to provide ample time to discuss all facets of this issue.

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COUNCILMEMBER SAVAGE MOVED TO TABLE THE PROPOSED \$1,000 CONTRIBUTION TO THE MISS SYRACUSE PAGEANT. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

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Mr. Roberts suggested it may be 'cleaner' to remove the line item from the budget than table it.

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COUNCILMEMBER SAVAGE WITHDREW HIS MOTION.

[8:18:42 PM](#)

Councilmember Anderson stated she is comfortable with the budget amendment relative to the \$4,000 transfer from CED to City Administration for the City magazine as it is money that was previously included in the budget and the action is just to assign the funding to a different line item.

[8:19:18 PM](#)

COUNCILMEMBER ANDERSON MOVED TO APPROVE THE FISCAL YEAR 2017-2018 BUDGET, WITH THE FOLLOWING AMENDMENTS:

- REMOVE THE ALLOCATION OF \$1,000 FROM EXISTING UNALLOCATED FUNDS IN THE GENERAL FUND TO ASSIST IN THE COST OF HOLDING THE MISS SYRACUSE PAGEANT; AND
- TRANSFER \$4,000 FROM CED TO ADMINISTRATION FOR START-UP COSTS OF THE NEW CITY MAGAZINE.

COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:19:58 PM](#)

5. Public Hearing: Proposed Resolution R17-29 updating and amending the Syracuse City Consolidated Fee Schedule by making adjustments throughout.

A staff memo from the Finance Director referenced a list of proposed changes to the consolidated fee schedule as follows:

- Garbage can fee changes (as previously discussed and approved in the July 11, 2017 City Council meeting with the Robinson waste hauling contract)
 - 1st black can – from \$9.95 to \$10.18 per user per month.
 - Additional black cans – from \$7.20 to \$7.28 per user per month.
 - Green waste can – from \$6.50 to \$7.50 per user per month.
- Storm and Sewer utility rate increase of \$1.30 each per user per month. This is in conjunction with our 5-year capital projects discussion from the July 25th council meeting. The City's 5-year projects listing with estimated cash flows has been provided as a reference point. It is important to note that this increase will only be for the year one increases discussed on the July 25th meeting. All future rate increases will be discussed in future budget years and the associated budget retreats.

[8:20:10 PM](#)

Mr. Marshall reviewed his staff memo and Mr. Bovero provided additional information illustrating the impact of the increased utility fee revenue on infrastructure needs in the City. Councilmember Maughan advocated for the concept of a tiered culinary water rate fee schedule to ensure that users are paying for the amount they use. This led to philosophical discussion about the appropriateness of increases to the culinary water fees at this time given that the culinary fund is currently healthy and covering the costs of needed projects.

[8:25:41 PM](#)

Mayor Palmer opened the public hearing.

[8:25:58 PM](#)

Craig Johnson stated he disagrees with the proposed increases; he indicated the Council knows his history and why he disagrees.

[8:26:24 PM](#)

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

[8:26:52 PM](#)

Councilmember Anderson stated this issue has been discussed thoroughly by the City Council and there is a clear understanding of the issues that need to be addressed. Councilmember Maughan stated that he is satisfied by the balanced approach to addressing utility rates across the board, but his greater concern is an imbalance in culinary water utility rates as over 40 percent of the City's water supply is used by the top 200 users and those users do not pay much more than the rest of the population. This means that the use of the highest users is being subsidized by others and it is not fair to the rest of the City to allow that to consider. Councilmember Anderson stated that the Council has agreed to address that issue next year due to the understanding of the need to address other fees that are more problematic at this time.

[8:30:20 PM](#)

COUNCILMEMBER ANDERSON MOVED TO ADOPT RESOLUTION R17-29 UPDATING AND AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[8:30:19 PM](#)

Councilmember Maughan stated that he is hesitant to support the proposed adjustments because he feels there is a greater need for other fee adjustments at this time. He stated the same argument made about the tax increase during the previous discussion could be made for this issue: the City 'worked backward' to develop fee increases rather than tying the proposal to defined projects. Councilmember Anderson argued that projects were identified and costs for those projects were estimated in order to determine the fee increase proposals. She stated she would have supported the tax increase if a similar process had been followed.

[8:31:16 PM](#)

Mayor Palmer stated there has been a motion and second to adopt the proposed resolution making adjustments to the consolidated fee schedule and he called for a vote; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER MAUGHAN, WHO VOTED IN OPPOSITION.

[8:31:40 PM](#)

6. Proposed Resolution R17-30 adopting updates to the Fiscal Year 2017-2018 Wage Scale.

A staff memo from the Finance Director explained the City was awarded the victims advocate grant for fiscal years 2018 and 2019. As part of that grant, the City will hire a new full-time victim's advocate that will aid both Syracuse City and Clinton City. Syracuse City will provide the space, equipment, and personnel while Clinton will pay half of the matching funds for the grant. City Administration performed a benchmark comparison and determined that the salary range for this position will fit best in grade 313 with a starting wage of \$17.75 and a maximum wage of \$25.53.

[8:31:55 PM](#)

Mr. Marshall reviewed his staff memo.

[8:32:53 PM](#)

Councilmember Anderson asked if the City has received applications for the position, to which Mr. Roberts answered yes.

[8:33:29 PM](#)

COUNCILMEMBER GAILEY MOVED TO ADOPT RESOLUTION R17-30 ADOPTING UPDATES TO THE FISCAL YEAR 2017-2018 WAGE SCALE. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:34:05 PM](#)

7. Final Subdivision Plat Approval, Grayson Ridge Phases 1 and 2, located

at approximately 3600 West 2200 South.

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

Location:	3600 West 2000 South
Current Zoning:	R-1
General Plan:	R-1
Total Subdivision Area:	1.264 Acres in Phase 1 and 11.397 Acres in Phase 2.
Number of Lots:	4 in Phase 1 and 25 in Phase 2. 29 lots total.

The applicant is requesting approval of two final subdivision phases containing 4 lots and 25 lots respectively. The City Council finally approved the preliminary plat for this development on May 9, 2017. The lots in both final plats meet the minimum lot dimension standards of the R-1 Zone. These phases will extend Doral Drive halfway to 2200 South with the remaining phases to complete the connection. Doral Drive is a Minor Collector according to the Syracuse Master Transportation Plan. This means that all homes bordering Doral Drive will be required to install one street tree every 50 feet. This can be completed by the developer or the homeowners according to Buffer Table F in SCC 10.30.080. Because this is an administrative item, if it meets the City Code requirements, it must be approved unless there is a viable public health, safety, or welfare reason for denial. The Planning Commission reviewed the project in their meeting on 7/18/17 and is forwarding on a recommendation for approval with conditions. The conditions are that all remaining staff comments are resolved prior to City Council final approval.

[8:34:17 PM](#)

CED Director Mellor reviewed the staff memo.

[8:35:07 PM](#)

Councilmember Maughan stated that he supports this development, but he is very uncomfortable with the possibility of the road in the development that runs adjacent to Buffalo Point Elementary continuing to the south without a stop sign to slow traffic. Mr. Mellor stated that these first two phases do not contemplate that connectivity to Doral Drive and each future phase will need to receive final approval from the Council. Councilmember Maughan stated that it is his understanding that the entire project is already vested. Mr. Mellor stated if that is the case, vesting occurred at the preliminary plat phase of the project.

[8:36:28 PM](#)

Public Works Director Whiteley stated that his Department will review future phases of the project and will make the determination regarding any need for a stop sign on the road that connects to Doral Drive; such a requirement for a stop sign will be made on the applicant and that would likely occur in phase three or four of the project. Councilmember Maughan emphasized that his concern relates to the safety of students and other walking to and from the school.

[8:38:08 PM](#)

Councilmember Anderson asked if the City has the option to install a speed bump on the road. Mr. Whiteley answered no; the City's policy prohibits the addition of any more speed bumps in the City. He reiterated the traffic conditions and patterns will be evaluated at the time the applicant desires to proceed with phases three and four of the development. Councilmember Anderson asked if City staff would be swayed by input from the school's community council relative to safety conditions around the school, to which Mr. Whiteley answered yes; public input is considered relative to traffic routing requirements.

[8:40:39 PM](#)

COUNCILMEMBER GAILEY MOVED TO GRANT FINAL SUBDIVISION PLAT APPROVAL FOR GRAYSON RIDGE, PHASES ONE AND TWO, LOCATED AT APPROXIMATLEY 3600 WEST 2200 SOUTH AND TO DIRECT STAFF TO FACILITATE A NEEDED PROPERTY TRANSFER FROM THE CITY TO THE DEVELOPER BEFORE RECORDATION OF THE FINAL PLATS. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

[8:44:29 PM](#)

8. Hearing and consideration of appeal filed by Utah Onion pertaining to an administrative decision relating to landscaping buffer at 850 South 2000 West.

Utah Onions is under construction of a 56,200-square foot warehouse facility located at approximately 850 S. 2000

W. Utah Onions is an industrial use located next to single family residential and light commercial. The new building is 26' to 32' in height. The building is set back 20 feet from the north property line. The trees in the approved plan will grow approximately 25 to 30 feet and their planting locations have been coordinated with the vertical banding on the building. Utah Onion's landscape architect has stated that he is not concerned with shade created from the building or the fence. However, in the approved plans, all shrubbery on the north edge of the property has been replaced with trees to ensure that the vegetation is not hidden from view and that light can reach all plants.

Buffer landscaping was required on the plans by ordinance 10.30.080. The ordinance says "A buffer yard is a landscaped area between different land uses that is designed to reduce or eliminate nuisances such as dust, litter, noise, glare, unsightly areas, odor, and danger from fire or explosions." Utah Onions applied to amend their landscaping plan to remove the buffer landscaping on the north and north-west edges of the site with a 6' fence to remain. The application for amendment was in response to a recent amendment to the buffer ordinance that added this language "The Planning Commission may make a recommendation to alter, include, or exclude elements within the applicable buffer type after evaluating the adjacent current and future land uses as designated by current zoning and/or the general plan. Any alteration to the standard buffer yard requirements shall be approved by the City Council."

Their site plan was approved by the Planning Commission in November 2016. The Planning Commission considered their modified plan on 6/6/17 and again on 8/1/17 but unanimously denied their request both times. The reasons include a desire to follow the original approved plans, and concerns over effects of the building operations without landscape buffering raised by surrounding property owners in the public comment period. Utah Onions had re-applied the second time because the appeal period lapsed the first time around.

Appeal Process: An appeal to an administrative decision is not a common occurrence and is different than the standard land use applications. It is recommended that the procedure for the hearing be reviewed. Ordinance 10.20.120 (D) (4) explains:

"The appellate body shall conduct a hearing based upon the record only, taking no new testimony or new information but relying solely upon the information and final decision of the officer or body from whom the appeal was taken. The appellate body shall thereafter affirm or reverse, wholly or in part, the lower decision, modify that decision, or impose any conditions needed to conform the matter appealed to applicable approval standards. If the prior decision is supported by substantial evidence, the appellate body shall affirm that decision. The appellate body shall have all the powers of the officer or body from whom the appeal was taken and may issue or direct the issuance of a permit."

[8:44:46 PM](#)

CED Director Mellor reviewed the staff memo.

[8:46:36 PM](#)

Councilmember Maughan stated it is his opinion that there is a practical purpose for Utah Onion's request; what is being asked of Utah Onion goes against the best interest of their business. The City should not be interested in requiring something that could be detrimental to a business. The City has asked that they install trees on the north side of their building where they already have a fence and ensure that the trees are sufficiently watered. This is near the processing plant for Utah Onion and if there were ever any problems with the water lines in the area that led to a flood, their inventory could be destroyed. He asked why the City would ever require something like this when an alternative option would be to require the trees to be installed on the other side of the fence. Mr. Mellor stated Utah Onion does not own the property on the other side of the fence. Councilmember Maughan stated he understands, but he feels there are other acceptable solutions.

[8:48:01 PM](#)

Mayor Palmer invited input from the appellant. Trent Hartley, Utah Onion, stated that it is his thought that the requirements being imposed by the City are unreasonable and Utah Onion has proposed an alternative of planting one tree every 50 feet along the building centered between the side lights. He stated that if Utah Onion were required to plant 24 trees in the shaded area, it may be very difficult for them to thrive and it is a lot of vegetation that no one will see or enjoy. Utah Onion is willing to work with the City, but they do not understand the value of planting so many trees in a narrow alley that will be in the shade all the time. He provided a rendering showing the locations of the sidelights and the locations where the trees would be planted if Utah Onion's proposal were approved.

[8:51:43 PM](#)

Mayor Palmer called for a brief recess. The meeting reconvened at [8:53:27 PM](#).

[8:53:30 PM](#)

Mr. Hartley then stated that the rendering he provided is not an accurate reflection of what he has proposed. He made an attempt to better explain his proposal, indicating it would result in the planting of seven trees along the side of the building, spaced 50 feet apart from one another. He stated that he wants to do as little as possible while making the appearance pleasing to those that will see it.

[8:55:40 PM](#)

Councilmember Maughan reported the reason for the recess was to clear up a possible conflict of interest he has in participating in this discussion. He disclosed that he met Utah Onion to hear their reasons for their appeal; since that time he has entered into a business relationship with Utah Onion. He made it clear to Utah Onion that the two issues are very separate to him, but he will abstain from participating in additional discussion or action on this matter.

[8:56:19 PM](#)

Councilmember Savage asked if all other landscaping buffers on the site comply with Syracuse City Code, to which Mr. Mellor answered yes; however, staff does not have a drawing reflecting what Utah Onion is proposing tonight. He asked that they translate everything they have communicated tonight into a plan form to submit to City staff for enforcement of what is approved by the Council.

[8:57:51 PM](#)

Councilmember Bolduc wondered if approval of this appeal will create a precedence in the City that will allow other developers to seek similar consideration. Mr. Mellor stated there is no way to predict that kind of future activity, but the Council has the ability to consider each appeal on a case by case basis. Mr. Roberts stated that if there were a similarly situated business or applicant, the Council would be hard pressed to not make the same decision that is made this evening; one way to mitigate that would be to identify specific conditions supporting the decision made tonight. The Council participated in high level discussion regarding appropriate conditions of approval.

[9:00:48 PM](#)

Councilmember Savage stated he would like to send the message that the City is willing to work with businesses, when reasonable, to help them succeed.

[9:01:30 PM](#)

COUNCILMEMBER GAILEY MOVED TO GRANT APPEAL FILED BY UTAH ONION PERTAINING TO AN ADMINISTRATIVE DECISION RELATING TO LANDSCAPING BUFFER AT 850 SOUTH 2000 WEST, CONDITIONED UPON A FORMAL PLAN OF UTAH ONION'S PROPOSAL FOR PLANTING TREES EVERY 50 FEET IN THE LANDSCAPE BUFFER AREA BEING PROVIDED TO STAFF FOR ENFORCEMENT PURPOSES.

[9:02:50 PM](#)

Mr. Mellor asked that the applicant be required to plant trees that are listed in the City's ordinance as approved species for buffering purposes. Mr. Hartley stated Utah Onion is willing to plant City approved varieties.

[9:03:07 PM](#)

COUNCILMEMBER GAILEY RESTATED HIS MOTION, WITH THE ADDITION THAT THE APPLICANT BE REQUIRED TO PLANT TREES APPROVED IN SYRACUSE CITY ORDINANCE. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:03:38 PM](#)

Councilmember Savage asked that the record reflect that the appeal is being granted due to the work Utah Onion has done to otherwise beautify their site to limit the impact their business has on adjacent residential properties.

[9:03:52 PM](#)

9. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session and Special Meeting of June 27, 2017 and Regular Meeting of July 11, 2017.

[9:04:14 PM](#)

COUNCILMEMBER ANDERSON MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS PRESENTED. COUNCILMEMBER GAILEY SECONDED THE MOTION.

[9:04:52 PM](#)

10a. Common consent: Proposed Resolution R17-31 appointing members to the Syracuse Disaster Preparedness Committee.

An administrative staff memo explained Mayor Palmer has recommended appointments and one reappointment to the Disaster Preparedness Committee. Patrick Carroll is recommended for appointment to fill the vacancy created by Robert Williams; Lane Smith is recommended for appointment to fill the vacancy created by Susan Pehrson; and Greg Brustad is recommended for reappointment for a three-year term. If Mr. Carroll and Mr. Smith are appointed to fill the vacancies, they will complete their predecessor's terms, which expire June 30, 2018.

[9:06:17 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R17-31 APPOINTING MEMBERS TO THE SYRACUSE DISASTER PREPAREDNESS COMMITTEE. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:05:30 PM](#)

10b. Common consent: Proposed Resolution R17-32 appointing Ralph Vaughan and Larry Johnson to the Syracuse City Architectural Review Committee.

A staff memo from the Community and Economic Development (CED) Department explained that on August 1 the Planning Commission made a recommendation to the mayor for 2 members of the architectural review committee per the appointment process outlined in SMC 10.28.020. The architectural review committee meets to discuss architectural elements of a specific commercial project and evaluates how the project fits within the architectural criteria outlined in SMC 10.28. The Planning Commission recommended Ralph Vaughan and Larry Johnson serve on the ARC.

[9:06:44 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R17-32 APPOINTING RALPH VAUGHAN AND LARRY JOHNSON TO THE SYRACUSE CITY ARCHITECTURAL REVIEW COMMITTEE. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:05:39 PM](#)

10c. Common consent: Proposed Resolution R17-34 designating and appointing the Syracuse City Cemetery Sexton.

A staff memo from the Parks and Recreation Director provided information from the Syracuse City Code relative to the position of Cemetery Sexton and the procedure defined for appointing an individual to the position.

4.30.030 Office of Sexton.

There is hereby created the office of Cemetery Sexton, which office shall be filled by appointment of the Mayor, with the advice and consent of the City Council.

4.30.040 Duties of Cemetery Sexton.

(A) It shall be the duty of the Sexton, or his/her representative, to supervise, manage, operate, maintain and improve the cemetery in accordance with the provisions of the City ordinances and the rules and regulations adopted by the City Council.

(B) It shall be the Sexton's duty to keep a true and correct record of all burial positions.

(C) The Sexton, or his/her representative, shall direct all interments, disinterment, and marking for monuments or markers in the cemetery.

(D) The Sexton, or his/her representative, shall direct all funeral corteges while in the boundary of the cemetery as deemed necessary.

(E) The Sexton shall approve all claims chargeable against the cemetery. The Sexton shall provide such information to the City Manager as may be required.

(F) The Sexton shall employ such help as required to carry out the duties prescribed by the City ordinances and the rules and regulations adopted by the City Council.

(G) The Sexton shall have the authority to announce additional regulations when necessary, with the approval of the City Council.

(H) Any person desiring to perform work within the cemetery must first secure the approval and written permission of the Sexton. All settings of vases, markers and monuments and all plantings of trees, shrubs, and flowers must be approved by the Sexton before the work is commenced and all work shall be performed under the direction of the Sexton or his/her representative.

(I) It shall be the duty of the Sexton or his/her representative to remove floral pieces or displays left on any grave when he/she deems necessary.

The memo concluded a resolution has been drafted for consideration by the City Council in order to formalize the suggested appointment.

[9:06:59 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R17-34 DESIGNATING AND APPOINTING THE SYRACUSE CITY CEMETERY SEXTON. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:05:51 PM](#)

10d. Common consent: Proposed Ordinance 17-18 amending Section 10.82.040 of the Syracuse Municipal Code, allowing porches to encroach two-feet into setback under certain circumstances.

A staff memo from the Community and Economic Development (CED) Department explained Woodside Homes has requested that the City modify section 10.82.040 of the Syracuse City Code to allow covered patios in the front yards of SFD 3,500 square foot lots that front public streets to encroach 2 feet into the setback. This issue arises from several circumstances:

1. The City required that covered front porches which face the street be added to all homes in the RPC Zone.
2. SFD 3,500 homes which abut a public street are required to have their front door facing that street.
3. The porches are required to be at least 25 square feet and be able to accommodate 2 chairs.
4. When the preliminary plat was approved, front porches had not yet been added to home plans developed by Woodside Homes, so the extent of yard encroachments was not known.
5. This amendment would be applicable to approximately 1/3 of the 3,500 square foot lots where the garage faces the private drive and the front entrance faces the street. The interior lots would not need the encroachment.

Allowing covered patios as required by code to encroach 2 feet into the front yard setback of SFD 3,500 lots in the

RPC Zone that front a public street would allow Woodside Homes to develop the properties with their current building plans and provide the required covered porches.

The memo concluded the Planning Commission reviewed this application in their meeting on 7/18/17 and voted to forward a recommendation of denial. Grounds for denial that were discussed included concern about interference with the 10' PUE (Public Utility Easements) and the concern that the project would feel more dense if the front setback was shortened. It was also discussed that the front porches are desirable and should be maintained as required by ordinance.

[9:06:59 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT ORDINANCE 17-18 AMENDING SECTION 10.82.040 OF THE SYRACUSE MUNICIPAL CODE, ALLOWING PORCHES TO ENCROACH TWO FEET INTO SETBACK UNDER CERTAIN CIRCUMSTANCES. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:06:05 PM](#)

10e. Common consent: Proposed Resolution R17-33 authorizing the Mayor to execute an Interlocal Agreement with Clinton City for Victim Advocate Services.

A staff memo from the City Attorney explained that in April 2017, the City applied for a VOCA (Victims of Crimes Act) grant through the state (an 80-20 matching grant, allowing in-kind matches). It did so in collaboration with Clinton City, and with your support. The City was informed about a month ago that it had been awarded the grant, and in discussions with the state officials, they are particularly excited about our collaborative plan to provide victim services to two jurisdictions. An official grant agreement will be prepared by the state and will be brought for your approval at a future meeting. The grant will stretch across two fiscal years (FY18 & FY19).

We anticipate that the victim's advocate will provide tremendous support for victims of misdemeanor crimes in the City, as well as helping assist our police and prosecution efforts. The advocate will provide an annual report to the council on the advocate's efforts, likely in the Spring.

Part of the arrangement with Clinton City involves the establishment of our relationship with them. We have crafted an interlocal agreement that establishes the expectations and roles of each jurisdiction. Some of the highlights of the agreement include:

- Distribution of costs roughly based upon calls for service (subject to adjustment at renewal time, based upon updated numbers)
- Term lasts through the end of FY19 (June 30, 2019)
- Syracuse will hire and supervise the advocate, and provide office space and equipment. Clinton will participate in the hiring process.
- Clinton City will have access to advocate on an equal, as-needed basis.
- A crucial part of the grant will be the identification and utilization of volunteers to help provide victim services. Both cities will help facilitate that process.
- Syracuse will be up-fronting the costs of the advocate. Grant funds and Clinton's financial contributions will provide reimbursement later in the fiscal year. Under the Interlocal, Clinton is required to make its payment to the City by May 31 for the fiscal year ending June 30.

If this arrangement does not appear to be working in the long-run, then at the conclusion of FY19, either party may terminate the agreement. This correlates to the end of the VOCA grant's term. We would simply not re-apply for that grant, if we are seeking to terminate the program.

[9:06:59 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT RESOLUTION R17-33 AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH CLINTON CITY FOR VICTIM ADVOCATE SERVICES. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:06:16 PM](#)

10f. Common consent: Proposed Ordinance 17-19 establishing civil enforcement of City parking violations.

A staff memo from the City Attorney explained a change to the proposed amendment text was made after discussion during council meeting at our last work session. The following has been included in the ordinance, as a defense to the ticket, if the recipient of the citation did not park the vehicle:

(2) the person receiving the citation was no longer the owner, and ownership was transferred to another individual at least seven days prior to the ticket's issuance.

This should establish that only a current owner may be cited, and prevents ticket avoidance through quick conveyances of the vehicle to other individuals.

No other changes were requested by the Council, so the remainder is unchanged from the version previously reviewed.

[9:06:59 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO ADOPT ORDINANCE 17-19 ESTABLISHING CIVIL ENFORCEMENT OF CITY PARKING VIOLATIONS. COUNCILMEMBER ANDERSON SECONDED THE MOTION.

[9:07:03 PM](#)

11. Public comment.

Spencer Tirimato discussed his concerns related to the availability of internet service in Syracuse City and the upcoming repeal of net neutrality and the merger of AT&T and Time Warner and the merger of Verizon and Comcast. He has heard of the Utopia group in Utah, which is a publicly managed fiber optic cable company that leases to private businesses to utilize and sell services. It is his understanding the service is much less than the two services currently offered in Syracuse, and he wondered if it is an option in Syracuse. He stated that net neutrality is a protection that blocks corporations from censoring the internet and that is why he is concerned about its repeal.

Mayor Palmer stated that the City cannot become involved in net neutrality, but the Council may be willing to have a future discussion regarding Utopia.

[9:11:32 PM](#)

12. 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 Savage's report began at [9:11:40 PM](#). He was followed by Councilmembers Maughan, Anderson, Gailey, and Bolduc.

[9:20:35 PM](#)

13. Mayor's Report.

Mayor Palmer's report began at [9:20:39 PM](#).

[9:21:20 PM](#)

14. City Manager report

City Manager Bovero's report began at [9:21:25 PM](#).

[9:23:47 PM](#)

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

[9:23:51 PM](#)

COUNCILMEMBER MAUGHAN MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR

City Council Regular Meeting
August 8, 2017

REASONABLY IMMINENT LITIGATION. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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

The meeting reconvened at 9:47 p.m.

At 9:47 p.m. COUNCILMEMBER ANDERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER SAVAGE SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, MMC
City Recorder

Date approved: September 12, 2017