

Minutes of the Regular Meeting of the Syracuse City Council held on August 14, 2012, at 7:40 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

Mayor Jamie Nagle
City Manager Robert D. Rice
City Recorder Cassie Z. Brown

City Employees Present:

Finance Director Steve Marshall
Police Chief Brian Wallace
Fire Chief Eric Froerer
Community Development Director Mike Eggett
Detective Corey Rowley

Visitors Present:	Tyson Fredricks	Jennie Carbine	Caden Carbine
	Kristen Stone	Chris Stone	Ashley Stone
	Curtis Conklin	Emily Conklin	Shelby Conklin
	Braxten Conklin	Aaron Conklin	Jasmine Bowman
	Ginger Staral	Kenny Gertge	Austin Veresh
	Gavin Tremea	Taylor Tremea	Gage Tremea
	Jim Wilson	Lynette Wilson	Chris Tremea
	Kelsea Tremea	Frank Tremea	Melissa Poole
	Lance Poole	Ann Stone	Terry Stone
	Ray Zaugg	Pat Zaugg	Bruce Baird
	Susie Becker	Coleen Thurgood	Mike Gailey
	Jayne Gailey	Terry Palmer	Curt Warnick
	Tricia Roundy	Matt Gertge	Kelly Christensen
	Joe Levi	Tom Freeman	Stephanie Bowman

1. Meeting Called to Order/Adopt Agenda

7:40:53 PM

Mayor Nagle called the meeting to order at 7:40 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Councilmember Shingleton provided an invocation. Councilmember Johnson then led all present in the Pledge of Allegiance.

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Shelby Conklin and Gavin Tremea.

7:43:05 PM

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for Excellence". This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts, and/or community service. The monthly award recipients will each receive a certificate and be recognized at a City Council meeting; have their photograph placed at City Hall and the Community Center; be written about in the City Newsletter, City's Facebook and Twitter Feed, and City's website; be featured on the Wendy's product television; and receive a \$10 gift certificate to Wendy's.

Mayor Nagle stated she had the opportunity to meet Shelby Conklin prior to the meeting and she explained that Ms. Conklin was nominated because "she is one of the hardest working students to even attend Cook Elementary. One teacher reported that Shelby probably works even harder than the teacher; she also completed her work above and beyond what was required. She is a friend to everyone and is always focused on what she needs to be doing. Each time you talk with Shelby she has a clear goal and idea of what she wants to do and become when she is older. With an attitude like hers she will be doing great things." Mayor Nagle asked Shelby to stand and be recognized and everyone in attendance gave her a round of applause.

Mayor Nagle then stated that Gavin Tremea is being recognized after a report from his teacher that "he always does whatever is asked of him and if he did not understand something he would ask a question and diligently work until he understood. His work is always his best and he watches out for little details to excel. He was kind to others, followed rules,

and was always helpful and courteous. We are grateful to have people like Gavin in our school and in our community and appreciate all that he does and all he will do.” Mayor Nagle asked Gavin to stand and be recognized and everyone in attendance gave him a round of applause.

3. Recognition of Will Bargar for responding to a home fire on July 31, 2012, saving the lives of a family living in the home.

7:47:31 PM

A staff memo from the Police and Fire Departments explained that on July 13, 2012 the Syracuse Police and Fire Departments were dispatched to a structure fire at 3950 West Baltimore Circle. Officers were advised that the family was out of the home and that the garage was on fire. When officers arrived they noticed the garage was fully engulfed with fire. There was significant wind out of the south pushing the flames to the north threatening another structure. Other officers arrived to assist and evacuated other homeowners. Fire crews were on the scene within minutes of notification; personnel from Syracuse Fire Department, North Davis Fire District, Layton Fire, and Sunset Fire Departments responded and had the initial fire knocked down shortly thereafter. The first officer on scene spoke with a neighbor by the name of Will Bargar. Will said that he noticed the fire in the garage and ran over and entered the home telling the homeowners to evacuate because the garage was on fire. Mr. Bargar alerted Ms. Stephanie Skinner and her children to safety; Mr. Skinner was not home at the time. The fire had burned into the attic and the roof of the home. A total of three cars, the garage, and most of the upstairs of the home were a complete loss. The Syracuse Police and Fire Departments completed an investigation for point of origin and cause and have determined that this was an accidental fire caused by overload on a power strip. Thanks to the quick thinking of Mr. Bargar there were no injuries associated with this fire.

Fire Chief Froerer approached the Council and summarized the staff memo. He stated Mr. Bargar was not present this evening, but he was pleased to recognize him for his efforts in promoting public safety in his neighborhood. All present gave Mr. Bargar a round of applause.

4. Proposed Resolution R12-22 recognizing Syracuse Family Dental Clinic as the summer 2012 recipient of the “Friend of the Community” Business Award.

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A staff memo from the Community Development Department explained continuing marketing efforts to support and drive commerce, the Community and Economic Development Department developed a Business Award concept for the community. The third recipient of this award is Syracuse Family Dental Clinic. The CED Department has prepared a brief statement about the presentation for the upcoming City Council Regular Session. The background information is as follows:

To recognize the ongoing support to the residents of Syracuse from the business community, Syracuse Family Dental has been selected for the Syracuse City “Friend of the Community” Business Award. Mayor Nagle and attending Council Members will present a framed business award certificate to Syracuse Family Dental, signed by Mayor Jamie Nagle and City Manager Robert Rice.

An important part of the Business Award is formal recognition and presentation of a resolution at a City Council meeting. The attached resolution recognizes Syracuse Family Dental Clinic as the summer 2012 recipient of the business award.

Syracuse Family Dental Clinic has been nominated because:

Dr. Gailey and Syracuse Family Dental Clinic have contributed to Syracuse’s community and economic well being by providing high quality dental care, creating local jobs, serving on city council, leading the local SBOSS (Syracuse Business Organization for Strategic Synergy), volunteering in his church, and being an exemplary family man.

The Community & Economic Development Department hereby requests that the Mayor and City Council pass and adopt attached Resolution No. R12-22 recognizing Syracuse Family Dental Clinic as the recipient of the Syracuse City “Friend of the Community” Business Award. Furthermore, Dr. Michael Gailey of Syracuse Family Dental Clinic will be present at the City Council meeting, and CED staff recommends that the Mayor present the resolution at that time.

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Mayor Nagle read Proposed Resolution R12-22 for the record. She then stated she would like to recognize Dr. Gailey; there are many things that Dr. Gaily has done that people are aware of, but there are many things he has done that people are not aware of. She reported he donates time in the local schools to encourage children to develop their lives in science and medicine. She stated he is always an advocate for the community and is always a voice of reason and calm. She stated Dr. Gailey is a pillar of the community and she looks up to him and is grateful that he is in the community. She stated it is with great pride that she will present the award to Dr. Gailey this evening.

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COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-22 RECOGNIZING SYRACUSE FAMILY DENTAL CLINIC AS THE SUMMER 2012 RECIPIENT OF THE "FRIEND OF THE COMMUNITY" BUSINESS AWARD. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Councilmember Shingleton stated that a lot of people have to die to be an icon and that is not the case with Dr. Gailey.

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Dr. Gailey stated the City has been good to him over the years. He stated it is easy to give back to the City because he loves it so much. He stated the City is no longer rural, but he loves it and what it stands for. He stated the business community here has always been good to him and he would love for everyone to support the local businesses here.

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Councilmember Peterson stated Dr. Gailey was his dentist throughout his childhood and he never had a cavity until his adulthood.

5. Approval of Minutes.

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The minutes of the Regular Meetings of March 27 and May 8, the Work Session of July 31, and the Special Meeting of July 31, 2012 were reviewed.

COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETINGS OF MARCH 27 AND MAY 8, THE WORK SESSION OF JULY 31, AND THE SPECIAL MEETING OF JULY 31, 2012 AS AMENDED. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

Councilmember Lisonbee stated that the May 8 minutes should be amended on page 17, line one by changing the word "refereed" to "referred". Ms. Brown stated that if there are only typographical errors in the minutes, those can be provided to her after the meeting for correction. She asked that only content changes be included in the record.

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

6. Public Comment.

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TJ Jensen stated that he has talked to the Council a couple of times about a cleaner way to get past the Syracuse Arts Academy with the West Davis Corridor. He stated that he asked the Fire Department to provide him with a report of the accidents that have occurred in the City between 2008 and now. He stated that is not as bad as he thought it would be; there are approximately three accidents per year and they do not occur during one particular time of the day. He stated the Arts Academy is doing a good job in keeping traffic under control in that area. He stated there were two fatalities; two dogs ran into the road there and they were killed. He stated the main thing he wanted to talk about is that one of the community members, the Law family, recently attended a national dance competition with their daughters' dance group, the Inspire Dance Company. He stated that in each competition there were 120 teams and their younger daughter's team ended up placing second in their division and their younger daughter's team placed 14th. He stated both teams did very well and he wanted to call attention to that.

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Joe Levi stated that over the last several meetings he has heard how members of the Council are worried about residents of the City going outside the City for food and entertainment and he thinks that "we" need to keep "our" money at home. He admitted that he frequents the 7-11 convenience store in Clearfield City out of force of habit. He stated he picks up his breakfast there every morning and something he has noticed every time he has been there are the Syracuse City Public Works Vehicles, Parks and Recreation Vehicles, and Police Vehicles. He stated he has sometimes seen five or six City vehicles at a time with three or four people in each vehicle. He stated that "we" are sending City employees who are hopefully not on the clock out of the City to spend their money. He stated that "we" are paying to have a Police force outside the City. He stated that before "we" go calling the citizens on spending their money outside the City, "we" probably want to make sure "our" house is in order. He stated that is someone is driving a City vehicle they probably should do business in the City rather than spending time, money, or Police service outside the City.

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Tim Rodee stated that he owns two homes in Syracuse and both would be significantly impacted by the Utah Department of Transportation (UDOT) selection of Route B for the West Davis Corridor. He stated that he is sure that everyone has hoped and prayed that there would be a route that would not impact the citizens and at this point in time that does not seem possible; the best we can hope for is to minimize the impact on citizens as much as possible. He stated that during a previous working session Kathy Allred presented the findings about the number of families that will be impacted by Routes A and B; the findings were significant and irrefutable that more families would be impacted by Route B. He added that at a previous working session Mayor Nagle expressed her support of Route B because of the purchase of land along the Bluff Road for the express purpose of the construction of the West Davis Corridor. He stated that according to an article in the July 21, 2012 Standard-Examiner Michael Bouwhuis, Chairman of the Davis County Transportation Committee indicated that little, if any, of the land that has been purchased would be utilized by either route. He stated additional concerns that he and others have is that Route B would go through the Syracuse Equestrian Park, Fremont Park, and take out a significant portion of the current trail system. He stated Route B would significantly impact two century-old farms – the Steed Farm and the Briggs Dairy Farm – and it would cause the development of an overwhelmingly difficult interchange at Bluff Road and Antelope Drive, which would dramatically impact the safety of children attending the Syracuse Arts Academy and significantly impact their learning environment. He stated it seems to him there is little difference between Route A and B when it comes to the following: business or tax revenue impact or the cost of construction. He stated it seems to him that the Mayor and City Council members have a rather simple, but not necessarily easy, decision to make. He asked if they are willing to impact the fewest number of citizens of Syracuse that they represent; are they willing to maintain the quality of the learning environment at Syracuse Arts Academy as well as protect the safety of the students; are they willing to prioritize the citizens and families of Syracuse rather than special and unique soils as others might have them do; are they willing to prioritize citizens and families rather than geese landing areas as others might have them do. He stated he would suggest it is time for the Mayor and Council to stand up and represent the citizens that voted for them and entrusted them to look out for the citizens' best interest and the best interest of the City as a whole. He stated he would implore them to open the dialogue in a two way street for discussion of these issues and the many issues that face the City because of the West Davis Corridor. He stated it is time to send a message to UDOT that they support Route A.

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Terry Palmer explained that over the last year “we” have experienced some progress that has been good for the community; “we” have witnessed a failed attempt of those who are pushing a systematic growth to the community that would have not fit “our” personal desires. He stated that in his early years of studying local government he was taught that individual communities have different likes and dislikes; local government should recognize the interest of the community and build around that. He stated there is a community in Georgia that, 25 years ago, required every household have a gun with the exception of those that had a religious problem with that. He stated they were recognized recently as having the lowest crime rate in the county. He stated he is not recommending that “we” do that, but “we” are a community that does not want high density housing while the politically correct believe of those in the know is that high density is the way of the future. He stated “we” also do not want major industrial development that will blight the skies and clog our highways. He stated the people in the know believe that all cities should be alike. He stated this is a time that he seriously thinks “we” should look at a resolution against anything that agenda 21 from the United Nations is pushing; recently one of their members said if they advocated the process they would bring out all the kooks and weird people, but then he said “so we call our processes something else, such as comprehensive planning, growth management, or smart growth”. He stated “we” do not need comprehensive planning because “we” have our General Plan and we should follow it. He stated he is sure the members of the Council understand what he is talking about; “we” need to follow “our” desires and not the desires of others that will eventually take away the community as “we” know it. He stated our interests are different than those of Ogden, Salt Lake City, Layton, and any others that are building large rental properties.

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Bruce Baird stated he noticed the agenda item for consideration of the State Road 193 Ordinance was included on this agenda or this meeting as well as the agenda for the earlier Redevelopment Agency (RDA) meeting. He stated that he expected, as usual in the RDA hearings, that the City would have heard from its financial advisor. He stated he would have expected that before the Council closed the public hearing and took a vote on the item they would have heard from Ms. Becker who has done a lot of work on the issue; it would have been appropriate to have her respond to some of the various comments that were made. He stated that as it is, he is asking the Council for guidance as to where he should go next. He

stated he continues to believe, as a party influenced and helped by the RDA and the Economic Development Area (EDA) that this Council should consider it, but since there was a lack of a second on the RDA item they do not know if there is something to be fixed or what the Council's questions are. He stated they would like to move forward as they think the project is in the best interest of the City and if there are questions he would be happy to help answer any of them. He stated as it sits now they have absolutely no guidance as to which way to go. He stated a failure to approve is not the same thing as a denial and everyone is now in limbo and he would ask for guidance as to where they should go next.

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Susan Becker stated that after having worked with the City and being retained to advise the City she felt it should be her duty to respond to some of the concerns that have been raised. She stated that it was stated that the project would simply enrich the developer; her response is that is not the purpose of an EDA and something she would never recommend. She explained the purpose of the EDA is two-fold; the purpose is to attract top businesses to this area and top businesses bring in good quality jobs, which is what the State of Utah is pursuing and why they are willing to pay Economic Development Tax Increment Financing (EDTIF) money for this area. She stated the second benefit on the local level is the good property tax base and when these types of businesses are brought in, what is so valuable about them is their strong property tax base because of not only the land and the buildings, but also because of the equipment and personal property that come with the major businesses. She stated everyone in the state as well as other states are competing for these businesses and that gives the City a much higher value per acre. She stated the City only has so much prime commercial property and the Council better make the most of it; this is a prime opportunity. She summarized the benefits as follows: if the land is developed as planned in the first tax increment collection area there will be a taxable value of \$70 million; if it were to develop as surrounding areas have done without bringing in top development the taxable value would be \$35 million, which would mean that over the period of time going forward the City would receive half of the potential tax revenues. She stated that in the meantime the property has a taxable value of \$0 and it is not producing any tax revenue, but because there is an 80-20 split, the taxing entities will get \$2.7 million more than they currently receiving. She stated that will help with road and other infrastructure needs in the area. She stated there will be \$9 million in expenditures to put in some infrastructure. She stated there are some extraordinary costs associated with a 22 foot drop in the grade of the property as well as the need for a rail spur. She stated the rail spur can attract top quality businesses because it is out of the ordinary. She stated when the 15-year period ends there will be \$1 million per year in revenues to the taxing entities; that is more than double that they would receive if the property were to develop in comparative fashion. She stated that this is not an extraordinary project in the State of Utah; she will be addressing the Governor's Legislative Taskforce on Thursday and a few of the figures she has pulled for that presentation are that the average term for a project area is 15-years; the average amount of increment is \$28 million; in 1980 the amount of tax increment generated statewide for RDA's was \$2.5 million and it is up to \$136 million today, which means that the City is not on a level playing field with other cities in the area if the Council is not willing to consider these types of opportunities. She stated that based on the value per acre, this is an exceptional opportunity for the City and it allows the City to continue its economic sustainability.

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Mayor Nagle stated she wanted to respond to Mr. Baird. She stated she does not have any direction for him at this time, though she wished she did. She stated there a lot of conversations that happened between some members of the Council that the rest of the members of the Council are not privy to. She stated she would hope that all those conversations would happen in public and for a motion to not get a second without any discussion when the Council just entertained another big RDA project. . .she stated she wished she could give Mr. Baird some direction. She stated it is unfortunate; the whole City loses when "we" try to figure out how to develop a property that is zoned industrial and has been zoned that way since before 1970. She stated she wished she had some guidance for him, but she does not.

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Councilmember Lisonbee stated she wanted to respond. She stated the Mayor just accused the Council of meeting outside of open meetings, breaking the Open and Public Meetings Act. Mayor Nagle stated she is conducting the meeting and as the Mayor it is her responsibility to address Mr. Baird's comments. Councilmember Lisonbee stated she wants to address Mayor Nagle's accusation that is totally unfounded and untrue. Mayor Nagle asked who she was making an accusation against. Councilmember Lisonbee stated the Mayor just said the Council had met outside of open meetings and decided not to second a motion; she stated that is not true and she wanted her comments reflected in the record. Mayor Nagle stated there are discussions amongst the Council and it is true. Councilmember Duncan asked if it is illegal to do that. Mayor Nagle stated the Council talks about transparency and wanting discussions in the open and then they get together

outside of the meetings and they come up with what is going to happen in the open meetings and it has never been more apparent than in the last several meetings. She stated they look at each other and one Councilmember may prompt another to say something they were planning to say. She stated it is not illegal, but is not a best practice. Councilmember Duncan stated it is also not a best practice to be delivered the packed on Friday morning. Mayor Nagle stated this City was driven into the ground by collusion outside of meetings and that is exactly where “we” are going. Councilmember Lisonbee disagreed with the assumptions and accusations being made. Mayor Nagle stated that it is time to move forward with the meeting. She stated Mr. Baird asked for direction and she gave him direction; she does not have any advice for him.

7. Final Subdivision Approval, Wasatch Villas Subdivision Phases 7 and 8,
located at approximately 500 W. 3150 S.

8:15:01 PM

A staff memo from the Community Development Department explained the Planning Commission held a public hearing on July 3, 2012 for Final Plan approval of these final two phases of Wasatch Villas Subdivision, and was approved on July 17, 2012. The Planning Commission held the public hearing with Final Plan to assure that the public had adequate notice and opportunity to comment on these phases, as they may not have been able to do so when the original sketch plan was approved for all the phases at the beginning of the development process with phase 1. All items noted in staff report have been addressed by the Planning Commission.

On July 17, 2012, the Syracuse City Planning Commission recommended that the Syracuse City Council approve the Wasatch Villas Subdivision, Phase 7 and 8 Final Plans, subject to all requirements of the Syracuse City Code and the staff reviews dated July 12 & 13, 2012.

Mayor Nagle stated this item was reviewed during the work session held prior to this meeting and she asked Community Development Director Eggett if he had anything to add. Mr. Eggett answered no.

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COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL SUBDIVISION APPROVAL FOR THE WASATCH VILLAS SUBDIVISION PHASES 7 AND 8 LOCATED AT APPROXIMATELY 500 W. 3150 S. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Final Subdivision Approval, Sunset Park Villas Subdivision Phase B,
located at approximately 1840 S. 910 W.

8:15:32 PM

A staff memo from the Community Development Department explained this Subdivision was originally approved in 2008, but there may have been a miscommunication from previous planning staff directing the applicant to not record the plat until such time that the developer was ready to begin construction. Thus due to the previous approvals and the Development agreement which is in effect for 8 years, this approval is a renewal of the previous final plat approval.

On August 7, 2012, the Syracuse City Planning Commission recommended that the Syracuse City Council approve the Sunset Park Villas Subdivision, Phase B, Final Plans subject to meeting all requirements of the City’s Municipal Codes as well as City staff reviews dated July 21, July 26, 2012 and August 2, 2012.

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COUNCILMEMBER JOHNSON MADE A MOTION TO GRANT FINAL SUBDIVISION APPROVAL FOR THE SUNSET PARK VILLAS SUBDIVISION PHASE B LOCATED AT APPROXIMATELY 1840 S. 910 W. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Final Subdivision Approval, Ninigret North I Subdivision,
located at approximately 1100 W. 450 S.

8:15:59 PM

A staff memo from the Community Development Department explained that after several meetings with the Planning Commission a Public Hearing was held on July 17, 2012 for the Sketch Plat which was approved unanimously. The Planning Commission also had the item on the agenda for Preliminary Plat on July 17, 2012, which was also unanimously approved after discussing issues relating to traffic, secondary water, and the public utility easement in Clearfield City which is on the South side of this property.

On July 17, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed Ninigret North I Subdivision Sketch Plan, in which comments were received. On July 31, 2012, the Syracuse City Planning Commission recommended that the Syracuse City Council approve the Ninigret North I Subdivision Final Plans.

Commissioner TJ Jensen included in the motion that he would like to see an additional 2 to 3 feet of additional shoulder on the West side of 1000 West between 450 S and 200 S. The purpose would be to allow cars on the shoulder to be out of the lane of travel. The Planning Commission directed Public Works to work with the developer and UDOT to see if additional width could be added to the shoulder, by moving the curb and sidewalk to the West.

The Syracuse City Planning Commission and CED Staff hereby recommend that the City Council approve the final plans for the Ninigret North I Subdivision, located at approximately 1100 West 450 South, subject to meeting all requirements of the City's Municipal Codes, City staff reviews dated July 23 and July 26, 2012, and with the understanding that the Ninigret Group will work with the City, per direction provided to them by the Planning Commission during Final Plans review.

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COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL SUBDIVISION APPROVAL FOR THE NINIGRET NORTH I SUBDIVISION LOCATED AT APPROXIMATELY 1100 W. 450 S. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

10a. Proposed Ordinance 12-22 amending the Syracuse City General Plan adopted in 1976, as amended; and 10b. Proposed Ordinance 12-23 amending the existing zoning map of Title Ten of the Syracuse City Code by changing from Residential (R-1) Zone to Residential (R-2) Zone the parcel of property located at approximately 2400 W. 2900 S.

[8:16:29 PM](#)

A staff memo from the Community Development Department explained that on July 17, 2012 the Planning Commission held a public hearing on the requested General Plan Map and Zoning Map amendment for this applicant. No comments were received at the public hearing. The Planning Commission recommended approval of the proposed changes to the City Council.

The Syracuse City Planning Commission and CED Staff hereby recommend that the Mayor and City Council approval of the General Plan Amendment and Rezone application for the Clint Sherman property located at approximately 2400 West 2900 South, to change the use of the property from an R-1 to an R-2 zone and reflect it as such on the General Plan map and current zoning map, subject meeting to all requirements of the City's Municipal Codes.

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Community Development Director Eggett summarized the staff memo.

[8:17:28 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-22 AMENDING THE SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-23 AMENDING THE EXISTING ZONING MAP OF TITLE TEN OF THE SYRACUSE CITY CODE BY CHANGING FROM RESIDENTIAL (R-1) ZONE TO RESIDENTIAL (R-2) ZONE THE PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 2400 W. 2900 S. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

11. Consideration of Proposed Ordinance 12-21 adopting the Syracuse State Road 193 Economic Development Project Area Plan, and related matters.

[8:18:29 PM](#)

A staff memo from City Administration explained that in order for this area to qualify as an EDA it must bring new, higher paying jobs to the area that are at least 25% above the median salary for the Davis County. The important note is that it would create new jobs in the area and not shift jobs from another location. The estimate is between 500-600 new jobs to the area. A Taxing Entity Committee (TEC) comprised of individuals from various taxing entities met to discuss the proposed SR-193 Economic Development Area, the project area plan, and the proposed budget. Each individual was appointed by their various taxing entity to represent their interests in the project area. Those individuals on the TEC were as follows:

John Davis – Weber Basin Water

John Carter – Davis School District
Peter Cannon – Davis School District
Steve Rawlings – Davis County
Kent Sulser – Davis County
Kathy Dudley - State School Board
Jamie Nagle - Syracuse City
Karianne Lisonbee – Syracuse City

At this current time, the TEC Committee only discussed the blue area east of the power corridor representing approximately 79 acres. All discussion below only relates to that area in blue. The property currently does not generate any property tax revenue for the various taxing entities. The budget proposal requests that 80% of the tax increment be kept in the EDA project area for 15 years while 20% is distributed to the taxing entities. The money collected in the EDA would be used to reimburse developers, Weber Basin Water, and Syracuse City for infrastructure improvements made to the area. A portion of the money would also be used for tenant outreach to attract high end industrial companies to relocate to the area. After the 15 years, all the tax increment would be returned to the taxing entities. The TEC committee members voted 8-0 approving the project area plan and related budget proposal. The next step in the process would have been for the RDA board pass a resolution adopting the SR-193 EDA Project area. The Resolution, as well as the Proposed Council Ordinance 12-21 was provided to each member of the Governing Body along with the project area plan and budget.

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City Attorney Carlson stated that in order for the Council to adopt this Ordinance, the RDA Board would have had to previously adopt the proposed RDA Resolution. He stated that passing this ordinance is not something that is statutorily allowed at this time. Mayor Nagle asked if the Council needed to entertain a motion to table or deny the Ordinance since it is advertised on the agenda for tonight's meeting. Mr. Carlson stated that if the Council entertains a reason to deny he would recommend some reason.

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Councilmember Peterson asked if the Council can take this time to have discussion to determine the reasoning.

[8:19:14 PM](#)

COUNCILMEMBER SHINGLETON MADE A MOTION TO TABLE CONSIDERATION OF PROPOSED ORDINANCE 12-21 ADOPTING THE SYRACUSE STATE ROAD 193 ECONOMIC DEVELOPMENT PROJECT AREA PLAN, AND RELATED MATTERS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

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Councilmember Peterson inquired as to the intent of tabling the Ordinance and he asked if the Council wants to have further discussion at a future meeting. Councilmember Duncan stated the Council can discuss the issue tonight. Mr. Carlson stated that if the Council tables the Ordinance for discussion at a future work session, that is acceptable. He stated it would also be acceptable to talk about the issue now, although a lot of the people that would be able to answer any questions the Council may have about this issue are no longer present.

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Mayor Nagle recommended moving the item to a future work session for further discussion. She stated there has been a motion and a second to table the proposed Ordinance and she called for a vote; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF COUNCILMEMBER JOHNSON, WHO VOTED IN OPPOSITION.

12. Joint Development Agreement for Fun Center expansion.

[8:20:07 PM](#)

A staff memo from Finance Director Steve Marshall explained that Ed Gertge, owner of Syracuse City Fun Center, is considering expanding the Syracuse City Fun Center site. As part of this expansion, he is looking at adding a pool, go-carts, and other attractions. He is requesting that the Redevelopment Agency (RDA) help with this expansion. A PowerPoint presentation was provided to the Council for a more detailed analysis. If the council approves moving forward with the RDA funds to be appropriated to the Fun Center expansion, the Council will want to finalize a joint development agreement with the Fun Center outlining in detail the proposed repayments and length of time. Staff recommends the Council finalize the terms of the Joint Development Agreement.

[8:20:16 PM](#)

City Attorney Carlson stated the Council may wish to instruct the staff to try to come up with an agreement that involves the RDA and the developer, but not the City. Councilmember Duncan stated that if the Council were going to act on this item tonight they would need to come up with the language of the Joint Development Agreement on the spot. Mr.

Carlson stated he has presented a draft, but he would not recommend adopting it tonight. Councilmember Peterson stated that the draft is very basic and there should be some discussion about what else the Council would like to see included in the draft.

[8:21:12 PM](#)

Mayor Nagle asked if it is Mr. Carlson's advice to table this item for further discussion at a work session. Mr. Carlson stated the Council can move to table the item for discussion at a work session, or they can discuss the item now. Mr. Rice stated his suggestion would be to table it and have some discussion to give the staff some direction on what things they would like included in the next version of the document.

[8:21:45 PM](#)

Councilmember Johnson asked if the applicant is facing a deadline. Mr. Carlson pointed out the budget has been approved by the RDA. Mr. Rice agreed and this agreement does not have any bearing on the economics of the project.

[8:22:06 PM](#)

Councilmember Lisonbee asked if it would be appropriate to ask that the item be discussed in an RDA work session. Mayor Nagle stated there is no distinction between an RDA and a Council work session; RDA and Council items can be discussed in the same work session meeting.

[8:22:28 PM](#)

COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE CONSIDERATION OF A JOINT DEVELOPMENT AGREEMENT FOR THE FUN CENTER EXPANSION UNTIL THE NEXT WORK SESSION.

[8:22:41 PM](#)

Mr. Marshall stated that this is somewhat time sensitive for Mr. Gertge for him to be able to secure the loan for the project; he was hoping for resolution soon, but if there were some direction to staff that would provide the opportunity for the Council to adopt a joint development agreement at the next meeting, that may be sufficient to meet the deadlines in place. Mr. Rice stated that staff would like to include this item on the August 28 work session agenda and then convene in a special business meeting to vote on it immediately afterward.

[8:23:35 PM](#)

Councilmember Peterson suggested the Council have the discussion now because if there are not too many items that need to be added to the document the Council could potentially vote on it tonight. Mr. Carlson stated that there has been some discussion about having the agreement be strictly between Mr. Gertge and the RDA with no involvement from the City.

[8:24:06 PM](#)

COUNCILMEMBER DUNCAN SECONDED COUNCILMEMBER LISONBEE'S MOTION. He suggested the Council discuss the item tonight in order to give staff some direction as to what the Council would like to see included in the Joint Development Agreement.

[8:24:22 PM](#)

The Council then had discussion with staff and Mr. Gertge about the draft agreement.

[8:35:02 PM](#)

Mayor Nagle stated there has been a motion and a second to table consideration of the joint development agreement and she called for a vote; ALL VOTED IN FAVOR.

13. Authorize Mayor Nagle to execute the Interlocal Agreement establishing a Davis County Council of Governments (COG).

[8:35:06 PM](#)

Mayor Nagle explained COG, Inc. was developed in 1984 as the Mayor's and County Commissioner's group for the purpose of economic development and expansion in the community and to look out for the general welfare of the County. She explained that last year the group decided to include a representative from the Davis Area Convention and Visitors Bureau (DACVB), which is their CEO, as well as the CEO from the Chamber of Commerce, and a representative from the School District. She stated they are non-voting members because they are not elected. She stated the practice they have been following is that those non-voting members do not vote on issues considered by the group. She added that the group has decided to formalize that process and create a voting COG group inside of the COG, Inc. She stated the COG, Inc. will be the entire group and the COG referenced in this agreement includes the officials that will vote on corridor preservation issues since that is one of the few things the COG votes upon.

[8:36:39 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE MAYOR NAGLE TO EXECUTE THE INTERLOCAL AGREEMENT ESTABLISHING A DAVIS COUNTY COUNCIL OF GOVERNMENTS (COG). COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

[8:36:53 PM](#)

Councilmember Duncan asked if the COG will now be a group that can create policy. Mayor Nagle stated the authority of the COG is not changing as a result of this agreement and she reiterated her comments regarding the purpose of the agreement.

[8:37:54 PM](#)

Councilmember Lisonbee stated the agreement says that all the participants are governmental entities and she asked about the people that are non-voting that have a voice and could, in theory, influence the dialogue. She stated that the agreement says the government entities should bear the cost of any activity they are responsible for and she asked if that means that the cities shoulder all costs even though the non-voting members may have a voice in shaping decisions. Mayor Nagle stated that if she were to take a proposal to COG for them to buy land for corridor preservation in Syracuse City, Syracuse City would bear the cost to develop the plans and proposal to take to COG, but the non-voting members cannot bring items to COG; however, they still have a voice, just like anyone that would attend a COG meeting to comment on any issue. She stated that UDOT and UTA often send a representative as do the local senator's offices. She stated they can make comments, but they cannot vote.

[8:39:34 PM](#)

Councilmember Johnson inquired as to what other cities have already executed this agreement. Mayor Nagle stated all COG members were asked to sign, but she does not know who has executed it to date.

[8:39:43 PM](#)

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

14. Authorize Administration to execute agreement for the 2525 South Road Improvement Project.

[8:39:49 PM](#)

A staff memo from the Public Works Department included the bid tabulation for the bids opened August 7, 2012 for the 2525 South Road Improvement Project. This project is a storm drain and street improvement project on 2525 South Street from 1000 West to Bluff Ridge Drive. The low bidder and bid amount are as follows:

Low Bidder: Advanced Paving & Construction, Inc.

P.O. Box 12847

Ogden, UT 84412

Telephone: (801)-731-7882

Bid Amount: \$149,516.20

The memo further explained the Engineer's Opinion of Probable Cost for the project was \$185,000.00. Staff has reviewed the submitted bid from all bidders and recommends awarding the contract to Advanced Paving & Construction, Inc. as soon as possible. Please call us with any questions you may have regarding this information. Once the Notice of Award has been executed we will forward them to the contractor for signature.

[8:40:06 PM](#)

Public Works Director Whiteley summarized the staff memo.

[8:41:19 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT FOR THE 2525 SOUTH ROAD IMPROVEMENT PROJECT. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

15. Councilmember Reports.

Councilmember Johnson's report began at [8:41:37 PM](#).

Councilmember Peterson's report began at [8:43:36 PM](#).

Councilmember Duncan's report began at [8:48:34 PM](#).

Councilmember Shingleton's report began at [8:50:24 PM](#).

Councilmember Lisonbee's report began at [8:51:44 PM](#).

16. Mayor Report.

Mayor Nagle's report began at [8:53:06 PM](#). Councilmember Shingleton left the meeting.

17. City Manager Report.

Mr. Rice's report began at [8:54:18 PM](#).

At [8:58:17 PM](#) p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. THE MOTION WAS NOT SECONDED; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: October 9, 2012