

Minutes of the Work Session meeting of the Syracuse City Council held on August 26, 2014, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan  
Mike Gailey  
Craig A. Johnson  
Karianne Lisonbee  
Douglas Peterson

Mayor Terry Palmer  
City Manager Brody Bovero  
City Recorder Cassie Z. Brown

City Employees Present:

Public Works Director Robert Whiteley  
City Attorney Clint Drake  
Fire Chief Eric Froerer  
Police Chief Garret Atkin  
Community Development Director Sherrie Christensen  
Parks and Recreation Director Kresta Robinson

The purpose of the Work Session was to receive public comments; have a discussion with Davis County Animal Care and Control re: Trap Neuter Return program; review proposed City Property Lease Agreement with John Diamond; review draft revisions to Emergency Operations Plan; review draft Economic Development Policy; review draft scope of work for efficiency audit(s); discuss Roberts Rules of Order and City Council Rules of Order and Procedure; review special meeting agenda item 4 - General Plan Amendment and Rezone, Business Park to Commercial C-G & Residential R-3, Ninigret North, LC, Property located at approximately 1550 W. 200 S.; and discuss Council business.

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### **Public Comments**

TJ Jensen stated he wanted to talk about the proposed rezone of a portion of the Ninigret property. He has reviewed West Point City's general plan about the concept as well as spoken to several people very involved in development in the area. He noted the Davis County Economic Development Department regularly refers potential tenants to Ninigret due to the business park concept for the property; they feel the property is ideal for a business park and job center. He noted the economy is beginning to improve and more people will be interested in locating their business to the area in the next couple of years. He stated West Point has a research/business park zoning designation and the property adjacent to State Road 193 in West Point has been assigned that zoning designation; they have obviously thought the area is right for a job center. He concluded he feels changing the zoning for Ninigret at this time is premature.

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Pat Zaugg stated she has been concerned recently about on-street semitrailer parking. She stated there is a resident living close to her that leaves his semitrailer parked on the street for up to a week at a time. She wondered if it is possible to review City ordinances to address the issue or enforce on-street parking issues because she feels it is a hazard.

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Brian Degrange stated he is a Boardmember for the Syracuse Arts Academy School; he addressed the proposal to rezone a portion of the Ninigret property and noted the Academy would like to purchase ground from Ninigret to facilitate the construction of another school in the City in order to accommodate the waiting list of children whose parents want them to attend the Academy. He stated the school is interested in offering additional amenities in the area, such as an amphitheater. He concluded the Board would like to keep their school in Syracuse.

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Sheldon Kilpack stated that after the last meeting he considered the comments and recommendations that were made and he met with Ninigret and his engineer to discuss concepts relative to the configuration of the site plan for the property upon which Syracuse Arts Academy desires to build a school.

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**Review proposed City Property Lease Agreement with John Diamond**

A memo from City Attorney Clint Drake explained the City owns property in Clearfield City that abuts the Syracuse City Cemetery. The City owns the property for the purpose of expanding the Cemetery at a future date. For years the property has been leased and farmed by a local farmer. Recently the farmer decided he didn't want to farm the property anymore. In an effort to make the best use of the property until the City expands the Cemetery, the City sent out a Request for Proposals for agriculture on the property. John Diamond submitted the lowest responsible bid for the property. Staff has negotiated a lease agreement with Mr. Diamond for the property until such time that he decides to no longer farm the property or the City wishes to expand the Cemetery.

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Mr. Drake reviewed his memo. The Council indicated they were comfortable proceeding with approval of the lease agreement during the special business meeting.

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**Review draft revisions to Emergency Operations Plan**

A memo from Fire Chief Froerer explained over the past several months the Department Heads, City Manager and Mayor have been reviewing and revising our Emergency Operations Plan. The full plan in draft is very comprehensive, and is ready for council review. The Elected Officials Guide is a summary of what is in the full EOP, with additional insight for you as a council member.

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Chief Froerer summarized his staff memo.

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Mayor Palmer inquired as to the role of the Mayor and Council during a true emergency. Chief Froerer stated the Mayor and Council will serve as liaisons to the community and will provide information to the public and City staff during an emergency.

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The Council had a brief general discussion regarding the purpose of the EOP and provided feedback to Chief Froerer regarding the amendments they would like to see before taking final action regarding the document. There was a brief focus on the chain of command during an emergency situation, with the Council indicating they would like the Council and Mayor to be part of the chain of command. Chief Froerer stated he is comfortable with that recommendation, but noted he would prefer that the City Council and Mayor participate in National Incident Management System (NIMS) training to assist them in assuming a leadership role during an emergency. The Council also discussed holding an event that would allow elected officials and staff to practice emergency operations and response.

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**Discussion with Davis County Animal Care & Control re: Trap Neuter Return program**

A staff memo explained Clint Thacker, Director of Davis County Animal Care and Control, made a request to be on the agenda to discuss the Trap Neuter Return Program.

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Mr. Thacker introduced Allison Stapleton, Shelter Outreach Coordinator; they used a PowerPoint presentation to provide an overview of the intent of the Trap Neuter Return (TNR) program. The City Council asked general questions throughout the presentation regarding the practices used by Animal Care and Control to track an animal that has been picked up as part of the TNR program. Councilmember Peterson clarified that there is no charge associated with the program for the City and that all the Council needs to do is adopt an ordinance allowing the TNR program to be used by Davis County within City boundaries. Mr. Thacker stated that is correct and noted the County will not be actively trapping cats in the City and the only cats that will be subject to the program are community cats, not actual pets. The Mayor and Council offered their support for the program and indicated they would take action on the proposal at a future business meeting.

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**Review draft Economic Development Policy**

A memo from Community and Economic Development (CED) Director Christensen indicated proposed is a draft of policies that are intended to be used as guidelines in seeking out new businesses, retaining existing businesses and what

policies and strategies will be used. Staff would like to present the draft policy to SBOSS at their fall summit and is looking for guidance from the City Council on the proposal. Staff is requesting support from the Council to continue developing and supporting an Economic Development Policy.

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Ms. Christensen summarized her staff memo and briefly reviewed the objectives of the Economic Development Policy.

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Councilmember Duncan stated he is supportive of the concept of a free market and he has concerns that the policy could be interpreted as the City becoming involved in marketing or running businesses. Ms. Christensen stated the City would not be running businesses, but could foster the development of incubator spaces to provide work space or office space for small businesses seeking to grow. Councilmember Johnson stated he views the document as the City's way of helping businesses to be more successful by removing 'red tape' that may have otherwise restricted them. Councilmember Gailey agreed and stated he feels the proposed policy would help to reduce vacancy rates and improve the success of struggling businesses.

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Mayor Palmer noted the City has recently taken a proactive approach in reaching out to businesses that may be suited for space in the Town Center. He noted it is his belief that the proposed policy will help to further that kind of action, but City Administration will consider the guidance of the Council relative to the City's economic development approach. Councilmember Peterson stated he feels the policy is general enough while providing sufficient guidance relative to economic development. Councilmember Lisonbee agreed, but noted she has concerns about the communication that the City may be able to offer incentives to businesses. Councilmember Duncan agreed. Ms. Christensen stated the language regarding incentives is very general and no incentive would be offered to a business without prior approval from the Council.

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City Manager Bovero stated that the draft policy will be provided to the business community and SBOSS for feedback before it is brought back to the Council for additional consideration.

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### **Review scope of work for efficiency audit (s)**

A memo from City Manager Bovero explained outlining the proper scope of work for an efficiency audit is necessary to ensure that the City receives the analysis that it expects. Below is a list of items that we have discovered in our research that I recommend for the efficiency audit. The items are placed into either "priority" or "secondary" categories to show which items I think are needed most. This prioritization will become important if the price for the efficiency audit is more than the Council is willing to spend at this time. The memo listed the following priority items:

**Organizational Structure:** Examination of system-wide organizational structure and expansion or consolidation of services and/or departments

**Personnel:** Examination of staffing, payroll procedures, training programs, personnel policies.

**Customer Service:** Examine government services provided to the public, and evaluate performance of these services.

**Fleet & Fuels Management:** Examine City-wide fleet management and fuel consumption and evaluate efficiency.

**System-wide Operational Policies:** Evaluate City's policies to determine effectiveness, adequacy, and functionality.

**Information Technology Hardware & Software:** Determine adequacy and efficiency of existing assets, including security analysis. Recommend operational software to improve efficiency of city-wide processes in all departments.

**Code Enforcement:** Examine code enforcement and zoning enforcements, evaluate criminal versus civil enforcement alternatives and make recommendation for the City.

The memo also listed secondary items for consideration:

**Risk Management Analysis-** Conduct safety and financial risk analysis, make recommendations on areas to improve.

**Procurement & Purchasing Practices:** Evaluate City's practices for purchasing and contracting.

**Licensing and Permit Processes:** Examine internal processes for licenses and permitting and make recommendation on improvements.

**Records Management:** Evaluate and recommend most efficient methods to manage City's records.

**Utility Metering:** Examine efficiency of current procedures for utility metering and recommend improvements.

The memo indicated a contract for this service is estimated to be between \$30,000 and \$80,000. The variation in costs depends on the consultant and the scope of work involved. Another effort toward greater efficiency can be pursued through a more in-depth analysis and consulting for each department. Under this method, the City would contract with a person or firm with expertise in managing specific municipal services (e.g. police patrol or investigations, water system maintenance, recreation programs, etc.). The cost for this would likely exceed the comprehensive scope outlined above if all departments were examined. The purpose of the discussion is to review the proposed scope of work with the Mayor and Council to determine the desired work to be performed. Staff will then develop an RFP to select a consultant.

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Mr. Bovero reviewed his staff memo and indicated he would like feedback from the Council that will help him to narrow the scope of an efficiency audit. He noted he has spoken with consultants regarding the draft scope of work and has learned the City could expect to pay between \$30,000 and \$80,000 for an audit following the scope.

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The Council had a general discussion regarding the intent of the efficiency audit, ultimately concluding to move purchasing and procurement practices to the priority category and move code enforcement to the secondary priority category. Councilmember Gailey stated he would like the audit to focus on mitigating the burden placed upon someone seeking to develop their property. Councilmember Lisonbee stated that could be part of the customer service focus of the audit. Mr. Brody stated the auditor could be asked to focus on the development approval process. He noted that the Council will have the opportunity to review the proposals submitted by various audit firms and determine which items should be included in the audit scope and which should be removed.

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Councilmember Duncan concluded the City has a huge budget and he feels the City will get a great return on investment from the audit; he is comfortable spending a significant amount of money on the audit. Mr. Bovero stated \$30,000 was included in the budget for the audit, so anything exceeding that cost would need Council approval and a subsequent budget opening.

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### **Discussion regarding Robert's Rules of Order and City Council Rules of Order and Procedure.**

A staff memo indicated that in an effort to ensure that all Councilmembers are familiar with the City Council Rules of Order and Procedure and to facilitate efficient City Council meetings, Mayor Palmer requested that this item be added to the agenda. He also plans to review various sections of Robert's Rules of Order that are not included in the City Council's Rules of Order and Procedure.

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Mayor Palmer stated that he would like to focus on the sections of Robert's Rules that restrict members of the Governing Body to discussing a topic more than once and no longer than 10 minutes per time. He stated he would like for the City's meetings to be more efficient and not as lengthy as they have been. Councilmember Lisonbee stated dialogue is very important and she is not supportive of limiting debate. Councilmember Duncan agreed and noted it may be necessary to reduce the number of items listed on a Council agenda in order to shorten meeting lengths. The Council ultimately concluded they are not supportive of limiting debate, but offered Mayor Palmer suggestions for more effectively conducting any given City Council meeting. Mayor Palmer concluded he would like the Council to make an effort to be cordial to everyone appearing before them for any item listed on an agenda. Councilmember Lisonbee agreed and noted the City Council's rules of order and procedure references that same issue.

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### **Review special meeting agenda item 4 – General Plan Amendment and Rezone, Business Park to Commercial C-G & Residential R-3, Ninigret North, LC, Property located at approximately 1550 W. 200 S.**

A staff memo from Community and Economic Development (CED) Director Christensen provided a brief background on

the item explaining the property is currently designated as BP Business Park on the General Plan. The developer is requesting a residential zoning in order to facilitate a single family development, a charter school and a small retail commercial area. The property is currently designated as A-1 Agriculture on the Zoning Map. The developer is requesting a residential zoning in order to facilitate a single family development, a charter school and a small retail commercial area. The Planning Commission held a public hearing on August 5, 2014 and made a favorable recommendation for the General Plan & Zoning Map Amendments. This item was continued from the August 12, 2014 agenda. Staff has met with the applicant to address the alternative layout as discussed with the Council. Based upon that discussion alternate maps have been attached.

Relative to the General Plan Amendment, the Planning Commission recommends approval to the City Council for the General Plan Amendment request from Ninigret North LC, located at approximately 1550 W 200 S, for the requested change from BP Business Park to C-G Commercial & R-3 Residential, subject to all applicable requirements of the City's municipal codes, with the recommendation that the G-C Commercial Zone be extended to the East property line adjacent to the power corridor and along the frontage of SR193 at an equivalent depth as proposed by the property owner.

Relative to the Zone Map Amendment, the Planning Commission recommends approval to the City Council for the Zoning Map Amendment request from Ninigret North LC, located at approximately 1550 W 200 S, for the requested change from A-1 Agriculture to C-G Commercial & R-3 Residential, subject to all applicable requirements of the City's municipal codes and in conformance to the recommended General Plan Map Amendment.

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Ms. Christensen reviewed her staff memo and noted staff has worked with the applicant to address the concerns raised by the Council during their last meeting. She reviewed a site plan created by Ninigret and the Syracuse Arts Academy and noted the school site has been moved to the east side of 1550 West. There will still be business park zoning of 12.41 acres and the general commercial area will be expanded to five acres; there will potentially be shared open space of 13.44 acres and the City will retain access to the Rocky Mountain Power corridor. She concluded staff likes the amended proposal because it increased the opportunity to maximize joint use of the area. There was a general discussion regarding straightening 1550 West rather than it being a curved street, with Ms. Christensen noting it is her understanding there will be opportunities to straighten the road as development of the subject property and adjacent parcels occurs.

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Mr. Kilpack stated since the last City Council meeting he has focused on amending the site plan to orient the school in a manner that it will cause the least impact on nearby homes. It will be necessary to expand the parking area to accommodate traffic associated with the school without allowing on-street parking. He then reviewed the process the school will follow to address student transportation to the school. The Syracuse Arts Academy Board is anxious to have a resolution to the issue in order to know if the satellite school will remain in Syracuse and if it is safe to reach out to those on the school's waiting list to inform them of the project. The location of the subject property will help alleviate the pressure on the Davis County School District as well. Ms. Christensen added there may also be opportunities for shared parking depending on the use that occupies the commercial property adjacent to the subject property.

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There was a brief discussion focused on the road layout and connectivity between the subject property and Monterey Estates as well as the location of business park zoning in proximity to State Road (SR) 193. Ms. Christensen clarified that the plat does not include upwards of 70 acres of property that could be used for business park development in the future. Councilmember Lisonbee stated she appreciated that clarification when discussing the property with Ms. Christensen earlier today. She noted she understands the subject property is prime property for development in the City and that many people feel it should be developed for a business park use; however, the land owner would like to work on a development including more homes and a charter school and she feels the City would be benefited by facilitating those development plans. She stated the likelihood of including an amphitheater in the project would also greatly benefit the City and she would like to investigate the option of developing a joint use agreement for that amenity. She concluded she is going to support the application because she thinks it is a good proposal for the City and the property owner.

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Councilmember Duncan stated he feels the Council will shortchange the City by approving the application. The school will generate no tax revenue for the City and there are no other parcels of prime real estate that will accommodate a business park. He stated that the City may regret this decision in the next three to four years and it may even be necessary to increase property taxes to compensate for the lost tax revenue opportunities associated with the property. Councilmember Gailey disagreed; he noted the school will create 75 new jobs in the City and concluded he is supportive of the application. Councilmember Johnson stated he has not made a final decision regarding the application, but feels the decision to change the business park zoning of the property is somewhat premature. He acknowledged the school would benefit the City, but will not create an increase in tax

revenue. He agreed the real estate is prime for business park development so he is hesitant to move forward with the proposed project. He stated the amphitheater would be good for the City, but he does not feel the City will have much control over its use. Councilmember Peterson stated he agrees with many of the things said by Councilmembers Duncan and Johnson regarding the fact that the property is prime real estate, but he reiterated there is a huge portion of land to the west that will still be available for commercial or business park development. He stated the plan is not perfect, but he is impressed with the improvements that have been made to the plan by the applicant and staff since it was originally discussed two weeks ago. Mayor Palmer added the City would receive taxes for the property for some time. He added there is no reason to believe that SR193 will end at 2000 West and there will be additional opportunities for commercial or business park development along the extension of the road. Councilmember Duncan stated that development opportunities decrease further to the west. Mayor Palmer stated he does not believe that will be the case when the West Davis Corridor is constructed. Councilmember Duncan disagreed and stated he believes the West Davis Corridor will be a commuter road with no commercial draw.

**Council business**

At each meeting the Councilmembers and Mayor provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Peterson’s report began at [8:06:33 PM](#). He was followed by Councilmembers Gailey, and Johnson.

The meeting adjourned at [8:08:24 PM](#) p.m.

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Terry Palmer  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: October 14, 2014