

Minutes of the Syracuse City Council Regular Meeting, October 9, 2012.

Minutes of the Regular Meeting of the Syracuse City Council held on October 9, 2012, at 7:00 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

Department Heads Present:

Finance Director Steve Marshall
Police Chief Brian Wallace
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Community Development Director Mike Eggett
Public Works Director Robert Whiteley
Information Technologies Director TJ Peace

Visitors Present: Marissa Erickson	Dorathy Law	Charlie Black
Marta Black	Christi Carpenter	Janecia Nichols
Amy Nichols	Bruce Schofield	Mary Schofield
Chloe Allsop	Gabby Ross	Alyssa Thurston
Matt Kealamaicia	Spencer Johnson	Jake Garner
Jessica Underwood	Keaton Jones	Tyson Pesness
Landon Maedgen	Lauren Sudweeks	Clint Sherman
Tim Rodee	Teri Briggs	Arlene Briggs
Derik Noorlander	Stephen Schneider	Lisa Jamison
Annette Mazariegos	Dayoberto Mazariegos	Matthew Timothy
Beverly Timothy	Heather Banks	Chad Thompson
Clay Jaggi	Duncan Thompson	Zachary Smith
Tyler Beazer	Kennedy Haggard	Geoff McLaughlin
Shane Howes	LeAnn Fowler	Adam Birch
Case Sorensen	Arick Sorensen	Tyler Watson
David Hellewell	Jennifer Tays	Jessica Howes
Brandon Lancaster	Daniel Nanney	Louise Fielding
Mildred Schenck	Katrina Knight	Wyatt Francis
Sarah Davies	Koltan Helm	Tristen Hillberg
Jacob Sanders	Garrett Geertsen	Jody Howell
Don Howell	Brendan Peters	Josh Genebaux
Alex Lawton	Marc Cuimond	Emmie Hill
Adam Martens	Delani Stacks	Terry Palmer
Brandon Taylor	Jaron Carman	Bridger Silvester
Ty HOGgan	Josh Coleman	Nick Gonder
Jennifer Ruch	Matt McBride	Jennica Smith
Ron Newey	Elizabeth Ludlow	Heidi Renner
Bryce Cob	Griek Niel	Rhett Noschett
Hayden Barney	Logan Child	Dona Jo Call
Breckell Soifua	Ray Zaugg	Jerry Guffey

1. Meeting Called to Order/Adopt Agenda

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Mayor Nagle called the meeting to order at 7:00 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 Peterson provided an invocation. Boy Scout Cade Sorensen representing Troop 556 then led all present in the Pledge of Allegiance.

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COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Ashleigh Banks and Kaison Cotton.

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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 Ashleigh Banks was nominated by a teacher from her school, West Point Junior High. She stated Ms. Banks' teacher said "Ashleigh is a very kind, happy, and accomplished student. She also plays in our school band. West Point Jr. is lucky to have her as a student". Mayor Nagle asked everyone in attendance to recognize Ms. Bank's excellence and give her a round of applause. The entire Council then shook Ms. Banks' hand and Mayor Nagle provided her with a certificate of recognition.

Mayor Nagle stated she remembered the next award recipient from the Syracuse Got Talent show earlier this year. She stated he has so much talent and confidence. She stated that Kaison Cotton also attends school at West Point Junior High and his teacher said of him "Kaison is an outstanding student that is a friend to all at West Point Jr. Kaison is also an amazing dancer. He is an excellent student and friend." Mayor Nagle asked Mr. Cotton to be stood and recognized and everyone in attendance gave him a round of applause. The entire Council then shook Mr. Cotton's hand and Mayor Nagle provided him with a certificate of recognition.

Mayor Nagle stated we are so lucky to live in a community that rallies around the youth and this is such a great opportunity to recognize two youth every month, but for every two that are recognized there are 20,000 that are also amazing. She stated this award speaks to the commitment the community has to families and the quality of the kids' lives and she asked everyone to keep up the good work.

3. Approval of minutes.

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The minutes of the Regular Meeting of August 14 and the Work Session and Regular Meetings of September 11, 2012 were reviewed.

COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF AUGUST 14 AND THE WORK SESSION AND REGULAR MEETING OF SEPTEMBER 22, 2012 WITH AMENDMENTS. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

Councilmember Lisonbee stated the August 14 minutes need to be amended; page 10 she would like the minutes to read "Councilmember Lisonbee stated the Mayor just said the Council met outside of open meetings and decided not to second the motion, she stated that is not true and asked for it to be on the record." Councilmember Lisonbee also recommended changing another statement that says Councilmember Lisonbee disagreed because it is not clear what she disagreed with, so please add that she disagreed with the assumptions and accusations of the Mayor.

Councilmember Shingleton stated that in the September 11 business meeting there is a motion that says he made the motion and seconded it as well. City Recorder Brown stated that she caught that error and has corrected it.

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

4. Public comment.

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Matthew Timothy stated he has a concern about the intersection of 2110 West and 1700 South in the subdivision better known as Cherry Village. He stated there is a visibility problem at the intersection and he was wondering if there is an ordinance in place that could help address the situation. He noted there are a lot of kids that ride their bikes on the sidewalk in the area and drivers are having problems seeing them as they are navigating the roads. He provided some photographs of the area and explained there is a big tree and shrub near the intersection that prevents drivers from seeing anyone on the sidewalk. He stated he is concerned that kids riding bikes near the intersection will get hit by a vehicle and that is very concerning to him. He wondered if there is something the City can do to provide better visibility.

Mayor Nagle stated Mr. Timothy's concerns will be forwarded to City Administration and they will work with him to determine if the Syracuse City Code can provide some solution.

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Lurlen Knight stated that a short time ago he was riding the Front Runner train and he was checked by an officer to see if he had a ticket to ride. He stated the officer was a former Syracuse City Police Officer and he asked him why he was no longer working for Syracuse and the officer told him that he had received a \$5.00 per hour raise to accept employment with the Utah Transit Authority (UTA). He stated he then read a story in the newspaper explaining the City could potentially be losing three more Police Officers, one of which he met tonight. He stated that the City went through this issue in the past with the Fire Department. He stated once an employee becomes certified another agency can offer them more money and some employees choose to leave. He stated he thinks that sometimes the Council gets so concerned about the lowest paid citizen in Syracuse who has been laid off or not received a raise and City employees are compared to that person, but that is not fair to City employees. He stated that he feels employees should be paid based to wages paid in the market they work in. He stated he wants to ask the Council to compare public safety or the entire City to similar and surrounding communities to see how the wages compare. He stated he knows there is a lot of concern about taxes and he hates taxes as well, but he looked at his tax bill and only \$240 of his total property taxes go to the City. He stated he was talking to a senior citizen one day who was telling him about an alarm monitoring system on their home and they pay \$40 per month for it. He stated that translates to \$480 per year, which is almost twice what he pays in taxes to the City. He stated he does not want his taxes doubled, but it seems strange that people are comfortable paying for things like an alarm system, but they complain about a tax bill that covers public safety, roads, and other City services. He stated the Council needs to seriously consider this issue; if the City loses its seasoned Officers and Fire Fighters it is losing the experience they have when responding. He stated the City may be saving a dollar here and there, but it becomes the training ground for public safety and he would ask that the Council consider what can be done to keep the employees in place. He stated he would also recommend that Syracuse not be the lowest paid City in that can be helped. He added that he had heard that some people think the City has too many Police Officers, but last time he checked there was one on graveyard shift which requires response from other cities during nighttime emergencies. He stated that he works in Salt Lake and he has met two Fire Fighters that used to work for Syracuse and now work for Salt Lake and he would ask the Council to consider that and how they treat the employees.

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Terry Palmer stated he had a couple of things to talk about tonight; first he wanted to recognize all the students that are present this evening. He stated it is awesome to see them getting involved in government and he thanked them for coming. He then stated two weeks ago he attended the Council work session meeting and it appeared to him that the Council was talking about giving certain powers to the Fire Chief that would allow him to issue citations and tickets. He stated that the Chief already has those powers and his concern is that the Chief should not be given the authority to make legislation. He then stated he feels the City has already adopted a budget for the current fiscal year and it should be left alone, but he would like the budget to be opened so the citizens can be made aware of the salaries of City employees in order to compare the salaries and benefits the City employees receive. He stated he agrees the City needs to be competitive with the marketplace. He then stated he would recommend against opening the budget at this time and leaving it alone until next spring.

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Tim Rodee stated he noticed there is not a comment period following the Utah Department of Transportation (UDOT) presentation on tonight's agenda. He stated he has been working with the Citizens for a Better Syracuse and UDOT to find a solution relative to the problems associated with the West Davis Corridor. He stated that last Wednesday he was informed to refinements to alternative B, which he understands will be discussed tonight. He stated he was told the refinements were based on wetlands; wetlands have priority over the citizens of Syracuse and lack of clarity and transparency on the impact makes it frustrating to the citizens. He stated he cannot understand the numbers presented by UDOT; according to their numbers they were able to avoid 5.1 acres of wetland intrusion while sacrificing seven homes and partially taking properties owned by seven other residents. He stated he cannot accept that; if someone would have come to him and told him that his home would need to be sacrificed to save 25 other homes, he hopes he would have had the courage to say that makes sense, but 5.1 acres of wetlands caused the diversion of the 2000 West and Gentile Street interchange so that it will sit on top of his house – a house he built 12 years ago. He stated that he visited the UDOT website today and read the following statement: "through these efforts it was discovered that many of the areas previously considered as potential wetlands did not contain the hidrick soil properties to qualify as wetlands. With this new wetland information UDOT shifted alternative B to the northeast between 2700 South and Gentile Road. This shift resulted in less wetland impacts and avoided the Syracuse City public works building and the Syracuse equestrian park." He stated that is at the sacrifice of his home and his neighbors' home and property. He stated no one lives at the public works building or sleeps there every night; no one

built their dreams at the public works building. He stated it is incredulous to him that the citizens are such a low priority that their homes would be sacrificed to save 5.1 acres of wetlands.

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Officer Millward stated he is a little disappointed to tell the Council that today is his last day with the Syracuse Police Department. He stated he has accepted another job offer that will increase his compensation. He stated that the people that he has worked with are not good employees – they are great employees; there are incredible people working for the City and things need to be done to help them so they can stay with the City and support their families. He stated he does not know if the Council knows that most Police Officers in Syracuse must work a part-time job in addition to their full-time employment with the City. He stated the job of Police Officer is supposed to be a career and be respected; the things they see and deal with are things that no one else wants to deal with. He stated the Officers protect people and put their lives on the line every day and they are willing to do what it takes to keep the community safe. He stated he would ask for more respect and better treatment and appreciation of the Officers. He stated there is more that can be done to appreciate the people that put their lives in the line and deal with scary and sad situations every day. He asked that the Council make the wages competitive for the incredible men who would give everything on a moment's notice for anyone in this room.

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Amy Nichols stated she has a brother that works for Syracuse Police; they will come to anyone's home when they need help and she asked why the Council would not support them with fair wages. She stated she would not want to do their job and neither would anyone on the City Council. She stated that if it were not for public safety employees, no one would be here because of criminal activity and other public safety problems. She stated she appreciates all of them for protecting the community.

5. Presentation from UDOT regarding West Davis Corridor.

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Randy Jeffries representing UDOT approached the Council and provided an update regarding the planning for the West Davis Corridor route through Syracuse City.

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Mayor Nagle stated she wanted to point out that no one will win in this situation; the road is needed, but most of the residents moved to this area because they like the rural feel of the community and they do not want the area impacted. She stated there are farms that will be impacted if alternative C is chosen, homeowners that will be impacted by alternatives A and B. She stated there are so many impacts and they are great, but the one thing to consider is that the process is so detailed in weighing all of the alternatives. She stated that wetlands are not the only thing considered, but she has been vocal about saying that wetlands should be given equal preference, but that there are homes and farms that are just as valuable as the wetlands. She reiterated the process has been very detailed and she wants the citizens to know that this is a tough decision for everyone and there will be tremendous impacts. She stated that while the impacts are still being studied the City is fighting to make sure the wetlands or the public works building are not the driving factor. She stated that the City actually hoped the road would take the public works building so that the land could be sold and the public works department could be relocated near the other City buildings. She stated she wanted Mr. Jeffries to know that she respects the position he is in and she recognizes this is a tough decision and no matter where the road is located there will be a lot of impacts.

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Councilmember Johnson asked when the more indirect impacts will be shown on the study. Mr. Jeffries stated they will be available as part of the draft Environmental Impact Study that will be published in the spring. Councilmember Johnson stated he is most concerned about the indirect impacts because they affect people's everyday lives. He stated he wished those impacts were available now and he feels there are a lot of indirect impacts associated with alternative B especially. Mr. Jeffries stated that there is a difference in opinion about that issue. He said some people have communicated to him that they have hoped their home would be taken rather than road being located directly next to it, while others have said they are glad that their home has been missed and that they prefer to stay in Syracuse even with the highway located next to them. He stated UDOT cannot predict or control all those varying opinions, which is why they must rely on the data that is available to them. He stated they are focused on reducing all of the impacts as much as possible.

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Mr. Jeffries then continued his presentation.

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Councilmember Johnson referred to alternative A and stated there is 73 acres of farmland and he inquired about the possibility of moving things in that area to reduce the number of acres to be impacted. He stated it looks like there may be

some room in that area to allow for some shifting. Mr. Jeffries stated that UDOT has tried as best as possible to minimize impacts to farmland in that area as well as to avoid the wetland areas that exist along the Great Salt Lake Shorelands Preserve. He stated some of those areas are off limits according to the Clean Water Act. He stated they have tried to be on the edge of the farmland as opposed to down the middle. He added that they have tried to minimize impacts to the Bridgeway Island subdivision; it is a Homeowners Association (HOA) and they are trying to minimize the number of homes that would be impacted by the alignment. He stated he has made some adjustments to that route, but they were mainly in West Point to avoid historic properties and homes, but UDOT does not see any way to further make adjustments to the alternative as it runs through Syracuse. He stated he is open to suggestions.

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Mayor Nagle thanked Mr. Jeffries for his presentation.

6. Public Hearing – Proposed Resolution R12-24 adjusting the Syracuse City budget for the Fiscal Year ending June 30, 2013.

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A staff memo from the Finance Director explained the Council and staff discussed the budget opening and potential funding options for the general fund at the last Council meeting. After that meeting he updated the PowerPoint presentation to reflect the changes that were recommended. The changes that were made are highlighted in red. He also included in the packet a budget spreadsheet that itemizes the proposed changes by fund. There are a few additional items that are on the spreadsheet that were not discussed at the last Council meeting. They include the following:

- o **Street Light Fund:** Street light capital expense of \$515,000. This budget request is a carryover from FY2012 because the conversion project was not completed by the end of FY2012. These funds came from the capital lease that was approved in the prior fiscal year.
- o **Class C Roads Fund:** In addition to the \$320,955 transfer to the Class C roads fund from the general fund, we also have available in the Class C roads an additional \$166,520 from fund balance. This would increase our total capital project expense to \$1,320,955 for FY2013.
- o **Sewer Fund:** This budget request is a carryover from FY2012. We ordered the camera during FY2012, and just received it this week.

The memo concluded by noting the Council was provided with the capital projects listing that was discussed at the last Council meeting. This recommendation would increase the City's capital project expenses across various funds from \$3,888,349 to \$6,702,214; the funds are available in cash and would not require any additional debt to complete.

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Finance Director Marshall reviewed his staff memo and provided a summary of the budget opening.

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Mayor Nagle convened the public hearing. There were no visitors wishing to make public comments and the public hearing was closed.

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COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-24 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

The motion failed for lack of a second.

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Councilmember Johnson stated he wants to discuss the issue before making a motion. Mayor Nagle stated that according to the rules adopted by the Council, a motion should be made before discussion takes place. City Attorney Carlson added that a Councilmember can second a motion and still vote against it.

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COUNCILMEMBER LISONBEE MOVED TO TABLE PROPOSED RESOLUTION R12-24 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013.

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Mayor Nagle stated there was a lot of discussion about this topic and there was no mention of tabling the issue tonight and she asked why Councilmember Lisonbee wants to table the item. Councilmember Lisonbee stated she believed this was one of the items that was discussed in the work session, but the time to discuss it ran out and the discussion was not completed. She stated she has more questions and concerns and she would like to continue the discussion. Councilmember Peterson stated that the Council can have more discussion at this meeting. Councilmember Lisonbee stated her motion stands and she asked the Mayor to call for a second.

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Mayor Nagle called for a second to Councilmember Lisonbee's motion; COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

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Councilmember Peterson stated he wants to discuss the issue tonight; he thought that this issue was vetted during the work session and there is no reason to put it off. Councilmember Johnson agreed and stated that more discussion is needed. He stated he felt that opening the budget can be good and bad; some of the capital projects and other items in the budget opening are good things and he does not have an issue with those, but he does have questions regarding the conditions and abilities the Council has concerning the employee merit increases. He asked if the Council is able to put any conditions on money. He stated one of the conditions he would like to see is that if an employee has worked for the City for less than two years, they would not be eligible to receive a merit increase. He asked if the Council can put such conditions in place. Mayor Nagle stated the Council can put such conditions in place, but she would want reasons behind those conditions. She stated that if there is a Police Officer that has worked for the City for less than two years and they are considering leaving the City for other employment with higher pay, why would the Council want to lose them. Councilmember Johnson stated he is not saying he would want to lose those people, but at the time those employees got hired they had some ability to negotiate their salary with the City. Mayor Nagle stated prospective hires do not have the ability to negotiate their salary. Councilmember Johnson stated if those employees were hired at a lower wage, that was likely based on prior experience; or the City did not pay them correctly. Mayor Nagle stated the City has not paid them correctly; people have been hired at the entry level in every range and raises have not been provided over the past four or five years. She stated that government is different than the private sector; an offer is made and the prospective employee either takes it or leaves it, but there is no negotiation in the process. She stated she understands what Councilmember Johnson is saying, but her response would be that regardless of whether a Police Officer has been in his position for one year or ten years and they are being paid at the low end of their wage range, she would hope the City would want to keep those employees. She clarified that the City will only be offering merit raises as opposed to cost of living adjustments (COLAs), which means that if they are a marginal employee they will likely not qualify for a raise; only the top performers – based on performance reviews – will be eligible for a merit increase. She stated two years ago the Council put stipulations in place dictating that no City employee could receive more than a five percent increase without a Council vote; that means no one employee will receive more than five percent with this merit increase. She stated there are thresholds in place that limit the amount of money that one person could get.

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Councilmember Duncan stated one of the concerns he has about merit raises is how objective the increases can be as opposed to subjectivity and as opposed to buying loyalty of staff in the City. He stated that if someone likes what has been done they will be eligible for a raise, but if they do not like what has been done the opposite will be true. He stated it is not about objectively doing good things; it is about subjectively where an employee fits into the political spectrum. He stated that happens in the private sector as well, but he is concerned that the merit pay will really be based on an objective standard and he asked what that standard will be. City Manager Rice stated the merit pay will be based on the performance of an employee as determined by their supervisor. He asked how a merit raise could be done any other way. Councilmember Duncan stated that is a struggle in City government, or any government. Mayor Nagle stated the same is true in the private sector. Councilmember Duncan stated that the private sector, by the nature of the fact that money is the bottom line, is performance driven and he questions in the wrong political environments if these merit increases will truly be based on performance as opposed to buying loyalty. Mayor Nagle stated she takes issue with that. Mr. Rice stated Councilmember Duncan is questioning the integrity of all Department Heads and the City Manager. Mayor Nagle stated that three years ago the City was operating with the lowest possible fund balance allowed by law at \$248,000. She stated the City was allocating \$78,000 per year for roads. She stated the Council told the staff to do more with less, innovate, out produce, outperform, and out provide any other city. She stated this year the suggested budget amount for capital improvement projects is \$6.7 million, increased from \$78,000; the fund balance has been increased to \$1.4 million from \$258,000. She stated if it is politically driven, she says "bully for them" if that is what got the staff to produce those kinds of results. She proclaimed "God Bless America" and stated she wished everyone in government was that politically motivated to do the right thing. She stated she is going to stand with the staff tonight; they have done everything the Council has asked them to do and the Council has "beat the crap out of them" at every opportunity and now Councilmember Duncan is saying the raises are not deserved because they are politically motivated. Councilmember Duncan stated he is not suggesting that the staff should not get a raise or that one should not be coming. He stated he is also not saying they have not done a good job and he has thanked them several times. He stated his question is whether the merit raises will be based on them actually doing a good job or actual merit. He stated that is the question. Mayor Nagle asked why there are Department Heads if the Council does not trust them. She asked why there is a City Manager in place. She charged the Council to come to the City every day and stated that the Council cannot

even call a Department Head to ask them a question because they are too busy. Councilmember Duncan stated he has called a Department Head; he just communicated with them this week.

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COUNCILMEMBER LISONBEE MADE A MOTION TO RECESS.

Mayor Nagle stated that she is not recognizing Councilmember Lisonbee's motion because she is talking and it is her meeting to control. She stated when she is finished talking she will entertain the motion. She stated the Department Heads are doing the job they have been hired to do and if the Council does not trust them, that is the issue that needs to be addressed. She stated that if the Council feels they are not managing their departments correctly and setting performance objectives that are getting optimum results – though all evidence points to the fact that is the case – the Council's issue should be with the Department Heads. She stated the Council needs to set clear objectives, that is leadership; leadership is not about micromanaging, rather it is about setting clear objectives, hiring competent people and getting the hell out of their way and letting them do it. She then stated she did not think there could be a motion to adjourn with an active motion on the table. Councilmember Lisonbee stated she did not make a motion to adjourn; she made a motion to recess for a period of five minutes until emotions can calm down. Mr. Carlson stated a motion to recess is not one of the enumerated motions, but it is a motion that can be made. Mayor Nagle asked if that is correct even if there is an open motion on the table. Mr. Carlson stated that according to Roberts Rules of Order, the motion to recess is a higher motion, meaning it can be made.

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Mayor Nagle stated there has been a motion made to recess the meeting and she called for a second. The motion died for lack of a second.

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Councilmember Lisonbee stated that she thinks it is a good idea to take the emotion out of the issue and look at it objectively and consider the facts. She stated fact number one is that the City does not have the lowest pay scale in the County or along the Wasatch Front. She stated there is a fact that the City is competitive overall with wages. She stated the Council also needs to look at the fact that the current budget that was adopted earlier this year contains an allotment for pay increases for the Police Department. She stated there is a fact that there is an employee bonus program available for employees that outperform and that bring revenues to the City and create an innovative atmosphere. She stated the Council needs to look at the fact that it is only eight months until the next budget passage and perhaps this is a good time to think and wait. She stated a very high percentage of the budget goes to wages, more than a lot of other cities because the revenues in the City are not that high; over 67 percent of the budget goes to wages. She stated the City has gone from a proposed tax and fee increase last year and a huge deficit in the road funds under the previous Council and Administration to \$6 million plus dedicated to capital projects within one year with a new Council and new paradigm. She stated she thinks "we" still have a long way to go; "we" instructed staff at the last budget hearing to do a complete survey of all infrastructure needs in the City and the City is looking at huge costs in the future. She stated "we" have to balance "our" desire to compensate "our" valuable and wonderful employees with "our" future infrastructure needs that are going to be sizable. Mayor Nagle stated it is so condescending to say the employees are valuable. Councilmember Lisonbee stated she is not finished. Councilmember Duncan stated Mayor Nagle interrupts the Council, but the Council can not interrupt her. Councilmember Lisonbee stated there are infrastructure things the citizens depend on every day and the Council needs to consider the facts on the table; the City is competitive; there is money in the budget for police wage increases that can be implemented once a new Chief is in place; the Council was presented with a benchmark analysis that is in the Council packet and available online. She challenged all citizens to go online and see what the City is paying its employees compared to other cities close to Syracuse and along the Wasatch Front and they will see that the City is very competitive. She stated the City passed a 200 percent tax increase in 2007 and all of that money went to wage increases and then in 2008 the bottom fell out of the economy. She stated there was a huge benchmark that was increased in Syracuse and the economy stopped growing. She stated that is part of the reason that even though the City has not given COLAs or significant pay increases, the City is still quite competitive. Mayor Nagle asked why the City is losing all of its employees if the wages are competitive. Councilmember Lisonbee stated the City is not losing all of its employees. Mayor Nagle stated the Council can stick their heads in the sand, but that does not make it go away. Councilmember Lisonbee stated that she has talked to a number of employees that have left the City or to people that have directly talked to them and she has heard that they left for other reasons than pay. She stated while the staff is wonderful and they have done a great job, she thinks the Council needs to be responsible and balance what they see on paper with what they feel in their hearts and would want to do.

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Councilmember Peterson stated that he wants to talk about some facts he is aware of; the first fact is that the \$150,000 is not to address the wage scale and how it compares with other cities. He stated the money will give the employees an opportunity to receive a merit increase. He stated the second fact is that the employees have not had a raise in

four or five years. He stated the third fact is that he cannot believe the Council is squabbling over \$150,000 to put towards people when \$6.7 million is being added to the budget for roads and pipe. He stated the roads and pipe are important, but people are more important. He stated \$150,000 is a drop in the bucket to reward the employees. Councilmember Lisonbee stated \$150,000 over ten years is \$1.5 million. Mayor Nagle offered a fact. She stated that Councilmember Lisonbee claimed there has been a paradigm shift under the new Council, but she pointed out that all of the changes that have been brought about in the City that created the additional \$6.7 million being available for infrastructure improvements as well as the changes brought about to increase the fund balance to \$1.4 million were brought before the current Council was seated. She challenged the Council to come up with one thing they have brought forward that resulted in any of those costs savings. She stated there are none. She stated that is the paradigm shift; the City had tremendous momentum and the Council had asked the employees to keep doing more and more and then they are put into these situations. She stated it is not just about the Police Department, but it is about the Fire Department and the single mom that comes to work for \$12 per hour – her job is just as important. She stated the Council comes to the City one night every other week and complains they cannot get anything done because of their personal lives, but this is life for the City employees; they come here every day. She stated everything the Council does to say that they do not deserve a raise, but that the Council loves them, is insulting. Councilmember Lisonbee stated no one is saying that the employees do not deserve a raise, but deserving something and the Council's ability as elected officials to say yes are two entirely different things. She stated "we" need to cut the rhetoric and look at the fact that the City is already competitive. She stated there may be one or two positions in the benchmark analysis and maybe those positions can receive a raise, but the employees are contract employees and they made a contract to work for a wage. She stated yes, "we" should appreciate them and yes, "we" should help them, but the Council is talking about tax payer funds. Mayor Nagle stated the employees also pay taxes. Councilmember Lisonbee stated that while she thinks a smaller amount that was specifically targeted to specific wages that are extremely low would be appropriate, she does not feel she was elected to be in the business of giving merit pay increases just because she felt like even if the numbers did not weigh out.

[8:29:11 PM](#)

Councilmember Peterson asked Councilmember Lisonbee if she intends to go four years without giving the employees a raise. Councilmember Lisonbee stated she knows a lot of citizens in the City that have not had a raise in more than four years. Mayor Nagle stated that was not the question. Councilmember Peterson stated he knows a lot of citizens that have had raises.

[8:29:28 PM](#)

Councilmember Johnson stated that he thinks that some of the employees do need to receive a merit increase. Councilmember Lisonbee agreed. Councilmember Johnson stated four or five years is a long time and some of the very loyal employees should receive a raise. He stated that is why he was considering conditions. He stated he has reviewed the salaries of the City employees and he thought it may be appropriate to give raises to those employees that make less than \$60,000 per year. He stated money to provide Police Officers with raises is already in the budget, but there are a number of employees in other departments that are receiving low wages and that is the level he would like to look at. He stated he is very willing and more than happy to give raises to those employees because those are the people that are hurting the most. He stated it may be appropriate to draw a line and say that those making less than \$50,000 or \$60,000 should not be eligible for an increase. Mayor Nagle stated that is almost like welfare; giving raises to those with lower incomes while ignoring those that have a college degree or have a special skill set that has made them eligible to make above \$60,000 in their position. Councilmember Johnson stated many corporations do that. Mayor Nagle stated she would like to see those companies. Councilmember Johnson stated he has worked at some. Mayor Nagle stated a corporation may not provide raises to directors or those with higher positions. Councilmember Johnson stated that is what he is proposing and he does not know why that is not an element the Council can consider.

[8:31:32 PM](#)

Councilmember Duncan stated that before he was castigated, that was the direction he was going in. He stated there is an employee incentive program in place and he thinks it is a dangerous proposal to go through the City and say they merit an increase. He stated there may be a handful of City employees that would admit they are a sloth, but most employees are saying to themselves that they have been working for the last four or five years and they want a raise, too. He stated that is the concern he has. He stated the Council budgeted for an employee incentive program and his concern is that if the City provides \$150,000 to raises each year and those raises are based solely on merit at the discretion of the Department Heads, that will create some disgruntled employees along the way. Mayor Nagle asked what the raises should be based on if they are not based solely on merit. She stated she absolutely believes the raises should be based on merit and nothing else.

[8:32:37 PM](#)

Councilmember Peterson stated it is not the job of the City Council to say who gets raises and who does not. He stated it is grossly far from it. He stated the Council approves dollar amounts, not who should receive a raise.

[8:32:50 PM](#)

Mayor Nagle agreed there is an employee incentive program in place and she wanted to remind the Council that when Mr. Rice brought a proposal before the Council about an employee that had discovered an opportunity for a significant cost savings, the Council was very upset about it and said that the City could not give an incentive to someone who figured out the City should have been charging a fee that had not been charged though it was in the fee schedule. She stated the Council said the employee was punishing the citizens and should not be eligible for an increase for that. She stated that even when a proposal is made and brought to the Council, the Council shoots it down. She agreed again that there is an incentive program, but it is not used as way to incentivize performance and out of the box thinking like figuring out where problems are and fixing them. She stated the Council has approved tools, but does not let the staff use them.

[8:33:52 PM](#)

Councilmember Lisonbee stated that she wanted to respond to Councilmember Peterson's comments and she stated the Council absolutely has oversight over the budget to talk about wages and this issue. She stated she has been told by several people in the County as well as elected officials that the Council could basically fire an employee by defunding his position in the budget and that is within the Council's policy making ability – not that the Council would want to do that. She stated that to suggest that the Council does not have the ability to discuss this issue when the Council does have legislative oversight over taxpayer dollars is disingenuous. Councilmember Peterson stated that is not what he is saying, but he is hearing Councilmembers saying that they want to decide which employees will get a raise and which will not. He stated that the Council does not have that right. Councilmember Johnson stated he does not want to decide person by person, but he would consider adding wage stipulations to certain titles. Councilmember Peterson stated he does not believe the Council has that right; rather, the Council has the right to give an amount of money to the City Manager for raises and he shall follow the policies that the Council has set regarding how and when to give raises.

[8:35:02 PM](#)

Mr. Marshall stated he wanted to offer some facts to add to the discussion. He stated that if the Council decides against opening the budget whatsoever, the City will be in violation of State Code at the end of the Fiscal Year (FY) because the general fund balance will have exceeded the 18 percent limit. He stated that will result in an audit finding. He then stated the Council raised the issue of utilities and capital projects and he wanted to point out that the \$6.7 million available for projects are funded in majority from utility based fees rather than the general fund. He stated with the exception of roads, every other utility issue is covered by fees in a separate fund. He stated that the budget for roads will have gone from \$78,000 to \$1.3 million in one FY if this budget opening is approved. He stated that is an extraordinary increase in his opinion. He then stated that the Human Resources Manager conducted a study regarding COLAs and that information was included in the packet; the City compared with 46 cities in conducting that study and 76 percent of those cities gave raises to their employees in this current FY. He stated the staff has gone six years without any type of raise, which is compared to 76 percent of the 46 cities that responded to the survey that gave raises this year. He stated most of those cities have given raises multiple times over the last three years, whether those raises were COLAs or merit raises. He then stated that from his point of view the City needs to do something for employees in order to be competitive.

[8:37:03 PM](#)

Mr. Rice stated that he wanted to address a couple of items that have been discussed throughout the budget preparation process. He stated that when the current FY budget was presented to the Council by the Administration, there was a statement in the narrative from the Administration expressing its opinion that the economy had turned around. He stated both Councilmembers Lisonbee and Shingleton disagreed with that statement and said they did not believe the economy had turned around. He stated that means that every single dollar that has been generated in the fund balance increase has been done on the backs of the employees; it is because of the work of the employees, not because of the economy. He then stated when he was hired to take his job Councilmember Shingleton, who is a businessman, put his arm around him and said he wanted Mr. Rice to run the City more like a business and he has done that. He stated when businesses do well, it is appropriate to reinvest in the business by buying inventory, buying new product, or rewarding the employees that are doing the business. He stated the City has no inventory to buy and no product to deliver, but it has employees that have brought the fund balance from \$258,000 to \$1.4 million and they have endured hardships over the last five years; they have lived with the program and bought into the business of the City. He stated they are not City bureaucrats and instead they are customer service agents that have made the City prosper. He stated every idea that has come about and has been executed to increase revenues or decreased expenses has come from the employees or at the expense of the employees. He stated that if he were an outsider looking in he would wonder how the City has gone from spending very little money on capital projects to \$6.7 million on the same projects in such a short period of time. He asked how the fund balance

has been driven from \$258,000 to \$1.4 million in two to four years. He stated it is all done by the good works of the employees; they deserve a raise because they have carried it and made the business stronger. He stated they are the number one asset of the business of Syracuse City.

[8:39:16 PM](#)

Mr. Marshall added that one year ago the Administration requested funding for a COLA raise for employees. He stated he understands disdain for COLA raises because the same amount is provided to all employees regardless of their performance. He stated the funding for a COLA was pulled from the budget based on that fact and now the Administration is bringing this proposal to the Council and he strongly feels that merit raises are the best option for the City. He stated he does not agree with placing limitations on the raises in regards to which employees will be eligible for a raise because if the City has great employees it should want to retain them and reward them for the work they have done. He stated if there are employees that are doing the bare minimum or less in their job, they should not be rewarded. He stated that is why merit raises are the best option; raises are based on performance. He stated it is subjective to Department Head and City Manager reviews, but there are limits on the amount of money that any employee could receive – five percent – without Council consent. He stated that it has been six years since most employees got raises. He stated it is true that in 2007 many employees got large wage increases, but to just do one raise and then not consider giving raises again for five or six years is not the best practice. He stated he feels there should be an ongoing wage increase program, whereby employee wages are evaluated every other year or every three years to determine if the employees are being paid based on their merits. He stated that is how the best employees are attracted and retained. He stated the staff has heard from different sources that it costs approximately one year in wages to train someone to do their job in a manner that they are proficient. He stated that it has been said time and again that Syracuse is the training ground; employees start here to get experience and then they move one to places that pay higher wages. He stated that means the City is spending much more money in training costs than would be spent if the City were to just give raises so that they can be retained.

[8:42:19 PM](#)

Councilmember Johnson stated that he does not know what will be accomplished by tabling this item and he is not sure if he wants to table it. Councilmember Lisonbee suggested that Councilmember Johnson make an amended motion.

[8:42:27 PM](#)

Mayor Nagle stated there has been a motion and second and she can call for a vote. Councilmember Duncan asked if the Council was finished with discussion. Councilmember Lisonbee stated she was not done discussing the item. City Attorney Carlson noted that theoretically the discussion is regarding the motion to table. Councilmember Johnson stated he is not inclined to table, but he wants to hear from the Council about their feelings about why it may not be a good idea to place conditions on the wage increases. He suggested that those below the director level that earn lower wages should be “lifted up a little bit”. He asked what everyone thinks about that idea. Mr. Rice stated Councilmember Johnson mentioned a condition whereby those that have worked for the City for less than two years will not be eligible for a raise. He referred to the wage data in the Council packet and stated the Building Official has worked for the City for approximately 11 months, but his wage is very low compared to wages of other cities. He stated he does a great job and that is one person that would rate a merit raise, but if the condition is put in place he would not be eligible for a raise. He stated he can somewhat understand the direction Councilmember Johnson is heading in, but the Council hired him to make these kinds of decisions. Councilmember Johnson asked about his idea to only give raises to those below the director level in the City. Mayor Nagle referred to some packet materials; she noted that a fundamental part of what the City has been able to accomplish recently has been on the back of Mr. Marshall, but in reviewing the wage data in the packet, he is the third lowest paid Finance Director of the 20 cities that responded. She stated that if the Council wants to retain that caliber of talent there should be a way to provide even a small wage increase for him. She stated the entire Council would be hard pressed to argue the value he has brought to the City has not been amazing, though he has been with the City for less than two years and he is in a director position. Councilmember Johnson stated he is trying to be open minded and he is willing to listen to the concerns of the other Councilmembers; he is trying to encourage more dialogue about this issue. Councilmember Peterson stated the examples offered by Mr. Rice and Mayor Nagle are two perfect examples that prove it is tough to put a general sweeping rule in place regarding wage increases. He stated the Council does not have all the facts to make those decisions. He stated that if the Council did have all the facts and worked with the employees on a daily basis, like Mr. Rice does, then maybe the Council could make these kinds of decisions, but putting a general rule in place does not take into account individual employees. Councilmember Lisonbee stated that she agrees there is a point to what Councilmember Peterson is saying, but there may be a way to address the issue by approving a set dollar amount for wage increase less than \$150,000, which is three percent for everyone. She stated that in looking at the benchmark information in the packet it is apparent there are some employees that are paid low in comparison to other cities and some of them are Department Heads, but most of them aren't. She stated they are positions like Firefighter 2 or Police Officer 2 or the Building Official. She stated the Council could

decide to dedicate a certain amount of money rather than considering the years of service of the employees. Councilmember Johnson stated it may be better to look at how low the employees are paid according to the benchmark data and if employees are paid a lower amount, their wages could be increases. Councilmember Lisonbee agreed and stated that would equalize where the City is with its benchmark analysis to other cities. Councilmember Duncan stated that he also agrees, but wondered if that is the definition of merit pay. He stated that it is also important to be careful because maybe Mr. Marshall only has three years of experience and he is being compared to employees in other cities that have 15 years of experience and that is why they are making more money. He stated he is not commenting on whether Mr. Marshall deserves a raise, but these are the things that need to be taken into consideration. He stated he does not know the answers to the questions. He stated that our City Attorney makes less than the City Attorney in Layton, but the Layton Attorney has oodles of years of experience. Mayor Nagle stated that Layton has many Attorneys on staff and all of them make more money than Mr. Carlson. Councilmember Duncan stated he understands, but the fact that the City Attorney is making more money than Mr. Carlson has to do with the fact that he has been the City Attorney for decades. Mayor Nagle stated that the City has Department Heads and the City Manager to make these kinds of decisions. Councilmember Duncan stated he does not necessarily disagree, but one of the "beefs" he has had is that he has had multiple citizens come to him and say something about a certain employee being fired or driven out of the City even though they were a great employee. He stated that causes him to question things in the back of his mind, though he did not investigate the issue or look into the issue. Mayor Nagle asked Councilmember Duncan why he did not look into it; she stated she asked the Council to do so because she knew those comments were being made and that there were Councilmembers that thought the City had treated an employee unfairly. She reiterated she asked the Council to talk to Mr. Rice and find out what actually happened and none of the Councilmembers did so. She stated if she were a terminated employee she would give outsiders the best spin on her termination in order to save face and it is incumbent upon the Council to get the facts. She stated that she does not think it is appropriate for the Council to make derogatory comments about a terminated employee, but it is good for the Council to know the back story of why the employee was terminated so that when those comments do come, the Council does not second guess the staff because they know why certain decisions were made. She stated she would suggest, and she believed Councilmember Shingleton would back her up, that every employee that has been terminated was one of the people that were not assisting in elevating the level of service or commitment in the City. She stated that when Mr. Rice began his employment he communicated to all the employees that he believed they would either be with him or they would figure out in a matter of a few months that they did not want to be with him, but there is no staying behind. She stated he has led staff to a superior level of service and originally the Council trusted Mr. Rice to identify who needed great direction or who really just needed a different opportunity. She stated she would still encourage Councilmember Duncan to figure out the other side of the story because she thinks he would be surprised to hear it.

[8:51:18 PM](#)

Councilmember Shingleton stated that he thinks employees need to understand that he is not opposed to giving raises and his quandary, which he thinks is probably the same for most of the Council, is how raises should be done so that everyone "gets a piece of the action". He stated that a Police Officer stood and said he was leaving the City for higher paying employment elsewhere, but he does not know where he is in the "pecking order" of the Police Department and he has some questions about the situation. He wondered if he left because he was assigned one of the lower wage scales. He stated he is not saying that no one deserves a raise and if the City had the money he would give everyone a 50 percent raise; Police Officers and Firefighters do, in fact, put their lives on the line and that is appreciated and they are underpaid and he recognizes that. He stated he is worried about the person that is making \$32,000 versus the person making up to \$60,000 and which of those employees are leaving employment with the City. He stated those are questions he has. Councilmember Duncan stated that is a concern that has been expressed already tonight. He stated he has worked for a government entity in the past and they put in place a wage freeze for two years at a time when he was at the bottom of the "pecking order". He stated that is a tough situation and during this economy the cost of everything is increasing and that adversely and disproportionately affects people. He stated that his question is how to address the fact that people have not had a raise for a long time and they are hurting. He asked if that should be addressed by giving raises across the board or by putting corporate welfare in place and say that the people most disproportionately affected by the problems in the economy are the people that have less money to operate on. He stated he has been affected by the economy and he pays the same amount of money for gas, but he would guess he can afford it easier than others that are making far less money. Mayor Nagle stated that is why the Council has Mr. Rice and Department Heads in place and they should be making those decisions. She stated the Police Chief addressed the Council not too long ago and said that he needed to give raises to some of his lower paid employees; the Council does not know why those people are that the Chief wants to keep or who he wants to incentivize, but he does and he has come before the Council asking for the ability to do that. She stated that the Council does not know who is performing; maybe some employees should not be incentivized and maybe it would be better if they found another job opportunity, which

would give another higher performing employee and opportunity to be promoted within their Department. Councilmember Duncan asked what will happen if a City employee does not get a raise after tonight's discussion; what will that employee think. Mayor Nagle stated that is not for her to say. Utility Manager Holly Craythorn said those people should understand that they should work harder and make a better contribution to the City and earn the merit that they were eligible to receive. She stated they should wonder what they could have done different to deserve a raise. Mayor Nagle stated Ms. Craythorn is the employee that was responsible for identifying almost \$30,000 a year in increased revenue and when Mr. Rice brought her proposal to the Council it was shot down.

[8:56:21 PM](#)

Councilmember Peterson stated there are two issues being discussed; one is a policy issue concerning how the raises should be allotted. He stated the other issue is the amount of \$150,000 and there was a suggestion that the amount should maybe less. He stated that regarding the latter, Councilmember Shingleton made the comment that if the City had the money he would approve a 50 percent raise for all employees. He stated the City does not have that kind of money, but it does have enough money to give the Administration \$150,000 to be used for raises. He stated that if the Council could legitimately say that it cannot give \$150,000 because \$30,000 of that is needed for roads, he could agree with that, but he cannot agree with that at this time because the City is in the situation now where there is enough money for utilities, roads, and other projects while still offering money for raises. He added that he does not think \$150,000 is a lot of money. He stated he really wants to know what the Council wants to do; do they want to set policy or do they want to lower the amount, or do they want to do both. Councilmember Lisonbee stated that she thinks a lot of the money that has been contributed to roads and infrastructure has been impact fee money and other money; it has not been from the general fund necessarily and ongoing the City is facing huge infrastructure costs and the Council has been told by staff several times that the City is looking at astronomical infrastructure costs and it has even been said that bonding is not necessarily a bad thing and the City should consider taking on more debt to pay the increased infrastructure costs. She stated that to say that the City has a windfall of money and the Council does not need to think about any other upcoming expenses seems to be a little irresponsible. She stated \$150,000 is \$1.5 million in 10 years and in 10 years the City will have almost the same debt that it has now. Councilmember Peterson stated it will be more than \$1.5 million because the staff will want another raise before another 10 years. Councilmember Lisonbee stated that is obvious, but hopefully the City's revenues will continue to increase and the City will see positive impacts with all of the businesses coming into the City that the Council has voted to assist with RDA funds. She stated those things will increase the City's revenues and help defray the long term costs that the City will need to expend for capital projects. Mayor Nagle stated those projects that are being assisted with RDA funds were projects that were sought out by the staff and brought to the Council; the Council did not seek those projects out. Councilmember Lisonbee stated Ed Gertge brought his project to the City. Mayor Nagle stated staff recognized that the citizens want a pool and the City cannot afford it and they tried to figure out a solution; the staff knew Mr. Gertge wanted to expand his business and it was Mr. Rice and other staff that led the conversations with him regarding the idea of a pool. She stated that is what she is talking about; staff is bringing projects to the City. She stated she recognizes \$150,000 is a lot of money, but \$100,000 of the fund balance of \$1.4 million is a very insignificant amount in comparison to what staff has brought to the table in all aspects. She stated that Mr. Marshall was the employee that identified the fact that if impact fee money was not used for capital projects, which are being funded in the amount of \$6.7 million, some of that money would be lost. She stated that was not discovered by the Council, but it was discovered by the staff. Councilmember Lisonbee stated she believed the Council talked about that in the budget hearing and she brought up the fact that those impact fee funds would be retiring soon. Mayor Nagle stated the Administration discovered that fact; it was not discovered by the Council. Councilmember Lisonbee stated that is great, but the point is that the staff is great; everyone has said that and the Council appreciates the staff. She stated no one is saying that they do not want to reward the staff, but what they are saying is that it needs to be responsibly considered.

[9:01:03 PM](#)

Councilmember Peterson agreed that the Council needs to consider long-term sustainability of the City, but over the past two years the Administration and employees have shown a track record that they are doing that and giving them \$150,000 for raises will not ruin the City's long term plans; rather, it will reward them and they will keep working hard and he has no reason to doubt that the Council will be having a similar discussion next year about extra money that needs to be spent. Councilmember Johnson agreed and stated that \$150,000 is not that much money and the more the discussion goes on he is feeling that the Council should put faith in the Department Heads and Mr. Rice that they will choose the right people to receive merit increases. He stated that he feels the \$150,000 will be found somewhere else in next year's budget. He stated he wanted to have dialogue about the issue and there has been good conversation, but he is now willing to say that it is about time that the City provide raises to those that deserve it.

[9:02:46 PM](#)

Councilmember Shingleton stated there are a couple of other items in the budget opening that he wants to discuss. He stated there is funding for a car for the Police Department and two trucks for the Fire Department and he asked why those purchases are necessary. Mayor Nagle stated two of the vehicles have been totaled in accidents; a Police Department vehicle was involved in an accident and was totaled. She explained the insurance company paid the vehicle off, but the City must buy a new vehicle to replace it. She added a Fire Department truck was also involved in an accident and was totaled and it must be replaced and the vehicle the Fire Chief has been driving is in disrepair to the point that the Fire Chief cannot even take command of a scene because of his vehicles electrical issues. She noted that vehicle is 10 or 12 years old and needs to be replaced. Mr. Marshall added those purchases will be made using money from the capital projects fund rather than the General Fund. Councilmember Shingleton stated he understood that the Police Vehicle had been totaled, but he thought the City was leasing Police vehicles and he wondered why the total for the new vehicle is \$38,000. Mr. Marshall explained the City did lease 10 vehicles for \$390,000; the insurance company paid the bank directly for the totaled vehicle and the City feels it can further pay down that debt by purchasing the replacement vehicle with cash. He stated the City could lease one more Police vehicle, but this option allow for the replacement of the vehicle with no additional debt. Mr. Rice added the City has the cash available in that fund to do it.

[9:05:06 PM](#)

Councilmember Lisonbee asked about the business pamphlets expense in the budget opening. She asked what happened to the idea of "piggy-backing" the distribution of the pamphlets with the City newsletter to defray costs. Mr. Rice stated nothing happened to that idea; the City still has to pay the cost to print the pamphlets, but the two documents will be delivered together. He added the actual cost for the printing will likely be approximately \$1,500 less than the estimate included in the budget opening. Mr. Marshall added that the \$5,000 total is strictly for the cost to print the pamphlet and staff is working to send the pamphlets with the November newsletter.

[9:05:51 PM](#)

Mayor Nagle stated there has been a lot of discussion about this issue and she asked if there is a desire among the Council to make an amended motion. Mr. Carlson stated that because motions are ranked, he would recommend voting on the motion to table before another motion is entertained.

[9:06:07 PM](#)

Mayor Nagle stated there has been a motion and a second to table the Proposed Resolution; she called for a vote.
ALL VOTED AGAINST TABLING THE PROPOSED RESOLUTION.

[9:06:38 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-24 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013.
COUNCILMEMBER JOHNSON SECONDED THE MOTION.

COUNCILMEMBER LISONBEE MADE AN AMENDED MOTION TO ADOPT PROPOSED RESOLUTION R12-24 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2013, WITH THE FOLLOWING AMENDMENT:

- IN LIGHT OF ALL DISCUSSION AND THE FACT THAT THE COUNCIL WILL BE ABLE TO CONSIDER ADDITIONAL FUNDING TO DEDICATE TO PAY INCREASES FOR EMPLOYEES IN EIGHT MONTHS, THAT THE COUNCIL ONLY COMMIT AT THIS POINT IN THE BUDGET YEAR, AND BEFORE LOOKING AT INFRASTRUCTURE SURVEY RESULTS, \$60,000 TO PAY INCREASES TO EMPLOYEES BASED ON MERIT.

Councilmember Lisonbee's motion died for a lack of a second.

[9:07:43 PM](#)

Councilmember Duncan stated that he is torn; he really sees merit pay as a much broader concept and idea. He stated he agrees with Councilmember Johnson's concerns; he sees a real need to make sure that the employees that are doing well and are making less money. . .they are those that are suffering more at this particular time as compared to everyone else. He stated he also understands Councilmember Lisonbee's concern; he sees impending financial doom and there are some really issues in the City. He stated he wants to give raises, but the question is whether the Council is comfortable with \$150,000 or if they should give something now with the idea that once the Council has a better idea about the state of the City's infrastructure, they can move forward with more money later on. He stated he is not opposed to giving out raises in spite of the attacks.

[9:09:22 PM](#)

Councilmember Peterson stated there may be some issues that the City will need to address in the future, but the staff has already started to conquer the problems with funding for roads and he believes they will deal with other problems in

a similar manner and hopefully the Council will help rather than hinder them in doing that. Mayor Nagle added that the Council can also hold the staff accountable if they do not; that is the power the Legislative Body has.

[9:09:58 PM](#)

Mayor Nagle stated there is a motion and a second to adopt the Proposed Resolution; she called for a vote. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, PETERSON, AND SHINGLETON. VOTING "NO": COUNCILMEMBER LISONBEE.

[9:10:09 PM](#)

7. Proposed Ordinance 12-27 adopting Title Seven rewrite of Syracuse City Code pertaining to Fire and Hazardous Materials.

A staff memo from the City Attorney explained some sections of Title Seven have not been updated for over forty years. Based on the request of the Fire Chief and comparison to alternative ordinances, the city administration presents the attached re-codification of Title Seven (Title VII) as a proposal for the City Council's consideration. The memo highlighted the changes to the document from the September 25 draft version as follows:

1. The "Health Department" chapter, formerly chapter 1, has been entirely deleted. Utah Code §26A-1-103 now directs each county to create and maintain a health department for all incorporated and unincorporated areas in the county.
2. Uniform severability clauses were added at the end of each chapter.
3. "Inspection of Buildings" was amended to clarify that it applies exclusively to "premises not used as a private dwelling."
4. "Entry During Fires" was amended to clarify that the Fire Chief or his designee may perform investigations.
5. Criminal Penalties- The level of offense for violating the title was amended to a tier based system with criminally negligent violations being infractions and intentional violations being class B misdemeanors. The only exception was to the Open Burning chapter, a violation of which is already identified as a class B misdemeanor under state law. *See* UCA §65A-8-211(6)(b).
6. Sections involving "Social Officer" and "Rules and Regulations to Fire Department" were deleted.
7. The section "Apparatus for City Use- Exceptions" was deleted.
8. "Permissible Burning- Without Permit" was amended to clarify that burning fence lines does not require a permit, although it does require notice, and that burning on snow covered ground outside the closed fire season does not require a permit.
9. "Open Burning of Brush, Leaves, and Grass Clippings" was amended to allow open burning in agricultural zones, on properties containing twenty or more trees, and on lots larger than two acres.
10. Several minor technical revisions were made.

[9:10:16 PM](#)

Mr. Carlson summarized his staff memo.

[9:11:01 PM](#)

Mayor Nagle stated the Council had a fairly thorough discussion on this topic during tonight's work session meeting and it seemed that everyone's concerns were addressed and appropriate corrections to the document were made. She asked if a motion could be made to adopt the document as amended during the work session. Mr. Carlson stated that would be acceptable after the public hearing is closed. He then mentioned the specific revisions that were made during the work session meeting, as follows:

- There are many references to obtaining a permit and those references will be changed to "obtain permission" to indicate that there is no permit form that one must obtain.
- Section 7.02.030 will be amended to remove the reference to City Council in subsection 1.
- Section 7.04.050 will be amended to correct the code reference in subsection 5.
- Section 7.04.060 will be amended by adding "crop stubble" and rather than using the word "and" the section will use "or" in relation to the different types of property.
- Section 7.40.060(2) will be amended by changing the section reference.
- Section 7.05.030 will be amended by changing "specific year" to a "specific period of time" relative to imposed bans by the Fire Chief.

[9:13:17 PM](#)

Mayor Nagle convened the public hearing.

[9:13:36 PM](#)

TJ Jensen stated the Council discussed this item fairly extensively. He stated Terry Palmer has made comments on a couple of occasions about making sure that the Council does not delegate too much authority to the Fire Chief. He stated the City may have a very good staff now, but the City has had a history of people “going off the reservation” and there are people that have abused their position and have not been evenhanded in how they do things. He stated just because things are fine now does not mean that 10-years from now the City will not have a corrupt Mayor or a Fire Chief with a chip on his shoulder. He stated “we” do need to give the Fire Chief leeway to be able to do what he thinks is best, but there needs to be checks and balances in place as well. He stated it is not a bad idea for a recommendation on a fire ban to come to the Council and the penalties are something to consider as well as Councilmember Duncan has talked about in past discussions.

[9:15:34 PM](#)

Seeing no additional persons appearing to be heard, Mayor Nagle closed the public hearing.

[9:15:42 PM](#)

Councilmember Shingleton stated during the work session meeting tonight he suggested the amendment to Section 7.05.030 by changing “specific year” to a “specific period of time” relative to imposed bans by the Fire Chief. He suggested that the language “but no longer than a year” could also be added to that Section. Councilmember Duncan stated the section only deals with a fireworks ban and fireworks are banned in the State of Utah for the entire year except for two period of time in the month of July. Councilmember Shingleton stated that is not true because fireworks are allowed around the New Year’s holiday as well. Mayor Nagle stated she does not see a problem with adding the language Councilmember Shingleton is suggesting. Mr. Carlson stated he understands the desire to change the language to “a period of time”, but that period of time could be a month or it could be 17 years. Councilmember Shingleton stated that is why he recommended adding the statement “but no longer than a year” after “a period of time”. Chief Froerer stated he is not opposed to the recommended language. Council discussion regarding the recommended amendment continued with the conclusion being that the language would be added as discussed.

[9:20:12 PM](#)

COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-27 ADOPTING TITLE SEVEN REWRITE OF THE SYRACUSE CITY CODE PERTAINING TO FIRE AND HAZARDOUS MATERIALS WITH THE FOLLOWING AMENDMENTS:

- THERE ARE MANY REFERENCES TO OBTAINING A PERMIT AND THOSE REFERENCES WILL BE CHANGED TO “OBTAIN PERMISSION” TO INDICATE THAT THERE IS NO PERMIT FORM THAT ONE MUST OBTAIN.
- SECTION 7.02.030 WILL BE AMENDED TO REMOVE THE REFERENCE TO CITY COUNCIL IN SUBSECTION 1.
- SECTION 7.04.050 WILL BE AMENDED TO CORRECT THE CODE REFERENCE IN SUBSECTION 5.
- SECTION 7.04.060 WILL BE AMENDED BY ADDING “CROP STUBBLE” AND RATHER THAN USING THE WORD “AND” THE SECTION WILL USE “OR” IN RELATION TO THE DIFFERENT TYPES OF PROPERTY.
- SECTION 7.40.060(2) WILL BE AMENDED BY CHANGING THE SECTION REFERENCE.
- SECTION 7.05.030 WILL BE AMENDED BY CHANGING “SPECIFIC YEAR” TO A “SPECIFIC PERIOD OF TIME, BUT NOT LONGER THAN A YEAR” RELATIVE TO IMPOSED BANS BY THE FIRE CHIEF.

COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:21:02 PM](#)

8. Public Hearing – Proposed Ordinance 12-28 amending Title Nine of the Syracuse City Code pertaining to inspection fees.

A staff memo from the Fire Chief explained the fire department is requesting an amendment to Title IX Chapter 1-3 “Fees.” On large or complex projects we will send the plans out for third-party engineering review to ensure engineering of the sprinkler design meets code. The fee for this service will be assessed to the project applicant/coordinator, rather than to Syracuse City. This was not specifically stated in the 1997 version of the City Code.

[9:21:22 PM](#)

Mr. Carlson summarized the memo.

[9:21:44 PM](#)

Mayor Nagle convened the public hearing. There were no visitors wishing to make public comments and the public hearing was closed.

[9:22:00 PM](#)

COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-28 AMENDING TITLE NINE OF THE SYRACUSE CITY CODE PERTAINING TO FIRE INSPECTION FEES. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:22:22 PM](#)

Councilmember Duncan suggested that someone provide a quick summary of why the Council made this decision. Mayor Nagle stated that she understood that would only be necessary when the decision is contrary to the advice given. Mr. Carlson stated there was discussion regarding this item during the work session, but any reason provided for a vote will be considered by a judge if any legal action is taken.

[9:22:57 PM](#)

9. Public Hearing – Proposed Resolution R12-25 amending the Syracuse City Consolidated Fee Schedule by making adjustments throughout.

A brief staff memo from the Finance Director explained staff is recommending several changes to the fee schedule that are considered necessary.

[9:23:09 PM](#)

Mr. Marshall summarized his staff memo.

[9:23:45 PM](#)

Mayor Nagle convened the public hearing. There were no visitors wishing to make public comments and the public hearing was closed.

[9:23:57 PM](#)

COUNCILMEMBER DUNCAN MADE A MOTION TO ADOPT PROPOSED RESOLUTION 12-25 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT. COUNCILMEMBER PETERSON SECONDED THE MOTION.

[9:24:07 PM](#)

Councilmember Duncan stated it seems that the changes being made by this resolution make sense and are mostly for clean-up purposes. He added, however, that one change should be made in the section of the fee schedule dealing with rental of space in the Community Center to specify that rental of classrooms differs from rental of gymnasium space.

COUNCILMEMBER DUNCAN MADE AN AMENDED MOTION TO ADOPT PROPOSED RESOLUTION 12-25 AMENDING THE SYRACUSE CITY CONSOLIDATED FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT, WITH THE FOLLOWING AMENDMENT:

- IN THE SECTION DEALING WITH COMMUNITY CENTER RENTAL, DIFFERENTIATE RENTAL OF CLASSROOMS FROM RENTAL OF GYMNASIUM SPACE.

Mr. Carlson stated that has been noted as a typographical error and an amended motion is not necessary. Councilmember Duncan withdrew his motion.

[9:25:35 PM](#)

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

[9:25:46 PM](#)

10. Proposed Ordinance 12-25 amending various provisions of Title Eight, the Subdivision Ordinance, relating to exaction of water shares.

A staff memo from the City Attorney explained that recently a concern was brought to the attention of City Staff relative to the exaction of water shares for development within the City. Upon review of the current City ordinance regarding the acquisition of irrigation water shares upon non-residential developments by the City Attorney, the CED Director and Public Works Director, it was determined that the current ordinance does not adequately address State requirements for irrigation water. Therefore, the City Attorney, in working with the Public Works Department and the CED Department, crafted an update irrigation water section (regarding water shares) of the City Code and presented it for review by the Planning Commission on September 18, 2012. The Planning Commission held a public hearing on September 18, 2012 to

review the proposed amendment language. For Council use and review, the proposed language changes to the Municipal Code, Title VIII, reflects the combined efforts of the City Attorney, Public Works Department and the CED Department to provide a mechanism that equitably requires irrigation water shares be transferred to the City for both residential and non-residential developments.

[9:25:53 PM](#)

Mr. Carlson summarized his staff memo.

[9:26:22 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-25 AMENDING VARIOUS PROVISIONS OF TITLE EIGHT, THE SUBDIVISION ORDINANCE, RELATING TO EXACTION OF WATER SHARE. COUNCILMEMBER PETERSON SECONDED THE MOTION. ALL VOTED IN FAVOR.

[9:26:40 PM](#)

11. Proposed Ordinance 12-26 amending the existing zoning map of Title Ten, Syracuse City Zoning Ordinance, by changing from Residential R-2 Zone to Professional Office (PO) Zone the parcel of property located at approximately 2463 W. 1700 S.

A staff memo from the Community Development Department explained the Planning Commission held a public hearing on October 2, 2012 for the Brighton Bank rezone request. No public comment was provided during the hearing. The Planning Commission reviewed the request and agreed that the property as proposed is established as Professional Office on the General Plan Map and this rezone request is in conformance with the General Plan. The Planning Commission unanimously recommended that the Syracuse City Council approve the rezone request from Brighton Bank to rezone property located at 2463 West 1700 South from the R-2 (Residential) Zone to Professional Office, with a finding that the property is designated in the City General Plan for said land use of Professional Office. No concerns were raised by the Planning Commission or members of the public. The CED Staff hereby recommend that the City Council adopt Ordinance 12-26 and approve the rezone request from Brighton Bank to rezone property located at 2463 West 1700 South from the R-2 (Residential) Zone to Professional Office, with a finding that the property is designated in the City General Plan for said land use as Professional Office.

[9:26:50 PM](#)

Community Development Department Director Eggett summarized his staff memo.

[9:27:22 PM](#)

COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-26 AMENDING THE EXISTING ZONING MAP OF TITLE TEN, SYRACUSE CITY ZONING ORDINANCE, BY CHANGING FROM RESIDENTIAL R-2 ZONE TO PROFESSIONAL OFFICE (PO) ZONE THE PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 2463 WEST 1700 SOUTH. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

[9:27:40 PM](#)

Councilmember Johnson stated this change is in accordance with the City's General Plan. Councilmember Duncan concurred and stated he felt this change is appropriate.

[9:28:06 PM](#)

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

[9:28:10 PM](#)

12. Final Subdivision Approval of the Trailside Park Subdivision Phase Three, located at approximately 2950 S. 2000 W.

A staff memo from the Community Development Department explained the Planning Commission held a public meeting on October 2, 2012 for approval of a Cluster Subdivision and recommendation for Final Plat approval of this final phase of Trailside Park Subdivision. All items noted in staff reports have been addressed by the Planning Commission. Subsequently, on October 2, 2012, the Planning Commission recommended this subdivision to the City Council for approval. The Planning Commission also approved the conditional use to allow Trailside Park Phase 3 to be developed as a cluster subdivision subject to Chapter 10-16 "Cluster Subdivision" of the Municipal Code. This proposed development is the final phase of the Trailside Park Subdivision, a 55+ Adult single family dwelling cluster development. Phase 1 of the project

included the dedication of 5.43 acres of park space to the City, with additional common open space dedicated within Phase 1 & 2. The overall permitted density of the cluster development, based upon bonus through open space and various amenities is 4.35 dwelling units per acre. The total density for the project is 3.41 d.u./acre. On October 2, 2012, the Syracuse City Planning Commission recommended that the Syracuse City Council approve the Trailside Park Subdivision, Phase 3 Final Plans, subject to development agreement and the City staff reviews dated September 20 & 28, 2012, with the stipulation for the City Engineer to review the tributary area for the storm water catch basin to the North, and any necessary recommendations and updates be made to the developer. CED Staff hereby recommend that the City Council approve the final plans and amended development agreement for the Trailside Park Cluster Subdivision, Phases 3, located at approximately 2950 South 2000 West, subject to meeting all requirements of the City's Municipal Codes and City staff reviews dated September 20 and 28, 2012, with the stipulation for the City Engineer to review the tributary area for the storm water catch basin to the North, and any necessary recommendations and updates be made to the developer.

[9:28:15 PM](#)

Community Development Department Director Eggett summarized his staff memo.

[9:28:58 PM](#)

COUNCILMEMBER PETERSON MADE A MOTION TO GRANT FINAL SUBDIVISION APPROVAL FOR TRAILSIDE PARK SUBDIVISION PHASE THREE, LOCATED AT APPROXIMATELY 2950 SOUTH 2000 WEST. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

[9:29:07 PM](#)

Councilmember Johnson asked if there is a change to the development agreement as well. Mr. Eggett answered yes and stated the change to the development agreement will be in effect if this action is approved.

[9:29:39 PM](#)

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

13. Councilmember Reports.

Councilmember reports began at [9:29:44 PM](#). Councilmember Lisonbee provided her report followed by Councilmembers Shingleton, Duncan, Peterson, and Johnson.

14. Mayor Report.

Mayor Nagle's report began at [9:42:41 PM](#).

15. City Manager Report.

Mr. Rice's report began at [9:44:44 PM](#).

At [9:45:35 PM](#) p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN. COUNCILMEMBER DUNCAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: November 13, 2012