

Minutes of the Regular meeting of the Syracuse City Council held on October 11, 2016 at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Andrea Anderson
Corinne N. Bolduc
Mike Gailey
Karianne Lisonbee
Dave Maughan

City Manager Brody Bovero
City Recorder Cassie Z. Brown

Excused: Mayor Terry Palmer

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Parks and Recreation Director Kresta Robinson
Police Chief Garret Atkin

6:03:30 PM

1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 6:03 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. Councilmember Bolduc provided an invocation. A local Boy Scout led the audience in the Pledge of Allegiance.

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

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Madison Waller and Scott Johnson for the month of October 2016.

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

Mayor Palmer noted both teens receiving the award for September 2016 were nominated by the staff of West Point Junior High.

Scott Johnson:

It is West Point Jr, High's pleasure to nominate Scott Johnson for the Syracuse City and Wendy's Award for Excellence. Scott is, without question one of the most outstanding students at West Point Jr. High School. He consistently demonstrated excellence in his classwork. Scott has a 4.0 grade point average while taking honor level classes.

Scott completed 2 years of math in one year in an accelerated math class. He is currently one of a few 8th grade students enrolled in a 9th grade math class. His contributions to the school are well noted. Teachers have said many great things about his abilities. He has shown the ability to accomplish anything he wishes to accomplish. Scott has an outstanding future ahead of him. Congratulations to Scott Johnson!

Madison Waller:

It is also a privilege to nominate Madison Waller for the Syracuse and Wendy's Award for Excellence. Madison has been an outstanding student at West Point Jr. High. She also serves as a member of the student government. She is willing to help and is an incredible, model student in every way. Madison has a 3.9 grade point average while taking three honor level classes. She has taken many honor classes at West Point Jr. High, including Honors Biology. Her contributions to the classroom are second to none. Teachers have said many great things about her abilities. She has shown the ability to take difficult classes and master them. Madison has an outstanding future ahead of her. Congratulations to Madison Waller!

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3. Introduction of new Police Officers

Police Chief Atkin introduced his three newest Police Officers: Garret Whatcott, Wes Hutchings, and Mark Reid. He also gave each Officer the opportunity to provide the Mayor and Council with a brief overview of their past professional experience.

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City Recorder Brown then administered the Oath of Office to Officer Reid.

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4. Oath of Office administered to Youth Court Members and Advisors.

City Recorder Brown administered the Oath of Office for newly selected Youth Court Members and Advisors.

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5. Proposed Resolution R16-44 reappointing Christopher Weaver and Trachelle Hilton-King to the Syracuse City Arts Council.

An administrative staff memo explained Arts Council leadership has requested that Christopher Weaver and Trachelle Hilton-King be reappointed to the Arts Council Board. Syracuse City Code Title Three provides a process for appointing members of the Arts Council as follows:

3.09.020(B) Terms of Office. The terms of office for the five (5) Board members, who are not a member of the Recreation Department, shall be for five (5) years. These members' terms shall be staggered so that no more than one (1) member's term expires at the same time. The terms of office for at-large and ex-officio members shall be five (5) years from the date of appointment. The term of office for the Recreation Department staff designated as a member of the Board shall be as determined by the Department Director. Appointments to the Board shall be made no later than the first City Council meeting in July of each year. In circumstances where appointments are not made prior to the first City Council meeting in July of each year, said appointments shall be made as soon as reasonably possible thereafter.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R16-44 REAPPOINTING CHRISTOPHER WEAVER AND TRACHELLE HILTON-KING TO THE SYRACUSE CITY ARTS COUNCIL. COUNCILMEMBER BOLDUC SECONDED THE MOTION.

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Councilmember Lisonbee asked if the appointees are present. Councilmember Maughan answered no and indicated the Arts Council meets at the same time as the City Council; the group is preparing for an upcoming concert. Councilmember Lisonbee asked that they be invited to attend an upcoming Council meeting.

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

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6. Recognition of Cassie Brown for being awarded the Utah City Recorder of the Year Award.

City Manager Bovero reported that each year the Utah Municipal Clerks Association (UMCA) selects a City Recorder as Recorder of the Year for the State of Utah. He noted Ms. Brown was recognized a few weeks ago for receiving her Master Municipal Clerk (MMC) designation; that certification is proof of her expertise in her field, but the Recorder of the Year award represents her performance and the value she brings to the community. The award has less to do with what she has done for the UMCA and more to do with what she has done for the City. The Association does extensive research to understand the performance the awardee has exhibited and they are looking for people that go above and beyond the call of duty. He stated the award is very significant and he presented Ms. Brown with a plaque that was presented to her by the UMCA during their recent annual conference in Vernal, Utah. He stated the City is fortunate to have such a well performing and competent City Recorder.

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7. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session of August 23, 2016; Special Meeting of September 9, 2016; Regular Meeting of September 13, 2016.

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Councilmember Gailey noted that prior to the meeting he provided City Recorder Brown with some minor corrections to the minutes.

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COUNCILMEMBER GAILEY MADE A MOTION TO APPROVE THE MINUTES LISTED ON THE AGENDA AS AMENDED. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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8. Public comments

There were no public comments.

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9. Discussion and/or action on Proposed Resolution R16-44 adopting the Utility Fee and Internal Service Allocation Policy.

A staff memo from City Manager Bovero explained that pursuant to previous Council discussions, the proposed policy has been included on the Council agenda for approval. The policy dictates how much of the City's utility service costs will be covered by customer utility fees. It also explains the allocation of costs associated with providing utility services. The draft policy stipulates that utility fees will be set at a rate that covers the direct operational, capital improvement, and debt service costs, and at least 50% of the indirect operational costs. Indirect operational costs are the general administrative services provided to the utilities from the General Fund. Under this draft policy, up to an estimated \$311,000 would not be reimbursed to the General Fund from the utilities. That money would stay in the utility funds. Once the policy is adopted, the Council will have the flexibility to decide how much of the General Fund will absorb utility service costs, up to 50% of the administrative cost.

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City Manager Bovero reviewed the staff memo.

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Councilmember Lisonbee stated that during a recent work session meeting the Council discussed optional timelines for implementing the policy and they concluded to change the current allocation practices over a three-year period. She stated that is not reflected in the proposed policy. Mr. Bovero stated that the document before the Council does not dictate an implementation timeline; rather, it offers some flexibility while communicating that the allocation will cover at least 50 percent, but up to 100 percent, of indirect administration costs. He stated that the Council can make a decision each year when adopting the budget regarding the percentage of administration costs that will be covered. Councilmember Lisonbee stated she would like that issue considered in the next budget opening; the sooner the Council begins addressing the allocation, the better.

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COUNCILMEMBER LISONBEE MOVED TO ADOPT PROPOSED RESOLUTION R16-44 ADOPTING THE UTILITY FEE AND INTERNAL SERVICE ALLOCATION POLICY. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

[10:02:09 AM](#)

10. Public comments

There were no public comments.

[10:02:45 AM](#)

11. Councilmember reports.

At each meeting the Councilmembers provide reports regarding the meetings and events they have participated in since the last City Council meeting. Councilmember Anderson's report began at [10:02:51 AM](#). She was followed by Councilmembers Lisonbee, Gailey, Maughan, and Bolduc.

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12. Mayor's Report.

Mayor Palmer's report began at [6:39:47 PM](#).

[6:42:03 PM](#)

13. City Manager report

City Manager Bovero's report began at [6:42:08 PM](#).

[10:25:35 AM](#)

COUNCILMEMBER MAUGHAN MOVED TO AMEND THE AGENDA TO MOVE ITEM 14 TO THE BOTTOM OF THE AGENDA. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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The meeting recessed to allow the Council to convene in the large conference room to hold discussion regarding items 14-16. The meeting reconvened at [9:42:00 AM](#)

[9:42:41 AM](#)

15. Continued discussion of secondary water regulations for HOA developments

Councilmember Lisonbee stated she feels this is an important issue because there are several HOA developments that are moving through the City's application process and she would like for the Council to make a decision regarding how secondary water will be handled in such developments before they receive final approval. She asked that staff prepare a sample ordinance for the Council to consider. City Attorney Roberts discussed the legalities of enacting an ordinance as requested, but emphasized that the Council should be careful to enact any regulation that may be interpreted as unfair as it does not apply to any other landowner in the City. He facilitated a discussion among the Council regarding the appropriate components to be included in an ordinance governing secondary water use in HOA developments. There was a focus on watering schedules, penalties for violating the ordinance, the problem that the Council is seeking to address with the ordinance, and making the ordinance applicable to all large parcels of land – residential, institutional, and commercial. Mr. Roberts concluded that he will attempt to draft an ordinance that would apply to properties three acres of size or larger,

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16. Continued discussion of recall statute.

Councilmember Maughan stated that he initially indicated that he would support a recall statute, but after giving the issue more thought he is hesitant to support it. He stated that to be elected a Councilmember does not need to receive 50 percent of the vote, but to survive a recall election the same person would need to get 50 percent of the vote. He stated that the standard by which an individual may initially be elected would be changed if a recall petition were filed and he does not think that is right. Councilmember Bolduc stated that governing bodies currently do not have power to censure other elected officials or remove them from office. Councilmember Lisonbee stated that is correct and in those cases the citizens may desire a recall statute to allow them to address bad acts of a Councilmember. She added that a recall statute is the ultimate in transparency and accountability to the voters. High level discussion and debate of a recall statute ensued among the Council and Mr. Roberts offered legal opinions throughout the discussion, after which he reviewed a document he prepared to guide

the Council through decision points they must make when considering enacting a recall statute.

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Mayor Palmer polled the Council to determine if there was sufficient support to direct staff to proceed with drafting an ordinance providing for a recall statute in the City. Councilmembers Bolduc and Lisonbee indicated their support for the statute. Councilmember Gailey and Maughan indicated they do not support the statute. Councilmember Anderson stated that she is concerned such a statute could be in conflict with State Law, but she can see the value in exploring the City's options. She stated she would like a draft constructed very narrowly for Council review, but she may not support it after seeing such a draft. Mr. Roberts stated he will proceed in that direction.

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Council business

Mayor Palmer facilitated a discussion regarding the Council meeting schedule for the remainder of the year. The Council determined to cancel their November 8 meeting in recognition of Election Day. They decided to schedule a special meeting for November 14 and cancel the work session scheduled for November 22. They also decided to hold their regular meeting scheduled for December 13 and indicated they will wait to make a decision regarding their December 27 meeting.

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14. Continued discussion of Employee Recruitment and Retention Policy and Fiscal Year 2017 Employee Compensation Plan (in conference room).

A staff memo from the City Manager referenced an outline of the main components of the Employee Recruitment and Retention Policy and Employee Compensation Plan in a summarized format. The items in **black** text have been discussed in past meetings and appeared to have tentative consensus amongst the Councilmembers. The items in **red** are concepts for the Council's consideration, that are based on comments made during previous discussions. This outline is for discussion purposes and at this point is not yet refined enough to constitute a recommendation on the part of City Administration.

Summarized Draft Recruitment, Retention, and Compensation Policy v1.3

Biennial Review

- Every 2 years, each department conducts in-depth review of operations, issues, direction, and goals with the City Council.
 - Yr 1: Police, Fire, Park & Rec
 - Yr 2: PW, CED, IT, Courts, Finance
- Any wage abnormalities, such as wage compression, or other special wage adjustments would be discussed as a part of the departmental review.

Benchmark

- Every other Biennial Review, departments are on a rotating benchmark schedule:
 - Group 1: Police, Fire, Park & Rec
 - Group 2: PW, CED, IT, Courts, Finance

Example Schedule:

Year 1: In-depth review and benchmark of Police, Fire, Park & Rec

Year 2: In-depth review and benchmark of PW, CED, IT, Courts, Finance

Year 3: In-depth review of Police, Fire, Park & Rec

Year 4: In-depth review of PW, CED, IT, Courts, Finance

Year 5: In-depth review and benchmark of Police, Fire, Park & Rec

Year 6: In-depth review and benchmark of PW, CED, IT, Courts, Finance

Wage Scales

- Wage scales will not be set lower than the 50th percentile of the market. Based on inability to attract an acceptable applicant pool, or due to a change in the labor market for any given position, the Council may adjust the wage scale to a higher percentile.
- Individual wages can be adjusted with every benchmark study, along with wage scale adjustment, if Council approves. This comes in the form of an increase in the percentage that the employee is eligible to receive in the annual merit increase evaluation.

- The policy advises the Council to adjust wages scales only when there is a net change of 2.5% or greater in the benchmark for any given position.
- An employee's wages will not be adjusted due to a benchmark study if the employee has been hired within the previous 24 months.

Example 1: The Council budgets 2% of payroll for merit increases. The benchmark for Employee 'X's position shows an overall increase of 1.5% in the wage scale since the last benchmark. Since this is less than 2.5%, there would be no wage adjustment or wage scale adjustment.

Example 2: The Council budgets 2% of payroll for merit increases. The benchmark for Employee 'X's position shows an overall increase of 3.5% in the wage scale since the last benchmark. Since this is more than 2.5%, the employee is eligible (subject to Council approval) for his/her regular merit increase, plus a maximum of an additional 3.5% depending on his/her evaluation score.

Merit Increases

- In order to determine the budgeted amount for merit increases, the Council will:
 - Calculate the moving average of wage increases for the last 3 years of benchmark cities/companies.
 - Set aside a minimum of 25% of the net increase in combined sales tax, property tax, and franchise tax from the previous fiscal year.
 - Decide to either increase, decrease, or maintain the set-aside amount in order to stay competitive with the market.
- An evaluation system with scores ranging from 0 to 5 will be utilized for employee performance evaluations. Administration of merit increases is performed by the City Manager under direction of the Mayor, subject to performance scores of employees.
- Each department will be allotted a proportional share of the budgeted merit increase dollars based on the following formula:
 - Department Share of Budgeted Merit Increase Dollars= (Total budgeted dollars approved by Council for merit increases/Total city-wide payroll dollars) X Total payroll of the departmentNote: Department heads will be considered a separate department for these purposes.
- For each department, the Average Merit Increase will be calculated using the following formula:
 - AVG Merit Increase = Department Share of Budgeted Merit Increase Dollars / Total payroll of the department.
- For each department, the average evaluation score will be calculated. The average score will be targeted for the Average Merit Increase. Scores above the average evaluation will be provided a higher merit increase, and scores below the average will be provided a lower merit increase. Nevertheless, in no case shall the highest merit increase be higher than 50% above the average, unless approved by the City Council.
- Any score below a 3 will not be eligible for a merit increase.

Example: Average merit increase is 2%. No single employee may receive more than a 3% (2% x 1.5) merit increase, unless approved by the Council.

Advancements

- Employees that advance to higher position move to the bottom of new scale, but at least 1.5 times the percentage set aside for merit increases (This provides a raise equivalent to the maximum allowed under the merit increases). Nevertheless, the ultimate minimum increase for advancement is 4%. Employees are not eligible for merit increase for year of advancement.

Example: Council budgets a 2% budget for merit increases. Employee X reaches advancement, and his/her current wage is already higher than the bottom of the scale for the new position. He/she would receive a 3% increase (2% x 1.5). However, since this is below 4%, the employee would receive 4%. He/She would not receive a merit increase for that year.
- Employees that advance to a higher position move to the bottom of new scale. However, if the bottom of the new scale is less than 3.5% higher than his/her current wage, the employee is instead eligible to receive, at the next merit increase, an additional increase of up to 3.5% for the advancement. The total amount will depend on the previous 2 year's performance scores.

Example: Employee reaches advancement, and his/her current wage is already higher than the bottom of the scale for the new position. He/she would receive a merit increase with an eligibility to earn up to an extra 3.5% depending on the previous two year's performance scores.

Promotions

- Employees that are promoted to a position with more responsibility move to the bottom of new scale, but at least 2.5 times the percentage set aside for merit increase. Nevertheless, the ultimate minimum increase for promotion is 9%. Employees are not eligible for merit increase for year of promotion.
Example: Council adopts a 2% budget for merit increases. Employee X is promoted, and his/her current wage is already higher than the minimum of the new higher position. He/She would receive a 5% increase (2% x 2.5). However, since this is below 9%, the employee would receive 9%. He/She would not receive a merit increase for that year.
- Employees that are promoted to a position with more responsibility move to the bottom of new scale. However, if the bottom of the new scale is less than 7.5% higher than his/her current wage, the employee will receive a 7.5% increase.

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Mr. Bovero reviewed his staff memo and facilitated a discussion among the Council regarding the edits that have been made to the draft Policy and Plan. There was a focus on issues such as the amount of money to be set aside each year to fund merit increases, the City's employee performance evaluation system, the differences between promotions and advancements, the rate at which employees can move through their wage scales, consolidating wage scales for like positions, benchmarking practices, and collective bargaining. The Council directed Mr. Bovero to revise the draft policy according to the feedback provided by the Council and include a consolidated document that can be reviewed and discussed comprehensively at the next meeting.

11:38:46 AM

At 8:58 p.m. COUNCILMEMBER LISONBEE MADE A MOTION TO ADJOURN. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: November 14, 2016