

Minutes of the Regular meeting of the Syracuse City Council held on December 13, 2016 at 6:05 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

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

City Employees Present:

City Attorney Paul Roberts
Finance Director Steve Marshall
Community Development Director Brigham Mellor
Public Works Director Robert Whiteley
Fire Chief Eric Froerer
Police Chief Garret Atkin
City Planner Noah Steele

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1. Meeting Called to Order/Adopt Agenda

Mayor Palmer called the meeting to order at 7:06 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 Lisonbee provided an invocation. Boy Scout Troop 173 led the audience in the Pledge of Allegiance.

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COUNCILMEMBER MAUGHAN MOVED TO ADJUST THE AGENDA BY MOVING ITEM TWO TO THE POINT IN THE MEETING THAT THE AWARD RECIPIENTS ARE IN ATTENANCE AND ADOPT THE AGENDA WITH THAT CHANGE. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Ethan Lemon and Sydney Hawkes for the month of December 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.

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Mayor Palmer noted both teens receiving the award for September 2016 were nominated by the staff of Clearfield High School.

Ethan Lemon:

Ethan was nominated by his teacher Anna Gudgell. It is with great pleasure that I nominate Ethan Lemon for the Syracuse City and Wendy's Award for Excellence. Ethan is a very brave 4th grader who is new to our school and my Functional Skills class as of this school year. Change is never easy for anyone, and this is especially true for students with any kind of disability. Although Ethan was uncertain about coming to a new school and having to make new friends, Ethan pushed through his fear and worked hard from day one to learn new things and make new friends both in our class and with his general education peers. Ethan has made great academic progress so far this year. He can independently read basic level stories with different characters and topics, which is something he couldn't do when he first started in our class. Ethan is now

working on adding and subtracting two double-digit numbers because he has memorized his basic addition and subtraction facts and can solve these problems independently. Ethan is independently reading words with beginning consonant blends. While these cognitive tasks may seem overly simple for a 4th grader, they are huge milestones for a student who is considered to have a severe learning disability. Ethan is an inspiration to me because he faces each new challenge with a positive attitude. He wants to learn and be successful, no matter what. Ethan is truly an amazing young man!

Sydney Hawkes:

Sydney was nominated by her teacher, Mrs. Barton. Sydney Hawkes is not only an outstanding student, but also an upstanding citizen. Sydney always does her personal best on all of her assignments. She even goes the extra mile and does extra book reports when only one is due. Sydney is very kind and caring. She is always helping other students who may not understand the work assigned or who just might need some cheering up. Sydney helps the functional skills students assigned to our class. She is so patient and caring with them. She is always happy and excited to learn. Sydney is a perfect example to her peers and a joy to have in class.

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3. Citizen Recognition: presentation of certificates to graduates of recent CERT training course.

A memo from Fire Chief Froerer explained the Fire Department recently hosted a CERT Course, which is a program that prepares participants to be able to help themselves, their family and their neighbors in the event of a disaster. CERT teams also help the community year-round by helping with community emergency plans, neighborhood exercises, preparedness outreach, and workplace safety. In addition to supporting emergency responders during a disaster, the CERT program builds strong working relationships between emergency responders and members of our community. Completion certificates will be presented to: Ben Setter, Lane Smith, Monty Borrowman, Gordon Evans, Dusty Nance, Tony North, Deborah Bogenrief, and Corrine Bolduc.

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Chief Froerer reviewed his memo and presented completion certificates to those CERT graduates in attendance.

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4. Proposed Resolution R16-48 appointing LeAnna Hamblin to the Syracuse Arts Council.

An administrative staff memo explained Arts Council leadership as requested that LeAnna Hamblin be appointed to the Arts Council Board to fill a vacancy created by the recent retirement of Spencer Frew. 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.

Councilmember Maughan reported that Ms. Hamblin has been heavily involved with the Arts Council for many years and she is willing to step in to fill the vacancy created by the recent resignation of a Board member. He stated the Arts Council is happy to have her as a member.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R16-48 APPOINTING LEANNA HAMBLIN TO THE SYRACUSE ARTS COUNCIL. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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5. Approval of Minutes:

The following minutes were reviewed by the City Council: Work Session of October 25, 2016, Work Session of November 14, 2016, and Business Meeting of November 14, 2016.

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Councilmember Bolduc referenced a discussion during the November 14 meeting regarding the Employee Recruitment, Retention, and Compensation Policy and stated she does not recall the Council reaching a consensus regarding biennial reviews; she added she would also like for all the example scenarios included in the minutes regarding the same subject to be removed. The Council engaged in discussion regarding the discussion that took place at the previous meeting regarding biennial reviews, after which City Recorder Brown indicated that the section of the minutes being discussed by the Council is simply the staff report for the agenda item and all staff reports are included in minutes. She stated that if the Council would like to consider amendments to the compensation policy, it would be appropriate to have this discussion during the discussion of that agenda item later in tonight's meeting; however, it would not be appropriate to amend the minutes simply because the staff report is included in the minutes to introduce the agenda item.

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

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6. Public comments

There were no public comments.

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7. Presentation of Audit Report by Finance Director Marshall and Keddington & Christensen, LLC.

A staff memo from the Finance Director explained Steve Rowley, Audit Manager from Keddington & Christensen, will be attending this meeting and will give a detailed presentation about this year's audit and will be able to answer any questions that the Council may have. Council is asked to review the Comprehensive Annual Financial Report (CAFR) for the fiscal year ended June 30, 2016. It provides very good information on the financial position of the City. The City has been awarded the GFOA Certificate of Achievement for Excellence in Financial Reporting for the six previous years. Staff will be submitting this CAFR for the award again this year with the expectation that the City will be awarded that same recognition.

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Mr. Marshall reviewed his staff memo.

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Steve Rowley then provided an overview of the Audit Report, noting that it was the auditor's responsibility to perform an audit to obtain reasonable assurance of conformance with general accounting practices relative to the City's financial statements. He referenced page six of the CAFR and indicated that it is the auditor's opinion that the financial statements represent fairly and in all material respects the financial position of government activities, business activities, and each major fund and aggregate remaining fund information for Syracuse City; this is an 'unmodified' or 'clean' opinion. He then noted the auditor does examine internal controls of the City and, while they do not provide an opinion regarding internal controls, they have noted there is nothing in need of reporting relative to such controls. Additionally, the auditor is required to perform certain tests as outlined in the State Compliance Guide from the Office of the State Auditor; the results of this testing can be found on page 101 of the audit report and there is one finding relative to failure to comply with the requirement of the Open and Public Meetings Act (OPMA) that all minutes of City Council meetings be posted to the Utah Public Notice Website within three days of approval. The City has issued a response that efforts will be made to ensure compliance in the future. The finding has no impact on the financial statement and does not change the auditor's opinion relative to compliance with all other requirements. He concluded there were no difficulties in completing the audit as City staff is great to work with.

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Councilmember Lisonbee addressed City Recorder Brown; she noted she read the statement provided by Ms. Brown included in the Council packet regarding issues the City has experienced with the Utah Public Notice Website and she asked if the State has rectified the issues with the website. Ms. Brown indicated that the problems the City has encountered are ongoing; she has experienced problems with the website since the issue was identified by the auditor and she expects to continue to experience such issues. The State of Utah has indicated they were not prepared to host such a large amount of

data on the website and they are working to increase storage capacity to handle the data posted there by cities across the State.

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Councilmember Anderson inquired as to the number of cities that Keddington and Christensen performs audits for. Mr. Rowley stated the firm provides consulting for approximately 14 government entities and performs audits for approximately 25 cities per year. Additionally, they provide service to approximately a dozen special service districts. Councilmember Anderson asked if other government entities have experienced problems with the Utah Public Notice Website as explained by Ms. Brown. Mr. Rowley answered yes. Councilmember Anderson then asked if professional accounting standards are dictated by the State of Utah. Mr. Rowley stated that professional standards are actually dictated by the American Institute of Certified Public Accountants (AICPA) as well as the Government Accounting Standards Board (GASB); audits are also performed according to standards set by the Government Accountability Office (GAO). Councilmember Anderson asked if the standards change frequently, to which Mr. Rowley answered yes.

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Councilmember Gailey stated that he finds it interesting that a finding that does not impact the financial standing of the City is included in the audit report. He asked that Mr. Marshall be prepared in the future to provide the Council with information regarding other non-finance related issues that are addressed in the audit. Mr. Marshall stated that he can provide the Council with a list of requirements dictated by the Office of the State Auditor.

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Councilmember Anderson asked if the GFOA Certificate of Achievement for Excellence in Financial Reporting is the highest award the City can receive for the CAFR. Mr. Marshall indicated it is the most recognized financial award.

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8. Authorize City Administration to enter into contract with Travelers Insurance for worker's compensation insurance.

A staff memo from the Finance Director explained Administration recently bid out our worker's compensation insurance. We received three bids from the following companies: Travelers Insurance, Workers Compensation Fund, and AmTrust Insurance. The bid sheet is attached for your review. The lower bidder is Travelers Insurance. The City is currently paying a yearly fee of \$84,645.84. The low bid on this insurance is \$72,019. The net savings to the City will be \$12,626.84. Currently the worker's compensation insurance is on a calendar year from January to December. We are working with Olympus insurance to move the renewal period to a fiscal year from July to June. This would mean we would have a 6-month renewal or an 18-month renewal for the first renewal period.

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Mr. Marshall reviewed the staff memo.

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Councilmember Maughan thanked Mr. Marshall for securing multiple bids for the service before recommending a contact to the Council.

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Councilmember Anderson asked if the City's premium will remain constant for specified amount of time. Mr. Marshall stated that premium is related to the City's current rating, which should not change in the near future.

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COUNCILMEMBER MAUGHAN MOVED TO AUTHORIZE ADMINISTRATION TO ENTER INTO CONTRACT WITH TRAVELERS INSURANCE FOR WORKERS COMPENSATION INSURANCE. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

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9. Public Hearing: Authorize Administration to dispose of surplus property.

An administrative staff memo explained Several City Departments have indicated they have surplus property to dispose of. Please review the lists provided by the respective Department Heads of the Departments referenced below.

FIRE DEPARTMENT:

The Fire Department would like to surplus for sale our 1986 (Ford F350 Chassis) Brush Truck, VIN 1FDHF38LXGPA95133. This brush truck has been our second-out unit and will be replaced by the new

2016 brush truck. As soon as the 2016 is in service (January 2017) We recommend putting the 1986 for sale as it has become a maintenance liability.

PARKS & RECREATION

Ferris Mower 1181 (Diesel)
Ferris Mower 1183
Ferris Mower 825
Old Centennial Park Playground
Old Scoreboard Consoles
3 Pumpkin Walk Fire pits

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City Manager Bovero reviewed the staff memo.

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Councilmember Maughan stated that he is concerned that the Council did not receive more detailed information regarding the request to dispose of multiple items from the Parks and Recreation Department. Parks and Recreation Director Robinson provided information regarding each of the items included in the packet; the three mowers are each over 10 years old and it would cost more to repair them than the City can recoup in disposal. She noted an individual has offered the City \$2,500 for the three mowers so that he can use them for parts for his own fleet of mowers. Councilmember Bolduc asked if the City is required to publicly notice the mowers as available for sale before selling them to an individual, to which Mr. Bovero answered yes. Ms. Robinson then noted the Old Centennial Park Playground was the playground located next to the new Chloe's Playground; there are liability issues associated with the playground and it would need significant repairs before it could be reused. Councilmember Anderson asked if the City has any liability associated with selling the playground knowing it is in need of repairs. City Attorney Roberts noted the City can sell the equipment as is and will not be liable for any issues associated with it in the future. Ms. Robinson then noted the fire pits are also 10 years old and are no longer usable at the Pumpkin Walk event. She concluded there was a need to upgrade the score board system at the Community Center several years ago and the score board consoles are no longer compatible with the new system and are not being used. Mr. Bovero concluded all items will be advertised for sale on the City's website before they are sent to an auction for disposition.

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

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COUNCILMEMBER LISONBEE MOVED TO AUTHORIZE CITY ADMINISTRATIO TO DISPOSE OF SURPLUS PROPERTY. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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10. Proposed Resolution R16-50 amending the Syracuse City General Plan land use map related to the Stillwater Residential Planned Community, Syracuse, Utah.

A staff memo from the Community and Economic Development (CED) Department explained the City Council voted on November 14, 2016, to open the General Plan outside of an open amendment period and to create a new zone called the Residential Planned Community Zone. Subsequently, the applicant (Woodside homes) has submitted a request to change the City's General Plan map designation for approximately 190 acres located at approximately 2000 W 3500 S from R-1 to the Residential Planned Community (RPC) Zone. The newly created RPC zone includes the General Plan Map change with the concept plan review. Instead of a staff only level concept review, the Planning Commission (PC) and City Council (CC) will be able to review the concept plans before granting general plan approval. This is a legislative decision for which the CC is the land use authority. The PC has reviewed the proposal during their meeting on December 6th, and it was met with some concern about the small lots, but acknowledged that it does meet the densities set forth by the new RPC ordinance. Also, they expressed concern that the newly created Residential Planned Community has not been codified and posted on the internet with our other codes. Other concerns discussed where the design of the roundabout and pedestrians accessing the school. The applicant agreed to provide documentation to ensure that trailers and fire apparatus will be able to maneuver the circle and that pedestrians will be able to access the school safely. The commissioner's votes resulted in three affirmative votes, two abstentions (Commissioners Rackham and Thorson), one recusal (Commissioner Day). One commissioner was absent (Commissioner Moultrie). Per Section IV of the Planning Commission bylaws the result would have been to table, for

lack of a 4th vote - but Resolution R16-46 passed on November 14, 2016 requiring action by the Planning Commission in this agenda item means that a motion to table the item results in denial.

The memo concluded the Planning Commission has forwarded a negative recommendation to the City Council. Concept plan facts include: Gross Acreage: 190.10; Proposed Units: 700; Gross Density: 3.7; HOA Improved Open Space: 6.76 acres (5% of developed area); Open Space Land dedicated to City: 50 acres; Gross Developed Area: 123.29.

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CED Director Mellor reviewed the staff memo and he and City Planner Steel facilitated a discussion among the City Council relative to the implications of the proposed General Plan amendment and the associated development agreement that would govern certain improvements to the subject property and surrounding areas/amenities, such as schools, churches, and transportation improvements. There was a brief focus on future school sites and the impact that an increase in population associated with the development would have on existing schools in the area. Mr. Mellor reported there are plans to construct a school in the area that will have frontage on 2000 West; he noted he will invite Davis School District representatives to a future work session meeting to discuss school construction plans with the City. Councilmember Bolduc noted that she spoke with representatives of the town of Vineyard relative to a similar proposed development in that community and they expressed that they did not secure comparable concessions from their developer as the City has received from Woodside in negotiations of the development agreement for their proposed project.

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Councilmember Maughan stated he has been contacted by residents questioning the placement of the sewer main associated with the project. He asked for assurance that it will align with roads and not run through home sites. Mr. Mellor stated that the sewer line will be accessed via the trail that runs to the Ski Lakes development; also, the sewer line will be contained under the southernmost road in the development.

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Councilmember Lisonbee thanked Mr. Mellor for beginning dialogue with School District representatives at this stage of the project; she is concerned about traffic issues associated with a school being located in close proximity to a round-about and she asked that issue be carefully considered throughout continued discussions of the school project.

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COUNCILMEMBER GAILEY MOVED TO ADOPT RESOLUTION R16-50 AMENDING THE SYRACUSE CITY GENERAL PLAN LAND USE MAP RELATED TO THE STILLWATER RESIDENTIAL PLANNED COMMUNITY, SYRACUSE, UTAH. COUNCILMEMBER MAUGHAN SECONDED THE MOTION.

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Councilmember Lisonbee stated that in past Council actions regarding this project she has abstained from voting for certain issues that she referenced at those times. She stated she appreciates the developer and their willingness to be a good partner to the City. She stated that at this time she feels it is consistent with her principles to vote in favor of the proposed General Plan amendment at this time.

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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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11. Proposed Ordinance 16-28 amending Section 10.28.220 of the Syracuse City Municipal Code pertaining to architectural standards for industrial buildings.

A staff memo from the Community and Economic Development (CED) Director explained earlier this year, the architectural standards for industrial buildings were amended to be more stringent, requiring 25% brick rock and stone on the front and side facades of the building. The new ordinance is now being put to the practicality test with a future applicant. He is giving feedback that the new standard will make their building too expensive for the end user, effecting his ability to attract tenants. The city greatly desires to increase its daytime population and number of jobs for residents and for this reason this amendment is being considered. The planning commission has reviewed this issue and is forwarding the following recommendation as an idea of how to loosen the standard slightly while still maintaining a high quality building design.

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Planner Steele reviewed the staff memo and facilitated a discussion among the Council regarding feedback City staff has received relative to the stringent nature of the City's architectural standards for industrial buildings. The Planning Commission has recommended loosening the standards to attract economic growth that may bring a daytime population to the City. Staff and the

Council engaged in high level discussion regarding what a building would look like if it were to conform to architectural standards if the proposed amendments were approved. Councilmember Maughan provided examples of attractive developments in other communities that would be very similar to the type of construction that would be permitted if the proposal were approved.

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Councilmember Lisonbee expressed her disappointment in the design and appearance in some of the buildings that have been constructed in the Ninigret development in the City; these buildings were constructed in accordance with current architectural standards and she is hesitant to loosen those standards for fear of the type of construction that may result. She stated when considering the Ninigret development the Council was told that if they approved the developer's plans, the City would receive a nice, uniform development; but, if the plan was not approved the City would receive a group of 'hodge-podge' buildings that did not match. She stated that what has been constructed does not match and that is very disappointing. Councilmember Maughan stated that he feels the proposed amendments to the architectural standards would provide intrigue and interest to industrial buildings constructed. He is excited that there are developers willing to work within those standards. Any development completed under the proposed standards would be constructed between the road and the existing buildings so it may shield the view of the development that Councilmember Lisonbee is disappointed in. Councilmember Lisonbee stated that her concern is requiring the use of materials that will maintain their integrity over time; she is concerned about allowing materials that may result in a building falling into disrepair much sooner than it otherwise would if quality materials, such as brick, rock, and stucco were used. She would like to see language in the standards that assures that; she would also like for the ordinance to include language that requires coordination of design of buildings constructed within a certain contiguous land mass to ensure that a development somewhat matches. She stated she is not opposed to reducing the use of certain materials from 25 percent to 15 percent. Mr. Steele indicated that there are opportunities to address Councilmember Lisonbee's concern relative to uniformity; this may be handled via covenants, conditions, and restrictions for a development. Councilmember Lisonbee stated CCRs can be more difficult to enforce than an actual ordinance. Mr. Mellor noted that it may not be possible to consider an ordinance amendment to address Councilmember Lisonbee's concern because such an amendment was not advertised for consideration this evening.

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Councilmember Maughan noted that he feels that tilt-up concrete is considered a mid-grade construction product and he is not as concerned about deterioration of the product as Councilmember Lisonbee may be.

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Council discussion and debate centered on potential amendments to the City Code that would require consistency or uniformity throughout industrial zoned properties in the City. Councilmember Anderson stated that while she would favor an ordinance requiring consistency throughout a development, she would be hesitant to consider an ordinance that would require certain maintenance standards for businesses throughout the City. She noted that such standards are not imposed on other commercial uses; this is the type of standard that would deter businesses from locating in Syracuse. Councilmember Gailey agreed. Councilmember Lisonbee noted that businesses may change hands, but buildings remain and she has seen commercial buildings degrade fairly quickly due to improper maintenance. She would like to require proper attention to maintenance through either a nuisance ordinance or zoning ordinance of the City. Discussion and debate among the Council and staff regarding Councilmember Lisonbee's concerns regarding maintenance continued, with Mayor Palmer indicating that he attended the meetings reference by Councilmember Lisonbee during which the Council was promised that the Ninigret development would be uniform and that additional buildings built there would match the Cold Storage facility, which was the first building constructed. He agreed that promise has not been kept by the developer. Councilmember Anderson noted that attractiveness of a building is a matter of perception and she believes that the buildings that have been constructed since Cold Storage are actually more attractive and improve the overall look of the development. Councilmember Lisonbee stated she agreed that attractiveness of a building may be subjective, but she would prefer to give direction to the Architectural Review Committee that would ensure some conformity in design for the additional four buildings to be constructed at the development. Mr. Bovero stated that it can be difficult to regulate aesthetics and it may be more appropriate to delay action on the item to allow for continued discussion. Councilmember Maughan stated he hesitates to delay further development at the site. Councilmember Gailey stated that the designs that were presented to the Planning Commission for the construction of the additional buildings at the development were beautiful. He stated he is hesitant to delay the plans of the developer.

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COUNCILMEMBER MAUGHAN MOVED TO ADOPT ORDINANCE 16-28 AMENDING SECTION 10.28.220 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ARCHITECTURAL STANDARDS FOR INDUSTRIAL BUILDINGS. COUNCILMEMBER GAILEY SECONDED THE MOTION.

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Councilmember Lisonbee stated she recognizes there may be other opportunities for addressing and enforcing the issues she is concerned about, but if the proposed ordinance is passed she would request that the entire section of the Code be reviewed at the next meeting of the City Council to address her concerns. Councilmember Bolduc stated she would support that request for an agenda item. Councilmember Gailey suggested that as part of that agenda item that Planning staff include photos of examples of the types of construction that would be permitted according to the new architectural standards.

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

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12. Proposed Ordinance 16-29 amending Section 10.30.080 of the Syracuse City Municipal Code pertaining to buffer yards.

A staff memo from the Community and Economic Development (CED) Director explained the buffer table has been a source of confusion. The table allows so many options, that it is often unclear what the actual standard are for buffering between different land uses. This body reviewed the ordinance in May of this year but had tabled it. The City Council has asked us to look at this issue more closely and provide a recommendation. The Planning Commission recommended approval of the proposed ordinance revision on November 15, 2016.

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CED Director Mellor reviewed the staff memo and facilitated a discussion among the Council regarding the implications of the proposed ordinance, with a focus on traditional buffering or screening mechanisms such as fencing, walls, or vegetation. Councilmember Anderson stated she feels it is first appropriate to determine if a certain land use may create nuisances for adjacent properties before determining if certain buffering mechanisms should be required and imposed on a property owner. Councilmember Lisonbee stated she feels the ordinance provides the City the opportunity to make that determination. After brief continued discussion of the legality of imposing buffering requirements on land owners, Mr. Roberts assured the Council that the proposed ordinance is legally defensible and is an administrative action.

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COUNCILMEMBER LISONBEE MOVED TO ADOPT ORDINANCE 16-29 AMENDING SECTION 10.30.080 OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO BUFFER YARDS. COUNCILMEMBER BOLDUC SECONDED THE MOTION; ALL VOTED IN FAVOR.

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COUNCILMEMBER LISONBEE MOVED THAT THE COUNCIL TAKE A BRIEF RECESS. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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13. Proposed Resolution R16-49 updating and approving edits to Chapter 6 of the Syracuse City Personnel Policies and Procedures Manual to accommodate a work period change for the Fire Department.

A staff memo from the City Manager explained the Fire Department is currently working a schedule called the Modified Kelly schedule. We propose to transition to the 48-96 Fire Department work schedule, which has several benefits over the Kelly Schedule, including:

- 1) Interoperability with mutual-aid agencies is enhanced (All other Fire Departments in Davis County that have full-time staff are working the 48-96).
- 2) Better communication between shifts. Less information lost through crew change. 50% fewer shift changes per month.
- 3) Increased productivity in projects/assignments for duty staff. Assignments are not interrupted by in-between-day off cycle.
- 4) Potential decrease in sick calls on first duty day (Realized by mutual aid agencies).
- 5) Makes Syracuse FD competitive in recruiting efforts. (The Kelly schedule is viewed as a less-attractive schedule).
- 6) Increased firefighter morale.

The transition from Kelly to 48-96 will require a change of our pay-period by one day, so that the 48-96 schedule does not adversely affect overtime or FLSA. The new pay period for all city employees will start on Sunday and end 14 days

later on Saturday. The current pay period starts on Saturday and ends 14 days later on Friday. The policy for pay periods can be found in Chapter 6.020 of the policy manual. Below are our proposed edits:

6.020. Work Periods.

(a) Regular Employees. The defined work period for employees, other than employees performing bona fide law enforcement and fire protection services, for purposes of calculating overtime hours as set forth in Chapter 5, shall be a seven (7) day work period beginning at 12:00 a.m. on Sunday and ending at 11:59 p.m. on the following Saturday.

(b) Law Enforcement Employees. The defined work period for all employees performing bona fide law enforcement services, for purposes of calculating overtime hours as set forth in Chapter 5, shall be a fourteen (14) day work period beginning at 12:00 a.m. on Sunday and ending fourteen (14) days later on Saturday at 11:59 p.m.

(c) Fire Protection Employees. The defined work period for fire protection employees performing bona fide fire protection services shall be a fourteen (14) day work period beginning at 12:00 a.m. on Sunday and ending fourteen (14) days later on Saturday at 11:59 p.m.

This change will be made city wide for all employees so we can keep one uniform pay period. This change would result in one 15 day pay period. It would result in minimal overtime costs to the city. We would propose to implement this change in the pay period that would end on December 23rd to minimize our overtime costs.

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City Manager Bovero reviewed the staff memo.

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COUNCILMEMBER LISONBEE MOVED TO ADOPT RESOLUTION R16-49 UPDATING AND APPROVING EDITS TO CHAPTER SIX OF THE SYRACUSE CITY PERSONNEL POLICIES AND PROCEDURS MANUAL TO ACCOMMODATE A WORK PERIOD CHANGE FOR THE FIRE DEPARTMENT. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

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14. Proposed Resolution R16-39 adopting the Recruitment, Retention, and Employee Compensation Policy.

A staff memo from the City Manager explained that pursuant to the November Council meeting, several text edits were made to the draft policy. All changes are highlighted in red in the draft policy that was included in the Council packet. Included in the draft policy is a list of the proposed benchmark cities, with notes showing the new cities that are not included in the current policy.

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Mr. Bovero reviewed his staff memo and facilitated in depth discussion among the Council regarding the final draft of the policy document included in the Council packet and any suggested amendments to be made to the policy. Councilmember Bolduc stated that she is concerned about including language in the policy that would encourage investigation of wage abnormalities during a biennial review; rather, she feels such investigation should only take place during quadrennial market reviews unless a glaring wage abnormality arises that is appropriate for consideration during biennial reviews. The Council discussed the recommendation and consented to adjust the language under the heading Biennial Review to remove the phrase “such as wage compression”.

[8:24:39 PM](#)

Councilmember Lisonbee stated that the section under the heading Components of the Policy – Leadership and Responsibility should be changed to read that “the City Council will be tasked with reviewing policies proposed by the City Manager and proposing programs and policies that align with the purpose of this policy”. She added that in the next paragraph of the policy she would like to include language indicating that the policy is 100 percent merit based. Mr. Bovero suggested adding language indicating “it is the general policy of Syracuse City that it will compensate its employees in a manner that is competitive with the market, based upon individual performance”. Councilmember Lisonbee stated she does not want to refer to an individual’s performance; rather, she wants the document to indicate the compensation system is merit based.

[8:28:39 PM](#)

Councilmembers provided feedback for edits to the document that did not necessarily change the content of the policy, but improved the professionalism of the document; this included replacing the term ‘by no means’ with ‘shall not’,

using the word 'will' instead of 'shall', removal of quotations, correction of typographical errors, removal of certain examples to eliminate confusion by the reader of the policy and calling other necessary examples out as exhibits to the policy,

[8:29:07 PM](#)

Councilmember Lisonbee referenced the section under the heading other benefits. She suggested the addition of language indicating the frequency with which the City may consider amended benefit packages. Councilmember Maughan stated he preferred that the section be vague to provide flexibility in considering benefit packages.

[8:35:55 PM](#)

Councilmember Maughan proposed that the policy be ended at page six above example one; the reason for this is that he is opposed to the level of detail included relative to the benchmarking process that should be followed by the City. The Council engaged in debate and discussion of Councilmember Maughan's recommendation with a focus on benchmarking practices. Councilmember Lisonbee stated she feels it necessary to prescribe direction to staff in the policy relative to the manner in which benchmarking will be conducted rather than leaving the issue too open, which will lead to confusion and inconsistency by future leadership of the City. She has asked for multiple sources of data to ensure the accuracy and reliability of the data used for benchmarking. Mayor Palmer suggested it may be appropriate to allow City Administration to benchmark as traditionally done and if there is an anomaly or glaring issue in the benchmarking results, the Council could direct further investigation into that issue. Councilmember Anderson agreed and suggested the policy could indicate that outliers in the benchmark results could be considered and addressed through more in depth benchmarking practices. The Council ultimately concluded to remove the examples from the policy and include language indicating "in order to determine where the Council will adjust individual wages due to market view, the following economic indicators may be reviewed:", and that "outliers shall be addressed at the Council's discretion". Mr. Bovero suggested that the Council include language indicating that "in order to determine whether the Council will adjust wages due to a market review, certain criteria may be considered" and provide a list of such criteria defined by the Council. Councilmembers Anderson and Lisonbee indicated that language is acceptable to them. This led to discussion of creation of a bullet point list that would include the criteria to follow the language suggested by Mr. Bovero. The list included the following:

- For outliers, a comparative study of individual wages from the benchmark cities obtained through an independent contract that has been subject to the RFP process and be conducted under the direction of the city council and city manager.
- Other economic information that may be relevant.

Councilmember Maughan stated he is not comfortable voting on the policy until the changes are read back to him; the Council decided to move to the next agenda item to give Mr. Bovero an opportunity to update the document before it is voted upon.

[9:27:22 PM](#)

15. Authorize Administration to execute contract with TASER International pertaining to the acquisition of body cameras.

A staff memo from the Police Chief explained the Police Department has negotiated an opportunity to replace the current body camera devices used by patrol officers. This opportunity represents a significant savings to the City and an improvement to the body camera program. In the first quarter of 2015, we signed a contract with Taser to provide our body camera equipment and storage. We are starting to experience failures of the associated equipment. Three of our cameras have experienced catastrophic failures. These cameras cannot be repaired, and therefore must be replaced; two of the cameras are no longer under warranty. Replacing these devices will cost approximately \$1,000.00. We also had one docking station fail, but it was still covered under warranty. At the recent IACP conference in San Diego, Lt. Jensen spent a lot time with representatives from Taser to discuss several problems we have experienced with the equipment and the limited response we had received from their customer service division. Taser offered to send a technician to us, free of charge, to audit our body camera program and address the problems. The technician came to the department shortly before Thanksgiving. At that point, he made the determination that we were experiencing an above average number of failures and other problems with our devices. He was quickly able to get in touch with his supervisors and arrange a trade-in program for our camera devices. The trade-in program will move us to a different style of camera that has no wires and a more durable housing. The City Attorney and several members of the patrol division were consulted, and all expressed support for this change. This offer from Taser is only good until the end of 2016. Here are the details of the trade-in program:

- We currently have 15 Taser Axon Flex devices. Taser will take these devices back and replace them with Taser Axon Body 2 devices.

- There is no cost to the City for this trade-in program. Replacing all our current cameras with the new cameras would normally cost us \$5,985.00 (15 devices x \$399.00). Additionally, replacing the two docking stations would normally cost us \$3,000.00 (2 docking stations x \$1,500.00). This is an eventually, and inevitable, savings to the City of \$8,985.00.
- Taser also recommends a renegotiation of our contract in March. This renegotiation would include a restructuring of our licenses to better fit our needs; this restructuring increases our total storage space to 1.5 TB (up from 1.26 TB) and reduces our costs. Additionally, we could purchase an additional 500 GB for a rate of \$375.00 per year; this would bring our total storage space to 2 TB. For reference, we have used approximately ¾ of our current allotted storage space in just under two years.
- Finally, Taser has offered us a warranty program to cover our new equipment; it is called a TAP program. The cameras and docking stations come with a one year, full replacement warranty. Under TAP, all equipment would be fully covered for the five years of the contract. Additionally, at the 2.5-year mark and the 5-year mark, Taser will fully replace all TAP covered equipment to their newest technology. The cost for the program is \$204.00 per year/per camera and \$216.00 per year/per docking station.

The memo summarized the Police Chief's recommendations for Council consideration:

1. The Chief believes the City should take advantage of Taser's offer to allow trade-in of the current equipment for newer technology. There is no cost; in fact, the trade-in results in a \$8,985.00 savings to the City because it will not be paying to replace any current camera devices or docking stations as they break or fail.
2. The Chief believes the City should renegotiate the current contract into a new 5-year contract. This renegotiation would include a restructuring of licenses to better fit the Department's needs; this restructuring increases total storage space to 1.5 TB (up from 1.26 TB) and reduces costs by \$662.00 per year (\$3,310.00 over five years when compared to current budgeted amount).
3. The Chief does not feel it should add an additional 500 GB in storage to bring the total to 2 TB. The new cameras will require more storage due to better resolution and the Chief anticipates adding new officers over the next five years; however, the City can purchase additional storage at any time and the Chief does not think storage will exceed 1.5 TB in the first year of the new contract, so why pay for it.
4. The Chief believes the City should take advantage of TAP program. The City is paying to cover 12 cameras and the two docking stations, but Taser is covering the three spare cameras for free. The TAP program makes sense for the City based on the value of the trade-in program, the money saved by renegotiating the current contract, and the fact that Taser is covering three cameras for free.

The memo concluded the Chief's recommendation is option two.

[9:27:52 PM](#)

Chief Atkin reviewed his staff memo. There was brief Council discussion throughout Chief Atkin's presentation of the contract, with a focus on storage capabilities for the sensitive data gathered by the cameras. Chief Atkin also provided a demonstration of how the body cameras will be work and used by Officers.

[9:43:18 PM](#)

COUNCILMEMBER LISONBEE MOVED TO AUTHORIZE ADMINISTRATION TO EXECUTE A CONTRACT WITH TASER INTENATIONAL PERTAINING TO THE ACQUISITION OF BODY CAMERAS, SELECTING OPTION TWO FROM CHIEF ATKIN'S STAFF MEMO. COUNCILMEMBER BOLDOC SECONDED THE MOTION; ALL VOTED IN FAVOR.

[9:44:05 PM](#)

16. Public comments

There were no public comments.

[9:44:13 PM](#)

17. 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 [9:44:32 PM](#). She was followed by Councilmembers Lisonbee, Gailey, Maughan, and Bolduc.

[9:52:54 PM](#)

18. Mayor's Report.

Mayor Palmer's report began at [9:52:54 PM](#).

[9:53:40 PM](#)

19. City Manager report

City Manager Bovero's report began at [9:53:45 PM](#).

[9:57:25 PM](#)

14. Proposed Resolution R16-39 adopting the Recruitment, Retention, and Employee Compensation Policy. (CONTINUED)

[9:57:33 PM](#)

Mr. Bovero reviewed the language drafted to amend the section of the document under the heading quadrennial market review relative to benchmarking practices as follows: "In order to determine whether individual wages will be adjusted due to the market review, the Council may consider various factors, which include but are not limited to the following:

- Using the TechNet, or similar, shared database the City can provide an analysis of changes in wages and wage scales over the previous four years.
- When a majority of the Council decides the information from the TechNet shared database appears to show an anomaly or otherwise appears to be incomplete, a more detailed comparative study of that position may be conducted.
- Any other economic data the majority of the Council deems relevant may be used to assist in the decision."

[9:59:11 PM](#)

COUNCILMEMBER MAUGHAN MOVED TO ADOPT RESOLUTION R16-39 ADOPTING THE RECRUITMENT RETENTION, AND EMPLOYEE COMPENSATION POLICY, AS AMENDED BY THE COUNCIL THROUGHOUT PREVIOUS DISCUSSION OF THE DOCUMENT AND AS AMENDED USING THE LANGUAGE READ BY MR. BOVERO PERTAINING TO BENCHMARKING PRACTICES. COUNCILMEMBER GAILEY SECONDED THE MOTION; ALL VOTED IN FAVOR.

[10:00:30 PM](#)

The meeting recessed to allow the Council to convene in a work session meeting in the large conference room of City Hall. The business meeting reconvened at 11:12 p.m.

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

COUNCILMEMBER MAUGHAN MADE A MOTION TO CONVENE IN A CLOSED EXECUTIVE SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE PURPOSE OF DISCUSSING THE PURCHASE, EXCHANGE, OR LEASE OR REAL PROPERTY AND PENDING OR REASONABLY IMMINENT LITIGATION. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The closed session began at 11:12 p.m.

The meeting reconvened at 11:54 p.m.

At 11:54 p.m. COUNCILMEMBER LISONBEE MADE A MOTION TO ADJOURN. COUNCILMEMBER ANDERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Terry Palmer

Mayor

Date approved: January 10, 2017

Cassie Z. Brown, MMC

City Recorder