



SYRACUSE CITY

Syracuse City Council Work Session Agenda

June 26, 2012 – 6:00 p.m.

Large Conference Room

Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will meet in a work session on Tuesday, June 26, 2012, at 6:00 p.m. in the large conference room of the Municipal Building, 1979 W. 1900 S., Syracuse City, Davis County, Utah. The purpose of the work session is to discuss/review the following items:

- a. Public Comment
- b. Discussion regarding SIRE's cost breakdown vs. Fortis system upgrade. (15 min.)
- c. Discuss format of City Council minutes. (10 min.)
- d. Discussion regarding the creation of a cul-de-sac on Bluff Road near Antelope Drive. (15 min.)
- e. Discuss the City Newsletter format. (15 min.)
- f. Discuss the solid waste hauling contract between Syracuse City and Robinson Waste Services, Inc. (15 min.)
- g. Discussion regarding Administrative Title of the Syracuse City Code.
- h. Council business

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In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

#### CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 22<sup>nd</sup> day of June, 2012 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on June 22, 2012.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER

\*\*Members of the public who desire to offer a thought or invocation at Syracuse City Council Meetings shall contact the City Administrator at least two (2) weeks in advance of the meeting. Request will be honored on a first come, first serve basis. In the event there are no requests to offer a comment or prayer, the Mayor may seek opening comment or prayer from those members of the public attending the meeting or from City Staff or City Council.



# COUNCIL AGENDA

June 26, 2012

## **Agenda Item “B”**

**Discussion regarding cost breakdown for SIRE products vs. Fortis System Upgrade. (15 min.)**

### ***Factual Summation***

- Any questions regarding this item may be directed at City Recorder Cassie Brown and IT Director TJ Peace. A representative of SIRE will also be present to answer additional questions.
- Please see attached documentation provided by Cassie Brown.

# City of Syracuse

## Live and On Demand Video/Audio Management System Project

– Product Demonstration –



### Presenters:

Troy Doller, Director of Sales  
801.977.8608 main  
801.809.9225 mobile  
tdoller@siretechnologies.com

Rick Haviland, Regional Director  
801.977.8608 main  
801.634.1896 mobile  
rhaviland@siretechnologies.com

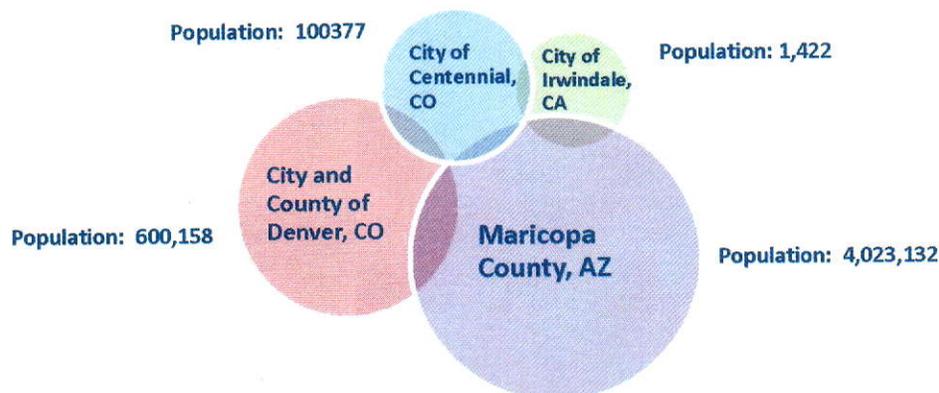
## ✓ Company Background

SIRE Technologies, Inc. (a subsidiary of AlphaCorp, Inc.), develops, delivers, and supports its own Electronic Document Management System (EDMS) and Agenda Automation Software called SIRE (Store, Index, Retrieve, and Exchange). This powerful product suite is specifically designed for government agencies and dramatically reduces the costs of manually processing, storing, and retrieving their documents and information. At the same time, SIRE helps government agencies increase their productivity, profitability, and security.

SIRE Technology provides the advantage of Single Source Development. All product design and growth originated directly with SIRE, not by acquisition or by two vendors providing and integration. All modules are developed and supported in house.

Our clients are not only streamlining their processes, reducing the amount of labor required to complete their work, and increasing public access to information – but they are also seeing tremendous benefits from paper savings, saved courier costs, fewer public information requests at the office, and synergies from automating processes not only in their departments but city, county, or state wide.

SIRE has been successfully deployed in state and local government organizations of all sizes.



Here are some of the ways SIRE can help the City of Syracuse achieve its project goals:

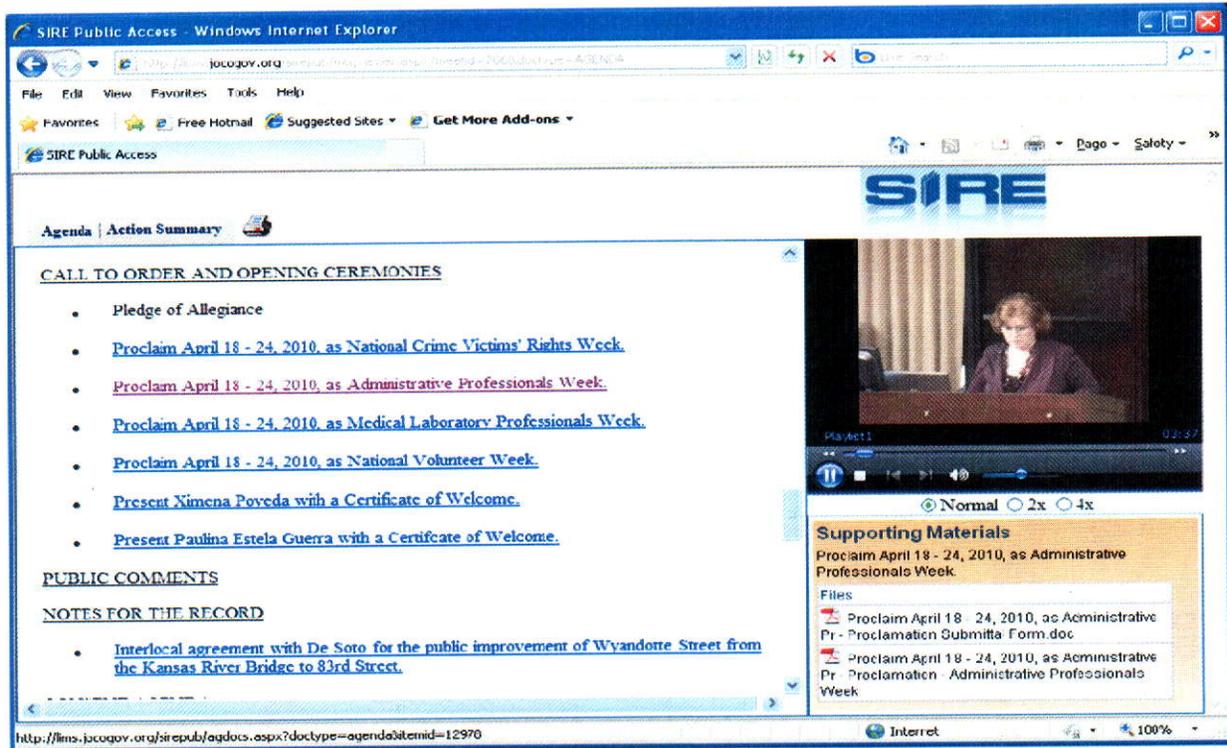
- Works even when your ISP or Network is down. SIRE has the ability to work in disconnected mode. This means you will still be able to record your minutes, audio and/or video offline during the meeting (including time stamp). When your ISP or Network is repaired, the public will be able to hear or watch the recorded meeting on your website.
- SIRE allows for “unlimited meeting types” with the initial purchase. There are no additional costs to add committees or commissions to video streaming. As a client, you will have the ability after training to create and add meeting types as you require them. No need to engage SIRE or incur additional costs.
- SIRE provides archiving, bookmarking, indexing and management of key word search of both live and on-demand streaming video/audio content, as well as all stored documents and information.

This includes the ability to access specific segments of audio through links from the meeting agenda etc.

- Meeting within a Meeting. Video Plus allows you to break from a regular meeting to open the audio and/or video for an executive or committee meeting, and then return to the regular meeting without a snag.
- We make it possible to record audio and video of city meetings and publish them to the web together with the meeting minutes, supporting materials and the meeting agenda if desired – all in a searchable format. The public and city staff can quickly locate recorded meeting segments through key word searches – eliminating the need to fast forward through hours of audio and/or video.
- More hosting options. One size does not fit all. With SIRE, you can either host and store the audio locally on your servers, or we can host it for you.
- Controllable Video and Audio stream. Unique to SIRE, you have the option to dial up or dial down the quality of your video and audio at the time of recording. While streaming audio live, you have the capability to stream video as well if desired, or to deactivate video and rely on audio information only.
- Supreme interface capabilities. SIRE provides a configurable web template that easily and seamlessly fits into your existing website. Additionally, our third-party integration capabilities make it possible to run flawlessly in accordance with your existing systems or those that may be added in the future.
- Version Upgrades. Many offer a “Lifetime License” but rarely issue version upgrades. Due to its commitment to excellence, SIRE has historically offered two version upgrades per year. Thus, your solution continues to improve and take advantage of the latest advancements in technology. Version upgrades are included for no additional cost with SIRE’s maintenance program.
- Lower cost of ownership. SIRE offers an overall lower cost of ownership by eliminating the dual maintenance common to integrated systems, eliminate the cost of integration, allows clients to own their data, obtain version upgrades, and run reports for no additional costs.

## ✓ SIRE Video Plus

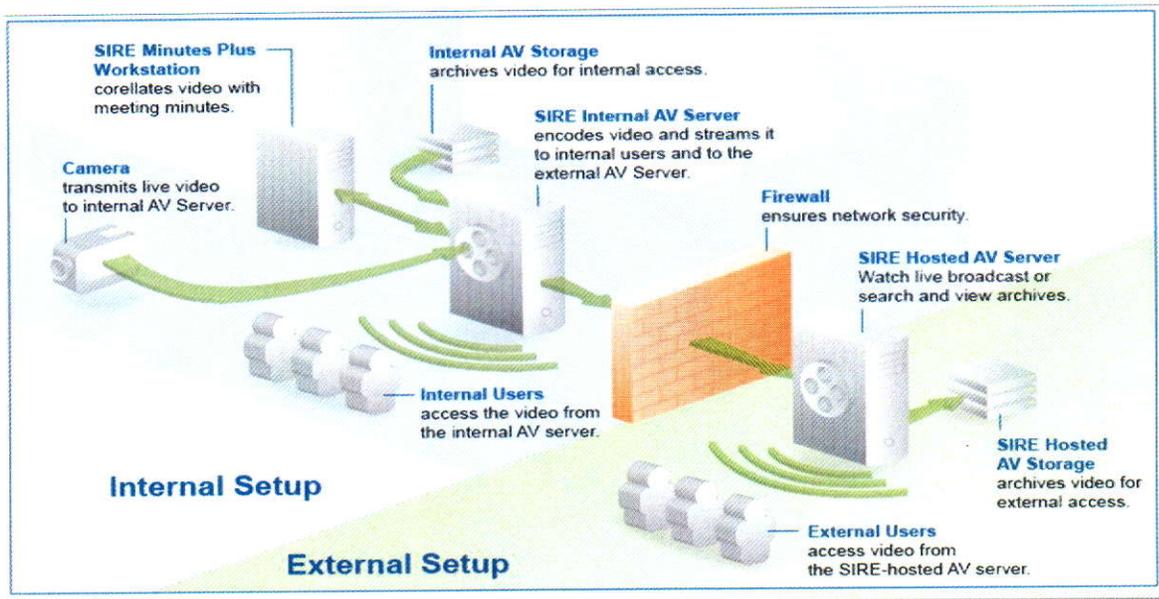
Use SIRE Video Plus to deliver state & local government communication effectively by streaming it all online. Easily stream meetings, events, and legislature, press releases, briefings, training, and safety videos to reach more constituents and increase service levels. Broadcast real-time, or archive meetings for indexing and future access. Indexed video can be tied to meeting minutes, supporting materials, and meeting agenda, allowing viewers to jump directly to the item of interest to them. With SIRE Video Plus, you will experience unsurpassed speed, connectivity, and reliability - at a fraction of the cost of managing streaming media internally. With features like closed captioning, web publishing, time stamping, on- or offsite hosting options, and multicast broadcasts, SIRE offers you the best quality at the best price.



Video Plus offers a number of unique features, including but not limited to:

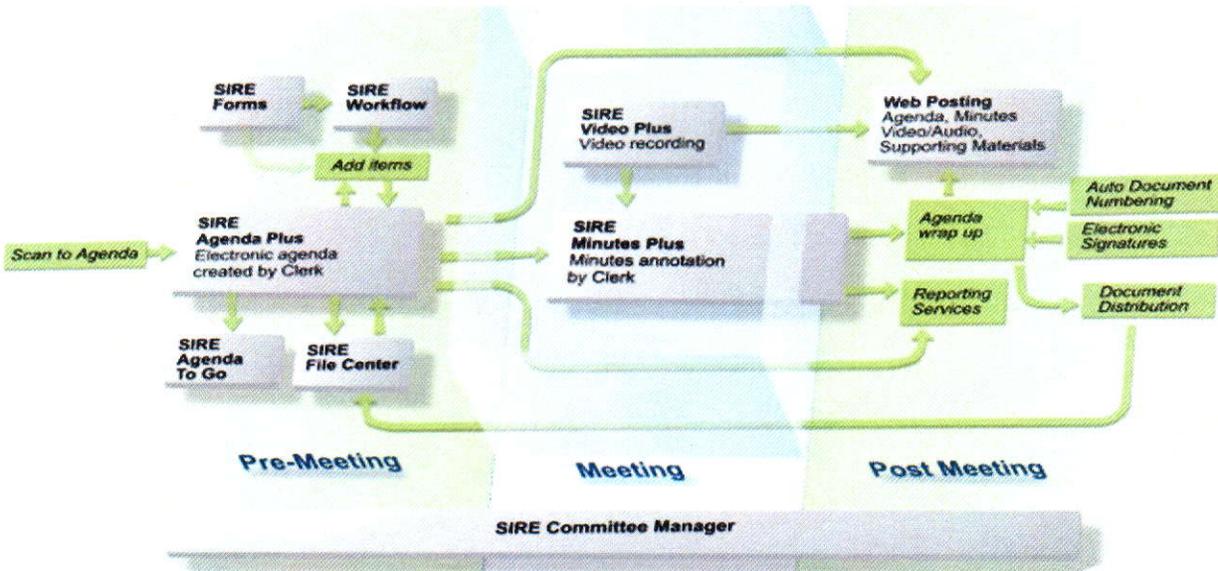
- Users are given industry standard components to control the stream of video and audio at the time of recording.
- Capable of Multicast broadcasts.
- You have the choice of hosting the recordings either at your facility or SIRE can host it for you. Maintain control over your data files.

SIRE's unique architecture offers you a reliable, more secure solution that delivers a lower cost of ownership. Of course Video Plus works with all major hardware platforms such as Dell, IBM, HP, etc. Video Plus works with Mozilla, Firefox and is compliant with IE7 or higher. With SIRE's US-based on-call support and reliable infrastructure, you can rely on SIRE to be up and running when you need it.



### ✓ SIRE Agenda Plus

SIRE Agenda Plus is the only solution managing the entire legislative process from start to finish, from submitting agenda items along with supporting materials and creating meetings, to creating meeting minutes and publishing it all online for public access. SIRE Agenda Plus can be tied to streaming video live during the meeting and archival after the meeting. SIRE's modular design ensures the best fit for your needs and the best value for your budget dollar. SIRE Agenda Plus is built using .NET architecture, which means it easily integrates with legacy systems and 3rd party applications, and offers superior security, reliability, and ease of use.



SIRE Agenda Plus™ enhances the management of the agenda process over its three main components: Pre-Meeting activities such as agenda creation; Meeting activities including taking minutes of the meeting; and Post-Meeting activities such as posting agendas with attachments, summaries and minutes. SIRE even provides the posting of video to the web, a digital Voting System and request to speak functions that take place during the public meeting process.

*Meeting Development:*

- ✓ *Accommodating* - Multi-level or linear approval process workflow capabilities
- ✓ *Flexible* - View agenda during creation instead when printed
- ✓ *Inclusive* - Attach staff reports, maps or other documents electronically
- ✓ *Capable* - Scan documents directly to your agenda
- ✓ *Multitasking* - Electronic Agenda Packet creation with ability to print agenda packets
- ✓ *Portable* - Email or download copies of agenda packets to CD with Agenda-To-Go™

*Meeting Activities:*

- ✓ *Useable* - Easily record minutes
- ✓ *Versatile* - Agenda Packets can be viewed with a laptop, emailed, or printed
- ✓ *Practical* - Record attendance, votes and motions
- ✓ *Detailed* - Record history, action items and other required information for each agenda item
- ✓ *Visual* - Optional indexed video recording of meeting

*Post-Meeting Activities:*

- ✓ *Easy* - Single Click technology of summaries, agendas with attachments, minutes and streaming video to the web
- ✓ *Efficient* - "Google" type searches of streaming video, agendas, minutes, voting logs, summaries and attachments using Full Text Search
- ✓ *Useful* - Customizable agenda and summary formats
- ✓ *Timesaving* - Automatically formats agenda and summaries in the correct format

*Agenda Preparation:*

- ✓ *Options* - Agenda templates for different types of meetings
- ✓ *Team-Driven* - Item request submission workflow allowing other departments to electronically submit an agenda item (with attachments) for approval
- ✓ *Portable* - Copy or move agenda items to different meetings or to a different location of a current meeting
- ✓ *Format-Driven* - Customizable agenda formats
- ✓ *Organized* - Single Click agenda rollups
- ✓ *Convenient* - Single Click agenda posting to the web.

*City of Las Vegas*

**CITY COUNCIL AGENDA**  
**COUNCIL CHAMBERS - 400 STEWART AVENUE - PHONE 229-6011**  
**CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)**  
**COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large) ·**  
**COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)**  
**LARRY BROWN (Ward 4), STEVE WOLFSON (Ward 2)**  
**LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6); RICKI Y. BARLOW (Ward 5)**

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**December 3, 2008**

**Morning Session begins at 9:00 a.m.**  
**Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

Normal 2x 4x

**Supporting Materials**

Approval of an Interlocal Agreement with Clark County for the reimbursement of City of Las Vegas funds with homeland security funding from the FY08 United States Department of Homeland Security Urban Area Security Initiative (UASI) to support the Statewide Citizen Corps Program (\$246,043 - Multipurpose Special Revenue Fund) - All Wards

Files

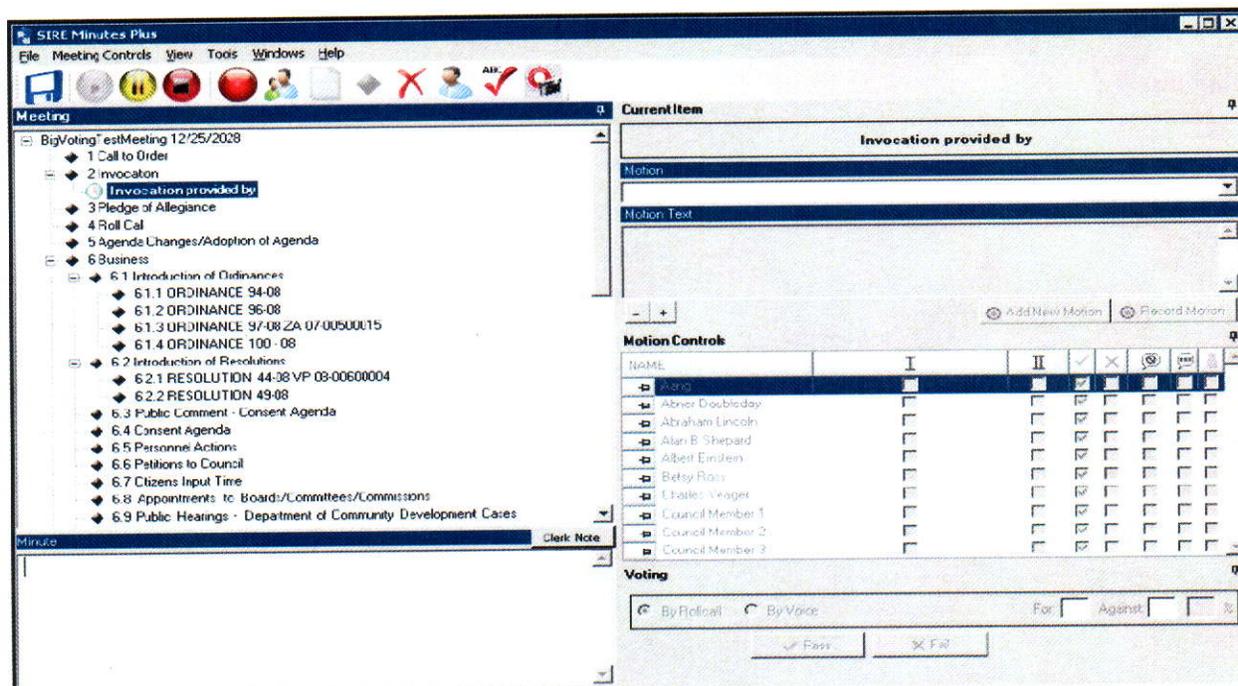
- Minutes
- Interlocal Agreement between City of Las Vegas and Clark County.pdf

In Agenda Plus items can be reordered at any time. Reordering tools include: move up, move down, cut, and paste. An item can be moved up or down in the list, be cut from its location and then pasted before or after any other item in the agenda including those under different categories or headings. An item can also be copied or moved from one meeting agenda to another. For example, an item can be heard in the planning commission and then moved to a Council meeting after being approved or acted upon by the Planning Commission. An item may also be moved from one Council meeting to another if necessary, such as when an item is continued. Anytime an item is moved or copied from one meeting to another, a historical entry is made in the item history.

| Position | Item Title                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Status   | City Status | Owner       | Item ID | #   | Type     |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-------------|-------------|---------|-----|----------|
|          | Meeting Contents                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |          |             |             |         |     |          |
|          | SSE All - Invocation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | APPROVED |             | ADMIN       |         | 270 |          |
|          | Pastor Patrick Wilson - Westoak Woods Baptist Church                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | APPROVED |             | Clark Admin |         | 558 |          |
|          | 10:00 AM - City Council Convened                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | APPROVED |             | ADMIN       |         | 271 |          |
|          | Approval of Minutes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | APPROVED |             | ADMIN       |         | 272 |          |
| 1        | Approve the Minutes of the Austin City Council regular meeting of June 24, 2009                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | APPROVED |             | Clark Admin |         | 559 |          |
|          | Austin Energy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | APPROVED |             | ADMIN       |         | 273 |          |
| 2        | Approve an interlocal contract with the University of California-Riverside, for Developing Alternate Technologies for Quantifying Paved Road Dust Emission Measurements in Clark County, Nevada, and authorize the Chief Financial Officer or his designee to sign the contract, or take other action as appropriate. (Air Quality and Environmental Management)                                                                                                                                                                                                                                                                                                  | APPROVED |             | Clark Admin |         | 686 | Contract |
|          | Austin Water Utility                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | APPROVED |             | ADMIN       |         | 274 |          |
|          | Austin                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | APPROVED |             | ADMIN       |         | 275 |          |
|          | Budget                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | APPROVED |             | ADMIN       |         | 276 |          |
| 3        | Approve an ordinance adopting and levying a property (ad valorem) tax rate for the City of Austin for Fiscal Year 2009-2010. There is no unanticipated fiscal impact. A fiscal note is not required.                                                                                                                                                                                                                                                                                                                                                                                                                                                              | APPROVED |             | Clark Admin |         | 560 |          |
| 4        | Approve a resolution declaring the City of Austin's official intent to reimburse itself from Certificates of Obligation in the amount of \$3,850,000 related to the purchase of real estate and warehouse space and associated facility repairs and improvements to the warehouse. \$3,850,000 in Certificates of Obligations to be issued in August 2010 or later. Related to Items #4 & 20.                                                                                                                                                                                                                                                                     | APPROVED |             | Clark Admin |         | 561 |          |
|          | Contract and Land Management                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | APPROVED |             | ADMIN       |         | 277 |          |
| 5        | Authorize the City Manager to negotiate and execute a contract to purchase in fee simple acquisition of real estate and warehouse space, described as 2.358 acres of land out of the I.C. Tannehill League in Travis County, Texas now known as Lot 2, Block A, Springdale Center, a subdivision in Travis County, Texas, from E.R. HOLDINGS, LLC, a Texas Limited Liability Company. Funding is available in the Fiscal Year 2009-2010 of the Capital Budget of the Austin Police Department. Related to Items #3 & 20.                                                                                                                                          | APPROVED |             | Clark Admin |         | 562 |          |
| 6        | Authorize negotiation and execution of a construction contract with FACILITIES REHABILITATION INC. (MBE/MH - 96.30%) Taylor, TX, for the Decker Creek Power Station drainage improvements in an amount not to exceed \$135,006. Funding is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy. Lowest of eight (8) bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 96.30% MBE prime participation and 3.70% WBE subcontractor participation. Recommended by the Electric Utility Commission. | APPROVED |             | Clark Admin |         | 593 |          |

### ✓ SIRE Minutes Plus

Record roll call, speaker notes, motions, and votes with SIRE Minutes Plus. Users have the flexibility of recording a variety of motions and updating roll call on the fly through a single, simple interface. When it's time to start an executive or committee meeting in the middle of things, SIRE's "meeting within a meeting" functionality makes it easy to keep up with events without losing pace. Minutes are quickly published to the public website with a push of a button. Each agenda item is automatically linked to its supporting materials (if any) and linked to the video recording – allowing you to do more in less time. Great for meetings of all sizes, SIRE's infrastructure allows for quicker rollup and transfer of large agendas. Internal users are able to find and view past meeting minutes and supporting materials, including audit trails, with an easy-to-use search engine. Constituents are able to find meeting minutes by topic through key word search on a public interface, thereby creating a self-service portal for public requests. Minutes Plus makes it easy on IT and AV staffs with its low maintenance design. Being part of a single system, Minutes Plus does not require any special coding, scripting or integration to interact with SIRE's agenda and video components.



### ✓ Delivering Content

Through fast and easy file retrieval, SIRE will drastically reduce the time currently being spent on retrieving documents and completely eliminate the need for duplicates. The documents can be made accessible over the web to both staff and the public via any internet-ready PC. Access control dictates who has access to what documents, thereby ensuring confidentiality of files and activity restrictions where necessary. Access can be restricted to viewing and printing rights only for selected individuals, groups, or document types.

The SIRE Pub application lets counties, cities, organizations, and indeed any entity with a public-facing website make selected records accessible for public access and review. SIRE Pub provides a secure public interface to the electronic records, and agenda management documents stored in the SIRE System. Organizations can easily provide constituents with secure, convenient access to public records.

## City of Syracuse - Video/Audio Management Project

Additionally, organizations can customize the appearance, along with many of the functional characteristics of their site.

The screenshot displays the City of Syracuse website's 'Legislation and Documents' page. The page title is 'Legislation and Documents' and the date is 'May 13, 2010 to Present'. A notice states: 'Denver City Council just launched a new service that allows you to access legislation and documents online. For documents and legislation prior to May 13, 2010, please search our site.' Below this, there is a section for 'Item Information' with the following details:

- Title:** A bill for an ordinance amending section 55 of Chapter 8 of the Revised Municipal Code to allow for the affirmative defense that a pit bull is a service animal within the Americans with Disabilities Act and deleting obsolete language.
- Tracking #:** CB10-0724
- Meeting Date:** 10/28/2010
- City Council:** City Council
- Item Type:** Council Bill
- District:** 18A
- Video:** [View Video](#)

There are several attachments listed, including 'BR10-0724\_Bill\_Request.doc', 'BR10-0724\_Bill\_Request.doc', 'Affirm a pit bull is a service animal within ADA - 01.pdf', 'CB10-0724\_Council\_Bill.doc', 'CB10-0724\_Council\_Bill.doc', 'CB10-0724\_Support\_Material\_Pit Bulls and ADA.doc', 'BR10-0724\_Support\_Material\_Pit Bulls and ADA.doc', 'BR10-0724\_Support\_Material\_Pit Bulls and ADA.doc', 'BR10-0724\_Support\_Material\_Pit Bulls and ADA.doc', 'CB10-0724\_Bill\_Pit Bull with ADA Affirmative Defense Modified.doc', and 'CB10-0724\_Bill\_Pit Bull with ADA Affirmative Defense Modified.doc'.

Below the attachments is a 'Bill Text' section with a 'Show Text' link. A table shows legislative history:

| Version         | Item #    | Type         | Status | Meeting Date | Meeting Type                          |
|-----------------|-----------|--------------|--------|--------------|---------------------------------------|
| 1 <sup>st</sup> | BR10-0724 | Bill Request |        | 8/24/2010    | Health Safety, Education and Services |
| 2 <sup>nd</sup> | CB10-0724 | Council Bill |        | 9/13/2010    | City Council                          |
| 3 <sup>rd</sup> | CB10-0724 | Council Bill |        | 10/22/2010   | City Council                          |
| 4 <sup>th</sup> | CB10-0724 | Council Bill |        | 11/3/2010    | City Council                          |
| 5 <sup>th</sup> | CB10-0724 | Council Bill |        | 12/9/2010    | City Council                          |

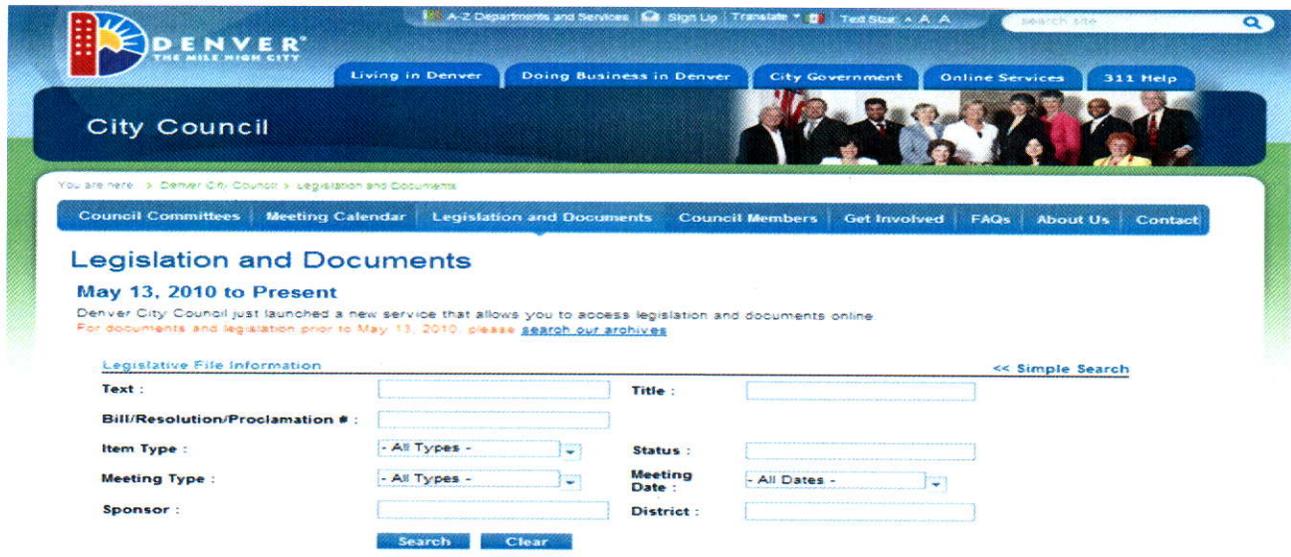
Below the table is a 'Vote Record' section with a 'Passed' status. A motion was offered by Councilmember Johnson, seconded by Councilmember Brown, that CB10-0724 be passed. The motion was followed by a motion offered by Councilmember Johnson, duly seconded by Councilmember Brown, that CB10-0724 be postponed to Monday, November 1, 2010, which motion carried by the following vote:

| Council Member          | Vote |
|-------------------------|------|
| Council Member Borjon   | Yes  |
| Council Member Hancock  | Yes  |
| Council Member Johnson  | Yes  |
| Council Member Limhart  | Yes  |
| Council Member Madison  | Yes  |
| Council Member Sandoval | Yes  |
| Council Member Brown    | Yes  |
| Council Member Faatz    | Yes  |
| Council Member Lehmann  | Yes  |
| Council Member Lopez    | Yes  |

An inset video player is visible in the bottom right corner, showing a news segment titled 'SIRE Public Access' with the text 'PUBLIC RELIANCE CB 10-071, 102510' and 'LIFE MEDICAL MARIJUANA GROWING BY MEDICAL MARIJUANA CARD HOLDERS TO 17 PLANTS PER RESIDENCE IN NEURONTAL AREAS'.

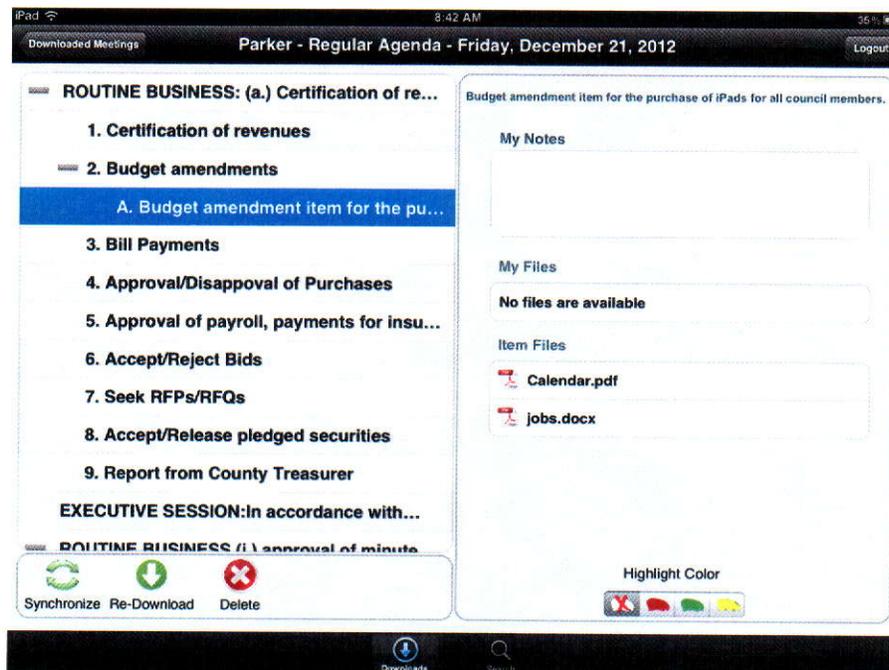
SIRE has the capability to make documents available over the Web without requiring HTML coding. The system allows for versions to be rendered into images, PDF or HTML for distribution purposes as appropriate. The SIRE WebCenter system does provide a fully functional web interface and a read only interface for public access.

When a user performs a full text search from within the SIRE Web Application, the search results show the context of where the words were contained. The user can review the hits and select which files they want to download/view.



✓ **SIRE AgendaToGo**

Many municipalities are starting to use the latest technology to access their agendas using a variety of mobile devices such as the well-known iPad and HP Slate, but also various Microsoft tablets or Kindle e-readers. SIRE Agenda Plus with AgendaToGo provides secure web access to your agendas and all supporting documents on any of those devices.



Instead of bringing your paper printout of the agenda packet, simply bring your mobile device to the meeting. SIRE AgendaToGo allows you to comment on agenda items, make annotations, notes and

highlights directly from your mobile device. During the meeting, you can even use your mobile device to cast your votes or manage speaker requests on the go.

- Download meetings and review them even when not connected to a network
- Highlight items
- Add notes
- Add files
- Print notes

Tasks completed in AgendaToGo by the user are for personal use and are not added to the agenda in Agenda Plus.

### ✓ **Customer Service**

SIRE provides phone support up to 24/7, 365 days a year based on support level chosen, with a maximum of a 3-business hour response time. Standard maintenance includes regular software updates with phone support available to install the updates. Support shall include but is not limited to, free software upgrades, patches, scripts, and any other form of support to resolve the support request or to supply annual upgrades and new releases.

All software purchased requires an Annual Maintenance Agreement in order to receive unlimited phone and on-line support from the SIRE technical staff. This Agreement also provides any upgrade or enhancements at no additional cost.

Support Level One – This maintenance level provides support five days per week, eight hours per day excluding recognized holidays.

Support Level Two – This maintenance level provides support five days per week, 24 hours per day excluding recognized holidays.

Support Level Three – This maintenance level provides support seven days per week, 24 hours per day.

*“You have been wonderful to work with, and we want you to know that we truly appreciate all of your ongoing technical support! We absolutely love the SIRE product family. Thanks for always being there when we need you.” Diana Tabor, L-3 Communications*

### ✓ **Training**

SIRE's implementation includes comprehensive training courses, written documentation, workbooks, and videos that will allow users to learn at their own pace. SIRE software is not only easy to install, but easy to use as well. As a result, training requirements are much less intrusive and time consuming when compared to other document management systems. SIRE provides on-site training at the City of Syracuse, and we can also provide additional training as requested, either on-site, online, or at our SIRE training facility in Salt Lake City, Utah.

As part of the Maintenance Agreement, SIRE provides the following documentation in both written and on-line formats for all new clients:

- User Guides for all purchased products.
- System Administrator Guides for all purchased products.
- Training materials for all training sessions.
- Quick Reference sheets for the relevant products.

With each new release, clients will get the latest user and administration guides in electronic format on the SIRE product CD.

SIRE also offers an annual user conference for all users of the SIRE product suite. The conference typically takes place in August in Park City, Utah, and affords attendees an opportunity to learn the newest features and functionality of the product while also networking with other users. The conference offers separate tracks for users, administrators, and super users – but attendees are encouraged to attend classes in each of the tracks based on their interest.

*"This is the best and most useful conference I attend each year, so when this year's budget only allowed me to attend one conference there was no question which one. Keep up the good work - see you next year!" Mike Pettinato, City of Citrus Heights*

#### ✓ Experience

SIRE Technologies, Inc. is a US based provider of award-winning document management and agenda automation solutions specifically tailored to the needs of state and local government agencies. SIRE's time-tested results help create excellence in local governance by increasing productivity, decreasing workloads, while improving public service and access to information for constituents. While any company can claim to be the best, SIRE proves it with an unbeatable history of excellence in delivering outstanding solutions in document and agenda management while earning a reputation for delivering unparalleled service.



Document Management & Agenda Automation  
for State & Local Government

# Quote

## AUDIO/VIDEO STREAMING

To: City of Syracuse  
1979 W 1900 S  
Syracuse, UT84075  
(801) 825-1477

Date: June 21, 2012  
Expiration Date: NA  
Sales Manager: Rick Haviland  
Approved By:

| QTY                                        | DESCRIPTION                                                                                                                                                                                              | UNIT PRICE | EXTENDED PRICE              | MAINTENANCE | PART #     |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|-----------------------------|-------------|------------|
| <b>HARDWARE</b>                            |                                                                                                                                                                                                          |            |                             |             |            |
| 0                                          | Server PC: Application Server:                                                                                                                                                                           |            | Included in Hosting         |             |            |
| 0                                          | Windows Server 2003 or higher                                                                                                                                                                            |            | Included in Hosting         |             |            |
| 0                                          | Server PC: Database Sever:                                                                                                                                                                               |            | Included in Hosting         |             |            |
| 0                                          | Microsoft SQL Server 2000 or higher                                                                                                                                                                      |            | Included in Hosting         |             |            |
| 1                                          | SIRE Video Encoder with Osprey 260e Card                                                                                                                                                                 | 2,500.00   | \$ 2,500.00                 |             |            |
| <b>SUBTOTAL HARDWARE</b>                   |                                                                                                                                                                                                          |            | <b>\$ 2,500.00</b>          |             |            |
| <b>SOFTWARE - HOSTED</b>                   |                                                                                                                                                                                                          |            |                             |             |            |
| <b>SIRE AGENDA PLUS LICENSES - HOSTED</b>  |                                                                                                                                                                                                          |            |                             |             |            |
| 2                                          | SIRE Agenda Plus - Hosted per month/year                                                                                                                                                                 | 60.00      | \$ 1,440.00                 |             | N/A 110079 |
| 0                                          | SIRE Agenda To Go - Hosted (Optional)                                                                                                                                                                    | 99.00      | \$ -                        |             | N/A 110078 |
| <b>SIRE MINUTES PLUS LICENSES - HOSTED</b> |                                                                                                                                                                                                          |            |                             |             |            |
| 1                                          | Hosted SIRE Minutes Plus Per user license Per month/year                                                                                                                                                 | 100.00     | \$ 1,200.00                 |             | N/A 110077 |
| <b>SUB-TOTAL SOFTWARE -ANNUAL HOSTED</b>   |                                                                                                                                                                                                          |            | <b>\$ 2,640.00</b>          |             | <b>N/A</b> |
| <b>VIDEO STREAMING</b>                     |                                                                                                                                                                                                          |            |                             |             |            |
| <b>SIRE VIDEO PLUS WEB STREAMING</b>       |                                                                                                                                                                                                          |            |                             |             |            |
| 1                                          | SIRE Video Plus - Annual Video Streaming Hosting Service (Per month/year)                                                                                                                                | 400.00     | \$ 4,800.00                 |             | N/A 140051 |
| 0                                          | 24/7 Streaming Added to regular hosting price per month/year (Optional)                                                                                                                                  | 100.00     | \$ -                        |             | N/A 140057 |
| <b>SUB-TOTAL ANNUAL VIDEO HOSTING</b>      |                                                                                                                                                                                                          |            | <b>\$ 4,800.00</b>          |             | <b>N/A</b> |
| <b>SERVICES</b>                            |                                                                                                                                                                                                          |            |                             |             |            |
| 1                                          | Project Management (cost per day)                                                                                                                                                                        | 1,350.00   | \$ 1,350.00                 |             | 120063     |
| 1                                          | Agenda Basic Services Bundle - Includes 3 days installation and configuration of SIRE Agenda Plus, SIRE Streaming Software; SIRE Minutes Plus and configuration of SIRE Pub; and 2 days system training. | 6,880.00   | \$ 6,880.00                 |             | 120060     |
| <b>SUB-TOTAL SERVICES</b>                  |                                                                                                                                                                                                          |            | <b>\$ 8,230.00</b>          |             |            |
| <b>ONSITE TRAINING</b>                     |                                                                                                                                                                                                          |            |                             |             |            |
| 1                                          | SIRE Agenda Plus Clerk Training (cost per day)                                                                                                                                                           | 1,350.00   | Included in Services Bundle |             | 130056     |
| 1                                          | SIRE Minutes Plus Training (cost per day).                                                                                                                                                               | 1,350.00   | Included in Services Bundle |             | 130077     |
| <b>SUB-TOTAL TRAINING</b>                  |                                                                                                                                                                                                          |            | <b>\$ -</b>                 |             |            |

**EXPENSES \***

|                                                           |        |     |
|-----------------------------------------------------------|--------|-----|
| Travel: Airfare (per trip)                                | 600.00 | N/A |
| Per Diem: Daily expense for Lodging, Car, meals (per day) | 200.00 | N/A |

|                           |           |          |
|---------------------------|-----------|----------|
| <b>SUB-TOTAL EXPENSES</b> | <b>\$</b> | <b>-</b> |
|---------------------------|-----------|----------|

**COST OVERVIEW**

|                                       |    |          |
|---------------------------------------|----|----------|
| Total Cost for Hardware               | \$ | 2,500.00 |
| Total Cost Hosted Software (1st year) | \$ | 2,640.00 |
| Total Cost Hosted Video (1st year)    | \$ | 4,800.00 |
| Total Cost for Services               | \$ | 8,230.00 |
| Total Cost for Training               | \$ | -        |
| Total Cost for Expenses               | \$ | -        |

|                    |           |                  |
|--------------------|-----------|------------------|
| <b>GRAND TOTAL</b> | <b>\$</b> | <b>18,170.00</b> |
|--------------------|-----------|------------------|

|                                                       |           |                 |
|-------------------------------------------------------|-----------|-----------------|
| <b>PURCHASE INCENTIVE (50% off 1st years hosting)</b> | <b>\$</b> | <b>3,720.00</b> |
|-------------------------------------------------------|-----------|-----------------|

|                                   |           |                  |
|-----------------------------------|-----------|------------------|
| <b>TOTAL UP FRONT SYSTEM COST</b> | <b>\$</b> | <b>14,450.00</b> |
|-----------------------------------|-----------|------------------|

|                                                |    |        |
|------------------------------------------------|----|--------|
| Hosted Software - per month (2nd year forward) | \$ | 220.00 |
|------------------------------------------------|----|--------|

|                                                |    |        |
|------------------------------------------------|----|--------|
| Streaming Video - per month (2nd year forward) | \$ | 400.00 |
|------------------------------------------------|----|--------|

|                                              |           |               |
|----------------------------------------------|-----------|---------------|
| <b>TOTAL MONTHLY HOSTING FEES (2nd Year)</b> | <b>\$</b> | <b>620.00</b> |
|----------------------------------------------|-----------|---------------|

Quotation prepared by: Rick Haviland

This is a quotation on SIRE Technologies software, subject to the conditions noted below:

SIRE Technologies Standard Payment Terms: 100% of Software Fees due at signing. Professional Service Fees due upon mutually determined Milestones and Maintenance due at final project acceptance.

Proposal is valid for 90 days from Proposal Date unless otherwise specified in writing.

\*Travel Expenses will be billed as incurred.

To accept this quotation, sign here and return: \_\_\_\_\_

**Thank you for your business!**

2211 West 2300 South, West Valley City, UT 84119 801.977.8608 Phone 801.977.8875 Fax info@siretechnologies.com



# COUNCIL AGENDA

June 26, 2012

**Agenda Item “C”**

**Discuss format of City Council minutes. (10 min.)**

***Factual Summation***

- Any questions regarding this item may be directed at City Recorder Cassie Brown.
- Please see attached memorandum provided by Cassie Brown.



## City Recorders Office

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Date: June 18, 2012  
To: Syracuse City Governing Body  
From: Cassie Brown – City Recorder  
RE: Agenda item to discuss format of City Council minutes.

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I wanted a moment to address the Council regarding the format of City Council minutes. A growing trend in Utah is that municipalities are getting away from overly detailed Council meeting minutes in favor of a summary document that includes time links to the digital meeting recording when any given item was discussed. I am proposing that the Council consider following that trend and allow me to provide an action/summary document immediately following a Council meeting. That document could also serve as the minutes of record if time links are included. Utah Law previously dictated that audio recordings of meetings were only to be kept for one year after approval of the written minutes. The same law was recently changed to dictate that audio recordings must be kept for three years after minutes are approved. Several cities have adopted a policy that is more strict than State Law whereby they will retain the digital recordings permanently so that they can be included in the minutes of record.

I am happy to discuss this proposal with the Governing Body and answer any questions that anyone may have.



# COUNCIL AGENDA

June 26, 2012

## Agenda Item “D”

**Discussion regarding the creation of a cul-de-sac on Bluff Road near Antelope Drive. (15 min.)**

### *Factual Summation*

- Any questions regarding this item may be directed at City Planner Kent Andersen.
- Please see attached memorandum provided by Kent Andersen.



**Mayor**  
Jamie Nagle

**City Council**  
Brian Duncan  
Craig Johnson  
Karianne Lisonbee  
Douglas Peterson  
Larry D. Shingleton

**City Manager**  
Robert D. Rice

### ***Factual Summation***

- Any questions regarding this items may be directed at City Planner Kent Andersen
- See attached map showing a possible cul-de-sac on Bluff Road
- See attached map showing the possible cul-de-sac length aerial

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Community & Economic Development Department

**Date:** June 26, 2012

**Subject:** Possible Bluff Road Cul-de-sac

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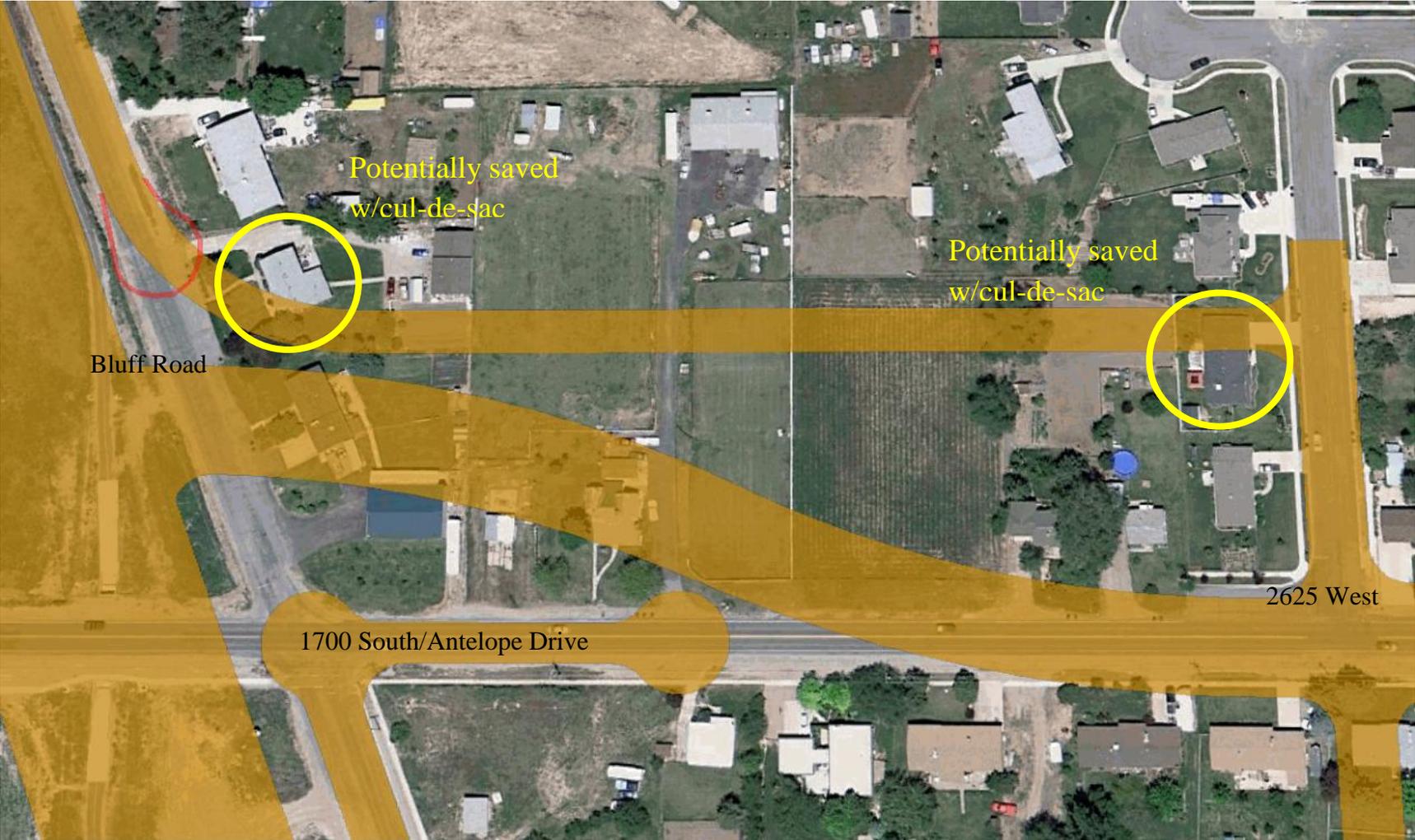
### **Background**

In staff conversations with Randy Jefferies of the Utah Department of Transportation (UDOT) regarding the proposed West Davis Corridor Alternative B, an idea has been explored of the potential of preserving homes with the creation of a cul-de-sac on Bluff Road heading south towards 1700 South/Antelope Drive (see attached UDOT cul-de-sac drawing and cul-de-sac length aerial). This amendment to Alternative B, according to UDOT, would appear to save two homes. Mr. Jefferies explained to staff that UDOT has been in conversation with the residents of the two homes and each desire to retain their homes. If it were the City Council's preference that UDOT explore a cul-de-sac on Bluff Road, UDOT would need to evaluate how this might affect traffic circulation and emergency response. Mr. Jefferies asked staff to inquire of Syracuse City Council its preference of this cul-de-sac possibility.

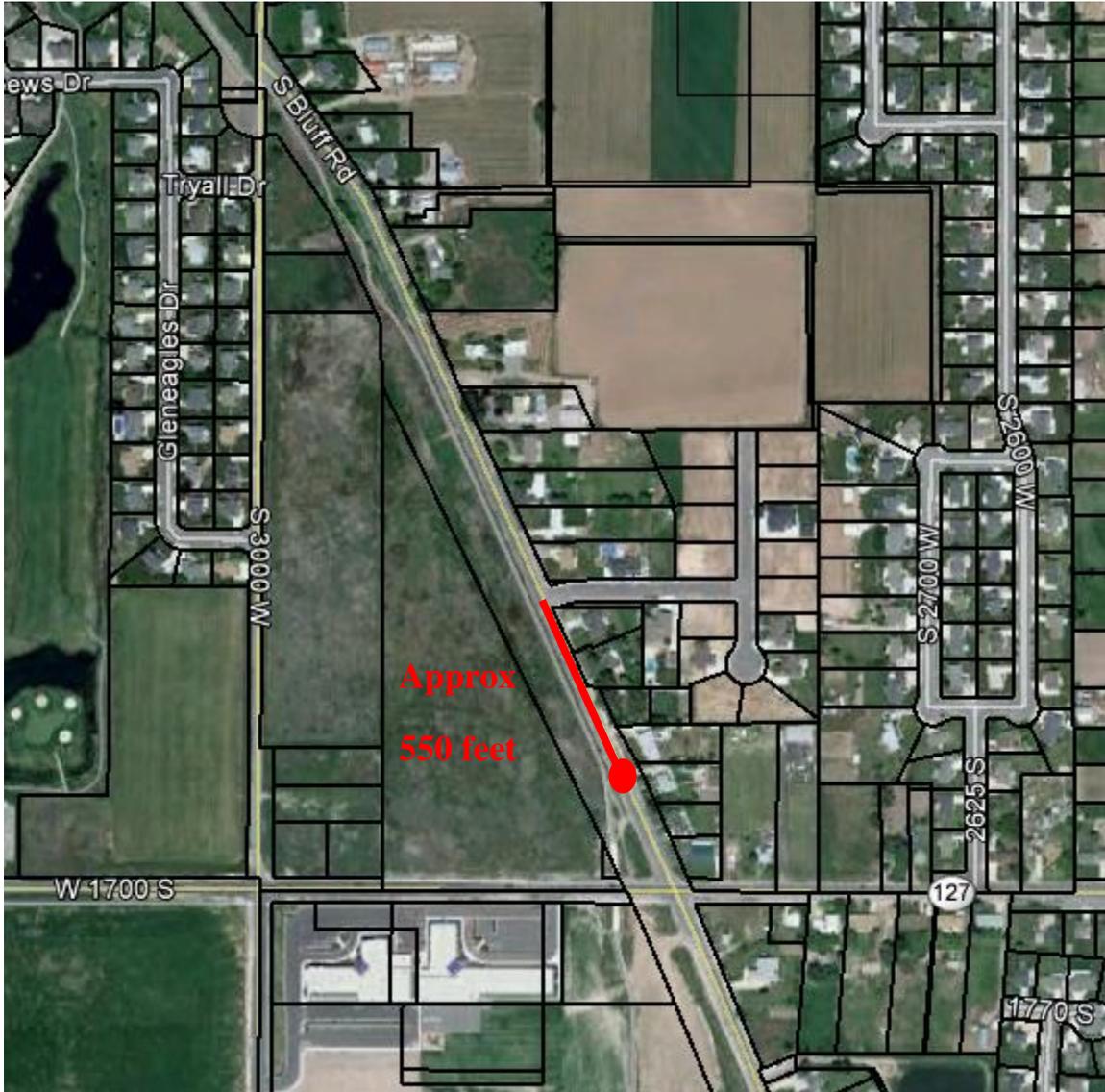
### **Recommendation**

The Community & Economic Development Department recommends that the Mayor and City Council discuss the merits of a cul-de-sac on Bluff Road, heading south towards 1700 South/Antelope Drive and determine a preference.

Possible Cul-de-sac on Bluff Road



Possible Cul-de-sac length aerial





# COUNCIL AGENDA

## June 26, 2012

**Agenda Item “E”**

**Discuss City Newsletter format. (15 min.)**

***Factual Summation***

- The City Council asked for this agenda item during the June 12 business meeting. Staff has not prepared any documentation for this item, but is prepared to participate in the discussion led by the Council.



# COUNCIL AGENDA

June 26, 2012

## Agenda Item “F”

**Discuss the solid waste hauling contract between Syracuse City and Robinson Waste Services, Inc. (15 min.)**

### *Factual Summation*

- Any questions regarding this item may be directed at City Attorney William Carlson.
- Please see attached memorandum provided by William Carlson.



**Mayor**  
Jamie Nagle

**City Council**  
Brian Duncan  
Craig Johnson  
Karianne Lisonbee  
Douglas Peterson  
Larry D. Shingleton

## MEMORANDUM

**To:** Mayor and City Council  
**From:** City Attorney, William J. Carlson  
**Date:** June 26, 2012  
**Subject:** Contract with Robinson Waste Management

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### Background

Robinson Waste Management has been collecting garbage for Syracuse City for over a decade. Most recently, the City and Robinson entered into a Garbage Collection Contract (“Contract”) dated April 1, 2009. In the contract, the City agreed to pay Robinson a fuel allowance per household per month of .33% of the price of the price of diesel over \$3.00 per gallon (“Fuel Surcharge”).

Since April 1, 2009, Robinson has charged the City 33% of the price of diesel over \$3.00 per gallon rather than .33% of the price of diesel over \$3.00 per gallon. This has resulted in a \$33,072.36 overcharge to the City. In early March the City discovered the discrepancy between the contract and the bill. On March 7, 2012 the City notified Robinson Waste of a breach of contract and made a demand on Robinson for repayment of the overpaid Fuel Surcharges.

Robinson made repayment and has provided his “best offer” for a new contract term. Robinson’s proposed rates are neither uniformly higher nor lower for the city. The new contract eliminates the power of Robinson to unilaterally renew without the City’s consent. It also provides options for recycling and collecting on one side of the street.

### Recommendation

The proposed terms offered by Robinson’s best offer are not sufficiently beneficial or detrimental to the City for the City Attorney to make a

recommendation. If the City Council approves the addendum, the City Attorney recommends that the City Council further determine whether or not to approve Recycling as mandatory, opt out, or opt in. Additionally, the City Attorney recommends a determination as to whether to approve collection from one side of the street where feasible.

**ADDENDUM NO. 1  
TO  
GARBAGE COLLECTION CONTRACT**

**THIS IS AN ADDENDUM** to that GARBAGE COLLECTION CONTRACT (the “GCC”) with an Effective Date of April 1, 2009 including all prior addenda and counteroffers, between Syracuse City Corporation (“City”) and Robinson Waste Collection Services, Inc. (“Collector”). The following terms are hereby incorporated as part of the GCC:

1. **“1. GARBAGE COLLECTION** subsection A” shall be amended to the following.  
“A. Collector agrees to pick up garbage from curbside at each residential unit, including apartments, duplexes, and all other types of residential units and small commercial units, presently being served by the City, and each new residential unit when constructed on an improved street within garbage collection area. Collector further agrees to pick up garbage at each property and building owned and operated by City.”
  
2. **“1. GARBAGE COLLECTION** subsection E” shall be amended to the following.  
“E. During the term of this contract, the Collector is granted an exclusive right to collect all residential solid waste and Green Waste covered by this contract and generated within the City. Should the City determine in the future to offer recycling collection and disposal services to its residents, Collector shall provide such services. Payment for such services shall be in accordance with section **6. PAYMENT.**”
  
3. The following new subsection F shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**  
“F. Collector shall track the weight of garbage collected from the inhabitants of the City each month and the percentage of collection vehicles that were fueled by natural gas each month and, to the best of Collector’s ability, shall report those quantities to the City each month.”
  
4. The following new subsection G shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**  
“G. Collector agrees to pick up Green Waste weekly from each location identified in subsection A that has Green Waste containers, including locations that add green waste containers within garbage collection area. For the period that Green Waste continues as an opt-in program, Green Waste collection shall occur from April through November on the same day each week across the garbage collection area.”
  
5. The following new subsection H shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**  
“H. Should City vote to implement a recycling program, Collector agrees to pick up recycling biweekly from each location identified in subsection A that has recycling containers, including locations that add recycling containers across the garbage collection area.

6. "5. TERMS" shall be deleted and replaced with the following:

**"5. TERMS"**

- A. The term of this contract shall be for a period commencing June 1, 2012 and ending May 31, 2015, inclusive.
- B. The Contract may be extended for a subsequent term(s) of one, two, or more years upon mutual agreement of both the City and the Contractor. It shall be the duty of the Contractor to notify the City within three months prior to the expiration of the Contract that such Contract is approaching its termination date. Upon receiving such notice, the City and Contractor shall negotiate any extensions to the Contract upon such terms as the parties may deem appropriate. Either party may independently decline to extend the contract for an additional term(s). Any amendments to the Contract shall be valid only if set forth in writing and signed by the parties hereto.

7. "6. PAYMENT" shall be deleted and replaced with the following:

**"6. PAYMENT"**

- A. The current service rates are hereby guaranteed for the term, June 1, 2012 through May 31, 2015. The Collector may approach the City for a rate increase at the beginning of the third year, June 1, 2014, subject to the approval of the City. The rates are as follows:

|                                    |                                |
|------------------------------------|--------------------------------|
| First Garbage Container:           | \$3.75 per month per residence |
| Each Additional Garbage Container: | \$1.50 per month per residence |
| Green Waste Container              | \$3.50 per month per residence |

- B. In the event that City implements recycling, the rates shall be implemented based on the participation rate approved by the City Council. The following service rates are hereby guaranteed for the term, June 1, 2012 through May 31, 2015. The Collector may approach the City for a rate increase at the beginning of the third year, June 1, 2014, subject to the approval of the City. The rates are as follows:

|                                             |                                |
|---------------------------------------------|--------------------------------|
| Mandatory Recycling (95-100% participation) | \$2.10 per month per residence |
| Opt-Out Recycling (60-94.9% participation)  | \$2.25 per month per residence |
| Opt-In Recycling (25-59.9% participation)   | \$3.50 per month per residence |

- C. Residents on many low traffic streets in the garbage collection area could feasibly place all containers on the same side of the road for collection. In the event that the City Council approves adjusting collection to same side of the street collection for all feasible streets, the service rate will be adjusted. The feasibility of same side collection for each street will be determined by mutual agreement of the City Manager or a designee of the manager and Steve Robinson or a designee of Steve Robinson. Although not all streets will be feasible for same side collection, upon implementation of same-side collection to all feasible streets, the following rates shall apply to all containers in the city, regardless of collection method:

|                                    |                                                       |
|------------------------------------|-------------------------------------------------------|
| First Garbage Container:           | \$3.00 per month per residence                        |
| Each Additional Garbage Container: | \$3.00 per month per residence                        |
| Green Waste Container              | \$3.00 per month per residence                        |
| Recycling                          | \$1.95 per month per residence (Mandatory or Opt Out) |

D. City agrees to pay Collector a fuel allowance per household per month, of 33% of the price of diesel over \$3.50 per gallon for Garbage Collection. City agrees to pay Collector a fuel allowance per household per month, of 16.5% of the price of diesel over \$3.50 per gallon for Recycling. City agrees to pay Collector a fuel allowance per household per month, of 22% of the price of diesel over \$3.50 per gallon for Green Waste. Diesel fuel prices used for this calculation are the monthly average of the published Department of Energy, Rocky Mountain region prices. If Collector reports the regular use of natural gas vehicles, the total fuel allowance shall be decreased by the percentage of natural gas vehicles reported. If City determines that Collector has failed to report the regular use of natural gas vehicles, or if City determines that Collector has underreported regular use of natural gas vehicles, there shall be no fuel allowance for the remainder of the contract term.

E. If the option for additional terms is exercised, the payment amount referred to above for such additional terms shall be negotiated by the Collector and the City. Such adjustments shall be made by written addendum to this contract.

F. Payment for services provided for herein shall be made by the City on or before the 15th day of each month for services rendered during the prior calendar month.

G. Collector may request in writing a modification of payment rates during the term of this contract if there has been a noticeable increase in operating expenses to the Collector and sufficient documentation is presented to substantiate the need for the increase. The City and the Collector shall negotiate disposition of the request.”

8. **“11. SUPERVISION BY CITY ADMINISTRATOR”** shall be amended to the following:  
**“11. SUPERVISION BY CITY MANAGER** All work, including points of collection, shall be carried out in accordance with the general directions of the City Manager or a designee of the City Manager; however, it is specifically understood and agreed that Collector is performing all work as an independent contractor, as herein stated, and that the City is not entitled to specify in detail the manner or method by which Collector shall perform the work provided for in connection with this Contract, except to the extent stated herein.”

9. **“20. EFFECTIVE DATE”** shall be amended to the following:

**“20. EFFECTIVE DATE**

The effective date of this Contract shall be July 1, 2012 notwithstanding the date of actual signing by the parties.

10. The following new Section 22 shall be inserted and added into the GCC as “**22.**

**ACCEPTANCE”**

“**21. ACCEPTANCE** “Acceptance” occurs only when all of the following have occurred: (a) Collector and City has signed the offer or counteroffer where noted to indicate acceptance; and (b) Collector and City has communicated to the other party or to the other party’s agent that the offer or counteroffer has been signed as required.”

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the GCC, including all prior addenda and counteroffers, these terms shall control. All other terms of the GCC including all prior addenda and counteroffers, not modified by this ADDENDUM shall remain the same.

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City Signature (Date) (Time)

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Collector Signature (Date) (Time)



# COUNCIL AGENDA

June 26, 2012

**Agenda Item “G”**

**Discussion regarding Administrative Title of the  
Syracuse City Code.**

***Factual Summation***

- Any questions regarding this item may be directed at City Attorney William Carlson.
- Please see attached documentation provided by William Carlson.



**Mayor**  
Jamie Nagle

**City Council**  
Brian Duncan  
Craig Johnson  
Karianne Lisonbee  
Douglas Peterson  
Larry D. Shingleton

## MEMORANDUM

**To:** Mayor and City Council  
**From:** City Attorney, William J. Carlson  
**Date:** June 26, 2012  
**Subject:** Discussion regarding Title Two of the Syracuse City Code

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### Background

On April 24, 2012 the City Attorney reported to the City Council that the Council's majority vote to recodify Title II was in error because four adjustments to mayoral power in the recodification required either a unanimous vote of the Council without the Mayor or a majority vote with the Mayor. In the months since, there has been discussion as to whether to attempt to pass a new version of the Title or to simply revert to the prior version.

On June 26, 2012 the City Attorney recommended passing the recodified version of Title II with any additional changes the Mayor and City Council felt were necessary. In an effort to simplify and expedite a discussion of necessary changes to Title II, the City Attorney requested that the city's elected and appointed officials submit suggestions of areas that may benefit from revision. Attached are the following documents:

1. A list of areas in Title II that may benefit from revision, submitted by elected and appointed City officials.
  2. Title I (old administrative title)
  3. Title II (draft administrative title)
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**ELECTED AND APPOINTED OFFICIALS’  
SUGGESTED REVISIONS TO TITLE II**

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1. Add the state statute’s appointment process for the Justice Court Judge. See lines 703 – 708.
2. A clear organizational structure/chain of command for the day to day operations of the City.
3. Make agenda subject to final authorization by Mayor. See lines 224 – 227.
4. Add 1-7-9 “Records Open to Inspection” to Title II. See Title I lines 448 – 450.
5. Add 1-8-5 “Pardons” to Title II. See Title I lines 512 -514.
6. Add 1-8-6 “May Suppress Disorder” to Title II. See Title I lines 515-516.
7. Add 1-8-8 “May Examine Records” to Title II. See Title I lines 520-521.
8. Add 1-7-13 “Additional Duties and Powers May Be Prescribed” to Title II. See Title I lines 466-468.
9. Add 1-9-11 “May Require Reports” to Title II. See Title I lines 607 – 609.
10. Further Clarification of role of City Attorney based on language in 1-14-3. See Title I lines 952 – 956.
11. Edit Section 2.01.040 as follows (see lines 90-103):

**2.01.040: INTERGOVERNMENTAL COOPERATION**

1. Information to City Council: ~~The Mayor, in conjunction with the City Manager, Department heads~~ shall provide such information concerning city finances, operations and procedures, as reasonably requested by the City Council and necessary for the City Council to fulfill its statutory duties, which are not privileged, private or confidential. Direct access to and communication with department

heads shall be available in a reasonable manner in aiding the City Council to fulfill its statutory duties.

2. Interference by Council Prohibited: No member of the City Council shall direct or request, except in writing, the appointment of any person to, or his removal from, office or to interfere in any way with the performance by the officers of their duties. The City Council shall, in compliance with norms and code of Conduct, not give orders to any subordinate of the Mayor either publicly or privately, but may make suggestions and recommendations.-

12. Edit Section 2.05.020 to include “term of office of all appointive officers shall be until the election next following their appointment and until their respective successors are chosen.” See lines 452 – 458.

13. Edit Section 2.05.080.5 as follows (see lines 546-550):

Checks. The City Treasurer, or other designated person, shall sign all checks prepared by the recorder and shall, prior to affixing said signature, determine or cause to be determined that sufficient funds are on deposit in the appropriate bank account of the City to honor such check.

14. Add a section for Community and Economic Development Director to Chapter 6 of Title II “Department Organization.”

15. Edit Section 2.06.030, 2.06.040 and 2.06.060 to include “Additional Duties. The [director] shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation.” See lines 687-692, 693-702, 709-711.

1 **TITLE I**

2 **ADMINISTRATIVE ORDINANCE**

3 **CHAPTER 1**

4 **CORPORATE NAME AND SEAL**

5 **1-1-1: Corporate Name**

6 **1-1-2: Corporate Seal**

7 **1-1-3: Form of Government**

8 **1-1-1:** **CORPORATE NAME.** The Corporate name of this municipal corporation shall be  
9 "Syracuse". However, to designate the municipal character of the corporation, the  
10 name may be stated "Syracuse, a municipal corporation".

11 **1-1-2:** **CORPORATE SEAL.** The corporate seal of Syracuse is described as follows: The  
12 impression is one and three-fourths inches in diameter, is inscribed in the outer circle  
13 "Syracuse City, Davis County, Utah", contains the words "Corporate Seal" in the  
14 center circle, and has a small star in the center of the seal. (1971)

15 **1-1-3:** **FORM OF GOVERNMENT.** Syracuse City shall be governed by a Six Member  
16 Council Form of Government according to Section 10-3-101 of Utah Code Annotated,  
17 1953, as amended. The Governing Body shall consist of six members, of which one  
18 is the Mayor, and five Councilmembers. The Mayor shall vote only in the case of a  
19 tie or in the appointment or dismissal of a City Administrator. (Ord. 06-24)  
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**CHAPTER 2**

**ORDINANCES**

- 1-2-1: Official Designation of Revised Ordinances**
- 1-2-2: Amendments**
- 1-2-3: Separability**
- 1-2-4: Enacting Clause of Ordinances**
- 1-2-5: Effective Date of Ordinances**
- 1-2-6: Footnotes and Appendix**

**1-2-1: OFFICIAL DESIGNATION OF REVISED ORDINANCES.** Upon adoption by the City Council, the ordinances of Syracuse, Utah, as compiled, revised, and herein set fourth are to be and shall be designated and referred to as the Revised Ordinances of Syracuse, Utah, 1971. Reference by number to any section of these Revised Ordinances shall refer not only to the section but also to the general penalty clause relating thereto. (1971)

**1-2-2: AMENDMENTS.** All ordinances adding to, deleting from, or altering any part of these Revised Ordinances shall constitute an amendment to these Revised Ordinances. (1971)

**1-2-3: SEVERABILITY.** If any section, subsection, sentence, clause, or phrase of these Revised Ordinances is for any reason held to be unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions or sections of these Revised Ordinances. (1971)

**1-2-4: ENACTING CLAUSE OF ORDINANCES.** The enacting clause of all ordinances of the city shall be in substantially the following form: "Be it ordained by the City Council of Syracuse, Utah." (1971)

**1-2-5: EFFECTIVE DATE.** Ordinances shall become effective 20 days after publication or posting or 30 days after final passage by the governing body, whichever is sooner, but Ordinances may become effective at an earlier or later date after publication or posting if so provided in the Ordinance, except that whenever a revision is made and the Revised Ordinances are published by authority of the City Council, no further publication shall be necessary, and it shall not be necessary to post or publish rules and regulations adopted by the City Council which are printed as a code in book form as long as three copies are available at the City Recorder's Office for use and examination by the general public.(1986)

**1-2-6: FOOTNOTES AND APPENDIX.** Footnotes and the appendix are for reference purposes only. (1971)

**1-2-7: PENALTY FOR VIOLATION OF ORDINANCE.** Unless otherwise specifically authorized by Statute, the governing body of the City may provide a penalty for the violation of any City Ordinance by a fine not over \$1,000.00, or by a term of imprisonment up to six months, or by both such fine and term of imprisonment. The governing body may prescribe a minimum penalty for the violation of any City Ordinance. (1986)

**CHAPTER 3**

**SAVING CLAUSE**

63

- 64 **1-3-1: Repeal of General Ordinance**
- 65 **1-3-2: Saver from Repeal**
- 66 **1-3-3: Effect of Repeal**

67 **1-3-1: REPEAL OF GENERAL ORDINANCES.** So far as the provisions of the Revised  
68 Ordinances of Syracuse, 1971, are the same in effect as those of previously existing  
69 Ordinances, they shall be construed as continuations thereof; but subject to the  
70 above limitations and provisions of the next Section; all Ordinances of this City  
71 heretofore in force are hereby repealed. (1971)

72 **1-3-2: SAVER FROM REPEAL.** All existing ordinances of this city that are contractual in  
73 character, including franchises, grants, and dedications; special tax ordinances;  
74 ordinances relating to bond issues; ordinances relating to boundaries and  
75 annexations; salary ordinances; ordinances establishing, naming or vacating streets,  
76 alleys or other public places; improvement ordinances; ordinances relating to  
77 elections; ordinances amending the Zoning Map and changing zones, but not  
78 changing regulations of zones; and all other ordinances of private, local or temporary  
79 nature, or of a special rather than general character are hereby expressly saved from  
80 repeal and shall remain in full force and issue. (1971)

81 **1-3-3: EFFECT OF REPEAL.** These Revised Ordinances shall not affect any act done, or  
82 right accrued, any penalty incurred, any suit, prosecution or proceeding pending, or  
83 the tenure of office of any person holding office at the time when it takes effect; nor  
84 shall the repeal of an ordinance hereby have the effect of reviving any ordinance  
85 theretofore repealed or superseded  
86 However, in any court proceeding, if any penalty, forfeiture or punishment be  
87 migrated by any provision of a new ordinance, such provision may be, by the consent  
88 of the party affected, applied to any judgement announced after the new ordinance  
89 takes effect. (1971)  
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**CHAPTER 4**

92

**DEFINITIONS AND RULES OF CONSTRUCTION**

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**1-4-1:**

**Definitions**

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**1-4-2:**

**Rules of Construction**

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**1-4-1:**

**DEFINITIONS.** In the construction of these Revised Ordinances and all ordinances amendatory thereof the following words and terms shall have the meaning herein ascribed to them, unless such definition or construction would be inconsistent with the manifest intent of the City Council or contrary to the context of the ordinance:

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**AGENT:** The word "agent" as used in these Revised Ordinances shall mean a person acting on behalf of another.

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**CITY:** The word "city" shall mean the City of Syracuse.

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**HIGHWAY:** The word "highway" shall include all roads, alleys, lanes, streets, courts, places, trails, and bridges laid out or erected as such by the public, or dedicated or abandoned to the public, or made such in actions for the partition of real property.

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**KNOWINGLY:** The word "knowingly" imports only a knowledge that the facts exist which bring the act or omission within the provisions of these Revised Ordinances. It does not require any knowledge of the unlawfulness of such an act or omission.

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**LICENSE:** The word "license" shall mean the permission granted for the carrying on of a business, profession, or occupation.

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**MALICE:** The term "malice", as well as "maliciously", imports a wish to vex, annoy, or injure another person, or an intent to do a wrongful act, established either by proof or by presumption of law.

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**MISDEMEANOR:** The word "misdemeanor" shall mean any offence in violation of the provisions of these Revised Ordinances. It is a lesser offence than a felony as defined by State Law.

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**MUNICIPALITY:** The word "municipality" unless otherwise indicated shall mean Syracuse City.

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**NEGLIGENT:** The word "negligent", as well as "neglect", "negligence", and "negligently", imports a want of such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.

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**OATH:** The word "oath" shall include an affirmation in all cases in which, by law, an affirmation may be substituted for an oath, and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

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**OCCUPANT:** The term "occupant" applied to a building or land shall include any person who occupies the whole or any part of such building or land whether alone or with others.

128 OFFENSE: The word "offense" shall mean any act forbidden by any provision of  
129 these Revised Ordinances or the omission of any act required by the provisions of  
130 these Revised Ordinances.

131 OFFICERS, ETC.: Officers, departments, commissions, boards, councils, and  
132 employees when referred to in these Revised Ordinances shall mean officers,  
133 departments, commissions, boards, councils, and employees of Syracuse City,  
134 unless the context clearly indicates otherwise.

135 OPERATOR: The word "operator" shall mean the person who is in charge of any  
136 operation, business, or profession.

137 OWNER: The word "owner" applied to a building or land shall include any part-  
138 owner, joint owners, tenant in common, joint tenant or lessee of the whole or of a part  
139 of such building or land.

140 PERSON: The word "person" shall include any firm, corporation, association,  
141 partnership, or any other form of association or organization.

142 PROPERTY: The word "property" shall include both real and personal property.

143 RETAILER: The word "retailer", unless otherwise specifically defined, shall be  
144 understood to relate to the sale of goods, merchandise, articles or things direct to the  
145 consumer.

146 STREET: The word "street" shall include all roads, alleys, lanes, highways, courts,  
147 places, squares, trails, bridges, and sidewalks laid out or erected as such by the  
148 public, or dedicated or abandoned to the public, or made such in action for the  
149 participation of real property.

150 WHOLESALER: The words "wholesaler" and "wholesale dealer" as used in these  
151 Revised Ordinances, unless otherwise specifically defined, shall be understood to  
152 relate to the sale of goods, merchandise, articles, or things in quantity to persons who  
153 purchase for the purpose of resale.

154 WILLFULLY: The term "willfully" when applied to the intent with which an act is done  
155 or omitted, implies simply a purpose or willingness to commit the act or make the  
156 omission referred to. It does not require any intent to violate law, or to injure another,  
157 or to acquire an advantage. (1971)

158 **1-4-2: RULES OF CONSTRUCTION.** In the construction of these Revised Ordinances and  
159 all ordinances amendatory thereof, the following rules shall apply except where such  
160 construction would be inconsistent with the manifest intent of the City council or  
161 contrary to the context of the ordinance.

162 GENDER: When any subject matter, party, or person is described or referred to by  
163 words importing the masculine, the feminine as well as the masculine, and  
164 associations and bodies as well as individuals, shall be deemed to be included.

165 NUMBER: The singular number shall include the plural and the plural the singular.

166 SHALL: The word "shall" is mandatory and not merely directory.

167 TENSE: The present tense shall include the future tense and the future tense shall  
168 include the present tense.

169 TIME: The time in which any act provided by law is to be done is computed by  
170 excluding the first day and including the last, unless the last is a holiday or a Sunday,  
171 and then it is also included. Whenever any act of a secular nature, other than a work  
172 of necessity or mercy, is appointed by law or contract to be performed upon a  
173 particular day, which day falls upon a holiday, such act may be performed upon the  
174 next succeeding business day with the same effect as if it had been performed upon  
175 the day appointed.

176 In all cases where any ordinance shall require any act to be done in a reasonable  
177 time or reasonable notice to be given, such reasonable time or notice shall be  
178 deemed to mean such time only as may be necessary for the prompt performance of  
179 such duty, or compliance with such notice. (1971)  
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**CHAPTER 5**

182

**PENALTY**

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**1-5-1: General Penalty Clause**

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**1-5-2: Liability of Employer and Agents**

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**1-5-3: Liability of Officers**

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**1-5-1:**

**GENERAL PENALTY CLAUSE.** In any case where there shall be a violation of any Section of these Revised Ordinances for which no specific penalty is provided, the person violating the same shall be deemed guilty of a Class B misdemeanor and for any one offence be punished by a fine in any sum not over \$1,000.00, or by imprisonment not to exceed six months, or by both such fine and imprisonment. A judgment that the defendant pay a fine under any of the provisions of these Revised Ordinances, or any other Ordinances hereafter enacted, may also direct that he pay all costs of the prosecution.

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Unless otherwise specified, a separate offense shall be deemed committed upon each day during or on which a breach or violation occurs or continues.

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In all cases where the same offense is made punishable or is created by different clauses or sections of these Revised Ordinances, the prosecuting officer may elect under which to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, however, that the revocation of a license or permit shall not be considered a recovery or penalty so as to bar any other penalty being enforced.

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The court may also impose a civil penalty for the unauthorized use of City property, including, but not limited to, the use of parks, streets, and other public grounds or equipment. Rules of civil procedure shall be substantially followed in the imposition of civil penalties. (1986)

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**1-5-2:**

**LIABILITY OF EMPLOYERS AND AGENTS.** When the provisions of these Revised Ordinances or the provisions of an ordinance prohibit the commission or omission of an act, not only the person actually doing the prohibited thing or omitting the direct act, but also the employer and all other persons concerned or aiding or abetting therein shall be guilty of the offense described and liable to the penalty prescribed for the offense.(1971

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**1-5-3:**

**LIABILITY OF OFFICERS.** No provision of these Revised Ordinances designating the duties of any officer or employee shall be construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the City Council to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty. (1971)

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CHAPTER 6

220

NOMINATIONS AND ELECTIONS

- 221 1-6-1: Elective Officers
- 222 1-6-2: Election Procedures
- 223 1-6-3: Primary Election
- 224 1-6-4: Declaration of Candidacy
- 225 1-6-5: Nomination by Petition
- 226 1-6-6: Time for Filing
- 227 1-6-7: List of Candidates Published
- 228 1-6-8: Sample Ballots to be Posted and Notice of Election Given
- 229 1-6-9: Candidates Eligible for Placement on Ballots
- 230 1-6-10: Qualifications of Electors
- 231 1-6-11: Combined Voting Districts
- 232 1-6-12: Election Judges
- 233 1-6-13: Canvass Returns of Elections--Certificates

234 1-6-1: **ELECTIVE OFFICERS.** On the Tuesday next following the first Monday in  
 235 November, 1991, and biennially thereafter, there shall be held an election to fill all  
 236 elective offices to be vacated in the City at 12:00 o'clock noon on the first Monday in  
 237 January following. In the year 1991, there shall be elected three Council Members  
 238 for a term of four years, and quadrennially thereafter. In the year 1993 there shall be  
 239 elected a Mayor and two Council Members for a term of four years, and  
 240 quadrennially  
 241 thereafter. The officers elected shall begin their terms of office at 12:00 o'clock noon  
 242 on the first Monday in January following their election and shall continue in the office  
 243 to which they were elected for four years. (1991)

244 1-6-2: **ELECTION PROCEDURES.** Elections for Mayor and Council Members shall be  
 245 conducted according to the Municipal Election Section of the Utah Code,  
 246 Reference  
 247 20-5-10(1). (1993)

248 1-6-3: **PRIMARY ELECTION.** This ordinance provides for a non-partisan election. A  
 249 primary election will only be held when the number of persons filing for office  
 250 exceeds twice the number to be elected. (1993)

251 1-6-4 **DECLARATION OF CANDIDACY.** A person may become a candidate for any  
 252 municipal office if that person is a registered voter and has resided within the City, or  
 253 in a recent annexed area, for 12 consecutive months immediately before the date of  
 254 the election.

255 Any Qualified person desiring to become candidates for mayor or member of the City  
 256 Council shall file with the City Recorder a Declaration of Candidacy in substantially  
 257 the following form:

258 I, \_\_\_\_\_, being first duly sworn, say that I reside at  
 259 \_\_\_\_\_, City of Syracuse, County of Davis, State of Utah, 84075,  
 260 Telephone No. \_\_\_\_\_; that I am a registered voter therein; that I am a  
 261 candidate for nomination to the office of \_\_\_\_\_ 263 for the term of  
 262

264 \_\_\_\_\_ years. I request that my name be printed upon the official primary  
265 ballot if a primary election for such office is held. If there is no primary for the office  
266 listed, I request that my name be printed on the November ballot.

267 (Signed)\_\_\_\_\_

268 Subscribed and sworn to (or affirmed) before me by \_\_\_\_\_, on  
269 the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

270 (Signed)\_\_\_\_\_

271 (Official designation of officer taking oath) (1997)

272 **1-6-5: NOMINATION BY PETITION.**

273 (A) Any registered voter who has lived in the City, or in a recently annexed area of  
274 the City, for 12 consecutive months immediately before the date of election may  
275 be nominated for municipal office by a petition filed with the City Recorder.  
276 Petition must be signed by at least 25 residents of the City who are 18 years of  
277 age or older and shall substantially conform with the following form:

278 NOMINATION PETITION

279 The undersigned residents of Syracuse City, being 18 years of age or older,  
280 hereby nominate \_\_\_\_\_ to the office of \_\_\_\_\_, for the (two  
281 or four-year term, whichever is applicable). The remainder of the petition shall  
282 contain lines (columns) for the signatures of persons signing the Petition, and  
283 their respective addresses and telephone numbers.

284 (B) If the Nomination Petition fails to state whether the nomination is for the two or  
285 four-year term, the nomination is deemed to be for the four-year term. (1997)

286 **1-6-6: TIME FOR FILING.** A candidate for office in the City shall file a Declaration of  
287 Candidacy or Nomination Petition substantially similar to those prescribed in Section  
288 1-6-4 or 1-6-5(A), with the City Recorder between July 15 and August 15 of any odd  
289 numbered year during office hours, but not later than 5 p.m. (1997)

290 **1-6-7: LIST OF CANDIDATES PUBLISHED.** Immediately after expiration of the period for  
291 filing a Declaration of Candidacy or Petition, the City Recorder shall cause the names  
292 of the candidates as they will appear on the ballot to be published in at least two  
293 successive publications of a newspaper with general circulation in the City. (1991)

294 **1-6-8: SAMPLE BALLOTS TO BE POSTED AND NOTICE OF ELECTION GIVEN.**

295 (A) The City Recorder, at least five days before each election, shall give written or  
296 printed notice of the date of election, the hours during which polls will be open,  
297 the polling places in each district, and the qualifications for persons to vote in the  
298 election. A copy of the notice and a sample ballot shall be posted in each voting  
299 district in at least five places by the registration agent. One such notice may be  
300 posted in a well-used public location in a nearby or adjacent district.

301 (B) The Recorder, in lieu of or in addition to posting, may immediately before the  
302 election publish the notice and sample ballot in one or more newspapers with  
303 general circulation in the City.

304 (C) If paper ballots are used, the City Recorder shall provide printed ballots for every  
305 municipal election. Official ballots shall be printed and in the possession of the  
306 Recorder at least four days before the election. Sample ballots shall be printed  
307 and in the possession of the Recorder seven days before the election. Sample  
308 ballots shall be printed in the same form as official ballots but upon paper of a  
309 different color, and they shall be made available for public inspection. Sample  
310 ballots shall be posted with instruction cards in the manner prescribed in Section  
311 20-5-53, Utah Code Annotated, 1953, as amended. (1991)

312 **1-6-9: CANDIDATES ELIGIBLE FOR PLACEMENT ON BALLOTS.**

313 (A) The two candidates' names who receive the highest number of votes for Mayor  
314 shall be placed upon the November municipal ballot for Mayor.

315 (B) The City Recorder shall certify twice the number of candidates as there are  
316 positions to be filled as eligible for election in the November municipal election  
317 from those receiving the greater number of votes in the primary election, and  
318 shall cause their names to be placed upon the November municipal election  
319 ballot.

320 (C) Any vacancy occurring after the primary election shall remain vacant on the  
321 November ballot. (1991)

322 **1-6-10: QUALIFICATIONS OF ELECTORS.** All qualified electors of the State who reside in  
323 the City of Syracuse and who are registered in a voting district within the City at the  
324 time of the election, are entitled to vote at such election. (1991)

325 **1-6-11: COMBINED VOTING DISTRICTS.**

326 (A) The governing body of the City, for purposes of an election, may combine regular  
327 County voting districts into one municipal election district if it designates the  
328 location and address of each such district.

329 (B) If only two districts are combined, the polling place shall be within the combined  
330 voting district or within one-half mile of the boundaries of the combined voting  
331 district.

332 (C) If more than two districts are combined, the polling place should be as near as  
333 practical to the middle of the combined district. (1991)

334 **1-6-12: ELECTION JUDGES.**

335 (A) At least 15 days before each election, the governing body shall appoint election  
336 judges and their alternates. Each judge and alternate shall be a registered voter  
337 of the City. No member of candidate's immediate family may serve as an  
338 election judge in that candidate's district. For purposes of this Section, any judge  
339 or alternate may administer oaths. The Recorder shall file a list containing the  
340 name, address, district, and telephone number (if any) of all persons appointed.  
341 The list shall be available in the Recorder's office for inspection and examination  
342 during business hours by any voter of the City who, if such voter desires, may  
343 make a copy of it.

344 (B) If paper ballots or an electronic voting system are used, the City shall appoint  
345 three judges for each election district and such alternate judges as the governing

346 body deems necessary.

347 (C) Each judge and alternate shall be issued a certificate under the Recorder's  
348 official seal certifying the appointments. The Certificate and an acceptance of  
349 appointment shall be mailed to each judge and alternate.

350 (D) Each election judge and alternate shall file an acceptance with the Recorder  
351 within seven days after receipt of the certificate of appointment. Failure to timely  
352 file an acceptance results in a vacancy. A vacancy shall be filled by an alternate  
353 or in the manner provided for an original appointment. (1991)

354 **1-6-13: CANVASS RETURNS OF ELECTIONS--CERTIFICATES.** On the Tuesday following  
355 any municipal election, the City Council must convene and publicly canvass the  
356 result, and issue certificates of to each person elected by a plurality of votes. When  
357 two or more persons have received an equal and highest number of votes for any  
358 one of the offices voted for, the candidate elected shall be determined as provided by  
359 law. Reasonable notice of the time and place for determination of the winner of the  
360 election shall be given each candidate. (1991)  
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362

**CHAPTER 7**

363

**OFFICERS**

- 364 **1-7-1: Eligibility of Officers**
- 365 **1-7-2: Term of Office of Mayor and Councilmen**
- 366 **1-7-3: Appointive Officers**
- 367 **1-7-4: Term of Office for Appointive Officers**
- 368 **1-7-5: Vacancies**
- 369 **1-7-6: Oath of Office**
- 370 **1-7-7: Bonds**
- 371 **1-7-8: Salaries**
- 372 **1-7-9: Records Open to Inspection**
- 373 **1-7-10: Expenditures to be Approved**
- 374 **1-7-11: Officers Not to Exceed Budget Appropriations**
- 375 **1-7-12: Officers Not to be Interested in Contracts or Accept favors**
- 376 **1-7-13: Additional Duties and Powers May Be Prescribed**
- 377 **1-7-14: Termination of Office**

378 **1-7-1: ELIGIBILITY OF OFFICERS.** No person not a qualified elector of Syracuse shall be  
 379 eligible to the office of Mayor, Councilman, Recorder, Treasurer, Marshal, or Justice  
 380 Court Judge, nor shall any person be eligible to any office who is a defaulter of the  
 381 corporation. (1971)

382 **1-7-2: TERM OF OFFICE OF MAYOR AND COUNCILMEN.** The Mayor and Councilman  
 383 shall enter upon their duties at 12:00 o'clock noon on the first Monday in January  
 384 next succeeding their election. The Mayor and each Councilman shall continue in  
 385 office for a term of four years, and in each case until a successor is duly elected and  
 386 qualified, unless otherwise provided. If any elective officer of Syracuse shall at any  
 387 time during his term of office remove from the limits of the City, his office shall  
 388 thereby become vacant. (1971)

389 **1-7-3: APPOINTIVE OFFICERS.** On or before the first Monday in February following a  
 390 municipal election the Mayor, with the advice and consent of the City Council, shall  
 391 appoint a qualified resident or nonresident to each of the offices of City Recorder,  
 392 City Treasurer and Police Chief.

393 The City Recorder shall be ex-official City Auditor and shall perform the duties of  
 394 such office.

395 The Mayor, with the advice and consent of the Council, may also appoint all officers  
 396 and agents deemed necessary for the government of the City as may be provided for  
 397 by law or ordinance, and in like manner fill all vacancies among the same, except as  
 398 otherwise provided by law. (Ord. 04-15)

399 **1-7-4: TERM OF OFFICE FOR APPOINTIVE OFFICERS.** Except as otherwise provided by  
 400 law, the term of office of all appointive officers shall be until the election next following  
 401 their appointment and until their respective successors are chosen and qualified,  
 402 unless they are sooner removed by the Mayor with the concurrence of a majority of  
 403 the members of the City Council, or by the City Council with the concurrence of the  
 404 Mayor. (1971)

405     **1-7-5:           VACANCIES.**

406                   (A) Mayor. Whenever a vacancy in the office of Mayor occurs, the City Council shall  
407                               elect a Mayor who shall serve until the next municipal election and until his  
408                               successor is elected and qualified.

409                   (B) Councilman. If any vacancy occurs in the office of Councilman, such vacancy  
410                               shall be filled for the unexpired term by appointment of the City Council.

411                   (C) Recorder, Treasurer, Marshal. If a vacancy shall occur in the office of Recorder,  
412                               Treasurer, or Marshal, the Mayor, by and with the consent of the City Council,  
413                               shall forthwith fill such vacancy by appointment for the unexpired term, and until  
414                               his successor is elected and qualified. (1990)

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416     **1-7-6:           OATH OF OFFICE.** All officers of Syracuse, whether elected or appointed, shall,  
417                               before entering upon the duties of their respective offices, take, subscribe, and file  
418                               the constitutional oath of office. (1971)

419     **1-7-7:           BONDS.** Every officer of Syracuse, whether elected or appointed, shall before  
420                               entering upon the duties of his office, execute a bond with good and sufficient  
421                               sureties, payable to the City, in such penal sum as may, by resolution or ordinance,  
422                               be directed, conditioned for the faithful performance of the duties of his office and the  
423                               payment of all moneys received by such officer according to law and the ordinances  
424                               of the City. The Treasurer's Bond shall be fixed at a sum not less than \$2,500.00.  
425                               The bonds of all other officers shall be approved by the City Council. The premium  
426                               charged by a corporate surety for any official bond shall be paid by the City. (1971)

427     **1-7-8:           SALARIES.** The elective and appointive officers shall receive such compensation for  
428                               their services as the Mayor and City Council may fix by ordinance adopting  
429                               compensation or compensation schedules enacted after public hearing.

430                   (A) Upon its own motion the City Council may review or consider the compensation  
431                               of any officer or officers of the City or a salary schedule applicable to any officer  
432                               or officers of the City for the purpose of determining whether or not it should be  
433                               adopted, changed, or amended, it shall set a time and place of a public hearing  
434                               at which all interested persons shall be given an opportunity to be heard.

435                   (B) Notice of the time, place, and purpose of the meeting shall be published at least  
436                               seven days prior thereto by publication in at least one issue of a newspaper  
437                               published in the County within which the City is situated and generally circulated  
438                               in the City.

439                   (C) After the conclusion of the public hearing, the Mayor and City Council may enact  
440                               an ordinance fixing, changing, or amending the compensation of any elective or  
441                               appointive officer of the City or adopting a compensation schedule applicable to  
442                               any officer or officers.

443                   (D) The compensation of all City officers shall be paid at least monthly out of the City  
444                               Treasury as follows:

445                                               Mayor:                         \$837.00 per month  
446                                               City Councilmember     \$382.50 per month. (1971) (Ord. 07-10)  
447                                               (Ord. 09-07)

- 448 **1-7-9: RECORDS OPEN TO INSPECTION.** All records, books, papers, and documents  
449 belonging to any office of the City shall be open at any time to inspection by the  
450 Mayor or any member of the Council. (1971)
- 451 **1-7-10: EXPENDITURES TO BE APPROVED.** No purchase shall be made and no  
452 indebtedness incurred by any officer or employee of this City without approval and  
453 order of the City Recorder or of some other person duly authorized and  
454 commissioned by the City Council to act as purchasing agent for the City. (1971)
- 455 **1-7-11: OFFICERS NOT TO EXCEED BUDGET APPROPRIATIONS.** No City officer shall  
456 make or incur expenditures or encumbrances in excess of total appropriation for any  
457 department in the budget as adopted or as subsequently amended. Any obligation  
458 that is so contracted by any such officer shall be and become the obligation of the  
459 officer himself and shall not be or become valid or enforceable against the City.  
460 (1971)
- 461 **1-7-12: OFFICERS NOT BE INTERESTED IN CONTRACTS OR ACCEPT FAVORS.** No  
462 officer of the City shall be directly or indirectly interested in any contract, work, or  
463 business, or in the sale of any article, the expense, price, or consideration of which is  
464 paid from the City Treasury or in any other consideration or favor as provided by  
465 Section 10-6-38 of the Utah Code Annotated, 1953. (1971)
- 466 **1-7-13: ADDITIONAL DUTIES AND POWERS MAY BE PRESCRIBED.** The duties, powers  
467 and privileges of all officers in any way connected with the City government not  
468 herein defined shall be defined by the City Council. (1971)
- 469 **1-7-14: TERMINATION OF OFFICE.** Every officer and employee of the City, upon the  
470 expiration of his term for any cause whatsoever, shall, within five days after  
471 notification and request, deliver to his successor all books and records which may be  
472 the property of the City. (1971)  
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474

**CHAPTER 8**

475

**MAYOR**

- 476 **1-8-1: Chief Executive of City**
- 477 **1-8-2: Presiding Officer of Council**
- 478 **1-8-3: Appointment Officer of Council**
- 479 **1-8-4: Budget Officer**
- 480 **1-8-5: Pardons**
- 481 **1-8-6: May Suppress Disorder**
- 482 **1-8-7: May Require Aid**
- 483 **1-8-8: May Examine Records**
- 484 **1-8-9: General Duties**
- 485 **1-8-10: Mayor Pro Tempore**

486 **1-8-1: CHIEF EXECUTIVE OF CITY.** The Mayor shall be the Chief Executive of Syracuse.  
 487 (1971)

488 **1-8-2: PRESIDING OFFICER OF COUNCIL.** The Mayor shall be the chairperson and shall  
 489 preside at all meetings of the Governing Body. The Mayor shall not vote except in  
 490 case of a tie vote of the City Council, the appointment or dismissal of the City  
 491 Administrator, or as otherwise provided by law. The Mayor shall from time to time  
 492 give the Council information concerning the affairs of the City and shall recommend  
 493 for their consideration such measures as the Mayor may deem expedient. The  
 494 Mayor may call a special meeting of the City Council by giving notice of it to each of  
 495 the members of the Council in accordance with the Utah Open Meetings Act, as set  
 496 forth in Utah Code Ann. §§ 52-4-101, et seq., as amended. (1971) (Ord. 06-24)

497 **1-8-3: APPOINTMENTS BY MAYOR.** On or before the first Monday in February following a  
 498 municipal election, the Mayor, with the advice and consent of the City Council, shall  
 499 appoint a qualified resident or nonresident to each of the offices of City Recorder,  
 500 City Treasurer and City Marshal.

501 The Mayor, with the advice and consent of the City Council, shall appoint all  
 502 Department Heads.

503 The Mayor, with the advice and consent of the Council, may also appoint all such  
 504 officers and agents as may be provided for by law or ordinance, and in like manner fill  
 505 all vacancies among the same. (Ord. 04-15) (Ord. 06-24)

506 **1-8-4: BUDGET OFFICER.** The Mayor shall be the budget officer of the City, or he may  
 507 appoint, with the approval of the City Council, some other person to exercise the  
 508 function of the budget officer. On or before May 1st of every year, the budget officer  
 509 shall prepare for the ensuing budget year, on forms provided by the State Auditor,  
 510 and file with the City Council a tentative budget for each fund for which a budget may  
 511 be required. (1971)

- 512 **1-8-5:** **PARDONS.** The Mayor may remit fines and forfeitures and release any person  
513 imprisoned for violation of any City ordinance, but he shall report any such remission  
514 or release with the reasons therefor to the City Council at its next season. (1971)
- 515 **1-8-6:** **MAY SUPPRESS DISORDER.** The Mayor may exercise within the City limits the  
516 power to suppress disorder and keep the peace. (1971)
- 517 **1-8-7:** **MAY REQUIRE AID.** The Mayor may when necessary call upon every male  
518 inhabitant of the City over the age of 21 years to aid in enforcing the laws and  
519 ordinances and in suppressing riots and other disorderly conduct. (1971)
- 520 **1-8-8:** **MAY EXAMINE RECORDS.** The Mayor may at any time examine and inspect the  
521 books, records, and papers of any officer of, or agent employed by the City. (1971)
- 522 **1-8-9:** **GENERAL DUTIES:** The Mayor shall perform all other duties prescribed by law or  
523 ordinance and shall see that the laws and ordinances are faithfully executed. (1971)
- 524 **1-8-10:** **MAYOR PRO TEMPORE.** In the absence of the Mayor or because of his or her  
525 inability or refusal to act, the City Council shall elect one of its number to preside over  
526 the meeting and to act as Mayor Pro Tempore. During such absence or disability of  
527 the Mayor, the Mayor Pro Tempore shall possess the powers and duties of Mayor.  
528 Any member of the City Council elected as Mayor Pro Tempore shall retain his or her  
529 power and authority as a member of the City Council and shall be entitled to vote as  
530 a member of the City Council on all matters. The City Council may annually  
531 designate the Mayor Pro Tempore and two additional persons, in specific order of  
532 succession, as emergency interim successors to act in the absence of the Mayor.  
533 (1992) (Ord. 06-24)  
534

535

**CHAPTER 9**

536

**CITY COUNCIL**

- 537 **1-9-1: Legislative and Governing Body**
- 538 **1-9-2: Powers and Duties**
- 539 **1-9-3: Regulation of Offices and Departments**
- 540 **1-9-4: Ordinances**
- 541 **1-9-5: Regular Meetings**
- 542 **1-9-6: Special Meetings**
- 543 **1-9-7: Quorum**
- 544 **1-9-8: Rules; Expulsion of Members**
- 545 **1-9-9: Action on Committee Reports**
- 546 **1-9-10: Election Responsibilities**
- 547 **1-9-11: May Require Reports**
- 548 **1-9-12: Consideration of Claims**
- 549 **1-9-13: Audit of Accounts**
- 550 **1-9-14: Adoption of Budget**
- 551 **1-9-15: Annual Property Tax Levy**
- 552 **1-9-16: Right to Make Improvements**

553 **1-9-1: LEGISLATIVE AND GOVERNING BODY.** The Mayor and City Council shall be the  
 554 legislative and governing body of the City of Syracuse. (1971)

555 **1-9-2: POWERS AND DUTIES.** The Mayor and City Council, as the legislative and  
 556 governing body, shall have, exercise, and discharge all the rights, powers, privileges,  
 557 and authority conferred by the laws of the State of Utah upon cities of the third class,  
 558 and shall perform all duties that may be required of them by law. (1971)

559 **1-9-3: REGULATION OF OFFICES AND DEPARTMENTS.** The City Council shall have  
 560 power to formulate and adopt by ordinance or resolution all necessary rules and  
 561 regulations, not in conflict with these ordinances or with the laws of the State of Utah,  
 562 prescribing the duties of officers and employees, including the management of the  
 563 respective offices and departments, and for this purpose may divide the work of the  
 564 City into departments with each Councilman having responsibility for a particular  
 565 department or departments assigned to him. (1971)

566 **1-9-4: ORDINANCES.** The City Council may pass all ordinances and rules, and make all  
 567 regulations, not repugnant to law, necessary for carrying into effect or discharging all  
 568 powers and duties conferred by law, and such as are necessary and proper to  
 569 provide for the safety and preserve the health, and promote the prosperity, improve  
 570 the morals, peace and good order, comfort and convenience of the City and the  
 571 inhabitants thereof, and for the protection of property therein; and may enforce  
 572 obedience to such ordinances with such fines or penalties as they may deem proper;  
 573 provided, that the punishment of any offense shall be by fine in any sum less than  
 574 \$300.00 or by imprisonment not to exceed six months, or by both such fine  
 575 imprisonment. (1971)

576 The concurrence of a majority of the members elected shall be necessary to the  
 577 passage of any ordinance or proposition. When there are an even number of  
 578 members the consent or concurrence of one-half of the members shall be sufficient  
 579 to confirm an appointment or concur in the removal of an appointive officer. The

580 yeas and nays shall be taken upon the passage of all ordinances and all propositions  
581 to create any liability against the City, and in all other cases at the request of any  
582 member of the Council, which shall be entered upon the journal of its proceedings.  
583 (1971)

584 **1-9-5: REGULAR MEETINGS.** Any two members of the Council or the Mayor may call a  
585 special meeting of the City Council by giving notice of it to each of the members of  
586 the Council, served personally or left at his usual place of abode. No vote of the City  
587 Council shall be reconsidered or rescinded at a special meeting, unless at such  
588 special meeting there is present as large a number of members as were present  
589 when such vote was taken. (1971)

590 **1-9-7: QUORUM.** The majority of the City Council shall constitute a quorum to do business;  
591 but a smaller number may adjourn from time to time, and are hereby empowered to  
592 compel the attendance of an absent member. Should any member of the City  
593 Council, when notified by the City Marshal or other proper authority that his presence  
594 is necessary to form a quorum (unless he shall present an excuse satisfactory to the  
595 Council at its next regular meeting), or should any member leave the Council when in  
596 session without the consent of the Council when such leaving would break the  
597 quorum, he may be fined in any sum not exceeding \$50.00. (1971)

598 **1-9-8: RULES; EXPULSION OF MEMBERS.** The City Council shall determine its own  
599 rules of proceedings, may punish its members for disorderly conduct, and with the  
600 concurrence of two-thirds of the members may expel a member for cause. (1971)

601 **1-9-9: ACTION ON COMMITTEE REPORTS.** Any report of a committee of the City Council  
602 shall by request of any two members be deferred for final action thereon to the next  
603 regular meeting after the report is made. (1971)

604 **1-9-10: ELECTION RESPONSIBILITIES.** The City Council shall appoint judges of election,  
605 designate the places of voting, canvass the result, and issue certificates of election to  
606 each person elected. (1971)

607 **1-9-11: MAY REQUIRE REPORTS.** The City Council may require from every officer of the  
608 City at any time a report in detail of all transactions in his office or any matters  
609 connected therewith. (1971)

610 **1-9-12: CONSIDERATION OF CLAIMS.** It shall be the duty of the City Council to carefully  
611 examine all claims presented against the City.

612 **1-9-13: AUDIT OF ACCOUNTS:** It shall be the duty of the City Council to at least biennially  
613 have made by or under the immediate direction and supervision of a competent  
614 accountant not in the hire of the City a complete audit of the accounts of all officers  
615 having the care, management, collection or disbursement of moneys belonging to the  
616 City or appropriated by law or otherwise acquired for the City's use and benefit.  
617 Such audits shall be made in accordance with the uniform classification of accounts  
618 as provided by law. Such audit for any fiscal year shall be completed not less than  
619 six calendar months after the close of such fiscal year. All audit reports so made  
620 shall be filed and preserved by the City Council and copies thereof shall be filed with  
621 the State Auditor. Copies of such audits shall be open to inspection by any  
622 interested person or persons wherever filed. (1971)

623  
624 **1-9-14: ADOPTION OF BUDGET.** On or before June 30th of each year, the City Council

625 shall by resolution adopt a budget for the ensuing fiscal year. (1971)

626 **1-9-15:** **ANNUAL PROPERTY TAX LEVY.** Not later than the second Monday in August of  
627 each year, the City Council at a regular meeting thereof shall, by resolution, levy  
628 taxes on the real and personal property within the City made taxable by law for the  
629 various municipal purposes. (1971)

630 **1-9-16:** **RIGHT TO MAKE IMPROVEMENTS.** The City Council shall have the right to make  
631 improvements within the City, subject to the conditions established by law regulating  
632 such improvements. To defray the cost and expense of such improvements, the City  
633 Council may levy by ordinance special taxes and assessments upon property which  
634 may be affected or specially benefited by such improvements. (1971)  
635

636

**CHAPTER 10**

637

**RECORDER**

- 638 **1-10-1: Duty to Keep Records**
- 639 **1-10-2: Countersign Contracts**
- 640 **1-10-3: Accounts and Payment of Claims**
- 641 **1-10-4: Ex Officio Auditor**
- 642 **1-10-5: Financial Statements**
- 643 **1-10-6: Annual Report**
- 644 **1-10-7: Publication of Annual Statement of Financial Condition**
- 645 **1-10-8: Certification of Annual Property Tax Levy**
- 646 **1-10-9: General Duties**

647 **1-10-1: DUTY TO KEEP RECORDS.** The City Recorder shall keep a record of the  
 648 proceedings of the City Council, whose meetings it shall be his duty to attend. He  
 649 shall accurately record all ordinances and resolutions passed by the City Council in a  
 650 book kept for that purpose; he shall certify to the publication or posting of all  
 651 ordinances and retain the affidavits of publication or posting; and he shall attest all  
 652 papers signed by the Mayor officially. He shall also keep, in a book provided for that  
 653 purpose, the names of persons elected or appointed to Commissions and Boards,  
 654 together with the dates on which they entered upon the duties of their respective  
 655 offices and the date of their resignation or removal thereon. He shall keep the  
 656 corporate seal and all papers and records of the City. Copies of all papers filed in his  
 657 office and transcripts from all records of the City evidence in all courts as if the  
 658 originals thereof were produced. (1971)

659 **1-10-2: COUNTERSIGN CONTRACTS.** The City Recorder shall countersign all contracts  
 660 made on behalf of the City, and every contract made on behalf of the City or to which  
 661 the City is a party shall be void unless signed by the Recorder. He shall maintain a  
 662 record of all contracts, properly indexed, which record shall be open to the inspection  
 663 of all interested persons. (1971)

664 **1-10-3: ELECTIONS.** The City Recorder shall cause to be prepared all notices, ballots, and  
 665 election supplies necessary in connection with municipal elections. (Ord. 07-01)

666 **1-10-4: GENERAL DUTIES.** The City Recorder shall perform such other duties as may be  
 667 required by City ordinance or State law. (1971)  
 668

669

CHAPTER 11

670

TREASURER

- 671 1-11-1: **Budget Officer**
- 672 1-11-2: **Receive Money and Keep Accounts**
- 673 1-11-3: **Receipts for payments**
- 674 1-11-4: **Signing Checks**
- 675 1-11-5: **Payment of Warrants**
- 676 1-11-6: **Special Assessments**
- 677 1-11-7: **Misuse of Funds**
- 678 1-11-8: **General Duties**

679 1-11-1: **BUDGET OFFICER.** The City Treasurer shall serve as Budget Officer for the City  
 680 and shall perform, or cause to be performed, all of the duties of such office as set  
 681 forth in the Uniform Municipal Fiscal Procedures Act, together with such other duties  
 682 as the Council may from time to time, by Resolution, designate. (2006)

683 1-11-2: **RECEIVE MONEY AND KEEP ACCOUNTS.** The City Treasurer shall be custodian  
 684 of all money, bonds or other securities belonging to the City. He shall receive all  
 685 money payable to the City, including all taxes, licenses and fines, and keep an  
 686 accurate detailed account thereof. He shall collect all special taxes and assessments  
 687 as provided by law and ordinance. (1971)

688 1-11-3: **RECEIPTS FOR PAYMENTS.** The City Treasurer shall give or cause to be given to  
 689 every person paying money to the City Treasury a receipt or other evidence of  
 690 payment therefor, specifying the date of payment and upon what account paid, and  
 691 shall file the duplicate of such receipt or other evidence of payments in the office of  
 692 the City Recorder. (1971)

693 1-11-4: **SIGNING CHECKS.** The Treasurer or such other person or persons as the City  
 694 Council may by resolution designate shall sign all checks prepared by the Recorder.  
 695 Prior to affixing said signatures, the City Treasurer or such other person shall  
 696 determine that sufficient funds are on deposit in the appropriate bank accounts of the  
 697 City to honor such check. The Treasurer shall make provision for payment of all  
 698 warrants issued before signing any subsequently issued checks. (1971)

699 1-11-5: **PAYMENT OF WARRANTS.** The Treasurer shall pay all warrants in the order in  
 700 which presented and as money becomes available for payment thereof in the  
 701 appropriate funds of the City. The Treasurer shall note upon the back of each  
 702 warrant presented to him the date of presentation and the date of payment. (1971)

703 1-11-6: **SPECIAL ASSESSMENTS.** All money received by the Treasurer on any special  
 704 assessments shall be applied to the payment of the improvement for which the  
 705 assessment was made. Such money shall be used for the payment of interest and  
 706 principal on bonds or other indebtedness issued in settlement thereof, and shall be  
 707 used for no other purpose, except as otherwise provided by law. (1971)

708 1-11-7: **MISUSE OF FUNDS.** The Treasurer shall keep all money belonging to the City  
 709 separate and distinct from his own money and shall promptly make deposit thereof in  
 710 the appropriate bank accounts of the City. Whenever it shall appear to the City  
 711 Council that the Treasurer is making profit out of public money or is using the same

712 for any purpose not authorized by law, it shall suspend him from office. Upon his  
713 conviction for such offense his office shall become vacant. (1971)

714 **1-11-8:** **GENERAL DUTIES.** The Treasurer shall perform such other duties as may be  
715 required by City ordinance or State law. (1971)  
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717

**CHAPTER 12**

718

**MARSHAL**

- 719 **1-12-1: Duties of Marshal**
- 720 **1-12-2: Police Department**
- 721 **1-12-3: Right of Arrest**
- 722 **1-12-4: Register of Arrests**
- 723 **1-12-5: Contract with County**

724 **1-12-1: DUTIES OF MARSHAL.** The City Marshal shall, under the direction of the City  
 725 Council, direct and control the police of the City, and whenever the interests of the  
 726 City demand, by and with the consent of the Mayor, shall appoint such number of  
 727 special policemen as may be required. He shall suppress riots, disturbances and  
 728 breaches of the peace, and apprehend all persons committing any offense against  
 729 the laws of the State or the ordinances and regulations of the City for the  
 730 preservation and property of all persons. (1971)

731 **1-12-2: POLICE DEPARTMENT.** There is hereby created a Police Department for Syracuse  
 732 which shall consist of the City Marshal, who shall be ex officio Chief of Police, and  
 733 such other officers and members as may be provided for by the Mayor and City  
 734 Council. It shall be the duty of the members of the Police Department of this City at  
 735 all times to preserve the public peace, prevent crime, detect and arrest offenders,  
 736 suppress riots, protect persons and property, remove nuisances existing in the public  
 737 streets, roads and highways, enforce every law relating to the suppression offences,  
 738 and perform all duties enjoined upon them by ordinance. (1971)

739 **1-12-3: RIGHT OF ARRESTS.** The Marshal and the members of the Police Department  
 740 shall have power and authority, without process, to arrest and take into custody any  
 741 person who shall commit or threaten to attempt to commit in the presence of such  
 742 police officer, or within his view, any breach of the peace, or any offense directly  
 743 prohibited by the laws of this State, or by City ordinance

744 **1-12-4: REGISTER OF ARRESTS.** The Chief of Police shall provide and cause to be kept a  
 745 register of arrests. Upon such register there shall be entered a statement showing  
 746 the date of arrest, the name of the person arrested, the name of the officer making  
 747 the arrest and the offense charged. (1971)

748 **1-12-5: CONTRACT WITH COUNTY.** In lieu of appointing a City Marshal and/or creating  
 749 and staffing a Police Department, the City Council may, by ordinance, approve and  
 750 enter into a Contract with Davis County for the County Sheriff's Department to  
 751 perform the duties of the City Marshal and Police Department. (1971)

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CHAPTER 13

754

JUSTICE COURT JUDGE

- 755 1-13-1: Powers And Duties
- 756 1-13-2: Jurisdiction
- 757 1-13-3: Procedure
- 758 1-13-4: Authority of Justice Court Judge
- 759 1-13-5: Residence - Place and Holding Court
- 760 1-13-6: Docket To Be Kept - Entries Required
- 761 1-13-7: Monthly Reports to Court Administrator and City
- 762 1-13-8: Delivery of Docket and Papers to Successor
- 763 1-13-9: Required Annual Training - Expenses - Failure to Attend
- 764 1-13-10: Term of Office For City Justice Court Judge - Vacancy - Report to Court Administrator
- 765
- 766 1-13-11: Determination of Compensation - Limits on Secondary Employment
- 767 1-13-12: Justice Court Judge to be Appointed - Procedure - Report to Judicial Council - Retention Election - Vacancy
- 768
- 769 1-13-13: Temporary Justice Court Judge
- 770 1-13-14: Eligibility for Office of Justice - Retirement - Service After Retirement
- 771 1-13-15: Amendment of Title of Judge of Justice Court

772 1-13-1: **POWERS AND DUTIES.** The Judge of the Justice Court of the City shall have and exercise all those powers and perform all those duties which may be accorded to him and be imposed upon him by the laws of the State of Utah or the Ordinances of this City. (1990)

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776 1-13-2: **JURISDICTION.** The City Justice Court shall have exclusive original jurisdiction of cases arising under or by reason of the violation of any Ordinance of the City, and shall have the same powers and jurisdiction as Judges of Justice Courts in all other actions, civil and criminal. (1990)

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780 1-13-3: **PROCEDURE.** In conducting his Court, exercising his powers, and performing his duties, the Judge of the City Justice Court shall adhere to and follow the rules of civil procedure, the code of criminal procedure, and the rules of evidence as set forth and contained in these Revised Ordinances and in Utah Code Annotated, 1953, as amended, and other applicable State Statutes, as the same may be amended from time to time. All criminal actions arising under City Ordinances shall be tried and determined without a jury unless imprisonment may be made part of the penalty, but any demand by the defendant for a jury trial, to be effective, must be made before the day set for the commencement of the trial. (1990)

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789 1-13-4: **AUTHORITY OF JUSTICE COURT JUDGE.** The City Justice Court Judge shall:

790 (A) Have the same authority regarding matters within his jurisdiction as Judges of

791 Courts of record;

792 (B) Issue search warrants and warrants of arrest upon a finding of probable cause;

793 and

794 (C) Conduct proceedings to determine probable cause for any case within his

795 jurisdiction, and an accused person's release on bail or his own recognizance.

796 (1990)

797 **1-13-5 RESIDENCE – PLACE OF HOLDING COURT.** The City Justice Court Judge shall  
798 reside within Davis County and shall hold court in Syracuse City, except that he may  
799 hold Court at the County or City Jail as directed by the City governing body. (Ord. 02-  
800 22

801 **1-13-6: DOCKET TO BE KEPT - ENTRIES REQUIRED.** The Judge of the City Justice Court  
802 shall keep a book denominated as a "Docket" in which he shall enter a record of all  
803 proceedings in his Court, and shall enter in said Docket the information required by  
804 Section 78-5-121, Utah Code Annotated, 1953, as well as other matters considered  
805 pertinent and necessary in connection with any action handled by him, and shall  
806 keep or cause to be kept an alphabetical index to the names of the parties to each  
807 judgment entered therein by the first letter of the family surname and with a reference  
808 to the page of entry. (1990)

809 **1-13-7: MONTHLY REPORTS TO COURT ADMINISTRATOR AND CITY**  
810 (A) The City Justice Court Judge shall file monthly with the State Court Administrator  
811 a report of the judicial business of the Judge. The report shall be on forms  
812 supplied by the State Court Administrator.

813 (B) The report shall state the number of criminal and small claims actions filed, the  
814 dispositions entered, and other information as specified in the forms.

815 (C) A copy of the report shall be furnished by the Justice Court Judge to the City.  
816 (1990)

817 **1-13-8: DELIVERY OF DOCKET AND PAPERS TO SUCCESSOR.** The City Justice Court  
818 Judge, upon the expiration of his term of office, shall deposit with his successor his  
819 dockets and all papers filed in his office and also those of his predecessors or any  
820 others in his custody. The dockets and papers shall be kept as public records.  
821 (1990)

822 **1-13-9: REQUIRED ANNUAL TRAINING - EXPENSES - FAILURE TO ATTEND**  
823 (A) Prior to assuming office the City Justice Court Judge shall attend an orientation  
824 seminar conducted under the direction of the Judicial Council, completion to be  
825 evidenced by a Certificate awarded by the Council. Failure to obtain the  
826 Certificate disqualifies the person for office and renders the office vacant.

827 (B) The City's Justice Court Judge shall attend the continuing education conducted  
828 under the supervision of the Judicial Council each calendar year and successfully  
829 complete the same.

830 (C) The City shall assume the expenses of travel, meals, and lodging for the Judge  
831 to attend education and training seminars conducted by the Judicial Council.  
832

833 (D) If the City Justice Court Judge shall fail to obtain a Certificate for two consecutive  
834 years, he may be removed from office for cause under this Section. (1990)

835 **1-13-10: TERM OF OFFICE FOR CITY JUSTICE COURT JUDGE - VACANCY - REPORT**  
836 **TO COURT ADMINISTRATOR.**

837 (A) The term of office of the City Justice Court Judge is four years, beginning the first

838 Monday in February, 1992. The Judge holding office when this Ordinance takes  
839 effect or appointed to fill any vacancy shall hold office until reappointed or a  
840 successor is appointed and certified by the Judicial Council.

841 (B) If a vacancy occurs in the office of the City Justice Court Judge prior to the  
842 completion of his term of office, the appointing authority may fill the vacancy by  
843 appointment for the unexpired term under Section 78-5-134, Utah Code  
844 Annotated, 1953, as amended.

845 (C) When there is a vacancy in the office of the City Justice Court Judge, the City  
846 may contract with a Justice Court Judge of the County, an adjacent County, or a  
847 City within those Counties for judicial services. The contract shall be for the  
848 same term as the term of office of the Judge whose services are replaced by the  
849 contract.

850 (D) The governing body of the City shall notify the Office of the State Court  
851 Administrator in writing of the appointment, resignation, or the contractual  
852 agreement for services of a Judge under this Section within 30 days after the  
853 fact. (1990)

854 **1-13-11: DETERMINATION OF COMPENSATION - LIMITS ON SECONDARY**  
855 **EMPLOYMENT.**

856 (A) The City Justice Court shall be paid a fixed compensation established by  
857 Resolution of the City Council, taking into consideration recommendations of the  
858 Office of the State Court Administrator as provided in Section 78-5-128, Utah  
859 Code Annotated, but in no case shall such salary be an amount greater than  
860 75% of the salary of a Circuit Court Judge.

861 (B) The compensation shall be comprised of a monthly salary and shall be computed  
862 upon the number of hours, days, or other periods of time that the Justice Court  
863 Judge is to be available to perform all judicial functions. Such salary shall be  
864 reviewed annually and may be adjusted as needed. The salary fixed for the City  
865 Justice Court Judge may not be diminished during the term for which the Judge  
866 has been appointed. A copy of the Resolution, Ordinance, or other documents  
867 fixing the salary and any adjustments thereof shall be furnished by the City to the  
868 State Court Administrator.

869 (C) The City Justice Court Judge may not appear as an attorney in any criminal  
870 matter in a Federal, State, or Justice Court or appear as an attorney in any  
871 Justice Court or in any Juvenile Court case involving conduct which would be  
872 criminal if committed by an adult.

873 (D) The City Justice Court Judge may not hold any office or employment including  
874 contracting for services in any justice agency of State government or any political  
875 subdivision of the State, including law enforcement, prosecution, criminal  
876 defense, corrections, or Court employment.

877 (E) The City Justice Court Judge may not hold any office in any political party or  
878 organization engaged in any political activity or serve as an elected official in  
879 State Government or any political subdivision of the State.

880 (F) The City Justice Court Judge may not own or be employed by any business

- 881 entity which regularly litigates in Small Claims Court.
- 882 (G) Any Judge who violates this Section may be subject to removal by the Judicial  
883 Conduct Commission under Section 78-7-28 of the Utah Code Annotated. (1990)
- 884 **1-13-12: JUSTICE COURT JUDGE TO BE APPOINTED - PROCEDURE - REPORT TO**  
885 **JUDICIAL COUNCIL - RETENTION ELECTION - VACANCY.**
- 886 (A) The City Justice Court Judge shall be appointed by the Mayor and be confirmed  
887 by the City Council.
- 888 (B) When a vacancy occurs in the office of the Justice Court Judge, the governing  
889 body shall advertise the vacancy and solicit applications for the vacancy. The  
890 applications shall be reviewed and the Mayor shall appoint the best qualified  
891 candidate to office based solely upon fitness for office.
- 892 (C) The name of the appointee shall be submitted to the City Council. If the City  
893 Council does not confirm the appointment within 30 days of submission, the  
894 Mayor may either appoint another of the applicants or reopen the vacancy by  
895 advertisement and solicitations of applicants.
- 896 (D) After a newly appointed Justice Court Judge has been confirmed by the City  
897 Council, the Judge's name shall be reported to the Judicial Council. The Judicial  
898 Council shall certify the Judge upon successful completion of the orientation  
899 program. A Justice Court Judge may not perform judicial duties until so certified  
900 by the Judicial Council.
- 901 (E) At the conclusion of a term of office the appointing authority may reappoint the  
902 incumbent Justice Court Judge if that Judge has been certified as meeting the  
903 evaluation criteria for judicial performance established by the Judicial Council.
- 904 (F) At the conclusion of a term of office, or when a vacancy occurs in the position of  
905 Justice Court Judge, the City may contract with a Justice Court Judge in the  
906 County or an adjacent County to serve as Justice Court Judge. The contract  
907 shall be for the duration of the Justice Court Judge's term of office.
- 908 (G) A Justice Court Judge serving under contract shall be exempt from the residency  
909 requirements of Section 1-13-5 of these Revised Ordinances.(1990)
- 910 **1-13-13: TEMPORARY JUSTICE COURT JUDGE:** If the City Judge is absent or disqualified,  
911 the appointing authority may appoint another Justice Court Judge currently holding  
912 office within the County to serve as a temporary Justice Court Judge. A retired  
913 Justice Court Judge may also be appointed as a temporary Justice Court Judge  
914 under rule of the Supreme Court. (1990)
- 915 **1-13-14: ELIGIBILITY FOR OFFICE OF JUSTICE - RETIREMENT - SERVICE AFTER**  
916 **RETIREMENT.** A Justice Court Judge of the City shall be:
- 917 (A) A citizen of the United States;
- 918 (B) 25 years of age or older;
- 919 (C) A resident of Utah for at least three years immediately preceding his

920 appointment;  
921 (D) A resident of Davis County for at least six months immediately preceding the  
922 appointment; and

923 (E) A qualified voter of the City.

924 The Justice Court Judge shall not be required to be admitted to practice law in  
925 the State as a qualification to hold office, but shall have, at the minimum, a  
926 diploma of graduation from high school or its equivalent. The Justice Court  
927 Judge shall be a person who has demonstrated maturity of judgment, integrity,  
928 and the ability to understand and apply appropriate law with impartiality. (1990)

929 **1-13-15:** **AMENDMENT OF TITLE OF JUDGE OF JUSTICE COURT:** The name of the City  
930 Justice of the Peace shall be deleted from Sections 1-7-3, 1-7-5(C), and 1-8-3 of  
931 these Revised Ordinances and the provisions of this Ordinance shall govern the  
932 appointment of the City Justice Court Judge and filling vacancies in said office and  
933 position.

934 Whenever the name "Justice of the Peace" appears in the Revised  
935 Ordinances of the City, including in the Criminal Code (Title VIII) or Traffic Code (Title  
936 XI), the name shall be and is hereby amended to read "Justice Court Judge", and all  
937 references to the "Justice of the Peace Court" in any Ordinances of the City shall be  
938 and are hereby amended to read "Justice Court". (1990)  
939

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**CHAPTER 14**

941

**ATTORNEY**

942 **1-14-1: City May Contract With or Retain Attorney**

943 **1-14-2: Attorney to Act as Legal Advisor**

944 **1-14-3: Attorney To Represent City in All Suits**

945 **1-14-1: CITY MAY CONTRACT WITH OR RETAIN ATTORNEY.** The City may contract with  
946 or retain an attorney licensed to practice law in the State of Utah to provide such  
947 legal assistance to the City as may be necessary. (1971)

948 **1-14-2: ATTORNEY TO ACT AS LEGAL ADVISOR.** The Attorney shall advise the City  
949 Council, City officers and employees on all matters pertaining to contracts,  
950 ordinances, and other legal documents, and shall give advice on such other legal  
951 questions as may arise in relation to the business of the City. (1971)

952 **1-14-3: ATTORNEY TO REPRESENT CITY IN ALL SUITS.** It shall be the duty of the  
953 Attorney to appear and represent the City in all suits that may be brought in any court  
954 of record or otherwise, in which the City may be plaintiff or defendant, or in any  
955 manner interested, and to prosecute or defend such suit and protect the interests of  
956 the City as the circumstances require. (1971)  
957

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**CHAPTER 15**

959

**ENGINEER**

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**1-15-1: Duties of Engineer**

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**1-15-1:**

**DUTIES OF ENGINEER.** The City may contract with or retain a registered professional engineer to advise the City Council, City officials and employees on all engineering matters referred to him, and shall perform such duties as are provided by law or ordinance or as may be imposed upon him by the Mayor or City Council from time to time. (1971)

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**CHAPTER 16**

968

**BUILDING INSPECTOR**

- 969 **1-16-1: Appointment**
- 970 **1-16-2: Duties**
- 971 **1-16-3: Permits**
- 972 **1-16-4: Stop Order**
- 973 **1-16-5: Entry Powers**

974 **1-16-1: APPOINTMENT.** There is hereby created the position of Building Inspector, who  
 975 shall be appointed by the City Council. (1971)

976 **1-16-2: DUTIES.** It shall be the duty of the Building Inspector to see to the enforcement of all  
 977 ordinance provisions relating to buildings or zoning, and to inspect all buildings or  
 978 structures being erected or altered, as frequently as may be necessary to insure  
 979 compliance with the City ordinances. The Building Inspector shall also act as  
 980 plumbing inspector and electrical inspector and shall have all the powers and perform  
 981 all the duties connected therewith. (1971)

982 **1-16-3: PERMITS.** The Building Inspector shall issue permits for the construction, alteration  
 983 or repair of structures or parts thereof and for the repair or installation of plumbing  
 984 and electrical facilities or fixtures within any structure; but no permit shall be issued  
 985 unless the plans of and for the proposed construction, alteration, repair, installation or  
 986 use, fully conform to all City regulations then in effect. (1971)

987 **1-16-4: STOP ORDER.** The Building Inspector shall have the power to order all work  
 988 stopped on construction or alteration or repair of building in the City when such work  
 989 is being done in violation of any provision of any ordinance relating thereto. Work  
 990 shall not be resumed after the issuance of such an order except on the written  
 991 permission of the Inspector; provided, that if the stop order is an oral one, it shall be  
 992 followed by a written stop order within a hour. (1971)

993 **1-16-5: ENTRY POWERS.** The Building Inspector shall have the power to make or cause to  
 994 be made an entry into any building or premises where the work of altering, repairing  
 995 or constructing any building or structures is going on, for the purpose of making  
 996 inspections, at any reasonable hour. (1971)  
 997

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**CHAPTER 17**

999

**WATER DEPARTMENT**

1000 **1-17-1:**

**Creation of Department**

1001 **1-17-2:**

**Duties of Superintendent**

1002 **1-17-1:**

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**CREATION OF DEPARTMENT.** There is hereby created a Water Department which shall consist of a Superintendent and such other employees as shall be provided for by the City Council. (1971)

1005 **1-17-2:**

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**DUTIES OF SUPERINTENDENT.** The Superintendent of the Water Department shall, under the direction of the City Council, have charge of all water and water sources, water tanks, water mains, fire hydrants, and all the equipment and appurtenances pertaining to the water system. He shall have the direction for the laying of the water mains, the installation of all service pipes, the regulation of the supply of water, and shall perform such other duties as may be required of him by law or ordinance or by his contract of employment. He shall report to the City Council quarterly, or oftener if required, his activities as Superintendent and the condition for the water system; and he shall make such suggestions as the nature of the service may require. (1971)

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**CHAPTER 18**

1017

**STREETS DEPARTMENT**

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**1-18-1:**

**Creation of Department**

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**1-18-2:**

**Duties of Superintendent**

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**1-18-1:**

**CREATION OF DEPARTMENT.** There is hereby created a Streets Department which shall consist of a Superintendent and such other employees as shall be provided for by the City Council. (1971)

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**1-18-2:**

**DUTIES OF SUPERINTENDENT.** The Superintendent of the Streets Department shall be responsible for the maintenance of all streets and walks in the City. (1971)

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CHAPTER 19

1027

OFFICE OF CITY ADMINISTRATOR

- 1028 1-19-1: Office Created
- 1029 1-19-2: Control
- 1030 1-19-3: General Duties
- 1031 1-19-4: Employees
- 1032 1-19-5: Contracts
- 1033 1-19-6: Purchases
- 1034 1-19-7: Budget Officer
- 1035 1-19-8: Accounts
- 1036 1-19-9: Inventories-Properties
- 1037 1-19-10: Reports and Publications
- 1038 1-19-11: Elections
- 1039 1-19-12: Maps-Plats
- 1040 1-19-13: Offices
- 1041 1-19-14: Absence from City
- 1042 1-19-15: Salary

1043 1-19-1: **OFFICE CREATED.** the office of City Administrator is hereby created pursuant to  
 1044 Section 10-3-901, Utah Code Annotated 1953, as amended. (1993)

1045 1-19-2: **CONTROL.** The powers, duties, and functions of the office of City Administrator shall  
 1046 be subject to the control of the Governing Body, but such Administrator shall report to  
 1047 the Mayor pursuant to provisions of Section 10-3-809, Utah Code Annotated 1953,  
 1048 as amended. (1993) (Ord. 06-24) (Ord. 09-11)

1049 1-19-3: **GENERAL DUTIES.** The Administrator shall:

- 1050 (A) Have and exercise all powers and duties assigned to him/her from time to time
- 1051 by the Governing body.
- 1052 (B) Coordinate and oversee the enforcement of all civil laws and Ordinances within
- 1053 the city insofar as their enforcement is within the powers of the City.

- 1054 (C) Attend all meetings of the Governing Body and keep the Mayor and Council  
 1055 informed as to the affairs of the City and shall recommend to the Council such  
 1056 action as may be necessary or expedient for the welfare of the City.
- 1057 (D) Have and exercise general control and supervision over all activities of the City.  
 1058 This control and general supervision shall include, but not be limited to,  
 1059 construction, maintenance, improvement, repair and replacement of all City  
 1060 properties, ditches, culverts, gutters and curbing, all public buildings, streets,  
 1061 parks, playgrounds and other grounds belonging to or under the jurisdiction of  
 1062 the City, ball parks, records, and supplies.
- 1063 (E) Perform such other duties as the Governing Body may from time to time  
 1064 prescribe. (1993) (Ord. 06-24)
- 1065 **1-19-4: EMPLOYEES.** Except as otherwise delegated to the Mayor for appointed offices and  
 1066 Department Heads, the City Administrator shall have the authority to appoint, employ,  
 1067 and remove employees. All hiring and termination of employees shall comply with  
 1068 applicable provisions of the City Personnel Policies and Procedures. The City  
 1069 Administrator may provide written recommendation to the Governing Body regarding  
 1070 the appointment or removal of any appointed officer of Department Head. The City  
 1071 Administrator shall exercise general supervision over all City employees. (1993) (Ord.  
 1072 06-24)
- 1073 **1-19-5: CONTRACTS.** The city Administrator shall examine all proposed contracts to which  
 1074 the City may be a party, and shall, with the Mayor, sign on behalf of the City any  
 1075 contract authorized and approved by the City Council, except where the City Council  
 1076 directs that some other officer or officers shall do so. It shall be the duty of the City  
 1077 Administrator to see that all terms of any contract to which the City is a party are fully  
 1078 performed by all parties thereto. (1993)
- 1079 **1-19-6: PURCHASES.** The City Administrator shall be general purchasing agent of the City,  
 1080 and except where specific provision to the contrary is made by law or by the City  
 1081 Council, he/she shall authorize all purchases of supplies, materials, and equipment  
 1082 approved by the Council, in the manner prescribed by and subject to the limitations  
 1083 imposed by law and the City Council. No purchases shall be made or obligations  
 1084 incurred except upon authorization by the Council, and no expense shall be incurred  
 1085 for a purpose requiring a prior appropriation unless the amount of such purchase is  
 1086 covered by an unexpended appropriation for such purpose. (1993)
- 1087 **1-19-7: BUDGET OFFICER.** The City Administrator shall serve as Budget Officer for the City  
 1088 and shall perform, or cause to be performed, all of the duties of such office as set  
 1089 forth in the Uniform Municipal Fiscal Procedures Act, together with such other duties  
 1090 as the Council may from time to time, by Resolution, designate. (1993)
- 1091 **1-19-8: ACCOUNTS.** The City Administrator shall keep current accounts showing at all times  
 1092 the fiscal condition of the City, including the current and anticipated expenditures,  
 1093 appropriations, cash on hand and anticipated revenues of all City funds and accounts  
 1094 and he/she shall see to the collection of all money due the City. (1993)
- 1095 **1-19-9: INVENTORIES-PROPERTIES.** The City Administrator shall keep a current inventory  
 1096 showing all real and personal property of the City and its location. He/she shall be  
 1097 responsible for the care and custody of all such property. This responsibility shall

1098 extend to all other equipment, buildings, parks, and all City property which is not by  
1099 law assigned to some officer or body for care and control. (1993)

1100 **1-19-10: REPORTS AND PUBLICATIONS.** The City Administrator shall publish, or cause to  
1101 be published, all notices, ordinances, or other documents required by law to be  
1102 published and prepare, or cause to be prepared, all reports which the City or any of  
1103 the officials thereof are required to prepare. (1993)

1104 **1-19-11: ELECTIONS.** The City Administrator shall cause to be prepared all notices, ballots,  
1105 and election supplies necessary in connection with municipal elections. (1993)

1106 **1-19-12: MAPS-PLATS.** Unless otherwise provided by Ordinance, the City Administrator shall  
1107 cause to be kept a complete set of maps and plats showing the location of all City  
1108 utilities, and other municipal properties, all streets and other public places and all lots  
1109 or parcels of land subdivided according to law. (1993)

1110 **1-19-13: OFFICES.** The City Administrator shall maintain an office in the City Hall and shall  
1111 spend such time in the performance of his/her duties as may be required from time to  
1112 time by direction of the Mayor and Council. (1993)

1113 **1-19-14: ABSENCE FROM CITY.**

1114 (A) In the event the City Administrator shall be absent from the City or incapacitated  
1115 from performing his/her duties, an officer or other person designated by the  
1116 Mayor may be authorized to act as Administrator during such absence or  
1117 incapacity; provided, however, that if such absence or incapacity shall extend for  
1118 a period of ten or more consecutive days, such designation shall be subject to  
1119 the approval of the City Council. (1993)

1120 (B) The powers, duties, and functions of the office of the City Administrator shall be  
1121 carried out by said Administrator, who shall be a qualified person, who need not  
1122 be an elector, appointed by the Mayor with the advice and consent of the City  
1123 Council, and to serve at the pleasure of the City Council, and be subject to  
1124 removal by it any time without cause, by a majority vote thereof. Before taking  
1125 office the City Administrator shall furnish a fidelity bond in an amount to be  
1126 determined by Resolution of the City Council, conditioned upon the faithful  
1127 performance of his/her duties, with a corporation licensed to do business in the  
1128 State of Utah as surety. Such bond shall be filed with the City Recorder after  
1129 being approved by the City Council, and the premium for such bond shall be paid  
1130 by the City. (1993)

1131 (C) Additional personnel may from time to time be employed within the office of City  
1132 Administrator as the City Council may determine. (1993)

1133 **1-19-15: SALARY.** The salary of the City Administrator shall be set from time to time by  
1134 Resolution of the City Council. (1993)  
1135

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## CHAPTER 20

1137

### DIRECTOR OF FINANCE

- 1138 1-20-1: **Position Created**
- 1139 1-20-2: **Accounts and Payment of Claims**
- 1140 1-20-3: **Ex-Officio Auditor**
- 1141 1-20-4: **Financial Statements**
- 1142 1-20-5: **Annual Report**
- 1143 1-20-6: **Publication of Annual Statement and Financial Condition**
- 1144 1-20-7: **Certification of Annual Property Tax Levy**
- 1145 1-20-8: **General Duties**

1146 1-20-1: **POSITION CREATED.** The position of Director of Finance is hereby created  
 1147 pursuant to *Utah Code Annotated*, Section 10-6-157, as amended (1953). (Ord. 07-  
 1148 01)

1149 1-20-2: **ACCOUNTS AND PAYMENT OF CLAIMS.** The Director of Finance shall maintain or  
 1150 cause to be maintained the general books for each fund of the City and all subsidiary  
 1151 and detailed records relating thereto, including a list of outstanding bonds, for what  
 1152 purpose, when and where payable, and the rate of interest they respectively bear,  
 1153 together with the amount of each outstanding. The Director shall keep accounts with  
 1154 all receiving and disbursing officers of the City, shall pre-audit all claims and  
 1155 demands against the City before they are allowed, and shall prepare checks in  
 1156 payment thereof to be drawn on the appropriate bank accounts of the City. The  
 1157 Director shall certify on the check or voucher copy of the check that he or she has  
 1158 pre-audited the claim, that it is true and correct, that it is within the lawful debt limit  
 1159 of the City, that it does not overexpend the appropriate departmental budget and  
 1160 that the claim has been approved by the City Council. The Director shall also state  
 1161 the date of approval. (Ord. 07-01)

1162 1-20-3: **EX OFFICIO AUDITOR.** The Director of Finance shall be the ex officio auditor of  
 1163 Syracuse City and shall perform the duties of such office without extra  
 1164 compensation. (Ord. 07-01)

1165 1-20-4: **FINANCIAL STATEMENTS.** The Director of Finance or other delegated person shall  
 1166 prepare and present to the City Council the following financial statements: (Ord. 07-  
 1167 01)

1168 (A) As of the end of each month a summary of cash receipts and disbursements by  
 1169 funds or appropriate groups of funds, showing in total, the beginning cash and  
 1170 invested balances, the receipts and disbursements separately for the period,  
 1171 and cash and invested balances in each fund or groups of funds at the end of  
 1172 the period.

1173 (B) As of the end of such period as the City Council may direct, but not less often  
 1174 than once each quarter, a statement of revenues and expenditures and  
 1175 comparison with the budget of the general fund.

1176 (C) A statement of income and expense of each utility fund, reflecting operations to  
 1177 date in the current year and a comparison thereof with operating results for the  
 1178 same period during the preceding year.

1179 (D) As of the end of such periods as the City Council may require, a condensed  
1180 statement of receipts and disbursements and comparison with the cash budget of  
1181 each utility fund.

1182 (E) Such statements of operations in other special funds or reports on financial  
1183 condition at such times as the City Council may require.

1184 **1-20-5: ANNUAL REPORT.** Within 180 days after the close of each fiscal period, the Director  
1185 of Finance or other delegated person shall prepare an annual financial report, in  
1186 accordance with the Uniform Accounting Manual for Utah Cities. This report shall  
1187 include a statement of revenues and expenditures and comparison with budgets for  
1188 those funds for which budgets are required, statements of revenues and  
1189 expenditures or of income and expense, as the case may be, of all other operating  
1190 funds; a balance sheet of each fund and a combined balance sheet of all funds as of  
1191 the close of the fiscal year, together with such other financial and statistical data as  
1192 the City Council may require. The report shall also identify impact fee funds by the  
1193 year in which they were received, the project from which they were collected, the  
1194 capital projects for which the funds are budgeted, and the projected schedule for  
1195 expenditure. The annual financial report may be conducted by an independent  
1196 auditor on the results of operation for the year and financial condition at the close of  
1197 the year, if the report is appropriately prepared and reviewed with the City Council.  
1198 Copies of the annual report shall be filed as a public document in the office of the  
1199 City Recorder. (Ord. 07-01)

1200 **1-20-6: PUBLICATION OF ANNUAL STATEMENT OF FINANCIAL CONDITION.** The  
1201 Director of Finance shall prepare and publish, on or before the first Monday in  
1202 October of each year, in some newspaper having general circulation in the City, a  
1203 detailed statement of the financial condition of the City, and all the revenues and  
1204 expenditures of the previous year. (Ord. 07-01)

1205 **1-20-7: CERTIFICATION OF ANNUAL PROPERTY TAX LEVY.** The Director of Finance  
1206 shall certify the resolution making the annual tax levy to the County Auditor not later  
1207 than the first Thursday in August of each year. (Ord. 07-01)

1208 **1-20-8: GENERAL DUTIES.** The Director of Finance shall perform such other duties as may  
1209 be required by City ordinance or State law. (Ord. 07-01)  
1210

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## CHAPTER 21

1212

### GOVERNMENT RECORDS

1213 **1-21-1: Government Records**

1214 **1-21-2: Retention Schedule**

1215 **1-21-3: Records**

1216 **1-21-4: Fees**

1217 **1-21-5: Fee Waiver**

1218 **1-21-6: Appeals**

1219 **1-21-1: GOVERNMENT RECORDS.** All government records of the City shall be maintained,  
1220 classified and accessed in accordance with the Government Records Access and  
1221 Management Act set forth at *Utah Code Ann.* §§ 63-2-101. *et seq.*, as amended.  
1222 (Ord. 07-12)

1223 **1-21-2: RETENTION SCHEDULE.** All government records of the City shall be retained in  
1224 accordance with the Utah Municipal General Records Retention Schedule (1998), as  
1225 updated, which is hereby adopted by reference as the Syracuse City Records  
1226 Retention Schedule. (Ord. 07-12)

1227 **1-21-3: RECORDS REQUESTS.** Any person requesting a record shall file a  
1228 written Government Records Access and Management Request Form as provided  
1229 by the City. Such requests shall be submitted and processed in accordance  
1230 with the Government Records Access and Management Act. (Ord. 07-12)

1231 **1-21-4: FEES.** The City may charge reasonable fees to cover the City's actual cost of  
1232 providing a record. Fees for providing a record shall be adopted and may be  
1233 amended as part of the City's Fee Schedule. When the City compiles a records in a  
1234 form other than that normally maintained by the City in response to a records  
1235 request, the actual costs for compiling the record may include those costs set forth in  
1236 *Utah Code Ann.* § 63-2-203, as amended; provided, no charge may be made for the  
1237 first quarter hour of staff time. The City may require payment of past fees and future  
1238 estimated fees before beginning to process a request if: (1) fees are expected to  
1239 exceed fifty dollars (\$50.00); or (2) the requester has not paid fees from previous  
1240 requests. Any prepaid amount in excess of fees due shall be returned to the  
1241 requester. (Ord. 07-12)

1242 **1-21-5: FEE WAIVER.** In accordance with Section 63-2-203 of the Act, the City may fulfill a  
1243 record request without charge when it determines that:

1244 (a) releasing the record primarily benefits the public rather than a  
1245 person;

1246 (b) the individual requesting the record is the subject of the record, or  
1247 an individual specified in Subsections 63-2-202(1) or (2) of the Act;  
1248 or

1249 (c) the requester's legal rights are directly implicated by the information  
1250 in the record and the requester is impecunious. (Ord. 07-12)

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**1-21-6:**

**APPEALS.** Any person aggrieved by the City's access determination made or fees imposed under this Chapter may appeal the determination, or fee assessed, within thirty (30) days to the Mayor in accordance with the provisions set forth in *Utah Code Ann.* § 63-2-401, as amended. (Ord. 07-12)

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# TITLE II

## ADMINISTRATIVE AND PERSONNEL

### CHAPTER 1: GENERAL ADMINISTRATIVE PROVISIONS

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- 2.01.020 Temporary Absence of City Manager
- 2.01.030 Administrative Organization Generally
- 2.01.040 Intergovernmental Cooperation

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- 2.02.020 Powers and Duties
- 2.02.030 Meetings
- 2.02.040 Open Meetings Law
- 2.02.050 Notice of Meetings
- 2.02.060 Agenda
- 2.02.070 Minutes
- 2.02.080 Mayor Presides
- 2.02.090 Quorum
- 2.02.100 Voting
- 2.02.110 Reconsideration
- 2.02.120 Rules of Procedure
- 2.02.130 Council Committees
- 2.02.140 Attendance
- 2.02.150 Disorderly Conduct
- 2.02.160 Required Attendance of Witnesses and Production of Evidence

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- 2.03.010 Functions and Duties
- 2.03.020 Presiding Officer
- 2.03.030 Intergovernmental Cooperation
- 2.03.040 Vacancy in Office
- 2.03.050 Restrictions

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- 2.04.020 Term of Office
- 2.04.030 Resignation
- 2.04.040 Other Employment
- 2.04.050 Powers of Mayor Not Delegated
- 2.04.060 Duties

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- 2.05.010 Appointed Offices
- 2.05.020 Appointment and Vacancies
- 2.05.030 Bond
- 2.05.040 Salaries

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| 44 | 2.05.060 | Conflicts of Interests |
| 45 | 2.05.070 | City Recorder          |
| 46 | 2.05.080 | City Treasurer         |
| 47 | 2.05.090 | City Police Chief      |

48     **CHAPTER 6: DEPARTMENT ORGANIZATION**

|    |          |                            |
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| 49 | 2.06.010 | City Finance Director      |
| 50 | 2.06.020 | City Engineer              |
| 51 | 2.06.030 | City Public Works Director |
| 52 | 2.06.040 | City Attorney              |
| 53 | 2.06.050 | City Justice Court Judge   |
| 54 | 2.06.060 | City Recreation Director   |
| 55 | 2.06.070 | City Fire Chief            |

56     **CHAPTER 7: CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS**

|    |          |                               |
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| 57 | 2.07.010 | Campaign Financial Disclosure |
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58     **CHAPTER 8: GOVERNMENT RECORDS**

|    |          |                    |
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| 59 | 2.08.010 | General            |
| 60 | 2.08.020 | Retention Schedule |
| 61 | 2.08.030 | Records requests   |
| 62 | 2.08.040 | Fees               |
| 63 | 2.08.050 | Fee Waiver         |
| 64 | 2.08.060 | Appeals            |
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**CHAPTER 1**

**GENERAL ADMINISTRATIVE PROVISIONS**

- 2.01.010 Intent, Purpose**
- 2.01.020 Temporary Absence of City Manager**
- 2.01.030 Administrative Organization Generally**
- 2.01.040 Intergovernmental Cooperation**

**2.01.010: INTENT, PURPOSE**

It is the intent and purpose of this title of the Syracuse Municipal Code to establish and clarify the organization and operation of city departments and to provide for an orderly means of conducting the operation of city government. It is further intended that this title ensure cooperation and coordination between the legislative branch, the executive branch, and all departments of the city. All ordinances of the city shall be construed in such manner as to foster and promote such cooperation, liaison and coordination.

**2.01.020: TEMPORARY ABSENCE OF CITY MANAGER**

In the event of the temporary absence of the City Manager due to illness, vacation or similar reasons, the Mayor may assign a designee or act in the position of the City Manager.

**2.01.030: ADMINISTRATIVE ORGANIZATION GENERALLY**

Department heads, as provided by this title, shall report to the City Manager who shall report directly to the Mayor. Subject to the limitations and requirements of applicable budget and appropriations, the city's administrative organization shall consist of the operating departments, offices, and divisions or bureaus, as set forth in this title.

**2.01.040: INTERGOVERNMENTAL COOPERATION**

1. Information to City Council: The Mayor, in conjunction with the City Manager, shall provide such information concerning city finances, operations and procedures, as reasonably requested by the City Council and necessary for the City Council to fulfill its statutory duties, which are not privileged, private or confidential.
2. Interference by Council Prohibited: No member of the City Council shall direct or request, except in writing, the appointment of any person to, or his removal from, office or to interfere in any way with the performance by the officers of their duties. The City Council shall, in compliance with norms and code of Conduct, not give orders to any subordinate of the Mayor either publicly or privately.

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**CHAPTER 2**

103

**CITY COUNCIL**

- 104 **2.02.010 Powers and Duties**
- 105 **2.02.020 Vacancy in Office**
- 106 **2.02.030 Meetings**
- 107 **2.02.040 Open Meetings Law**
- 108 **2.02.050 Notice of Meetings**
- 109 **2.02.060 Agenda**
- 110 **2.02.070 Minutes**
- 111 **2.02.080 Mayor Presides**
- 112 **2.02.090 Quorum**
- 113 **2.02.100 Voting**
- 114 **2.02.110 Reconsideration**
- 115 **2.02.120 Rules of Procedure**
- 116 **2.02.130 Council Committees**
- 117 **2.02.140 Attendance**
- 118 **2.02.150 Disorderly Conduct**
- 119 **2.02.160 Required Attendance of Witnesses and Production of Evidence**

120 **2.02.010: POWERS AND DUTIES**

121 The City Council:

- 122 1. is the legislative body of the municipality and shall exercise the legislative
- 123 powers and perform the legislative duties and functions of the municipality;
- 124 and
- 125 2. may:
  - 126 (a) adopt rules and regulations, not inconsistent with statute, for the
  - 127 efficient administration, organization, operation, conduct, and
  - 128 business of the municipality;
  - 129 (b) prescribe by resolution additional duties, powers, and responsibilities
  - 130 for any elected or appointed municipal official, unless prohibited by
  - 131 statute;
  - 132 (c) require by ordinance that any or all appointed officers reside in the
  - 133 municipality;
  - 134 (d) provide for filling a vacancy in an elective or appointive office;
  - 135 (e) take any action allowed under Utah Code Ann. § 10-8-84, as
  - 136 amended; and
  - 137 (f) perform any function specifically provided for by statute or
  - 138 necessarily implied by law.

139 **2.02.020: MID-TERM VACANCY IN OFFICE**

140 Mid-term City Council vacancies shall be filled as provided in *Utah Code*  
141 *Annotated Section 20A-1-510.*

142 **2.02.030: MEETINGS**

143 1. Regular Meetings. The City Council shall hold regular meetings to conduct  
144 the business of the City at least once each month and shall prescribe by  
145 ordinance the time and place for holding its regular meetings.

146 2. Special Meetings. If at any time the business of the City requires a special  
147 meeting of the City Council, such a special meeting may be ordered by the  
148 Mayor or any two Council Members. Notice of the special meeting shall be  
149 provided in accordance with the provisions of *Utah Code Ann. § 10-3-502*, as  
150 amended. The order of the special meeting shall be entered into the minutes  
151 of the City Council.

152 3. Closed Meetings. The affirmative vote of at least two-thirds of the City  
153 Council present at an open meeting for which notice is given and a quorum is  
154 present may call a closed meeting to discuss certain items as provided under  
155 *Utah Code Ann. § 52-4-5*, as amended. The reason or reasons for holding a  
156 closed meeting and the vote, either for or against the proposition to hold such  
157 a meeting, cast by each member, by name, shall be entered on the minutes  
158 of the meeting. No ordinance, resolution, rule, regulation, contract, or  
159 appointment shall be approved at a closed meeting.

160 4. Electronic Meetings.

161 a. Definitions. As used in this Syracuse Municipal Code:

162 i. "Anchor location" means the physical location from which the  
163 electronic meeting originates or from which the participants  
164 are connected.

165 ii. "Electronic meeting" means a City Council meeting  
166 convened or conducted by means of a conference using  
167 electronic communications.=

168 iii. "Electronic notice" means electronic mail or fax.

169 iv. "Monitor" means to hear or observe, live, by audio or video  
170 equipment, all of the public statements of each member of  
171 the City Council who is participating in a meeting.

172 v. "Participate" means the ability to communicate with all of the  
173 members of the City Council, either verbally or electronically,  
174 so that each member of the City Council can hear or observe  
175 the communication.

176 vi. "Public hearing" means a portion of a meeting at which  
177 comments from the public will be accepted.

178 vii. "Public statement" means a statement made in the ordinary  
179 course of business of the City Council with the intent that all

- 180 other members of the City Council receive it.
- 181 b. Procedures. The City Council may, by following the procedures and  
 182 requirements of this Ordinance, convene and conduct an electronic  
 183 meeting. The City Council convening or conducting an electronic  
 184 meeting shall:
- 185 i. Give public notice of the meeting pursuant to *Utah Code*  
 186 *Ann.* § 52-4-202 by posting written notice at the anchor  
 187 location; and
- 188 ii. Providing written or electronic notice to at least one  
 189 newspaper of general circulation within the state; and a local  
 190 media correspondent;
- 191 c. In addition to giving public notice required by Subsection (i), provide:
- 192 i. Notice of the electronic meeting to the members of the City  
 193 Council at least 24 hours before the meeting so that they  
 194 may participate in and be counted as present for all  
 195 purposes, including the determination that a quorum is  
 196 present; and
- 197 ii. A description of how the members will be connected to the  
 198 electronic meeting.
- 199 d. Electronic Meeting General. The procedures to be followed at the  
 200 electronic meeting shall be the same as those followed by the City  
 201 Council in a non-electronic open and public meeting of the City  
 202 Council. The Mayor, or Mayor Pro-tempore, shall conduct the  
 203 meeting and the meeting shall be held pursuant to the agenda  
 204 posted for that meeting. Prior to commencing the electronic meeting,  
 205 an electronic link shall be established with all participants and the  
 206 anchor location. Minutes shall be kept for the meeting in accordance  
 207 with the requirements of the Open Meetings Law. Following passage  
 208 of a motion to adjourn, the electronic link shall be terminated and the  
 209 meeting shall be deemed concluded. If the meeting is a public  
 210 hearing, space and facilities will be provided at the anchor location  
 211 so that interested persons and the public may attend, monitor and  
 212 participate in the open portions of the meeting.

213 **2.02.040: OPEN MEETINGS LAW**

214 All meetings of the City Council shall be open to the public, except closed  
 215 meetings, and shall be conducted in accordance with the Open and Public  
 216 Meetings Act as set forth in *Utah Code Ann.* § 52-4-1, *et seq.*, as amended.

217 **2.02.050: NOTICE OF MEETINGS**

218 The City shall give public notice at least once each year of its annual meeting  
 219 schedule and shall give not less than twenty-four (24) hours public notice of the  
 220 agenda, date, time and place of each of its meetings, other than emergency  
 221 meetings, in accordance with *Utah Code Ann.* § 52-4-6, as amended.

222     **2.02.060:     AGENDA**

223             A written agenda for each regular meeting shall be prepared by the City Manager  
224             or his designee. The Mayor or two members of the City Council may place items  
225             on the agenda.

226     **2.02.070:     MINUTES**

227             Written minutes shall be kept of all meetings of the City Council in accordance  
228             with the provisions set forth in *Utah Code Ann.* § 52-4-7, as amended.

229     **2.02.080:     MAYOR PRESIDES**

230             The Mayor shall be the chairperson and preside at the meetings of the City  
231             Council. In the absence of the Mayor or because of his inability or refusal to act,  
232             the City Council may elect a member of the City Council to preside over the  
233             meeting as Mayor Pro Tempore in accordance with the procedures set forth in  
234             Chapter 2.03 of this Title of the Syracuse Municipal Code.

235     **2.02.090:     QUORUM**

236             No action of the City Council shall be official or of any effect except when a  
237             quorum of the Council Members are present, except as otherwise provided by  
238             law. Three (3) or more members of the City Council, not including the Mayor,  
239             shall constitute a quorum.

240     **2.02.100:     VOTING**

241             1. How Taken. A roll call vote shall be taken and recorded for all ordinances,  
242             resolutions, and any action which would create a liability against the city and  
243             in any other case at the request of any member of the City Council by a “yes”  
244             or a “no” vote. Every resolution or ordinance shall be in writing before the  
245             vote is taken.

246             2. Number Required. The minimum number of “yes” votes required to pass any  
247             ordinance, resolution, or to take any action by the Governing Body, unless  
248             otherwise prescribed by law, shall be three (3). Any ordinance, resolution, or  
249             motion of the Governing Body having fewer favorable votes than required  
250             herein shall be deemed defeated and invalid; except in the following: fewer  
251             votes may compel attendance of absentees, may adjourn a meeting from  
252             time to time, and may fill a vacancy in the Governing Body.

253             3. Mayor Voting. The Mayor shall not vote at meetings of the City Council,  
254             except in case of a tie vote of the City Council, the appointment or dismissal  
255             of the City Manager, or as otherwise provided by law. Furthermore, the  
256             Mayor shall have no power to veto any act of the City Council unless  
257             otherwise specifically authorized by statute.

258     **2.02.110:     RECONSIDERATION**

259             Any action taken by the City Council shall not be reconsidered or rescinded at  
260             any special meeting unless the number of members of the City Council present  
261             at the special meeting is equal to or greater than the number of members present

262 at the meeting when the action was approved.

263 **2.02.120: RULES OF PROCEDURE**

264 Except as otherwise provided by law, the City Council may determine its own  
265 rules of procedure or the proper conduct of its meetings. In general, the City  
266 Council refers to *Robert's Rules of Order* as a guide for the conduct of its  
267 business. The Council may further adopt norms and/or a Code of Conduct to  
268 establish practices and procedures, at its discretion.

269 **2.02.130: COUNCIL ADVISORY COMMITTEES**

270 The City Council may from time to time create subcommittees titled Council  
271 Advisory Committees to advise the City Council as a whole on issues affecting  
272 the City.

273 **2.02.140: ATTENDANCE**

274 The City Council shall have the power to compel the attendance of its own  
275 members and to provide such penalties as it deems necessary for the failure to  
276 comply therewith.

277 **2.02.150: DISORDERLY CONDUCT**

278 The City Council may fine or expel any of its members for disorderly conduct  
279 upon an affirmative majority vote of those members present. The City Council  
280 may also, upon an affirmative majority vote of those members present, expel any  
281 person who is disorderly during any regular, study, or special meeting of the City  
282 Council.

283 **2.02.160: REQUIRED ATTENDANCE OF WITNESSES AND PRODUCTION OF  
284 EVIDENCE**

285 The City Council may require the attendance of any person to give testimony or  
286 produce records, documents or things for inspection, copying or examination  
287 necessary or useful for the governance of the City. The City Council shall issue  
288 subpoenas in its own name in the manner provided in the Utah Rules of Civil  
289 Procedure or may by ordinance establish its own procedure for issuing  
290 subpoenas under this Section.

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**CHAPTER 3**

**MAYOR**

- 2.03.010 Functions and Duties**
- 2.03.020 Presiding Officer**
- 2.03.030 Mayor Pro Tempore**
- 2.03.040 Intergovernmental Cooperation**
- 2.03.050 Vacancy in Office**
- 2.03.060 Restrictions**

**2.03.010: FUNCTIONS AND DUTIES**

In accordance with *Utah Code 10-3b-104*, the Mayor shall be the Chief Executive and Administrative Officer of the city. He shall have the power and duty to:

1. Enforce the laws and ordinances of the city;
2. Execute the policies adopted by the City Council;
3. Appoint and remove the City Manager, department heads, commission, board and committee members with the advice and consent of the City Council, except as may otherwise be specifically limited by law;
4. Attend all meetings of the City Council with the right to take part in all discussions and the responsibility to inform the City Council of the condition and needs of the municipality, and make recommendations and freely give advice to the City Council;
5. Appoint or act as the budget officer for the purpose of fulfilling the requirements of the Uniform Municipal Fiscal Procedures Act for Utah cities;
6. Appoint, with the advice and consent of the City Council, a qualified person to each appointed office deemed necessary for good government;
7. Furnish, or cause to be furnished, the City Council with a report, periodically or as determined by ordinance, setting forth the amounts of all budget appropriations, the total disbursements to date from these appropriations, and the amount of indebtedness incurred or contracted against each appropriation (including disbursements and indebtedness incurred and not paid) and the percentage of the appropriations encumbered to date, which reports shall be made available for public inspections;
8. Execute agreements within certified budget appropriations on behalf of the city, or delegate by written executive order the power to execute such agreements to executive officials, subject to the procedure described in *Utah Code Annotated, section 10-6-138*;
9. When necessary, call on the residents of the city over the age of twenty one (21) years to assist in enforcing the laws of the state and ordinances

331 of the city; and

332 10. Perform such other duties as may be prescribed by this title or may be  
333 required by ordinance consistent with a six member council.

334 **2.03.020: PRESIDING OFFICER**

335 The Mayor shall be the Chief Executive Officer and preside at the meetings of the  
336 City Council. However, the Mayor shall not vote at meetings of the City Council,  
337 except in case of a tie vote of the City Council, the appointment or dismissal of  
338 the City Manager, or as otherwise provided by law. Furthermore, the Mayor shall  
339 have no power to veto any act of the City Council unless otherwise specifically  
340 authorized by statute.

341 **2.03.030: MAYOR PRO TEMPORE**

342 The City Council shall annually elect the Mayor Pro Tempore and two additional  
343 persons, in specific order of succession, as emergency interim successors to act  
344 in the absence of the Mayor. In the absence of the Mayor or because of his  
345 inability or refusal to act, the Mayor Pro Tempore shall preside over the meeting  
346 and shall possess the powers and duties of Mayor. Any member of the City  
347 Council elected as Mayor Pro Tempore shall retain his power and authority as a  
348 member of the City Council and shall be entitled to vote as a member of the City  
349 Council on all matters.

350 **2.03.050: MID-TERM VACANCY IN OFFICE**

351 A mid-term vacancy in the office of the Mayor shall be filled as provided in *Utah*  
352 *Code Annotated*, section 20A-1-510.

353 **2.03.060: RESTRICTIONS**

354 The Mayor may not serve as the City Recorder or as the City Treasurer as  
355 dictated in *Utah Code Annotated*, section 10-3-301.

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**CHAPTER 4**  
**CITY MANAGER**

- 2.4.010 Term of Office**
- 2.04.020 Resignation**
- 2.04.030 Other Employment**
- 2.04.040 Powers of Mayor Not Delegated**
- 2.04.050 Duties**

**2.4.010: Term of Office**

The City Manager shall serve at the pleasure of the City Council and may be terminated at any time with or without cause.

**2.04.020: Resignation**

Before voluntarily resigning from the position of City Manager, the City Manager shall give the City Council at least thirty (30) days notice in writing of his intent to resign.

**2.04.030: Other Employment**

The City Manager shall not accept any outside employment in addition to employment by the City without prior annual written approval of the City Council.

**2.04.040: Powers of Mayor Not Delegated**

The legislative and judicial powers of the Mayor, his position as chairman of the City Council, and any ex officio position he may hold, shall not be delegated to the City Manager.

**2.04.050: Duties**

1. The powers, duties, and functions of the office of City Manager shall be subject to the control of the Governing Body, but such Manager shall report to the Mayor pursuant to provisions of Section 10-3b-104(1)(a), *Utah Code Annotated*, or its successor section.
2. Appoint and Remove Employees. Except as set forth in Chapter 3, above, regarding the Mayor's duties, the City Manager shall have the authority to appoint, employ and remove employees as provided herein. The City Manager shall also be responsible for reviewing the status and performance of any personnel being considered for discharge, transfer, or demotion from appointment or employment with the City. In addition, the Manager shall exercise control of all departments, divisions and bureaus within the city government;
3. Supervise Department Heads. The City Manager shall provide direct supervision of and have direct responsibility over each Department Head.

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4. Personnel Policies. The City Manager shall be responsible for implementing and enforcing the personnel policies and procedures of the City.
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5. Inventory Property. The City Manager shall keep or cause to be kept a current inventory showing all real and personal property of the City and its location. The City Manager shall be responsible for the care and custody of all such property, including equipment, buildings, parks and all other City property which is not by law assigned to some other officer or body for care and control.
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6. Purchasing and Claims. The City Manager shall implement and enforce all provisions of the ordinances of the City relating to purchasing.
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7. Council Meetings. The City Manager shall attend meetings of the City Council and may take part in the discussion and recommend to the City Council adoption of such measures as the City Manager may deem necessary or expedient.
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8. Review Contracts. In Accordance with adopted City polices and procedures of the City, the Manager shall review, where appropriate, make recommendations, and where within his authority, execute, proposed contracts of the City.
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9. Propose Plans and Programs. The City Manager shall propose plans and programs concerning the development, operation and needs of the City and submit such plans to the City Council to be approved and developed as policy.
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10. Implement Policy. The City Manager shall implement all policy changes and directives of the Mayor and the City Council.
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11. Management Controls. The City Manager shall set performance standards and exercise managerial control to ensure that the City government is functioning in the most efficient and effective manner.
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12. Organization. The City Manager shall recommend the creation and organization of all necessary departments, divisions, and bureaus necessary for the government of the City to the City Council for its approval prior to implementation.
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13. Records. The City Manager shall, as needed, examine the books, records, and official papers of the City's departments and offices.
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14. Legislative Mandates. The City Manager shall be responsible to keep abreast of and advise the Governing Body regarding legislative changes and issues that affect the City.
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15. Additional Duties. The City Manager shall have such other powers and shall perform such other duties and obligations as may be required of him by State law or by ordinance, resolution, or policy of the City Council.

433

**CHAPTER 5**

434

**APPOINTED OFFICES**

- 435 **2.05.010** **Appointed Offices**
- 436 **2.05.020** **Appointment and Vacancies**
- 437 **2.05.030** **Bond**
- 438 **2.05.040** **Salaries**
- 439 **2.05.050** **Transfer of Records**
- 440 **2.05.060** **Conflicts of Interests**
- 441 **2.05.070** **City Recorder**
- 442 **2.05.080** **City Treasurer**
- 443 **2.05.090** **City Chief of Police**

444 **2.05.010:** **APPOINTED OFFICES**

445 The City Council may create any appointed office deemed necessary for the  
446 government of the City and shall prescribe the powers and duties to be  
447 performed by appointed officials, including, but not limited to, the City Manager,  
448 the City Recorder, the City Treasurer, the City Attorney, the City Engineer, the  
449 City Police Chief, the City Justice Court Judge, and Department Heads.

450 **2.05.020:** **APPOINTMENT AND VACANCIES**

451 The Mayor, with the advice and consent of the City Council, may appoint and fill  
452 vacancies in all appointed offices provided for by law or ordinance. Except as  
453 otherwise provided by law, the term of office of all appointed officers shall be until  
454 their respective successors are chosen and qualified, unless they are sooner  
455 removed by the Mayor with the concurrence of a majority of the members of the  
456 City Council, or by the City Council with the concurrence of the Mayor.

457 **2.05.030:** **BOND**

458 1. Required. Before commencing the duties of office, the City Recorder and City  
459 Treasurer shall execute a bond with good and sufficient sureties payable to  
460 the City or shall be included within public employee blanket bonds  
461 conditioned for the faithful performance of the duties of his office and the  
462 payment of all monies received by such officer according to the law and the  
463 ordinances of the City in the applicable amount set forth by the State Money  
464 Management Council. In the event that someone other than the City  
465 Treasurer is disbursing funds, that person shall be bonded as well.

466 2. Limitation on Treasurer's Bond. The City Treasurer's bond may not be set at  
467 an amount less than that established by the State Money Management  
468 Council pursuant to *Utah Code Annotated*, section 51-7-15, as amended.

469 3. Filed. All bonds shall be filed with the City Recorder, except the City  
470 Recorder's bond, which shall be filed with the City Treasurer.  
471

472 4. Premium Charge. The premium charge by a corporate surety for any official  
473 bond shall be paid by the City.

474 5. Additional Bonds. The City Council may at any time require further and  
475 additional bonds of any or all appointed officers of the City by resolution or  
476 ordinance.

477 **2.05.040: SALARIES**

478 1. Salary. Appointed officers shall receive such compensation for their services  
479 as the City Council may fix or amend by ordinance in accordance with notice  
480 and hearing requirements set forth in *Utah Code Annotated*, section 10-3-  
481 818, as amended.

482 2. Monthly Compensation. Unless otherwise provided by ordinance, the  
483 compensation of municipal officers shall be paid at least monthly.

484 **2.05.050: TRANSFER OF RECORDS**

485 Every officer of the City, upon expiration of his term for any cause whatsoever,  
486 shall deliver to his successor all books and records which may be the property of  
487 the City immediately after notification and/or request to do so.

488 **2.05.060: CONFLICTS OF INTERESTS**

489 All appointed officers of the City shall annually disclose conflicts of interest and  
490 otherwise adhere to provisions of the Utah Officers' and Employees' Ethics Act,  
491 set forth at *Utah Code Ann.* §10-3-1301, *et seq.*, as amended, hereby adopted by  
492 reference as if fully set forth herein.

493 **2.05.070: CITY RECORDER**

494

495 1. Appointment. On or before the first Monday in February following a municipal  
496 election, the Mayor, with the advice and consent of the City Council, shall  
497 appoint a qualified person to the office of City Recorder.

498 2. Office. The City Recorder shall occupy an office in the City offices or at some  
499 other place convenient thereto as the City Council may direct.  
500

501 3. Corporate Seal. The City Recorder shall keep the Corporate Seal. When  
502 certified by the City Recorder under the Corporate Seal, copies of all papers  
503 filed in the City Recorder's office and transcripts from all records of the City  
504 Council shall be admissible in all courts as originals.

505 4. Meetings of City Council. The City Recorder, or his designee, shall attend  
506 meetings and keep the record of the proceedings of the City Council.  
507

508 5. Actions of City Council. The City Recorder shall record all ordinances,  
509 resolutions, and regulations passed by the City Council.

510 6. Contracts. The City Recorder shall countersign all contracts made on behalf  
511 of the City or to which the City is a party and shall maintain a properly  
512 indexed record of all such contracts.

- 513 7. Elections and Appointments. The City Recorder shall manage all municipal  
514 election procedures and requirements as provided in the *Utah Code*  
515 *Annotated*, as amended, and shall keep a record of all persons elected or  
516 appointed to any office within the City, including the date of appointment or  
517 election, term of office, date of death, resignation, or removal, and name of  
518 person appointed to fill any vacancy.
- 519 8. Records of the City. The City Recorder shall keep all of the books, records,  
520 accounts and documents of the City at the Recorder's Office. Such records  
521 shall be open for public inspection pursuant to the provisions of the Utah  
522 Government Records Access and Management Act.  
523
- 524 9. Limitations. The City Recorder shall not serve as the City Treasurer.
- 525 10. Additional Duties. The City Recorder shall perform such other and further  
526 duties as the City Council may provide by ordinance, resolution, or  
527 regulation..

528 **2.05.080: CITY TREASURER**

- 529 1. Appointment. On or before the first Monday in February following a municipal  
530 election, the Mayor, with the advice and consent of the City Council, shall  
531 appoint a qualified person to the office of City Treasurer.
- 532 2. Custodian. The City Treasurer shall be the custodian of all money, bonds, or  
533 other securities belonging to the City.
- 534 3. Collections. The City Treasurer shall collect and receive all monies payable  
535 to the City, including taxes, assessments, licenses, fines, forfeitures, service  
536 charges, fees and other revenues of the City. The City Treasurer shall keep  
537 an accurate account of all monies received hereunder and shall promptly  
538 deposit all such monies in the appropriate bank accounts of the City.
- 539 4. Receipts. The City Treasurer shall give or cause to be given to every person  
540 paying money to the City Treasury, a receipt or other evidence of payment  
541 therefore, specifying the date of payment and the amount paid. The City  
542 Treasurer shall file the duplicate of such receipt, a summary report, or other  
543 evidence of payment in the office of the City Recorder.
- 544 5. Checks. The City Treasurer, or other designated person, shall sign all checks  
545 and shall, prior to affixing said signature, determine or cause to be  
546 determined that sufficient funds are on deposit in the appropriate bank  
547 account of the City to honor such check.  
548
- 549 6. Warrants. The City Treasurer shall pay all warrants in the order in which  
550 presented and as money becomes available for payment thereof in the  
551 appropriate funds of the City. The City Treasurer shall note upon the back of  
552 each warrant presented the date of presentation and the date of payment.
- 553 7. Special Assessments. All monies received by the City Treasurer on any  
554 special assessment shall be applied to the payment of the improvement for  
555 which the assessment was made.

556 8. Accounting. The City Treasurer shall keep an accurate and detailed  
557 accounting of all transactions, receipts, collections, disbursements and other  
558 matters within the Treasurer's charge as provided by State law or as the City  
559 may by ordinance or resolution direct.

560 9. Limitations. The City Treasurer shall not serve as the City Recorder.

561 10. Additional Duties. The City Treasurer shall perform such other and further  
562 duties as the City Council may provide by ordinance, resolution, or  
563 regulation.

564 **2.05.090: CITY POLICE CHIEF**

565

566 1. Appointment. On or before the first Monday in February following a municipal  
567 election, the Mayor, with the advice and consent of the City Council, shall  
568 appoint a qualified person to the office of City Police Chief.

569 2. Duties. The Police Chief shall have the same authority and responsibilities as  
570 sheriffs and constables of Davis County, Utah, pursuant to provisions of *Utah*  
571 *Code Annotated §10-3-913*,, or its successor section,, and shall:

572 a. suppress riots, disturbances, and breaches of the peace;

573 b. apprehend all persons violating State laws or City ordinances;

574 c. diligently discharge his or her duties and enforce all ordinances of  
575 the City to preserve the peace, good order, and protection of the  
576 rights and property of all persons; attend the municipal Justice Court  
577 of the City when required, provide security for such Court, and obey  
578 its orders and directions; and

579 d. Additional Duties. The City Police Chief shall perform such other and  
580 further duties as the City Council may provide by ordinance,  
581 resolution, or regulation.  
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**CHAPTER 6**

584

**DEPARTMENT ORGANIZATION**

- 585 **2.06.010 City Finance Director**
- 586 **2.06.020 City Engineer**
- 587 **2.06.030 City Public Works Director**
- 588 **2.06.040 City Attorney**
- 589 **2.06.050 City Justice Court Judge**
- 590 **2.06.060 City Recreation Director**
- 591 **2.06.070 City Fire Chief**

592 **2.06.010: CITY FINANCE DIRECTOR**

- 593 1. Position Created. The position of Finance Director is hereby created
- 594 pursuant to *Utah Code Annotated*, Section 10-6-157, as amended (1953).
  
- 595 2. Accounts and Payment of Claims. The Finance Director shall maintain or
- 596 cause to be maintained the general books for each fund of the City and all
- 597 subsidiary and detailed records relating thereto, including a list of outstanding
- 598 bonds, for what purpose, when and where payable, and the rate of interest
- 599 they respectively bear, together with the amount of each outstanding. The
- 600 Director shall keep accounts with all receiving and disbursing officers of the
- 601 City, shall pre-audit all claims and demands against the City before they are
- 602 allowed, and shall prepare checks in payment thereof to be drawn on the
- 603 appropriate bank accounts of the City. The Director shall certify on the check
- 604 or voucher copy of the check that he has pre-audited the claim, that it is true
- 605 and correct, that it is within the lawful debt limit of the City, that it does not
- 606 over expend the appropriate departmental budget and that the claim has
- 607 been approved by the City Council. The Director shall also state the date of
- 608 approval.
  
- 609 3. Ex Officio Auditor. The Finance Director shall be the ex officio auditor of
- 610 Syracuse City and shall perform the duties of such office without extra
- 611 compensation.
  
- 612 4. Financial Statements. The Finance Director or other delegated person shall
- 613 prepare and present to the City Council the following financial statements:

  - 614 a. As of the end of each month, a summary of cash receipts and
  - 615 disbursements by funds or appropriate groups of funds, showing in
  - 616 total, the beginning cash and invested balances, the receipts and
  - 617 disbursements separately for the period, and cash and invested
  - 618 balances in each fund or groups of funds at the end of the period.
  
  - 619 b. As of the end of such period as the City Council may direct, but not
  - 620 less often than once each quarter, a statement of revenues and
  - 621 expenditures and comparison with the budget of the general fund.
  
  - 622 c. An annual statement of income and expense of each utility fund,
  - 623 reflecting operations to date in the current year and a comparison



- 667 and the holder of such records shall ensure public accessibility to the same  
668 as required by law.
- 669 3. Recording. The City Engineer shall record and file all drawings and  
670 documents pertaining to public lands and improvements of the City, and shall  
671 maintain such records and files in good condition allowing no alteration,  
672 mutilation or changes to be made. The recording or filing of any drawing or  
673 instrument with the City shall not conflict in any way with the recording or  
674 filing of the same in other offices of record.
- 675 4. Fees. The City Engineer shall not record any drawings or instruments, file  
676 any papers or notices, furnish any copies, or render any service connected  
677 with his official duties, until the required fees for the same are paid or  
678 tendered.
- 679 5. Seal. The City Engineer shall have a seal for his use, which seal shall be  
680 affixed to every certification approval.
- 681 6. Additional Duties. The City Engineer shall perform such other and further  
682 duties as the City Council may provide by ordinance, resolution, or  
683 regulation.
- 684 **2.06.030: CITY PUBLIC WORKS DIRECTOR**
- 685 1. Position Created. There is hereby created the position of Public Works  
686 Director who shall act as the Department Head of the Public Works  
687 Department.
- 688 2. Duties. The Public Works Director shall have such powers and duties as  
689 designated and assigned to him by the City Council.
- 690 **2.06.040: CITY ATTORNEY**
- 691 1. Appointment. The City may contract with, retain, or appoint an attorney  
692 licensed to practice law in the State of Utah to the office of City Attorney to  
693 provide such legal assistance to the City as may be necessary.
- 694 2. Duties. The City Attorney shall act as legal advisor to the City in all matters  
695 pertaining to contracts with or by the City or questions of legality arising out  
696 of any law, ordinance or otherwise, and shall advise all City officers in  
697 relation to their official duties.
- 698 3. Criminal Prosecutor. The City may make a separate contract with an attorney  
699 or attorneys for the performance of criminal prosecutorial legal services.
- 700 **2.06.050: CITY JUSTICE COURT JUDGE**
- 701 The office of City Justice Court Judge is hereby created, who shall act as the  
702 Justice Court Judge of the Syracuse City Justice Court. The Justice Court Judge  
703 shall be appointed and shall have such powers and duties as set forth in Title 4  
704 of this Syracuse Municipal Code and as otherwise designated or assigned to him  
705 by the City Council.

706 **2.06.060: RECREATION DIRECTOR**

707 The Recreation Director plans, schedules, and develops various recreation  
708 activities and programs for the community.

709 **2.06.070: CITY FIRE CHIEF**

710 1. Appointment. On or before the first Monday in February following a  
711 municipal mayoral election, there shall be appointed by the Mayor, with  
712 the advice and consent of the City Council, a City Fire Chief who shall  
713 perform the duties required of him by law, and shall perform such other  
714 duties as the City Council may require.

715 2. Duties. The duty of extinguishing fires and of protecting life and property  
716 within the city is entrusted to the Chief of the Fire Department. He may  
717 make suitable regulations under which the officers and the members of  
718 the department shall be required to wear an appropriate uniform or  
719 badge by which, in case of fire and at other times, their authority and  
720 position in the fire department may be known. The Chief shall have sole  
721 and entire command over all officers and members of the department at  
722 fires. He shall have full charge at all times of all apparatus and  
723 appurtenances belonging to the department, and he shall adopt such  
724 measures as deemed expedient for the extinguishment of fire, protection  
725 of property, observance of the laws of the state, and duties required of  
726 him by law and the ordinances of the city. It shall be the duty of the Fire  
727 Chief to examine the condition of all buildings and to inspect engines,  
728 hoses, and hoods, and ladder equipment of the city fire department. It  
729 shall further be the duty of the Fire Chief to see that at all times the  
730 provisions of the ordinances relating to the protection and regulation of  
731 the property are strictly enforced, and to enforce all ordinances  
732 concerning the prevention and protection against fires.

733 3. Additional Duties. The City Fire Chief shall perform such other and  
734 further duties as the City Council may provide by ordinance, resolution,  
735 or regulation.  
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**CHAPTER 7**

**CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS**

**2.07.010 Campaign Financial Disclosure**

**2.07.010: CAMPAIGN FINANCIAL DISCLOSURE**

Campaign Financial Disclosure in City Elections is in accordance with *Utah Code Ann. § 10-3-208*, as amended

(1) As used in this section:

(a) "Reporting date" means:

(i) 10 days before a municipal general election, for a campaign finance statement required to be filed no later than seven days before a municipal general election; and

(ii) the day of filing, for a campaign finance statement required to be filed no later than 30 days after a municipal primary or general election.

(b) "Reporting limit" means:

(i) \$50; or

(ii) an amount lower than \$50 that is specified in an ordinance of the municipality.

(2) (a) (i) Each candidate for municipal office who is not eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement:

(A) no later than seven days before the date of the municipal general election; and

(B) no later than 30 days after the date of the municipal general election.

(ii) Each candidate for municipal office who is eliminated at a municipal primary election shall file with the municipal clerk or recorder a campaign finance statement no later than 30 days after the date of the municipal primary election.

(b) Each campaign finance statement under Subsection

(2)(a) shall:

(i) except as provided in Subsection (2)(b)(ii):

(A) report the candidate's itemized and total:

772 (I) campaign contributions, including in-kind and  
773 other non-monetary contributions, received  
774 before the close of the reporting date; and  
775 (II) campaign expenditures made through the  
776 close of the reporting date; and

777 (B) identify:

778 (I) for each contribution that exceeds the  
779 reporting limit, the amount of the contribution  
780 and the name of the donor;

781 (II) the aggregate total of all contributions that  
782 individually do not exceed the reporting limit;  
783 and

784 (III) for each campaign expenditure, the amount  
785 of the expenditure and the name of the recipient  
786 of the expenditure; or

787 (ii) report the total amount of all campaign contributions and  
788 expenditures if the candidate receives \$500 or less in campaign  
789 contributions and spends \$500 or less on the candidate's  
790 campaign.

791 (4) Each municipal clerk or recorder shall, at the time the candidate for municipal  
792 office files a declaration of candidacy, and again 14 days before each municipal  
793 general election, notify the candidate in writing of:

794 (a) the provisions this ordinance governing the disclosure of campaign  
795 contributions and expenditures;

796 (b) the dates when the candidate's campaign finance statement is  
797 required to be filed; and

798 (c) the penalties that apply for failure to file a timely campaign finance  
799 statement, including the statutory provision that requires removal of the  
800 candidate's name from the ballot for failure to file the required campaign  
801 finance statement when required.

802 (5) Notwithstanding any provision of Title 63G, Chapter 2, Government Records  
803 Access and Management Act, the municipal clerk or recorder shall:

804 (a) make each campaign finance statement filed by a candidate available  
805 for public inspection and copying no later than one business day after the  
806 statement is filed; and

807 (b) make the campaign finance statement filed by a candidate available  
808 for public inspection by:

809 (i) (A) posting an electronic copy or the contents of the statement  
810 on the municipality's website no later than seven business days  
811 after the statement is filed; and

812 (B) verifying that the address of the municipality's  
813 website has been provided to the lieutenant governor in  
814 order to meet the requirements of Subsection 20A-11-  
815 103(5); or

816 (ii) submitting a copy of the statement to the lieutenant governor  
817 for posting on the website established by the lieutenant governor  
818 under Section 20A-11-103 no later than two business days after  
819 the statement is filed.

820 (6) (a) If a candidate fails to file a campaign finance statement before the  
821 municipal general election by the deadline specified in Subsection (2)(a)(i)(A),  
822 the municipal clerk or recorder shall inform the appropriate election official who:

823 (i) shall:

824 (A) if practicable, remove the candidate's name from the  
825 ballot by blacking out the candidate's name before the  
826 ballots are delivered to voters; or

827 (B) if removing the candidate's name from the ballot is  
828 not practicable, inform the voters by any practicable  
829 method that the candidate has been disqualified and that  
830 votes cast for the candidate will not be counted; and

831 (ii) shall not count any votes for that candidate.

832 (b) Notwithstanding Subsection (6)(a), a candidate who files a campaign  
833 finance statement seven days before a municipal general election is not  
834 disqualified if:

835 (i) the statement details accurately and completely the  
836 information required under Subsection (2)(b), except for  
837 inadvertent omissions or insignificant errors or inaccuracies; and

838 (ii) the omissions, errors, or inaccuracies are corrected in an  
839 amended report which is filed within 24 hours of discovery of the  
840 discrepancy.

841 (7) A campaign finance statement required under this section is considered filed  
842 if it is received in the municipal clerk or recorder's office by 5 p.m. on the date  
843 that is it due.

844 (8) (a) A private party in interest may bring a civil action in district court to enforce  
845 the provisions of this section.

846 (b) In a civil action under Subsection (8)(a), the court may award costs  
847 and attorney's fees to the prevailing party.

848

**CHAPTER 7**

849

**GOVERNMENT RECORDS**

- 850 **2.07.010** **General**
- 851 **2.07.020** **Retention Schedule**
- 852 **2.07.030** **Records requests**
- 853 **2.07.040** **Fees**
- 854 **2.07.050** **Fee Waiver**
- 855 **2.07.060** **Appeals**

856 **2.07.010: GENERAL**

857 All government records of the City shall be maintained, classified and accessed  
858 in accordance with the Government Records Access and Management Act set  
859 forth at *Utah Code Ann.* §§ 63-2-101. *et seq.*, as amended.

860 **2.07.020: RETENTION SCHEDULE**

861 All government records of the City shall be retained in accordance with the Utah  
862 Municipal General Records Retention Schedule (1998), as updated, which is  
863 hereby adopted by reference as the Syracuse City Records Retention Schedule.

864 **2.07.030: RECORDS REQUESTS**

865 Any person requesting a record shall file a written Government Records Access  
866 and Management Request Form as provided by the City. Such requests shall be  
867 submitted and processed in accordance with the Government Records Access  
868 and Management Act.

869 **2.07.040: FEES**

870 The City may charge reasonable fees to cover the City's actual cost of providing  
871 a record. Fees for providing a record shall be adopted and may be amended as  
872 part of the City's Fee Schedule. When the City compiles a records in a form other  
873 than that normally maintained by the City in response to a records request, the  
874 actual costs for compiling the record may include those costs set forth in *Utah*  
875 *Code Ann.* § 63-2-203, as amended; provided, no charge may be made for the  
876 first quarter hour of staff time. The City may require payment of past fees and  
877 future estimated fees before beginning to process a request if: (1) fees are  
878 expected to exceed fifty dollars (\$50.00); or (2) the requester has not paid fees  
879 from previous requests. Any prepaid amount in excess of fees due shall be  
880 returned to the requester.

881 **2.07.050: FEE WAIVER**

882 In accordance with *Utah Code Ann.* Section 63-2-203 of the Act, the City may  
883 fulfill a record request without charge when it determines that:

- 884 1. releasing the record primarily benefits the public rather than a  
885 person;

886 2. the individual requesting the record is the subject of the record, or an  
887 individual specified in Subsections 63-2-202(1) or (2) of the Act; or

888 3. the requester's legal rights are directly implicated by the information  
889 in the record and the requester is impecunious.

890 **2.07.060: APPEALS**

891 Any person aggrieved by the City's access determination made or fees imposed  
892 under this Chapter may appeal the determination, or fee assessed, within thirty  
893 (30) days to the Mayor in accordance with the provisions set forth in *Utah Code*  
894 *Ann.* § 63-2-401, as amended.



# SYRACUSE CITY

## Syracuse City Council Special Meeting Agenda

June 26, 2012 – Immediately following the Work Session

Large Conference Room

Municipal Building, 1979 W. 1900 S.

1. Meeting called to order
2. Consideration of solid waste hauling contract between Syracuse City and Robinson Waste Services, Inc.
3. Proposed Ordinance No. 12-15 amending the existing zoning map of Title 10, "Syracuse City Zoning Ordinance", revised ordinances of Syracuse, 1971, by changing from R-3 Residential Zone to PO Professional Office Zone on the parcel(s) or real property herein described.
4. Proposed Ordinance No. 12-16 amending the Syracuse City General Plan adopted in 1976, as amended.
5. Proposed Ordinance No. 12-17 amending the existing zoning map of Title 10, "Syracuse City Zoning Ordinance", revised ordinances of Syracuse, 1971, by changing from A-1 Agriculture Zone to R-1 Residential Zone on the parcel(s) or real property herein described.
6. 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 (roll call vote).
7. Adjourn

~~~~~

In compliance with the Americans Disabilities Act, persons needing auxiliary communicative aids and services for this meeting should contact the City Offices at 801-825-1477 at least 48 hours in advance of the meeting.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted within the Syracuse City limits on this 22nd day of June, 2012 at Syracuse City Hall on the City Hall Notice Board and at <http://www.syracuseut.com/>. A copy was also provided to the Standard-Examiner on June 22, 2012.

CASSIE Z. BROWN, CMC
SYRACUSE CITY RECORDER

**Members of the public who desire to offer a thought or invocation at Syracuse City Council Meetings shall contact the City Administrator at least two (2) weeks in advance of the meeting. Request will be honored on a first come, first serve basis. In the event there are no requests to offer a comment or prayer, the Mayor may seek opening comment or prayer from those members of the public attending the meeting or from City Staff or City Council.



COUNCIL AGENDA

June 26, 2012

Agenda Item “2”

**Discuss the solid waste hauling contract between
Syracuse City and Robinson Waste Services, Inc.**

Factual Summation

- Any questions regarding this item may be directed at City Attorney William Carlson.
- Please see attached memorandum provided by William Carlson.



Mayor
Jamie Nagle

City Council
Brian Duncan
Craig Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

MEMORANDUM

To: Mayor and City Council
From: City Attorney, William J. Carlson
Date: June 26, 2012
Subject: Contract with Robinson Waste Management

Background

Robinson Waste Management has been collecting garbage for Syracuse City for over a decade. Most recently, the City and Robinson entered into a Garbage Collection Contract (“Contract”) dated April 1, 2009. In the contract, the City agreed to pay Robinson a fuel allowance per household per month of .33% of the price of the price of diesel over \$3.00 per gallon (“Fuel Surcharge”).

Since April 1, 2009, Robinson has charged the City 33% of the price of diesel over \$3.00 per gallon rather than .33% of the price of diesel over \$3.00 per gallon. This has resulted in a \$33,072.36 overcharge to the City. In early March the City discovered the discrepancy between the contract and the bill. On March 7, 2012 the City notified Robinson Waste of a breach of contract and made a demand on Robinson for repayment of the overpaid Fuel Surcharges.

Robinson made repayment and has provided his “best offer” for a new contract term. Robinson’s proposed rates are neither uniformly higher nor lower for the city. The new contract eliminates the power of Robinson to unilaterally renew without the City’s consent. It also provides options for recycling and collecting on one side of the street.

Recommendation

The proposed terms offered by Robinson’s best offer are not sufficiently beneficial or detrimental to the City for the City Attorney to make a

recommendation. If the City Council approves the addendum, the City Attorney recommends that the City Council further determine whether or not to approve Recycling as mandatory, opt out, or opt in. Additionally, the City Attorney recommends a determination as to whether to approve collection from one side of the street where feasible.

**ADDENDUM NO. 1
TO
GARBAGE COLLECTION CONTRACT**

THIS IS AN ADDENDUM to that GARBAGE COLLECTION CONTRACT (the “GCC”) with an Effective Date of April 1, 2009 including all prior addenda and counteroffers, between Syracuse City Corporation (“City”) and Robinson Waste Collection Services, Inc. (“Collector”). The following terms are hereby incorporated as part of the GCC:

1. **“1. GARBAGE COLLECTION** subsection A” shall be amended to the following.
“A. Collector agrees to pick up garbage from curbside at each residential unit, including apartments, duplexes, and all other types of residential units and small commercial units, presently being served by the City, and each new residential unit when constructed on an improved street within garbage collection area. Collector further agrees to pick up garbage at each property and building owned and operated by City.”

2. **“1. GARBAGE COLLECTION** subsection E” shall be amended to the following.
“E. During the term of this contract, the Collector is granted an exclusive right to collect all residential solid waste and Green Waste covered by this contract and generated within the City. Should the City determine in the future to offer recycling collection and disposal services to its residents, Collector shall provide such services. Payment for such services shall be in accordance with section **6. PAYMENT**.”

3. The following new subsection F shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**
“F. Collector shall track the weight of garbage collected from the inhabitants of the City each month and the percentage of collection vehicles that were fueled by natural gas each month and, to the best of Collector’s ability, shall report those quantities to the City each month.”

4. The following new subsection G shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**
“G. Collector agrees to pick up Green Waste weekly from each location identified in subsection A that has Green Waste containers, including locations that add green waste containers within garbage collection area. For the period that Green Waste continues as an opt-in program, Green Waste collection shall occur from April through November on the same day each week across the garbage collection area.”

5. The following new subsection H shall be inserted and added into the GCC under section **“1. GARBAGE COLLECTION”**
“H. Should City vote to implement a recycling program, Collector agrees to pick up recycling biweekly from each location identified in subsection A that has recycling containers, including locations that add recycling containers across the garbage collection area.”

6. "5. TERMS" shall be deleted and replaced with the following:

"5. TERMS"

- A. The term of this contract shall be for a period commencing June 1, 2012 and ending May 31, 2015, inclusive.
- B. The Contract may be extended for a subsequent term(s) of one, two, or more years upon mutual agreement of both the City and the Contractor. It shall be the duty of the Contractor to notify the City within three months prior to the expiration of the Contract that such Contract is approaching its termination date. Upon receiving such notice, the City and Contractor shall negotiate any extensions to the Contract upon such terms as the parties may deem appropriate. Either party may independently decline to extend the contract for an additional term(s). Any amendments to the Contract shall be valid only if set forth in writing and signed by the parties hereto.

7. "6. PAYMENT" shall be deleted and replaced with the following:

"6. PAYMENT"

- A. The current service rates are hereby guaranteed for the term, June 1, 2012 through May 31, 2015. The Collector may approach the City for a rate increase at the beginning of the third year, June 1, 2014, subject to the approval of the City. The rates are as follows:

First Garbage Container:	\$3.75 per month per residence
Each Additional Garbage Container:	\$1.50 per month per residence
Green Waste Container	\$3.50 per month per residence

- B. In the event that City implements recycling, the rates shall be implemented based on the participation rate approved by the City Council. The following service rates are hereby guaranteed for the term, June 1, 2012 through May 31, 2015. The Collector may approach the City for a rate increase at the beginning of the third year, June 1, 2014, subject to the approval of the City. The rates are as follows:

Mandatory Recycling (95-100% participation)	\$2.10 per month per residence
Opt-Out Recycling (60-94.9% participation)	\$2.25 per month per residence
Opt-In Recycling (25-59.9% participation)	\$3.50 per month per residence

- C. Residents on many low traffic streets in the garbage collection area could feasibly place all containers on the same side of the road for collection. In the event that the City Council approves adjusting collection to same side of the street collection for all feasible streets, the service rate will be adjusted. The feasibility of same side collection for each street will be determined by mutual agreement of the City Manager or a designee of the manager and Steve Robinson or a designee of Steve Robinson. Although not all streets will be feasible for same side collection, upon implementation of same-side collection to all feasible streets, the following rates shall apply to all containers in the city, regardless of collection method:

First Garbage Container:	\$3.00 per month per residence
Each Additional Garbage Container:	\$3.00 per month per residence
Green Waste Container	\$3.00 per month per residence
Recycling	\$1.95 per month per residence (Mandatory or Opt Out)

D. City agrees to pay Collector a fuel allowance per household per month, of 33% of the price of diesel over \$3.50 per gallon for Garbage Collection. City agrees to pay Collector a fuel allowance per household per month, of 16.5% of the price of diesel over \$3.50 per gallon for Recycling. City agrees to pay Collector a fuel allowance per household per month, of 22% of the price of diesel over \$3.50 per gallon for Green Waste. Diesel fuel prices used for this calculation are the monthly average of the published Department of Energy, Rocky Mountain region prices. If Collector reports the regular use of natural gas vehicles, the total fuel allowance shall be decreased by the percentage of natural gas vehicles reported. If City determines that Collector has failed to report the regular use of natural gas vehicles, or if City determines that Collector has underreported regular use of natural gas vehicles, there shall be no fuel allowance for the remainder of the contract term.

E. If the option for additional terms is exercised, the payment amount referred to above for such additional terms shall be negotiated by the Collector and the City. Such adjustments shall be made by written addendum to this contract.

F. Payment for services provided for herein shall be made by the City on or before the 15th day of each month for services rendered during the prior calendar month.

G. Collector may request in writing a modification of payment rates during the term of this contract if there has been a noticeable increase in operating expenses to the Collector and sufficient documentation is presented to substantiate the need for the increase. The City and the Collector shall negotiate disposition of the request.”

8. **“11. SUPERVISION BY CITY ADMINISTRATOR”** shall be amended to the following:
“11. SUPERVISION BY CITY MANAGER All work, including points of collection, shall be carried out in accordance with the general directions of the City Manager or a designee of the City Manager; however, it is specifically understood and agreed that Collector is performing all work as an independent contractor, as herein stated, and that the City is not entitled to specify in detail the manner or method by which Collector shall perform the work provided for in connection with this Contract, except to the extent stated herein.”

9. **“20. EFFECTIVE DATE”** shall be amended to the following:

“20. EFFECTIVE DATE

The effective date of this Contract shall be July 1, 2012 notwithstanding the date of actual signing by the parties.

10. The following new Section 22 shall be inserted and added into the GCC as “**22.**

ACCEPTANCE”

“**21. ACCEPTANCE** “Acceptance” occurs only when all of the following have occurred: (a) Collector and City has signed the offer or counteroffer where noted to indicate acceptance; and (b) Collector and City has communicated to the other party or to the other party’s agent that the offer or counteroffer has been signed as required.”

To the extent the terms of this ADDENDUM modify or conflict with any provisions of the GCC, including all prior addenda and counteroffers, these terms shall control. All other terms of the GCC including all prior addenda and counteroffers, not modified by this ADDENDUM shall remain the same.

City Signature (Date) (Time)

Collector Signature (Date) (Time)



COUNCIL AGENDA

June 26, 2012

Agenda Item “3”

Proposed Ordinance No. 12-15 amending the existing zoning map of Title 10, “Syracuse City Zoning Ordinance”, revised ordinances of Syracuse, 1971, by changing from R-3 Residential Zone to PO Professional Office Zone on the parcel(s) or real property herein described

Factual Summation

- Any questions regarding this item may be directed at Community Development Department Staff.
- Please see attached memorandum provided by Kent Andersen.



Mayor
Jamie Nagle

City Council
Brian Duncan
Craig Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

City Manager
Robert D. Rice

Factual Summation

- Any questions regarding this items may be directed at City Planner Kent Andersen
- See attached map showing the rezone request
- See attached Rezone Application
- See attached proposed Ordinance No. 12-15

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: June 26, 2012

Subject: Proposed Rezone of property, located at 1384 West 1700 South, from R-3 Residential to PO Professional Office

Background

Curt Warnick, acting on behalf of the property owner(s) Tyler Dean and Leah Ann Leavitt, has submitted a request to rezone 0.264 acres of land located at 1384 West 1700 South from the current R-3 Residential zone to PO Professional Office zone. This request is consistent with the General Plan designation for this property (see attached map).

Consideration of the Rezone Request

On June 19, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed rezone request, in which comments were received. On June 19, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the proposed rezone of property, located at 1384 West 1700 South, from R-3 Residential to PO Professional Office.

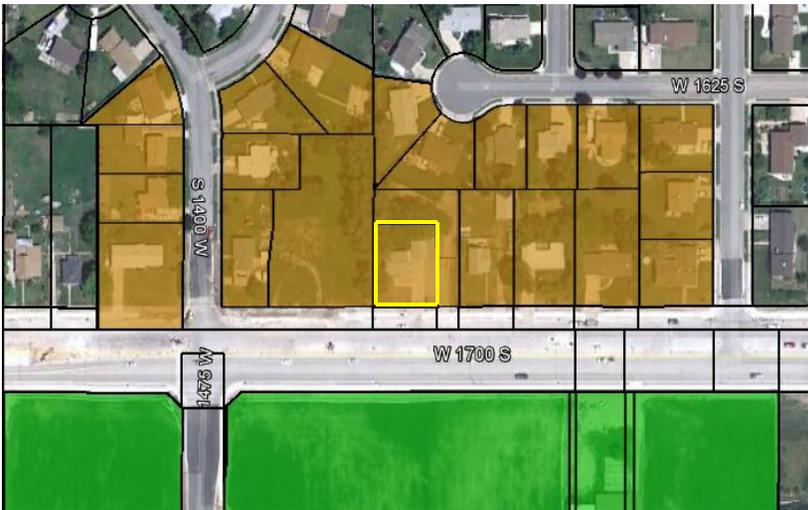
Recommendation

The Community & Economic Development Department recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council approve the proposed rezone of property, located at 1384 West 1700 South, from R-3 Residential to PO Professional Office on the Syracuse City Zoning Map to reflect attached Ordinance No. 12-15.

Curt Warnick – Current General Plan



Curt Warnick – Current Zoning



Curt Warnick – Zoning Request



Zoning Classification Legend

A-1 Agriculture

R-3 Residential

General Commercial

Professional Office



Rezoning of Property Application

Syracuse City Community Development

1979 West 1900 South, Syracuse, UT 84075

Phone: (801) 614-9626; website: www.syracuseut.com

FAX: (801) 614-9626 or email jmerrill@syracuseut.com

Updated 12-21-10

Subject Property Information:		
Property address or approximate coordinate: <i>1384 West 1700 South, Syracuse, UT</i>	Total acreage of parcel: <i>.27 ; 11,700 sq. ft.</i>	
Parcel identification number (as recorded with Davis County): <i>12-053-0092</i>	Current Zone: <i>R-3</i>	Proposed Zone: <i>PO</i>

Brief Description of Purpose for Rezone and Reasons Supporting the Request:
Rezone purpose is to allow professional insurance agent/office to locate business on/in property. Proposed use is consistent with existing general plan.

Subject Property Owner Contact Information			
Name(s) of every person or company the applicant represents: <i>Tyler & Leah Leavitt</i>			
Mailing address: <i>1384 W. 1700 S.</i>	City: <i>Syracuse</i>	State: <i>UT</i>	ZIP: <i>84075</i>
Office phone: <i>n/a</i>	Cell phone: <i>801-698-8453</i>	Email:	

Applicant Contact Information (if different from Property Owner):			
Name (and agent, if any): <i>CURT WARNICK</i>			
Mailing address: <i>1588 S 2000 W #103</i>	City: <i>SYRACUSE</i>	State: <i>UT</i>	ZIP: <i>84075</i>
Office phone: <i>801-898-2432</i>	Cell phone: <i>same</i>	Email: <i>CWARNICK@AUFAM.COM</i>	

I hereby certify that the requested Rezone would comply with all required conditions and standards of the Syracuse City Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I read the Syracuse Land Use Ordinance relative to rezoning and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and compliance with all requirements of Syracuse City's Municipal Code. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

Applicant Signature: *[Signature]*

Date: *6/1/12*

Property Owner Signature: *Tyler D. Leavitt*
 Leah Leavitt

Date: *3-7-12*
3-7-12

FOR OFFICE USE ONLY		
Date Received and Paid:	Received by:	Application and Noticing Fees:
		Application fee \$425.00
		\$ 15.00 mailing notice list \$
		\$ 6.00 public hearing sign \$ 6.00
Land Use Authority Recommendation and Date:		Noticing fee for <u>9</u> addresses \$ <u>8.37</u>
City Council Decision and Date:		Total Paid \$ <u>19.37</u>

ORDINANCE NO. 12-15

AN ORDINANCE AMENDING THE EXISTING ZONING MAP OF TITLE X, "SYRACUSE CITY ZONING ORDINANCE", REVISED ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM R-3 RESIDENTIAL ZONE TO PO PROFESIONAL OFFICE ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED.

WHEREAS, the City has adopted a Zoning Ordinance to regulate land use and development within the corporate boundaries of the City; and

WHEREAS, Chapter Four of the Ordinance authorizes the City Council to amend the number, shape, boundaries, or any area of any zone; and

WHEREAS, a request for rezone has been made; the same has been recommended for approval by the Planning Commission; and a public hearing has been held with the proper notice having been given 10-days prior to the hearing date;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1: That the following described real parcels of property in R-3 Residential Zone as shown on a zoning map are hereby amended and changed to PO Professional Office Zone accordingly:

BEG AT A PT 1979 FT W & N 0°19'14" E 33.00 FT FR SE COR SEC 10-T4N-R2W, SLM; TH N 117 FT; TH W 100 FT; TH S 117 FT; TH S 89°40'46" E 100 FT TO POB. CONT. 0.264 ACRES (NOTE: THIS REMAINING LEGAL WAS WRITTEN IN THE DAVIS COUNTY RECORDER'S OFFICE FOR I.D. PURPOSES. IT DOES NOT REFLECT A SURVEY OF THE PROPERTY.)

Said property is located at 1384 West 1700 South.

SECTION 2: Effective Date. This Ordinance shall become effective immediately upon publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 26th DAY OF JUNE, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Jamie Nagle, Mayor



COUNCIL AGENDA

June 26, 2012

Agenda Item “4”

Proposed Ordinance No. 12-16 amending the Syracuse City General Plan adopted in 1976, as amended.

Factual Summation

- Any questions regarding this item may be directed at Community Development Department Staff.
- Please see attached memorandum provided by Kent Andersen.



Mayor
Jamie Nagle

City Council
Brian Duncan
Craig Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

City Manager
Robert D. Rice

Factual Summation

- Any questions regarding this items may be directed at City Planner Kent Andersen
- See attached map showing the general plan request
- See attached General Plan/Rezone Application
- See attached letter from Davis County Commission
- See attached proposed Ordinance No. 12-16

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: June 26, 2012

Subject: Proposed General Plan update of property, located at approximately 1500 West 3700 South, from Open Space/Recreational and A-1 Agriculture to R-1 Residential

Background

Irben Development, LLC has submitted a request to update the Syracuse City General Plan for approximately 83 acres of land located at approximately 1500 West 3700 South from the current Open Space/Recreational and A-1 Agriculture zone to R-1 Residential zone (see attached map). Part of this general plan update is a portion of Davis County owned property, who submitted documentation supporting changing the land use designation to R-1 Residential (see attached letter from Davis County Commission).

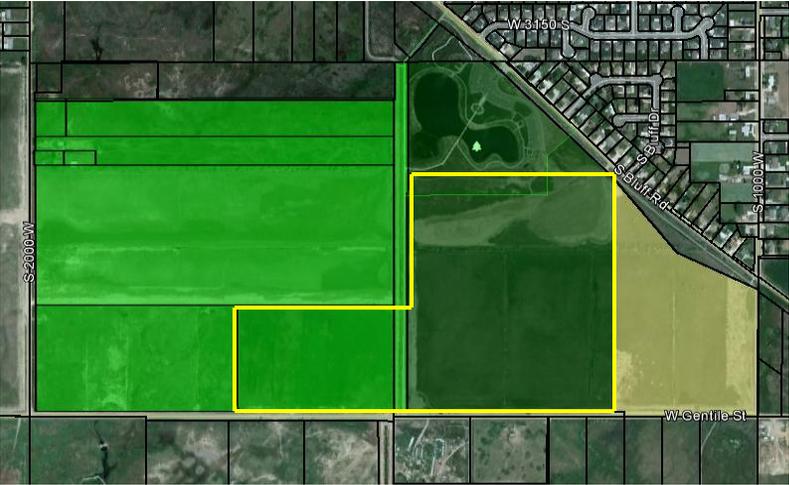
Consideration of the Rezone Request

On June 19, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed general plan update, in which comments were received. On June 19, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the proposed update to the Syracuse General Plan of property, located at approximately 1500 West 3700 South, from Open Space/Recreational and A-1 Agriculture to R-1 Residential.

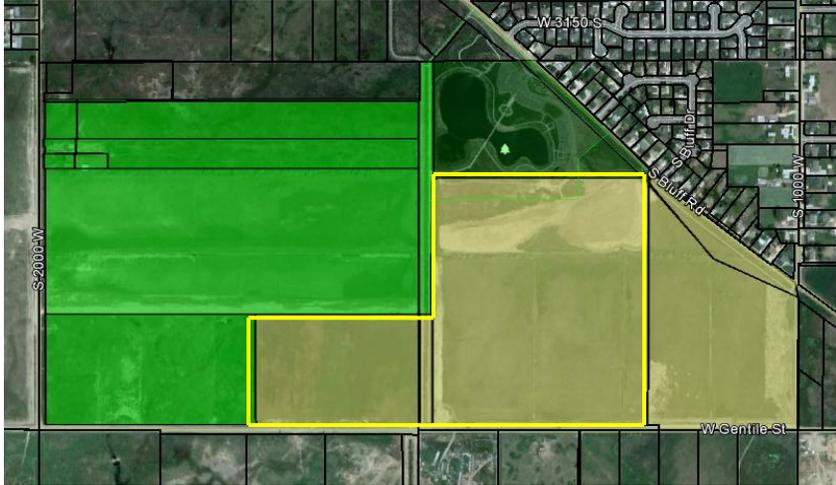
Recommendation

The Community & Economic Development Department recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council approve the update to the Syracuse City General Plan of property, located approximately at 1500 West 3700 South, from Open Space/Recreational and A-1 Agriculture to R-1 Residential to reflect attached Ordinance No. 12-16.

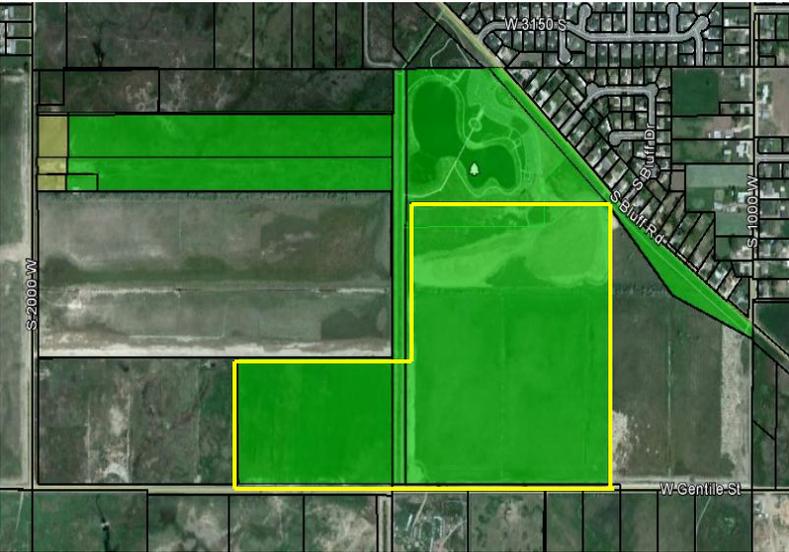
Irben Development, LLC – Current General Plan



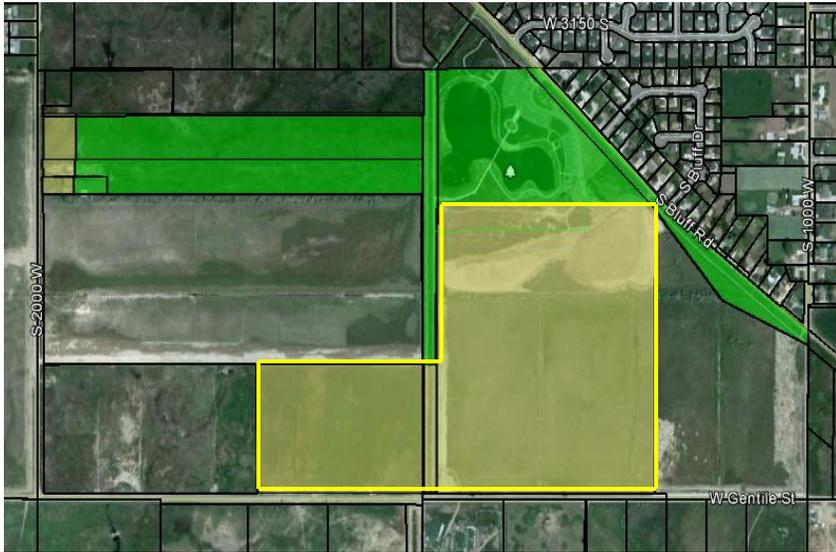
Irben Development, LLC – General Plan Request



Irben Development, LLC – Current Zoning



Irben Development, LLC – Zoning Request



Zoning Classification Legend		
A-1 Agriculture	R-1 Residential	Open Space / Recreational



General Plan and, if applicable, Rezone of Property Request Application

Syracuse City Community Development

1979 West 1900 South, Syracuse, UT 84075

Phone: (801) 614-9626; website: www.syracuseut.com

FAX: (801) 614-9626 or email jmerrill@syracuseut.com

Updated 5-15-12

Subject Property Information:			
Property address or approximate coordinate: <i>1500 West Confile St</i>		Total acreage of parcel: <i>83.07</i>	
Parcel identification number (as recorded with Davis County): <i>12-106-0050 Southern 800 ft. of</i> <i>12-106-0048 12-106-0036</i>		Current General Plan: <i>Open Space / A1</i>	Proposed General Plan: <i>R1</i>
		Current Zone: <i>A1</i>	Proposed Zone: <i>R1</i>
Brief Description of Purpose for General Plan (attach a map showing the location) and, if applicable, Rezone and Reasons Supporting the Request:			
<i>Purposes: Requesting R1 Zone w/Cluster to support development of two ski lakes and residential housing.</i>			
Subject Property Owner Contact Information			
Name(s) of every person or company the applicant represents: <i>Irben Development LLC (Mike Thayne)</i>			
Mailing address: <i>1768 N. 4850 W.</i>		City: <i>Plain City</i>	State: <i>UT</i>
			ZIP: <i>84404</i>
Office or Home phone: <i>801-499-0053</i>	Cell phone: <i>Same</i>	Email: <i>ThayneMichaelJ@JohnDeere.com</i>	
Applicant Contact Information (if different from Property Owner):			
Name (and agent, if any):			
Mailing address:		City:	State:
			ZIP:
Office or Home phone:	Cell phone:	Email:	

I hereby certify that the requested General Plan, and if applicable, Rezone request would comply with all required conditions and standards of the Syracuse City Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I read the Syracuse Land Use Ordinance relative to general plan and rezoning and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and Planning Commission and compliance with all requirements of Syracuse City's Municipal Code. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority and Planning Commission meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

Applicant Signature: *Michael J. Thayne*

Date: *6/1/12*

Property Owner Signature: *Michael J. Thayne*

Date: *6/1/12*

FOR OFFICE USE ONLY		
Date Received and Paid: <i>6/4/12</i>	Received by: <i>UMM</i>	Application and Noticing Fees:
Planning Commission Recommendation and Date:		General Plan Application fee \$ 50.00
Land Use Authority Decision and Date:		Rezone Application fee \$425.00
		\$ 15.00 mailing notice list \$ 15.00
		\$ 6.00 public hearing sign \$ 12.00
		Noticing fee for <u><i>118</i></u> addresses \$ <u><i>109.74</i></u>
		Total Paid \$ <u><i>611.74</i></u>



Davis County Commission

Commissioners: P. Bret Millburn, John Petroff, Jr., Louenda H. Downs

June 5, 2012

Syracuse City Planning and Development
1787 South 2000 West
Syracuse, Utah 84075

Re: Irben Development LLC General Plan and Rezone Request

To Whom It May Concern,

This is in reference to the General Plan and Rezone of Property Request submitted to Syracuse City by Irben Development LLC on Monday, June 4, 2012. The request includes three properties. One of the properties is the south approximately 800 feet of parcel 12-106-0036 which is owned by Davis County. This parcel 12-106-0036 is a strip of land 100 feet wide that separates the applicant's property, parcel 12-106-0050, and parcel 12-106-0048 that the applicant has under contract. The rezone request is to change all three properties from Open Space/A1 to R1.

In order to facilitate development proposed by the applicant, it is the intent of the applicant to acquire the south approximately 800 feet of parcel 12-106-0036 from Davis County. Note: this acquisition will include the applicant granting an easement back to the county for access to the county storm drain that is on this property.

The purpose of this memo is to give approval to Syracuse City to proceed with the rezone application submitted by Irben Development LLC that includes a portion of parcel 12-106-0036 as described above.

Respectfully,

John Petroff, Jr.

ORDINANCE NO. 12-16

**AN ORDINANCE AMENDING THE SYRACUSE CITY GENERAL PLAN
ADOPTED IN 1976, AS AMENDED.**

WHEREAS, in 1967 a Syracuse Preliminary Master Plan was prepared for the Syracuse Planning Commission as a part of the Davis County Master Plan Program, said preliminary plan being prepared by R. Clay Allred and Associates, Planning Consultants; and

WHEREAS, in 1976 a Comprehensive Plan for Syracuse was prepared by the Davis County Planning Commission with assistance of Architects/Planners Alliance Planning Consultants and Wayne T. Van Wagoner and Associates, Traffic and Transportation Consultants which plan was financially aided by a grant from the Department of Housing and Urban Development through the Utah State Department of Community Affairs; and

WHEREAS, the 1976 Comprehensive Plan was amended in 1988 and the title changed to the Syracuse City Master Plan; and

WHEREAS, The Syracuse City General Plan was again amended in 1996, 1999, 2003, 2006, 2009, and 2011 to incorporate appropriate and necessary changes to the General Plan as approved at that time; and

WHEREAS, the Syracuse City Planning Commission adopted a process in 2012, where an applicant may apply for a Syracuse City General Plan update outside of the traditional district review; and

WHEREAS, public hearings have been held by the Planning Commission to receive public input regarding proposed changes; and

WHEREAS, the Planning Commission has proposed amendments to the General Plan District 10 that provide development objectives with respect to the most desirable use of land within the City for residential, recreational, agricultural, commercial, industrial, and other purposes, and which residential areas shall have the most desirable population density in the planning districts of the City to benefit the physical, social, economic, and governmental development of the City and to promote the general welfare and prosperity of its residents;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
SYRACUSE CITY, STATE OF UTAH, AS FOLLOWS:**

Section 1. General Plan District 10. That the Syracuse City General Plan District 10, June 2012 revision, attached hereto as Exhibit A, is hereby adopted and any ordinances or resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 2. Severability. If any section, part or provision of this Resolution is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Resolution, and all sections, parts and provisions of this Resolution shall be severable.

Section 3. Effective Date. This Resolution shall become effective immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS 26th DAY OF JUNE, 2012.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Jamie Nagle, Mayor



COUNCIL AGENDA

June 26, 2012

Agenda Item “5”

Proposed Ordinance No. 12-17 amending the existing zoning map of Title 10, “Syracuse City Zoning Ordinance”, revised ordinances of Syracuse, 1971, by changing from A-1 Agriculture Zone to R-1 Residential Zone on the parcel(s) or real property herein described.

Factual Summation

- Any questions regarding this item may be directed at Community Development Department Staff.
- Please see attached memorandum provided by Kent Andersen.



Mayor
Jamie Nagle

City Council
Brian Duncan
Craig Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

City Manager
Robert D. Rice

Factual Summation

- Any questions regarding this items may be directed at City Planner Kent Andersen
- See attached map showing the rezone request
- See attached General Plan/Rezone Application
- See attached letter from Davis County Commission
- See attached proposed Ordinance No. 12-17

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: June 26, 2012

Subject: Proposed Rezone of property, located at approximately 1500 West 3700 South, from A-1 Agriculture to R-1 Residential

Background

Contingent upon approval of the Syracuse City General Plan update request reflected in Ordinance No. 12-16, Irben Development, LLC has submitted a request to rezone approximately 83 acres of land located at approximately 1500 West 3700 South from the current A-1 Agriculture zone to R-1 Residential zone (see attached map). Part of this rezone request is a portion of Davis County owned property, who submitted documentation supporting changing the land use designation to R-1 Residential (see attached letter from Davis County Commission).

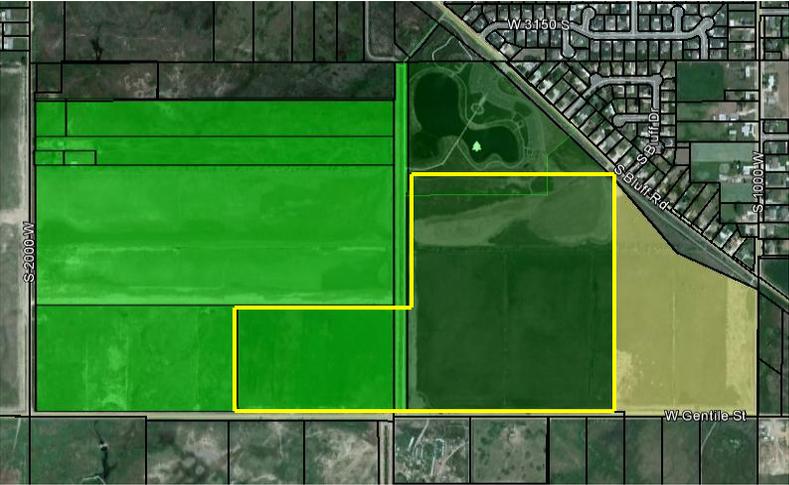
Consideration of the Rezone Request

On June 19, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed rezone request, in which comments were received. On June 19, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the proposed rezone of property, located at approximately 1500 West 3700 South, from A-1 Agriculture to R-1 Residential.

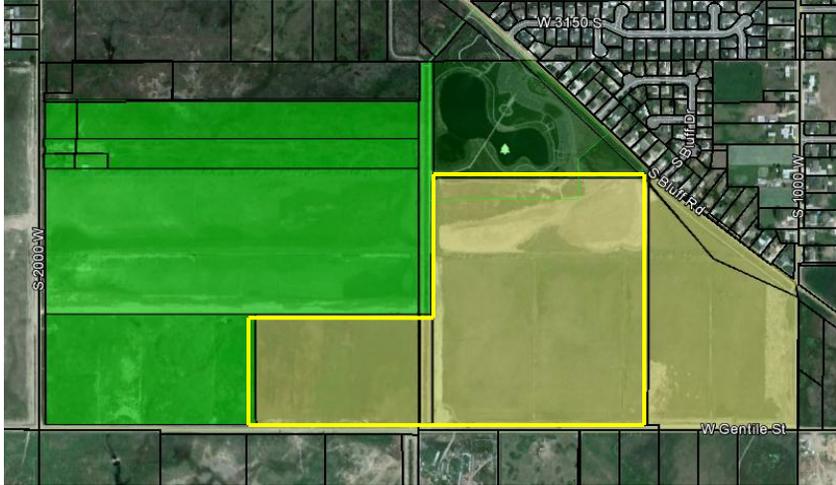
Recommendation

Contingent upon approval of the Syracuse City General Plan update request reflected in Ordinance No. 12-16, the Community & Economic Development Department recommends, following recommendation from the Syracuse City Planning Commission, that the Mayor and City Council approve the proposed rezone of property, located at approximately 1500 West 3700 South, from A-1 Agriculture to R-1 Residential on the Syracuse City Zoning Map to reflect attached Ordinance No. 12-17.

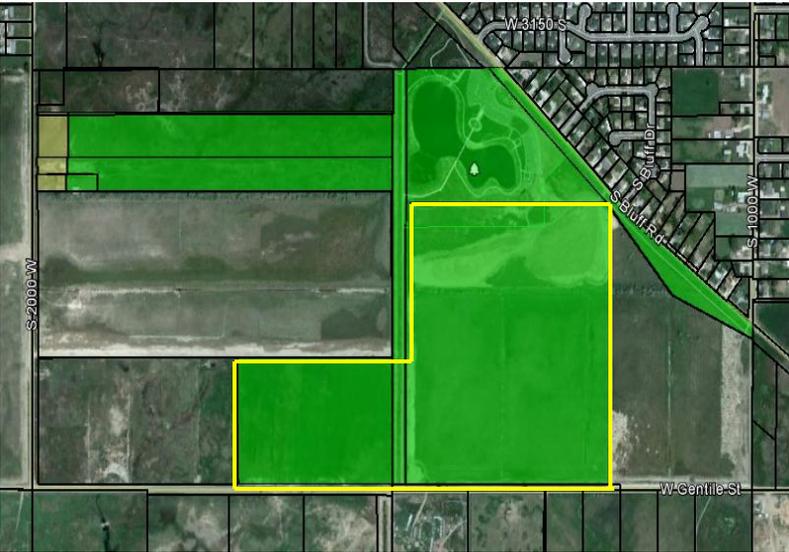
Irben Development, LLC – Current General Plan



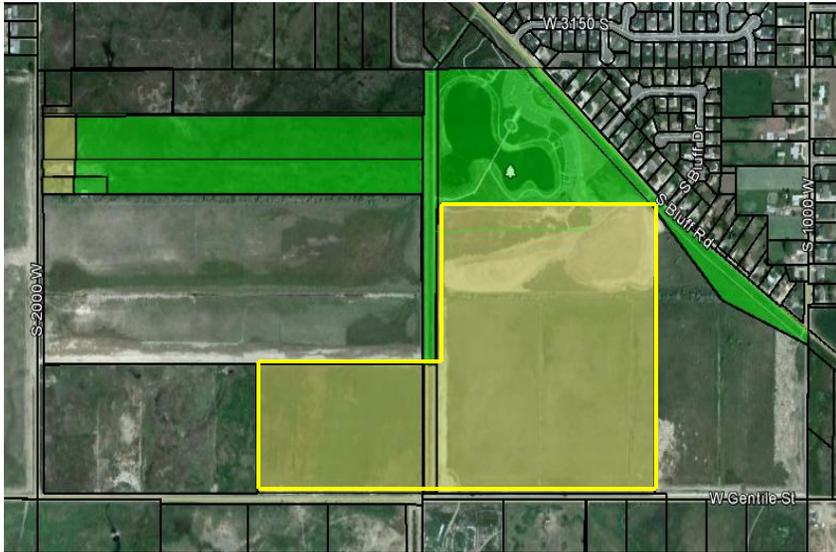
Irben Development, LLC – General Plan Request



Irben Development, LLC – Current Zoning



Irben Development, LLC – Zoning Request



Zoning Classification Legend		
A-1 Agriculture	R-1 Residential	Open Space / Recreational



General Plan and, if applicable, Rezone of Property Request Application

Syracuse City Community Development

1979 West 1900 South, Syracuse, UT 84075

Phone: (801) 614-9626; website: www.syracuseut.com

FAX: (801) 614-9626 or email jmerrill@syracuseut.com

Updated 5-15-12

Subject Property Information:			
Property address or approximate coordinate: <i>1500 West Confile St</i>		Total acreage of parcel: <i>83.07</i>	
Parcel identification number (as recorded with Davis County): <i>12-106-0050 Southern 800 ft. of</i> <i>12-106-0048 12-106-0036</i>		Current General Plan: <i>Open Space / A1</i>	Proposed General Plan: <i>R1</i>
		Current Zone: <i>A1</i>	Proposed Zone: <i>R1</i>
Brief Description of Purpose for General Plan (attach a map showing the location) and, if applicable, Rezone and Reasons Supporting the Request:			
<i>Purposes: Requesting R1 Zone w/Cluster to support development of two ski lakes and residential housing.</i>			
Subject Property Owner Contact Information			
Name(s) of every person or company the applicant represents: <i>Irben Development LLC (Mike Thayne)</i>			
Mailing address: <i>1768 N. 4850 W.</i>		City: <i>Plain City</i>	State: <i>UT</i>
			ZIP: <i>84404</i>
Office or Home phone: <i>801-499-0053</i>	Cell phone: <i>Same</i>	Email: <i>ThayneMichaelJ@JohnDeere.com</i>	
Applicant Contact Information (if different from Property Owner):			
Name (and agent, if any):			
Mailing address:		City:	State:
			ZIP:
Office or Home phone:	Cell phone:	Email:	

I hereby certify that the requested General Plan, and if applicable, Rezone request would comply with all required conditions and standards of the Syracuse City Land Use Ordinance, be harmonious with neighboring uses, fit the goals of the community's General Plan, and impose no insatiable demands for public services. I read the Syracuse Land Use Ordinance relative to general plan and rezoning and understand that submitting this application does not guarantee approval and is subject to the discretion of the City Land Use Authority and Planning Commission and compliance with all requirements of Syracuse City's Municipal Code. I hereby accept responsibility for meeting all requirements outlined herein, including payment of all fees and attending City Land Use Authority and Planning Commission meetings as notified by the Community Development Department, and understand that failure to do so may result in postponement of action by said Authority. I also understand that approval shall not relieve me of the responsibility to comply with applicable local and State zoning, health, building, or fire regulations.

Applicant Signature: *Michael J. Thayne*

Date: *6/1/12*

Property Owner Signature: *Michael J. Thayne*

Date: *6/1/12*

FOR OFFICE USE ONLY		
Date Received and Paid: <i>6/4/12</i>	Received by: <i>UMM</i>	Application and Noticing Fees:
Planning Commission Recommendation and Date:		General Plan Application fee \$ 50.00
Land Use Authority Decision and Date:		Rezone Application fee \$425.00
		\$ 15.00 mailing notice list \$ 15.00
		\$ 6.00 public hearing sign \$ 12.00
		Noticing fee for <u><i>118</i></u> addresses \$ <u><i>109.74</i></u>
		Total Paid \$ <u><i>611.74</i></u>



Davis County Commission

Commissioners: P. Bret Millburn, John Petroff, Jr., Louenda H. Downs

June 5, 2012

Syracuse City Planning and Development
1787 South 2000 West
Syracuse, Utah 84075

Re: Irben Development LLC General Plan and Rezone Request

To Whom It May Concern,

This is in reference to the General Plan and Rezone of Property Request submitted to Syracuse City by Irben Development LLC on Monday, June 4, 2012. The request includes three properties. One of the properties is the south approximately 800 feet of parcel 12-106-0036 which is owned by Davis County. This parcel 12-106-0036 is a strip of land 100 feet wide that separates the applicant's property, parcel 12-106-0050, and parcel 12-106-0048 that the applicant has under contract. The rezone request is to change all three properties from Open Space/A1 to R1.

In order to facilitate development proposed by the applicant, it is the intent of the applicant to acquire the south approximately 800 feet of parcel 12-106-0036 from Davis County. Note: this acquisition will include the applicant granting an easement back to the county for access to the county storm drain that is on this property.

The purpose of this memo is to give approval to Syracuse City to proceed with the rezone application submitted by Irben Development LLC that includes a portion of parcel 12-106-0036 as described above.

Respectfully,

John Petroff, Jr.

ORDINANCE NO. 12-17

AN ORDINANCE AMENDING THE EXISTING ZONING MAP OF TITLE X, "SYRACUSE CITY ZONING ORDINANCE", REVISED ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM A-1 AGRICULTURE TO R-1 RESIDENTIAL ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED.

WHEREAS, the City has adopted a Zoning Ordinance to regulate land use and development within the corporate boundaries of the City; and

WHEREAS, Chapter Four of the Ordinance authorizes the City Council to amend the number, shape, boundaries, or any area of any zone; and

WHEREAS, a request for rezone has been made; the same has been recommended for approval by the Planning Commission; and a public hearing has been held with the proper notice having been given 10-days prior to the hearing date;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED BY THE CITY COUNCIL OF SYRACUSE DAVIS COUNTY, STATE OF UTAH, AS FOLLOWS:

SECTION 1: That the following described real parcels of property in A-1 Agriculture Zone as shown on a zoning map are hereby amended and changed to R-1 Residential Zone accordingly:

BEG AT A PT ON THE N R/W LN OF GENTILE STR (3700 SOUTH STR) SD PT BEING N 00°12'25" E 33.00 FT ALG THE 1/4 SEC LN & S 89°58'46" E 99.99 FT FR THE S 1/4 COR OF SEC 22-T4N-R2W, SLM; TH N 00°12'25" E 1758.49 FT ALG THE E BNDRY LN OF THE DAVIS COUNTY PROP BK 1212 PG 717, TO THE SW COR OF SYRACUSE CITY PROP BK 3229 PG 1363; TH ALG THE S LN OF SD SYRACUSE CITY PROP E 1473.35 FT TO THE W'LY R/W LN OF THE LAYTON CANAL BK 238 PG 371; TH S 46°00'00" E 38.30 FT ALG SD W'LY R/W LN; TH S 00°12'25" W 1732.42 FT TO THE N R/W LN OF GENTILE STR (3700 SOUTH STR); TH N 89°58'46" W 1501.00 FT ALG SD N R/W LN TO TE POB. CONT 60.595 ACRES

and

BEG AT A PT ON THE N LN OF GENTILE STR, SD PT IS N 0°12'25" E 33.0 FT ALG THE SEC LN FR THE S 1/4 COR OF SEC 22-T4N-R2W, SLM; RUN TH N 0°12'25" E APPROX 795 FT ALG THE 1/4 SEC LN; TH E 100.0 FT; TH S APPROX 795 FT TO THE N LN OF SD ROAD; TH N 89°59'02" W 100.0 FT TO THE POB. CONT. APPROX 1.825 ACRES.

and

A PART OF THE SW 1/4 OF SEC 22-T4N-R2W, SLM; BEG AT A PT WH IS N 0°12'25" E 33.00 FT ALG THE 1/4 SEC LINE FR THE S 1/4 COR OF SD SEC 22 & RUN TH S 89°53'47" W 1136.30 FT PARALLEL TO THE S SEC LINE; TH N 0°12'25" E 792.00 FT;

*TH N 89°53'47" E 1136.30 FT TO THE 1/4 SEC LINE; TH S 0°12'25" W 792.00 FT ALG
THE 1/4 SEC LINE TO THE POB. CONT. 20.66 ACRES.*

Said properties are located at approximately 1500 West 3700 South.

SECTION 2: Effective Date. This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,
STATE OF UTAH, THIS 26th DAY OF JUNE, 2012.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Jamie Nagle, Mayor



COUNCIL AGENDA

June 26, 2012

Agenda Item “6”

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 (roll call vote).

Factual Summation

- Staff added this agenda item in the event that it is necessary to convene a meeting to discuss pending or reasonably imminent litigation.