



SYRACUSE CITY

Syracuse City Council Work Session Notice

July 10, 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, July 10, 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. Meeting agenda for the Regular Council Meeting to begin at 7:00 p.m. (5 min.)
- b. Report from Parks and Recreation Director Kresta Robinson re: Heritage Days. (5 min.)
- c. Review agenda item 5: Proposed Resolution updating the consolidated fee schedule. (5 min.)
- d. Presentation from “Citizens for a Better Syracuse” and Syracuse Arts Academy relative to the West Davis Corridor. (15 min.)
- e. Report from ad hoc committee. (25 min.)
- f. Council business. (5 min.)

**** Meetings of the Syracuse City Council may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207. In such circumstances, contact will be established and maintained via electronic means and the meeting will be conducted pursuant to the Rules, Policies and Procedures established by the Governing Body for electronic meetings. Councilmember Peterson has requested an opportunity to participate in this meeting via electronic means.****

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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 6<sup>th</sup> day of July, 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 July 6, 2012.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

July 10, 2012

Agenda Item #b

Report from Parks and Recreation Director Kresta Robinson regarding Heritage Days.

***Factual Summation***

- Any question regarding this agenda item may be directed at Parks and Recreation Director Kresta Robinson.



# COUNCIL AGENDA

July 10, 2012

Agenda Item #d                      Presentation from “Citizens for a Better Syracuse” and Syracuse Arts Academy relative to the West Davis Corridor.

***Factual Summation***

- Please see the following email regarding this agenda item.
- Please see the attached City Council and Planning Commission Minutes regarding the Syracuse Arts Academy.

**From:** Craig Johnson [<mailto:craigajent@gmail.com>]

**Sent:** Monday, July 02, 2012 11:04 AM

**To:** Cassie Brown; Robert Rice

**Cc:** [brian@lebaronjensen.com](mailto:brian@lebaronjensen.com); Craig Johnson; Jamie NagleYahoo; [bduncan@syracuse.com](mailto:bduncan@syracuse.com)

**Subject:** Agenda item for July 10

This is a request to add an agenda item to our July 10th work session meeting. I have discussed this with Brian Duncan and he and I would like to add this to the agenda.

Please add an item for a presentation from the citizens group, Citizens for a Better Syracuse, as well as the Syracuse Arts Academy and discussion. I was approached and asked for them to be on the agenda. They would like 15 minutes for the presentation/discussion. The content of the presentation are issues and concerns related to the West Davis Corridor.

Sincerely,

Craig Johnson

4. Steve Flint Conditional Use Permit for a Model Home

Steve Flint, 554 Artists Way in Layton, appeared before the Planning Commission to request a Conditional Use Permit to conduct business from a Model Home to be constructed on Lot 232, located at 2362 South 600 West, of the Whisperwood Subdivision. There are ten lots in this Subdivision which he hoped to have sold by the end of the year. The driveway is large enough to accommodate sufficient off-street parking. The sign in front is only 4x4 feet with no lighting. All exterior lights will be those normally attached to a residential home, and there will be no flags. Hours of operation are expected to be Thursdays and Fridays from 4-7 p.m. and Saturdays from 11 a.m. to 5 p.m. The home's foundation is finished, the framers will begin next week, and the home should be completed in 3 to 4 months.

KENNETH HELLEWELL MADE A MOTION TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO ALLOW BUSINESS TO BE CONDUCTED FROM A MODEL HOME TO BE CONSTRUCTED ON LOT 232, LOCATED AT 2362 SOUTH 600 WEST, OF THE WHISPERWOOD SUBDIVISION WITH HOURS OF OPERATION TO BE THURSDAYS AND FRIDAYS FROM 4 TO 7 P.M., SATURDAYS FROM 11 A.M. TO 5 P.M., AND OTHER TIMES BY APPOINTMENT ONLY, AND FORWARD IT TO CITY COUNCIL. ALAN CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

5. Carlton Place Subdivision Phase 3 Re-Final Plat Review

Mike Nelson, of Benchmark Homes, appeared before the Planning Commission to request re-final approval of the Carlton Place Subdivision Phase 3 Plat. City Council granted final approval April 12, 2005; however, they are just finishing Phase 2 and Phase 3 has not yet started. Because work was not commenced within six months of the approval date, another approval or extension is necessary. No changes have been made to the plat.

ALAN CLARK MADE A MOTION TO RECOMMEND RE-FINAL APPROVAL OF THE CARLTON PLACE SUBDIVISION PHASE 3 PLAT, AND FORWARD IT TO CITY COUNCIL. TENA CAMPBELL SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Arlene Briggs Rezone from A-1 to R-1

Erik Craythorne, 2596 West 550 North, appeared before the Planning Commission on behalf of Arlene Briggs to request the rezone of 7.58 acres of property, located at 1560 South Bluff Road, from A-1 to R-1. The request is in harmony with the General Plan with sufficient access available for future development.

KENNETH HELLEWELL MADE A MOTION TO RECOMMEND APPROVAL OF THE REQUEST TO REZONE PROPERTY LOCATED AT 1560 SOUTH BLUFF, AS OUTLINED IN THE LEGAL DESCRIPTION, FROM A-1 AGRICULTURE TO R-1 RESIDENTIAL, AND FORWARD IT TO CITY COUNCIL. ALAN CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

7. Public Hearing for the Vacation of Lots 4 and 5 of the Syracuse Wal-Mart Plat

KENNETH HELLEWELL MADE A MOTION TO MOVE INTO PUBLIC HEARING, SECONDED BY ALAN CLARK; ALL VOTED IN FAVOR.

Chairman Whiteley advised those attending that the plat was available for view and invited all interested parties to approach the podium and be heard. No one came forward.

KENNETH HELLEWELL MADE A MOTION TO MOVE OUT OF PUBLIC HEARING, SECONDED BY ALAN CLARK; ALL VOTED IN FAVOR.

ALAN CLARK MADE A MOTION TO RECOMMEND APPROVAL TO VACATE LOTS 4 AND 5, LOCATED AT APPROXIMATELY 2000 WEST 1700 SOUTH, OF THE SYRACUSE WAL-MART PLAT, AND FORWARD IT TO CITY COUNCIL. KENNETH HELLEWELL SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Syracuse Arts Academy Site Plan Review

Jed Stevenson, 572 East Woodland Drive in Farmington, appeared before the Planning Commission requesting Site Plan approval for the Syracuse Arts Academy to be located at approximately 2850 West 1700 South. This is a public charter school for Kindergarten through 6<sup>th</sup> grade, approved by the Utah State Office

of Education, with a strong emphasis in the arts. Charter schools are publicly funded, and no tuition is required since the money follows the student. City Council passed a resolution in favor of the Academy. Councilman Peterson added that the Mayor and City Administrator would be bringing this to the Council for a vote, but their blessing was already given in executive session.

Mr. Stevenson explained that the Council gave permission to the city administrator and mayor last week to negotiate a land swap. Due to the proposed Legacy Highway route, which includes a strip of land on the west side of Bluff Road that would interfere with the school's location, 1.88 acres fronting Antelope would be exchanged by the city for a piece lying just to the south of this subject parcel. The arrangement includes land and cost for the road off of 3000 West to access this parcel farther back. UDOT proposes 310 feet for its right of way involving Bluff Road; however, Mr. Stevenson believed that was more than would be needed even for an interchange, so the land exchange would place the school far enough west. A 90-foot section, between what is shown on the map and Bluff Road, is owned by the Layton Canal Company, and the property affected by the underpass would then belong to the City. Mr. Stevenson realized the site plan was misleading and indicated he would have the architect correct the plat. With the City's plans to develop Fremont Park, the Academy would first install a soccer field to replace the square footage lost in the land swap. Even after the playground is installed, there will be a mutual benefit to all because most amenities would be available for City use during off times, including the gymnasium and stage.

Commissioner Clark referred to a charter school in Layton, enclosed with a fence, and asked if the Academy would likewise have a fence around its playground. Mr. Stevenson stated the school administration would make that decision and that public elementary schools typically do not have fenced areas. Bluff Ridge has one in order to delineate the school's property, but it is not fully enclosed. If the City preferred a fence, he could try and persuade them to include one with large operable gates so the property could be used by the City as well. The building will be a little large than most because it includes a stage, which will be on one end of the gymnasium with the classrooms in the two wings. Busses are not available for charter schools, and charter schools never have portables or modular classrooms. Syracuse Academy will open the Fall of 2006, has been approved for up to 25 students per class, and will never exceed a 525 maximum student body. The elevations copy the theme of the city buildings.

KENNETH HELLEWELL MADE A MOTION TO RECOMMEND APPROVAL OF THE SYRACUSE ARTS ACADEMY SITE PLAN AS OUTLINED, AND FORWARD IT TO CITY COUNCIL. TENA CAMPBELL SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 9. Planning Commission Business

Rodger asked the Commissioners to go over the document provided them in work session regarding changes to the Zoning Ordinance in response to LUDMA and be prepared to present their comments at the joint work session to be held January 31. The amendments will then be finalized and the changes incorporated, along with the inclusion of P-O and Research Park Zones, for their recommendation to City Council.

Chairman Whiteley acknowledged the letter to the Planning Commission received from the Jensen family regarding the properties adjoining the Jensen Nature Park.

#### 10. City Council Business

Councilman Peterson advised that the joint work session would begin at 7 p.m. and to be prepared for a long meeting. Also, UDOT will be holding a public hearing regarding 1700 South on February 8, 2006, from 5 to 7 p.m. He encouraged the Commissioners to attend and to invite their neighbors.

#### 11. Adjournment

KENNETH HELLEWELL MADE A MOTION TO ADJOURN AT 7:10 P.M. ALL VOTED IN FAVOR.

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Robert Whiteley, Planning Commission Chairman

and 5 of the existing plat. To accomplish this, the plat first must be amended. Ordinance 06-01 would vacate lots 4 and 5 from the Wal-Mart plat.

COUNCILMAN PETERSON MADE A MOTION TO ADOPT ORDINANCE 06-01, VACATING LOTS IN THE WAL-MART COMMERCIAL PLAT. COUNCILMAN ORTON SECONDED THE MOTION; ALL VOTED IN FAVOR.

14. Plat Approval, Syracuse Retail Subdivision

Lots vacated from the Syracuse Wal-Mart plat have been further subdivided into a total of six lots under the name of Syracuse Retail Subdivision. Planning Commission held a public hearing on January 3 to review the proposed new plat and recommended approval. Robert Arrington reviewed the proposal and explained access to each of the lots. Individual tenants will add parking areas in each lot. Design for the large lot will include dual fronts. By December this subdivision should be built out. Lots will be addressed and lot numbers corrected.

COUNCILMAN KNIGHT MADE A MOTION TO APPROVE SYRACUSE RETAIL SUBDIVISION WITH THE CONDITION THAT THE SUBDIVIDER PAY RECORDING FEES. COUNCILMAN HAMMON SECONDED THE MOTION; ALL VOTED IN FAVOR.

15. Transfer of Property, Syracuse Arts Academy

Charter school developers are planning to build Syracuse Arts Academy on 1700 South at approximately 2800 West. Because of the proposed Legacy Highway and the possibility of losing their playground area, they are desirous of trading a portion of the east end of their property for property south of the proposed school owned by Syracuse City in Fremont Park. The landscape architect who is designing the soccer complex has incorporated such a property transfer into a new layout, which would not substantially reduce the number of soccer fields that could be developed. The transfer would be beneficial to the City to construct the underpass for the historical immigrant trail on City property. The charter school would construct a street on city property that would serve for the school and access to Fremont Park. The property being purchased by the school would still allow the City to play soccer in that area outside of school hours.

Councilman Peterson stated a conflict of interest because he was the previous owner of the property, and that he will abstain from voting. However, he stated it will be a win-win situation for the city and the school.

Councilman Truman stated he is on the board for the school but will be voting because he has no financial interest in it.

COUNCILMAN HAMMON MADE A MOTION TO AUTHORIZE THE TRANSFER OF 1.88 ACRES OF PROPERTY BETWEEN SYRACUSE CITY AND THE SYRACUSE ARTS ACADEMY. COUNCILMAN KNIGHT SECONDED THE MOTION; COUNCILMEN HAMMON, KNIGHT, ORTON AND TRUMAN VOTED IN FAVOR. COUNCILMAN PETERSON ABSTAINED.

16. Site Plan Approval, Syracuse Arts Academy

Jed Stevenson, representing Syracuse Arts Academy, requested site plan approval for Syracuse Arts Academy charter school at approximately 2800 West 1700 South. Planning Commission recommended approval of the site plan pending completion of a development agreement addressing a property exchange, development of an access road from 3000 West, and on-site detention of storm water. Mr. Stevenson indicated they are looking at two possible options for storm water detention: the playground or the parking lot. Their first choice would be the playground. Councilman Knight commented that the detention area would be better in the playground rather than the parking lot. Administrator Moyes responded that parking lots are routinely used for detention areas.

Councilman Peterson stated he is impressed with the buildings. Mr. Stevenson did not have the building plans with him.

COUNCILMAN KNIGHT MADE A MOTION TO APPROVE SITE PLAN FOR SYRACUSE ARTS ACADEMY, CONDITIONED ON COMPLETION OF THE LAND EXCHANGE AGREEMENT WITH SYRACUSE CITY. COUNCILMAN ORTON SECONDED THE MOTION; ALL VOTED IN FAVOR.

17. Resolution R06-03, In-house Loan for Community Center

The current operating budget identifies a \$1,000,000 transfer from the Utility Fund to the Capital Projects Fund for use in construction of the new community center. The excess money in the Utility Fund has resulted from a philosophy of a cash funded depreciation that would allow the City to replace infrastructure as it wears out. Resolution R06-03 was prepared for council consideration in establishing the transfer of funds as a loan with a five percent interest rate to be paid back to the Utility Fund through franchise tax revenue. It is anticipated that the loan could be repaid within a two year period, even though the resolution designates three years for payback.

Councilman Peterson commended the city for having the money in the utility fund to be borrowed.

COUNCILMAN PETERSON MADE A MOTION TO ADOPT RESOLUTION R06-03, ESTABLISHING AN IN-HOUSE LOAN FROM THE UTILITIES FUND FOR THE COMMUNITY CENTER. COUNCILMAN KNIGHT SECONDED THE MOTION; ALL VOTED IN FAVOR.

18. Youth Court Advisors Compensation

The Youth Court was recently reorganized, with Joanne McDermott as the advisor, with three assistants. Advisors for the Youth City Council are compensated at \$100.00 per month, and it is felt this same compensation should be given to those working in the Youth Court. Councilman Knight explained the function of the youth court, indicating that it requires a very heavy commitment for advisors.

COUNCILMAN HAMMON MADE A MOTION TO AUTHORIZE YOUTH COURT ADVISORS TO BE COMPENSATED AT THE SAME RATE AS YOUTH COUNCIL ADVISORS. COUNCILMAN TRUMAN SECONDED THE MOTION; ALL VOTED IN FAVOR.

19. Resolution R06-04, Fees for Building Plan Resubmittal

Currently the plan check fee for a building permit is 15 percent of the building fee, which averages between \$200 and \$300 for each home. Occasionally plans are received in non-compliance with state and/or local laws and require resubmission of the plan. Due to the number of resubmitted plans requiring additional review time, the building official recommended that a base fee of \$50.00 be established for resubmitted plans. This fee would be added to the plan review fee to recover the additional time spent on plans that have been rejected and resubmitted more than one time. Resolution R06-04 was reviewed, which would establish this fee. Building Official Jason VanAusdal explained that this fee would put the burden on the builder to design plans according to codes. The fee of \$50 was recommended because there is currently a re-inspection fee near that amount, and this figure seemed adequate.

COUNCILMAN TRUMAN MADE A MOTION TO ADOPT RESOLUTION R06-04, ESTABLISHING FEES FOR RESUBMITTED BUILDING PLANS. COUNCILMAN KNIGHT SECONDED THE MOTION; ALL VOTED IN FAVOR.

COUNCILMAN KNIGHT MADE A MOTION TO MOVE TO ITEM 21.

20. Approve Amendment to Contract for Rock Creek Park

Representatives from the State Division of Parks and Recreation recently reviewed contract documents for Rock Creek Park and noted that some of the mandatory language to meet federal grant requirements was not included in the contract with Arnell West Construction. An addendum to the contract has been prepared and sent to the contractor for signature and should also be approved by the City Council.

COUNCILMAN PETERSON MADE A MOTION TO APPROVE ADDENDUM #1 TO THE CONTRACT BETWEEN SYRACUSE CITY AND ARNELL WEST

concerns. Vice Chair Hellewell pointed out that all their email addresses were on the website as well and he was welcome to email his concerns at any time. Then, the Commission or Council would have his comments for consideration.

HOWARD HARCOURT MOVED TO RECOMMEND PLAT APPROVAL OF THE MCBRIDE AUTO SHOP SUBDIVISION, LOCATED AT 3938 WEST 1700 SOUTH, SUBJECT TO THE LAND USE ORDINANCE AND THE CONDITION THAT THEY SATISFACTORILY ADDRESS ALL ISSUES OUTLINED IN EPIC ENGINEERING'S LETTER, DATED SEPTEMBER 5, 2008, AND FORWARD THIS ITEM TO CITY COUNCIL. TENA CAMPBELL SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 7. Academica West Syracuse Middle School Site Plan

Josh Jensen, from Silver Peak Engineering in Ogden representing the developer, stood before the Commission requesting Site Plan approval of the Academica West Syracuse Middle School, located at approximately 3000 West 1700 South.

Director LaBonty went over the City Engineer's recommendations: 1) Complete traffic study to show impact to adjacent streets and adequate storage for site, and evaluate a right turn only option for 1700 South. 2) Obtain permit from UDOT, to work within their right-of-way, and letter listing any improvements they may require at 1700 South 3000 West intersection as well as along frontage of school. 3) Develop agreement between City and School for sharing parking lots. 4) Dedicate 3000 West for public use as well as 1700 South per UDOT requirements. 5) Submit plans that include existing and proposed contours, landscaping, and exterior lighting per application requirements. 6) Submit storm drain calculations used for sizing detention basin. 7) Add four ADA stalls. 8) Add note to relocate power pole near intersection so it is not in sidewalk. 9) Show additional irrigation control valve and box near intersection of two sidewalks. 10) Extend curb and gutter to UDOT right-of-way and complete additional requirements per UDOT direction. 11) Show new asphalt section on 3000 West, add typical cross section for this area requiring 10 inches of base and 3 inches of asphalt as well as seal coat, add note that existing asphalt will need to be saw cut 1 foot from existing edge of asphalt, and change general utility note 7 to Syracuse City. 12) Use rainfall intensities required by City to size storm drain basin for 50-year storms. 13) Verify that bottom of storm drain pond is higher than hydraulic grade line of irrigation system, to which it will connect, by going down to bubble up and measuring water level in ditch. 14) Install low-flow bypass system in storm drain basin so, during small storm events, flows do not have to pass through basin; also, grade basin so it is not completely flat and can drain from one end to the other. 15) Show culinary and secondary water lines in 1700 South and 3000 West. 16) Show location and size of secondary water lateral. 17) Label size of culinary water lateral. 18) Install additional fire hydrants, to meet fire flow requirements, near southwest corner of building (one in median at school entrance and one in median between both parking lots). 19) Provide elevation and slope of existing sewer line in 1700 South, and show enough information to determine its depth. 20) Label size and slope of sewer lateral. 21) Explain why sewer could not be a gravity line, since City would not allow it pumped into main unless grades did not allow gravity line. 22) Provide 30-inch curb and gutter detail for use on 3000 West, per City standards. 23) Install 2-inch touch/read-type water meter. 24) Provide storm drain outlet and inlet connection details. 25) Provide detail of connection to existing storm-drain line.

He went on to explain that the applicants approached the City about a shared parking area on City property at the south end of the development. City staff viewed this as an advantage to both parties. The applicants contacted the City Engineer regarding the issues outlined in his letter, dated September 9, 2008, and they came to an agreement over addressing those issues.

Mr. Jensen indicated that some of the City Engineer's issues were challenging, such as the sewer. The existing Arts Academy to the east was not able to get gravity flow for their sewer to the main line because the ground was too shallow, so they used a pump. The owner and contractor both preferred gravity flow, so their civil engineer worked with the City Engineer to try and make that happen. However, a 36-inch storm drain line along their required route prevented any viable solution, so the sewer would need to be pumped for this school as well. The owner of the school would be responsible for maintaining that pump. Another challenge was storm drain, since the City preferred a bypass line. The City Engineer suggested tying into another storm drain line on the west side of 3000 West, and they were amenable to that option. The City Engineer also suggested a waterway, which they also agreed to consider. Piping the water out would be more expensive, but they were willing to do it. They did not realize they needed approval from UDOT since they usually acquired it only when requesting access. However, because this development would impact the

existing drive by 20 percent, UDOT had to grant approval. They hired a traffic engineer to conduct a traffic study, which should be finished in a couple of weeks. They would be able to resolve everything else.

Director LaBonty asked about the traffic analysis. Mr. Jensen explained they were doing counts on Bluff, 1700 South, and 2000 West and believed they would be assessing how much traffic this school would add overall and, specifically, onto the 1700 South access. Director LaBonty referred to the construction of the fire station just south of this project and voiced concern with the potential number of pedestrians and vehicles in the area when a fire truck needed access to 1700 South.

Administrator Worthen asked whether they needed a turn pocket from 3000 West onto 1700 South. Mr. Jensen said they would need one and already told the City Engineer they would add that into the plans. He would also ask the traffic engineer to look at that during their study.

Director LaBonty asked for their anticipated student body count. Mr. Jensen believed it would be around 550. They moved Sam Love Drive to the south because the City Administrator believed that would ease traffic by eliminating a lane between the two schools. They wanted a sidewalk connecting the two schools to prevent kids from crossing a street to access the playgrounds. Chairman Whiteley advised him to vacate Sam Love Drive since it was a City street. Director LaBonty offered to draft that document. He then explained that the largest part of their retention basin would remain on City property. Most of the storm water from the shared parking lot would probably go to that basin. Mr. Jensen stated that their civil engineer accounted for the shared parking in his calculations and assured them this was sufficient take care of City storm water as well. Commissioner Miller asked for the location of their deliveries. Director LaBonty told him the northeast corner of the south parking lot.

Chairman Whiteley reminded him they needed building elevations and then asked about their signage. Mr. Jensen advised him the only signs would be on the building, similar to the existing signs on the Elementary Arts Academy, and would be shown on the elevations. Chairman Whiteley also asked about lighting. Mr. Jensen stated they did have full lights in the parking lot and possibly some decorative lights on the building and would be able to submit an electrical site plan in a week or so.

Commissioner Campbell noticed that the landscape plan called out areas but did not show details. Mr. Jensen explained that the landscaping would be similar to the existing school and that the State had a special law that alleviated them from being bound by landscaping requirements listed in city ordinances. They interpreted that to mean they did not need to do a landscape plan but assured commissioners it would look nice. Chairman Whiteley pointed out that they received a landscape plan for the elementary Arts Academy just as a courtesy and advised him that it would be valuable for commissioners to see. Mr. Jensen agreed to submit that as well.

Commissioner Harcourt asked about light pollution. Mr. Jensen explained they were traditionally cognizant of light pollution and would match the height of the light poles with the existing school.

Vice Chair Hellewell believed there were a few things the applicants still needed to submit and issues to resolve before commissioners made a recommendation. Mr. Jensen stated he hoped for conditional approval subject to resolving all the City Engineer's requirements so the owners could get started with construction and footings. He asked that they forward a recommendation of approval to City Council so the developers could get the building closed in before January or February and finish it by August 1, 2009. They built the existing school in five months and would like to have more time for this one. Chairman Whiteley explained that the Commission had the ability to approve it with conditions but would leave it open to commissioners to incorporate that into a motion.

Commissioner Campbell stated there were a lot of questions regarding things they typically saw in site plans that were not available and did not feel she had enough specifics to make a recommendation. She asked for more information on signs, lights, building elevations, sewer pumping, and other major issues for answers towards a resolution.

KENNETH HELLEWELL MADE A MOTION TO TABLE THIS REQUEST FOR SITE PLAN APPROVAL OF THE ACADEMICA WEST SYRACUSE MIDDLE SCHOOL, LOCATED AT APPROXIMATELY 3000 WEST 1700 SOUTH, UNTIL THEY COULD SATISFACTORILY ADDRESS ALL CONCERNS RAISED IN THE MEETING AND EPIC ENGINEERING'S LETTER, DATED SEPTEMBER 9, 2008 AS WELL AS THE VACATING ORDINANCE. HOWARD HARCOURT SECONDED THE MOTION; ALL VOTED IN FAVOR.

Commissioner Jenkins asked if the kennel was at least 100 feet away from the Tice home, but she was not sure. She did know, however, that the Tice's kennel was right near their fence. Vice Chair Hellewell pointed out that they only had two dogs, though. The distance requirement applied to her only because of the third dog. In looking at their lot dimensions, he did not see how the applicant could comply with the Ordinance. Commissioners discussed the possibility of the applicant eliminating the exterior kennel and having the dogs remain inside the home in the basement throughout the year, rather than just winter, since the exterior kennel could not comply with the distance requirement. When asked if she would still foster dogs if they had to remain inside the home, away from her daycare, she indicated yes. Commissioner Harcourt did not believe even the basement would be 100 feet from another residential dwelling. Commissioner Campbell asked if the other commissioners were interpreting the Ordinance language as meaning the applicants' home would be the kennel and therefore had to be 100 feet from any other home. Commissioners Harcourt and Jenkins indicated yes.

Chairman Whiteley asked if the Commission felt they needed legal advice for clarification on this language. Commissioner Cook stated he did due to the others' interpretation of the home being the kennel. Commissioner Campbell wanted clarification as well. Specialist Moyes did some measuring and pointed out that the furthest location from any other home would be 80 feet.

KENNETH HELLEWELL MOVED TO DENY MIKE AND TANYA NOORDA'S REQUEST FOR A CONDITIONAL USE PERMIT FOR A RESIDENTIAL KENNEL DUE TO THE APPLICANTS' FAILURE TO MEET ALL REQUIREMENTS OF THE LAND USE ORDINANCE SPECIFIC TO KENNELS. HOWARD HARCOURT SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 5. Academica West Syracuse Middle School Site Plan

Tyler Bodrero, representing Academica West, and Justin Anderson, with Gardner Engineering, stood before the Commission requesting Site Plan approval to build a middle school adjacent to the existing Arts Academy elementary school, located at approximately 3000 West 1700 South. Director LaBonty reminded commissioners of the applicant's appearance before them on September 16, 2008, but the Commission believed there were too many site design issues related to the project, and outlined in Epic Engineering's letter dated September 9, 2008, to make a recommendation. City staff met with the designer and engineers for the school and resolved all such concerns to the City's satisfaction. The City Engineer reviewed the plans again and outlined his comments in another letter dated October 1, 2008. The only outstanding issue from his most recent letter was the submission of the traffic study, which they committed to have to the City by Monday, October 6. The City Engineer was evaluating the results, and City staff recommended approval pending a satisfactory report from him on that study. He added that City staff was still drafting language for an agreement between the school and City for the construction and shared use of a portion of the school's parking lot on City property on the southwest corner of this parcel. He would be working with the City Administrator to execute that as quickly as possible and encouraged commissioners not to delay their recommendation based on that agreement.

Chairman Whiteley reviewed Epic Engineering's recommendations: **1) Provide a Plat with all roadway dedications. 2) Address and complete any additional comments UDOT may require. 3) Submit a traffic report for review and evaluation prior to issuance of any building permits. 4) Include "culinary" when calling out all existing or new culinary water lines. 5) Call out connections of fire lines to existing culinary waterline as a "hot-tap" connection and show valves on plans, including valves for all hydrants. 6) Add valve on fire line to building and valve on fire hydrant line at front of building. 7) Change label for secondary waterline from "IRR" to "SW" and call out existing and new lines as secondary water lines. 8) Label all tee's, bends, and valves where necessary.**

Mr. Bodrero indicated that they delivered corrected drawings to the City that afternoon so the traffic study was the only outstanding issue. He had a copy of it on his hand held and would be able to provide a hard copy to the City the next day with a bound and stamped copy from the engineer shortly thereafter. The results of that study indicated the need for a middle turn lane in 1700 South at 3000 West and in 3000 West from the fire station up with no right-turn pocket in 3000 West and no traffic signal at that intersection. They would proceed with full submittal to UDOT and incorporate their comments into the plan as well.

Vice Chair Hellewell asked if they approached UDOT yet about a needed turn lane in 1700 South. Mr. Bodrero indicated they did approach UDOT and posed all those questions and concerns to them, but the

letter in reply only addressed the issue of right-of-way, with everything else deferred to submitting and proceeding through the permitting process. Vice Chair Hellewell warned that UDOT might require them to give up the land in order to develop that left turn lane, which could change their Site Plan. Director LaBonty pointed out that the Plan already recognized the dedication for a future widening. Mr. Anderson stated it provided a 66-foot right-of-way with enough room for a turn lane, and they would grant the additional width for that widening. It was already set back to meet an 84-foot right-of-way. Vice Chair Hellewell asked if the setback on 3000 West was adequate for a turn lane. Mr. Anderson assured him it was sufficient.

Commissioner Jenkins asked how many students would attend this school. Mr. Bodrero advised him approximately 500 students from 7<sup>th</sup> to 9<sup>th</sup> grades and that they would certainly welcome a review from the City and UDOT now that the traffic study was complete and would take any comments from those reviews into consideration as they completed their final construction documents.

Chairman Whiteley commented on the reduction of outstanding issues since the Commission tabled their request and felt the additional time actually put them farther ahead. He recommended, however, that they acquire the engineer's stamp on the traffic study prior to submitting it to the City.

KENNETH HELLEWELL MADE A MOTION THAT THE COMMISSION RECOMMEND SITE PLAN APPROVAL OF THE ACADEMICA WEST SYRACUSE MIDDLE SCHOOL, LOCATED AT APPROXIMATELY 1700 SOUTH 3000 WEST, SUBJECT TO ALL REQUIREMENTS OF THE LAND USE ORDINANCE AND TO THE CONDITION THAT THEY SUBMIT THE TRAFFIC STUDY AND RECEIVE APPROVAL FROM THE CITY ENGINEER PRIOR TO CITY STAFF FORWARDING THIS ITEM TO CITY COUNCIL. NATHAN MILLER SECONDED THE MOTION; ALL VOTED IN FAVOR, EXCEPT FOR TENA CAMPBELL WHO VOTED AGAINST.

Commissioner Campbell explained that she voted against the motion because it did not include a condition that they comply with the City Engineer's recommendations. Vice Chair Hellewell agreed.

KENNETH HELLEWELL MOVED TO WITHDRAW HIS PREVIOUS MOTION, SECONDED BY CRAIG JENKINS; ALL VOTED IN FAVOR.

KENNETH HELLEWELL MADE A MOTION THAT THE COMMISSION RECOMMEND SITE PLAN APPROVAL OF THE ACADEMICA WEST SYRACUSE MIDDLE SCHOOL, LOCATED AT APPROXIMATELY 1700 SOUTH 3000 WEST, SUBJECT TO EPIC ENGINEERING'S REVIEW LETTER, DATED OCTOBER 1, 2008, AND RECOGNIZING THAT THE APPLICANT AND CITY STAFF WERE WORKING ON A SHARED LAND-USE AGREEMENT, AND TO THE CONDITION THAT THEY SUBMIT THE TRAFFIC STUDY AND RECEIVE APPROVAL FROM THE CITY ENGINEER PRIOR TO CITY STAFF FORWARDING THIS ITEM TO CITY COUNCIL. CRAIG JENKINS SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 6. Cec's Iddy Bitty Kiddies Conditional Use

No one came forward to represent this item. Director LaBonty explained that he placed this request on their agenda again due to a minor technicality brought to City staff's attention regarding the last posting of the public hearing. The notice indicated a public hearing date of August 19, 2007, instead of 2008. The applicant, Teresa Larsen, planned to increase the number of children in her daycare from eight to sixteen. Specialist Moyes spoke with the applicant who advised him she would have one more employee in order to comply with City requirements.

Chairman Whiteley pointed out that the applicant might need to enlarge the amount of space dedicated for the children as well. Commissioner Harcourt preferred to have the applicant present to answer questions prior to commissioners making a recommendation. Commissioner Jenkins concurred since the plan showed no information as to the size of the home and no way to calculate how much space she would provide to the daycare. Commissioner Campbell wanted to know if she had sufficient space for the employee to park as well as for her own vehicles and preferred to have the applicant present to answer these questions.

CRAIG JENKINS MOVED TO TABLE THIS REQUEST BY TERESA LARSEN FOR A MODIFICATION TO HER CONDITIONAL USE APPROVAL UNTIL THE APPLICANT COULD SATISFACTORILY ADDRESS THE ISSUES DISCUSSED REGARDING HER NEW EMPLOYEE, PARKING AREA, AND SQUARE FOOTAGE OF THE BUSINESS. HOWARD HARCOURT SECONDED THE MOTION; ALL VOTED IN FAVOR.

capacity. The City Council, during their October 14, 2008 work session meeting, reviewed the City Council assignment list and decided that Councilmember Clark should be appointed as Mr. Orton's replacement on the District's Board. Proposed Resolution R08-27 was drafted to make Councilmember Clark's appointment official.

COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R08-27 APPOINTING COUNCILMEMBER CLARK TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT ADMINISTRATIVE CONTROL BOARD. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmembers Hammond and Knight were not present when this vote was taken.

6d. Authorize Administration to execute Joint Use and Construction Agreement with Syracuse School Development LLC for the construction of a parking facility on City owned property.

Community Development Director LaBonty reported that the property to be used for the parking facility is located west and south of the existing Arts Academy Elementary School. He stated that a new Junior High is under construction in that same area and in order to accommodate additional parking and traffic for the schools, the development company approached the City to ask for assistance by way of allowing them to construct and maintain a parking lot that will be located on City property. He stated that he presented the proposal to the Council at a recent work session. He added that the parking lot will eventually serve Fremont Park upon its completion, which will be a great benefit to the City.

COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE JOINT USE AND CONSTRUCTION AGREEMENT WITH SYRACUSE SCHOOL DEVELOPMENT LLC FOR THE CONSTRUCTION OF A PARKING FACILITY ON CITY OWNED PROPERTY. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmembers Hammond and Knight were not present when this vote was taken.

7. Subdivision Plat Amendment, Kelly Flint Farm Estates Phase 4, located at approximately 1700 W. 2425 S.

On October 21, 2008 the Planning Commission considered a request to amend the subdivision plat for Kelly Flint Farm Estates Phase 4. Planning Commission recommended approval of the requested amendments and forwarded the item to City Council for consideration. The proposed amendments are attached hereto as part of the documentation sent from the Planning Commission.

Mr. LaBonty stated that the applicant is requesting that the subdivision plat for Kelly Flint Farm Estates Phase 4 be amended to recognize lot lines as they were recorded. He stated that lots 404, 405, and 406 encroached upon Kelly Flint Farms by six feet, via the installation of a fence between lots. He stated that the applicant is willing to essentially donate that six feet to each of the property owners of the three lots to avoid fighting to have the fences relocated. He stated there will be no cost to the homeowners that installed the fences.

COUNCILMEMBER PETERSON MADE A MOTION TO GRANT SUBDIVISION PLAT AMENDMENT APPROVAL FOR PHASE 4 OF THE KELLY FLINT FARM ESTATES SUBDIVISION LOCATED AT APPROXIMATELY 1700 W. 2425 S. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmembers Hammond and Knight were not present when this vote was taken.

8. Subdivision Plat Amendment, Trailside Park Phase 2, located at approximately 1820 W. 2050 S.

On October 21, 2008 the Planning Commission considered a request to amend the subdivision plat for Trailside Park Phase 2. Planning Commission recommended approval of the requested amendments and forwarded the item to City Council for consideration. The proposed amendments are attached hereto as part of the documentation sent from the Planning Commission.

Mr. LaBonty stated that the applicant requested this plat amendment in order to accommodate a home with a three car garage being built upon one of the lots. He stated that the applicant is having a difficult time selling some of the lots because their original size did not allow for three car garages.

Mayor Panucci stated he understood there was some concern from neighboring residents that the homes to be built on the amended lots would be very large. Mr. LaBonty stated that is not the case and added that the Council may hear increased comments from residents about this type of request because he is now publishing all public hearing notices at the physical property addresses being addressed.

COUNCILMEMBER CLARK MADE A MOTION TO GRANT SUBDIVISION PLAT AMENDMENT APPROVAL FOR PHASE 2 OF THE TRAILSIDE PARK SUBDIVISION LOCATED AT APPROXIMATELY 1820 W. 2050 S. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR. Councilmembers Hammond and Knight were not present when this vote was taken.



# COUNCIL AGENDA

July 10, 2012

Agenda Item #e                      Report from Ad Hoc Committee. (25 min.)

***Factual Summation***

- Presenting for the committee is Councilmembers Doug Peterson and Craig Johnson. Any questions regarding this item may be directed at them.



# SYRACUSE CITY

## Syracuse City Council Agenda

July 10, 2012 - 7:00 p.m.

City Council Chambers

Municipal Building, 1979 W. 1900 S.

1. Meeting called to order  
Invocation or thought\*\*  
Pledge of Allegiance  
Adopt agenda
2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Wyatt Jensen and Savannah Holland.
3. Approval of Minutes:
  - a. Regular Meeting of February 14, 2012
  - b. Special Meeting of March 14, 2012
4. Public Comment: This is an opportunity to address the Council regarding your concerns or ideas. Please limit your comments to three minutes.
5. Public Hearing – Proposed Resolution R12-19 updating and amending the Syracuse City Consolidated Fee Schedule.
6. Authorize Mayor Nagle to execute the Interlocal Agreement for Metro S.W.A.T.
7. Proposed Ordinance No. 12-19, granting the local Fire Official the authority to prohibit the use of any ignition source, including fireworks, lighters, matches, and smoking materials within the city – and penalty.
8. Proposed Resolution R12-20 dictating the format of the Syracuse City Council meeting minutes.
9. Proposed Resolution R12-21 rescinding Resolution R08-23, which set forth rules for conducting public meetings of the City Council and Planning Commission using electronic means.
10. Proposed Ordinance No. 12-18, amending the Syracuse City General Plan adopted in 1976, as amended.
11. Public Hearing – Proposed Ordinance No. 12-20 adopting Title Two rewrites of the Syracuse City Municipal Code pertaining to Administration.
12. Councilmember Reports.
13. Mayor Report.
14. City Manager Report.
15. Adjourn

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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 6th day of July, 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 July 6, 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

July 10, 2012

Agenda Item “2”

**Presentation of the Syracuse City and Wendy’s
“Award for Excellence” to Wyatt Jensen and
Savannah Holland.**

Factual Summation

- Any questions regarding this item may be directed at Community and Economic Development Director Mike Eggett.
- Please see the attached memorandum provided by the Community and Economic Development Department.



Mayor
Jamie Nagle

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

City Manager
Robert D. Rice

MEMORANDUM

To: Mayor and City Council

From: Community & Economic Development Department

Date: July 10, 2012

Subject: Presentation of the Syracuse City & Wendy's Award for Excellence to Wyatt Christensen and Savannah Holland.

Background

The City wishes to recognize citizens who strive for excellence in athletics, academics, arts and/or community service. To that end, in an effort to recognize students and individuals residing in the City, the Community and Economic Development, in conjunction with Jeff Gibson, present the recipients for the "Syracuse City & Wendy's Award for Excellence."

"Syracuse City & Wendy's Award for Excellence"

This monthly award recognizes the outstanding performance of a male and female who excel in athletics, academics, arts and/or community service. The following are the individuals selected for the award and the reasoning for their selection:

Wyatt Christensen

"Wyatt had an amazing season, while participating in our 2012 Minor League baseball program. He continually displayed outstanding leadership, and sportsmanship, game in and game out. Wyatt was also selected to the 2012 Minor League East All-Star team, and he led his team to a 7-1 victory over the West All-Star team. "

Savannah Holland

"Savannah is a well-rounded athlete. She has participated in several Syracuse Recreation programs, but most recently she was involved in both our Softball and Tennis programs. Savannah is an incredibly quick learner, and is always competing at an extremely high level of play. She continually carries a positive attitude and constantly has a smile on her face."

Both students will:

- Receive a certificate and be recognized at a City Council meeting
- Have their picture put up in City Hall and the Community Center
- Have a write up in the City Newsletter, Facebook, Twitter, and website
- Be featured on the Wendy's product TV
- Receive \$10 gift certificate to Wendy's

Recommendation

The Community & Economic Development Department hereby recommends that the Mayor and City Council present the "Syracuse City & Wendy's Award for Excellence" to Wyatt Christensen and Savannah Holland.



COUNCIL AGENDA

July 10, 2012

Agenda Item #3

Approval of Minutes:

- a. Regular Meeting of February 14, 2012
- b. Special Meeting of March 14, 2012

Factual Summation

- Any question regarding this agenda item may be directed at City Recorder Cassie Brown
- Please see attached meeting minutes.

Minutes of the Syracuse City Council Regular Meeting, February 14, 2012.

Minutes of the Regular Meeting of the Syracuse City Council held on February 14, 2012, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Craig A. Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

Mayor Jamie Nagle
City Manager Robert Rice
City Recorder Cassie Z. Brown

City Employees Present:

Police Chief Brian Wallace
Community Development Director Michael Eggett
City Attorney Will Carlson
Information Technologies Director TJ Peace
Finance Manager Steve Marshall
Police Detective Corey Rowley
City Planner Kent Andersen

Visitors Present:	Cliff Sorensen	Angel Olavarrieta	Laura Sorensen
	Jordyn Cook	Katelyn Farmer	Malynda Pogue
	Zach Lechman	Ronald Hampton	Corey Wilcox
	Angie Sloan	Julie Heaps	Brent Vandermeide
	Gary Pratt	Dean Rasburne	Holly Rasburne
	Lurlen Knight	Krystal Hassard	Vicki Hassard
	Markasa Phillips	David Mcelroy	Charlotte Duncan
	Lisa Jamison	Chad Thompson	Trent Sorensen
	Emily Sorensen	Gerreld Jacobs	Brian Duncan
	Ryan Chandler	Lisa McKnight	Brent Briggs
	Lindsay Jackson	Julie Bachman	George Bachman
	Mike Norton	Dorathy Law	Charlie Black
	Alan Briggs	Teri Briggs	Joshua Simpson
	Jennifer Stockdale	Garciela Paz	Caryn Doman
	Cathy Wilcox		

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Councilmember Peterson provided an invocation. Boy Scout Jefferson Wooley, then led all present in the Pledge of Allegiance.

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

2. Approval of Minutes

The minutes of the regular meeting of January 10, 2012 were reviewed.

1 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE APPROVAL OF THE MINUTES OF THE
2 REGULAR MEETING OF JANUARY 10, 2012 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED
3 THE MOTION. ALL VOTED IN FAVOR.

4 The minutes of the Special Meeting of February 2, 2012 were reviewed.

5 COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL
6 MEETING OF FEBRUARY 2, 2012 AS PRESENTED. COUNCILMEMBER JOHNSON SECONDED THE MOTION.
7 ALL VOTED IN FAVOR.
8

9 2. Public Comments

10 Mike Norton, 2615 W. 1300 S., stated that he hopes that the Council will re-open the discussion regarding an
11 interchange for the West Davis Corridor as it travels through the City. He stated that there are other options to consider and
12 the Council has had the chance to review maps of areas of the City to understand the impacts the proposed interchange will
13 have on the surrounding neighborhoods. He stated that there will be properties that will be made into islands and the people
14 living on those properties will be cut off from their neighborhoods. He added that people that live on the east side of Bluff
15 Road will lose their backyards because of the interchange. He stated that he is simply asking that the Council reevaluate the
16 interchange and consider pushing it further to the west in the area of 4200 West. He stated it will be easier for the people
17 living in that area to absorb the impact because they have larger tracts of land.

18 Ken Green, 2286 W. 2175 S., stated that he wanted to stand in opposition to the Bluff Road alternative for the West
19 Davis Corridor. He stated that selecting that option is not an example of forward thinking for the community. He stated that
20 20 to 30 years down the City will still need a road built further to the west. He stated that in reviewing the maps that UDOT
21 has presented it is clear to see that there are natural feeders into the A route. He stated that in the future the construction
22 trends will not be the same as they are now according to population projections. He stated that the road will run directly
23 through the most populated and constricted part of the community. He stated the A route would help to better develop
24 Antelope Island and may draw more retail establishments to that area of the City. He stated that the Bluff Road interchange
25 would negatively impact at least 1,000 residents. He stated that their overall quality of life will be reduced.

26 Nathan Miller, 2107 S. Bluff Road, stated that he knows that the Council has just finished a conversation with
27 UDOT and there are a lot of residents interested in what is happening. He stated he understands the history of the project, but
28 there are some new members of the City Council and he would like to ask them to reopen the issue for further discussion. He
29 stated that the homes located around Antelope Drive will not be relocated; instead they will be surrounded by a freeway
30 system and other roads. He stated that he is trying to think if that is what the Council envisioned a year ago when they voted
31 to support the Bluff Road option. He stated that Antelope Drive is the entrance to the City and the interchange will be a mess

1 and give the City a bad image. He stated that he understands that residents will be impacted no matter where the road is
2 constructed, but one suggestion he would like to make is for the City to reorganize the transportation committee that was
3 assembled by the Planning Commission a year ago; the committee was ultimately disbanded. He stated that the committee
4 had started to discuss this project, but the Council decided to stop that from happening. He stated this is a great opportunity
5 for the citizens to get involved and discuss how to make the City look and feel like they would like. He stated it is a good
6 opportunity to create a vision for the City. He asked the Council to try to look into the future 10 to 50 years from now and
7 determine if the legacy they are proposing is really what they want. He stated that he knows that UDOT will listen to the
8 City Council as much as they will listen to the residents, but he reiterated that he would encourage the Council to reopen the
9 discussion so that “we” can make Syracuse the great city it is.

10 Ronald Hampton, 2637 W. 1200 S., stated that he will not rehash all that has been said so far, but he feels that
11 UDOT made their recommendation just to hear the citizens complain. He stated that their plan is pathetic. He stated that the
12 new fire station will be located on the west side of the road and it will take them an extra two minutes to get wherever they
13 need to go. He stated that if one’s house is burning, they do not want it to burn for an extra two minutes.

14 Dorothy Law, 3178 S. 3000 W., stated that she would like to thank the City and UDOT for all their hard work as this
15 is an impossible decision to make. She stated that she does not want to get too detailed in her comments, but she thinks that
16 “we” are making the right decision. She stated that Bluff Road has been preserved as a major thoroughfare for years and she
17 feels using that original alignment is appropriate and fair, though some homes will be impacted that may not have been
18 included in the original planning. She stated that she knows that there will be some movement and flexibility on the route,
19 but she knows that UDOT will consider every family living in the area and hopefully come up with the best decision that
20 causes the least amount of impact. She stated she feels it is possible to have the best of both worlds; a beautiful City and a
21 thriving business community. She stated that business leaders have expressed what they need to make that happen. She
22 reiterated that she wanted to thank the Council for all of their hard work. She stated that she knows that not everyone will be
23 happy and that makes the decision hard, but she noted that homes can be rebuilt or moved while farmlands cannot be moved
24 or mitigated. She stated that the rate at which farmland is being lost is scary and she applauded the Council for trying to
25 maintain the focus on farmland in order to keep Syracuse special; it makes “us” what “we” are.

26 Charlie Black, 3178 S. 3000 W., stated that the Council is in a tough position as well and so are the residents. He
27 stated that no one wants a road to go through their home, farmlands, or through wetlands. He stated, however, that wetlands
28 can be mitigated and a new home can be purchased to replace an old one, but neither of those options are available when it

1 comes to farmlands. He stated that farmland requires a special climate, irrigation system, and soils. He stated that if the road
2 follows alternative A, his farm is just a small portion of the farmland that will be affected. He stated that one of the best and
3 last prime soil climates in Utah is in west Syracuse on the Leo Cook property. He stated that it is probably the best vegetable
4 farming area left in the State and if the highway goes through the middle of it, it will remove a high percentage of that ground
5 and likely put farms out of business. He stated that if one or two farms go out of business it will make it hard for the rest of
6 them to stay in business because they all rely so heavily on one another. He stated that the farmlands balance wetlands to
7 provide a better habitat. He stated that there are thousands of geese that land on his farm to eat grain. He stated this is a
8 unique and neat place and it would be a shame to ruin it because it is irreplaceable.

9 Chad Thompson, 1686 S. 2660 W., stated that he lives on the corner of Antelope Drive in the Huckleberry
10 subdivision and his house would actually remain intact even though the house next to him would be taken out. He stated that
11 Mr. Black is correct that houses can be replaced or relocated, but he failed to mention that some houses will remain and be
12 surrounded by roads. He stated that his property value will drop to nearly zero and he will be surrounded on three sides by a
13 road. He stated that he has younger kids that will not be allowed to play outside because of those roads. He stated that the
14 design of the interchange is ludicrous. He stated that his other major concern has not yet been raised this evening. He stated
15 that when his family moved to Syracuse they knew that the road could possibly follow the Bluff Road alignment, but at that
16 time the Syracuse Arts Academy had not yet been built. He stated that his kids attend that school and the City should not
17 have approved its location if they knew it would be located within feet of the road. He stated there are a lot of children
18 whose safety will be jeopardized by locating the road so close to the school. He stated he honestly believes that when the
19 project is done the intersection and interchange will be the laughing stock of the corridor. He stated that he would like the
20 Council to consider other options in order to provide better safety for residents on the community since that is what is most
21 important.

22 Tom Bland, no address given, stated that he too is in opposition to alternative A and he would like to the Council to
23 reconsider their decision. He stated that he moved to Syracuse in 1996 for the improved quality of life. He stated that the
24 quality of life in Syracuse is rated higher than the average of the state and the entire nation. He stated that he would beg the
25 Council to reconsider their decision so that Syracuse residents can continue to have a high quality of life.

26 Marva Rampton, 1700 S. Bluff Road, stated that there are several things about this discussion that bother her. She
27 stated that farmlands are very important. She stated that farmlands are important too, but there are farmlands throughout the
28 state and farmlands are not unique to Syracuse. She stated that one thing that the farmers have going for them is that they are

1 protected by the government while the average citizen is not. She stated that Charlie Black's farm should be considered
2 commercial property rather than farmland. She stated that the option that the Council has supported will create more safety
3 issues by separating the fire department from the rest of the City. She stated that in less than two minutes someone can die in
4 a fire and if there are going to be neighborhoods that will be locked in by streets it will be difficult for emergency responders
5 to reach them. She stated that Bluff Road is also a historical road and she does not think that the people that decided to set
6 land aside for the road in that area had any idea what Syracuse would grow to be like. She stated that Syracuse is not through
7 growing and she asked if the Council really wants the freeway to run through the center of the City rather than locating it
8 further to the west.

9 TJ Jensen, 3242 S. 1000 W., stated that he would like to point out that the fire department currently has access issues
10 because of busy school traffic in the area. He then noted that there was recently some "drama" surround the appointment of a
11 new Fire Chief. He stated the Council ultimately appointed a Fire Chief and he congratulated Chief Froerer.

12 Randy Miller, 1531 W. 2175 S., stated that he does not live very close to any of the proposed West Davis Corridor
13 routes, but he knows that an injury to one is an injury to all. He stated that the Council and citizens should collectively tell
14 UDOT to "stuff it". He stated that the road is not good for the farmers or the citizens. He stated that he would like to make a
15 quick book recommendation; he suggested that the Council read The Power Broker, which is a book about Robert Moses and
16 the fall of New York. He stated that Mr. Moses wielded power with transportation in order to ruin the city and make it so
17 that only a certain class of people could live there.

18 Bruce Schofield, no address given, stated that the last gentleman that spoke asked why the road is needed and where
19 it is going to be located. He stated that he has attended a lot of the meetings to discuss this project and he wanted to review
20 some of the options. He stated that the road could be located near 4200 West, but there is a new school and the North Davis
21 Sewer District sewer plant in that vicinity. He stated that from what he understands the sewer plant has a lot of equipment
22 that cannot be located near vibration; he added that a lot of people don't often think about the Buffalo Point Elementary
23 School, but there are lot of kids in that area as well. He stated that school would be impacted as much as the Arts Academy.
24 He stated that his opinion is that a dike should be built to run from the south end of Antelope Island from Freemont Island to
25 Promontory. He stated that he has maintained that opinion throughout this entire process, but everyone has told him that the
26 road would be too far from the City.

27 Lurlen Knight, 400 S. 2000 W., stated that he noticed the City recently sold 60 acres of park land. He stated that if
28 that is the case, he thinks the City needs to buy park land somewhere else in the City to replace the portion that was sold. He

1 then stated that he also noticed an item on tonight's agenda dealing with the reissuing of bonds. He stated that he wants to
2 compliment the Council for doing that. He stated that interest rates are so low and a lot of money can be saved over the life
3 of the bond. He stated when the bonds were first issued the City worked with Zion's Bank, but they also worked with a
4 company that sold bonds on the national level. He stated that he would encourage the Council to see if they can get a better
5 rate on the national level again. He noted that the NDSB just refinanced some of their bonds and the taxpayers will save
6 substantial money as a result. He then stated he wanted to comment about the West Davis Corridor. He stated that there are
7 a lot of people that will be impacted by the road. He stated he can remember years ago when Interstate-15 was being
8 constructed through Ogden. He stated that Ogden fought the project and pushed the freeway to the west and when the
9 freeway finally opened it just about killed Ogden economically because motorists could easily bypass the City. He stated that
10 one of the ways into Ogden was through Riverdale and they took advantage of that and made a lot of money in sales tax
11 dollars as a result. He stated that if the road in Syracuse is pushed too far to the west, people will not use it as much as they
12 would if it were closer to the City center. He stated Syracuse is a destination City right now and if the road were closer to the
13 City center, people from Layton and Clearfield would come and use that road to get to Salt Lake rather than using Interstate -
14 15. He stated that would make Syracuse a through fare and the business districts would benefit as a result. He stated he
15 understands the difficulties that the Council is facing, but he asked them to consider any potential impacts to the entire City.

16 Larry Kirby, no address given, stated he was here when the City Council approved the Bluff Road option and he felt
17 somewhat bulldozed over. He stated that he hopes that some of the newer citizens will have as much input in this process as
18 those that have lived here for many years. He stated that "we" will look back 15 to 20 years from now and much of the
19 farmland will be gone no matter where the road ends up being constructed. He stated that kids of farmers will choose to sell
20 farmland rather than continuing to farm it. He stated that "we" should move cows, not people even though the farms have
21 some very emotional rhetoric. He stated he does not understand why it is more appropriate to move so many homes instead
22 of impacting a small portion of farmland.

23 Mayor Nagle stated that the Council has heard everything that has been said tonight about the West Davis Corridor.
24 She stated that she understands that no matter where the road is constructed it is going to be impactful and the City is
25 committed to working with UDOT to try to minimize those impacts whenever possible. She stated that she simply wanted
26 the citizens to be aware that the Council is aware of all their concerns.

27
28 3. Public Hearing – Proposed Resolution R12-07 adjusting the Syracuse

1 City budget for the Fiscal Year ending June 30, 2012.

2 A staff memo from Finance Director Steve Marshall explained that the budget opening document itemizes
3 recommended budget line item changes to revenue and expenditures for all city funds. Throughout the year it becomes
4 necessary to review the budget and make changes reflecting what has occurred since the initial budget adoption in June 2011.
5 The memo reviewed some of the highlights:
6

- 7 • The brightest spot with this budget opening is the fact that sales tax revenue is projected to finish up \$200,000 over
8 the prior budget year. Within this budget opening we are proposing that all of these funds go to roads, as well as an
9 additional \$115,580 for a total increase funding to the roads of \$315,580.

10 This increase in funding for the roads accomplishes two things. First and most important, it is an amount that
11 exceeds our salaries & benefits in the B&C roads fund (\$306,560 – salaries & benefits in B&C fund) effectively
12 eliminating salaries & benefits from the B&C roads funds. Second, it allows us to complete two more road projects
13 bringing us to a total of 3 road projects and \$512,255 for FY12.

- 14 • Another highlight is that we are adding an impact fee road project to the budget in the amount of \$600,000. This
15 would go to widening roads in our city (i.e. 700 South) that have the greatest need for improvement based on
16 impacts from new residential homes.
17 • So between the 3 projects above and this impact road project the city is looking at putting approximately \$1,112,225
18 to our roads in FY12.
19 • The total general fund revenue budget excluding sales tax (\$339,650 – \$200,000) increased by \$139,650. The total
20 general fund expense budget excluding the transfer to B&C roads for the new projects (\$451,032 - \$315,580)
21 increased by \$135,452. A net increase of \$4,198.
22 • All other funds in the city had minor budget changes mainly attributed to depreciation expense. New infrastructure
23 is given to the city each year when subdivisions are completed. The increase in depreciation expense is for the new
24 infrastructure.
25 Mr. Marshall approached the Council and summarized his memo.
26
27
28
29

30 Councilmember Johnson stated that he has a couple of questions about the funding for the City newsletter. He
31 stated he noticed that the budgeted amount for that has increased by \$5,000. Mr. Marshall stated that is correct and that is
32 due to the fact that when the budget was originally created, staff projected that some of the costs associated with the
33 newsletter would be offset by advertising revenue, but the projections for advertising revenue has not been as high as
34 originally anticipated.

35 Councilmember Johnson then stated that he noticed there were some costs associated with the remodel of the east
36 side of City Hall. He asked if the City fronted those costs because ReMax backed out of the lease. City Manager Rice stated
37 the City paid those costs and his plan was to include it in the common area maintenance (CAM) rates for ReMax. He stated
38 that when a new tenant is secured those costs will be considered into their CAM rates as well.

39 Councilmember Johnson inquired as to what an Engine Boss is. Mr. Rice stated that the City recently purchased a
40 fire tender truck and in order to get it certified for use by the U.S. Forest Service there was a requirement to have an
41 employee assigned to be the Engine Boss. He stated the City did not have someone serving in that position, so when the

1 vehicle arrived the City was forced to enlist the help of neighboring city. He stated that now the City has its own Engine
2 Boss and another one in training so that by the time the fire season rolls around the City will have at least two Engine Bosses.
3 Councilmember Johnson asked if that is a new employee position. Mr. Rice stated it was a contract employee. Mr. Marshall
4 stated that it has allowed the truck to be called to fires out of the state, which generates revenue for the City. Councilmember
5 Lisonbee stated that the increased expenditure associated with the Engine Boss is \$315,580 and she asked what kind of
6 revenue the City will bring in to cover that expenditure. Mr. Marshall stated that the increased expenditure for the Engine
7 Boss is \$10,000, not \$315,580.

8 Mayor Nagle stated that she wants to comment Mr. Marshall and Mr. Rice and everyone else in the City that has
9 “knuckled down” because it is a huge accomplishment to be able to dedicate all the B&C Road funds to maintenance and
10 repairs rather than to wages. She stated that is probably the single greatest thing that Mr. Marshall and Mr. Rice have helped
11 the City with since they began their employment. She stated that is the most glaring item in the budget opening document
12 and she commends everyone that was involved in it. She stated all small changes added up to a big amount to be focused on
13 the roads.

14 Councilmember Peterson stated that he thought that he saw a proposal for where the staff wanted to use that money,
15 but he cannot find it in his packet. Mr. Marshall stated there was a list of unfunded projects that was included in the packet
16 behind the budget adjustment document. He stated it is the same document that was provided to the Council at their budget
17 retreat last year. He stated the list includes 10 or 12 projects. Councilmember Johnson asked if staff has targeted any
18 projects to be completed with the funding included in this budget opening. Mr. Marshall stated that he has targeted three
19 road projects. He stated that the \$600,000 in transportation impact fees is not what he is referring to; rather he is referring to
20 the money now available through Class C road monies. Councilmember Lisonbee stated that she is confused about the use of
21 the impact fees. She stated that the project to reconstruct Gordon Avenue was supposed to be covered by impact fees; that
22 was mentioned through the course of three different public hearings about the project. She stated that she has not seen those
23 costs debited from the impact fee funds. Mr. Marshall stated that project took place in the last budget year. Councilmember
24 Lisonbee stated that is correct, but the latest report of the City’s impact fees included on the State Auditor’s website, it says
25 that there is \$600,000 still available in 2012. Mr. Marshall stated that the impact fee study references proposed areas for
26 which to use the impact fee monies. He stated that the report shows all revenue coming into the City and what the current
27 balance is and where the City projects to use the money. He stated that is just a proposal and not a final determination on
28 how to spend the money. He stated that currently the money is pointed to the extension of 2700 South from 2000 West to

1 3000 West, but now that the City has a new Public Works Director he wants to sit down with him and make sure that is the
2 best place to use the money. Councilmember Lisonbee stated that before Mr. Marshall began working for the City and when
3 Rodger Worthen still worked for the City there was a lot of discussion about the Gordon project and the two change orders
4 that were submitted. She stated the project as \$800,000 or \$900,000 and it was said two or three times during public hearings
5 that the money for that project would come from transportation impact fees, but she has not seen that transaction. Mr.
6 Marshall stated a portion of the project was paid from the water impact fee funds as well as the transportation impact fee
7 fund.

8 Mayor Nagle then convened the public hearing.

9 TJ Jensen, 3242 S. 1000 W., stated that he wanted to commend the staff, Mayor, and Council for doing everything
10 they have done in order to complete one or two road projects. He stated that one of the priorities has been to replace the
11 secondary water line under Bluff Road because that water line does not have sufficient capacity to water all lawns in the City
12 at the same time. He stated that he would encourage the Council to take that into consideration; there is a problem with
13 delivering the water from Jensen Park to the entire City and that needs to be resolved at some point.

14 There being no additional persons appearing to be heard Mayor Nagle closed the public hearing.

15 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-07
16 ADJUSTING THE SYRACUSE CITY BUDGET FOR FISCAL YEAR ENDING JUNE 30, 2012. COUNCILMEMBER
17 SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR, WITH THE EXCEPTION OF
18 COUNCILMEMBER LISONBEE WHO VOTED IN OPPOSITION.

19
20 5. Proposed Resolution R12-04 updating and adopting Syracuse City
21 Engineering Standards and Construction Specifications.

22 A staff memo from Public Works Director Robert Whiteley explained that the proposed Syracuse City Engineering
23 Standards and Construction Specifications have been provided to the Council for consideration and can be formally adopted
24 via adoption of a resolution. Each municipality follows a set of engineering standards to ensure that minimum requirements
25 are being followed based upon industry standard and local conditions. Syracuse City's standards are currently included as an
26 appendix of Title Eight in the Syracuse City Code. The original standards have been incorporated into this document (shown
27 in gray shading). This document is more comprehensive based upon common standards used in the engineering industry. As
28 technologies advance, the standards must advance as well. That is the purpose for the currently proposed updates. In order to
29 streamline updates of this document in the future, it is recommended that these standards stand as a separate document from
30 the ordinance. The ordinance will still refer to the city standards. Future resolutions will ensure that the most current version
31 is being followed. The City's standards have not been updated for at least 15-years.

32 Mr. Whiteley approached the Council and summarized his staff memo.

1 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-04
2 UPDATING AND ADOPTING SYRACUSE CITY ENGINEERING STANDARDS AND CONSTRUCTION
3 SPECIFICATIONS. COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

4
5 6. Authorize Mayor to execute the Lease Purchase Agreement with
6 Zion's Bank.

7 A staff memo from Finance Director Steve Marshall explained that in July of 2011 the Council approved the FY12
8 budget which included the acquisition of 10 hybrid police vehicles to replace some of the older vehicles owned by the City.
9 Historically the City has purchased three police vehicles each year. However, due to budget constraints, the City has not
10 purchased any vehicles since 2009. By leasing these 10 vehicles, the City will pay approximately the same amount that
11 would have been spent to purchase the same three vehicles we have in previous years. This lease agreement is between
12 Zion's Bank and the City for the purchase of 10 hybrid police vehicles. The vehicles have been built and are now in service
13 within the Police Department. This lease agreement authorizes the City to borrow the money from Zion's Bank so that the
14 City can pay the vendor who built the cars. This lease is a four payment, three year lease with the first payment to be made at
15 the inception of the lease agreement and each additional payment to be made annually on February 15 of each year. The final
16 payment will be made on February 15, 2015. The interest rate is a fixed 2.7% rate over the life of the lease agreement.

17 Mr. Marshall approached the Council and summarized his staff memo.

18 Mayor Nagle asked if the purchase price at the end of the lease is \$1.00, to which Mr. Marshall answered yes.

19 Councilmember Johnson asked if the interest rate is variable or fixed. He stated he saw a reference to a maximum
20 rate of five percent. Mr. Marshall stated it is a fixed rate and the five percent amount is related to the bond refinance item to
21 be considered later in the meeting.

22 COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE THE MAYOR TO EXECUTE THE
23 LEASE PURCHASE AGREEMENT WITH ZION'S BANK. COUNCILMEMBER LISONBEE SECONDED THE
24 MOTION; ALL VOTED IN FAVOR.

25
26 7. Consideration for adoption of resolution R12-08 of the City Council of
27 Syracuse City, Utah, authorizing the issuance and sale by the Municipal
28 Building Authority of Syracuse City, Utah, of its Lease Revenue Refunding
29 Bonds, Series 2012, in the aggregate principal amount of not to exceed
30 \$5,700,000; and related matters.

31 A staff memo from Finance Director Steve Marshall explained that the Municipal Building Authority is a separate
32 legal entity from Syracuse City Corporation. It was established in August 2006 to allow the City to streamline the funding
33 and construction of City facilities. The MBA borrows funding, constructs facilities, and leases them to the City. The lease
34 payments made by the City provide the revenue for the MBA to make the debt payments. Eventually the debt will be paid
35 off and the properties will be deeded to the City. The executive board of the MBA is comprised of the Mayor and
36 Councilmembers of Syracuse City. Since the MBA and Syracuse City are two separate legal entities, it will be necessary to
37 adopt two separate resolutions – one for Syracuse City and the other for the MBA. Staff is anticipating an annual savings of
38 \$15,700 or a total savings over the life of the bond of \$206,000.

1 Mr. Marshall approached the Council and summarized his staff memo.

2 Councilmember Johnson inquired about the reference to the maximum rate of five percent. Mr. Marshall stated that
3 the agreement includes parameters because it is not known what the final price or final interest rate will be. He stated that the
4 Resolution say that the rate will not exceed five percent, but in reality the rate will likely be much less than that. He stated
5 that staff is considering a couple of different financing options; fixed versus a step-up rate. He stated that with a step-up rate
6 the interest rate is two percent at the beginning and it gradually increases until it is four percent at the end of the term. He
7 stated that he is trying to find a balance that will provide the best cost savings. He stated that upon approval of Council the
8 City will seek bids for the best pricing.
9

10 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-08 OF THE
11 CITY COUNCIL OF SYRACUSE CITY, UTAH, AUTHORIZING THE ISSUANCE AND SALE BY THE MUNICIPAL
12 BUILDING AUTHORITY OF SYRACUSE CITY, UTAH, OF ITS LEASE REVENUE REFUNDING BONDS, SERIES
13 2012, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,700,000; AND RELATED MATTERS.
14 COUNCILMEMBER PETERSON SECONDED THE MOTION.

15 Councilmember Peterson stated that he had a question and it may be better suited for Jonathan Ward from Zion's
16 Bank. He stated that earlier this evening Lurlen Knight referenced the refinance of the sewer bonds and they got a "steal of a
17 deal" and they used a competitive bid process. He stated the amount of the bond was approximately three times more than
18 the amount being considered tonight, but he asked for Mr. Ward to explain how the City goes about getting the best interest
19 rate. Mr. Ward approached the Council and stated that Councilmember Peterson's question is a good one. He stated that he
20 talked with Kevin Cowan, General Manager of the NDS, about their bond refinance. He stated that the NDS has an AA+
21 rating, which is one notch lower than the highest possible rating from Standard and Poors, one of the larger rating agencies.
22 He stated that with that type of a credit rating, bonds ought to be sold on a competitive basis where underwriters from all
23 across the country are allowed to bid on and buy the bonds. He stated that he also recommended that they sell the bonds
24 without a normal function or nuance of revenue bonds since that was a debt service reserve fund. He stated that makes a lot
25 of sense from the vantage point of the rate payers and tax payers in the district. He stated that the Government Finance
26 Officers Association (GFOA) website has links to best practices under debt management and they say any bond rating in the
27 A range or above qualifies to be sold via a competitively sold transaction. He stated that Zion's Bank has been a real
28 advocate of competitive transactions where the entity asks the buyers of bonds to compete with each other for the best
29 interest rate. He stated that the NDS was selling around \$12 million and that is very enticing to underwriters across the
30 country that bid on bonds. He stated the two most prominent bidders in Utah are Piper Jaffrey and JP Morgan Chase and
31 they have won more transactions than any other underwriter across the country and they do a remarkable job. He then
32 referred to the City's bonds and stated there are a couple of factors to consider. He stated that a few years ago the City's
33 bond rating was downgraded from an A+ to an A, which is one step, in large part due to cash balances on hand. He stated the
34 City had expended a lot of cash during the course of the economic recession and there was no plan in site from the
35 perspective of the rating agencies to try to replenish those cash reserves. He stated that he was very excited to see the turn

1 around of the City's cash status; that is a very positive trend. He stated that a single A rating makes selling bonds in a
2 competitive nature a little more tricky, but not impossible. He stated that there is also a question of how the bonds should be
3 sold. He stated the NDSO sold their bonds in the public capital markets, which is a national forum that any particular bond
4 investor can use to purchase bonds. He stated that the City's bonds were structured in 2008 as private placement bonds after
5 a debate about the options. He stated that private placement was going to get the City comparable interest rates with lower
6 upfront costs. He stated that Wells Fargo purchased the bonds and they offered the flexibility to prepay after five years. He
7 stated that the lockout period is typically 10-years. He stated currently there are buyers in today's market that are very
8 aggressive and they want to own the bonds as an investment and they are willing to provide prepayment options, so that when
9 and if rates drop lower than they are today the City will have the option to refinance again without any sort of penalty. He
10 stated that Zion's Bank will try to find the best option for the City and they are currently soliciting proposals from two
11 buyers: Bank of Utah and Wells Fargo. He stated that both are very interested in owning the bonds. He stated the resolution
12 that the Council is being asked to adopt tonight will allow them to formalize the refinance process.

13 Councilmember Shingleton asked if the refinance will take place this year or if the City is required to wait until
14 2013. Mr. Ward stated the IRS allows refinancing once in advance of the 2013 date, so this would be the City's one time
15 opportunity prior to that time. He stated that if the new bonds have a prepayment at any time clause, the City could
16 technically refinance again. He stated the tricky thing is that in order to prepay the bonds, Wells Fargo has a protection
17 through 2013, so Wells Fargo will be paid all the interest that is owed to them through 2013, but the City has the opportunity
18 to refinance at lower rates and put the new bond proceeds in an interest bearing account through 2013 and the costs to do that
19 are relatively low compared to what the City is actually going to save.

20 Councilmember Peterson referred to Councilmember Johnson's question about the maximum rate of five percent
21 and he asked what interest rate was used to calculate the savings amounts that were provided to the Council. Mr. Ward stated
22 that if the City were to sell the bond right now in the public capital market the true interest cost would be around 2.83
23 percent. He stated that as Mr. Marshall indicated, bonds sold in the public markets are sold with a serialized structure and
24 there is a different interest rate every year. He stated that the true interest cost is arrived at by averaging all the rates, but in
25 addition to the interest rate there are a lot of upfront fees. He then stated that on the private placement market the all
26 inclusive rate would be approximately 3.16 percent. He stated that he is trying to gauge which market is currently better.
27 Councilmember Peterson inquired as to the City's current interest rate. Mr. Ward stated it is 4.13 percent, which is not a bad
28 rate, but it is set for a 16 year period and if it can be lowered the City can save a lot of money over time.

1 There being no further discussion regarding the proposed resolution Mayor Nagle called for a vote. ALL VOTED
2 IN FAVOR OF THE MOTION TO ADOPT.

3
4 8. Councilmember Reports.

5 Councilmember Johnson stated that he attended his first Utah League of Cities and Towns (ULCT) meeting to try to
6 get his feet wet. He stated it was a good experience and he enjoyed meeting other people in the same situation as him. He
7 then stated that he wanted to wish former-Councilmember Kimmel the best of luck in his new endeavors and he will be
8 sorely missed on the Council and throughout the City. He stated he appreciates what Mr. Kimmel did in standing up for his
9 principals and what he thought was best for the City. He then stated that he went on a ride-along with the Police Department
10 recently and that was really good. Councilmember Peterson stated that he heard that the Police Dog attacked Councilmember
11 Johnson. Councilmember Johnson stated that he did let the drug sniffing dog attack him.

12 Councilmember Shingleton stated that there seemed to be some misconceptions at the last special meeting of the
13 City Council about the appointment of the Fire Chief. He stated that the reason the Council tabled the appointment was
14 because they were carrying out their fiduciary responsibility of taking a look at things; it was nothing against the Fire Chief
15 as he is qualified in all aspects of firefighting. He stated that some accusations have been made and some heated words
16 spoken and he feels that people need to take a look at what was said in the minutes of the meeting because there was nothing
17 inflammatory said. He stated that he also wanted to wish Mr. Kimmel the best on his new adventure in Oklahoma and then
18 Canada opening some restaurants for his employer. He then noted a job well done on the budget opening. He stated “we”
19 have been able to save money and take money that was previously spent on wages and reassign it to the Class C Road Funds
20 account. He stated he wanted to compliment the staff on their efforts.

21 Councilmember Peterson stated that he also went on a ride-along with the Police Department and he wanted to
22 mention a couple of things from that. He stated that Officer Steele and the police dog Drake do an awesome job; the dog is
23 very impressive and Officer Steele is great at handling him. He stated he was also with Officer Rowley and they responded
24 to a variety of different things that night; a couple of them were serious medical calls and he thought the public safety
25 responders worked so well together. He stated that he believed that in both cases the Syracuse City officers were the first on
26 scene with the Fire Department very close behind them. He stated Davis County Sheriff’s paramedics were pretty close
27 behind as well. He stated they all worked together very professionally. He then stated that, as was mentioned before, the
28 NDSB did refinance their \$15 million bond and they will save \$2 million over the life of the bond. He stated that the money

1 will be used to pay off two smaller bonds. He then stated that tomorrow the Davis School District Superintendent is hosting
2 a lunch that the Council and Mayor have been invited to. He stated he looks forward to attending that. Councilmember
3 Johnson asked what time the lunch will be held. Councilmember Peterson stated it is at noon at Syracuse Elementary.

4 Councilmember Lisonbee stated that she wanted to explain that she has a very bad infection tonight and if she came
5 across as abrasive during tonight's work session she wanted to apologize to all involved. She stated that she appreciates
6 everything that the staff does and they have displayed the utmost in professionalism in answering questions and putting forth
7 their ideas. She then stated she is excited for Mr. Kimmel to have the opportunities that he is having and she wishes him the
8 best in Oklahoma and Canada. She stated that will be an adventure for their family and she appreciates all that he did for the
9 City while he served.

10
11 9. Mayor Report.

12 Mayor Nagle stated she would like to congratulate the Syracuse High School Lady Titans basketball team; they
13 recently beat the Layton High School team, who was second place in the state, by a score of 52 to 37. She stated it was a
14 very respectable win. She then stated that she wants to officially welcome Chief Froerer to the City staff; the employees at
15 the Fire Department are very happy to have him. She then stated that at the last meeting she talked at length about the efforts
16 that the Council of Governments (COG) was taking to look at ways to reduce the policing fees that each city pays as well as
17 how different entities can work together. She stated that COG formed a task force and she was sorry that she did not know
18 that the other Chiefs were participating until she arrived at the meeting so she apologized to Chief Wallace. She stated that
19 the proposal that will be taken to COG deals with roadblocks that must be overcome in trying to consolidate services. She
20 stated there has been a lot of distrust in the past and that was actually increased after what recently happened in Syracuse
21 City. She stated there was a lot of talk about how the other members of COG thought that Syracuse was negotiating with the
22 Sheriff's Office and that the City would go the way of West Point. She stated that the fees that are in place are the same fees
23 that were assessed in 1984 and no one really know who had the authority to increase those fees; so each City would pay \$.50
24 per individual into the task force. She stated that some cities that are like size as Syracuse were paying approximately \$4,000
25 into the task force, but the task force needs more than 11 officers to function and that amount of money does not parlay into
26 enough for the necessary number of officers. She stated that as a result, some entities have been donating a full time officer
27 and Syracuse City is one of those entities. She stated that equates to a little over \$80,000. She stated that the proposal that
28 will be taken to COG will be to even out the costs that each entity is paying. She stated the breakeven point seems to be

1 \$2.50 per resident per City. She stated that 10 of the 15 Mayor were in attendance and they all bought off on that increase
2 that will take place over the next five years. She stated that at that point in time the task force can have another conversation
3 about whether to pay the fee or donate an officer and pay their wages. She stated it is a great start and it was a big leap of
4 faith for a lot of cities. She then stated she is very excited about the Class C Road funds being donated back to road repairs
5 rather than salaries. She stated that road problems are the biggest issue the City is facing and she appreciates Mr. Rice's
6 efforts to make those positive changes.

7
8 10. City Manager Report.

9 Mr. Rice stated that today the Parks and Recreation Department staff and he briefed the Davis County Gala
10 Committee hoping to be awarded the Gala for 2012 in order to earn donations for Chloe's Sunshine Park. He stated that the
11 goal of the Gala each year is to raise \$25,000 and find a worthy charity or project to benefit from that money. He stated there
12 were three groups that briefed today and Syracuse did a great job and he should be notified within the next few days as to
13 whether the City has been selected to be the recipient of the Gala proceeds.

14
15 11. Consideration of adjourning into Closed Executive Session
16 pursuant to the provisions of Section 52-4-205 of the Open
17 and Public Meetings Law for the purpose of discussing the character,
18 professional competence, or physical or mental health of an individual;
19 pending or reasonably imminent litigation; or the purchase, exchange,
20 or lease of real property

21 COUNCILMEMBER PETERSON MOVED THE COUNCIL ADJOURN INTO A CLOSED EXECUTIVE
22 SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW
23 FOR THE PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR
24 MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER JOHNSON SECONDED THE MOTION, WITH THE
25 FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS JOHNSON, KIMMEL, LISONBEE,
26 PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

27 The meeting adjourned into Closed Executive Session at 8:35 p.m.

28 The meeting reconvened at 9:35 p.m.

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At 9:36 p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: _____

Minutes of the Syracuse City Council Special Meeting, March 14, 2012.

Minutes of the Special Meeting of the Syracuse City Council held on March 14, 2012, at 6:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan
Craig A. Johnson
Karianne Lisonbee
Douglas Peterson
Larry D. Shingleton

Mayor Jamie Nagle
City Manager Robert Rice
City Recorder Cassie Z. Brown

City Employees Present:
Police Chief Brian Wallace
Fire Chief Eric Froerer
Finance Manager Steve Marshall
City Attorney Will Carlson
Recreation Director Kresta Robinson
Community Development Director Mike Eggett
City Planner Kent Andersen

Visitors Present: Joe Levi Shelby Hartman Jeremiah Zohner
Ray Zaugg Rob Ortega Bob VanVelkinburgh
Jeanne VanVelkinburgh

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:00 p.m. as a regularly scheduled meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember. She asked all visitors present if any wished to provide an invocation or thought; Councilmember Duncan provided an invocation. Boy Scouts Justin Brown and Jet Hunsaker, representing Troop 468, then led all present in the Pledge of Allegiance.

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

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to Hunter Dimick and Takenna Hamblin

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

1 Newsletter, City's Facebook and Twitter Feed, and City's website; be featured on the Wendy's product television; and
2 receive a \$10 gift certificate to Wendy's.

3 Mayor Nagle stated that this month the nominees are Hunter Dimmick and Takenna Hamblin. She stated that she
4 wanted to salute both students for their accomplishments and commitment. She stated there are great youth in the City and
5 the Council is proud to salute them. Mr. Dimick and Ms. Hamblin approached and shook the hands of each Councilmember;
6 they also received a round of applause from those in attendance.

7
8 3. Approval of Minutes

9 The minutes of the Special Meeting of November 15, 2011 were reviewed.

10 COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL
11 MEETING OF NOVEMBER 15, 2011 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE
12 MOTION. ALL VOTED IN FAVOR.

13 The minutes of the Regular Meeting of December 13, 2011 were reviewed.

14 COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR
15 MEETING OF DECEMBER 13, 2011 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE
16 MOTION. ALL VOTED IN FAVOR.

17 The minutes of the Special Meeting of December 29, 2011 were reviewed.

18 COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL
19 MEETING OF DECEMBER 29, 2011 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED THE
20 MOTION. ALL VOTED IN FAVOR.

21 The minutes of the Regular Meeting of January 10, 2012 were reviewed.

22 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE APPROVAL OF THE MINUTES OF THE
23 REGULAR MEETING OF JANUARY 10, 2012 AS PRESENTED. COUNCILMEMBER SHINGLETON SECONDED
24 THE MOTION. ALL VOTED IN FAVOR.

25

26 4. Public Comments

27 Douglas Merrill, no address given, stated that he has lived by a neighbor who owned two small dogs and one large
28 dog for many years and he is here tonight to request additional conditions to the proposal to allow up to four dogs with a

1 residential kennel permit. He asked the Council to keep in mind that small dogs are just as much of an impact to adjacent
2 property owners as large dogs. He noted that the City finally prohibited roosters in all residential zones because of the noise
3 impact they had on nearby homeowners; some dogs are just as much of a nuisance as roosters. He stated that there are many
4 who will say that the government should not have the right to limit what property owners do on their own land and this view
5 is often used in an effort to circumvent the greater good that results from appropriate discipline and community cohesion, and
6 is frequently used to dispute any law of the land. He stated that people enjoy freedoms in American society because of laws
7 and ordinances. He stated that many take advantage of loopholes or relaxed rules governing municipalities, so some
8 ordinances simply have to be what may be called 'overly restrictive' in order to protect everyone from those who delight in
9 annoying others whom they perceive as undeserving of their respect. He then stated that dogs are protective of their
10 surroundings, and set their own boundaries and, therefore he would like to respectfully ask that City Councilmembers
11 consider requiring 6-foot privacy fences for residential kennels. He stated that privacy fences would limit the dog's ability to
12 see into neighboring properties and bark in defense of land they do not need to protect. He stated that since the City only
13 handles disturbing the peace issues during nighttime hours, it would also benefit the community if language were added to
14 Title Six of the Syracuse City Code establishing a process for the City to partner with the Davis County Animal Control in
15 taking steps towards controlling nuisance dogs based on barking. He stated that barking dogs can be a major issue for the
16 many residents in Syracuse; those who work nights and must try to sleep during daylight hours, or those who enjoy
17 gardening, a family barbeque, or backyard reading – many of these residents end up retreating to their homes after enduring
18 nonstop barking from the other side of the fence. He then stated that his final request would be to require service animals to
19 comply with some of the same conditions as residential kennels if there were more than two dogs at the home or, at
20 minimum, after the City became aware of issues created by so many dogs on one lot. He stated that if there is no limit on
21 service animals, a resident in need of multiple dogs could create a major impact on adjacent property owners and those
22 neighbors would have absolutely no recourse, simply because the dogs provided a service. He asked the Council to consider
23 language that would allow the City to address problems brought before them from situations such as these and to then be able
24 to require a minor conditional use permit and application of the same conditions as a residential kennel but without the limit
25 to the number of dogs.

26 Joe Levi, 1844 W. 1975 S., stated that he was present at a City Council meeting held November 15 where staff
27 attempted to create a position and add it to the City's wage scale. He stated the position was a marketing specialist and it was
28 someone who was going to take care of the online marketing needs of the City. He stated that at that meeting, by a vote of

1 three to two, the creation of the position was tabled rather than created. He asked the Council to imagine how concerned and
2 confused he was when recently there was a job posting on the City website for a Planner I that had exact same job description
3 as the position that had been rejected by the City Council. He stated that he asked the Council some questions about the issue
4 and he received some good feedback from the Mayor who explained that the position is a replacement of another position.
5 He stated, however, that the duties were not approved by the City Council and that gives him the impression that someone
6 was trying to circumvent the Council. He stated that if the position and the associated duties are truly necessary, it would be
7 appropriate to bring that issue to the City Council and allow whoever feels that the position is necessary make an argument
8 for their case. He asked why the position is necessary. He stated that after reading the minutes from the November 2011
9 meeting he feels that the position is not necessary. He stated that he would like to know – and he still has not gotten an
10 answer to his question – who thought that the position was important enough to ‘skirt’ the issue under the nose of the City
11 Council and create the same position with a different title. He stated that it seems like that person, whoever it may be, is
12 undermining the authority of the entire Governing Body. He asked if anyone could tell him who was responsible. Mayor
13 Nagle stated that she did answer Mr. Levi’s question via email and she would be happy to continue to meet with him after the
14 meeting for further discussion. She invited him to listen to the discussion during tonight’s meeting and if he still has
15 questions she can try to address them after the meeting. Mr. Levi stated that he would like to suggest that the creation of a
16 position that has the same title as an existing position, but different duties and responsibilities, is just a way to circumvent the
17 appropriate way of creating the position. He stated that it avoids the transparency that the Council has committed to.

18 Gary Pratt, 2619 S. 575 W., stated that he wanted to address the Council about the street lighting project and the
19 conversion to LED bulbs. He stated that he does commend the Council for making efforts to save energy, but his experience
20 with other cities in the past has been that being an ‘early adopter’ of a program is not always the wisest thing when it comes
21 to money. He stated that Syracuse does not have a lot of money and this is not the position that Syracuse should take
22 especially when considering the costs of being an ‘early adopter’ even when other companies are willing to pay part of the
23 costs. He asked the Council to take a more careful approach. He then stated that he wanted to talk about the animal
24 ordinance since he is on the Planning Commission. He stated that body spent a lot of time on their recommendation and they
25 liberalized the current ordinance and it is misunderstood by a lot of people in the City who believe it is too restrictive. He
26 stated that the Planning Commission recommendation is actually more liberal than it has been in the past. He stated that
27 “we” forget when “we” talk about lot sizes that those sizes included homes, garages, driveways, etc., which then leaves very
28 little space for animals. He stated that he would like the Council to take that into consideration. He then stated that in

1 regards to the number of animals, the Planning Commission is not trying to limit the number of animals because people can
2 apply for conditional use permits to have more animals on the property. He stated that he is simply asking that the Council
3 adopt the ordinance as written with the one change that he recommended when the Planning Commission voted on their
4 proposal. He stated that the Planning Commission has held public hearings regarding the ordinance and he thinks it has
5 provided for a well rounded ordinance.

6 TJ Jensen, 3242 S. 1000 W., stated that there was a discussion about the filling of vacant Council assignments and
7 positions and the City's position on the North Davis Sewer District (NDS) was discussed at length. He stated his
8 suggestion would be that when the City notices the vacancy of the position on the Wasatch Integrated Waste Management
9 District (WIWMD) due to the fact that Mayor Nagle will be resigning and she would like Councilmember Shingleton to take
10 her place, that the notice should also include some language about confirming Councilmember Peterson as the City's
11 representative on the NDS. He stated that will give the public two weeks to speak against that confirmation, though he
12 does not think that will happen. He then stated that he wanted to address the animal ordinance. He stated that he talked to
13 the Standard-Examiner reporter earlier about an article that was in the newspaper that seemed to imply that the point system
14 that the Council is looking to adopt is a new concept. He stated that the point system has actually been around for about a
15 decade and, as Mr. Pratt pointed out earlier, the Planning Commission has actually relaxed the point system to allow more
16 animals in certain situations. He stated that he wanted to make it clear for the public record that this is not a new ordinance;
17 the Planning Commission has reviewed the existing ordinance and considered updates to make it more flexible. He stated
18 that the third item he wanted to talk about it the fact that there are a lot of residents on 700 South that are very concerned
19 about potential development and there has been a lot of data presented to make the residents feel that the project will be good
20 for the City and will create new revenue and taxes. He stated that he thinks that what would be more helpful to the residents
21 would be to show where the City's resources need to be allocated. He stated, for example, that the City has an \$11 million
22 deficit in relation to road projects, even though the City has managed to 'scrape together' \$1 million for road projects this
23 year. He stated that the City does have an aging water infrastructure and Public Works Director Whiteley informed him that
24 there is approximately 100 miles of water line in the City and there is at least eight miles that is constructed of the iron pipe,
25 which is over 40 years old. He stated that the pipe is rusting and the result if multiple ruptures. He stated that on his street
26 there have been three ruptures in the last year. He stated that he asked Mr. Whiteley for estimated for replacing the
27 infrastructure and, though it is hard to determine those costs, he was told that \$80 to \$100 foot is a good starting point. He
28 stated that would be \$4 million to replace all of the water lines that are over 40 years old. He stated that he thinks that if the

1 City can make a stronger case for what needs to be done and why the revenue from the development project is needed that
2 information would be helpful to the residents.

3 Matt Kimmel, 1218 S. 4050 W., stated that he knows he has three minutes to address the Council and he wanted to
4 talk about a couple of things. He stated that he wanted to provide the Council with a quick recap of what their job is. He
5 stated that the Council swore an oath to their office and their job is to support, uphold, and defend the constitution. He stated
6 that the Council must defend all the citizens' rights, including his and everyone else in the room. He stated that by doing that
7 the Council gives the citizens what they are secured in via the founding principles, and those are life, liberty, and the pursuit
8 of happiness. He stated the pursuit of happiness is the ability to own and control property – that is the only way “you” can
9 pursue happiness. He then stated that to defend, support, and uphold the constitution and defend Mr. Kimmel’s rights and
10 allow him to own and control his property would give him the ability to have the pursuit of happiness and control his
11 property. He stated residents should have the ability to choose how they want to control their property so long as they do not
12 violate the rights of others. He stated that there will be discussion about this tonight relative to the animal regulations
13 included under agenda item number six. He stated that he hoped that the Council would lend and tend to the side of freedom
14 and liberty and the pursuit of happiness and that they will give freedom a change. He asked that they give residents in the
15 community a chance to control their property and see what happens. He stated that it is a dangerous subject – freedom. He
16 stated it has barely happened in the history of humankind. He asked the Council to give it is a chance and see what happens
17 and see if the phones aren’t banked with complaints because someone has a rooster on their property. He referenced dogs
18 and children and stated that he could name a lot of things that are stinky and loud and could probably bother a neighbor. He
19 stated he does not think a rooster is much louder than a dog or some children or grown adults that live by him. He reiterated
20 his challenge to give freedom a chance and see what happens. He suggested giving it a year or two and give the citizens a
21 chance to control their property to pursue their happiness the way they see fit.

22 Pat Zaugg, 1593 W. 700 S., stated that she wanted to give kudos to the Parks and Recreation Department. She
23 stated that she recently had an issue with an Eagle Scout project that was in the cemetery that was blocking the access to the
24 gravesite of her triplet grandsons. She stated that she called Parks Superintendent Ben Liegert who worked with the Director
25 Kresta Robinson and this week they resolved the problem. She stated that she wanted to publicly thank them for responding
26 to her concern and moving it to a much more pleasant portion of the cemetery.

27

28 5. Proposed Ordinance 12-02 amending various provisions of Title 10.

1 The Land Use Ordinance, relating to administrative review and development
2 review procedures – Conditional Use Permits.

3 A memo from the Community Development Director, Mike Eggett explained that during staff assessment of the
4 current Title 10, and more specifically the zoning language, the Title was not sufficiently clear on the application of
5 conditional uses permits. Therefore, staff has bolstered the existing language to clarify how to approve, suspend, or deny
6 conditional use permits. Additional items are also included, such as the requirement of the Building Inspector to evaluate
7 conditional use permit compliance and an amended review procedure for conditional use permit suspension or revocation.

8 On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed
9 amendments to the Conditional Use Permits, in which no comments were received. On February 7, 2012, the Syracuse City
10 Planning Commission approved recommendation to the Syracuse City Council the attached amendments to Title Ten,
11 Chapter 4, Administrative and Development Review Procedures as it relates to Conditional Use Permits within the Syracuse
12 City Code. This amendment clarifies the review procedure for revocation of a conditional use permit, enhances conditional
13 use approval standards, adds the requirement of review by City Building Inspector to evaluate compliance, and states that a
14 conditional use permit for a nonphysical structure is not transferrable upon termination of permittee's residency.
15 Additionally, after Planning Commission recommendation for approval, City Attorney Will Carlson made some additional
16 recommendations.

17 The Community & Economic Development Department hereby recommends, following recommendation from the
18 Syracuse City Planning Commission and City Attorney, that the Mayor and City Council amend Title Ten, Chapter Four,
19 Administrative and Development Review Procedures as it relates to Conditional Use Permits within the Syracuse City Code.

20 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-02
21 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO
22 ADMINISTRATIVE REVIEW AND DEVELOPMENT REVIEW PROCEDURES. COUNCILMEMBER JOHNSON
23 SECONDED THE MOTION. ALL VOTED IN FAVOR.

24
25 6. Proposed Ordinance 12-03 amending various provisions of Title 10.

26 The Land Use Ordinance, relating to animals.

27 A memo from the Community Development Department explained that on September 27, 2011, staff presented a
28 recommendation to the City Council for approval from the Planning Commission for an amendment to the Animal Ordinance

1 to include pigeons in the point table as well as a small language change. At the September 27 meeting, City Council
2 discussion moved beyond the changes presented and requested that staff and Planning Commission include additional
3 changes such as a point allocation for quarter-acre lots, an example of the use of the point system, etc. During the period in
4 which staff and Planning Commission was formulating additional recommendations to the Animal Ordinance, Davis County
5 informed staff that the County was considering making changes to the County Animal Ordinance. Davis County requested
6 City staff to hold onto any changes to the Syracuse Animal Ordinance until Davis County was able to make their changes.
7 Davis County also requested that Syracuse amend the Animal Ordinance to mirror the County Ordinance to ease the burden
8 on County animal enforcement officers of knowing every city animal ordinance. Syracuse City is under no obligation to
9 make this change and Davis County has reflected that they will continue to enforce our ordinance as written. On January 3,
10 2012, Davis County Commissioners approved the attached amendment to the County Animal Control Ordinance, which went
11 into effect on January 24, 2012. Primary changes includes: addition of cat registering and licensing requirements, allowance
12 of maximum of three cats and dogs in any combination, if a third dog is owned the dog must be acquired from a legitimate
13 animal shelter, etc. If the Syracuse City Ordinance does not address a specific issue, then the County Ordinance then the State
14 Ordinance is applicable.

15 On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed
16 amendments to the Animal ordinance, in which comments were received. At that time, the Syracuse City Planning
17 Commission chose to table the approval of the animal ordinance so that additional changes could be included. On February
18 22, 2012, the Syracuse City Planning Commission approved recommendation to the Syracuse City Council the attached
19 amendments to Title Ten, Chapter 6, General Land Use Regulations within the Syracuse City Code. This amendment
20 includes the following: addition of a point allocation to lots that are a quarter of an acre or larger, examples of use of the
21 point system and square footage conversion, reclassification of large animals, addition of a small fowl group in the points
22 table, maintain that no more than two of the same species for household pets shall be kept, a limit on the maximum number
23 of dogs a kennel permit allows, an additional exception to the point system, language regarding the harvesting of farm
24 animals, the exemption of service animals from number of animals allowed through the use of a minor conditional use
25 permit, a few definition changes, and other minor changes. Two dissenting opinions from Syracuse City Planning
26 Commissioners have also been provided and are subsequently attached. At the February 28, 2012 City Council Work
27 Session, additional comments were received. Therefore, these additional changes are highlighted in yellow in the attached
28 proposed changes.

1 The Community & Economic Development Department hereby recommends, following recommendation from the
2 Syracuse City Planning Commission, that the Mayor and City Council amend Title Ten, Chapter Six General Land Use
3 Regulations - Animals within the Syracuse City Code to reflect attached Ordinance No. 12-03.

4 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE ADOPTION OF PROPOSED ORDINANCE
5 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS.

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

7 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-03
8 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS.

9 COUNCILMEMBER JOHNSON SECONDED THE MOTION.

10 Councilmember Johnson stated he wanted to continue the discussion that the Council had during tonight's work
11 session concerning cats. He stated that he wanted to make some amendments to the proposed document. He stated that he
12 wanted to strike (E)(2), which reads "no more than two of the same species shall be kept excluding dependent young". He
13 stated that he also wanted to allow up to four dogs or cats. He stated he also wanted to remove item four so that people are
14 not required to obtain a conditional use permit. Mayor Nagle asked Councilmember Johnson if he wanted to make the
15 change to dictate that cats must not be licensed or registered through Davis County. Councilmember Peterson stated that he
16 agrees with Councilmember Johnson's suggestions, except regarding the issue of four dogs. Councilmember Johnson stated
17 that there are still kennel regulations and someone would be required to get a kennel license if they have three or more dogs.
18 Councilmember Peterson asked Planner Andersen to make sure that the wording reflected that desire. Mr. Andersen stated
19 that the language can state that up to four cats will be allowed as will up to four dogs, but keeping more than two dogs
20 requires the owner to obtain a dog kennel permit.

21 Councilmember Lisonbee stated that she sent an email to Mr. Andersen prior to this meeting and she asked him if he
22 had received it. Mr. Andersen stated that he did receive the email and he provided a copy to City Attorney Carlson so that he
23 could share his opinion as well. He stated that they have come up with draft language on page three of the document under
24 (C)(e) and there is a reference to State Code for additional laws regulating harvesting of livestock and noncommercial
25 slaughter. He read the language to be included for the record. Councilmember Peterson inquired as to the purpose of that
26 new language. He asked if it is a copy and paste of State Code language rather than a reference to the State Code.

27 Councilmember Lisonbee answered yes and stated that the language counteracts the explicit language in the Davis County
28 ordinance that states that it is animal cruelty to cause pain, harm, or death to any fowl or animal. She stated that there is no

1 exclusion to that language for animal husbandry, so in order to protect the citizens of Syracuse she is asking for this language
2 to be added. She stated it will allow farmers to harvest their animals. Councilmember Peterson stated that the language
3 included camels and bison. Councilmember Lisonbee stated the word used is the Latin word for the family of camels, so it
4 includes llamas and other types of animals. Councilmember Peterson stated that some people might interpret that to mean
5 that they can keep a bison in a residential area of the City. Councilmember Lisonbee stated that is a good point. Mr.
6 Andersen stated that bison would be classified as a large animal and someone would be required to have 20 points to keep
7 one on their property. Councilmember Lisonbee then stated that she would also like for Mr. Carlson to make note that when
8 Title Six is amended in the future she would like to include language that she provided to Mr. Carlson in her email. Mr.
9 Carlson stated that this issue was presented to the Planning Commission and they declined including it in the ordinance
10 because right now there are two animal cruelty laws that apply to Syracuse; one is Davis County because the City has given
11 authority to Davis County to provide animal control. He stated the second law is a State statute addressing animal cruelty
12 and it exempts livestock as long as one complies with husbandry practices. He wanted to assure the Council that he will not
13 be prosecuting famers for harvesting their animals. He then stated that his recommendation to Councilmember Lisonbee and
14 the rest of the Council is to include any additional language about animal cruelty in Title Six rather than Title Ten, because it
15 is not a land use issue. He stated he is concerned about placing it in Title Ten because there will be two relevant laws from
16 Davis County; one says that injury or death to an animal is animal cruelty and the other says that animals must be slaughtered
17 in a backyard or a side lot. He stated that the fact that this limits where slaughter occurs does not necessarily immunize
18 someone from the animal cruelty ordinance, though he thinks that was goal of the addition of the language. He stated that
19 Planning Commissioner Tyler Bodrero mentioned to him that he reason they declined to include that language in the proposal
20 is because they believe the fact that the exemption to livestock in the State Code is sufficient. Councilmember Lisonbee
21 stated that at the last meeting Mr. Carlson told her that he wanted to assure her that he would not prosecute people according
22 to Davis County ordinance, but that he would prosecute based on State law and in the Council packet it says that if the
23 Council does not address specific language in the County ordinance the City will be required to abide by the County
24 ordinance or the State law. She stated that means it is left up to the City Attorney or prosecutor to decide on prosecution.
25 She stated that is a dangerous precedent for her; not protecting the citizens of Syracuse with specific language. She stated the
26 document includes the language that Syracuse City refers to State Code for additional laws regulating harvesting. She stated
27 this has everything to do with animal husbandry and animal keeping and it is not a public nuisance in her opinion. She stated
28 she thinks it is important to include the language in this ordinance. She stated that the City Attorney will be the one making a

1 decision on prosecution based on whatever law they decide to consider and that exposes the citizens of Syracuse who have
2 farm animals and choose to harvest them. She stated a resident from Weber County was exposed in the same way and was
3 prosecuted for violation of the State Law for protecting himself against a feral cat. She stated that is an issue that, as a
4 citizen, she wants to prevent from happening. She stated that she wants to be protected and she wants other residents to be
5 protected by including this language in Title Ten in the section dealing with animal keeping. Mr. Carlson stated that he is not
6 disputing the policy decision of the Council and he is assuming that the goal of making livestock exempt is the goal that the
7 Council wants to achieve. He stated that his only concern is about placing language in Title Ten about where on a person's
8 property to slaughter animals. He stated that may not help in achieving that goal. Councilmember Peterson asked if adding
9 the language to Title Six would achieve that goal. Mr. Carlson answered yes. Councilmember Lisonbee stated that the
10 language in Title Ten about where to slaughter animals was actually added by the Planning Commission. She stated that she
11 added language that refers to State Code. She stated that Mr. Carlson has recommended some language to be added to Title
12 Six in the future and she feels they are important additions because they help to achieve the same thing she is trying to
13 achieve. Mr. Carlson stated that he simply wanted to emphasize that Title Ten addresses land use in the City. He stated it
14 appropriately addresses where an animal would be slaughtered, but what it does not effectively do is exempt the killing of an
15 animal for the purpose of eating it. He stated that prosecution for something like that would come through Title Six of the
16 City Code. He stated that if the goal is to make sure that the City Attorney does not prosecute a farmer for killing a chicken,
17 it is appropriate to include language exempting livestock in Title Six. He stated the current language about livestock in Title
18 Ten only talks about where the slaughter will occur but it does not exempt farmers from being prosecuted according to the
19 County ordinance. Councilmember Lisonbee asked if the statement that "Syracuse City refers to State Code for additional
20 laws regarding harvesting" does not exempt a farmer. Mr. Carlson answered yes and stated there is no language regarding
21 harvesting in the State Code. Councilmember Lisonbee suggested changing the language to refer to the animal cruelty
22 amendment in the State Code. She stated that Mr. Carlson told her, via email, that it did not make any difference where the
23 language was included in the Code; as long as it was somewhere, it would provide protection. Mr. Carlson stated that is not
24 what he said. He stated that Councilmember Lisonbee asked if the language had the full force of law. Mr. Carlson stated that
25 it will have full force of law no matter where in the Code it is included, but if a defense attorney, or Police Officer, or
26 prosecutor cannot find the regulation in the Code it will not be effective. He stated a law is only effective as its ability to be
27 applied. Councilmember Lisonbee stated that all other animal ordinances are contained in Title Ten and she feels that is the
28 appropriate place to add the language she is suggesting regarding harvesting or non-commercial slaughter of animals. She

1 stated that if the State Code reference does not apply because there are no state code laws regarding harvesting, then she
2 would like to see language added to address that. She stated that is why she wanted this item to be tabled; she has other
3 concerns that are not related to animal harvesting that the Council has not gotten to yet.

4 COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND PROPOSED ORDINANCE 12-03
5 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO ANIMALS, AS
6 FOLLOWS:

- 7 • STRIKE SECTION 10-6-040(E)(2), WHICH READS: NO MORE THAN TWO (2) OF THE SAME SPECIES
8 SHALL BE KEPT, EXCLUDING DEPENDENT YOUNG;
- 9 • INCLUDE LANGUAGE THAT WILL ALLOW RESIDENTS TO KEEP UP TO FOUR CATS OR DOGS;
- 10 • STRIKE SECTION 10-6-040(E)(4), WHICH READS: TO BE ELIGIBLE FOR MORE THAN TWO (2) CATS, UP
11 TO A MAXIMUM OF FOUR (4), THE CATS' OWNER(S) SHALL ACQUIRE APPROVAL FOR A MINOR
12 CONDITIONAL USE PERMIT. HOWEVER, IN NO CASE SHALL A CATS' OWNER(S) BE ALLOWED A
13 RESIDENTIAL KENNEL PERMIT [THREE (3) TO FOUR (4) DOGS] AND A MINOR CONDITIONAL USE
14 PERMIT FOR MORE THAN TWO (2) CATS
- 15 • INCLUDE LANGUAGE THAT STATES THAT RESIDENTS ARE NOT REQUIRED TO LICENSE OR
16 REGISTER A CAT THROUGH DAVIS COUNTY.

17 COUNCILMEMBER LISONBEE SECONDED THE MOTION.

18 Mayor Nagle asked if anyone wants to amend Councilmember Johnson's amendment. Councilmember Peterson
19 stated he wanted to suggest a cleaner option; he wanted to have a conversation about all the recommended changes and ask
20 for one motion at the end of the conversation.

21 Councilmember Duncan stated that maybe it will be necessary to table the item because further discussion is needed.
22 He stated that he has some of the same concerns as Councilmember Lisonbee regarding whether the language should be
23 placed in Title Ten or Title Six.

24 Mr. Carlson stated that there are currently two open motions; a motion to adopt the ordinance and a motion to amend
25 and adopt. He stated both motions have been seconded and if the Council moves to table at this point in time, they will be
26 moving to table the amendment. He suggested voting on the amendment. Councilmember Lisonbee asked what would
27 happen if the Council voted on the amendment. Mr. Carlson stated they would not necessarily be voting to pass the

1 ordinance, but they would be voting to amend it as it is currently written. Councilmember Peterson suggested continuing the
2 discussion until the Council is comfortable adopting.

3 Mayor Nagle stated there is a motion and a second to amend the ordinance as written; she called for a vote. ALL
4 VOTED IN FAVOR.

5 Councilmember Lisonbee then stated that during the work session held this evening she brought up the 10-6-
6 040(H)(4) language regarding roosters. She stated that it says that roosters are not permitted in any residential zones. She
7 stated, however, that there are a lot of large lots in Syracuse that are in residential zones; people keep farm animals on those
8 lots and they would like to have roosters as well. She stated that she would like to have some discussion on that issue.
9 Councilmember Peterson stated that he agrees with Councilmember Lisonbee to an extent; he wanted to have a discussion
10 about the minimum lot size that a rooster would be allowed on. He stated that he thinks that half-acre lots are too small.
11 Councilmember Shingleton asked if Councilmember Peterson would be comfortable with declaring three-quarters of an acre
12 the minimum lot size. Councilmember Lisonbee asked Mr. Andersen how many three-quarter acre lots currently exist in
13 Syracuse. Mr. Andersen stated he would have to conduct some research to answer that question. Councilmember Lisonbee
14 stated that she does not think there are a lot; she knows there are a lot of half-acres and a lot of acre lots, but she does not
15 think there are many in between. Councilmember Duncan stated that he agrees with Councilmember Lisonbee as well as
16 Councilmember Peterson on this issue. He stated that he would not want a rooster located right next to his bedroom window.
17 He stated it is important to determine the minimum lot size. Councilmember Lisonbee stated that is why she suggested half-
18 acre as being the minimum lot size. She stated that it seems that people living on that lot size would have farm animals. She
19 stated that in the past the minimum size was a half-acre to qualify to use the point system. She asked Councilmember
20 Duncan if there are half-acre lots near him. Mayor Nagle stated that there are half-acre lots located throughout her
21 neighborhood. Councilmember Duncan stated that he is considering what would be best for the citizens, not for himself. Mr.
22 Andersen stated that it may be appropriate to state that roosters are allowed on minimum lots sizes in R-1 and A-1 zones
23 throughout the City rather than in any residential zone in the City. He stated that farm animal keeping is currently allowed in
24 those zones in the City. Councilmember Peterson asked Mr. Andersen to describe what would be found in an R-1 zone. Mr.
25 Andersen stated there is a minimum lot size, but not a maximum; the minimum is 10,000 square feet, or a quarter-acre.
26 Councilmember Lisonbee stated that she is in an R-1 zone and she lives on an acre and there are several larger lots close to
27 where she lives. She asked if the following language would be appropriate: "roosters are not permitted in any residential
28 zones except A-1 and R-1 with a minimum lot size of half-acre". Councilmember Peterson stated that he is in favor of tying

1 the restriction to a zone rather than lot size, but he is concerned by the fact that quarter-acre lots are allowed in R-1 zones.
2 Councilmember Lisonbee stated that is why she suggested restricting the allowance to half acre-lots. Councilmember
3 Peterson stated that there will still be the instance where there is a mix of lot sizes in a subdivision and a half-acre lot may
4 abut a quarter acre or third-acre lot. Mr. Andersen stated that there could be an R-2 or R-3 zone adjacent to an R-1 zone and
5 those zones allow for higher density.

6 Councilmember Johnson asked if the animal husbandry issue has been resolved and if a decision has been made
7 regarding whether the language should be included in Title Ten or Title Six. Councilmember Lisonbee stated that is one of
8 the reasons she wanted to table the ordinance this evening. She stated that she is not comfortable with that issue and she
9 would like to continue to explore it. She asked if there is any reason that this ordinance must be adopted tonight. Mr.
10 Andersen stated it has been in process for six months and a couple of additional weeks will not be too damaging.
11 Councilmember Peterson stated that he supports Councilmember Lisonbee's purpose, but he has heard from the City
12 Attorney that it is more appropriate to include the language in Title Six and he is in support of that as well. He stated that
13 changes to Title Six could be changed at the next Council meeting. Councilmember Lisonbee stated that there are several
14 items in Title Ten that deal with animals that are not really related to Land Use and she asked if all of those would be moved
15 to Title Six as well. Mr. Carlson stated this is an inherent problem in granting law making authority to another body. He
16 stated that as soon as Davis County changed their laws, the City's laws changed as well. He stated that if the Council wants
17 to be making changes to the Davis County ordinance, his recommendation is that those changes be included in the same spot
18 of the City Code that gives authority to Davis County. He stated that will simplify and streamline the review process as
19 much as possible. He stated that Title Six is the spot in the City Code where animal control authority is granted to Davis
20 County. Councilmember Duncan asked if there is anything wrong with having the language in both Title Six and Title Ten
21 with a reference to both included in each respective Title. Mr. Carlson stated that redundancy is fine. Councilmember
22 Peterson asked if that will lend itself to having very muddled ordinances. City Recorder Brown stated that she is concerned
23 about including the same language in two different Titles of the City Code because a future City Council may make a change
24 to one Title without being aware that the same language exists in another Title and the result will be that there will be two
25 conflicting sections of the City Code.

26 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE CONSIDERATION PROPOSED
27 ORDINANCE 12-03 AMENDING VARIOUS PROVISIONS OF TITLE TEN, LAND USE ORDINANCE, RELATING TO
28 ANIMALS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

1 Mr. Andersen asked if the Council had any further direction for him so that he could be prepared to provide an
2 updated document at the next Council meeting. Councilmember Lisonbee stated that she would like to include references to
3 Title Ten after where the language being recommended by Mr. Carlson will be added. She stated the language is very
4 pertinent and she would just like to add a reference to the animal keeping ordinance to it. She stated if she were looking for
5 information about slaughtering animals she would look in the animal keeping ordinance, which is located in Title Ten. She
6 stated she would not first look in Title Six because it is an administrative ordinance. Mr. Carlson stated that he wanted to
7 offer some clarification. He stated that proposed ordinance 12-03, which the Council is considering tonight, would only
8 make changes to Title Ten; it will not make changes to Title Six. He stated that the Council can talk about amending Title
9 Six at some time in the future.

10 Mayor Nagle asked Mr. Andersen to work on amendments to the ordinance based on the discussion that the Council
11 has had tonight. She then stated there is a motion and a second regarding tabling consideration of the proposed ordinance.
12 She called for a vote. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, AND SHINGLETON.
13 VOTING "NO" COUNCILMEMBER PETERSON.

14 Councilmember Peterson stated he voted in opposition to the motion because he felt the Council should try to finish
15 their discussion about the ordinance tonight.

16
17 7. Proposed Resolution R12-11 appointing City Councilmembers
18 to various committee positions and assignments.

19 With the recent resignation of past Councilmember Kimmel, it is necessary to review the assignments that he held
20 and consider appointing someone to fill those vacancies. Attached is Proposed Resolution R12-11, which allows the council
21 to do so.

22 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-11
23 APPOINTING CITY COUNCILMEMBERS TO VARIOUS COMMITTEE POSITIONS AND ASSIGNMENTS, WITH
24 THE FOLLOWING AMENDMENTS:

- 25 • STRIKE ITEM A, THE APPOINTMENT TO THE WASATCH INTEGRATED WASTE MANAGEMENT
26 DISTRICT CONTROL BOARD.

- 1 • FILL IN BLANKS THROUGHOUT THE RESOLUTION WITH THE INFORMATION DISCUSSED DURING
2 THE MARCH 14 WORK SESSION.
3 COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

4
5 8. Proposed Resolution R12-12 appointing Councilmember Shingleton
6 to the Wasatch Integrated Waste Management District (WIWMD)
7 Administrative Control Board.

8 Councilmember Lisonbee stated that the Council had a discussion regarding this item during the work session that
9 preceded this meeting. She stated that the resolution should be tabled in light of that discussion and due to regulations
10 included in State Law 20A-1-512 requiring a two week notice of vacancy period before appointing for a mid-term vacancy to
11 any local district board.

12 COUNCILMEMBER LISONBEE MADE A MOTION TO TABLE PROPOSED RESOLUTION R12-12
13 APPOINTING COUNCILMEMBER SHINGLETON TO THE WASATCH INTEGRATED WASTE MANAGEMENT
14 DISTRICT (WIWMD) ADMINISTRATIVE CONTROL BOARD. COUNCILMEMBER DUNCAN SECONDED THE
15 MOTION. VOTING "AYE": COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE, AND SHINGLETON. VOTING
16 "NO" COUNCILMEMBER PETERSON.

17 Councilmember Peterson stated he voted in opposition because he feels that the Council needs to quit tabling so
18 many items and try to have a discussion to reach a resolution. Councilmember Lisonbee stated that the issue is being
19 addressed and the Council must follow the law, which is why she referenced the law. Mayor Nagle stated the City Attorney
20 actually advised the Council that they could have taken care of the appointment this evening, but the motion to table is
21 approved.

22
23 9. Proposed Resolution R12-09 appointing a representative(s) to serve as
24 Syracuse City's appointee(s) on the Taxing Entity Committee (TEC) for the
25 Redevelopment Agency (RDA) of Syracuse City.

26 A staff memo provided by the Community Development Department provided a list of the likely Taxing Entity
27 Committee membership for Syracuse City as it relates to the EDA and CDA areas. Interesting to note is that the model, as
28 represented by Davis County School District and Davis County, seems to reflect a membership of one non-elected member

1 and one elected member to participate on this board for each respective organization. Another interesting thing to note is that
2 there are only, at current time (minus Matt Kimmel), three elected officials that would participate on this board as is reflected
3 on the attached document.

4 **Syracuse City Taxing Entity Committee (TEC) Membership**

5 Davis County

6 Kent Sulser – Economic Development Director

7 Steve Rawlings – Elected Representative, County Auditor

8 All Other Taxing Entities Representative

9 Tage Flint – Weber Basin Water Conservancy District Manager

10 Davis County School District

11 Craig Carter – County Business Administrator

12 Elected Representative from the County School Board

13 Utah State Office of Education

14 Larry Newton – Director of Finance

15 (Alternate) Cathy Dudley – MSP Budget and Property Tax Specialist

16 Syracuse City

17 Mayor Jamie Nagle – Elected Representative

18 Vacant Seat – previously held by Matthew Kimmel

19 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-09
20 APPOINTING A REPRESENTATIVE(S) TO SERVE AS SYRACUSE CITY'S APPOINTEE(S) ON THE TAXING
21 ENTITY COMMITTEE (TEC) FOR THE REDEVELOPMENT AGENCY (RDA) OF SYRACUSE CITY. Councilmember
22 Peterson's motion died for a lack of a second.

23 Councilmember Johnson asked for clarification. He asked if the Council could appoint another elected official to
24 the committee. Mr. Carlson stated that the Council is only required to appoint a person; beyond that requirement it is up to
25 the discretion of the Council. Councilmember Lisonbee noted that the Legislative Body is responsible to make the
26 appointment. Mr. Carlson stated that is correct.

27 Councilmember Peterson stated that he understands the desire to only appoint elected officials to this committee.
28 He stated there is already an elected official appointed to the committee and that is Mayor Nagle. He referred to the staff

1 memo and noted that all other entities that are represented have appointed one elected official and a staff person who knows
2 the innerworkings of the entity. He stated the City could do the same by appointing Mr. Rice to serve alongside Mayor
3 Nagle. He stated that Mr. Rice has all the answers and the Mayor would be present as the elected representative and he feels
4 they are the perfect pair to represent the City on this committee. Councilmember Duncan stated that he has some concerns
5 about that. He stated that the City is bound by the decisions made by the TEC and he does think that the citizens should be
6 represented by an elected person. He then stated that he has noticed in the past that the City has consistently raised taxes,
7 bonding, etc. and he is concerned that the same thing could happen with the TEC and the citizens will be paying higher taxes
8 as a result and he thinks that the person appointed should have a more conservative approach. He stated that once someone is
9 appointed to the committee the Council loses control over it. Councilmember Peterson stated this is the TEC of the RDA and
10 the RDA consists of the City Councilmembers. Mr. Rice stated that is correct and he noted that the TEC represents all the
11 taxing entities that get a vote on how to provide tax increment benefits to developers as a project goes forward. He stated no
12 decision made by the TEC would impact property taxes of the citizens of Syracuse. Councilmember Lisonbee stated with
13 any development there is a baseline and then an increase in the tax revenue created by the development and supposedly that
14 increased amount can be gauged. He stated that the TEC decides what portion, according to State Law, they are going to take
15 and reinvest into the EDA or CDA or RDA area. She stated that in this case that portion cannot be 100 percent, but it can be
16 anywhere between zero and 80 percent of the increased tax revenue. She stated that a developer can essentially benefit from
17 tax dollars. She stated that it is something that the Council is answerable to the citizens for and she thinks it is important for
18 an elected official to be appointed to the TEC. Councilmember Peterson stated that he agrees that the Council is answerable,
19 but the point he is trying to make is that those decisions will still be forwarded to the RDA for final approval. Mr. Rice stated
20 that the TEC will actually decide how much increment will be held for development of the project. Councilmember Duncan
21 stated that decision will be binding on the City and it will not be referred to the RDA or any other board made up of elected
22 officials for a final decision. Councilmember Lisonbee agreed. Community Development Director Eggett stated that is not
23 entirely accurate. He stated that the TEC will review and adopt a budget and it will then be brought to the RDA board for
24 final resolution. Councilmember Lisonbee stated that State Code actually gives the TEC the authority to decide the
25 proportions of tax increment that is withheld and that is not a decision that is brought to the RDA for approval. Mr. Eggett
26 stated the proportions will be negotiated as part of the budget and the TEC then brings a recommendation to the RDA board
27 for approval. He stated that the TEC representatives still must appear before the RDA. Councilmember Peterson stated that
28 he stands by his recommendation that Mr. Rice be the appointee and that recommendation has been reinforced by what Mr.

1 Eggett said. He stated that he trusts Mr. Rice and he thinks that he will carry out the Council's wishes, but if he does not do
2 that, the Council has control over Mr. Rice's employment with the City. He stated there are two ways in which the RDA will
3 still have some control over what Mr. Rice would do as a member of the TEC. He stated the City will be represented by
4 someone who knows the inner workings of the City as well as an elected official in Mayor Nagle.

5 Mayor Nagle stated that she wanted to point out that the meetings of the TEC are held during daytime hours. She
6 stated that she has extended an offer on several occasions to members of the Council to come to City Hall and acquaint
7 themselves with how the City functions so that they can be prepared for the budget preparation season. She stated that the
8 Councilmembers are very busy during the day and they have yet to take advantage of those offers and the budget season is
9 now upon the City. She stated that everyone has made so many commitments, but some of the Councilmembers are not
10 honoring the commitment they made when they chose to be a Councilmember. She stated that this seems to be a little bit of
11 posturing and grandstanding; she agrees that there needs to be accountability in this situation, but there needs to be
12 accountability in all areas and the Council is not taking the initiative to become educated during the day because their other
13 commitments are keeping them so busy. She stated she would suggest that the taxpayers would want the Council to know
14 exactly how the City works before they begin working on a budget so that they can intelligently make decisions. She asked
15 how this committee will be any different. She stated that she understands the commitment issue, but she feels that needs to
16 parlay into other areas of responsibility of the Council. She stated that Mr. Rice is present day to day and it is job to answer
17 to and carry out the wishes of the Council. She stated that she is frustrated; she understands the reasoning behind this
18 discussion, but it cannot be part and parcel. She stated that if the Council wants to be so committed to the taxpayers and their
19 dollars, she would say that the Council should be doing that in all areas. She asked how many of them have visited the Fire
20 Department, Police Department, or Recreation Department to try to understand their inner workings. Councilmember
21 Lisonbee called for a point of order. She stated that she appreciates Mayor Nagle's sentiments, but she thinks there is a fine
22 line that she is toeing between making a personal attack and comments that are actually germane to the discussion. Mayor
23 Nagle stated she is not making a personal attack; rather, she is stating factual information. Councilmember Lisonbee stated
24 that she has received emails from the citizens saying they would prefer to have another elected official appointed to this
25 committee. She stated that does not mean that Mr. Rice would not do a fantastic job because she believes that he would. She
26 stated that she does not feel that Mr. Rice should be the appointee. She stated that she agrees with the citizens that have told
27 her that the appointee should be an elected official.

1 Councilmember Shingleton stated that when this issue was initially raised, the City Council at that time also felt
2 very strongly that both of the appointees should be elected officials.

3 Councilmember Johnson asked if anyone has the desire to be appointed. Councilmember Peterson stated that the
4 person selected also must be able to attend daytime meetings. Councilmember Lisonbee stated that she does not have a
5 desire to be appointed, but if no one else will do it, she would be happy to do it for the taxpayers and she would be able to
6 attend daytime meetings. Councilmember Peterson asked why Councilmember Lisonbee does not have a desire to be
7 appointed. He stated that, as a taxpayer, that would concern him. Councilmember Lisonbee stated that she is not chomping
8 at the bit to participate in anything that takes her away from her kids during the day, but she sought election to this office and
9 she was elected by the taxpayers and she thinks that it is her duty and she will do her very best in everything that she does.
10 She stated that she will step forward as a person that does not have a job during the day and do this for the citizens of
11 Syracuse.

12 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-09
13 APPOINTING COUNCILMEMBER LISONBEE AS SYRACUSE CITY'S APPOINTEE ON THE TAXING ENTITY
14 COMMITTEE FOR THE REDEVELOPMENT AGENCY OF SYRACUSE CITY. COUNCILMEMBER DUNCAN
15 SECONDED THE MOTION; ALL VOTED IN FAVOR.

16 Councilmember Peterson stated that he voted in favor of appointing Councilmember Lisonbee and he wants to
17 support her in that position, but he wanted to reiterate that he felt that Mr. Rice was the best choice for the position.

18
19 10. Proposed Resolution R12-10 amending the Syracuse City Wage Scale
20 by reclassifying the position of Deputy Fire Chief to a full-time position, and
21 by making other minor adjustments throughout.

22 A staff memo from Finance Director Steve Marshall explained that the changes to the wage scale are reflected in the
23 "recommended change" column and are highlighted in yellow. It is important to note that no changes were made to the
24 actual wages or ranges for any position with the exception of the proposed full-time deputy fire chief (discussed below in
25 detail). Most of the changes are minor. For example:

- 26
- 27 ○ City Administrator was changed to City Manager.
 - 28 ○ Recreation Director was changed to Parks & Recreation Director.

- 1 o Utility Billing Clerk was changed to Utilities Billing Clerk.
- 2 o Administrative Secretary was changed to Administrative Professional.
- 3 o Secretary I & II were changed to Administrative Assistant I & II.
- 4 o Several positions are recommended to be deleted from the wage scale since they are now obsolete.
- 5 o The bailiff position was changed from a full-time position to a part-time position in the wage scale. It was
- 6 input as a full-time position in error when it was originally approved.

7 The one major change to the wage scale is a recommendation to convert the part-time Fire Chief to a full-time
8 Deputy Fire Chief. There are several reasons for this recommendation. The Fire Department has operated with a part-time
9 Fire Chief for the past several years. However, with the retirement of our Assistant Fire Chief, the new Fire Chief has taken
10 on the task of evaluating the Fire Department structure as a whole to see what will be the best model to move forward with in
11 the future.

12 In benchmarking against other cities of comparable size and also fire districts, it was important to note that all of
13 them had a full-time Fire Chief and a full-time or equivalent Deputy Fire Chief. Most of the entities of our size also had a
14 full-time Fire Marshal. With this proposal to move to a full-time Deputy Fire Chief it is our recommendation that this
15 position would take on the additional duties of a Fire Marshal for the City. What will it cost the city to make this change? I
16 have performed a benchmark study to other cities of comparable size and/or location for a full-time Deputy Fire Chief and
17 determined that the pay range would best fit in our wage scale at grade 321 with a range from \$27.90 per hour to \$40.46. We
18 can minimize the increase in cost to the City by promoting employees from within. My estimate shows that if we promote
19 from within, the net increase to the salaries and benefits for the fire department is approximately \$35,000. This increase in
20 cost is primarily from adding benefits to a full-time position. Mr. Marshall's memo also stated that his recommendation is to
21 move forward with converting the Deputy Fire Chief position to a full-time position.

22 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R12-10
23 AMENDING THE SYRACUSE CITY WAGE SCALE BY RECLASSIFYING THE POSITION OF DEPUTY FIRE CHIEF
24 TO A FULL-TIME POSITION, AND BY MAKING OTHER MINOR ADJUSTMENTS THROUGHOUT.

25 COUNCILMEMBER SHINGLETON SECONDED THE MOTION. ALL VOTED IN FAVOR.

26
27 11. Proposed Ordinance 12-04 approving General Plan updates specific to
28 the Trail System Master Plan.

1 A staff memo from the Community Development Department explained that in an ongoing effort to update the
2 Syracuse City General Plan, the Syracuse City Planning Commission created a Transportation Subcommittee to examine and
3 update the transportation section of the General Plan. As a key item of the Transportation Subcommittee review, a selection
4 of Planning Commissioners, a Councilmember, City staff, and members of the public, chose to examine the trails component
5 of the General Plan. The proposed amendment to the trails component is significant, as the existing trails component within
6 the General Plan does not involve much detail and guidance.

7 On February 7, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed
8 amendments to the General Plan, specific to the Trail System Master Plan, in which one comment was received regarding
9 implications to the West Davis Corridor. On February 7, 2012, the Syracuse City Planning Commission approved
10 recommendation to the Syracuse City Council the attached amendments to the Syracuse City General Plan, Trail System
11 Master Plan. This amendment includes the omission of the Trails portion of the General Plan, revised to reference Appendix
12 1, which is the new Trail System Master Plan. Also included is a Syracuse City Trails Master Plan map.

13 The Community & Economic Development Department hereby recommends, following recommendation from the
14 Syracuse City Planning Commission, that the Mayor and City Council amend the Syracuse City General Plan – Trail System
15 Master Plan.

16 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED PROPOSED ORDINANCE 12-04
17 APPROVING THE GENERAL PLAN UPDATES SPECIFIC TO THE TRAIL SYSTEM MASTER PLAN.

18 COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

19
20 12. Councilmember reports.

21 Councilmember Lisonbee stated that she had nothing to report.

22 Councilmember Shingleton stated that he wanted to comment on the Trail System Master Plan. He stated that a
23 couple of Councilmembers were invited to participate in the subcommittee that worked on the updates and he was able to
24 attend some of the meetings held by that body. He stated that the subcommittee did a very good job. He stated there was a
25 lot of good discussion. He stated that he also wanted to compliment the staff that worked on the Plan as well; it is very
26 comprehensive and makes for a great system. He stated that he would also like to congratulate the Syracuse High School

1 girl's basketball team who recently won the State Title for the second time in three years. He stated they are to be
2 commended for that accomplishment.

3 Councilmember Peterson stated that there are a couple of significant things happening at the North Davis Sewer
4 District. He stated that they are in the process of trying to sell all of their bio-solids to a big agricultural user and, therefore, it
5 will not be available for pick-up by residents. He stated the advantage to that is that the District does not have to process the
6 solids to an acceptable point for use on residential gardens; rather, they can process it less and it can still be used in larger
7 agricultural applications. He stated that it will save the District a significant amount of money, but the downside is that
8 residents will no longer be able to pick it up on their own. He then reported that the District was able to pay off a small bond
9 that will save \$40,000 in interest; it was not big as the last bond amount that was paid off, but it was paid off early to save
10 interest costs.

11 Councilmember Johnson stated that he attended the Syracuse Elementary Community Council meeting and they
12 have a lot of concern for the safety of their students; they also are very interested in helping students succeed. He stated that
13 it was a very good meeting. He then stated that he agreed with Councilmember Shingleton that the Trails Master Plan is
14 great; he was involved in developing it before he was elected to the City Council. He then stated that he wanted to reiterate
15 that the budget season has begun and he is looking forward to the discussions that the Council will have, beginning with the
16 budget retreat scheduled for the end of March. He stated that he wanted to express that he is hoping to see that it will be
17 possible to maintain roads as well as the Police and Fire Departments while finding cuts wherever necessary in order to
18 balance the budget and prevent the need to go to the citizens and ask for extra in taxes. He stated that citizens have suggested
19 that the Council review all programs in the City, such as the senior program, to see where the programs can be improved. He
20 stated that one resident told him that they feel like they are being left out of the Senior Program; there are so many youth
21 programs, but not much for the seniors. He then stated that he feels that if the Council is conservative it will be possible o
22 have a great budget season. He stated he is not sure what the City's rainy day fund looks like, but he hoped that the staff can
23 be conservative in revenue estimates and put some money aside for a rainy day.

24 Councilmember Duncan stated that he also wanted to reflect on the budget; he reiterated that the budget season has
25 begun. He stated it was not too long ago that he was sitting in the audience as a citizen expressing his concerns about the
26 City's finances. He stated that there were concerns about whether the City was going to bond or raise taxes and he thinks that
27 "we" heard loud and clear from the citizens that they did not want the City to do either. He stated that the Council can look
28 for cuts, but he is not an expert on City budgets and he needs to figure out how budget works. He stated that he would

1 encourage the citizens to participate because tough decisions will need to be made and they should be made together. He
2 stated that if the Council is serious about no new taxes or bonding, he would put oweness on them to let the Council know
3 what should be done instead. He stated that if revenues continue to lag and the City cannot afford to continue to provide
4 services, it will be necessary to start reviewing options. He stated he would encourage the citizens to provide meaningful
5 suggestions. He then stated that

6
7 13. Mayor report.

8 Mayor Nagle stated that she wanted to welcome Councilmember Duncan to his first meeting and she looks forward
9 to working with him as a Councilmember. She then stated that she has some sad news; the sister of the City's IT Director
10 was the person whose home burned to the ground in West Point. She stated that the family's home was a total loss and they
11 are now staying with Mr. Peace. She stated there has been an account set up for the family at America First Credit Union
12 under the name Brody Poulsen if anyone is interested in donating. She is sure that the family could use some help during this
13 difficult time. She stated that some of the City's public safety employees were the first responders to the fire. She stated that
14 Syracuse City has some of the best first responders and she is in awe of the job they do. She stated that she also wanted to
15 address the comments about the City's rainy day fund. She stated tremendous strides have been made in that area of City
16 budgeting. She stated that two years ago the City had the lowest allowable limit according to State Law and that amount has
17 since been tripled. She stated the fund is very healthy and that was one of the priorities she had along with staff because she
18 wants to be able to pay for things with cash whenever possible. She then stated that she has been invited to be an honorary
19 commander of the 388th EMS Squadron from Hill Air Force Base and she would like to ask the City to partner with them.
20 She stated she was talking with their Colonel and he would love to have a part at Jensen Park for his squadron in May. She
21 stated that they will be coming home from a deployment as well as being released from a major drill and she wanted to
22 encourage the City Council and staff to be involved in that. She stated that a barbeque can be held in conjunction with the
23 party. She stated the date of the party will be May 19. She then reported that at the next meeting there will be a proclamation
24 on the agenda to recognize the Syracuse High School girl's basketball team for their great achievement. She stated that the
25 team and their coach have been invited to attend.

26
27 14. City Manager report.

1 Mr. Rice then stated he wanted to respond to some of the comments made about the budget. He stated that during
2 the retreat staff will address the projections for revenues and expenses and the Council will have the opportunity to help
3 shape that data. He then stated that last year the City had a fund balance of nine percent and the State requires the reserve to
4 be anywhere between five and 18 percent. He stated that the current reserve amount is 14.5 percent. He stated that in
5 January of 2011 there was approximately \$5.1 million in cash reserves and now the City has approximately \$7.1 million. He
6 stated that some of those monies are restricted for different uses, but it communicates that the City is doing well financially.
7 He stated that that is why staff asked the Council to approve the dedication of \$1.1 million of that cash to a couple of road
8 improvement projects through the end of the fiscal year. He then stated that at the last Council meeting he briefed the
9 Council about an ongoing audit, which is still underway. He stated that staff has no idea how long the audit will take, but Mr.
10 Marshall is spending a good portion of his day interacting with the auditors and sending any information they ask for.

11
12 15. Consideration of adjourning into Closed Executive Session
13 pursuant to the provisions of Section 52-4-205 of the Open
14 and Public Meetings Law for the purpose of discussing the character,
15 professional competence, or physical or mental health of an individual;
16 pending or reasonably imminent litigation; or the purchase, exchange,
17 or lease of real property

18 COUNCILMEMBER SHINGLETON MOVED THE COUNCIL ADJOURN INTO A CLOSED EXECUTIVE
19 SESSION PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW
20 FOR THE PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR
21 MENTAL HEALTH OF AN INDIVIDUAL. COUNCILMEMBER PETERSON SECONDED THE MOTION, WITH THE
22 FOLLOWING ROLL CALL VOTE: VOTING "AYE" – COUNCILMEMBERS DUNCAN, JOHNSON, LISONBEE,
23 PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

24 The meeting adjourned into Closed Executive Session at 8:36 p.m.

25 The meeting reconvened at 9:30 p.m.

26
27

1 At 9:31 p.m. COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN. COUNCILMEMBER
2 SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

3

4 _____
5 Jamie Nagle
6 Mayor

Cassie Z. Brown, CMC
City Recorder

7
8 Date approved: _____



COUNCIL AGENDA

July 10, 2012

Agenda Item #5

Public Hearing – Proposed Resolution R12-19 amending the Syracuse City Consolidated Fee Schedule by making adjustments throughout.

Factual Summation

- Any question regarding this agenda item may be directed at Finance Director Stephen Marshall.
- Staff has found and recommended several changes to the fee schedule that are considered necessary. Most changes are minor while some are more significant.
- The items in red are either new fees being proposed or changes to existing fees in the fee schedule.

Staff Recommendation

- *Adopt proposed resolution R12-19 amending the Syracuse City Consolidated Fee Schedule by making changes throughout.*

RESOLUTION NO. R-12-19

A RESOLUTION OF THE SYRACUSE CITY COUNCIL UPDATING AND AMENDING THE CONSOLIDATED SYRACUSE CITY FEE SCHEDULE BY MAKING ADJUSTMENTS THROUGHOUT.

WHEREAS, Syracuse City Staff has reviewed and analyzed the fees charged by the City for various services, permits and procedures and has recommended various changes to such fees as more particularly provided in the attached consolidated Syracuse City Fee Schedule; and

WHEREAS, the City Council desires to adopt the revised Syracuse City Fee Schedule as recommended by Staff and as more particularly provided herein; and

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

Section 1. Amendment. The Syracuse City Fee Schedule is hereby updated and amended to read in its entirety as set forth in **Exhibit "A,"** attached hereto and incorporated herein by this reference.

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 10th DAY OF JULY, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Jamie Nagle, Mayor

Building

All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee	Additional Fee Increase
Bond Fees				
Landscaping Bond	\$55.00 per Permit	NA NA		
Performance & Guaranty for Temporary Occupancy	100% of value	10% Administration Fee		
Plan Check Fees				
Residential	All Permitted Structures	40% Permit Fee	NA NA	
Commercial	All Permitted Structures	65% Permit Fee	NA NA	
Building Investigation Fee	All Permitted Structures	100% % Permit Fee	NA NA	
Fire Sprinkler/Safety Plans	All Permitted Structures	\$75.00 Per Hour	NA NA	
Additional Plan Review Due to Revisions		\$56.40 Per Hour (1/2 hr min.)	NA NA	
General Building Valuation			NA NA	
Building Value from \$1-1,000.00		\$56.40 ea. Unit	NA NA	
Building Value from \$1,001-2,000		\$56.40 ea. Unit	\$2.70 ea. addl. \$100 or fraction thereof	
Building Value from \$2,001-25,000		\$83.40 ea. Unit	\$16.80 ea. addl. \$1000 or fraction thereof	
Building Value from \$25,001-50,000		\$469.80 ea. Unit	\$12.11 ea. addl. \$1000 or fraction thereof	
Building Value from \$50,001-100,000		\$772.55 ea. Unit	\$8.40 ea. addl. \$1000 or fraction thereof	
Building Value from \$100,001-500,000		\$1,192.55 ea. Unit	\$6.72 ea. addl. \$1000 or fraction thereof	
Building Value from \$501,000-1,000,000		\$3,880.55 ea. Unit	\$5.70 ea. addl. \$1000 or fraction thereof	
Building Value from \$1,000,000.00+		\$6,730.55 ea. Unit	\$4.65 ea. addl. \$1000 or fraction thereof	
Pools, Tubs & Spas				
Public Pool	Bid Price ea. Unit	NA NA		
Private Pool - In Ground	Bid Price ea. Unit	NA NA		
Private Pool - Above Ground Temporary	\$56.40 ea. Unit			
Private Pool - Above Ground Permanent	Bid Price ea. Unit	NA NA		
Storage Sheds	Construction Value ea. Unit	NA NA		
Storage Sheds - Re-siding only	\$47.00 ea. Unit	NA NA		
State Fee (Surcharge)	1% of Permit Fee			
Expired Permit				
Less Than 180 days	65% Building Value	NA NA		
Greater than 180 Days but Less Than 1 Year	65% of Original Permit Cost	NA NA		
Greater Than 1 Year	100% of Original Permit Cost	NA NA		
Impact Fees				
Park Development	\$1,653.00 Per Connection			
Park Development (Existing System Buy-In)	\$310.00 Per Connection			
Park Purchase (Land Dedicated and the Time of Development)			NA NA	
R-1	0.020 Acres Per Gross Acre			
R-2	0.026 Acres Per Gross Acre			
R-3	0.037 Acres Per Gross Acre			
R-4	0.098 Acres Per Gross Acre			
PRD	0.056 Acres Per Gross Acre			
C-2	0.063 Acres Per Gross Acre			
A-1	0.003 Acres Per Gross Acre			
Park Purchase (Existing System Buy-In)				
R-1	\$140.43 Per Developed Acre			
R-2	\$183.53 Per Developed Acre			
R-3	\$263.43 Per Developed Acre			
R-4	\$703.13 Per Developed Acre			
PRD	\$387.40 Per Developed Acre			
C-2	\$440.67 Per Developed Acre			
A-1	\$24.21 Per Developed Acre			
Residential Transportation	\$1,131.00 Per Unit	NA NA		
Residential Transportation	\$705.00 Per Unit	NA NA		
Commercial Transportation				
General Commercial	\$2,328.00 Per 1,000 sf of GFA	NA NA		
Office/Institutional	\$2,428.00 Per 1,000 sf of GFA	NA NA		
Industrial	\$668.00 Per 1,000 sf of GFA	NA NA		
Culinary Water				

Building

All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee	Additional Fee Increase
¾" Line	\$966.00 ea. Unit	NA NA		
1" Line	\$3,209.00 ea. Unit	NA NA	\$1,610.00	
1½" Line	\$9,967.00 ea. Unit	NA NA	\$4,999.00	
2" Line	\$15,945.00 ea. Unit	NA NA	\$7,997.00	
3" Line	\$31,890.00 ea. Unit	NA NA	\$15,994.00	
4" Line	\$49,828.00 ea. Unit	NA NA	\$24,991.00	
6" Line	\$99,657.00 ea. Unit	NA NA	\$49,981.00	
8" Line	\$159,450.00 ea. Unit	NA NA	\$79,970.00	
Secondary Water - Residential				
4,000-7,000sf lot	\$523.03 ea. Unit	NA NA		
7,001-8,000sf lot	\$760.31 ea. Unit	NA NA		
8,001-9,000sf lot	\$883.18 ea. Unit	NA NA		
9,001-10,000sf lot	\$1,008.44 ea. Unit	NA NA		
10,001-11,000sf lot	\$1,135.85 ea. Unit	NA NA		
11,001-13,000sf lot	\$1,330.48 ea. Unit	NA NA		
13,001-15,000sf lot	\$1,595.85 ea. Unit	NA NA		
15,001-17,000sf lot	\$1,867.01 ea. Unit	NA NA		
17,001-19,000sf lot	\$2,143.25 ea. Unit	NA NA		
19,001-21,000sf lot	\$2,423.98 ea. Unit	NA NA		
21,001-23,000sf lot	\$2,708.76 ea. Unit	NA NA		
23,001-25,000sf lot	\$2,997.23 ea. Unit	NA NA		
25,001-27,000sf lot	\$3,289.06 ea. Unit	NA NA		
27,001-30,000sf lot	\$3,658.21 ea. Unit	NA NA		
30,001-33,000sf lot	\$4,107.02 ea. Unit	NA NA		
33,001-36,000sf lot	\$4,561.51 ea. Unit	NA NA		
36,001-39,000sf lot	\$5,021.48 ea. Unit	NA NA		
39,001-42,000sf lot	\$5,486.20 ea. Unit	NA NA		
42,001-45,000sf lot	\$5,955.43 ea. Unit	NA NA		
45,001-48,000sf lot	\$6,428.84 ea. Unit	NA NA		
48,001-51,000sf lot	\$6,906.17 ea. Unit	NA NA		
51,001-54,000sf lot	\$7,387.17 ea. Unit	NA NA		
54,001-57,000sf lot	\$7,871.64 ea. Unit	NA NA		
57,001-60,000sf lot	\$8,359.39 ea. Unit	NA NA		
Secondary Water - Open Land in a Commercial Subdivision	\$0.17 sf of pervious area	NA NA		
Sewer - North Davis Sewer District (Fee)	\$3,000.00 per Connection	NA NA		
Sewer - Storm (ENR Construction Index)		NA NA		
R1	\$4,748.00 per acre or 0.109 sf	NA NA		
R2	\$5,053.00 per acre or 0.116 sf	NA NA		
R3	\$5,532.00 per acre or 0.127 sf	NA NA		
R4	\$6,316.00 per acre or 0.145 sf	NA NA		
PRD	\$6,011.00 per acre or 0.138 sf	NA NA		
GC	\$11,369.00 per acre or 0.261 sf	NA NA		
C2	\$10,716.00 per acre or 0.246 sf	NA NA		
I1	\$11,369.00 per acre or 0.261 sf	NA NA		
A1	\$3,006.00 per acre or 0.069 sf	NA NA		
PO	\$11,369.00 per acre or 0.261 sf	NA NA		
Public Safety		NA NA		
Residential	\$225.16 per application	NA NA		
Commercial	\$0.0440 Per sf of building	NA NA		
Water Shares	3 acre feet per Acre	NA NA		
Connection Fees				
Culinary Water		NA NA		
¾" Meter	\$325.00 ea. Unit	NA NA		
1" Meter	\$485.00 ea. Unit	NA NA		
1 ½" Meter	\$680.00 ea. Unit	NA NA		

Building

All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
2" Meter	\$983.00 ea. Unit	NA NA				
3" Meter	\$1,699.50 ea. Unit	NA NA				
4" Meter	\$3,095.00 ea. Unit	NA NA				
6" Meter	\$4,782.00 ea. Unit	NA NA				
8" Meter	\$7,143.00 ea. Unit	NA NA				
Secondary Water						
3/4" Line	\$300.00 ea. Unit	NA NA				
1" Line	\$400.00 ea. Unit	NA NA				
1 1/2" Line	\$600.00 ea. Unit	NA NA				
2" Line	\$800.00 ea. Unit	NA NA				
3" Line	\$1,200.00 ea. Unit	NA NA				
4" Line	\$1,600.00 ea. Unit	NA NA				
6" Line	\$2,000.00 ea. Unit	NA NA				
8" Line	\$2,400.00 ea. Unit	NA NA				
Sewer - North Davis Sewer District (Connection)	\$240.00 per Connection	NA NA				
Sewer - City Connection	\$300.00 ea. Unit	NA NA				
Review for 8" Main Line	\$250.00					
Inspection Fees						
Outside of normal business hours	\$56.40 per incident (2 hr min.)	NA NA				
Re-Inspections	\$56.40 per Hour	NA NA				
Plan Changes	2 x Plan Fee	NA NA				
Inspection with no fee indicated	\$56.40 per Hour (1/2 hour min.)	NA NA				
Additional Plan Reviews Due to Revisions	\$56.40 per Hour (1/2 hour min.)	NA NA				
Miscellaneous/Requested Inspections	\$56.40 per Hour (1/2 hour min.)	NA NA				
Final Off-Site Inspection	\$15.00 per Lot	NA NA				
Final Off-Site Inspection Items						
Culinary Water	\$0.183 per If	NA NA				
Secondary Water	\$0.124 per If	NA NA				
Sanitary Sewer	\$0.183 per If	NA NA				
Storm Drain	\$0.143 per If	NA NA				
Land Drain	\$0.178 per If	NA NA				
Curb and Gutter	\$0.038 per If	NA NA				
Sidewalk	\$0.019 per If	NA NA				
Road	\$0.111 per If	NA NA				
Hydrant Test	\$10.00 per Hydrant	NA NA				
Smoke Test	\$6.00 per Lot	NA NA				
Streetlight	\$6.00 per Streetlight	NA NA				
Warranty Inspections						
First Final Warranty	\$0.00 per Project	NA NA				
Final Warranty Re-inspection (if punch list is complete)	\$0.00 per Project	NA NA				
Third Final Warranty	\$75.00 per Project	NA NA				
Fourth Final Warranty	\$100.00 per Project	NA NA				
Sign Permit Fees						
Permanent Attached	Sign Valuation per Sign	NA NA				
Temporary Attached	\$35.00 per Sign	NA NA				
Permanent Detached	Sign Valuation Per Sign	State Fee per Sign				
Temporary Detached	\$35.00 per Sign	NA NA				
Sign Reclamation fee (Illegal sign)	\$10.00 per Sign	NA NA				
Sign Reclamation fee (Repeat offenses)	\$40.00 per Sign	NA NA				

*All permits and reviews are subject to a 1% surcharge imposed by the State of Utah Division of Professional Licensure

**Not every situation is foreseen; fees may be based on bid amounts or the total number of inspections to complete a project

***A per inspection fee is calculated at \$56.40/inspection to offset the cost of additional inspections

Community Development All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Development Application Fees						
Commercial Site Plan*						
0-5 Acres	\$575.00 per Plan set	\$55.00 per Acre				
5 01-10 acres	\$1,885.00 per Plan set	\$173.00 per Acre				
10.01-15 acres	\$2,450.00 per Plan set	\$144.00 per Acre				
15 1-20 acres	\$3,170.00 per Plan set	\$115.00 per Acre				
> 20.1 acres	\$3,745.00 per Plan set	\$100.00 per Acre				
Each Revised Plan*	\$250.00 per Plan set	\$50.00 per Lot				
Site Plan Amendment (minor)	\$100.00 per Plan set	NA NA				
Site Plan Including Conditional use	\$650.00 per Plan set	NA NA				
Site Plan Nonconforming Use/Lot Review Fee	\$35.00 per Plan set	NA NA				
Residential Development Plat*						
Sketch Plan	\$225.00 per Plan set	\$25.00 per Lot				
Each Revised Sketch Plan	\$50.00 per Plan set	\$15.00 per Lot				
Preliminary Plan	\$675.00 per Plan set	\$50.00 per Lot				
Each Revised Preliminary Plan	\$150.00 per Plan set	\$15.00 per Lot				
Final Plan	\$675.00 per Plan set	\$75.00 per Lot				
Each Revised Final Plan	\$250.00 per Plan set	\$50.00 per Lot				
Staff Review Fees						
Amended Subdivision	\$550.00 per Plan set	\$50.00 per Lot				
Residential Multi-Family	\$750.00 per Plan set	1.00% Bond Amount				
All Additional Reviews Required by Plan Changes	\$56.40 per Hour (1/2 hour min.)	\$0.00 NA				
Ge Private Pool - Above Ground Permanent	Bid Price Per Hour					
Administrative Fees						
Appeal to Board of Adjustments	\$200.00 per appeal	NA NA				
Plat Recording Fee (Per County Recorders Fee Schedule)	\$37.00 per Plat	\$1/lot + \$1/signature over 2 + \$1/each common space				
Plat Amendments after Recording	\$100.00 per Plat	\$25.00 per Lot				
Payback or Reimbursement Agreement	\$500.00 per agreement	NA NA				
Application Fees						
General Plan Amendment (< 5 acres)	\$0.65					
General Plan Amendment / Rezone Combined Application	\$1.00 per Application	NA NA	\$450.00	\$450.00		per Application
Re-Zone	\$425.00 per Application	\$0.00 NA				
Conditional Use (Major)	\$100.00 per Application	Direct costs for noticing				
Conditional Use (Minor)	\$50.00 per Application	NA NA				
Conditional Use Extension or Modification (Major)	\$250.00 per Application	\$25.00 NA				
Conditional Use Extension or Modification (Minor)	\$230.00 per Application	\$173.00 per Acre				
Agricultural Protection Area Designation	\$575.00 per Application	\$144.00 per Acre				
Annexation Petition and Review	\$1,007.00 per Application	\$115.00 per Acre				
0-2 acres	\$1,592.00 per Application	\$87.00 per Acre				
2 1-5 acres	\$45.00 per Application	NA NA				
5 1-10 acres	\$25.00 per Application	NA NA				
> 10 acres	\$25.00 per Application	NA NA				
Home Occupation	\$25.00 per Application	NA NA				
Commercial Business	\$5.00 per Application	NA NA				
Business License Fees						
Business License Amendment	\$5.00 per Application	NA NA				
Business License Listing	\$5.00 per copy	NA NA				
Home Occupation	\$75.00 per Application	NA NA				
Commercial Business (Temporary - 6 months Max)	\$25.00 per Application	NA NA				
License Fee - Commercial Retail Business	\$75.00 per Application	NA NA				
< 5,000 sf	\$125.00 per Application	NA NA				
5,001-10,000 sf	\$350.00 per Application	NA NA				
> 10,001 sf	\$75.00 per Application	NA NA				
License Fee - Commercial Business	\$75.00 per Application	NA NA				
Professional Services	\$75.00 per Application	NA NA				
General Services	\$75.00 per Application	NA NA				
Food Establishment	\$950.00 per Application	NA NA				
Sexually Oriented Business (SOB)	\$950.00 per Application	NA NA				
Sexually Oriented Business (SOB)	\$950.00 per Application	NA NA				
Escort Services	\$950.00 per Application	NA NA				
Nude Entertainment Business	\$950.00 per Application	NA NA				
Nude Entertainment Employee	\$250.00 per Application	NA NA				
Semi-Nude Entertainment Business	\$950.00 per Application	NA NA				
Semi-nude Entertainment Employee	\$250.00 per Application	NA NA				

Community Development All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Nude Entertainment Employee (Outcall, on-site and non-performing nude entertainment/dancing agency employees)	\$250.00 per Application	NA NA				
Nude Dancing Agency	\$950.00 per Application	NA NA				
Semi-Nude Dancing Agency	\$850.00 per Application	NA NA				
Outcall Agency	\$950.00 per Application	NA NA				
Outcall Agency Employee (Off-site services)	\$250.00 per Application	NA NA				
Disclosure Application investigation	\$50.00 per Application	NA NA				
Outcall Agency Employee (Off-site services)	\$252.00 per Application	NA NA				
Application for 2+ Licenses at one time	\$20.00 per Application	NA NA				
Outcall Agency Employee (Off-site services)	\$254.00 per Application	NA NA				
Solicitors/Mobile Sales/Vendors (30-days Max)	\$75.00 per Application	NA NA				
Application Fee	\$25.00 per Application	NA NA				
License per solicitor	\$25.00 per Month	NA NA				
Alcoholic Beverages						
Class "A"	\$200.00 per Application	NA NA				
Class "B"	\$300.00 per Application	NA NA				
Pawn Shops	\$450.00 per Application	NA NA				
Duplicate Business License	\$5.00 per Application	NA NA				
Late Payment Fees						
Paid 16-45 beyond due date	\$25.00 per Application	NA NA				
Paid > 46 days beyond due date	\$25.00 per Application	1/2 of total application fee				
Fines						
Utility Excavation without a Permit	\$250.00 per Incident	NA NA	\$150.00			
Construction Activity Without a Permit when required	\$100.00 per Incident	NA NA	\$170.00			
Operating without a business license	\$15.00 per Incident		\$180.00			
Late Payment Fees	\$10.00 per month	Certified mailing costs	\$205.00			
Weed Mowing (Code Enforcement)			\$225.00			
Class A - A parcel of 1/4 acre or less with weeds and/or a small amount of trash and debris			\$255.00			
Class B - A parcel of 1/4 acre or less with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)			\$262.50			
Class C - A parcel greater than 1/4 acre, but less than 1/2 acre with weeds and/or a small amount of trash			\$352.50			
Class D - A parcel greater than 1/4 acre, but less than 1/2 acre with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)			\$375.00			
Class E - A parcel greater than 1/2 acre, but less than 3/4 acre with weeds and/or a small amount of trash			\$457.50			
Class F - A parcel greater than 1/2 acre, but less than 3/4 acre with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)			\$412.50			
Class G - A parcel greater than 3/4 acre, but less than 1 acre with weeds and/or a small amount of trash			\$615.00			
Class H - A parcel greater than 3/4 acre, but less than 1 acre with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)						
Class I - A parcel greater than 1 acre, but less than 2 acres with weeds and/or a small amount of trash						
Class J - A parcel greater than 1 acre, but less than 2 acres with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)						
Class K - A parcel greater than 2 acres, but less than 3 acres with weeds and/or a small amount of trash						
Class L - A parcel greater than 2 acres, but less than 3 acres with weeds and/or a heavy amount of trash (i.e. tires, building materials, stumps, etc.)						
Special Class - Special nuisances not easily classified requiring hourly fees for drivers, trucks, tractors, and hand work						
1/4 acre = 10,890 square feet						
1/2 acre = 21,780 square feet						
3/4 acre = 32,674 square feet						
1 acre = 43,560 square feet						
**All rates include dump fees						
Administration Fee for each subsequent weed mowing incident	\$50.00 per incident	NA NA				
Hourly Rates						
Weedeater						\$33.00
Edger						\$33.00
Leaf Blower						\$36.00
Push Mower						\$43.50
Small Riding Mower						\$52.50
Large Riding Mower						\$75.00
Tractor						\$52.50
Truck/Trailer						\$78.00
Tractor/Mower						
bids will be obtained from contractors						

Excavation Permit Fees
 NOTE: Trench Repair Fees for Excavations between October 15th and May 15th are double fee shown
 Administrative Fee \$47.00 per application
 Curb & Gutter Repair \$20.00 per lf
 Sidewalk Repair \$10.00 per lf
 Phone/Power/Cable Trench Repair Fee for Perpendicular Cuts 26'-0" Wide Road (60' ROW) \$46.14 per Application
 1'-0" to 13'-0" Cut NA NA

Amended 07-10-12

Community Development

All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee	Additional Fee Increase
14'-0" to 26'-0" Cut	\$92.40 per Application	NA NA		
32'-0" Wide Road (50'-60' ROW)				
1'-0" to 16'-0" Cut	\$56.88 per Application	NA NA		
Cut 17'-0" to 32'-0" Cut	\$132.64 per Application	NA NA		
36'-0" Wide Road (60' ROW)				
1'-0" to 18'-0" Cut	\$63.96 per Application	NA NA		
19'-0" to 36'-0" Cut	\$127.92 per Application	NA NA		
42'-0" Wide Road (66' ROW)				
1'-0" to 21'-0" Cut	\$78.12 per Application	NA NA		
22'-0" to 42'-0" Cut	\$156.42 per Application	NA NA		
56'-0" Wide Road (80' ROW)				
1'-0" to 21'-0" Cut	\$78.12 per Application	NA NA		
22'-0" to 42'-0" Cut	\$127.92 per Application	NA NA		
36'-0" to 56'-0" Cut	\$198.80 per Application	NA NA		
Water Line Trench Repair Fee for Perpendicular Cuts				
26'-0" Wide Road (50' ROW)				
1'-0" to 13'-0" Cut	\$53.83 per Application	NA NA		
14'-0" to 26'-0" Cut	\$107.66 per Application	NA NA		
32'-0" Wide Road (50'-60' ROW)				
1'-0" to 15'-0" Cut	\$96.36 per Application	NA NA		
Cut 17'-0" to 32'-0" Cut	\$132.72 per Application	NA NA		
36'-0" Wide Road (60' ROW)				
1'-0" to 18'-0" Cut	\$74.62 per Application	NA NA		
19'-0" to 36'-0" Cut	\$149.24 per Application	NA NA		
42'-0" Wide Road (66' ROW)				
1'-0" to 21'-0" Cut	\$87.08 per Application	NA NA		
22'-0" to 42'-0" Cut	\$174.16 per Application	NA NA		
56'-0" Wide Road (80' ROW)				
1'-0" to 21'-0" Cut	\$87.08 per Application	NA NA		
22'-0" to 35'-0" Cut	\$145.46 per Application	NA NA		
36'-0" to 56'-0" Cut	\$232.12 per Application	NA NA		
Storm Drain Lines Trench Repair Fee for Perpendicular Cuts				
26'-0" Wide Road (50' ROW)				
1'-0" to 13'-0" Cut	\$61.52 per Application	NA NA		
14'-0" to 26'-0" Cut	\$123.04 per Application	NA NA		
32'-0" Wide Road (50'-60' ROW)				
1'-0" to 16'-0" Cut	\$75.84 per Application	NA NA		
Cut 17'-0" to 32'-0" Cut	\$151.68 per Application	NA NA		
36'-0" Wide Road (60' ROW)				
1'-0" to 18'-0" Cut	\$85.25 per Application	NA NA		
19'-0" to 36'-0" Cut	\$170.56 per Application	NA NA		
42'-0" Wide Road (66' ROW)				
1'-0" to 21'-0" Cut	\$99.52 per Application	NA NA		
22'-0" to 42'-0" Cut	\$199.04 per Application	NA NA		
56'-0" Wide Road (80' ROW)				
1'-0" to 21'-0" Cut	\$99.52 per Application	NA NA		
22'-0" to 35'-0" Cut	\$166.24 per Application	NA NA		
36'-0" to 56'-0" Cut	\$265.28 per Application	NA NA		
Sanitary Sewer Lines Trench Repair Fee for Perpendicular Cuts				
26'-0" Wide Road (50' ROW)				
1'-0" to 13'-0" Cut	\$69.21 per Application	NA NA		
14'-0" to 26'-0" Cut	\$138.24 per Application	NA NA		
32'-0" Wide Road (50'-60' ROW)				
1'-0" to 16'-0" Cut	\$85.32 per Application	NA NA		
Cut 17'-0" to 32'-0" Cut	\$170.64 per Application	NA NA		
36'-0" Wide Road (60' ROW)				
1'-0" to 18'-0" Cut	\$99.40 per Application	NA NA		
19'-0" to 36'-0" Cut	\$191.88 per Application	NA NA		
42'-0" Wide Road (66' ROW)				
1'-0" to 21'-0" Cut	\$111.96 per Application	NA NA		
22'-0" to 42'-0" Cut	\$223.92 per Application	NA NA		
56'-0" Wide Road (80' ROW)				
1'-0" to 21'-0" Cut	\$111.96 per Application	NA NA		
22'-0" to 35'-0" Cut	\$187.02 per Application	NA NA		
36'-0" to 56'-0" Cut	\$298.44 per Application	NA NA		

Community Development All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Combined Trench Repair Fee for Perpendicular Cuts	\$35 00					
26'-0" Wide Road (50' ROW)	Sign Valuation Per Sign	NA NA				
1'-0" to 13'-0" Cut	\$35 00 per Application	NA NA				
14'-0" to 26'-0" Cut	\$153 60 per Application	NA NA				
32'-0" Wide Road (50'-60' ROW)						
1'-0" to 16'-0" Cut	\$94 80 per Application	NA NA				
Cut 17'-0" to 32'-0" Cut	\$189 60 per Application	NA NA				
36'-0" Wide Road (60' ROW)						
1'-0" to 18'-0" Cut	\$106 60 per Application	NA NA				
19'-0" to 36'-0" Cut	\$213 20 per Application	NA NA				
42'-0" Wide Road (66' ROW)						
1'-0" to 21'-0" Cut	\$124 40 per Application	NA NA				
22'-0" to 42'-0" Cut	\$248 80 per Application	NA NA				
56'-0" Wide Road (80' ROW)						
1'-0" to 21'-0" Cut	\$124 40 per Application	NA NA				
22'-0" to 35'-0" Cut	\$207 80 per Application	NA NA				
36'-0" to 56'-0" Cut	\$331 60 per Application	NA NA				
Trench Repair Fee for Parallel Cuts						
26'-0" Wide Road (50' ROW)						
1'-0" to 13'-0" Cut	\$3 85 per foot of resurface	NA NA				
14'-0" to 26'-0" Cut	\$7 70 per foot of resurface	NA NA				
32'-0" Wide Road (50'-60' ROW)						
1'-0" to 16'-0" Cut	\$4 74 per foot of resurface	NA NA				
Cut 17'-0" to 32'-0" Cut	\$9 47 per foot of resurface	NA NA				
36'-0" Wide Road (60' ROW)						
1'-0" to 18'-0" Cut	\$5 33 per foot of resurface	NA NA				
19'-0" to 36'-0" Cut	\$10 66 per foot of resurface	NA NA				
42'-0" Wide Road (66' ROW)						
1'-0" to 21'-0" Cut	\$6 22 per foot of resurface	NA NA				
22'-0" to 42'-0" Cut	\$12 44 per foot of resurface	NA NA				
56'-0" Wide Road (80' ROW)						
1'-0" to 21'-0" Cut	\$6 22 per foot of resurface	NA NA				
22'-0" to 35'-0" Cut	\$10 36 per foot of resurface	NA NA				
36'-0" to 56'-0" Cut	\$16 58 per foot of resurface	NA NA				

* Site Plan Review includes one (1) additional corrections review after first submittal

Storm Water Activity Permit Fees

\$50 00 Per application
\$1 000 Per application

Storm Water Permit Fees

Deposit - Storm Water Activity Permit

Newsletter Advertising Fees

NOTE: See Resolution R10-13 for policies governing advertising in City Newsletter

	Per Issue Rate
Full page ad (8 5" x 11")	\$400 00
Half page ad	\$225 00
Quarter page ad	\$125 00
Eight page ad	\$60 00
Back page ad*	
Full page	\$550 00
Half page	\$350 00
Quarter page	\$200 00

*Back page advertisements will not be sold on an annual basis

Utility Bill Advertising Fees

NOTE: See Resolution R11- for policies governing advertising on the Utility Bill

	Per Issue Rate
Full page ad (8 5" x 11")	\$400 00
Half page ad	\$225 00
Quarter page ad	\$125 00
Eight page ad	\$60 00

Utilities All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description Utility Rates	Current Base Fee	Additional Fee	Proposed	
			Base Fee Increase	Additional Fee Increase
Garbage Service				
Service				
New Garbage Can Set-up	\$11.00 per month	N/A	NA	NA
Extra Garbage Can (Limit 3)	\$100.00 ea. Unit	NA	NA	NA
Green Waste Can	\$7.20 ea. Unit	NA	NA	NA
Replacement Cost	\$6.50 ea. Unit	N/A	N/A	N/A
Early Return of Extra Can(s) - less than six (6) months	\$90.00 per can	NA	NA	NA
Street Lighting (Effective May 1st, 2009)	\$35.00 per can	NA	NA	NA
Street Lighting Power Fee				
Purchase of New Street Lights	\$1.00 per month	NA	NA	NA
Temporary Meter (New Construction)	\$0.32 per month	NA	NA	NA
New Service (Does not include impact fee)	\$30.00 per application	NA	NA	NA
Utility Account Transfer (within City limits)	\$25.00 per application	NA	NA	NA
Late Fee on Delinquent Accounts	\$15.00 per request	NA	NA	NA
Request for Re-establishment of Service after Delinquency	\$10.00 per incident	NA	NA	NA
First Occurrence	\$35.00 per request	NA	NA	NA
Subsequent Occurrences (Same Year)	\$50.00 per request	NA	NA	NA
After Hours Re-connection of Service	\$35.00 per request	NA	NA	NA
Deposit for Water Service				
Residential	\$75.00 per application	NA	NA	NA
Commercial/Industrial/Multi-Family	\$100.00 per application	NA	NA	NA
Culinary Water Service				
Private Pool - Above Ground Permanent	\$2.20 per 1,000 gallons			
Commercial Construction (not to be pro-rated)	\$2.20 per 1,000 gallons			
Commercial Service				
< 10,000 Gallons	\$16.50 per month	NA	NA	NA
10,001-30,000 gallons	\$1.65 per 1,000 gallons	NA	NA	NA
30,001-40,000 gallons	\$2.05 per 1,000 gallons	NA	NA	NA
> 40,000 gallons	\$2.65 per 1,000 gallons	NA	NA	NA
Residential Service (with secondary water)				
< 8,000 Gallons	\$16.50 per month	NA	NA	NA
8,001 -15,000 gallons	\$2.05 per 1,000 gallons	NA	NA	NA
> 15,000 gallons	\$2.45 per 1,000 gallons	NA	NA	NA
Residential Service (without secondary water)				
< 8,000 Gallons	\$16.50 per month	NA	NA	NA
8,001 -15,000 gallons	\$2.20 per 1,000 gallons	NA	NA	NA
15,001-20,000 gallons	\$2.75 per 1,000 gallons	NA	NA	NA
> 20,000 gallons	\$4.10 per 1,000 gallons	NA	NA	NA
All Non-Residential Service				
< 8,000 Gallons	\$22.50 per month	NA	NA	NA
8,001 -15,000 gallons	\$2.20 per 1,000 gallons	NA	NA	NA
15,001-20,000 gallons	\$2.75 per 1,000 gallons	NA	NA	NA
> 20,000 gallons	\$4.10 per 1,000 gallons	NA	NA	NA
Secondary Water Service (rate based on 3/4" line size flow for any service larger than 1")				
3/4" line	\$15.50 per month	NA	NA	NA
1" line	\$21.50 per month	NA	NA	NA
1 1/2" line	\$58.00 per month	NA	NA	NA
2" line	\$103.11 per month	NA	NA	NA
3" line	\$184.50 per month	NA	NA	NA

Utilities All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee	Additional Fee
			Base Fee Increase	Additional Fee Increase
4" line	\$412.44 per month	NA NA		
6" line	\$412.44 per month	NA NA	\$928.00	
8" line	\$1,649.78 per month	NA NA		
Hydrant Meter				
Meter Deposit	\$1,200.00 per application	NA NA		
Administrative Fee	\$30.00 per application	NA NA		
Hydrant Rental				
Short Term (up to 3 days)	\$8.00 per application	\$2.00 per 1,000 gallons		
Long Term (Monthly)	\$30.00 per month	\$2.00 per 1,000 gallons		
General Use Fee	\$2.20 per 1,000 gallons	NA NA		
Hydrant Flushing	\$250.00 per Flushing	\$2.18 per 1,000 gallons		
Sewer Service (Waste)				
Residential & Commercial	\$12.30 per month	NA NA	\$13.30	
Sewer Service (Storm)				
Residential	\$3.50 per month	NA NA		
Commercial				
0 - 1 acre	\$5.50 per month	NA NA		
1.1 - 2 acres	\$11.00 per month	NA NA		
2.1 - 2 acres	\$16.50 per month	NA NA		
3.1 - 4 acres	\$22.00 per month	NA NA		
4.1 - 5 acres	\$27.50 per month	NA NA		
5.1 - 6 acres	\$33.00 per month	NA NA		
6.1 - 7 acres	\$38.50 per month	NA NA		
7.1 - 8 acres	\$44.00 per month	NA NA		
8.1 - 9 acres	\$49.50 per month	NA NA		
Each additional acre	\$5.50 per month	NA NA		
Secondary Water - Open Land in a Residential Subdivision	\$0.19 sf of pervious area	NA NA		
Secondary Water				
3/4" Line	\$300.00 ea. Unit	NA NA		
1" Line	\$400.00 ea. Unit	NA NA		
1 1/2" Line	\$600.00 ea. Unit	NA NA		
2" Line	\$800.00 ea. Unit	NA NA		
3" Line	\$1,200.00 ea. Unit	NA NA		
4" Line	\$1,600.00 ea. Unit	NA NA		
6" Line	\$2,000.00 ea. Unit	NA NA		
8" Line	\$2,400.00 ea. Unit	NA NA		
Sewer - North Davis Sewer District (Fee)	per-connection	NA		
Sewer - North Davis Sewer District (Connection)	\$225.00 per Connection	NA NA		
Sewer - City Connection	\$300.00 ea. Unit	NA NA		
Sewer - Storm (ENR-Construction Index)				
R1	\$4,748.00	per-acre or-0-109-sf	NA	Remove - already under Building Fees
R2	\$5,053.00	per-acre or-0-116-sf	NA	
R3	\$5,532.00	per-acre or-0-127-sf	NA	
R4	\$6,316.00	per-acre or-0-145-sf	NA	
PRD	\$6,011.00	per-acre or-0-138-sf	NA	
GC	\$11,369.00	per-acre or-0-261-sf	NA	
G2	\$10,716.00	per-acre or-0-246-sf	NA	
I1	\$11,369.00	per-acre or-0-261-sf	NA	
A1	\$3,006.00	per-acre or-0-069-sf	NA	
PQ	\$11,369.00	per-acre or-0-261-sf	NA	

Utilities All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Public Works						
Sidewalk & Driveway Approach Replacement	\$45.00 per inspection	NA NA				
Street Sweeping (Contractor failure to clean)	\$515.00 per incident	Time & Material for City Personnel				
Fines						
Fines - Water Meter Tampering	\$35.00 per Incident	NA NA				

Parks & Recreation All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Community Center Fees						
Rental - after hours fee for all activities						
Rental - Gymnasium-Deposit	\$100.00 per-rental					
Resident	\$100.00 per-rental					
Non-resident	\$100.00 per-rental					
Rental - Gymnasium	\$100.00 per hour per gym	\$500.00 per day				
Resident	\$150.00 per hour per gym	\$800.00 per day				
Rental - Classroom/Craft Room	\$25.00 per hour per room	\$160.00 per day				
Resident	\$45.00 per hour per room	\$280.00 per day				
Non-resident	\$100.00 per-rental					
Rental - Classroom/Craft Room-Deposit	\$100.00 per-rental					
Resident	\$100.00 per-rental					
Non-resident	\$100.00 per-rental					
Memberships						
Children (Ages 5-13)						
Resident	\$0.50 per day	\$5.00 per month or \$36 per year				
Non-Resident	\$0.50 per day	\$8.00 per month or \$61 per year				
Youth (Ages 14-17)						
Resident	\$1.00 per day	\$11.00 per month or \$76 per year				
Non-Resident	\$1.00 per day	\$16.00 per month or \$101 per year				
Adults (Ages 18-59)						
Resident	\$2.00 per day	\$16.00 per month or \$101 per year				
Non-Resident	\$2.00 per day	\$26.00 per month or \$181 per year				
Seniors (Ages 60+)						
Resident	\$0.50 per day	\$5.00 per month or \$36 per year				
Non-Resident	\$0.50 per day	\$8.00 per month or \$61 per year				
Seniors Couples						
Resident	n/a per day	\$7.00 per month or \$56 per year				
Non-Resident	n/a per day	\$11.00 per month or \$101 per year				
Adult Couples						
Resident	n/a per day	\$26.00 per month or \$176 per year				
Non-Resident	n/a per day	\$46.00 per month or \$301 per year				
Families						
Resident	n/a per day	\$51.00 per month or \$251 per year				
Non-Resident	n/a per day	\$76.00 per month or \$401 per year				
Park Rental Fees						
Park Land Rental (Concessionaire)	\$250.00 per month	NA NA				
Athletic Fields						
Non-Recreational Play	\$25.00 per (4) hour period	\$5.00 per hour for 5+ hours				
Resident	\$50.00 per field per day	NA NA				
Non-Resident	\$75.00 per field per day	NA NA				
Recreational Play	Fee negotiated per Contract					
Field Lighting	\$30.00 per hour per field	NA NA				
Boweries (except for Jensen and Legacy Parks)						
Bowery Rental Deposit	\$50.00 per application	NA NA				
Parties of 150 or Less						
Resident	\$25.00 per (4) hour period	\$5.00 per hour for 5+ hours				
Non-Resident	\$50.00 per (4) hour period	\$10.00 per hour for 5+ hours				
Parties of 150 or More						
Resident	\$75.00 per (4) hour period	\$10.00 per hour for 5+ hours				
Non-Resident	\$125.00 per (4) hour period	\$20.00 per hour for 5+ hours				
Jensen Nature Park						
Resident	\$50.00 per-hour-or-\$200-per-Day	NA NA				
Non-Resident	\$75.00 per-hour-or-\$250-per-Day	NA NA				
Jensen Park Nature Center						
Amended 07-10-12						

\$10 per hour per staff member

per (4) hour period
per (4) hour period

Parks & Recreation All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Resident - 1/2 Day	\$125.00 per rental	NA NA				
Resident - Whole Day	\$250.00 per rental	NA NA				
Non-resident - 1/2 Day	\$175.00 per rental	NA NA				
Non-resident - Whole Day	\$350.00 per rental	NA NA				
Building-Cleaning-Deposit	-100 per-rental	NA NA				
Legacy Park						
Resident	\$50.00 per-hour-or-\$175-per-Day	NA NA				
Non-Resident	\$75.00 per-hour-or-\$225-per-Day	NA NA				
Cancellation Fee	\$5.00 per cancellation	50% within 7 days, no refund under 3 days				
Heritage Days						
10 x 10 Booth	\$75.00 per booth	NA NA				
10 x 20 Booth	\$120.00 per booth	NA NA				
Power for Booth	\$10.00 per booth	NA NA				
Roving Vendor Permit						
Without a booth rental	\$50.00 per permit	NA NA				
With a booth rental	\$25.00 per permit	NA NA				
Car-Show	\$10.00 per-vehicle	NA NA				
Parade Entry						
Late Fee	\$15.00 per application	NA NA				\$10.00 per vehicle
Sports Programs						
Late Sign-up Fee						
Golf	\$5.00 per person	NA NA				
Tennis	\$56.00 per person	NA NA				
Football (Tackle)	\$31.00 per person	NA NA				
Adult Basketball	\$116.00 per person	NA NA				
Soccer (Fall/Spring)	\$351.00 per team	NA NA				
Resident	\$46.00 per person	NA NA				
Non-Resident	\$61.00 per person	NA NA				
Baseball/Softball						
T-ball						
Resident	\$36.00 per person	NA NA				
Non-Resident	\$51.00 per person	NA NA				
Machine Pitch						
Resident	\$41.00 per person	NA NA				
Non-Resident	\$41.00 per person	NA NA				
Minor League/Major League						
Resident	\$46.00 per person	NA NA				
Non-Resident	\$61.00 per person	NA NA				
Pony/Ponytail/High School						
Resident	\$51.00 per person	NA NA				
Non-Resident	\$66.00 per person	NA NA				
Jr High/5th - 6th Girls						
Resident	\$51.00 per person	NA NA				
Non-Resident	\$66.00 per person	NA NA				
Basketball						
1st-6th grades (Jr-Jazz)						
Resident	\$51.00 per person	NA NA				
Non-Resident	\$66.00 per person	NA NA				
7th-12th grades (Jr Jazz)						
Resident	\$56.00 per person	NA NA				
Non-Resident	\$71.00 per person	NA NA				
lity Bitty						
Resident	\$36.00 per person	NA NA				
Non-Resident	\$51.00 per person	NA NA				
Equipment Rental						
Performance Stage	\$900.00 per day					
Amended 07-10-12						

Parks & Recreation All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee Increase	Additional Fee Increase
Cotton Candy Machine	\$45.00 per day			
Hot Dog Roaster	\$40.00 per day			
Nacho Machine	\$40.00 per day			
Popcorn Machine	\$45.00 per day			
Inflatables				
20 foot double slide	\$150.00 per 4 hours			
Bounce House	\$115.00 per 4 hours			
Human Hamster Balls	\$125.00 per ball for 2 hours			
Utilities				
Parks Maintenance	\$2.93 per month	NA NA		

Cemetery All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed	
			Base Fee	Additional Fee
Basic Fees				
Plot Purchase				
Resident	\$500.00			
Non-Resident	\$1,000.00			
Plot Purchase - half/infant/urn				
Resident	\$250.00			
Non-Resident	\$500.00			
Interment - Adult				
Resident	\$300.00			
Non-Resident	\$700.00			
Interment - Child				
Resident	\$175.00			
Non-Resident	\$400.00			
Interment - Urn or Infant				
Resident	\$100.00			
Non-Resident	\$200.00			
Interment - Weekend or Holiday				
Resident	\$200.00			
Non-Resident	\$200.00			
Disinterment				
Resident	\$400.00			
Non-Resident	\$400.00			
Monument Move (Flat Monument)				
Resident	\$50.00			
Non-Resident	\$50.00			
Monument Move (Upright Monument)				
Resident	\$250.00			
Non-Resident	\$250.00			
Position Transfer Fee				
Resident	\$35.00			
Non-Resident	\$35.00			
After Hours fee (3:00 p.m.)				
Resident	\$100.00			
Non-Resident	\$100.00			

Public Safety All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Fire Department						
Ambulance Stand-By Fee (for-profit special events)	\$25.00 per hour		\$36.00			
CERT Special Class fee for additional classes requested by organizations outside of regularly scheduled classes	\$200.00 per class					
Equipment issued during CERT Class	\$25.00					
Fire Report	\$10.00					
Fire Report with pictures	\$50.00					
CPR/ First Aid Course						
Resident			\$10.00			
Non-Resident			\$20.00			
Children's Bike Helmets			\$10.00			
Police Department						
Fingerprinting	\$50.00 per card					
Police Report	\$10.00					
Police Report with pictures	\$50.00					
Police Training Room Rental						
Resident	\$25.00					
Non-Resident	\$50.00					
Police Training Room Rental w/food						
Resident	\$50.00					
Non-Resident	\$75.00					
Defensive Driving Course ordered by Justice Court	\$50.00					
Emergency Services						
Base Fee and Mileage Rate						
Surcharges (Emergency, night service, off-road)						
Special Provisions (wait time, non-transport)						
Medical Supplies						

As per State approved Utah Health Department Rates

Miscellaneous

All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
Faxes						
Local	\$2.00 per call	NA NA				
Long Distance	\$1.00 per page	\$0.10 NA				
Copies						
8 1/2" x 11" - single sheet B&W	\$0.25 per sheet	NA NA				
8 1/2" x 11" - single sheet Color	\$0.50 per sheet	NA NA				
11" x 17" - single sheet B&W	\$0.50					
11" x 17" - single sheet Color	\$1.00					
24" x 36"	\$2.00 per sheet	NA NA				
Off-site Printing						
	Actual Cost					
Post Office Supplies						
9"-x-12"-Envelopes	\$0.25		\$3.30			
Bubble Wrap	\$3.00					
6"-x-9"-Bubble-Mailer	\$0.50					
9-1/2"-x-13-1/2"-Bubble-Mailer	\$1.00					
12"-x-18"-Bubble-Mailer	\$1.50					
14"-x-12"-x-12"-Box	\$5.00					
Packing Tape Dispensers	\$3.50					
Mailing Carton 12" x 10" x 8"			\$2.19			
Mailing Carton 15"x12"x10"			\$3.49			
Mlg Cin 9.0625" x 5.625" x 1.25" (DVD/Video)			\$2.59			
Mailing Carton 8" x 8" x 8"			\$1.99			
Mailing Carton 5.75" x 5.25" x 1" (CD Mailer)			\$2.19			
Photo/Doc Mir 9.75" x 12.25" (Chipboard)			\$1.59			
Cushion Mailer 6" x 10"			\$1.19			
Cushion Mailer 8.5" x 12"			\$1.59			
Cushion Mailer 10.5" x 16"			\$1.89			
Photo/Doc Mailer 6" x 10" (Chipboard)			\$1.49			
Photo/Doc Mir 6.5" x 9.5" Corr-Ins peel adh			\$1.69			
Photo/Doc Mir 9.5" x 12.5" Corr-Ins peel adh			\$2.19			
Bubble Mailer 6" x 10"			\$1.48			
Bubble Mailer 10.5" x 16"			\$2.19			
Bubble Mailer 8.5" x 12"			\$1.79			
Bubble Mailer 12.5" x 19"			\$2.59			
Envelope 5" x 9"			\$0.49			
Utility Mailer 10.5" x 16"			\$1.19			
Administrative Reports & Documents						
Financial Report						
First Copy	No Charge per report	NA NA				
Additional	\$5.00 per report	NA NA				
Budget Document						
First Copy	\$20.00 per report	NA NA				
Additional	\$5.00 per report	NA NA				
Audio Recordings on CD	\$10.00 per CD	NA NA				
Certification of Copies	\$2.00 per copy	NA NA				
GRAMA Records Request	\$0.00 per minute (first 30 min)	\$15.00 per hour (31+ minutes)				
Research, compilation, editing etc.	\$5.00 per stamp	NA NA				
Notarization						
Subdivision Ordinance Book	\$15.00 per book	NA NA				
Entire Book	\$1.50 per chapter	NA NA				
Per Chapter	\$15.00 per book	NA NA				
General Plan Book						
Maps (includes Zoning, General Plan, Garbage Pick-up, Master Transportation etc.)						
8 1/2" x 11"	\$3.00 per map	NA NA				
11" x 17"	\$5.00 per map	NA NA				
17" x 22"	\$8.00 per map	NA NA				
22" x 34"	\$15.00 per map	NA NA				

Miscellaneous All Fees Are Effective July 11, 2012 Except As Noted (All fees paid with credit card are subject to 1% fee)

Fee Description	Current Base Fee	Additional Fee	Proposed Base Fee	Proposed Additional Fee	Base Fee Increase	Additional Fee Increase
34" x 44" Size E	\$17.00 per map	NA NA				
Custom	\$3.00 per sf	\$10.00 Minimum				
Map Research & Compilation	\$0.00 per hour (< 30 min.)	\$15.00 per hour (> 30 min.)				
Maps on disk	\$10.00 per map (Standard Sizes)	NA NA				
Collections						
Returned Check Fee	\$20.00 per check	NA NA				
Warrant Collection Fee						
Outside Collection Agency Fee						
Candidate Filing Fee for Public Office	\$25.00 per application	NA NA				
Emergency Services						
Base Fee and Mileage Rate						
Surcharges (Emergency--night service, off-road)						
Special Provisions (wait time, non-transport)						
Medical Supplies						
City Hall Lobby Rental						
Small Events (< 25 persons - no food present)						
Resident	\$50.00 per rental	\$0.00 per hour				
Non-resident	\$75.00 per rental	\$0.00 per hour				
Small Events (< 25 persons - with food present)						
Resident	\$100.00 per rental	\$35.00 per hour				
Non-resident	\$150.00 per rental	\$35.00 per hour				
Large Events (> 25 persons - no food present)						
Resident	\$300.00 per rental	\$35.00 per hour				
Non-resident	\$450.00 per rental	\$35.00 per hour				
Large Events (> 25 persons - with food present)						
Resident	\$300.00 per rental	\$35.00 per hour				
Non-resident	\$450.00 per rental	\$35.00 per hour				
City Hall Chambers Rental						
Small Events (< 25 persons - no food present)						
Resident	\$100.00 per rental	\$35.00 per hour for staffing				
Non-resident	\$150.00 per rental	\$40.00 per hour for staffing				
Large Events (< 25 persons - no food present)						
Resident	\$300.00 per rental	\$40.00 per hour				
Non-resident	\$450.00 per rental	\$45.00 per hour				
City Hall Lobby and Chambers Rental						
Small Events (< 25 persons - no food present)						
Resident	\$150.00 per rental	\$35.00 per hour				
Non-resident	\$200.00 per rental	\$40.00 per hour				
Small Events (< 25 persons - with food present)						
Resident	\$200.00 per rental	\$40.00 per hour				
Non-resident	\$250.00 per rental	\$45.00 per hour				
Large Events (> 25 persons - no food present)						
Resident	\$350.00 per rental	\$50.00 per hour				
Non-resident	\$400.00 per rental	\$55.00 per hour				
Large Events (> 25 persons - with food present)						
Resident	\$450.00 per rental	\$55.00 per hour				
Non-resident	\$500.00 per rental	\$60.00 per hour				

2.75% of outstanding warrant balance
25.00% of balance owed to City

Remove - already under Public Safety
As-per-State-approved-Utah-Health-Department-Rates



COUNCIL AGENDA

July 10, 2012

Agenda Item #6

Authorize Mayor Nagle to execute the Interlocal Agreement for Metro S.W.A.T.

Factual Summation

- Any question regarding this agenda item may be directed at Police Chief Brian Wallace
- Please see attached the Interlocal Agreement.

Brian N. Wallace
Chief of Police



Metro S.W.A.T.

About a year ago the north end city police departments started talking about forming a Metro S.W.A.T. Team. At the time Bountiful, Davis County Sheriff's Office and Layton each had a S.W.A.T. Team. Syracuse Police Department had one or two members on the Davis County S.W.A.T. Team.

Bountiful and Layton trained together and followed one discipline and Davis County Sheriff's Office trained with Salt Lake City and followed another discipline. There are so few call outs for S.W.A.T. we felt two teams were adequate. Bountiful took south end cities and Layton took north end cities. Bountiful and Metro S.W.A.T. will be back up to each other in case of a protracted incident.

- Our cost will not change as we've been involved in S.W.A.T. for 10 plus years
- Our citizens will be protected by our team in the north end
- In the future we may want to increase to two S.W.A.T. members from Syracuse Police Department (Clinton and Clearfield each have two)

Metro SWAT Team Interlocal Agreement

This Interlocal Agreement is entered into by and among the following undersigned jurisdictions: Layton City, Clearfield City, Clinton City and Syracuse City, jointly referred to as "participants."

Recitals

Article One

Purpose of the Agreement

The purpose of this agreement is to:

1. Formalize the relationship of entities participating in the Metro SWAT Team.
2. Clarify the obligations of each participating party.
3. Make available to each participating agency the resources of the SWAT Team in accordance with established protocols.

Article Two

Personnel and Resource Contribution

Each participant agrees to supply personnel and resources to the Metro SWAT Team. The manner in which those resources will be provided shall be done within the following parameters:

1. Personnel shall be selected through an objective testing process. This process is outlined in the Layton SWAT Standard Operating Procedures manual.
2. The specific number of personnel available from each agency shall be controlled ultimately by the Chief of the respective agency. Positions on the team shall be filled by the SWAT Team Commander by selection of the most qualified person based upon the testing process.
3. Each participating agency shall be responsible to equip and outfit officers selected from their agencies to fulfill duties on the Metro SWAT Team. This equipment will be the property of the agency and jurisdiction that purchased it. Personal equipment purchased in this manner should be consistent with current team equipment. Final approval of the equipment will be given to the SWAT Team leadership, and should be based upon functionality and uniformity with the remainder of the team.
4. Metro SWAT Team will also work with participating agencies to develop budget requests for larger scale purchases, operational assets, and specialized equipment. Ownership of equipment obtained in this manner will be established at the time the budget request is developed.

Article Three

The Mission

The mission of the Metro SWAT Team is to provide a specialized response force capable of dealing with incidents that exceed the capabilities of patrol. These missions include, but are not limited to hostage rescue, barricade subject operations, high risk warrant services, and any other assignments as deemed appropriate by team leadership. These services will be provided to all participating agencies, upon approval of the Chief of Police or his/her designee of the requesting agency and to any other requesting agency by approval of the Layton City Chief of Police.

Article Four

Management and Control of the Metro SWAT Team

The participants of this Interlocal Agreement recognize and agree that the management and control of the team will be the responsibility of and under the control of the Layton Police Department. Layton is the major shareholder in the team, and will be responsible for providing team leadership, policy, guidance, and direction for the team.

Each participating agency will ensure that its employees are aware, through policy, procedure, practice, or written notification that being a SWAT Team member is an assignment within their current employment. As such, there are no additional property rights beyond what each employee may have with their underlying employment. Therefore, placement on and removal from the SWAT Team is at the discretion of either the employing agency or the SWAT Team commander

The Metro SWAT Team Commander shall retain the right to remove any officer from the team with or without cause and in consultation with the employing agencies Chief of Police. Any disciplinary action recommended by the Team Commander shall be forwarded to the employing agencies Chief of Police for further action. Any disciplinary action imposed will be done by the employing agency pursuant to its policies and procedures.

Layton PD shall provide a Standard Operating Procedure for the team, defining capabilities and processes for management and administration of the Metro SWAT Team. Copies of these documents shall be provided to each participating agency for their review and input.

Article Five

Activation of the Metro SWAT Team

The participants in this agreement recognize and agree that activation of the team shall take precedence over normal duties within the respective agency. Due to the normally exigent nature and specialized nature of the responses for the SWAT Team, participants agree to immediately release team members from their normal duties to be able to respond to the incident at hand.

Upon activation of the team, members become subordinate to the authority of the Team Commander until such time as they are released or the activation is completed.

Article Six

Compensation

In the event one of the participants acts as a requesting party for the Metro SWAT Team's services, it shall not be obligated to compensate the tactical team for services rendered by or injuries to any participant of the Metro SWAT Team, or for the use or damage to the team equipment.

Each participating agency shall be responsible for all compensation and benefits of their officer(s) assigned to the Metro SWAT Team. Each team member is at all times an employee of their respective participating entity. Each participant hereto expressly waives any and all claims of whatever type or nature against the other and its personnel, which may arise out of the performance of the agreement.

Nothing in this document prohibits the Metro SWAT Team from charging requesting agencies that are not a participating member of the Metro SWAT Team for cost incurred in resolving a critical incident on the requesting agencies behalf.

Article Seven

Privileges and Immunities

All the privileges and immunities from liability, in law and in equity, which surround the activities of the Metro SWAT Team or any participating entities or agencies when performing its functions shall apply to the Metro SWAT Team.

Article Eight

Indemnification

Each participating agency and governmental agency shall indemnify its own officer(s), acting within the course and scope of their employment for any claims arising out of participation in the Metro SWAT Team and any of its activities.

Each participating agency indemnifies and holds harmless Layton City for any decision regarding membership of the Metro SWAT Team.

Article Nine

Administration

It is the intention of the participants that no separate legal entity be created by the agreement to carry out its provisions. To the extent this agreement requires administration other than as set forth herein; it shall be administered by a joint decision of the participating agencies' Chiefs of Police.

Article Ten

Duration

This agreement shall be effective for 50 years from date of signature unless otherwise terminated as provided in this agreement.

Any participant may terminate any rights and obligations under this agreement at any time by giving thirty days written notice of its intent to withdraw from this agreement.

Article Eleven

Compliance with Laws

Each participant agrees that each will comply with all applicable federal, state and local laws, rules and regulations applicable to the respective entities and employees in connection with the performance of this agreement.

Article Twelve

Amendments

This agreement may be changed, modified or amended by written agreement of the participants. Proposed changes must be approved by the respective participant's legal counsel, and must meet all other applicable requirements of the agreement.

Article Thirteen

Effective Date

This agreement shall become effective immediately upon the execution of and appropriate resolution by the applicable governing body of each entity.

Article Fourteen

Governing Law

This agreement shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have executed multiple copies or counterparts of this agreement, each of which will be deemed an original.



LAYTON CITY
By: [Signature]
J. STEPHEN CURTIS
Title: Mayor
Date: JUNE 21 2012

ATTEST: [Signature]
THIEDA WELLMAN, Layton City Recorder

[Signature]
Attorney: Approved as to form

CLEARFIELD CITY:
By: _____
Title: _____
Date: _____

ATTEST: _____
Clearfield City Recorder

Attorney: Approved as to form

CLINTON CITY:
By: _____
Title: _____
Date: _____

ATTEST: _____
Clinton City Recorder

Attorney: Approved as to form

SYRACUSE CITY:
By: _____
Title: _____
Date: _____

ATTEST: _____
Syracuse City Recorder

Attorney: Approved as to form



COUNCIL AGENDA

July 10, 2012

Agenda Item #7

Proposed Ordinance No. 12-19, granting the local Fire Official the authority to prohibit the use of any ignition source, including fireworks, lighters, matches, and smoking materials within the city – and penalty.

Factual Summation

- Any question regarding this agenda item may be directed at Fire Chief Eric Froerer.
- Please see attached Proposed Ordinance No. 12-19.

Memorandum

In the event that we continue to experience hot and dry weather that results in extreme hazardous fire conditions, this proposed ordinance will give our jurisdiction the authority to take appropriate measures to restrict or ban fireworks in Syracuse City. This is a proactive step if restrictions become necessary for the July 21-27 fireworks holiday.

Eric Froerer
Syracuse City Fire Chief

ORDINANCE NO. 12-19

AN ORDINANCE GRANTING THE LOCAL FIRE OFFICIAL THE AUTHORITY TO PROHIBIT THE USE OF ANY IGNITION SOURCE, INCLUDING FIREWORKS, LIGHTERS, MATCHES, AND SMOKING MATERIALS WITHIN THE CITY – AND PENALTY

Whereas, local fire officials are authorized to enforce the state fire code, pursuant to Utah Code Annotated § 53-7-104; and

Whereas, local fire officials may prohibit the use of fireworks and other ignition sources when hazardous environmental conditions necessitate controlled use, pursuant to Utah Code Annotated § 15A-5-202(3)(b) which amends the 2009 International Fire Code; and

Whereas, the Governor of the State of Utah has recommended that Cities and Town consider banning certain fireworks, open fires and other potential sources of fire within areas of the City or Town.

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

Section 1. PURPOSE. This ordinance authorizes the fire chief as the local fire official for this municipality to prohibit open fires and the use of any ignition source, including fireworks, lighters, matches, and smoking materials, when hazardous environmental conditions necessitate controlling the use thereof.

Section 2. DEFINITIONS. “Hazardous environmental conditions” means extreme dryness or lack of moisture, windy conditions, the presence of dry weeds and other vegetation and any combination thereof.

“Ignition source” means fireworks, lighters, matches, smoking materials, and similar means used to ignite fire.

“Fireworks” shall have the same meaning as found in Title 53, Chapter 7 of the Utah Code.

Section 3. AUTHORITY OF LOCAL FIRE OFFICIAL TO ISSUE ORDERS. The local fire official is hereby authorized to issue orders prohibiting open burning, open fires, the use of any ignition source, including fireworks, lighters, matches, and smoking materials in any area of the municipality when the local fire official determines that hazardous environmental conditions necessitate controlling or prohibiting the use thereof.

Section 4. AREAS AFFECTED. The local fire official shall determine what areas are subject to prohibition and the extent of the prohibition and shall identify the same in a written order. The order may also include a map outlining affected areas.

Section 5. PUBLIC NOTICE. The municipality shall immediately post copies of the written order of the local fire official in at least three public places within the City/town; post a copy of the order on the official municipal website; inform all local news media outlets of the order and provide a copy of the order thereto.

Section 6. PENALTY. Any person who intentionally or knowingly violates an order of the fire chief issued pursuant to this ordinance is guilty of a class B misdemeanor.

Section 7. ENFORCEMENT. Every officer charged with enforcement of State and municipal laws within the jurisdiction of this municipality, including the Fire Marshal is hereby charged with the responsibility to enforce this ordinance.

Section 8. REPEAL AND SEVERABILITY. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 9. 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 10th DAY OF JULY, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Jamie Nagle, Mayor



COUNCIL AGENDA

July 10, 2012

Agenda Item #8

Proposed Resolution R12-20 dictating the format of the Syracuse City Council meeting minutes.

Factual Summation

- Any question regarding this agenda item may be directed at City Recorder Cassie Brown
- Please see attached Memorandum provided by Cassie Brown
- Please see attached Proposed Resolution R12-20



SYRACUSE
EST. CITY 1935

City Records Office

Date: July 2, 2012
To: Syracuse City Governing Body
From: Cassie Brown – City Recorder
RE: Agenda item to discuss format of City Council minutes.

At the June 26, 2012 work session meeting I discussed with you all the growing trend in Utah in which 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 proposed 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.

At the conclusion of the discussion several comments were made by the Council in favor of the proposal. I was directed to prepare a resolution for the Council to consider that would communicate the direction that the City will be taking relative to transcription of minutes of Council meetings. That resolution has been prepared and included in your packet for review and consideration.

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

RESOLUTION NO. R12-20

**A RESOLUTION OF THE SYRACUSE CITY COUNCIL DICTATING
THE FORMAT OF SYRACUSE CITY COUNCIL MEETING MINUTES.**

WHEREAS, Syracuse City has previously not had in place a policy dictating the format of City Council meeting minutes; and

WHEREAS, City staff has proposed the Council adopt a resolution selecting an appropriate format for Syracuse City Council meeting minutes. Staff has proposed that instead of providing a verbatim record of the meeting, the minutes document will be a basic summary of the meeting including time links that will refer the reader to the digital recording of the meeting. The summary document will include the time and date of the meeting; a clear description of each agenda item; any public comments made regarding any agenda item; any motion made during the meeting; and the voting record for any item considered by the Council; and

WHEREAS, the proposed format of Syracuse City Council meeting minutes complies with Section 52-4-203 of the Utah State Code, Open and Public Meetings Act. One exception will be that the City will retain all digital recordings of the meeting on a permanent basis rather than destroying all copies three years after the approval of the written minutes.

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

Section 1. Adoption. The Syracuse City Council hereby selects an appropriate format for Syracuse City Council meeting minutes.

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 10th DAY OF JULY, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Jamie Nagle, Mayor



COUNCIL AGENDA

July 10, 2012

Agenda Item #9

Proposed Resolution R12-21 rescinding Resolution R08-23, which set forth rules for conducting public meetings of the City Council and Planning Commission using electronic means.

Factual Summation

- Any question regarding this agenda item may be directed at City Recorder Cassie Brown or City Attorney William Carlson
- Please see following Memorandum provided by Cassie Brown
- Please see attached Proposed Resolution R12-21

Memorandum

This item was added to the agenda as a result of a discussion during a recent review of the administrative title of the city code.

RESOLUTION NO. R12-21

A RESOLUTION OF THE SYRACUSE CITY RESCINDING RESOLUTION R08-23, WHICH SET FORTH RULES FOR CONDUCTING PUBLIC MEETINGS OF THE CITY COUNCIL AND PLANNING COMMISSION USING ELECTRONIC MEANS.

WHEREAS, The Syracuse City Council adopted Resolution R08-23 providing rules for conducting public meetings of the City Council and Planning Commission using electronic means; and

WHEREAS, the City Council is now desirous of including such rules in Title Two of the Syracuse City Code and it is no longer necessary to utilize Resolution R08-23.

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

Section 1. Adoption. The Syracuse City Council hereby adopts a resolution rescinding Resolution R08-23.

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 10th DAY OF JULY, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

By: _____
Jamie Nagle, Mayor



COUNCIL AGENDA

July 10, 2012

Agenda Item “10”

Proposed Ordinance 12-18, amending the Syracuse City General Plan adopted in 1976, as amended.

Factual Summation

- Any questions regarding this item may be directed at Community and Economic Development Director Mike Eggett and representative Planning Commissioners.
- Please see attached factual summation, memorandum, and supporting documents provided by Mike Eggett.



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 item may be directed at CED Director Mike Eggett and representative Planning Commissioners
- See attached map showing the recommended Planning Commission General Plan District One update
- See attached supplementary language reflecting proposed Planning Commission recommended changes to the General Plan for District One
- See attached letter from R. Steven Romney with Property Reserve Inc (PRI)
- See attached letter of dissent from Planning Commissioner TJ Jensen
- See attached proposed Ordinance No. 12-18

MEMORANDUM

To: Mayor and City Council

From: Community and Economic Development Department

Date: July 3, 2012

Subject: Proposed Ordinance 12-18 General Plan Changes for District One

Background

District one of the General Plan has been open for quite some time at the Planning Commission level for the purposes of debate and discussion. Many meetings have been held by the Planning Commission to discuss this matter. Further, there have been three public hearings regarding General Plan District One wherein the public has been invited to participate and share their comments regarding the General Plan opening.

Consideration of the General Plan Update

The Syracuse City Planning Commission has held three public hearings on this matter on the following dates: June 7, 2011; December 6, 2011; and December 20, 2011. Comments from the public were received by the Planning Commission at that time as it relates to this General Plan district. On June 19, 2012, the Planning Commission held a work session to discuss in specificity district one of the General Plan. The majority of items discussed in the work session

are reflected on the attached proposed General Plan update map. However, during the regular session of the Planning Commission a motion was forwarded and additional discussion was made regarding updates discussed during the work session, as well as a new discussion regarding the PRI properties located between 1000 West and 2000 West and 200 South and 700 South. After a period of debate amongst the Planning Commissioners, a motion was approved to recommend a proposed General Plan District One update to the City Council for approval. This proposed General Plan District One map update and supplementary language are included for your use and discussion.

Recommendation

The Syracuse City Planning Commission hereby recommends that the Mayor and City Council review the information provided with this memorandum and discuss the contents of the documentation. Further, the Syracuse City Planning Commission recommends that the City Council approve proposed Ordinance 12-18 General Plan Changes for District One.

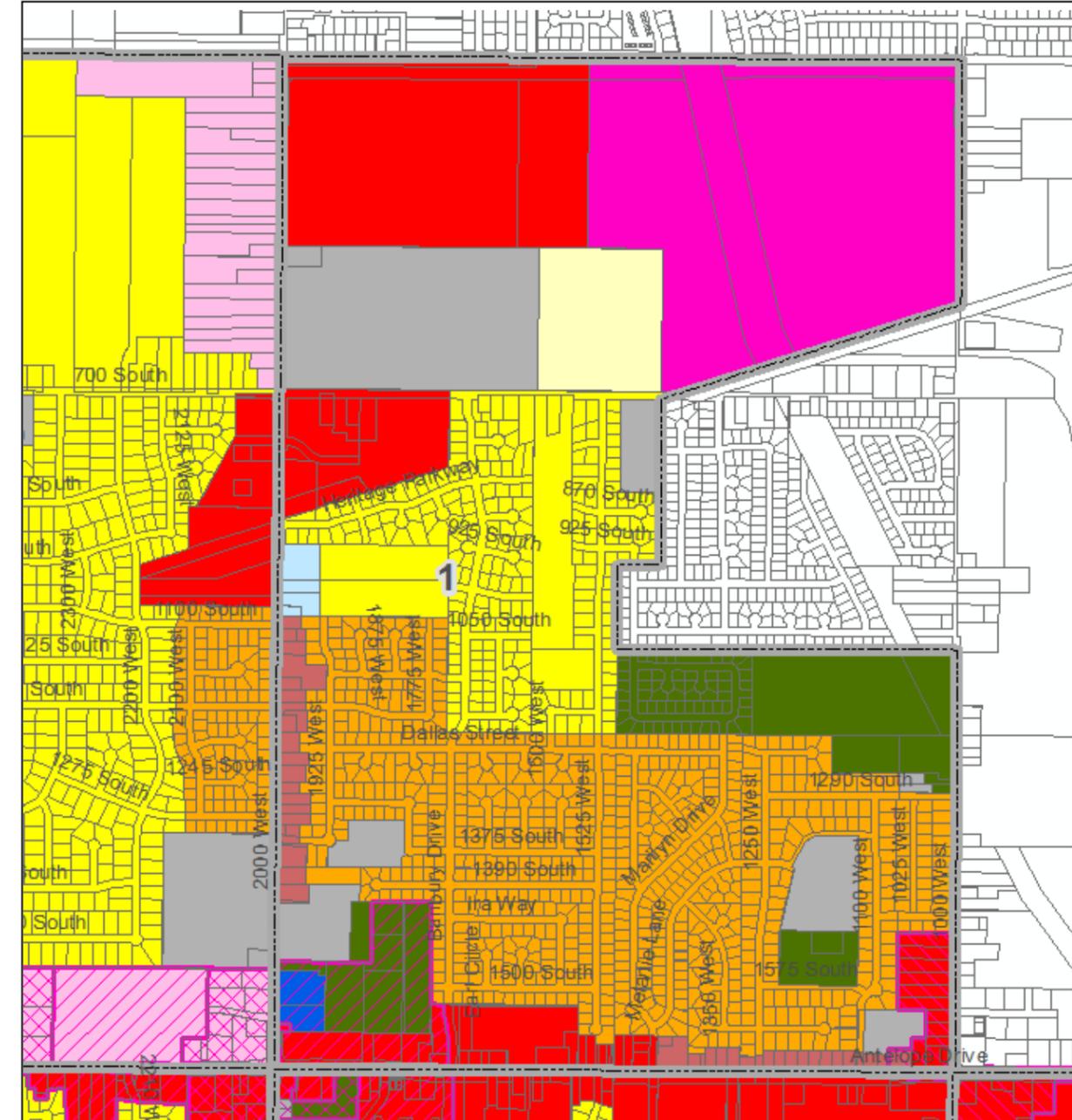
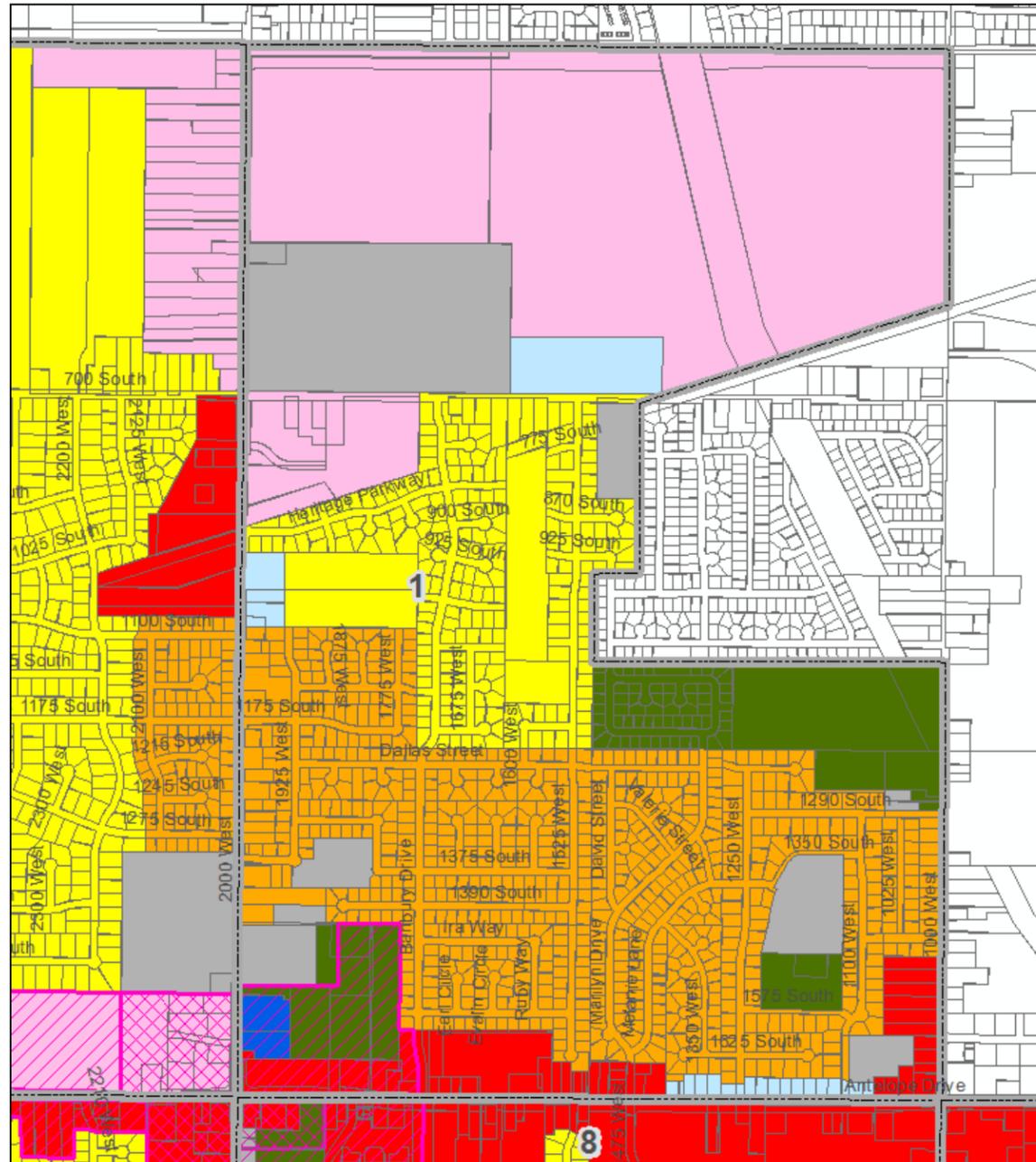
General Plan – Northeast District 1 Proposed Zoning Changes - 7/03/2012

Current General Plan – Land Uses

Proposed General Plan – Land Uses

Legend

- A-1 Agriculture
- Business Park
- Commercial II
- General Commercial
- Industrial
- Institutional
- Neighborhood Services
- Open Space / Recreational
- PRD (8.0 dwellings per net acre)
- Professional Office
- R-1 (2.90 dwellings per net acre)
- R-2 (3.79 dwellings per net acre)
- R-3 (5.44 dwellings per net acre)
- R-4 (14.52 dwellings per net acre)
- Research Park
- Zoning Districts
- TownCenterOverlayZone
- RDA_Boundary



DISTRICT ONE GENERAL PLAN UPDATE – PROPOSED LANGUAGE
AMENDMENTS

PLANNING DISTRICTS

In order to permit a more detailed description of the plans for various geographic areas of Syracuse, the City has been divided into ten (10) planning districts. The following section includes a description of each district, which, together with the accompanying Syracuse General Plan Land Use Map, provides a comprehensive set of recommendations for future land use within the City. These plans and recommendations provide the specific details of the plan as identified in the broader goals and objectives stated in this document.

District 1

This district is located in the far northeast corner of the City. The northern boundary of this district is 200 South and on the south by 1700 South. To the east, the district boundary is the same as the municipal boundary between Clearfield and Syracuse. The western boundary of the district is 2000 West. As shown on the accompanying map, this district has deliberately included a portion of Clearfield City. As Syracuse was evaluating the available land for its existing cemetery located at 1030 W 1290 South it was determined that based on the projected population growth, the City would eventually require additional land for its cemetery. The City has purchased the additional land adjacent to the existing cemetery for a planned future expansion, but the land that was purchased is part of Clearfield City. While the City is not in immediate need of the land for expansion of the cemetery at this time, Syracuse should continue to pursue negotiations with Clearfield City for the eventual annexation of this land into Syracuse City.

There are several general planning areas that are part of this district and each is described briefly below.

Residential Areas

More than two-thirds of the land in District 1 is currently identified for residential development, primarily R-2 and R-3 single-family residential uses and most of the residential land identified in this area has been developed in accordance with this plan. There is also a section of land identified within District 1 for R-1 single family residential uses; this area is encouraged to be developed in a clustered fashion as this land develops. The City should continue to follow the current development patterns as outlined in this document and according to the General Plan Land Use map.

2000 West & 700 South Commercial Area

The location of Syracuse High School on the northeast corner of the intersection of 2000 West and 700 South has created specialized commercial opportunities such as restaurants and other retail and commercial activities. The City has anticipated these opportunities and has identified the majority of the land on all four corners of this intersection as either General Commercial or C-2 (Mixed-Use) Commercial. There is also a section of land located south of this intersection along 2000 West that is anticipated to be utilized as a Neighborhood Services zone as homes along 2000 West are redeveloped for other uses.

200 South Corridor Commercial Area

The area of land between 200 South and 700 South and from 2000 West east to 1000 West has been identified as a future ~~C-2 (Mixed Use)~~ GC General Commercial zone, BP Business Park zone, and R-1 Residential zone area. There are more than 200 acres of land currently in use as agricultural property but it is anticipated that as the 200 South corridor is widened by UDOT (see 'Land Use – Commercial') this area has been identified for future ~~mixed-use~~ development which might include housing, retail, commercial and professional office uses. Additionally, developers of this area of land are encouraged to work with the City in developing an aquatic center recreation facility in adjacency to Syracuse High School. Planning tools such as commercial or mixed-use design guidelines should be developed and the area should be treated as a district similar to that created for the City's Town Center. Such a small area plan would allow the City to guide and implement distinctive and enhanced development options for commercial development in the northeast corner of the City.

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1700 South Commercial Corridor

Part of another large commercial zone has been identified in this district; it is located along 1700 South. The land along the north side of 1700 South from 1000 West to the corner of 1700 South and 2000 West is planned for future General Commercial and ~~Professional Office~~ Neighborhood Services development. This particular corridor represents the gateway to Syracuse City and ultimately leads to the Syracuse Town Center.

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The northwest corner of 1700 South and 1000 West represents part of what can be considered the "gateway" to Syracuse City. Three of the corners at this intersection are located within the City boundaries. Two of these corners have been developed with General Commercial businesses in accordance with this plan. In order to put the best commercial image forward to the public, the development of this corner should replicate the type and quality of development that has occurred on the southwest and southeast corners of this intersection. Professional office zoning has also been identified as a future land use along 1700 south from approximately 1100 West to Marilyn Drive.

UDOT is moving forward with improvements and widening of this particular stretch of 1700 South. As 1700 South is a high traffic arterial class road, commercial enterprises that serve both local and region wide needs should be encouraged to develop here. This type of development will provide the necessary services and commodities for the City while enhancing the sales tax base.

Founders Park, a City owned and operated park, is located in this district immediately east of the Syracuse Elementary school. The plan identifies all of the land in the park to remain as 'Open Space/Recreational' but an eastern portion of the park may also be considered in future for retail and commercial development. Any proceeds from the sale of this land for such commercial development would be used for the purchase and development of other park lands elsewhere in the City. Also located just south of this park is a small general commercial area that has been identified as part of the Town Center. The northeast corner of 1700 South and 2000 West should be considered as part of the Town Center and the standards established in the Town Center Master Plan should apply in this area.

The widening of 1700 South along this corridor will provide much needed relief to traffic congestion that has existed for many years. Care should continue to in order to prevent unnecessary traffic conflicts as this commercial district area develops further. In addition,

sidewalks should be required and provided along 1700 South as shown on the Master Transportation Plan.



June 29, 2012

Syracuse City Council
Syracuse City
1979 West 1900 South
Syracuse, Utah 84075

Re: Land Owned by Property Reserve, Inc. in Syracuse City

Ladies and Gentlemen:

As you are aware, Property Reserve, Inc. ("PRI") is under contract (the "Contract") to sell a portion of its land holdings in Syracuse City (the "Property") to Ninigret Construction Company, L.C. ("Ninigret"). Prior to entering into the Contract, PRI spent significant time and money, using national consultants, investigating the possible uses that could be made of the Property. This was done not only to understand the highest and best use so as to maximize PRI's investment returns, but also so that PRI could understand its potential buyers, since developers only buy land when they know how they can develop it. PRI's management, which is well versed in land use issues, and its outside consultants, have all identified that most of the Property is only reasonably suited for industrial uses. Some of the Property is already zoned for such use, but portions of it are zoned agricultural.

We understand that some citizens in Syracuse City would like to see the Property, or some portion of it, rezoned to a business park zone. We also understand that Syracuse City is contemplating adopting a new business park zone, and that this is being done for the specific purpose of attempting to rezone a portion of the Property to such use. Please understand that PRI would be ecstatic if some or all of the Property could commercially sustain such use, because it would mean a higher sales price for the Property. But PRI, its outside consultants, and all potential buyers, have all made it very clear that there is no discernible market demand for business park use on this Property. In the end, the market place determines what uses are sustainable, and this use is not sustainable on this Property. PRI believes that efforts by the neighbors to force a business park use for this Property are nothing more than a veiled scheme to prevent any development of the Property, with the ultimate aim of forcing PRI to hold the land for agricultural use indefinitely. We do not feel this is fair to PRI.

Thus, we oppose the adoption of the proposed business park zone in its current form, and more importantly, we strongly oppose any effort to apply this zone to any of the Property.

Please understand that we intend to extend the Contract or otherwise work with Ninigret so as to allow Ninigret to obtain the approvals and zoning it requires for the fair and reasonable use of the Property. We would hope that you as a city council would do what is best for the entire City and all of its citizens.

4827-2507-6240.2

Property Reserve, Inc. • 51 South Main Street, Suite 301 • Salt Lake City, UT 84111

Syracuse City Planning Commission
April 10, 2012
Page 2

In conclusion, we would like to point out that as council members; we believe you have a fiduciary duty to the entire citizenship of Syracuse City to ensure the financial well being of the City. The proposed development of this land will generate substantial tax revenue for the City and create a new source of local employment where none currently exists today. Furthermore, we caution you not to discount the unique opportunity of having a quality developer willing to make such significant investment in your community, especially in these uncertain economic times, with a development which is located at the edge of the City limits and will have minimum impact on the infrastructure and services of the City. Of course, this loss to the City would be in addition to the loss you would be imposing on us, the current owner, if Ninigret's use is not ultimately approved.

Please feel free to contact the undersigned at any time on this matter.

Sincerely,

A handwritten signature in cursive script that reads "R. Steven Romney".

R. Steven Romney
Vice President
PROPERTY RESERVE, INC.

4827-2507-6240.2

To: The Syracuse City Council
From: TJ Jensen
Syracuse City Planning Commission

A Dissenting Opinion Regarding the Planning Commission decision on changes to District 1

Greetings Mayor and Council,

On Tuesday, June 19th, 2012, the Syracuse City Planning Commission voted to recommend changes to District 1 of the Syracuse City Master Plan. These changes included some changes that incorporated Neighborhood Services along 1700 South and 2000 West, and also to the parcel of land which lies to the North and East of Syracuse City High School.

This was a 4-2 Decision, with Tyler Bordrero and Myself voting against, and Braxton Shenck, Kenneth Hellewell, Gary Pratt, and Greg Day voting in the affirmative. Among other things, the majority of the commission wanted closure on the review of this district, as this has been debated by our body for about a year now.

While I cannot speak for the minds of the other commissioners, I feel that it is important to explain my dissenting vote.

While I am in agreement with the changes to the rest of this district (along 2000 West south of the High School, and along 1700 South), I dissent with my body over the parcel of land west of the power lines currently owned by PRI, of which Ninigret has an option to buy a portion. East of the Power Lines, our body recommended changing the master plan to Business Park, which will not affect the existing Industrial Zoning on that parcel, but does give Ninigret the option for Business Park zoning on that piece of land should they wish it (I doubt it, as Industrial is a more flexible zone for their purposes).

If you look at the existing Master Plan, you will see that West of the power lines and to the North/Northeast of the High School our master plan calls for C-2 Commercial. Several commissioners (including myself) are uncomfortable with the existing C-2 zoning language (it is a little too loose for our tastes, and has some language which can be interpreted in different ways that should be clarified), and we intend to address this at some point in the near future. In the meantime, the Commission voted to change the section of this parcel North of the High School to General Commercial. I do not have a problem with this, as this allows most of the activities that C-2 allows, hence it maintains the potential value of the property.

To the Northeast of the High School, the Commission proposed to change the zoning to Business Park. I am mostly in concurrence with this, as this zoning is of similar value to the C-2 Zone currently on the master plan. However, I feel that it is premature to recommend this at this juncture, as I feel our body should have waited for the ad hoc committee formed by the Council to submit it's opinions and any recommendations that may have resulted. Also, while I am not necessarily opposed to some

of the uses proposed by Ninigret for this area, I think that the current Industrial Zone language (i.e. proposing any additional Industrial west of the power lines) would be too impactful to the residents along 700 South. While some 'heavier' activities might be acceptable with mitigations in place, our current Industrial zone allows most 'heavy' activities, and is hence not desirable. The 200 South Committee also noted that the residents in this area were opposed to heavy industrial in this area.

My biggest issue, however, lies with the section of this parcel which lies directly to the east of the High School. The current master plan shows C2 Commercial to the northern half or so of this area, and Professional Office along 700 South. The Planning Commission recommendation that was adopted proposes to change this to R1 Residential, with the possibility of Clustering.

R1 Residential is the lowest class of Residential that our Ordinance allows, and is generally used to buffer Agricultural (A1) from heavier residential uses. It was never intended to be a buffer for industrial or commercial uses, although several areas of the city (Southwest of Bluff Road) do border Commercial. The Industrial you may have seen south of Gentile Street on our master plan is not currently in play, as Nature Conservancy/United States owns that land in perpetuity, and hence will never be used for said use, per their charter.

Redesignating this land to the east of the High School as R1 lowers the highest and best use of this land as it was previously designated on the Master Plan (C2 and PO), and significantly lowers the value of this property. Syracuse City should not be in the business of lowering people's property values, whether they are a private owner or a corporation. This is just bad practice. Also, at the time Professional Office was adopted by a previous Planning Commission and City Council, the area along 700 South made sense for this use, to encourage additional medical and to a lesser extent professional uses to complement IHC and other operations in this area.

While I feel that PRD along 700 South (Planned Residential Development zone, with a 300 foot depth from the north curb of 700 South) might be an appropriate change, as it is regularly used as a buffer between less dense residential and Commercial within our city (note the PRD next to Smiths and Ace Hardware), it is arguably worth a bit less in property values than Professional Office. However, if used as a buffer between 700 South and a Business park or slightly heavier use, I think this increases the potential value for the PRD, as it provides an effective screen for lighter residential. R-1, on the other hand, is worth quite a bit less than Professional Office or C2, hence this will lower our potential tax base considerably, and potentially open the city up to uncomfortable questions from PRI.

The city should not be in the business of lowering people's potential property values. While the residents along 700 South have put this same argument forth in regards to Industrial uses around the high school affecting their property values, with PRD acting as a buffer I do not see

their property values being negatively impacted, at least not any more than the Industrial east of the power lines and Freeport Center has already done. If anything, I see their property values increasing slightly, as the PRD will increase the value of their neighborhood. I would argue that close proximity to schools and relatively close proximity to our city center parks and businesses has a great positive effect on said property values, and that Business Park uses are not significantly different than PO or C2 uses, said uses already have been taken into account for these properties (appraisers take the master plan into account when doing appraisals).

Leaving the current designation Professional Office on the master plan in place is another option, of course.

Note that the Planning Commission regularly insists on home ownership clauses in PRD zones, as this city does not like to see a lot of rentals, so I see the PRD as more of a Condo style development, and Condos generally retain their values well relative to other residential uses (due to the amenities they offer). There are a lot of controls put in place in the Syracuse PRD zone that encourage higher quality developments.

As for the impact on the high school and the greater community as a whole, I see businesses in this area as a benefit to the city, for several reasons:

1) Higher tax base. Keep in mind that businesses pay property, personal property, and franchise taxes, a portion of each which go to city coffers. Citizens recently spoke out against higher taxes, and our infrastructure continues to crumble.

Any increases to the revenue the city can generate for infrastructure repairs are highly useful at this point, because I don't see us catching up with our maintenance schedule anytime soon, and water lines continue to break and roads continue to fall apart. Not to mention there are several parks that remain unbuilt due to lack of funds.

2) More jobs to the city. While some residents like to think that everyone in Syracuse works at upscale office buildings, the fact is that we have employees from all walks of life, from the \$8.75/hr public works employees that work for our city to said high end jobs. Many of these employees currently commute out of our city for work, and I'm sure they'd love the opportunity to work within their own community, given the chance. And by working locally, they better support our local economy, and help their own pocketbooks in the process (less gas money for commuting). While very few if any of the larger businesses currently in Syracuse are exclusively employed by Syracuse Residents, a percentage of their workforces are nonetheless local citizens.

Any jobs we can provide locally are a good thing, and will have a positive impact on our local economy, as some of said workforce will shop our local businesses and get gas at our local gas stations.

3) Intern opportunities for the High School. Students that can put internships on their resumes for college admissions are generally benefitted significantly by such internships. They learn valuable job skills through said internships, and colleges love go getters. While Commercial businesses do provide limited opportunities for internships, Business and Industrial uses provide many more. Said intern opportunities may also apply to any college students we have living within our city, btw.

4) Potential for new partners for city events and such. Syracuse City has been fortunate to have our local businesses supporting the city when they can. RC Willey and WalMart in particular regularly donate money to Heritage Days and other events. Increasing the city Business base increases said opportunities, and large employers are particularly well suited to provide such opportunities. The city has a large network of volunteers; it's raising cash that is generally the challenge.

So, in short, as one dissentin member of the Syracuse City Planning Commission that does not speak for our body as a whole (although I may think from P.C. discussions with him that Tyler may agree with the points made in this letter, I can't speak for him), I would recommend that the City Council hold off on adopting the Planning Commission recommendation for the parcel to the north and east of the high school, at least until such time as the Ad Hoc Committee is able to submit it's opinions and any resulting recommendations. You should have all of the facts in evidence before making radical changes to our Master Plan.

Thank you for your attention,
TJ Jensen

ORDINANCE NO. 12-18

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, 2011, and 2012 to incorporate appropriate and necessary changes to the General Plan as approved at that time; 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 1 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 1. That the Syracuse City General Plan District 1, July 2012 revision, attached and reflected hereto as Exhibits A and B, 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 10th DAY OF JULY, 2012.**

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Jamie Nagle, Mayor

EXHIBIT B

PLANNING DISTRICTS

In order to permit a more detailed description of the plans for various geographic areas of Syracuse, the City has been divided into ten (10) planning districts. The following section includes a description of each district, which, together with the accompanying Syracuse General Plan Land Use Map, provides a comprehensive set of recommendations for future land use within the City. These plans and recommendations provide the specific details of the plan as identified in the broader goals and objectives stated in this document.

District 1

This district is located in the far northeast corner of the City. The northern boundary of this district is 200 South and on the south by 1700 South. To the east, the district boundary is the same as the municipal boundary between Clearfield and Syracuse. The western boundary of the district is 2000 West. As shown on the accompanying map, this district has deliberately included a portion of Clearfield City. As Syracuse was evaluating the available land for its existing cemetery located at 1030 W 1290 South it was determined that based on the projected population growth, the City would eventually require additional land for its cemetery. The City has purchased the additional land adjacent to the existing cemetery for a planned future expansion, but the land that was purchased is part of Clearfield City. While the City is not in immediate need of the land for expansion of the cemetery at this time, Syracuse should continue to pursue negotiations with Clearfield City for the eventual annexation of this land into Syracuse City.

There are several general planning areas that are part of this district and each is described briefly below.

Residential Areas

More than two-thirds of the land in District 1 is currently identified for residential development, primarily R-2 and R-3 single-family residential uses and most of the residential land identified in this area has been developed in accordance with this plan. There is also a section of land identified within District 1 for R-1 single family residential uses; this area is encouraged to be developed in a clustered fashion as this land develops. The City should continue to follow the current development patterns as outlined in this document and according to the General Plan Land Use map.

2000 West & 700 South Commercial Area

The location of Syracuse High School on the northeast corner of the intersection of 2000 West and 700 South has created specialized commercial opportunities such as restaurants and other retail and commercial activities. The City has anticipated these opportunities and has identified the majority of the land on all four corners of this intersection as either General Commercial or C-2 (Mixed-Use) Commercial. There is also a section of land located south of this intersection along 2000 West that is anticipated to be utilized as a Neighborhood Services zone as homes along 2000 West are redeveloped for other uses.

200 South Corridor Commercial Area

The area of land between 200 South and 700 South and from 2000 West east to 1000 West has been identified as a future GC General Commercial zone, BP Business Park zone, and R-1 Residential zone area. There are more than 200 acres of land currently in use as agricultural property but it is anticipated that as the 200 South corridor is widened by UDOT (see 'Land Use – Commercial') this area has been identified for future development which might include housing, retail, commercial and professional office uses. Additionally, developers of this area of land are encouraged to work with the City in developing an aquatic center recreation facility in adjacency to Syracuse High School. Planning tools such as commercial or mixed-use design guidelines should be developed and the area should be treated as a district similar to that created for the City's Town Center. Such a small area plan would allow the City to guide and implement distinctive and enhanced development options for commercial development in the northeast corner of the City.

1700 South Commercial Corridor

Part of another large commercial zone has been identified in this district; it is located along 1700 South. The land along the north side of 1700 South from 1000 West to the corner of 1700 South and 2000 West is planned for future General Commercial and Neighborhood Services development. This particular corridor represents the gateway to Syracuse City and ultimately leads to the Syracuse Town Center.

The northwest corner of 1700 South and 1000 West represents part of what can be considered the “gateway” to Syracuse City. Three of the corners at this intersection are located within the City boundaries. Two of these corners have been developed with General Commercial businesses in accordance with this plan. In order to put the best commercial image forward to the public, the development of this corner should replicate the type and quality of development that has occurred on the southwest and southeast corners of this intersection. Professional office zoning has also been identified as a future land use along 1700 south from approximately 1100 West to Marilyn Drive.

UDOT is moving forward with improvements and widening of this particular stretch of 1700 South. As 1700 South is a high traffic arterial class road, commercial enterprises that serve both local and region wide needs should be encouraged to develop here. This type of development will provide the necessary services and commodities for the City while enhancing the sales tax base.

Founders Park, a City owned and operated park, is located in this district immediately east of the Syracuse Elementary school. The plan identifies all of the land in the park to remain as ‘Open Space/Recreational’ but an eastern portion of the park may also be considered in future for retail and commercial development. Any proceeds from the sale of this land for such commercial development would be used for the purchase and development of other park lands elsewhere in the City. Also located just south of this park is a small general commercial area that has been identified as part of the Town Center. The northeast corner of 1700 South and 2000 West should be considered as part of the Town Center and the standards established in the Town Center Master Plan should apply in this area.

The widening of 1700 South along this corridor will provide much needed relief to traffic congestion that has existed for many years. Care should continue to in order to prevent unnecessary traffic conflicts as this commercial district area develops further. In addition,

sidewalks should be required and provided along 1700 South as shown on the Master Transportation Plan.



COUNCIL AGENDA

July 10, 2012

Agenda Item #11

Public Hearing- Proposed Ordinance No. 12-20 adopting Title Two rewrites of the Syracuse City Municipal Code pertaining to Administration.

Factual Summation

- Any question regarding this agenda item may be directed at City Attorney William Carlson.
- Please see attached Memorandum and Supporting documentation provided by William Carlson
- Please see attached Proposed Ordinance No. 12-20
 - Please note that “Exhibit A” will depend on if the Council votes for Version A or Version B.



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: July 10, 2012
Subject: Title Two of the Syracuse City Code

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 some minor 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 Council made recommendations to change various sections of Title II. Those revisions are identified and outlined in the attached Title II (Version A).

Because the revised title includes many of the earlier changes to mayoral power, it requires the mayor's vote with a majority of the Council, or a unanimous vote of the Council except for the mayor. At the end of the discussion on June 26, the City Council asked whether the Mayor would be willing to vote for Version A. Due to a desire for further clarification of the mayor's duty of conducting Council Meetings, the Mayor stated she did not support Version A.

At that point, the Council directed the City Attorney to draft a version of the administrative title which would not require a vote from the Mayor. That draft is attached as Title II (Version B). Version B starts with the adoption of all drafted changes in Version A. From there, every mayoral power

enumerated by Utah Code §10-3b-104 is added or removed based on whether it existed under the city's prior version of the Administrative Title. The table below summarizes the enumerated powers, whether they existed in the original title, and whether it exists in Version A and/or B.

The City Attorney recommends passing Version A of Title II with any additional changes the Mayor and City Council feel are necessary. This would require a vote of a Council majority plus the Mayor, or a unanimous Council without the Mayor.

If the Mayor and Council are unable to come to sufficient agreement to pass Version A, a Council majority without the Mayor could pass Version B as drafted. Any changes to Version B which affect the statutorily enumerated powers of the mayor would also affect who must vote for Version B to pass.



STATUTORILY ENUMERATED POWERS & DUTIES OF THE MAYOR

POWER/DUTY	§10-3B-104(1) subsection	ORIGINAL TITLE?	VERSION A?	VERSION B?
The chief executive officer of the municipality to whom all employees of the municipality report.	(A)	1-8-1	2.03.010	2.03.010
Shall keep the peace and enforce the laws of the municipality	(B)(i)	1-8-6	2.03.010 (1.a. & 2.d)	2.03.010 (1.a. & 2.h)
Shall ensure that all applicable statutes and municipal ordinances and resolutions are faithfully executed and observed	(B)(ii)	1-8-9	Partial 2.03.010.1.b	Complete 2.03.010.1.b
If the mayor remits a fine or forfeiture... shall report the remittance to the council at the council's next meeting after the remittance	(B)(iii)	1-8-5	-	2.03.010.1.e
Shall perform all duties prescribed by statute or municipal ordinance or resolution	(B)(iv)	1-8-9	Partial 2.03.010.2.e	Complete 2.03.010.1.g
Shall report to the council the condition and needs of the municipality	(B)(v)	1-8-2	Partial 2.03.010.1.d	Complete 2.03.010.1.d
Shall report to the council any release granted	(B)(vi)	1-8-5	-	2.03.010.1.f
May recommend for council consideration any measure that the mayor considers to be in the best interests of the municipality;	(C)(i)	(shall) 1-8-2	(right to) 2.03.010.1.c	(shall) 2.03.010.1.h
May remit fines and forfeitures	(C)(ii)	1-8-5	-	2.03.010.2.b

POWER/DUTY	§10-3B-104(1) subsection	ORIGINAL TITLE?	VERSION A?	VERSION B?
May, if necessary, call on residents of the municipality over the age of 21 years to assist in enforcing the laws of the state and ordinances of the municipality;	(C)(iii)	(Males) 1-8-7	(All) 2.03.010.2.d	(Males) 2.03.010.2.h
May release a person imprisoned for a violation of a municipal ordinance	(C)(iv)	1-8-5	-	2.03.010.2.c
May, with the council's advice and consent, assign or appoint a member of the council to administer one or more departments of the municipality; and	(C)(v)(A)	-	-	-
May, with the council's advice and consent, appoint a person to fill: (I) a municipal office; or (II) a vacancy on a commission or committee of the municipality;	(C)(v)(B)	1-8-3	2.03.010.2.a	2.03.010.2.a
May at any reasonable time, examine and inspect the official books, papers, records, or documents of: (A) the municipality; or (B) any officer, employee, or agency of the municipality.	(C)(vi)	(at any time) 1-8-8	(at any reasonable time) 2.03.030	(at any time) 2.03.030

1 **TITLE II (Version A)**

2 **ADMINISTRATIVE AND PERSONNEL**

3 **CHAPTER 1: GENERAL ADMINISTRATIVE PROVISIONS**

- 4 2.01.010 Intent, Purpose
5 2.01.020 Temporary Absence of City Manager
6 2.01.030 Administrative Organization Generally
7 2.01.040 ~~Intergovernmental~~Intragovernmental Cooperation

8 **CHAPTER 2: CITY COUNCIL**

- 9 2.02.010 Governing Body
10 2.02.020 Powers and Duties
11 2.02.030 Meetings
12 2.02.040 Open Meetings Law
13 2.02.050 Notice of Meetings
14 2.02.060 Agenda
15 2.02.070 Minutes
16 2.02.080 Mayor Presides
17 2.02.090 Quorum
18 2.02.100 Voting
19 2.02.110 Reconsideration
20 2.02.120 Rules of Procedure
21 2.02.130 Council Committees
22 2.02.140 Attendance
23 2.02.150 Disorderly Conduct
24 2.02.160 Required Attendance of Witnesses and Production of Evidence
25 2.02.170 Records Open to Inspection
26 2.02.180 Additional Duties and Powers may be Prescribed

27 **CHAPTER 3: MAYOR**

- 28 2.03.010 Functions and Duties
29 2.03.020 Presiding Officer
30 2.03.030 ~~Intergovernmental Cooperation~~Records Open to Inspection
31 2.03.040 ~~Vacancy in Office~~Mayor Pro Tempore
32 2.03.050 ~~Restrictions~~Vacancy in Office
33 2.03.060 Restrictions

34 **CHAPTER 4: CITY MANAGER**

- 35 2.04.010 ~~Office Created~~Term of Office
36 2.04.020 ~~Resignation~~Term of Office
37 2.04.030 ~~Resignation~~ Other Employment
38 2.04.040 ~~Other Employment~~ Powers of Mayor Not Delegated
39 2.04.050 ~~Powers of Mayor Not Delegated~~ Duties
40 ~~2.04.060~~ Duties

41 **CHAPTER 5: APPOINTED OFFICES**

- 42 2.05.010 Appointed Offices

43	2.05.020	Appointment and Vacancies
44	2.05.030	Bond
45	2.05.040	Salaries
46	2.05.050	Transfer of Records
47	2.05.060	Conflicts of Interests
48	2.05.070	City Recorder
49	2.05.080	City Treasurer
50	2.05.090	City Police Chief

51 **CHAPTER 6: DEPARTMENT ORGANIZATION**

52	2.06.010	City Finance Director
53	2.06.020	City Engineer
54	2.06.030	City Public Works Director
55	2.06.040	City Attorney
56	2.06.050	City Justice Court Judge
57	2.06.060	City Recreation Director
58	2.06.070	City Fire Chief
59	<u>2.06.080</u>	<u>Community and Economic Development Director</u>
60	<u>2.06.090</u>	<u>Information Technology Director</u>

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

62	2.07.010	Campaign Financial Disclosure
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63 **CHAPTER 8: GOVERNMENT RECORDS**

64	2.08.010	General
65	2.08.020	Retention Schedule
66	2.08.030	Records requests
67	2.08.040	Fees
68	2.08.050	Fee Waiver
69	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~~ Intragovernmental 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~~ INTRAGOVERNMENTAL 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 to the extent it is reasonable in nature and aids the City Council in fulfilling its 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.~~

109

CHAPTER 2

110

CITY COUNCIL

- 111 2.02.010 Powers and Duties
- 112 2.02.020 Vacancy in Office
- 113 2.02.030 Meetings
- 114 2.02.040 Open Meetings Law
- 115 2.02.050 Notice of Meetings
- 116 2.02.060 Agenda
- 117 2.02.070 Minutes
- 118 2.02.080 Mayor Presides
- 119 2.02.090 Quorum
- 120 2.02.100 Voting
- 121 2.02.110 Reconsideration
- 122 2.02.120 Rules of Procedure
- 123 2.02.130 Council Committees
- 124 2.02.140 Attendance
- 125 2.02.150 Disorderly Conduct
- 126 2.02.160 Required Attendance of Witnesses and Production of Evidence
- 127 2.02.170 Records Open to Inspection
- 128 2.02.180 Additional Duties and Powers may be Prescribed

129 2.02.010: POWERS AND DUTIES

130 The City Council:

131 1. is the legislative body of the municipality and ~~shall~~ exercises the legislative
 132 powers and performs the legislative duties and functions of the
 133 municipality; and

134 2. may:

135 (a) ~~pass all ordinances and rules, and make all regulations, not~~
 136 ~~repugnant to law, necessary for carrying into effect or~~
 137 ~~discharging all powers and duties conferred by law, and as are~~
 138 ~~necessary and proper to provide for the safety and preserve the~~
 139 ~~health, and promote the prosperity, improve the morals, peace~~
 140 ~~and good order, comfort, and convenience of the city and its~~
 141 ~~inhabitants, and for the protection of property in the city.adopt~~
 142 ~~rules and regulations, not inconsistent with statute, for the~~
 143 ~~efficient administration, organization, operation, conduct, and~~
 144 ~~business of the municipality;~~

145 (b) prescribe by resolution additional duties, powers, and responsibilities
 146 for any elected or appointed municipal official, unless prohibited by
 147 statute;

148 (c) require by ordinance that any or all appointed officers reside in the
 149 municipality;

150 (d) provide for filling a vacancy in an elective or appointive office;

- 151 (e) take any action allowed under Utah Code ~~Ann. § 10-8-84, as~~
152 ~~amended~~; and
- 153 (f) perform any function specifically provided for by statute or
154 necessarily implied by law.

155 **2.02.020: MID-TERM VACANCY IN OFFICE**

156 Mid-term City Council vacancies shall be filled as provided in Utah Code
157 ~~Annotated Section 20A-1-510.~~

158 **2.02.030: MEETINGS**

- 159 1. Regular Meetings. The City Council shall hold regular meetings to conduct
160 the business of the City at least once each month and shall prescribe by
161 ordinance the time and place for holding its regular meetings.
- 162 2. ~~Special~~Emergency Meetings. ~~If, because of unforeseen circumstances it is~~
163 ~~necessary for the City Council to hold an emergency meeting to consider~~
164 ~~matters of an emergency or urgent nature, an emergency meeting may be held~~
165 ~~after an attempt has been made to notify all members of the Governing Body~~
166 ~~and a majority of the members of the Governing Body approve the meeting, if~~
167 ~~at any time the business of the City requires a special meeting of the City~~
168 ~~Council, such a special meeting may be ordered by the Mayor or any two~~
169 ~~Council Members.~~
- 170 a. Notice of Emergency Meetings. At least three hours' n~~Notice of the special-~~
171 ~~emergency~~ meeting shall be provided in accordance with the provisions of
172 Utah Code ~~Ann. § 10-3-502, as amended. The Governing Body shall give~~
173 ~~the best notice practicable of the time and place of the emergency meeting~~
174 ~~and the topics to be considered at the emergency meeting. The City~~
175 ~~Recorder shall also serve such notice on each council member who did~~
176 ~~not approve the meeting, either through personal service or by leaving it at~~
177 ~~the member's usual place of abode. The order of the special-emergency~~
178 meeting shall be entered into the minutes of the City Council. ~~The~~
179 ~~personal appearance by a council member at an emergency meeting~~
180 ~~constitutes a waiver of the required notice.~~
- 181 3. Closed Meetings. The affirmative vote of at least two-thirds of the ~~City~~
182 ~~Council~~Governing Body present at an open meeting for which notice is given
183 and a quorum is present may call a closed meeting to discuss certain items
184 as provided under Utah Code ~~Ann. § 52-4-5, as amended~~. The reason or
185 reasons for holding a closed meeting and the vote, either for or against the
186 proposition to hold such a meeting, cast by each member, by name, shall be
187 entered on the minutes_
188 of the meeting. No ordinance, resolution, rule, regulation, contract, or
189 appointment shall be approved at a closed meeting.
- 190 4. Electronic Meetings.

- 191 a. Definitions. As used in this Syracuse Municipal Code:
- 192 i. "Anchor location" means the physical location from which the
- 193 electronic meeting originates or from which the participants
- 194 are connected.
- 195 ii. "Electronic meeting" means a City Council meeting
- 196 convened or conducted by means of a conference using
- 197 electronic communications. =
- 198 iii. "Electronic notice" means electronic mail or fax.
- 199 iv. "Monitor" means to hear or observe, live, by audio or video
- 200 equipment, all of the public statements of each member of
- 201 the City Council who is participating in a meeting.
- 202 v. "Participate" means the ability to communicate with all of the
- 203 members of the City Council, either verbally or electronically,
- 204 so that each member of the City Council can hear or observe
- 205 the communication.
- 206 vi. "Public hearing" means a portion of a meeting at which
- 207 comments from the public will be accepted.
- 208 vii. "Public statement" means a statement made in the ordinary
- 209 course of business of the City Council with the intent that all
- 210 other members of the City Council receive it.
- 211 b. Procedures. The City Council may, by following the procedures and
- 212 requirements of this Ordinance, convene and conduct an electronic
- 213 meeting. The City Council convening or conducting an electronic
- 214 meeting shall:
- 215 i. Give public notice of the meeting pursuant to Utah Code
- 216 ~~Ann. § 52-4-202~~ by posting written notice at the anchor
- 217 location; and
- 218 ii. Providing written or electronic notice to at least one
- 219 newspaper of general circulation within the state; and a local
- 220 media correspondent;
- 221 c. In addition to giving public notice required by Subsection (i), provide:
- 222 i. Notice of the electronic meeting to the members of the City
- 223 Council at least 24 hours before the meeting so that they
- 224 may participate in and be counted as present for all
- 225 purposes, including the determination that a quorum is
- 226 present; and
- 227 ii. A description of how the members will be connected to the
- 228 electronic meeting.
- 229 d. Electronic Meeting General. The procedures to be followed at the

230 electronic meeting shall be the same as those followed by the City
231 Council in a non-electronic open and public meeting of the City
232 Council. The Mayor, or Mayor Pro-tempore, shall conduct the
233 meeting and the meeting shall be held pursuant to the agenda
234 posted for that meeting. Prior to commencing the electronic meeting,
235 an electronic link shall be established with all participants and the
236 anchor location. Minutes shall be kept for the meeting in accordance
237 with the requirements of the Open Meetings Law. Following passage
238 of a motion to adjourn, the electronic link shall be terminated and the
239 meeting shall be deemed concluded. If the meeting is a public
240 hearing, space and facilities will be provided at the anchor location
241 so that interested persons and the public may attend, monitor and
242 participate in the open portions of the meeting.

243 **2.02.040: OPEN MEETINGS LAW**

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

247 **2.02.050: NOTICE OF MEETINGS**

248 The City shall give public notice at least once each year of its annual meeting
249 schedule and shall give not less than twenty-four (24) hours public notice of the
250 agenda, date, time and place of each of its meetings, other than emergency
251 meetings, in accordance with this title and Utah Code ~~Ann. § 52-4-6, as-~~
252 ~~amended.~~

253 **2.02.060: AGENDA**

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

257 **2.02.070: MINUTES**

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

260 **2.02.080: MAYOR PRESIDES**

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

266 **2.02.090: QUORUM**

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

- 271 **2.02.100: VOTING**
- 272 1. How Taken. A roll call vote shall be taken and recorded for all ordinances,
273 resolutions, and any action which would create a liability against the city and
274 in any other case at the request of any member of the City Council by a “yes”
275 or a “no” vote. Every resolution or ordinance shall be in writing before the
276 vote is taken.
- 277 2. Number Required. The minimum number of “yes” votes required to pass any
278 ordinance, resolution, or to take any action by the Governing Body, unless
279 otherwise prescribed by law, shall be three (3). Any ordinance, resolution, or
280 motion of the Governing Body having fewer favorable votes than required
281 herein shall be deemed defeated and invalid; except in the following: fewer
282 votes may compel attendance of absentees, may adjourn a meeting from
283 time to time, and may fill a vacancy in the Governing Body.
- 284 3. Mayor Voting. The Mayor shall not vote at meetings of the City Council,
285 except in case of a tie vote of the City Council, the appointment or dismissal
286 of the City Manager, or as otherwise provided by law. Furthermore, the
287 Mayor shall have no power to veto any act of the City Council unless
288 otherwise specifically authorized by statute.

289 **2.02.110: RECONSIDERATION**

290 Any action taken by the City Council shall not be reconsidered or rescinded at
291 any special meeting unless the number of members of the City Council present
292 at the special meeting is equal to or greater than the number of members present
293 at the meeting when the action was approved.

294 **2.02.120: RULES OF PROCEDURE**

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

300 **2.02.130: COUNCIL ADVISORY COMMITTEES**

301 The City Council may from time to time create subcommittees titled Council
302 Advisory Committees to advise the City Council as a whole on issues affecting
303 the City.

304 **2.02.140: ATTENDANCE**

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

308 **2.02.150: DISORDERLY CONDUCT**

309 The City Council may fine or expel any of its members for disorderly conduct
310 upon an affirmative majority vote of those members present. The City Council

311 may also, upon an affirmative majority vote of those members present, expel any
312 person who is disorderly during any regular, study, or special meeting of the City
313 Council.

314 **2.02.160: REQUIRED ATTENDANCE OF WITNESSES AND PRODUCTION OF**
315 **EVIDENCE**

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

322 **2.02.170: RECORDS OPEN TO INSPECTION**

323 All records, books, papers, and documents belonging to any office of the City
324 shall be open at any reasonable time to inspection by any member of the
325 Council except as otherwise prohibited by law. A majority of the City Council
326 may require any officer of the City, at any reasonable time, to prepare and
327 provide a report in detail of all transactions in his office or any matters
328 connected therewith.

329 **2.02.180: ADDITIONAL DUTIES AND POWERS MAY BE PRESCRIBED**

330 The duties, powers and privileges of all appointed officers in any way
331 connected with the City government not herein defined may be prescribed by
332 the City Council.

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CHAPTER 3
MAYOR

- 2.03.010 Functions and Duties
- 2.03.020 Presiding Officer
- 2.03.030 ~~Mayor Pro Tempore~~Records Open to Inspection
- 2.03.040 ~~Intergovernmental Cooperation~~Mayor Pro Tempore
- 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~~

1. The Mayor shall ~~have the power and duty to:~~

- ~~4-a.~~ Enforce the laws and ordinances of the city;
- ~~2-b.~~ Execute the policies adopted by the City Council;
- ~~c.~~ 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;
- ~~d.~~ 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;

2. The Mayor may:

- ~~3-a.~~ 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-b.~~ 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-c.~~ Appoint, with the advice and consent of the City Council, a

372 qualified person to each appointed office deemed necessary for
373 good government;

374 ~~7. Furnish, or cause to be furnished, the City Council with a report,~~
375 ~~periodically or as determined by ordinance, setting forth the amounts of~~
376 ~~all budget appropriations, the total disbursements to date from these~~
377 ~~appropriations, and the amount of indebtedness incurred or contracted~~
378 ~~against each appropriation (including disbursements and indebtedness~~
379 ~~incurred and not paid) and the percentage of the appropriations~~
380 ~~encumbered to date, which reports shall be made available for public~~
381 ~~inspections;~~

382 ~~8.c.~~ Execute agreements within certified budget appropriations on behalf of
383 the city, or delegate by written executive order the power to execute such
384 agreements to executive officials, subject to the procedure described in
385 Utah Code ~~Annotated, section 10-6-138;~~

386 ~~9.d.~~ When necessary, call on the residents of the city over the age of
387 twenty one (21) years to assist in enforcing the laws of the state and
388 ordinances of the city and may exercise within the City limits the power to
389 suppress disorder and keep the peace as allowed by statute and the
390 Constitutions of Utah and the United States; and

391 ~~10.e.~~ Perform such other duties as may be prescribed by this title or may
392 be required by ordinance consistent with a six member council.

393 **2.03.020: PRESIDING OFFICER**

394 The Mayor shall be the Chief Executive Officer and preside at the meetings of the
395 City Council. However, the Mayor shall not vote at meetings of the City Council,
396 except in case of a tie vote of the City Council, the appointment or dismissal of
397 the City Manager, or as otherwise provided by law. Furthermore, the Mayor shall
398 have no power to veto any act of the City Council unless otherwise specifically
399 authorized by statute.

400 **2.03.030: RECORDS OPEN TO INSPECTION**

401 All records, books, papers, and documents belonging to any office of the City
402 shall be open at any reasonable time to inspection by the Mayor except as
403 otherwise prohibited by law. The Mayor may require any officer of the City, at
404 any reasonable time, to prepare and provide a report in detail of all
405 transactions in his office or any matters connected therewith.
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407 **2.03.~~030~~040: MAYOR PRO TEMPORE**

408 The City Council shall annually elect the Mayor Pro Tempore and two additional
409 persons, in specific order of succession, as emergency interim successors to act
410 in the absence of the Mayor. In the absence of the Mayor or because of his
411 inability or refusal to act, the Mayor Pro Tempore shall preside over the meeting
412 and shall possess the powers and duties of Mayor. Any member of the City
413 Council elected as Mayor Pro Tempore shall retain his power and authority as a
414 member of the City Council and shall be entitled to vote as a member of the City
415 Council on all matters.

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CHAPTER 4
CITY MANAGER

- 2.04.010** **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~~ **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~~ **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~~ **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~~ **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~~ **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.

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CHAPTER 5

500

APPOINTED OFFICES

- 501 **2.05.010** **Appointed Offices**
- 502 **2.05.020** **Appointment and Vacancies**
- 503 **2.05.030** **Bond**
- 504 **2.05.040** **Salaries**
- 505 **2.05.050** **Transfer of Records**
- 506 **2.05.060** **Conflicts of Interests**
- 507 **2.05.070** **City Recorder**
- 508 **2.05.080** **City Treasurer**
- 509 **2.05.090** **City Chief of Police**

510 **2.05.010:** **APPOINTED OFFICES**

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

516 **2.05.020:** **APPOINTMENT AND VACANCIES**

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

523 **2.05.030:** **BOND**

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

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

535 3. Filed. All bonds shall be filed with the City Recorder, except the City
536 Recorder's bond, which shall be filed with the City Treasurer.
537

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

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

543 **2.05.040: SALARIES**

544 1. Salary. Appointed officers shall receive such compensation for their services
545 as the City Council may fix or amend by ordinance in accordance with notice
546 and hearing requirements set forth in Utah Code ~~Annotated, section 10-3-~~
547 ~~818, as amended.~~

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

550 **2.05.050: TRANSFER OF RECORDS**

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

554 **2.05.060: CONFLICTS OF INTERESTS**

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

559 **2.05.070: CITY RECORDER**

560

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

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

566

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

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

573

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

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

- 579 7. Elections and Appointments. The City Recorder shall manage all municipal
580 election procedures and requirements as provided in the *Utah Code*
581 *Annotated*, as amended, and shall keep a record of all persons elected or
582 appointed to any office within the City, including the date of appointment or
583 election, term of office, date of death, resignation, or removal, and name of
584 person appointed to fill any vacancy.
- 585 8. Records of the City. The City Recorder shall keep all of the books, records,
586 accounts and documents of the City at the Recorder's Office. Such records
587 shall be open for public inspection pursuant to the provisions of the Utah
588 Government Records Access and Management Act.
589
- 590 9. Limitations. The City Recorder shall not serve as the City Treasurer.
- 591 10. Additional Duties. The City Recorder shall perform such other and further
592 duties as the City Council may provide by ordinance, resolution, or
593 regulation..

594 **2.05.080: CITY TREASURER**

- 595 1. Appointment. On or before the first Monday in February following a municipal
596 election, the Mayor, with the advice and consent of the City Council, shall
597 appoint a qualified person to the office of City Treasurer.
- 598 2. Custodian. The City Treasurer shall be the custodian of all money, bonds, or
599 other securities belonging to the City.
- 600 3. Collections. The City Treasurer shall collect and receive all monies payable
601 to the City, including taxes, assessments, licenses, fines, forfeitures, service
602 charges, fees and other revenues of the City. The City Treasurer shall keep
603 an accurate account of all monies received hereunder and shall promptly
604 deposit all such monies in the appropriate bank accounts of the City.
- 605 4. Receipts. The City Treasurer shall give or cause to be given to every person
606 paying money to the City Treasury, a receipt or other evidence of payment
607 therefore, specifying the date of payment and the amount paid. The City
608 Treasurer shall file the duplicate of such receipt, a summary report, or other
609 evidence of payment in the office of the City Recorder.
- 610 5. Checks. The City Treasurer, or other designated person, shall sign all checks
611 and shall, prior to affixing said signature, determine or cause to be
612 determined that sufficient funds are on deposit in the appropriate bank
613 account of the City to honor such check.
614
- 615 6. Warrants. The City Treasurer shall pay all warrants in the order in which
616 presented and as money becomes available for payment thereof in the
617 appropriate funds of the City. The City Treasurer shall note upon the back of
618 each warrant presented the date of presentation and the date of payment.
- 619 7. Special Assessments. All monies received by the City Treasurer on any
620 special assessment shall be applied to the payment of the improvement for
621 which the assessment was made.

- 622 8. Accounting. The City Treasurer shall keep an accurate and detailed
- 623 accounting of all transactions, receipts, collections, disbursements and other
- 624 matters within the Treasurer's charge as provided by State law or as the City
- 625 may by ordinance or resolution direct.
- 626 9. Limitations. The City Treasurer shall not serve as the City Recorder.
- 627 10. Additional Duties. The City Treasurer shall perform such other and further
- 628 duties as the City Council may provide by ordinance, resolution, or
- 629 regulation.

630 **2.05.090: CITY POLICE CHIEF**

631

- 632 1. Appointment. On or before the first Monday in February following a municipal
- 633 election, the Mayor, with the advice and consent of the City Council, shall
- 634 appoint a qualified person to the office of City Police Chief.
- 635 2. Duties. The Police Chief shall have the same authority and responsibilities as
- 636 sheriffs and constables of Davis County, Utah, pursuant to provisions of Utah
- 637 Code ~~Annotated §10-3-913,, or its successor section,,~~ and shall:
 - 638 a. suppress riots, disturbances, and breaches of the peace;
 - 639 b. apprehend all persons violating State laws or City ordinances;
 - 640 c. diligently discharge his or her duties and enforce all ordinances of
 - 641 the City to preserve the peace, good order, and protection of the
 - 642 rights and property of all persons; attend the municipal Justice Court
 - 643 of the City when required, provide security for such Court, and obey
 - 644 its orders and directions; and
 - 645 d. Additional Duties. The City Police Chief shall perform such other and
 - 646 further duties as the City Council may provide by ordinance,
 - 647 resolution, or regulation.
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CHAPTER 6

650

DEPARTMENT ORGANIZATION

- 651 **2.06.010** **City Finance Director**
- 652 **2.06.020** **City Engineer**
- 653 **2.06.030** **City Public Works Director**
- 654 **2.06.040** **City Attorney**
- 655 **2.06.050** **City Justice Court Judge**
- 656 **2.06.060** **City Recreation Director**
- 657 **2.06.070** **City Fire Chief**
- 658 **2.06.080** **Community and Economic Development Director**
- 659 **2.06.090** **Information Technology Director**

660 **2.06.010: CITY FINANCE DIRECTOR**

- 661 1. Position Created. The position of Finance Director is hereby created
- 662 pursuant to Utah Code ~~Annotated, Section 10-6-157, as amended (1953).~~
- 663 2. Accounts and Payment of Claims. The Finance Director shall maintain or
- 664 cause to be maintained the general books for each fund of the City and all
- 665 subsidiary and detailed records relating thereto, including a list of outstanding
- 666 bonds, for what purpose, when and where payable, and the rate of interest
- 667 they respectively bear, together with the amount of each outstanding. The
- 668 Director shall keep accounts with all receiving and disbursing officers of the
- 669 City, shall pre-audit all claims and demands against the City before they are
- 670 allowed, and shall prepare checks in payment thereof to be drawn on the
- 671 appropriate bank accounts of the City. The Director shall certify on the check
- 672 or voucher copy of the check that he has pre-audited the claim, that it is true
- 673 and correct, that it is within the lawful debt limit of the City, that it does not
- 674 over expend the appropriate departmental budget and that the claim has
- 675 been approved by the City Council. The Director shall also state the date of
- 676 approval.
- 677 3. Ex Officio Auditor. The Finance Director shall be the ex officio auditor of
- 678 Syracuse City and shall perform the duties of such office without extra
- 679 compensation.
- 680 4. Financial Statements. The Finance Director or other delegated person shall
- 681 prepare and present to the City Council the following financial statements:
- 682 a. As of the end of each month, a summary of cash receipts and
- 683 disbursements by funds or appropriate groups of funds, showing in
- 684 total, the beginning cash and invested balances, the receipts and
- 685 disbursements separately for the period, and cash and invested
- 686 balances in each fund or groups of funds at the end of the period.
- 687 b. As of the end of such period as the City Council may direct, but not
- 688 less often than once each quarter, a statement of revenues and
- 689 expenditures and comparison with the budget of the general fund.
- 690 c. An annual statement of income and expense of each utility fund,

735 and the holder of such records shall ensure public accessibility to the same
736 as required by law.

737 3. Recording. The City Engineer shall record and file all drawings and
738 documents pertaining to public lands and improvements of the City, and shall
739 maintain such records and files in good condition allowing no alteration,
740 mutilation or changes to be made. The recording or filing of any drawing or
741 instrument with the City shall not conflict in any way with the recording or
742 filing of the same in other offices of record.

743 4. Fees. The City Engineer shall not record any drawings or instruments, file
744 any papers or notices, furnish any copies, or render any service connected
745 with his official duties, until the required fees for the same are paid or
746 tendered.

747 5. Seal. The City Engineer shall have a seal for his use, which seal shall be
748 affixed to every certification approval.

749 6. Additional Duties. The City Engineer shall perform such other and further
750 duties as the City Council may provide by ordinance, resolution, or
751 regulation.

752 **2.06.030: CITY PUBLIC WORKS DIRECTOR**

753 1. Position Created. There is hereby created the position of Public Works
754 Director who shall act as the Department Head of the Public Works
755 Department.

756 2. Duties. The Public Works Director shall have such powers and duties as
757 designated and assigned to him by the City Council.

758 **2.06.040: CITY ATTORNEY**

759 1. Appointment. The City may contract with, retain, or appoint an attorney
760 licensed to practice law in the State of Utah to the office of City Attorney to
761 provide such legal assistance to the City as may be necessary.

762 2. Duties. The City Attorney shall act as legal advisor to the City in all matters
763 pertaining to contracts with or by the City or questions of legality arising out
764 of any law, ordinance or otherwise, and shall advise all City officers in
765 relation to their official duties. It shall be the duty of the Attorney to appear
766 and represent the City in all suits that may be brought in any court of
767 record or otherwise, in which the City may be plaintiff or defendant, or in
768 any manner interested, and to prosecute or defend such suit and protect
769 the interests of the City as the circumstances require.

770 3. Criminal Prosecutor. The City may ~~make a separate contract with a contract~~
771 with, retain, or appoint a separate attorney or attorneys for the performance
772 of criminal prosecutorial legal services.

773 **2.06.050: CITY JUSTICE COURT JUDGE**

774 1. Appointment. The office of City Justice Court Judge is hereby created, who

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shall act as the Justice Court Judge of the Syracuse City Justice Court. In case of a vacancy, the Davis County Justice Court Nominating Commission shall submit at least two names of applicants to the City. The Mayor shall appoint a judge from the list of submitted names, subject to ratification by the City Council. ~~The Justice Court Judge shall be appointed and shall have such powers and duties as set forth in Title 4~~

~~of this Syracuse Municipal Code and as otherwise designated or assigned to him by the City Council.~~

2. Term/Retention. The Justice Court Judge is subject to an unopposed retention election at the first general election held more than three years after the judge was appointed. The term of a judge is six years beginning the first Monday in January following the date of election. If the judge wishes to retain office, in the years of a retention election he shall file a declaration of candidacy with the Davis County Clerk. If the judge does not receive more yes votes than no votes, the judge is not retained, and a vacancy exists in the office on the first Monday in January after the regular general election.

3. Duties. The Justice Court Judge shall preside as judge over all cases within the jurisdiction of the Syracuse City Justice Court. He shall comply with and ensure that court personnel comply with applicable city rules and regulations related to personnel, budgets, and other administrative functions. Failure by the judge to comply with applicable administrative rules and regulations may be referred by the City Council to the state Justice Court Administrator. Repeated or willful noncompliance may be referred by the City Council to the Judicial Conduct Commission.

804 **2.06.060: RECREATION DIRECTOR**

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

807 **2.06.070: CITY FIRE CHIEF**

808 1. Appointment. ~~On or before the first Monday in February following a~~
809 ~~municipal mayoral election, there~~There shall be appointed by the Mayor,
810 with the advice and consent of the City Council, a City Fire Chief who shall
811 perform the duties required of him by law, and shall perform such other
812 duties as the City Council may require.

813 2. Duties. The duty of extinguishing fires and of protecting life and property
814 within the city is entrusted to the Chief of the Fire Department. He may make
815 suitable regulations under which the officers and the members of the
816 department shall be required to wear an appropriate uniform or badge by
817 which, in case of fire and at other times, their authority and position in the fire
818 department may be known. The Chief shall have sole and entire command
819 over all officers and members of the department at fires. He shall have full
820 charge at all times of all apparatus and appurtenances belonging to the
821 department, and he shall adopt such measures as deemed expedient for the
822 extinguishment of fire, protection of property, observance of the laws of the
823 state, and duties required of him by law and the ordinances of the city. It
824 shall be the duty of the Fire Chief to examine the condition of all buildings
825 and to inspect engines, hoses, and hoods, and ladder equipment of the city
826 fire department. It shall further be the duty of the Fire Chief to see that at all
827 times the provisions of the ordinances relating to the protection and
828 regulation of the property are strictly enforced, and to enforce all ordinances
829 concerning the prevention and protection against fires.

830 3. Additional Duties. The City Fire Chief shall perform such other and further
831 duties as the City Council may provide by ordinance, resolution, or
832 regulation.

833 **2.06.080: COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR**

834 The Community and Economic Development Director is responsible for
835 administering and enforcing the City's planning, zoning ordinances,
836 reviewing, proposing changes to and implementing the general plan, and
837 other land use policies of the City, including the activities of the Planning
838 Commission, Economic Development and Redevelopment Agency. The
839 director is responsible for overseeing subordinate employees including the
840 Code Enforcement Officer, Business License Clerk, and other clerical
841 support staff.

842 **2.06.090: INFORMATION TECHNOLOGY DIRECTOR**

843 The Information Technology Director is responsible for the overall
844 planning, organizing, and execution of all information technology
845 functions at Syracuse, including directing all information technology
846 operations to meet city requirements, supporting and maintaining

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existing applications and development of new technical solutions.

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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:~~

884 ~~(I) campaign contributions, including in-kind and~~
885 ~~other non-monetary contributions, received~~
886 ~~before the close of the reporting date; and~~
887 ~~(II) campaign expenditures made through the~~
888 ~~close of the reporting date; and~~

889 ~~(B) identify:~~

890 ~~(I) for each contribution that exceeds the~~
891 ~~reporting limit, the amount of the contribution~~
892 ~~and the name of the donor;~~

893 ~~(II) the aggregate total of all contributions that~~
894 ~~individually do not exceed the reporting limit;~~
895 ~~and~~

896 ~~(III) for each campaign expenditure, the amount~~
897 ~~of the expenditure and the name of the recipient~~
898 ~~of the expenditure; or~~

899 ~~(ii) report the total amount of all campaign contributions and~~
900 ~~expenditures if the candidate receives \$500 or less in campaign~~
901 ~~contributions and spends \$500 or less on the candidate's~~
902 ~~campaign.~~

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

906 ~~(a) the provisions this ordinance governing the disclosure of campaign~~
907 ~~contributions and expenditures;~~

908 ~~(b) the dates when the candidate's campaign finance statement is~~
909 ~~required to be filed; and~~

910 ~~(c) the penalties that apply for failure to file a timely campaign finance~~
911 ~~statement, including the statutory provision that requires removal of the~~
912 ~~candidate's name from the ballot for failure to file the required campaign~~
913 ~~finance statement when required.~~

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

916 ~~(a) make each campaign finance statement filed by a candidate available~~
917 ~~for public inspection and copying no later than one business day after the~~
918 ~~statement is filed; and~~

919 ~~(b) make the campaign finance statement filed by a candidate available~~
920 ~~for public inspection by:~~

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

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

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

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

~~(i) shall:~~

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

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

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

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

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

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

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

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

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

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1. As used in this section:
 - a. "Reporting date" means:
 - i. 10 days before a general election, for a campaign finance statement required to be filed no later than seven days before a general election; and
 - ii. the day of filing, for a campaign finance statement required to be filed no later than 30 days after a primary or general election.
 - b. "Reporting limit" means \$50 for each calendar year:
 2. a.
 - i. Each candidate for city office:
 - (A) shall deposit a campaign contribution in a separate campaign account in a financial institution; and
 - (B) may not deposit or mingle any campaign contributions received into a personal or business account.
 - ii. Each candidate for city office who is not eliminated at a primary election shall file with the recorder a campaign finance statement:
 - (A) no later than seven days before the date of the general election; and
 - (B) no later than 30 days after the date of the general election.
 - iii. Each candidate for city office who is eliminated at a primary election shall file with the recorder a campaign finance statement no later than 30 days after the date of the primary election.
 - b. Each campaign finance statement under Subsection (2)(a) shall:
 - i. except as provided in Subsection 2.b.ii.:
 - (A) report all of the candidate's itemized and total:
 - (1) campaign contributions, including in-kind and other nonmonetary contributions, received before the close of the reporting date; and
 - (2) campaign expenditures made through the close of the reporting date; and
 - (B) identify:
 - (1) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;
 - (2) the aggregate total of all contributions that individually do not exceed the reporting limit; and
 - (3) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or
 - ii. report the total amount of all campaign contributions and expenditures if the candidate receives \$500 or less in campaign contributions and spends \$500 or less on the candidate's campaign.
3. a. As used in this Subsection 3, "account" means an account in a financial institution:
 - i. that is not described in Subsection 2.a.i.(A); and
 - ii. into which or from which a person who, as a candidate for an office, other than a city office for which the person files a declaration of candidacy or federal office, or as a holder of an office, other than a city office for which the person files a declaration of candidacy or federal office, deposits a contribution or makes an expenditure.
- b. A city office candidate shall include on any campaign finance

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- statement filed in accordance with this section:
- i. a contribution deposited in an account:
 - (A) since the last campaign finance statement was filed; or
 - (B) that has not been reported under a statute or ordinance that governs the account; or
 - ii. an expenditure made from an account:
 - (A) since the last campaign finance statement was filed; or
 - (B) that has not been reported under a statute or ordinance that governs the account.
4. The recorder shall, at the time the candidate for city office files a declaration of candidacy, and again 14 days before each general election, notify the candidate in writing of:
- a. the provisions of statute or municipal ordinance governing the disclosure of campaign contributions and expenditures;
 - b. the dates when the candidate's campaign finance statement is required to be filed; and
 - c. the penalties that apply for failure to file a timely campaign finance statement, including the statutory provision that requires removal of the candidate's name from the ballot for failure to file the required campaign finance statement when required.
5. Notwithstanding any provision of the Government Records Access and Management Act, the recorder shall:
- a. make each campaign finance statement filed by a candidate available for public inspection and copying no later than one business day after the statement is filed; and
 - b. make the campaign finance statement filed by a candidate available for public inspection by:
 - i.
 - (A) posting an electronic copy or the contents of the statement on the city's website no later than seven business days after the statement is filed; and
 - (B) verifying that the address of the city's website has been provided to the lieutenant governor in order to meet the requirements of state election code; or
 - ii. submitting a copy of the statement to the lieutenant governor for posting on the website established by the lieutenant governor under state election code no later than two business days after the statement is filed.
- 6.
- a. If a candidate fails to file a campaign finance statement before the city general election by the deadline specified in Subsection 2.a.ii.(A), the recorder shall inform the appropriate election official who:
 - i. shall:
 - (A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or
 - (B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and
 - ii. may not count any votes for that candidate.
 - b. Notwithstanding Subsection 6.a. a candidate who files a campaign finance statement seven days before a city general election is not disqualified if:

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- i. the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and
 - ii. the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
- 7. A campaign finance statement required under this section is considered filed if it is received in the recorder's office by 5 p.m. on the date that is it due.
- 8.
 - a. A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.
 - a-b. In a civil action under Subsection 8.a., the court may award costs and attorney fees to the prevailing party.

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CHAPTER 7

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GOVERNMENT RECORDS

1089 **2.07.010**

General

1090 **2.07.020**

Retention Schedule

1091 **2.07.030**

Records requests

1092 **2.07.040**

Fees

1093 **2.07.050**

Fee Waiver

1094 **2.07.060**

Appeals

1095 **2.07.010:**

GENERAL

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

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1099 **2.07.020:**

RETENTION SCHEDULE

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

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1103 **2.07.030:**

RECORDS REQUESTS

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

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1108 **2.07.040:**

FEES

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

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1120 **2.07.050:**

FEE WAIVER

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

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

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1125 2. the individual requesting the record is the subject of the record, or an
1126 individual specified in Subsections 63-2-202(1) or (2) of the Act; or

1127 3. the requester's legal rights are directly implicated by the information
1128 in the record and the requester is impecunious.

1129 **2.07.060: APPEALS**

1130 Any person aggrieved by the City's access determination made or fees imposed
1131 under this Chapter may appeal the determination, or fee assessed, within thirty
1132 (30) days to the Mayor in accordance with the provisions set forth in Utah Code-
1133 ~~Ann. § 63-2-401, as amended.~~

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TITLE II (Version B)

ADMINISTRATIVE AND PERSONNEL

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 Intragovernmental 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
- 2.02.170 Records Open to Inspection
- 2.02.180 Additional Duties and Powers may be Prescribed

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- 2.04.040 Powers of Mayor Not Delegated
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54	2.06.030	City Public Works Director
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56	2.06.050	City Justice Court Judge
57	2.06.060	City Recreation Director
58	2.06.070	City Fire Chief
59	2.06.080	Community and Economic Development Director
60	2.06.090	Information Technology Director
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68	2.08.050	Fee Waiver
69	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 Intragovernmental 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: INTRAGOVERNMENTAL COOPERATION

1. Information to City Council: 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 to the extent it is reasonable in nature and aids the City Council in fulfilling its 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.

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CHAPTER 2

108

CITY COUNCIL

- 109 **2.02.010 Powers and Duties**
- 110 **2.02.020 Vacancy in Office**
- 111 **2.02.030 Meetings**
- 112 **2.02.040 Open Meetings Law**
- 113 **2.02.050 Notice of Meetings**
- 114 **2.02.060 Agenda**
- 115 **2.02.070 Minutes**
- 116 **2.02.080 Mayor Presides**
- 117 **2.02.090 Quorum**
- 118 **2.02.100 Voting**
- 119 **2.02.110 Reconsideration**
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- 122 **2.02.140 Attendance**
- 123 **2.02.150 Disorderly Conduct**
- 124 **2.02.160 Required Attendance of Witnesses and Production of Evidence**
- 125 **2.02.170 Records Open to Inspection**
- 126 **2.02.180 Additional Duties and Powers may be Prescribed**

127 **2.02.010: POWERS AND DUTIES**

128 The City Council:

- 129 1. is the legislative body of the municipality and exercises the legislative
- 130 powers and performs the legislative duties and functions of the
- 131 municipality; and
- 132 2. may:
 - 133 (a) pass all ordinances and rules, and make all regulations, not
 - 134 repugnant to law, necessary for carrying into effect or
 - 135 discharging all powers and duties conferred by law, and as are
 - 136 necessary and proper to provide for the safety and preserve the
 - 137 health, and promote the prosperity, improve the morals, peace
 - 138 and good order, comfort, and convenience of the city and its
 - 139 inhabitants, and for the protection of property in the city.;
 - 140 (b) prescribe by resolution additional duties, powers, and responsibilities
 - 141 for any elected or appointed municipal official, unless prohibited by
 - 142 statute;
 - 143 (c) require by ordinance that any or all appointed officers reside in the
 - 144 municipality;
 - 145 (d) provide for filling a vacancy in an elective or appointive office;
 - 146 (e) take any action allowed under Utah Code; and

147 (f) perform any function specifically provided for by statute or
148 necessarily implied by law.

149 **2.02.020: MID-TERM VACANCY IN OFFICE**

150 Mid-term City Council vacancies shall be filled as provided in Utah Code
151 .

152 **2.02.030: MEETINGS**

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

156 2. Emergency Meetings. If, because of unforeseen circumstances it is necessary
157 for the City Council to hold an emergency meeting to consider matters of an
158 emergency or urgent nature, an emergency meeting may be held after an
159 attempt has been made to notify all members of the Governing Body and a
160 majority of the members of the Governing Body approve the meeting,

161 a. Notice of Emergency Meetings. At least three hours' notice of the
162 emergency meeting shall be provided in accordance with the provisions of
163 Utah Code. The Governing Body shall give the best notice practicable of
164 the time and place of the emergency meeting and the topics to be
165 considered at the emergency meeting. The City Recorder shall also serve
166 such notice on each council member who did not approve the meeting,
167 either through personal service or by leaving it at the member's usual
168 place of abode. The order of the emergency meeting shall be entered into
169 the minutes of the City Council. The personal appearance by a council
170 member at an emergency meeting constitutes a waiver of the required
171 notice.

172 3. Closed Meetings. The affirmative vote of at least two-thirds of the
173 Governing Body present at an open meeting for which notice is given and a
174 quorum is present may call a closed meeting to discuss certain items as
175 provided under Utah Code. The reason or reasons for holding a closed
176 meeting and the vote, either for or against the proposition to hold such a
177 meeting, cast by each member, by name, shall be entered on the minutes of
178 the meeting. No ordinance, resolution, rule, regulation, contract, or
179 appointment shall be approved at a closed meeting.

180 4. Electronic Meetings.

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

182 i. "Anchor location" means the physical location from which the
183 electronic meeting originates or from which the participants
184 are connected.

185 ii. "Electronic meeting" means a City Council meeting
186 convened or conducted by means of a conference using
187 electronic communications.=

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

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- iv. "Monitor" means to hear or observe, live, by audio or video equipment, all of the public statements of each member of the City Council who is participating in a meeting.
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- v. "Participate" means the ability to communicate with all of the members of the City Council, either verbally or electronically, so that each member of the City Council can hear or observe the communication.
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- vi. "Public hearing" means a portion of a meeting at which comments from the public will be accepted.
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- vii. "Public statement" means a statement made in the ordinary course of business of the City Council with the intent that all other members of the City Council receive it.
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- b. Procedures. The City Council may, by following the procedures and requirements of this Ordinance, convene and conduct an electronic meeting. The City Council convening or conducting an electronic meeting shall:
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- i. Give public notice of the meeting pursuant to Utah Code by posting written notice at the anchor location; and
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- ii. Providing written or electronic notice to at least one newspaper of general circulation within the state; and a local media correspondent;
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- c. In addition to giving public notice required by Subsection (i), provide:
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- i. Notice of the electronic meeting to the members of the City Council at least 24 hours before the meeting so that they may participate in and be counted as present for all purposes, including the determination that a quorum is present; and
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- ii. A description of how the members will be connected to the electronic meeting.
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- d. Electronic Meeting General. The procedures to be followed at the electronic meeting shall be the same as those followed by the City Council in a non-electronic open and public meeting of the City Council. The Mayor, or Mayor Pro-tempore, shall conduct the meeting and the meeting shall be held pursuant to the agenda posted for that meeting. Prior to commencing the electronic meeting, an electronic link shall be established with all participants and the anchor location. Minutes shall be kept for the meeting in accordance with the requirements of the Open Meetings Law. Following passage of a motion to adjourn, the electronic link shall be terminated and the meeting shall be deemed concluded. If the meeting is a public hearing, space and facilities will be provided at the anchor location so that interested persons and the public may attend, monitor and participate in the open portions of the meeting.

232 **2.02.040: OPEN MEETINGS LAW**

233 All meetings of the City Council shall be open to the public, except closed
234 meetings, and shall be conducted in accordance with the Open and Public
235 Meetings Act as set forth in Utah Code.

236 **2.02.050: NOTICE OF MEETINGS**

237 The City shall give public notice at least once each year of its annual meeting
238 schedule and shall give not less than twenty-four (24) hours public notice of the
239 agenda, date, time and place of each of its meetings, other than emergency
240 meetings, in accordance with this title and Utah Code.

241 **2.02.060: AGENDA**

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

245 **2.02.070: MINUTES**

246 Written minutes shall be kept of all meetings of the City Council in accordance
247 with the provisions set forth in Utah Code.

248 **2.02.080: MAYOR PRESIDES**

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

254 **2.02.090: QUORUM**

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

259 **2.02.100: VOTING**

260 1. How Taken. A roll call vote shall be taken and recorded for all ordinances,
261 resolutions, and any action which would create a liability against the city and
262 in any other case at the request of any member of the City Council by a "yes"
263 or a "no" vote. Every resolution or ordinance shall be in writing before the
264 vote is taken.

265 2. Number Required. The minimum number of "yes" votes required to pass any
266 ordinance, resolution, or to take any action by the Governing Body, unless
267 otherwise prescribed by law, shall be three (3). Any ordinance, resolution, or
268 motion of the Governing Body having fewer favorable votes than required
269 herein shall be deemed defeated and invalid; except in the following: fewer
270 votes may compel attendance of absentees, may adjourn a meeting from

271 time to time, and may fill a vacancy in the Governing Body.

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

277 **2.02.110: RECONSIDERATION**

278 Any action taken by the City Council shall not be reconsidered or rescinded at
 279 any special meeting unless the number of members of the City Council present
 280 at the special meeting is equal to or greater than the number of members present
 281 at the meeting when the action was approved.

282 **2.02.120: RULES OF PROCEDURE**

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

288 **2.02.130: COUNCIL ADVISORY COMMITTEES**

289 The City Council may from time to time create subcommittees titled Council
 290 Advisory Committees to advise the City Council as a whole on issues affecting
 291 the City.

292 **2.02.140: ATTENDANCE**

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

296 **2.02.150: DISORDERLY CONDUCT**

297 The City Council may fine or expel any of its members for disorderly conduct
 298 upon an affirmative majority vote of those members present. The City Council
 299 may also, upon an affirmative majority vote of those members present, expel any
 300 person who is disorderly during any regular, study, or special meeting of the City
 301 Council.

302 **2.02.160: REQUIRED ATTENDANCE OF WITNESSES AND PRODUCTION OF**
 303 **EVIDENCE**

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

310 **2.02.170: RECORDS OPEN TO INSPECTION**

311 All records, books, papers, and documents belonging to any office of the City
312 shall be open at any reasonable time to inspection by any member of the
313 Council except as otherwise prohibited by law. A majority of the City Council
314 may require any officer of the City, at any reasonable time, to prepare and
315 provide a report in detail of all transactions in his office or any matters
316 connected therewith.

317 **2.02.180: ADDITIONAL DUTIES AND POWERS MAY BE PRESCRIBED**

318 The duties, powers and privileges of all appointed officers in any way
319 connected with the City government not herein defined may be prescribed by
320 the City Council.

321 **CHAPTER 3**

322 **MAYOR**

- 323 **2.03.010 Functions and Duties**
- 324 **2.03.020 Presiding Officer**
- 325 **2.03.030 Records Open to Inspection**
- 326 **2.03.040 Mayor Pro Tempore**
- 327 **2.03.050 Vacancy in Office**
- 328 **2.03.060 Restrictions**

329 **2.03.010: FUNCTIONS AND DUTIES**

330 In accordance with Utah Code, the Mayor shall be the Chief Executive and
331 Administrative Officer of the city.

- 332 1. The Mayor shall:
- 333 a. Enforce the laws and ordinances of the city;
 - 334 b. ~~Execute the policies adopted by the City Council; Ensure that all~~
335 applicable statutes and municipal ordinances and resolutions are faithfully
336 executed and observed;
 - 337 c. ~~Attend all meetings of the City Council with the right to take part in all~~
338 ~~discussions and the responsibility to inform the City Council of the~~
339 ~~condition and needs of the municipality, and make recommendations~~
340 ~~and freely give advice to the City Council;~~
 - 341 d. ~~Furnish, or cause to be furnished, the City Council with a report,~~
342 ~~periodically or as determined by ordinance, setting forth the amounts of~~
343 ~~all budget appropriations, the total disbursements to date from these~~
344 ~~appropriations, and the amount of indebtedness incurred or contracted~~
345 ~~against each appropriation (including disbursements and indebtedness~~
346 ~~incurred and not paid) and the percentage of the appropriations~~
347 ~~encumbered to date, which reports shall be made available for public~~
348 ~~inspections~~From time to time report to the Council the condition and
349 needs of the City;

- 350 e. Report to the council any remitted fine or forfeiture granted under
- 351 Subsection 2.c.;
- 352 f. Report to the council any release granted under Subsection 2.d.;
- 353 g. Perform all duties prescribed by statute or municipal ordinance or
- 354 resolution;
- 355 h. Recommend for council consideration any measure that the mayor
- 356 considers to be in the best interests of the city; and
- 357 2. The Mayor may:
 - 358 a. Appoint and remove the City Manager, department heads, commission,
 - 359 board and committee members with the advice and consent of the City
 - 360 Council, except as may otherwise be specifically limited by law;
 - 361 b. Remit fines and forfeitures;
 - 362 c. Release a person imprisoned for violation of a municipal ordinance;
 - 363 d. Appoint or act as the budget officer for the purpose of fulfilling the
 - 364 requirements of the Uniform Municipal Fiscal Procedures Act for Utah
 - 365 cities;
 - 366 e.e. Appoint, with the advice and consent of the City Council, a
 - 367 qualified person to each appointed office deemed necessary for
 - 368 good government;
 - 369 e.f. Execute agreements within certified budget appropriations on behalf of
 - 370 the city, or delegate by written executive order the power to execute such
 - 371 agreements to executive officials, subject to the procedure described in
 - 372 Utah Code; and
 - 373 dg. When necessary, call on the male residents of the city over the age of
 - 374 twenty one (21) years to assist in enforcing the laws of the state and
 - 375 ordinances of the city and may exercise within the City limits the power to
 - 376 suppress disorder and keep the peace as allowed by statute and the
 - 377 Constitutions of Utah and the United States; and.
 - 378 ~~e. Perform such other duties as may be prescribed by this title or may be~~
 - 379 ~~required by ordinance consistent with a six member council.~~

380 **2.03.020: PRESIDING OFFICER**

381 The Mayor shall be the Chief Executive Officer and preside at the meetings of the
 382 City Council. However, the Mayor shall not vote at meetings of the City Council,
 383 except in case of a tie vote of the City Council, the appointment or dismissal of
 384 the City Manager, or as otherwise provided by law. Furthermore, the Mayor shall
 385 have no power to veto any act of the City Council unless otherwise specifically
 386 authorized by statute.

387 **2.03.030: RECORDS OPEN TO INSPECTION**

388 All records, books, papers, and documents belonging to any office of the City

389 | shall be open at any ~~reasonable~~-time to inspection by the Mayor except as
390 | otherwise prohibited by law. The Mayor may require any officer of the City, at
391 | any ~~reasonable~~-time, to prepare and provide a report in detail of all
392 | transactions in his office or any matters connected therewith.
393 |

394 | **2.03.040: MAYOR PRO TEMPORE**

395 | The City Council shall annually elect the Mayor Pro Tempore and two additional
396 | persons, in specific order of succession, as emergency interim successors to act
397 | in the absence of the Mayor. In the absence of the Mayor or because of his
398 | inability or refusal to act, the Mayor Pro Tempore shall preside over the meeting
399 | and shall possess the powers and duties of Mayor. Any member of the City
400 | Council elected as Mayor Pro Tempore shall retain his power and authority as a
401 | member of the City Council and shall be entitled to vote as a member of the City
402 | Council on all matters.

403 | **2.03.050: MID-TERM VACANCY IN OFFICE**

404 | A mid-term vacancy in the office of the Mayor shall be filled as provided in Utah
405 | Code.

406 | **2.03.060: RESTRICTIONS**

407 | The Mayor may not serve as the City Recorder or as the City Treasurer as
408 | dictated in Utah Code.

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CHAPTER 4

410

CITY MANAGER

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2.04.010

Term of Office

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2.04.020

Resignation

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2.04.030

Other Employment

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2.04.040

Powers of Mayor Not Delegated

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2.04.050

Duties

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2.4.010:

TERM OF OFFICE

417

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

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2.04.020:

RESIGNATION

420

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.

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2.04.030:

OTHER EMPLOYMENT

424

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.

425

426

2.04.040:

POWERS OF MAYOR NOT DELEGATED

427

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.

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2.04.050:

DUTIES

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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 Utah Code.

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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;

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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.

485

CHAPTER 5

486

APPOINTED OFFICES

- 487 **2.05.010** **Appointed Offices**
- 488 **2.05.020** **Appointment and Vacancies**
- 489 **2.05.030** **Bond**
- 490 **2.05.040** **Salaries**
- 491 **2.05.050** **Transfer of Records**
- 492 **2.05.060** **Conflicts of Interests**
- 493 **2.05.070** **City Recorder**
- 494 **2.05.080** **City Treasurer**
- 495 **2.05.090** **City Chief of Police**

496 **2.05.010:** **APPOINTED OFFICES**

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

502 **2.05.020:** **APPOINTMENT AND VACANCIES**

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

509 **2.05.030:** **BOND**

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

518 2. Limitation on Treasurer's Bond. The City Treasurer's bond may not be set at
519 an amount less than that established by the State Money Management
520 Council pursuant to Utah Code

521 3. Filed. All bonds shall be filed with the City Recorder, except the City
522 Recorder's bond, which shall be filed with the City Treasurer.
523

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

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

529 **2.05.040: SALARIES**

530 1. Salary. Appointed officers shall receive such compensation for their services
531 as the City Council may fix or amend by ordinance in accordance with notice
532 and hearing requirements set forth in Utah Code.

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

535 **2.05.050: TRANSFER OF RECORDS**

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

539 **2.05.060: CONFLICTS OF INTERESTS**

540 All appointed officers of the City shall annually disclose conflicts of interest and
541 otherwise adhere to provisions of the Utah Officers' and Employees' Ethics Act,
542 set forth in Utah Code, hereby adopted by reference as if fully set forth herein.

543 **2.05.070: CITY RECORDER**

544

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

548 2. Office. The City Recorder shall occupy an office in the City offices or at some
549 other place convenient thereto as the City Council may direct.
550

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

555 4. Meetings of City Council. The City Recorder, or his designee, shall attend
556 meetings and keep the record of the proceedings of the City Council.
557

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

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

563 7. Elections and Appointments. The City Recorder shall manage all municipal

564 election procedures and requirements as provided in the *Utah Code*
565 *Annotated*, as amended, and shall keep a record of all persons elected or
566 appointed to any office within the City, including the date of appointment or
567 election, term of office, date of death, resignation, or removal, and name of
568 person appointed to fill any vacancy.

569 8. Records of the City. The City Recorder shall keep all of the books, records,
570 accounts and documents of the City at the Recorder's Office. Such records
571 shall be open for public inspection pursuant to the provisions of the Utah
572 Government Records Access and Management Act.
573

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

575 10. Additional Duties. The City Recorder shall perform such other and further
576 duties as the City Council may provide by ordinance, resolution, or
577 regulation..

578 **2.05.080: CITY TREASURER**

579 1. Appointment. On or before the first Monday in February following a municipal
580 election, the Mayor, with the advice and consent of the City Council, shall
581 appoint a qualified person to the office of City Treasurer.

582 2. Custodian. The City Treasurer shall be the custodian of all money, bonds, or
583 other securities belonging to the City.

584 3. Collections. The City Treasurer shall collect and receive all monies payable
585 to the City, including taxes, assessments, licenses, fines, forfeitures, service
586 charges, fees and other revenues of the City. The City Treasurer shall keep
587 an accurate account of all monies received hereunder and shall promptly
588 deposit all such monies in the appropriate bank accounts of the City.

589 4. Receipts. The City Treasurer shall give or cause to be given to every person
590 paying money to the City Treasury, a receipt or other evidence of payment
591 therefore, specifying the date of payment and the amount paid. The City
592 Treasurer shall file the duplicate of such receipt, a summary report, or other
593 evidence of payment in the office of the City Recorder.

594 5. Checks. The City Treasurer, or other designated person, shall sign all checks
595 and shall, prior to affixing said signature, determine or cause to be
596 determined that sufficient funds are on deposit in the appropriate bank
597 account of the City to honor such check.
598

599 6. Warrants. The City Treasurer shall pay all warrants in the order in which
600 presented and as money becomes available for payment thereof in the
601 appropriate funds of the City. The City Treasurer shall note upon the back of
602 each warrant presented the date of presentation and the date of payment.

603 7. Special Assessments. All monies received by the City Treasurer on any
604 special assessment shall be applied to the payment of the improvement for
605 which the assessment was made.

- 606 8. Accounting. The City Treasurer shall keep an accurate and detailed
607 accounting of all transactions, receipts, collections, disbursements and other
608 matters within the Treasurer's charge as provided by State law or as the City
609 may by ordinance or resolution direct.
- 610 9. Limitations. The City Treasurer shall not serve as the City Recorder.
- 611 10. Additional Duties. The City Treasurer shall perform such other and further
612 duties as the City Council may provide by ordinance, resolution, or
613 regulation.

614 **2.05.090: CITY POLICE CHIEF**
615

- 616 1. Appointment. On or before the first Monday in February following a municipal
617 election, the Mayor, with the advice and consent of the City Council, shall
618 appoint a qualified person to the office of City Police Chief.
- 619 2. Duties. The Police Chief shall have the same authority and responsibilities as
620 sheriffs and constables of Davis County, Utah, pursuant to provisions of Utah
621 Code, and shall:
- 622 a. suppress riots, disturbances, and breaches of the peace;
- 623 b. apprehend all persons violating State laws or City ordinances;
- 624 c. diligently discharge his or her duties and enforce all ordinances of
625 the City to preserve the peace, good order, and protection of the
626 rights and property of all persons; attend the municipal Justice Court
627 of the City when required, provide security for such Court, and obey
628 its orders and directions; and
- 629 d. Additional Duties. The City Police Chief shall perform such other and
630 further duties as the City Council may provide by ordinance,
631 resolution, or regulation.
632

633

CHAPTER 6

634

DEPARTMENT ORGANIZATION

- 635 **2.06.010 City Finance Director**
- 636 **2.06.020 City Engineer**
- 637 **2.06.030 City Public Works Director**
- 638 **2.06.040 City Attorney**
- 639 **2.06.050 City Justice Court Judge**
- 640 **2.06.060 City Recreation Director**
- 641 **2.06.070 City Fire Chief**
- 642 **2.06.080 Community and Economic Development Director**
- 643 **2.06.090 Information Technology Director**

644 **2.06.010: CITY FINANCE DIRECTOR**

- 645 1. Position Created. The position of Finance Director is hereby created
- 646 pursuant to Utah Code.

- 647 2. Accounts and Payment of Claims. The Finance Director shall maintain or
- 648 cause to be maintained the general books for each fund of the City and all
- 649 subsidiary and detailed records relating thereto, including a list of outstanding
- 650 bonds, for what purpose, when and where payable, and the rate of interest
- 651 they respectively bear, together with the amount of each outstanding. The
- 652 Director shall keep accounts with all receiving and disbursing officers of the
- 653 City, shall pre-audit all claims and demands against the City before they are
- 654 allowed, and shall prepare checks in payment thereof to be drawn on the
- 655 appropriate bank accounts of the City. The Director shall certify on the check
- 656 or voucher copy of the check that he has pre-audited the claim, that it is true
- 657 and correct, that it is within the lawful debt limit of the City, that it does not
- 658 over expend the appropriate departmental budget and that the claim has
- 659 been approved by the City Council. The Director shall also state the date of
- 660 approval.

- 661 3. Ex Officio Auditor. The Finance Director shall be the ex officio auditor of
- 662 Syracuse City and shall perform the duties of such office without extra
- 663 compensation.

- 664 4. Financial Statements. The Finance Director or other delegated person shall
- 665 prepare and present to the City Council the following financial statements:

- 666 a. As of the end of each month, a summary of cash receipts and
- 667 disbursements by funds or appropriate groups of funds, showing in
- 668 total, the beginning cash and invested balances, the receipts and
- 669 disbursements separately for the period, and cash and invested
- 670 balances in each fund or groups of funds at the end of the period.

- 671 b. As of the end of such period as the City Council may direct, but not
- 672 less often than once each quarter, a statement of revenues and
- 673 expenditures and comparison with the budget of the general fund.

- 674 c. An annual statement of income and expense of each utility fund,

675

reflecting operations to date in the current year and a comparison

- 719 as required by law.
- 720 3. Recording. The City Engineer shall record and file all drawings and
 721 documents pertaining to public lands and improvements of the City, and shall
 722 maintain such records and files in good condition allowing no alteration,
 723 mutilation or changes to be made. The recording or filing of any drawing or
 724 instrument with the City shall not conflict in any way with the recording or
 725 filing of the same in other offices of record.
- 726 4. Fees. The City Engineer shall not record any drawings or instruments, file
 727 any papers or notices, furnish any copies, or render any service connected
 728 with his official duties, until the required fees for the same are paid or
 729 tendered.
- 730 5. Seal. The City Engineer shall have a seal for his use, which seal shall be
 731 affixed to every certification approval.
- 732 6. Additional Duties. The City Engineer shall perform such other and further
 733 duties as the City Council may provide by ordinance, resolution, or
 734 regulation.

735 **2.06.030: CITY PUBLIC WORKS DIRECTOR**

- 736 1. Position Created. There is hereby created the position of Public Works
 737 Director who shall act as the Department Head of the Public Works
 738 Department.
- 739 2. Duties. The Public Works Director shall have such powers and duties as
 740 designated and assigned to him by the City Council.

741 **2.06.040: CITY ATTORNEY**

- 742 1. Appointment. The City may contract with, retain, or appoint an attorney
 743 licensed to practice law in the State of Utah to the office of City Attorney to
 744 provide such legal assistance to the City as may be necessary.
- 745 2. Duties. The City Attorney shall act as legal advisor to the City in all matters
 746 pertaining to contracts with or by the City or questions of legality arising out
 747 of any law, ordinance or otherwise, and shall advise all City officers in
 748 relation to their official duties. It shall be the duty of the Attorney to appear
 749 and represent the City in all suits that may be brought in any court of
 750 record or otherwise, in which the City may be plaintiff or defendant, or in
 751 any manner interested, and to prosecute or defend such suit and protect
 752 the interests of the City as the circumstances require.
- 753 3. Criminal Prosecutor. The City may contract with, retain, or appoint a
 754 separate attorney or attorneys for the performance of criminal prosecutorial
 755 legal services.

756 **2.06.050: CITY JUSTICE COURT JUDGE**

- 757 1. Appointment. The office of City Justice Court Judge is hereby created, who
 758 shall act as the Justice Court Judge of the Syracuse City Justice Court. In

759 case of a vacancy, the Davis County Justice Court Nominating Commission
760 shall submit at least two names of applicants to the City. The Mayor shall
761 appoint a judge from the list of submitted names, subject to ratification by the
762 City Council.
763

764 2. Term/Retention. The Justice Court Judge is subject to an unopposed
765 retention election at the first general election held more than three
766 years after the judge was appointed. The term of a judge is six years
767 beginning the first Monday in January following the date of election. If
768 the judge wishes to retain office, in the years of a retention election he
769 shall file a declaration of candidacy with the Davis County Clerk. If
770 the judge does not receive more yes votes than no votes, the judge is
771 not retained, and a vacancy exists in the office on the first Monday in
772 January after the regular general election.
773

774 3. Duties. The Justice Court Judge shall preside as judge over all cases
775 within the jurisdiction of the Syracuse City Justice Court. He shall
776 comply with and ensure that court personnel comply with applicable
777 city rules and regulations related to personnel, budgets, and other
778 administrative functions. Failure by the judge to comply with
779 applicable administrative rules and regulations may be referred by the
780 City Council to the state Justice Court Administrator. Repeated or
781 willful noncompliance may be referred by the City Council to the
782 Judicial Conduct Commission.
783

784 **2.06.060: RECREATION DIRECTOR**

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

787 **2.06.070: CITY FIRE CHIEF**

788 1. Appointment. There shall be appointed by the Mayor, with the advice and
789 consent of the City Council, a City Fire Chief who shall perform the duties
790 required of him by law, and shall perform such other duties as the City
791 Council may require.

792 2. Duties. The duty of extinguishing fires and of protecting life and property
793 within the city is entrusted to the Chief of the Fire Department. He may make
794 suitable regulations under which the officers and the members of the
795 department shall be required to wear an appropriate uniform or badge by
796 which, in case of fire and at other times, their authority and position in the
797 fire department may be known. The Chief shall have sole and entire
798 command over all officers and members of the department at fires. He shall
799 have full charge at all times of all apparatus and appurtenances belonging to
800 the department, and he shall adopt such measures as deemed expedient for
801 the extinguishment of fire, protection of property, observance of the laws of
802 the state, and duties required of him by law and the ordinances of the city. It
803 shall be the duty of the Fire Chief to examine the condition of all buildings
804 and to inspect engines, hoses, and hoods, and ladder equipment of the city
805 fire department. It shall further be the duty of the Fire Chief to see that at all
806 times the provisions of the ordinances relating to the protection and
807 regulation of the property are strictly enforced, and to enforce all ordinances
808 concerning the prevention and protection against fires.

809 3. Additional Duties. The City Fire Chief shall perform such other and further
810 duties as the City Council may provide by ordinance, resolution, or
811 regulation.

812 **2.06.080: COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR**

813 The Community and Economic Development Director is responsible for
814 administering and enforcing the City's planning, zoning ordinances,
815 reviewing, proposing changes to and implementing the general plan, and
816 other land use policies of the City, including the activities of the Planning
817 Commission, Economic Development and Redevelopment Agency. The
818 director is responsible for overseeing subordinate employees including the
819 Code Enforcement Officer, Business License Clerk, and other clerical
820 support staff.

821 **2.06.090: INFORMATION TECHNOLOGY DIRECTOR**

822 The Information Technology Director is responsible for the overall
823 planning, organizing, and execution of all information technology
824 functions at Syracuse, including directing all information technology
825 operations to meet city requirements, supporting and maintaining
826 existing applications and development of new technical solutions.
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CHAPTER 7

829

CAMPAIGN FINANCIAL DISCLOSURE IN CITY ELECTIONS

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2.07.010 Campaign Financial Disclosure

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2.07.010: CAMPAIGN FINANCIAL DISCLOSURE

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Campaign Financial Disclosure in City Elections is in accordance with Utah Code.

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1. As used in this section:

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a. "Reporting date" means:

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

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

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b. "Reporting limit" means \$50 for each calendar year:

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2.

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a.

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i. Each candidate for city office:

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(A) shall deposit a campaign contribution in a separate campaign account in a financial institution; and

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(B) may not deposit or mingle any campaign contributions received into a personal or business account.

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ii. Each candidate for city office who is not eliminated at a primary election shall file with the recorder a campaign finance statement:

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

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

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iii. Each candidate for city office who is eliminated at a primary election shall file with the recorder a campaign finance statement no later than 30 days after the date of the primary election.

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b. Each campaign finance statement under Subsection (2)(a) shall:

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i. except as provided in Subsection 2.b.ii.:

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

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(1) campaign contributions, including in-kind and other nonmonetary contributions, received before the close of the reporting date; and

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(2) campaign expenditures made through the close of the reporting date; and

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(B) identify:

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(1) for each contribution that exceeds the reporting limit, the amount of the contribution and the name of the donor;

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(2) the aggregate total of all contributions that individually do not exceed the reporting limit; and

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(3) for each campaign expenditure, the amount of the expenditure and the name of the recipient of the expenditure; or

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ii. report the total amount of all campaign contributions and

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877 expenditures if the candidate receives \$500 or less in campaign
878 contributions and spends \$500 or less on the candidate's
879 campaign.
880
881 3. a. As used in this Subsection 3, "account" means an account in a
882 financial institution:
883 i. that is not described in Subsection 2.a.i.(A); and
884 ii. into which or from which a person who, as a candidate for an
885 office, other than a city office for which the person files a
886 declaration of candidacy or federal office, or as a holder of an
887 office, other than a city office for which the person files a
888 declaration of candidacy or federal office, deposits a contribution
889 or makes an expenditure.
890 b. A city office candidate shall include on any campaign finance
891 statement filed in accordance with this section:
892 i. a contribution deposited in an account:
893 (A) since the last campaign finance statement was filed; or
894 (B) that has not been reported under a statute or ordinance
895 that governs the account; or
896 ii. an expenditure made from an account:
897 (A) since the last campaign finance statement was filed; or
898 (B) that has not been reported under a statute or ordinance
899 that governs the account.
900 4. The recorder shall, at the time the candidate for city office files a
901 declaration of candidacy, and again 14 days before each general election,
902 notify the candidate in writing of:
903 a. the provisions of statute or municipal ordinance governing the
904 disclosure of campaign contributions and expenditures;
905 b. the dates when the candidate's campaign finance statement is
906 required to be filed; and
907 c. the penalties that apply for failure to file a timely campaign finance
908 statement, including the statutory provision that requires removal of
909 the candidate's name from the ballot for failure to file the required
910 campaign finance statement when required.
911 5. Notwithstanding any provision of the Government Records Access and
912 Management Act, the recorder shall:
913 a. make each campaign finance statement filed by a candidate
914 available for public inspection and copying no later than one
915 business day after the statement is filed; and
916 b. make the campaign finance statement filed by a candidate available
917 for public inspection by:
918 i.
919 (A) posting an electronic copy or the contents of the statement
920 on the city's website no later than seven business days
921 after the statement is filed; and
922 (B) verifying that the address of the city's website has been
923 provided to the lieutenant governor in order to meet the
924 requirements of state election code; or
925 ii. submitting a copy of the statement to the lieutenant governor for
926 posting on the website established by the lieutenant governor
927 under state election code no later than two business days after
928 the statement is filed.
929 6.
930 a. If a candidate fails to file a campaign finance statement before the
931 city general election by the deadline specified in Subsection

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- 2.a.ii.(A), the recorder shall inform the appropriate election official who:
- i. shall:
 - (A) if practicable, remove the candidate's name from the ballot by blacking out the candidate's name before the ballots are delivered to voters; or
 - (B) if removing the candidate's name from the ballot is not practicable, inform the voters by any practicable method that the candidate has been disqualified and that votes cast for the candidate will not be counted; and
 - ii. may not count any votes for that candidate.
- b. Notwithstanding Subsection 6.a. a candidate who files a campaign finance statement seven days before a city general election is not disqualified if:
- i. the statement details accurately and completely the information required under Subsection (2)(b), except for inadvertent omissions or insignificant errors or inaccuracies; and
 - ii. the omissions, errors, or inaccuracies are corrected in an amended report or in the next scheduled report.
7. A campaign finance statement required under this section is considered filed if it is received in the recorder's office by 5 p.m. on the date that it is due.
- 8.
- a. A private party in interest may bring a civil action in district court to enforce the provisions of this section or an ordinance adopted under this section.
 - b. In a civil action under Subsection 8.a., the court may award costs and attorney fees to the prevailing party.

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CHAPTER 7

962

GOVERNMENT RECORDS

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2.07.010

General

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2.07.020

Retention Schedule

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2.07.030

Records requests

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2.07.040

Fees

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2.07.050

Fee Waiver

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2.07.060

Appeals

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2.07.010:

GENERAL

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All government records of the City shall be maintained, classified and accessed in accordance with the Government Records Access and Management Act set forth in Utah Code.

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2.07.020:

RETENTION SCHEDULE

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

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2.07.030:

RECORDS REQUESTS

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

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2.07.040:

FEES

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

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2.07.050:

FEE WAIVER

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In accordance with Utah Code, the City may fulfill a record request without charge when it determines that:

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

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

1000 3. the requester's legal rights are directly implicated by the information
1001 in the record and the requester is impecunious.

1002 **2.07.060: APPEALS**

1003 Any person aggrieved by the City's access determination made or fees imposed
1004 under this Chapter may appeal the determination, or fee assessed, within thirty
1005 (30) days to the Mayor in accordance with the provisions set forth in Utah Code.

ORDINANCE NO. 12-20

AN ORDINANCE ADOPTING TITLE II REWRITES OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO ADMINISTRATION.

WHEREAS, due to the pace of growth in the City there are from time to time small proposed changes to various City ordinances that are warranted; and

WHEREAS, these small proposed changes come to the attention of City staff through varied means including but not limited to questions, concerns or complaints from the general public and or from developers that are seeking clarification on the language in the City code; and

WHEREAS, staff takes each question or concern under consideration and addresses it on case-by-case basis in a fair and judicious manner paying specific attention to the reasonableness and legality of the request as well as the reasonableness and legality of the City's own ordinances; and

WHEREAS, after such consideration staff will either support and sustain current ordinances as adopted or in other cases staff will research and address each proposed change and put forth amendments to existing ordinances; and

WHEREAS, staff now hereby wishes to adopt the rewrite of Titles I and II to address such proposed changes.

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

Section 1. Amendment. The Syracuse City Municipal Code is hereby amended as put forth in Exhibit 'A'.

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

Section 3. Effective Date. This Ordinance shall become effective twenty (20) days after publication or posting.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 10th DAY OF JULY, 2012.

SYRACUSE CITY

ATTEST:

Cassie Z. Brown, City Recorder

Mayor Jamie Nagle

Voting by the City Council:

	“AYE”	“NAY”
Councilmember Duncan	_____	_____
Councilmember Johnson	_____	_____
Councilmember Lisonbee	_____	_____
Councilmember Peterson	_____	_____
Councilmember Shingleton	_____	_____