



## SYRACUSE CITY

### Syracuse City Council Work Session Notice

March 12, 2013 – 6:00 p.m.  
Municipal Building, 1979 W. 1900 S.

Notice is hereby given that the Syracuse City Council will meet in a work session on Tuesday, March 12, 2013, 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. Review agenda for business meeting to begin at 7:00 p.m. (5 min.)
- b. Review agenda item #5 – Authorize Administration to dispose of surplus equipment. (5 min.)
- c. Review agenda item #6 – Proposed Ordinance No. 13-03, Annexation Ordinance. (5 min.)
- d. Review agenda item #7 – Recommendation for Award of Contract for 1000 West Street Culinary Waterline Project. (5 min.)
- e. Submit for first reading- Proposed Ordinance No. 13-02, amending various provisions of Title 8, The Subdivision Ordinance. (10 min.)
- f. Request to be on the agenda – Ed Gertge re: Fun Center Project Status Update. (15 min.)
- g. Discussion of a resolution requested by Councilmembers Johnson and Lisonbee supporting the 2<sup>nd</sup> amendment of the Constitution of the United States. (10 min.)
- h. Council business. (5 min.)

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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 8<sup>th</sup> day of March, 2013 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 March 8, 2013.

CASSIE Z. BROWN, CMC  
SYRACUSE CITY RECORDER



# COUNCIL AGENDA

March 12, 2013

Agenda Item #b

Review agenda item #5 – Authorize Administration to dispose of surplus equipment. (5 min.)

### *Factual Summation*

- Please see attached memo and supporting information for agenda item #5.
- Any questions regarding this item may be directed at City Manager Bob Rice.



# COUNCIL AGENDA

March 12, 2013

Agenda Item #5                      Public Hearing: Authorize Administration to dispose of surplus equipment.

## *Factual Summation*

- Please see the following memo regarding this agenda item. Any questions regarding this item may be directed at City Manager Bob Rice.
- Fire Chief Eric Froerer, Police Chief Garret Atkin, and IT Director TJ Peace have each compiled and attached a list of items that the City would like to dispose of. Staff will be present to review the list of items with the Governing Body as well as answer any question regarding this action.

## *Fire Dept. Surplus Equipment* Ahura Chemical Analyzer Kit

Syracuse Fire Dept acquired a Chemical Detection Kit in 2008 through a DHS FEMA grant. We have used it very infrequently to identify substances (tablets mostly) for the police dept. This kit is currently non-functional due to \$3000 in needed software upgrades. The Davis County Health Dept has expressed willingness to provide the needed upgrades and \$1400 annual maintenance to keep it operational, and keep it in the inventory of the Davis County Regional HazMat Response Team. The kit would remain available to any agency upon request. We propose this equipment be surplused and donated to the Davis County Health Dept.

## *IT Dept. Surplus Equipment*

- 4 17" CRT Monitors – They no longer function
- 7 Ink Jet Printers – These are old and no longer function
- 3 Portable Ink Jet Printers – These are from Police vehicles and no longer function
- Misc. Cords

| Description                       | Make                  | Model        | S/N         | Quantity                    |
|-----------------------------------|-----------------------|--------------|-------------|-----------------------------|
| Red cloth rolling chairs          |                       |              |             | 6 (2 are broke)             |
| Black rolling chairs              |                       |              |             | 3 (all are broke or ripped) |
| Small wood/black top cabinet      |                       |              |             | 1                           |
| Brown metal form holder           |                       |              |             | 1                           |
| Fax machine                       | Brother               |              |             | 1                           |
| Parts of an L frame desk          |                       |              |             | 1                           |
| 7 large round tables              |                       |              |             | 7 (all damaged)             |
| 1 metal chair                     |                       |              |             | 1                           |
| Wood book shelf                   |                       |              |             | 1                           |
| Flag pole                         |                       |              |             | 2                           |
| Flag pole stand                   |                       |              |             | 1                           |
| Flag                              |                       |              |             | 2                           |
| Motor Trend mini jump start       |                       |              |             | 12 (8 new 4 used)           |
| CD player w/case                  | Eddie Bauer           |              |             | 1 (damaged)                 |
| Scale                             | Ottaus                | cent-o-gram  |             | 1                           |
| MTS 2000                          | Motorola              |              | 466ABS2000Z | 1                           |
| MTS2000                           | Motorola              |              | 466ABS4475Z | 1                           |
| MTS2000                           | Motorola              |              | 466ABS4162Z | 1                           |
| MTS2000                           | Motorola              |              | 466ABS4248Z | 1                           |
| MTS2000 battery                   | Motorola              |              |             | 4                           |
| Radio scan stands w/mic           | Motorola              |              |             | 2                           |
| Trunk cargo kit for old Crown Vic |                       |              |             | 1                           |
| Mobile Vision Units               |                       |              |             | 2                           |
| Typewriter                        | Olympia               | Mastertype 3 |             | 1                           |
| Cages                             |                       |              |             | 4                           |
| Push bars                         |                       |              |             | 3                           |
| Vector light bars                 |                       |              |             | 2                           |
| Halogen light bar                 | MX7000 Federal Signal |              |             | 1                           |
| LED light bar                     |                       |              |             | 1                           |
| Console (computer stands, etc.,)  |                       |              |             | several                     |
| Old copier                        | Sharp                 | ARM350N      |             | 1                           |



# COUNCIL AGENDA

March 12, 2013

Agenda Item #c

Review agenda item #6 – Proposed Ordinance No. 13-03, Annexation Ordinance. (5 min.)

## *Factual Summation*

- Please see attached memo and supporting information for agenda item #6.
- Any questions regarding this item may be directed at City Recorder Cassie Brown.



# COUNCIL AGENDA

March 12, 2013

## Agenda Item “6”

**Public Hearing- Proposed Ordinance No. 13-03 declaring the annexation of 26.99 acres of property located at approximately 3700 S. 2000 W. into the City of Syracuse, Davis County, Utah, and establishing zoning for property.**

### *Factual Summation*

- Any questions regarding this item may be directed at City Recorder Cassie Brown.
- Please see the following memo re: Annexation Petition 2013-01 provided by Cassie Brown.
- Please see the attached Proposed Ordinance No. 13-03.

### *Memorandum*

On January 2, 2013 Michael J. Thayne (Irben Development) filed a petition to annex into Syracuse City 26.99 acres of property located at approximately 3700 South 2000 West. The City Engineer reviewed the annexation petition and his comments have been addressed by the petitioner.

On January 8, 2013 the Council voted to accept the annexation petition and I immediately began the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated. On February 6, 2013 I sent the Council a memo declaring the certification of petition 2013-01. In that memo I explained that a notice of certification would be published in the Standard-Examiner for three consecutive weeks; the notice was meant to outline the annexation protest process. The same notice was also sent to all affected entities. The protest period expired March 10, 2013 and no valid protests were filed.

It is now appropriate to move to the next step in the process, which is to hold a public hearing to consider adopting an ordinance approving the annexation petition. A draft ordinance has been prepared for your consideration and all relevant materials have been attached hereto.

I will be available to answer any questions regarding the annexation process.

**ORDINANCE 13-03**

**AN ORDINANCE DECLARING THE ANNEXATION OF 26.99 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3700 S. 2000 W. INTO THE CITY OF SYRACUSE, DAVIS COUNTY, UTAH, AND ESTABLISHING ZONING FOR THE PROPERTY**

**WHEREAS** a majority of the owners of real property and the owners of not less than one-third of the real property as shown on the last assessment rolls in territory lying contiguous to Syracuse City have petitioned the City for annexation; and

**WHEREAS** the petition was accompanied by an accurate plat or map of the territory to be annexed, prepared under the supervision of Syracuse City Engineer or a competent surveyor and certified by the Engineer or surveyor; and

**WHEREAS** the petition and plat map have been filed in the office of the Syracuse City Recorder; and

**WHEREAS** notice of intent was advertised as provided by state law with no protests having been received within the 30-day protest period; and

**WHEREAS** the City Council held a public hearing with notice provided to the residents of the affected territory and adjacent property owners;

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

**Section 1. Annexation.** The property described in Exhibit "A" is hereby declared annexed into the City of Syracuse, Utah.

**Section 2. Zoning.** The property being annexed into Syracuse is hereby zoned as Residential R-1.

**Section 3. 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 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12<sup>th</sup> DAY OF MARCH, 2013.**

**SYRACUSE CITY**

ATTEST:

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Cassie Z. Brown, City Recorder

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Mayor Jamie Nagle

Voting by the City Council:

|                          | “AYE” | “NAY” |
|--------------------------|-------|-------|
| Councilmember Duncan     | _____ | _____ |
| Councilmember Johnson    | _____ | _____ |
| Councilmember Lisonbee   | _____ | _____ |
| Councilmember Peterson   | _____ | _____ |
| Councilmember Shingleton | _____ | _____ |

## EXHIBIT "A"

Legal Description of property located at approximately 3700 South 1500 West.

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT WHICH IS NORTH  $0^{\circ}12'25''$  EAST 33.00 FEET ALONG THE QUARTER SECTION LINE FROM THE SOUTH QUARTER CORNER OF SAID SECTION 22; AND RUNNING THENCE NORTH  $89^{\circ}53'47''$  WEST PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER 1136.30 FEET; THENCE NORTH  $0^{\circ}12'25''$  EAST 792 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH  $89^{\circ}53'47''$  EAST 1136.30 FEET TO THE QUARTER SECTION LINE; AND THENCE SOUTH  $0^{\circ}12'25''$  WEST 792.00 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING.

Contains 20.66 acres.



**PETITION FOR ANNEXATION OF TERRITORY  
TO SYRACUSE CITY, UTAH**

1979 West 1900 South  
Syracuse, Utah 84075  
Phone: 825-1477  
FAX: 825-3001

Petition No. 2013-01

Filed in the Office of the City Recorder  
By Mike Thayne

Date January 2, 2013

Fee: Up to 2 acres \$230.00 + \$173.00/acre  
2.1-5 acres \$575.00 + \$144.00/acre  
5.1-10 acres \$1,007.00 + \$115.00/acre  
10+ acres \$1,582.00 + \$87.00/acre

~~Additional \$300.00 to include rezone request~~

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 $12002.28 + 26.74 = 12029.02$   
 $12029.02 + 26.74 = 12055.76$   
 $12055.76 + 26.74 = 120$



THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK.  
THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT BORDER AND HOLOGRAM. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.



America First Federal Credit Union  
P.O. Box 9199 • Ogden, Utah 84409

3243



OFFICIAL CHECK

Cashier's Check

5-709  
110

No 051068401

DATE 01/02/13

Void After 90 Days

PAY Three Thousand Nine Hundred Thirty Dollars And Thirteen Cents

\*\*\*\$3,930.13\*\*\*

TO  
THE  
ORDER  
OF

SYRACUSE CITY

Drawer: Moneygram Payment Systems  
P.O. Box 9476 Minneapolis MN 55480  
Drawee: BNY Mellon Everett, MA

MEMO: SWLW 1 LLC ANNEXATION

⑈051068401⑈ ⑆011007092⑆0140011149565⑈

**RECEIPT**

DATE 1-2-2013 No. 051068401

FROM Mike Thayne \$ 3,930.13

Three thousand nine hundred thirty and 13/100 DOLLARS

FOR RENT

FOR Annexation Fees

ACCT.  PAID  DUE

CASH

CHECK

MONEY ORDER

FROM 051068401 - Am Fir TO \_\_\_\_\_

BY John Lund

1152

## NOTICE OF PROPOSED ANNEXATION

Notice is hereby given that a petition has been filed with Syracuse City, Utah, to annex 26.99 acres of property located at approximately 3700 S. 2000 W.; and more particularly described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT WHICH IS NORTH 0°11'53" EAST 33.00 FEET ALONG THE QUARTER SECTION LINE AND NORTH 89°59'02" WEST 1136.30 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION FROM THE SOUTH QUARTER CORNER OF SAID SECTION 22; AND RUNNING THENCE NORTH 89°59'07" WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 1484.42 FEET TO A POINT WHICH IS 33 FEET EAST OF THE WEST LINE OF SAID SECTION; THENCE NORTH 0°11'27" EAST 792 FEET PARALLEL WITH THE WEST LINE OF SAID SECTION; THENCE SOUTH 89°59'02" EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1484.52 FEET; THENCE SOUTH 0°11'53" WEST PARALLEL WITH SAID QUARTER SECTION LINE 792.00 FEET TO THE POINT OF BEGINNING.

Petition was certified by the Syracuse City Recorder and notice of certification received by the Syracuse City Council on February 8, 2013. A copy of the complete annexation petition is available for inspection and copying at Syracuse City Office, 1979 West 1900 South, Syracuse, UT 84075, between the hours of 8:00 a.m. - 5:00 p.m. Monday through Friday, except holidays.

Syracuse City may grant the petition and annex the area described in the petition unless, within 30 days after the date of the City Council receipt of the notice of certification, a written protest to the annexation petition is filed with the Davis County Boundary Commission, P.O. Box 618, Farmington, Utah, 84025, and a copy of the protest delivered to the Syracuse City Recorder. The protest period will end March 10, 2013. Written protests may be filed by the legislative body or governing board of an affected entity with the Davis County Boundary Commission between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

Dated this 6<sup>th</sup> day of February 2013.

Cassie Z. Brown, CMC  
Syracuse City Recorder

PUBLISH THREE TIMES: FEBRUARY 10, 17, AND 24, 2013



# COUNCIL AGENDA

March 12, 2013

Agenda Item #d

Review agenda item #7 – Recommendation for Award of Contract for 1000 West Street Culinary Waterline Project. (5 min.)

## *Factual Summation*

- Please see attached memo and supporting information for agenda item #7.
- Any questions regarding this item may be directed at Public Works Director Robert Whiteley.



# COUNCIL AGENDA

March 12, 2013

Agenda Item #7

Recommendation for Award of Contract for 1000 West Street Culinary Waterline Project.

*Factual Summation*

- Please see the attached memo from the Public Works Department. Any questions regarding this item can be directed at Public Works Director Robert Whiteley.



## MEMORANDUM

**To:** Mayor and City Council

**From:** Public Works Department

**Date:** March 5, 2013

**Subject:** Bid Award for 1000 West Street Culinary Waterline Project

**Background:**

This culinary waterline project is one that was identified on our list presented to city council as a high priority due to the age and restrictions the existing 6" lines place on the system. This project will involve the installation of a 12" culinary main on 1000 West & 1290 South, 8" culinary main on 1025 West and full width pavement replacement on 1290 South & 1025 West.

**Schedule:**

The construction will begin as soon as contract documents are in place and will be completed in Spring/Summer 2013.

**Cost:**

The cost for this project came in about \$67,000 less than the estimate. The bid amount for the total project is \$503,252.95 and the funding breakdown is as follows:

Culinary Water Impact Fee: \$298,504.39

Culinary Water Capital Budget: \$150,154.23

Class C: \$54,594.33

**Recommendation:**

We recommend that the bid be awarded to Kapp Companies.



March 5, 2013

Mr. Robert Rice, City Manager  
Syracuse City Corporation  
1979 West 1900 South  
Syracuse, Utah 84075

Re: Recommendation for Award of Contract  
1000 West Street Culinary Waterline Project

Dear Bob:

Enclosed is the bid tabulation for the bids opened March 5, 2013 for the above referenced project. This project will install a 12" culinary water main on 1000 West from 1700 South to the cemetery, a 12" culinary water main on 1290 South from 1000 West to 1100 West and a new 8" water main on 1025 West Street from 1290 South to 1475 South. We will install new asphalt the full width of the road on 1290 South & 1025 West. This project will abandon approximately 2,700 feet of cast iron main.

The low bidder and bid amount are as follows:

Low Bidder: Kapp Companies  
1595 West 3300 South  
Ogden, UT 84401  
Telephone: (801)-393-7360  
Bid Amount: \$503,252.95  
Engineer's Probable Cost Opinion: \$570,000.00

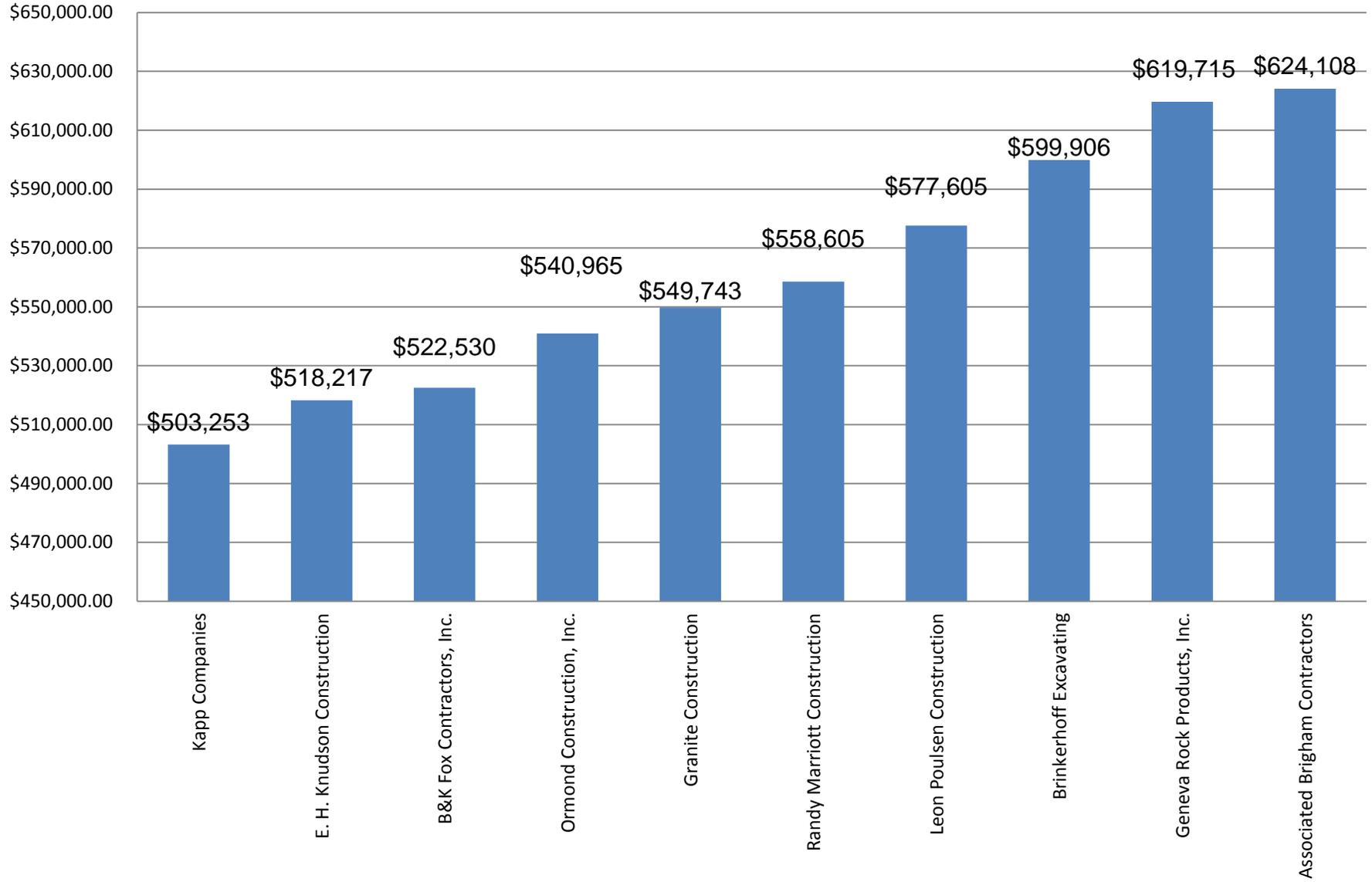
We have reviewed the submitted bid from all bidders and recommend awarding the contract to Kapp Companies.

Sincerely,

Brian Bloemen  
City Engineer

# Bid Tabulation

## 1000 West Street Culinary Waterline Project



# SYRACUSE CITY CORPORATION

## 1000 WEST STREET CULINARY WATERLINE PROJECT

LAST UPDATED:  
JANUARY 13, 2013

DRAWN BY: BB

1000 WEST STREET CULINARY  
WATERLINE PROJECT

COVER

SYRACUSE  
EST. CITY 1935



SYRACUSE  
EST. CITY 1935

JANUARY 2013

WO 2013-01

SHEET:  
1 OF 14



**1000 WEST STREET CULINARY WATERLINE PROJECT**

**PROJECT QUANTITIES**

| Item No. | Description                                              | Unit | Quantity | Unit Price  | Extended Price | Culinary Impact Fee |              | Culinary Capital |              | Class C |             |
|----------|----------------------------------------------------------|------|----------|-------------|----------------|---------------------|--------------|------------------|--------------|---------|-------------|
| 1        | Mobilization, Demobilization & SWPP                      | LS   | 1        | \$37,000.00 | \$37,000.00    | 0.59                | \$21,830.00  | 0.30             | \$11,100.00  | 0.11    | \$4,070.00  |
| 2        | Traffic Control                                          | LS   | 1        | \$7,088.00  | \$7,088.00     | 0.59                | \$4,181.92   | 0.30             | \$2,126.40   | 0.11    | \$779.68    |
| 3        | Saw Cut Asphalt (Full Depth)                             | LF   | 2350     | \$2.05      | \$4,817.50     | 2284                | \$4,682.20   | 33               | \$67.65      | 33      | \$67.65     |
| 4        | 16" DR-18 C-900 PVC(Blue Pipe)                           | LF   | 225      | \$43.85     | \$9,866.25     | 225                 | \$9,866.25   |                  | \$0.00       |         | \$0.00      |
| 5        | 12" DR-14 C-900 PVC(Blue Pipe)                           | LF   | 2500     | \$34.60     | \$86,500.00    | 2500                | \$86,500.00  |                  | \$0.00       |         | \$0.00      |
| 6        | 10" DR-14 C-900 PVC(Blue Pipe)                           | LF   | 50       | \$32.50     | \$1,625.00     | 25                  | \$812.50     | 25               | \$812.50     |         | \$0.00      |
| 7        | 8" DR-14 C-900 PVC(Blue Pipe)                            | LF   | 1100     | \$23.15     | \$25,465.00    |                     | \$0.00       | 1100             | \$25,465.00  |         | \$0.00      |
| 8        | 6" DR-14 C-900 PVC(Blue Pipe)                            | LF   | 50       | \$21.15     | \$1,057.50     |                     | \$0.00       | 50               | \$1,057.50   |         | \$0.00      |
| 9        | 16"x12" DI FL Tee                                        | EA   | 1        | \$1,900.00  | \$1,900.00     | 1                   | \$1,900.00   |                  | \$0.00       |         | \$0.00      |
| 10       | 12"x10" DI MJ Tee                                        | EA   | 1        | \$869.00    | \$869.00       | 1                   | \$869.00     |                  | \$0.00       |         | \$0.00      |
| 11       | 12"x8" DI FL Tee                                         | EA   | 1        | \$973.00    | \$973.00       | 1                   | \$973.00     |                  | \$0.00       |         | \$0.00      |
| 12       | 12"x8" DI MJxFL Tee                                      | EA   | 2        | \$782.00    | \$1,564.00     | 1                   | \$782.00     | 1                | \$782.00     |         | \$0.00      |
| 13       | 16" MJxFL Butterfly Valve                                | EA   | 1        | \$2,834.00  | \$2,834.00     | 1                   | \$2,834.00   |                  | \$0.00       |         | \$0.00      |
| 14       | 12" MJxFL Butterfly Valve                                | EA   | 4        | \$1,616.00  | \$6,464.00     | 4                   | \$6,464.00   |                  | \$0.00       |         | \$0.00      |
| 15       | 12" MJ Butterfly Valve                                   | EA   | 1        | \$1,660.00  | \$1,660.00     |                     | \$0.00       | 1                | \$1,660.00   |         | \$0.00      |
| 17       | 8" MJxFL Gate Valve                                      | EA   | 3        | \$1,177.00  | \$3,531.00     | 3                   | \$3,531.00   |                  | \$0.00       |         | \$0.00      |
| 17       | 8" MJ Gate Valve                                         | EA   | 1        | \$1,247.00  | \$1,247.00     |                     | \$0.00       | 1                | \$1,247.00   |         | \$0.00      |
| 18       | 16"x12" DI FL Reducer                                    | EA   | 1        | \$894.00    | \$894.00       | 1                   | \$894.00     |                  | \$0.00       |         | \$0.00      |
| 19       | 16"x10" DI MJ Reducer                                    | EA   | 1        | \$788.00    | \$788.00       | 1                   | \$788.00     |                  | \$0.00       |         | \$0.00      |
| 20       | 12"x6" DI MJ Reducer                                     | EA   | 1        | \$338.00    | \$338.00       |                     | \$0.00       | 1                | \$338.00     |         | \$0.00      |
| 22       | 8"x6" DI MJ Reducer                                      | EA   | 3        | \$205.00    | \$615.00       | 1                   | \$205.00     | 2                | \$410.00     |         | \$0.00      |
| 23       | 10" DI MJ 45° Bend                                       | EA   | 2        | \$486.00    | \$972.00       | 2                   | \$972.00     |                  | \$0.00       |         | \$0.00      |
| 24       | 6" DI MJ 45° Bend                                        | EA   | 8        | \$252.00    | \$2,016.00     | 2                   | \$504.00     | 6.00             | \$1,512.00   |         | \$0.00      |
| 25       | Remove & Salvage Existing Fire Hydrant                   | EA   | 5        | \$304.00    | \$1,520.00     | 2                   | \$608.00     | 3.00             | \$912.00     |         | \$0.00      |
| 26       | New Fire Hydrant Assembly On 12" Main                    | EA   | 5        | \$4,324.00  | \$21,620.00    | 5                   | \$21,620.00  |                  | \$0.00       |         | \$0.00      |
| 28       | New Fire Hydrant Assembly On 8" Main                     | EA   | 3        | \$3,884.00  | \$11,652.00    |                     | \$0.00       | 3                | \$11,652.00  |         | \$0.00      |
| 29       | Cap Existing Main (All Types & Sizes)                    | EA   | 20       | \$200.00    | \$4,000.00     | 7                   | \$1,400.00   | 13               | \$2,600.00   |         | \$0.00      |
| 30       | Connect To Existing 12" Main                             | EA   | 1        | \$2,082.00  | \$2,082.00     | 1                   | \$2,082.00   |                  | \$0.00       |         | \$0.00      |
| 31       | Connect To Existing 10" Main                             | EA   | 2        | \$1,350.00  | \$2,700.00     | 1                   | \$1,350.00   | \$1.00           | \$1,350.00   |         | \$0.00      |
| 32       | Connect To Existing 6" Main                              | EA   | 4        | \$921.00    | \$3,684.00     | 1                   | \$921.00     | \$3.00           | \$2,763.00   |         | \$0.00      |
| 33       | 3/4" Culinary Water Service Connection on 12" Main       | EA   | 23       | \$884.00    | \$20,332.00    | 23                  | \$20,332.00  |                  | \$0.00       |         | \$0.00      |
| 34       | 3/4" Culinary Water Service Connection on 8" Main        | EA   | 18       | \$743.00    | \$13,374.00    |                     | \$0.00       | 18               | \$13,374.00  |         | \$0.00      |
| 35       | 3/4" Copper Service Line                                 | LF   | 738      | \$11.65     | \$8,597.70     | 414                 | \$4,823.10   | 324              | \$3,774.60   |         | \$0.00      |
| 36       | Reset Water Sampling Station                             | EA   | 1        | \$1,241.00  | \$1,241.00     | 1                   | \$1,241.00   |                  | \$0.00       |         | \$0.00      |
| 37       | Remove Existing & Install New Air Vac                    | EA   | 1        | \$2,747.00  | \$2,747.00     | 1                   | \$2,747.00   |                  | \$0.00       |         | \$0.00      |
| 38       | Adjust Manhole To Grade & Install Concrete Collar        | EA   | 5        | \$315.00    | \$1,575.00     |                     | \$0.00       |                  | \$0.00       | 5       | \$1,575.00  |
| 39       | Adjust Valve To Grade & Install Concrete Collar          | EA   | 1        | \$210.00    | \$210.00       |                     | \$0.00       |                  | \$0.00       | 1       | \$210.00    |
| 41       | Install "Frog Style" ADA Ramp w/ 1 Truncated Dome Panel  | EA   | 1        | \$1,275.00  | \$1,275.00     |                     | \$0.00       |                  | \$0.00       | 1       | \$1,275.00  |
| 42       | Install "Frog Style" ADA Ramp w/ 2 Truncated Dome Panels | EA   | 1        | \$1,700.00  | \$1,700.00     |                     | \$0.00       |                  | \$0.00       | 1       | \$1,700.00  |
| 43       | Install 8' Valley Gutter                                 | LF   | 33       | \$67.00     | \$2,211.00     |                     | \$0.00       |                  | \$0.00       | 33      | \$2,211.00  |
| 44       | Type A1 Foundation Material                              | TON  | 200      | \$14.60     | \$2,920.00     | 150                 | \$2,190.00   | \$50.00          | \$730.00     |         | \$0.00      |
| 45       | Bedding Material                                         | TON  | 5223     | \$8.90      | \$46,484.70    | 3080                | \$27,412.00  | 2143             | \$19,072.70  |         | \$0.00      |
| 46       | Type A2 Agg. Base Material                               | TON  | 1306     | \$11.05     | \$14,431.30    | 885.92              | \$9,789.42   | 420              | \$4,641.88   |         | \$0.00      |
| 47       | 3" Bituminous Asphalt (1290 South & 1025 West Street)    | SF   | 52400    | \$1.63      | \$85,412.00    |                     | \$0.00       | 26200            | \$42,706.00  | 26200   | \$42,706.00 |
| 48       | 4" Bituminous Asphalt (1000 West Street)                 | SF   | 26700    | \$2.00      | \$53,400.00    | 26700               | \$53,400.00  |                  | \$0.00       |         | \$0.00      |
|          |                                                          |      |          |             | \$503,252.95   |                     | \$298,504.39 |                  | \$150,154.23 |         | \$54,594.33 |



# COUNCIL AGENDA

March 12, 2013

Agenda Item #e                      Submit of the Syracuse City for first reading- Proposed Ordinance No. 13-02, amending various provisions of Title 8, The Subdivision Ordinance. (10 min.)

***Factual Summation***

- Please see the attached memo from the Community and Economic Development Department. Any questions regarding this item can be directed at CED Director 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 City Attorney Will Carlson, CED Director Michael Eggett, City Planner Sherrie Christensen, and Public Works Director Robert Whiteley.

## **MEMORANDUM**

**To:** Mayor and City Council

**From:** Community & Economic Development Department

**Date:** March 6, 2013

**Subject:** City Council Approval of the Proposed Amendment the Syracuse City Municipal Code, Title 8, relating to various changes to the requirements for residential and non-residential subdivisions.

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### **Background**

The Planning Commission has been working on proposed amendments during their Work Session meetings for approximately 3 months. The proposed changes reflect suggested improvements to the subdivision process and refinements/clarifications of regulations and various issues the Planning Commission has encountered in processing subdivision proposals.

In making determination on Code amendments the Planning Commission should review the City Municipal Code, Section 10-4-070(E)(1), which states the following:

- (E) Approval Standards. A decision to amend the text of this Title or the zoning map is a matter of legislative discretion by City Council and not controlled by any one standard. However, in making an amendment, the City Council should consider:  
(Ord. 10-02)
  1. Whether it would be is consistent with goals, objectives and policies of the City's General Plan; (Ord. 10-02)

## Summary of Planning Commission Recommended Amendments include:

1. Re-organization of the number formatting to match other Titles in the Municipal Code.
2. Addition of a severability clause in each chapter.
3. Addition of a definition for Street, Private
4. Change in language from Developer to Subdivider to be consistent throughout document.
5. Change warranty period from two to one year, in accordance with State Statute.
6. Additional requirement for street light placement on a 45° or greater road bend within a cul-de-sac.
7. Irrigation Water Exemption for man-made ponds or lakes over 1 acre in surface area size, as the area will not be irrigated by secondary water.
8. Cul-de-sac length amendments specifying conditions under which an exception to the maximum length of 500 feet may be granted.

*This particular amendment, as currently recommended by the Planning Commission may significantly affect the ability to approve a development such as Still Water Lakes Subdivision as it is currently proposed and would limit the cul-de-sac length of the Still Water Lakes Subdivision to a maximum of 500 feet due to a lack of existing physical barriers to development or existing barriers from a previous development. The City has received a letter from local developers who are concerned with this proposed change. Please see attached letter. This amendment will affect the way developments are processed and will hinder flexibility in street length and subdivision design.*
9. Addition of where Private Streets will be allowed and the standards by which they are to be constructed.
10. Clarifying public hearing deadlines to be 10 days in accordance with other sections of City code.
11. Removal of requirement for staff to give subdivider a signed copy of preliminary plat approval, and clarifying that Planning Commission approval of Preliminary Plat authorizes the developer to proceed to final plat.
12. Clarifying that all requirements of sketch and preliminary must be met prior to consideration of final plat by the Planning Commission.

*Significant discussion within the Planning Commission took place on this amendment as to whether it may impede development approvals and reduce flexibility of the Planning Commission and staff when development flexibility may be desirable and/or warranted by the City. Additionally, this standard may create for developers timeline constraints, budgeting constraints and other unforeseen consequences associated with the process proposed by the suggested amendments in this section.*
13. Clarifying the required signature blocks for subdivision plats including, Land Use Authority (PC or City Council as applicable), City Attorney, and Public Utility companies.
14. Clarification that the Planning Commission is the body that holds the public hearing for subdivision approval and not the City Council.

*Currently there is vague language in chapter 8*

**Consideration of Recommendation for City Council Approval of the amendments to the Syracuse City Municipal Code, Title 8.**

On December 4, 2012, the Syracuse City Planning Commission held a public hearing and at a public meeting on December 18, 2012 unanimously recommended that the Syracuse City Council approve the following amendments to the Syracuse City Municipal Code, Title VIII as attached. Commissioner TJ Jensen expressed a dissenting opinion on one amendment, please see Commissioner Jensen. The Planning Commission held a public hearing on January 15, 2013 on the proposed irrigation water exemption and recommended the change unanimously.

**Recommendation**

City staff is hereby forwarding the Syracuse City Planning Commission recommendation that the City Council adopt Ordinance 13-02 and approve the proposed amendments to Title 8 of the Syracuse City Municipal Code as herein presented.

February 20, 2013

Mayor Jamie Nagle  
1979 West 1900 South  
Syracuse, Utah 84075

RE: Proposed Ordinance Change to Cul-de-Sacs

Dear Mayor Nagle:

We, as real estate developers, have appreciated our relationship with Syracuse City over the years. The Syracuse City staff has been very professional and diligent in its dealings with us.

We would like to express our concern about a proposed ordinance that would seriously affect our ability to build in your city. We are concerned with the proposed Title 8 revisions affecting cul-de-sacs. The proposed ordinance will disallow more than 500 foot maximum cul-de-sac lengths except under certain criteria. Unfortunately, the criteria will be virtually impossible to comply with. The 500-foot maximum length is less than what other cities traditionally allow, and without reasonable exceptions, it makes it that much harder to develop projects that are beneficial to the city and its residents.

In our experience, cul-de-sacs are not only useful in the design and layout, but they are desired by many buyers. Cul-de-sacs can also be helpful in limiting the types and amount of traffic in areas. For example, you may not want trucks to travel through residential streets or near schools. Cul-de-sacs can help reduce this type of interaction yet allow a parcel to be fully and responsibly developed.

We also believe that the City and the Council should retain as much flexibility in its ordinances to allow the City to decide how and what a development should look like. This ordinance will limit your ability to plan your communities as you see fit.

We appreciate your consideration of our concerns.

Sincerely,

The Ninigret Group

By:



Irben Development

By:



Perry Homes

By:



President

**ORDINANCE NO. 13-02**

**AN ORDINANCE OF THE SYRACUSE CITY COUNCIL AMENDING  
VARIOUS PROVISIONS OF TITLE 8, THE SUBDIVISION ORDINANCE.**

**WHEREAS**, the Syracuse City Council has previously adopted the City Subdivision Ordinance and the City Land Use Ordinance for the purpose of regulating the use of land within the City; and

**WHEREAS**, the City Council hereby finds and determines that the use of subdivision and land use regulations is necessary to promote the public welfare by regulating the use of land in a manner that promotes sustainable development and preserves property values of both developing property and existing development; and

**WHEREAS**, the City Council hereby further finds that the City Subdivision Ordinance and the City Land Use Ordinance requires amendment to cure deficiencies and clarify requirements for residential and non-residential subdivision, as well as other sections found within Title VIII of the Municipal Code;

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

**Section 1. Amendment.** Title 8 of the Syracuse City Code is hereby amended to read in its entirety as follows:

**See Attached Exhibit**

**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 immediately upon its passage.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY,  
STATE OF UTAH, THIS 8<sup>th</sup> DAY OF JANUARY, 2013.**

**SYRACUSE CITY**

ATTEST:

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Cassie Z. Brown, City Recorder

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Jamie Nagle, Mayor

Voting by the City Council:

|                          | “AYE” | “NAY” |
|--------------------------|-------|-------|
| Councilmember Peterson   | _____ | _____ |
| Councilmember Lisonbee   | _____ | _____ |
| Councilmember Duncan     | _____ | _____ |
| Councilmember Johnson    | _____ | _____ |
| Councilmember Shingleton | _____ | _____ |

# TITLE VIII

## SUBDIVISION ORDINANCE

### CHAPTER 1: PURPOSE

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| <u>8.01.010:</u> | <u>General Purpose</u>      |
| <u>8.01.020:</u> | <u>Public Interest</u>      |
| <u>8.01.030:</u> | <u>Variations—Exception</u> |
| <u>8.01.040:</u> | <u>Building Official</u>    |
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- 8.07.010: Enforcement**
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## CHAPTER 1

### PURPOSE

- [8-1-18.01.010](#): **General Purpose**
- [8-1-28.01.020](#): **Public Interest**
- [8-1-38.01.030](#): **Variations—Exception**
- [8-1-48.01.040](#): **Building Official**
- [8.01.050](#): **Severability**

[8-1-18.01.010](#): **GENERAL PURPOSE.** The purpose and intent of this Chapter is to promote the public health, safety, convenience and general welfare of the inhabitants of the incorporated territory of Syracuse City in the matter of subdivision or matters affected by subdivisions

1. Provide for the harmonious and coordinated development of the City, and to assure sites suitable for subdivision development and human habitation.
2. Ensure adequate open space for traffic, recreation, light and air.
3. Facilitate the conservation or production of adequate transportation, water, sanitation, drainage and energy resources.
4. Avoid scattered and premature subdivision that would cause insufficient public services and facilities, or necessitate an excessive expenditure of public funds for the supply of such services and facilities.
5. Ensure utilization of the land in the best interest of the public welfare and the neighborhood deployment of the area concerned.
6. Preserve outstanding natural, cultural or historic features.

**B. \_\_\_** This chapter is designed to inform the subdivider and public of the requirements and conditions necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are expressly delineated in this Title or other applicable ordinances. However, since it is impossible to cover every possibility, and there are some aspects which do not lend themselves to being easily articulated, this Title allows the Planning Commission and City Council to impose reasonable conditions upon a subdivider in addition to those expressly required, so long as such conditions do not conflict with any requirements set forth in this Chapter or other applicable ordinances. (1997)

[8-1-28.01.020](#): **PUBLIC INTEREST.** Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and the neighborhood development of the area concerned. The subdivider shall present evidence to this effect when requested to do so by the Planning Commission. (1997)

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| **8-1-38.01.030: VARIATIONS/EXCEPTION.** In cases where unusual topographical or other exceptional conditions exist, variation and exception from this Ordinance may be made by the City Council after recommendation by the Planning Commission. (1997)

| **8-1-48.01.040: BUILDING OFFICIAL.** Appointment. There is hereby created the position of Building Official who shall be appointed by the City Manager. (Ord. 11-12)

1. Duties. It shall be the duty of the Building Inspector to see to the enforcement of all ordinance provisions relating to buildings or zoning, and to inspect all buildings or structures being erected or altered, as frequently as may be necessary to insure compliance with the City ordinances. The Building Inspector shall also act as plumbing inspector and electrical inspector and shall have all the powers and perform all the duties connected therewith. (Ord. 11-12)
2. Permits. The Building Inspector shall issue permits for the construction, alteration or repair of structures or parts thereof and for the repair or installation of plumbing and electrical facilities or fixtures within any structure; but no permit shall be issued unless the plans of and for the proposed construction, alteration, repair, installation or use, fully conform to all City regulations then in effect. (Ord. 11-12)
3. Stop Order. The Building Inspector shall have the power to order all work stopped on construction or alteration or repair of building in the City when such work is being done in violation of any provision of any ordinance relating thereto. Work shall not be resumed after the issuance of such an order except on the written permission of the Inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within an hour. (Ord. 11-12)
4. Entry powers. The Building Inspector shall have the power to make or cause to be made an entry into any building or premises where the work of altering, repairing or constructing any building or structures is going on, for the purpose of making inspections, at any reasonable hour. (Ord. 11-12)
5. Additional Duties. The City Building Official shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation. (Ord. 11-12)

**8.01.050 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

**CHAPTER 2**  
**GENERAL PROVISIONS**

- [8-2-18.02.010](#): Definitions
- [8-2-28.02.020](#): General Requirements
- [8-2-38.02.030](#): Security of Performance
- [8-2-48.02.040](#): Fee Payment
- [8-2-58.02.050](#): Parks, Open Space and Other Public Spaces
- [8-2-68.02.060](#): Adjacent Streets
- [8-2-78.02.070](#): Relation to Adjoining Street Systems
- [8.02.080](#): [Streetlights](#)
- [8-2-88.02.090](#): Irrigation Water
- [8-2-98.02.100](#): Extension of Public Work Facilities
- [8-2-108.02.110](#): Second Access Required
- [8-2-118.02.120](#): Mandatory Use of City Water and Sewer Systems
- [8-2-128.02.130](#): Appeals
- [8-2-138.02.140](#): Written Agreements
- [8-2-148.02.150](#): Guidelines and Checklists
- [8-2-158.02.160](#): Fees and Recording
- [8-2-168.02.170](#): Issuance of Building Permit
- [8-2-178.02.180](#): Occupancy of a Dwelling
- [8-2-188.02.190](#): Subdivision Phases
- [8.02.200](#): [Residential Driveways](#)
- [8.02.210](#): [Severability](#)

**8-2-18.02.010: DEFINITIONS.** The following terms used in this title shall have the respective meanings hereinafter set forth:

ALLEY: Any public way or thoroughfare less than 16 feet but not less than 10 feet in width, which has been dedicated or deeded to the public for public use.

BENCH MARK: A mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

BLOCK: A piece of land bordered by streets or other rights-of-way, and or which is designated as a block on any recorded sub-division plat.

BUILDING OFFICIAL: The officer or other designated authority charged with the administration and enforcement of uniform codes, and the inspection of all subdivision improvements, or the building officials duly appointed representative.

CITY: Refers to Syracuse City.

CITY COUNCIL: The City Council of Syracuse.

CITY ENGINEER: Any registered civil engineer hired by the City Council to accomplish the objectives of this ordinance provided that no such person may serve the City and a subdivider simultaneously where he would have to check his own work or the work of a member of his firm in connection with any subdivision in the City.

**CONDOMINIUM:** The ownership of a single unit in a multi-unit project together with undivided interest in common in the common areas and facilities of a property as provided by State law.

**CONSTRUCTION:** Any work or product which will become the property of the City; i.e., roads, curb and gutter, sidewalks, water works, sewer works, culverts, bridges, fencing, etc.

**CONTRACTOR:** The person in charge of construction. He could also be the subdivider.

**CUL-DE-SAC:** A minor street having only one outlet being terminated at the other end by a vehicular turnaround.

**DRIVEWAY:** A private roadway, the use of which is limited to persons residing, employed or otherwise using or visiting the lot on which the roadway is located.

**EASEMENT:** The quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

**FINAL PLAT:** A subdivision map prepared in accordance with the provisions of this ordinance that is accurately surveyed and such survey marked on the ground so that the streets, alleys, blocks, lots and other divisions thereof can be identified and which is designated to be placed on record in the office of the County Recorder.

**IMPROVEMENT DISTRICT:** Is as defined by Utah State law.

**IMPROVEMENTS:** Work objectives, devices, facilities, or utilities required to be constructed or installed in a subdivision. Such improvements may include but are not limited to water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, streets, trees, street signs, street lights, traffic control or safety devices, fire hydrants and such other facilities or construction required by the subdivision ordinance.

**INSPECTOR:** The authorized inspector or representative of the City Council.

**LOT:** A portion of the subdivision or parcel of land intended for building development or transfer of ownership.

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**MASTER PLAN:** A long-range general plan that identifies present and future needs of Syracuse City, which outlines growth and development of land within the City and provides for health, general welfare, and safety as outlined in Section 10-9-301 et seq, Utah Code Annotated, 1953, as amended.

**MAY:** Is permissive.

**OPEN SPACE:** Shall mean any area within the subdivision that has been designated as open to meet the requirements of development

**OWNER:** Shall mean and refer to the person, corporation, partnership or other entity in which is vested the fee simple, title of the property to be subdivided, unless otherwise clearly indicated, or the owners designee.

PERSON: Any individual, firm, partnership, associate, entity, institution, or corporation and their heirs, assigns, or agents.

PLANNING COMMISSION: Shall mean the Syracuse City Planning commission unless another Planning commission is specifically named.

PRELIMINARY PLAT: A map or plan of a proposed land division or subdivision prepared in accordance with the requirements of this ordinance.

SHALL: Is mandatory

SKETCH PLAN: A conceptual drawing of the proposed development prepared in accordance with the requirements of this ordinance.

SMALL SUBDIVISION: The division of a tract or lot or parcel of land into two, but not more than 9 lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development, wherein all such divisions front on an existing street.

SPECIFICATIONS: To be interpreted as rules and regulations.

STREET, ARTERIAL: A street existing or proposed, which serves or is intended to serve as a major traffic way, as a controlled access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET, LOCAL: A street existing or proposed which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local need of a neighborhood.

STREET, MAJOR COLLECTOR : Shall mean a street with a right-of way 72 feet, designated in the general plan to carry larger volumes of traffic to arterial streets.

STREETS, MINOR COLLECTOR: A street existing or proposed with a 66' right-of-way, which carries traffic from local subdivision streets to the major collectors

STREET, PRIVATE: A street or an alley whose ownership has been retained privately.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. "Subdivision" includes:

1. The division or development of land whether by deed, metes and bounds description, devises and testacy, lease, map, plat, or other recorded instrument: and
2. Divisions of land for all residential and non residential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

SUBDIVISION REQUIREMENTS: Are those that are adopted by the various governing bodies in the City for the necessary proper development of a proposed subdivision.

SUBDIVIDE: And any derivative thereof shall have reference to the term subdivision as herein defined.

SUBDIVIDER: One who subdivides a parcel of land and may also be referred to as a [developersubdivider](#).

WALKWAY: A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind.

WET LANDS: Any area that has the potential to support wildlife and the capability of natural water filtration whether naturally or man made.

ZONING: The most recent zoning ordinances adopted by Syracuse City. (1997)

## [8-2-28.02.020](#) GENERAL REQUIREMENTS

[A.1. Scope](#). This section defines the general requirements for improvements to be built by the Subdivider.

The improvements shall include all street improvements in front of all lots and along all dedicated streets to the connection with existing improvements of the same kind or to the boundary of the subdivision nearest existing improvements. Layout must provide for future extension to adjacent development and be compatible with the contour of the ground for proper drainage. All water lines, sewer lines, and any other buried conduit shall be installed to the boundary lines of the subdivision.

[B.2. Standards for Construction Drawings](#). The following instructions are for the purpose of standardizing the preparation of drawings to obtain uniformity in appearance, clarity, size, and style. All drawings and/or prints shall be clear and legible and conform to good engineering and drafting room practice. Size of drawings shall be 22" x 34" (trim line) with 1/2" border on top, bottom and right sides. Left side shall be 1 1/2".

[\(1\)a](#). In general the following shall be included on drawings:

- [\(a\)](#) North arrow (plan).
- [\(b\)](#) Scale and elevations referenced to City datum.
- [\(c\)](#) Stationing and elevations for profiles.
- [\(d\)](#) Title block, located in lower right corner of sheet, to include:
  - ~~(i)~~ Name of City,
  - ~~(ii)~~ Project title (subdivision, etc.), [and](#)
  - ~~(iii)~~ Specific type and location of work.
- [\(e\)](#) Space for approval signature of City Engineer and date.
- [\(f\)](#) Name of engineer or firm preparing drawings with license number and signature.

~~(2)b~~. Curb and gutter, drains and drainage structures, signing, lighting sidewalks, and street surfacing shall show:

- [\(a\)](#) Scale: 1" = 20' or 50' horizontal; 1" = 2' or 5' vertical.
- [\(b\)](#) Both plan view and profile. Street center line.
- [\(c\)](#) Stationing and top of curb elevations with curve data must be shown for all curb returns. Show top of curb elevation on both sides on even stations (50 FT. Sta. Max.).
- [\(d\)](#) Flow direction and type of cross drainage structures at intersections with adequate flow line elevations.
- [\(e\)](#) Bench Mark location and elevation (use City datum).
- [\(f\)](#) Bedding Details

(3)c. Sewer drawings shall show:

- (a) Scale: 1" = 20' or 50' horizontal; 1" = 2' or 5' vertical.
- (b) Location, size, and grade of all lines except individual services.
- (c) Manhole details, size, location, and flow line elevation.
- (d) Type of pipe.
- (e) Bench Mark location and elevation (use City datum).
- (f) Bedding Details.

(4)d. Culinary and secondary water drawings shall show:

- (a) Size and location of water mains, valves, hydrants, tees, etc.
- (b) Type of pipe.
- (c) Minimum cover.
- (d) Bedding Details

(5)e. Each set of plans shall be accompanied by a separate sheet of details for structures which are to be constructed. All structures shall be designed in accordance with minimum requirements established by the Syracuse City Subdivision Standards.

- (a) Drawing size: 22" x 34" (trim line).
- (b) Scale of each detail.
- (c) Title block, lower right hand corner (same format on all sheets), including the name of the subdivision.
- (d) Completely dimensioned and described.

C-3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City Council may conditionally approve the installation of off-site improvements as described in Section 8-7-3(D)(1). All public improvements shall be completed within one year of the date the final plat was approved, and the Building Official shall inspect the construction as it proceeds. A construction punch list shall be made up by the Building Official indicating the items missed or needing correction prior to acceptance of the improvements by the Building Official, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.

D-4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the Building Official shall make an inspection of all improvements and inform the ~~subdivider~~~~Developer~~~~Subdivider~~ and City Administrator of the results of the inspection. At the completion of construction, the subdivider shall call for inspection by the Building Official and said inspection shall be made within ten (10) days of the request thereof. The ~~subdivider~~~~developers~~~~subdivider~~ shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified.

E-5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the City Building Official. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the City Engineer to assist in inspection if it is deemed necessary.

(1)a. To cover the cost of inspection and management of off-site improvements, the subdivider shall pay a fee to the City based on the linear feet of improvements installed, the number of building lots in the subdivision, and the average number of hours spent inspecting off-site improvements. Said fee shall be established by resolution of the City Council. Said fee shall be paid prior to recordation of the subdivision plat.

(2)b. The Community Development Director or his designee shall insure that all off-site inspections are installed in accordance with approved subdivision standards prior to acceptance by the City.

(3)c. On construction requiring continuous inspection, no work shall be done except in the presence of the City Inspector. Continuous inspection may occur on the following types of work:

- (a) Preparation of street subgrade and compacted fill.
- (b) Laying of street surfacing.
- (c) Pouring of concrete for curb and gutter, sidewalks, and other structures.
- (d) Laying of sewer pipe, drainage pipe, water pipe, valves, hydrants, and testing.

(4)d. Periodic inspections shall be required on the following:

- (a) Street grading and gravel base.
- (b) Excavations for curb and gutter and sidewalks.
- (c) Excavations for structures.
- (d) Trenches for laying pipe.
- (e) Forms for curb and gutter, sidewalks, and structures. (Ord 05-12)

F-6. Requests for Inspection. Requests for inspections shall be made to the City by the person responsible for construction. Requests for inspection on work requiring continuous inspection shall be made three (3) days prior to the commencing of the work. Notice shall be given one (1) day in advance of the starting of work requiring periodic inspection.

G-7. Construction Completion Inspection. An inspection shall be made by the City Inspector after receiving a written document from the ~~subdivider~~~~Developer~~~~Subdivider~~ that all work is completed. Attached to this document the ~~subdivider~~~~developer~~~~subdivider~~'s engineer shall prepare a statement that all sanitary sewers have been tested for exfiltration/infiltration and they have passed the requirements herein.

H-8. Guarantee of Work. The subdivider shall warrant and guarantee (and post bond or other security) that the improvements provided for hereunder, and every part thereof, will remain in good condition for a period of ~~one (1) two (2)~~ years after the date of the construction completion inspection report by the City Inspector and shall agree to make all repairs to and maintain the improvements and every part thereof in good condition during that time with no cost to the City.

It is further agreed and understood that the determination for necessity of repairs and maintenance of the work rests with the City Inspector. His decision upon the matter shall be final and binding upon the subdivider, and the guarantee hereby stipulated shall extend to and include, but shall not be limited to, the entire street base and all

pipes, joints, valves, backfill and compaction, as well as the working surface, curbs, gutters, sidewalks, and other accessories that are, or may be affected by the construction operations, and whenever, in the judgment of the City Inspector, said work shall be in need of repairs, maintenance, or rebuilding, he shall cause a written notice to be served the subdivider, and thereupon the subdivider shall undertake and complete such repairs, maintenance, or rebuilding. If the subdivider fails to do so within ten (10) days from the date of service of such notice, the City Inspector shall have such repairs made, and the cost of such repairs shall be paid by the subdivider, together with 15 percent in addition thereto as and for stipulated damages for such failure on the part of the subdivider to make the repairs.

I-9. Acceptance of Materials. Material such as, but not limited to, bituminous products, Portland cement, steel, pipe gaskets, joints filler, fire hydrants and other similar commercially produced products will be accepted by the City upon submission by the subdivider of a supplier certification that the material meets specifications. These materials shall not be incorporated into the project until such certification has been received and approved in writing by the City Inspector.

J-10. Samples and Tests. Materials, equipment, and workmanship shall be subject to sampling or testing by the City. At the option of the Inspector, materials shall be subject to tests and inspection before such materials are used in the work. Representative preliminary samples of the character and quality prescribed shall be submitted without charge by the contractor or producer of materials to be used in the work in sufficient quantities or amounts for testing.

All tests of materials furnished by the contractor shall be made in accordance with the commonly recognized standards of National technical organizations and such special methods and tests as are prescribed herein.

K-11. General.

(1)a. Approval of plans and specifications by the City Engineer on a submitted project will extend for a period of six months. If no work has been performed on such project within a period of six months following initial approval, the plans must be re-submitted and become subject to re-approval under the latest City standards and specifications.

(2)b. Final acceptance of any or all work is contingent upon (1) an on-the-site inspection as the work progresses, (2) a reproducible "as built" plan having been submitted, and (3) a final inspection of the site.

(3)c. All utilities, private or publicly owned, shall be placed underground unless otherwise approved or specified by the City. This will include, but not be limited to, telephone, gas, electric power, water, sewer, storm drains, etc. These underground utilities shall be installed before the surfacing of the streets and installation of road base, curb and gutter, sidewalks, etc.

(4)d. It is the sole responsibility of the contractor to:

(ai) Secure any and all permits required for completion of the project.

(bij) Provide for the safety and protection of all those engaged in the project, not allowing any unsafe conditions to exist.

(e)iii) Acquire materials and produce workmanship which conforms to the City standards and specifications. Sub-standard installations and materials are subject to removal and replacement at the contractor's expense.

(d)iv) Have all work performed in a manner acceptable by the City Inspector.

(5)e. No project can receive final approval until the workmanship and materials are in compliance with City standards and specifications. This includes accurate and proper placement of survey monuments and acceptable clean-up of area.

(6)f. All items not mentioned within these standards and specifications related to road work will be performed in accordance with the most recent edition of "State of Utah Standard Specifications for Road and Bridge Construction" by the State Road Commission.

(7)g. The burden of proof to justify any variance to the standards and specifications contained herein shall be at the expense of the petitioner. Final acceptance will be by the City Engineer.

(8)h. Adoption of these standards and specifications in no way alleviates the responsibility of the ~~developer~~ subdivider to practice good sound engineering and construction practices in all phases of his work. It is the intent of these standards and specifications to provide uniformity, continuity and eventual lessening of unnecessary maintenance expenses to the City.

(9)i. Where these standards and specifications are in conflict with adopted City ordinances, the most restrictive will apply.

(10)j. These standards and specifications are subject to revision, modification, additions or changes without notice, by reference to the Subdivision Ordinance and approval by the majority of the City Council. (1997)

**8-2-38.02.030 SECURITY OF PERFORMANCE**

A.1. A Subdivision plat shall not be recorded until the subdivider shall have furnished to the City a Security of Performance, acceptable to the City and as set forth below, in an amount set by the City Engineer and equal to at least 1.1 times the reasonable value of unfinished improvements required herein. The Security of Performance required by this section, and at the City's discretion, may be furnished by any of the following methods:

(1)a. By providing a surety or cash bond in the amount specified herein and conditioned upon payment by the subdivider of all expenses incurred for labor or material used in the construction of required improvements.

(2)b. By depositing the specified amount of cash in a bank account to which the City alone has access, but only in the event it becomes necessary, in order to complete, repair or replace the improvements as set forth below.

(3)c. By depositing the specified amount of cash in a supervised bank account to which the Subdivider has access, with the approval and signature of the City, which funds shall be used to pay for the subdivision improvements as construction is completed and evidence that no liens have been placed on the

construction project. In the event it becomes necessary for the City to foreclose on the Security of Performance and move to complete, repair or replace the improvements as set forth below, then the City shall have access to said supervised bank account for the purpose of completing, repairing, or replacing improvements without the necessity of obtaining the approval of the subdivider.

(4)d. By any other method that is acceptable to the City, provided that the City's interests in assuring that the work required herein is paid for, inspected and completed in conformance with City standards are protected. (Ord 05-12)

B-2. The Security of Performance required by this section is to assure the City that all improvements are constructed in conformance with all relevant City ordinances, regulations, and standards, and to assure the City that all expenses incurred for labor or material used in the construction of the same are paid for by the Subdivider. Further, the City may retain 10 percent of the Security of Performance Guarantee provided by the subdivider until two years one year following the final inspection by the Building Official, ~~or for such other period of time less than two years as the City deems necessary to insure compliance as set forth herein.~~ (Ord 05-12)

C-3. In the event construction of the public improvements is not completed or is not completed in a satisfactory manner one year from the date the final plat was approved by the City Council, the City may proceed to install the improvements in a satisfactory manner at the subdivider's expense by foreclosing on at the subdivider's "Security of Performance" held by the City.

In the event the public improvements fail to meet the standards as set forth in the subdivider's written guarantee, the City shall so notify the subdivider who shall be given a reasonable time to repair or otherwise correct as requested. The City may proceed to repair or replace the unsatisfactory improvements at the subdivider's expense by foreclosing on any Security of Performance still held by the City; and, in addition, the City may avail itself of any other remedy provided to it under the laws of the state of Utah and of the City of Syracuse. In addition to any other remedies stated herein, the city shall not approve additional phases for development if the subdivider has not completed improvements in a satisfactory manner within one year from the date of final plat approval.

**8-2-48.02.040: FEE PAYMENT** All fee schedules shall be established by the City Council by means of a resolution. Such fee schedules and the periodic adjustments thereof shall be a part of this ordinance by reference. (1997) (See Resolution R97-3)

**8-2-58.02.050: PARKS, OPEN SPACE, AND OTHER PUBLIC SPACES**  
(Ord. 01-02) (Ord. 02-19) (Ord. 11-10)

1. Location of parks and other public spaces. The City shall require a minimum of 6.6 acres of property for parks or other public spaces for every 1000 population throughout the city. The location of parks shall be determined by the City as identified in the Syracuse City General Plan. Developers-Subdividers will be required to work with the City to obtain park property within the development where placement of parks have been identified.

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B. 2. Park Purchase Fee. In order for the City to obtain property for parks and other public spaces, the developersubdivider shall contribute to the City six and six tenths percent (6.6%) of the appraised value of land being developed, which shall be used to purchase property for parks and other public spaces in the City. This assessment shall be made on each phase of development. The City may require the developersubdivider to donate six and six tenths percent (6.6%) of the property being developed should the City desire a park or other public space in that location. The amount of the Park Purchase fee shall be determined from a third party MAI (Member of the Appraisal Institute) designated appraisal requisitioned yearly by the City. The developersubdivider shall pay a nominal fee as determined by the City Council to defray the cost of the appraisal. The developersubdivider may accept the City's MAI appraisal or may procure and submit to the City an MAI appraisal of the subdivision property.

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**8-2-68.02.060: ADJACENT STREETS.**

It shall become the responsibility of the DeveloperSubdivider to complete all of the necessary public improvements on streets adjacent to his proposed development. This shall include reasonable landscaping of park strips, as approved by the city, when a new street placed is adjacent to an existing lot, which becomes a corner lot because of placement of the road. This shall be done at the subdivider's sole expense. (Ord. 03-25)

**8-2-78.02.070: RELATION TO ADJOINING STREET SYSTEMS.**

The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) at the same or greater width (but in no case less than the required minimum width) unless the variations are deemed necessary by the Planning Commission for public requirements.

Street access for new subdivisions shall be established by using the AASHTO Traffic Design Manual calculation of 7.5 seconds of travel time between street accesses onto existing roadways, (which calculated would be 385 feet at 35 mph) unless otherwise recommended by the Planning Commission. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Where, in the opinion of the Planning Commission it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Half streets along the boundary of land proposed for subdivision will not be permitted. (1999)

**8-2-88.02.080: STREET LIGHTS.**

The placement of streetlights shall be included as part of the subdivision development. DeveloperSubdividers shall be responsible to install or have installed, streetlights in accordance with adopted Construction Specifications.

Placement of streetlights shall be at each intersection within the development and at the end of each cull-de-sac, providing that the end of the cul-de-sac is at least 400 feet from the entrance thereof. (Ord 02-19) For cul-de-sac lengths in excess of 400 feet with a dogleg street bend of 45° or greater, the subdivider shall be responsible to install a streetlight at the dogleg of the cul-de-sac in addition to the streetlight at the end of the cul-de-sac.

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**8-2-98.02.090: IRRIGATION WATER.**

Due to the need of providing irrigation water for subdivision development, the City has estimated the impact of subdivisions on the area's water supply. Factors including the City's climate, temperature, precipitation, evapotranspiration rate, length of the irrigation season, and soil type dictate that each acre of irrigable property requires roughly four acre feet (4 a.f.) of water annually during normal water years.

1. Residential Subdivisions. Based on extensive experience with residential subdivisions, the City has calculated that the nature and extent of a residential subdivision's impact on the water supply is roughly proportionate to three acre feet (0.75 x 4 a.f.) of water annually for each acre or part thereof within the subdivision during normal water years. Therefore, a residential subdivider shall convey to the City water rights that have been customarily used on the property to be developed that are usable by and acceptable to the City to provide 0.75 x 4 a.f. for each acre or part thereof within the subdivision. In the event there are no owner water rights on property to be developed, the subdivider shall obtain and convey water rights acceptable and usable by Syracuse City.
2. Nonresidential Subdivisions. The nature and extent of a nonresidential subdivision's impact on the water supply varies widely based on the amount of the subdivision that remains irrigable acres. Accordingly, a nonresidential subdivider shall convey to the City water rights that have been customarily used on the property to be developed that are usable by and acceptable to the City to provide 4 a.f. for each irrigable acre or part thereof within the subdivision. In the event there are no owner water rights on property to be developed, the subdivider shall obtain and convey water rights acceptable and usable by Syracuse City. No water rights shall be conveyed for full acres of asphalt or other non-permeable surfaces.
3. Exactions to Cease Upon Excess Supply. Every five years the Public Works Director shall determine whether the City's existing available water interests exceed the water interests needed to meet the amount of water needed in the next 40 years by the persons within the City's projected service area based on projected population growth and other water use demand ("reasonable future water requirements.") Should the Director conclude that available water interests exceed the reasonable future water requirements of the public, the Public Works Director shall notify the City Council and the City Council shall act to cease exacting water shares from any further subdividers until existing available water interests no longer exceed the reasonable future water requirements.
4. Exceptions for Residential Subdivisions. The City Engineer may approve a reduction of water shares required in residential subdivisions in consideration of man-made lakes and ponds to be constructed as part of the development with the following requirements:
  - a. Lake(s) or pond(s) must be one acre in size or greater measured at the design water surface elevation;
  - b. Lake(s) or Pond(s) shall be designated as open space and shall be preserved and maintained by a Home Owner's Association in compliance with city code;
  - c. City culinary and secondary Irrigation water systems shall not be used to fill or maintain water level of lake(s) or pond(s);

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- d. Developer shall provide proof of construction approval from applicable agencies and water rights sufficient to maintain designed mean water elevation;
- e. In the event that the Home Owner's Association seeks to convert the lake(s) or pond(s) to an alternate use, sufficient water shares shall be submitted to the City, prior to any approval of conversion.

3.

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**8-2-108.02.100: EXTENSION OF PUBLIC WORK FACILITIES.**

The extensions of any City Public works facilities including but not limited to roads, bridges, storm drains, water mains, sewer lines, and secondary water systems, shall be installed by the developersubdivider of any subdivision. There shall be no consideration or return to the developersubdivider within this area. The City, however, will consider cost sharing on any water or sewer lines in excess of eight (8) inch diameter in the event the City desires to participate for future planning purposes. (Ord 02-19)

**8-2-118.02.110: SECOND ACCESS REQUIRED.**

Providing for emergency response, all subdivisions having more than 35 homes shall have a minimum of two (2) ingress/egress roads, except that other acceptable alternatives for emergency accesses can be made and approved by both the Planning Commission and City Council. (Ord 05-12)

**8-2-128.02.120: MANDATORY USE OF CITY WATER, SECONDARY WATER AND SEWER SYSTEMS.**

All subdivisions located within the corporate boundaries of the City of Syracuse shall be required to connect to the water and sewer systems of the City, any ordinance or resolution to the contrary notwithstanding. The City Council hereby expressly finds the requirements of this Section and Section 8-2-9 to be in the best interests of the City and to promote the public health, safety, and general welfare of the residents thereof. (Ord 02-19)

**8-2-138.02.130: APPEALS.**

Any applicant, member of the Planning Commission and/or property owner within 1,000 feet of proposed subdivision property shall have the right to appeal the action of the Planning Commission to the City within five (5) days of the date of such action. Any action taken and not appealed within said five (5) days shall be final. When a written appeal is received by the City within five (5) days of the time the action was taken, the City will publish notice of an appeal hearing fifteen (15) days prior to the scheduled date by posting the notice thereof at three public places within the City. Action by the City Council will be final. (Ord 02-19)

**8-2-148.02.140: WRITTEN AGREEMENTS.**

When and as written agreements are deemed to be necessary for the protection and understanding of all parties concerned, then they shall be entered into by all parties concerned, i.e., to cover areas of concern not specifically addressed by the subdivision ordinance or other requirements of the City, and shall be submitted with the final plats to the Planning Commission and the City Council.

A.1. Payback Agreement.

- (1)a. \_\_\_\_\_ The City may enter into a payback agreement with a [developersubdivider](#) who installs improvements or facilities for water, secondary water, land drains, storm sewer, roads, or parks, where the improvements installed extend, expand, or improve the City's water, secondary water, land drains, sewer, storm sewer, roads, or parks, beyond the improvements required to service or benefit the subdivision or development proposed by the [developersubdivider](#) or where a [developersubdivider](#) installs improvements due to the layout or ownership of the land that benefit another landowner or [developersubdivider](#) who would or should in equity normally pay a portion of the improvements. The payback agreement is not mandatory, but may be used at the option of the City upon approval of the payback agreement by the City Council.
- (2)b. \_\_\_\_\_ The dollar amount of the payback to the [developersubdivider](#) shall be solely determined by the City under the direction of the City Engineer after consideration of the portion of the improvements or facilities installed that benefit [developersubdivider](#)'s development, and the portion of the improvements or facilities that are specifically over-sized or installed to provide for future development or benefit other landowners or future [developersubdividers](#).
- (3)c. \_\_\_\_\_ The City shall, in all cases, be immune and not liable for any payments to the [developersubdivider](#) if the payback agreement is determined to be unenforceable or if the City is not able to collect from future [developersubdividers](#). At the time a payback agreement is entered into with a [developersubdivider](#), the City shall record a notice against the benefited property with the County Recorders office, which notice shall inform the benefited landowners that at such time as they develop the benefited property they will be required to pay for a portion of the improvements previously installed.
- (4)d. \_\_\_\_\_ The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Administrator or his designee. The responsibility for payment of the required improvements or facilities shall rest entirely with the [developersubdivider](#).
- (5)e. \_\_\_\_\_ The payback agreement shall expire ten years from the date of the payback agreement or at such time as the [developersubdivider](#) has recovered the costs specified in the payback agreement, whichever comes first.
- (6)f. \_\_\_\_\_ If any part of this ordinance is found to be invalid by a court of competent jurisdiction, or if the Legislature of the State of Utah should pass a law which would invalidate any portion of this ordinance, all parties to the payback agreement shall be released from further responsibility thereunder and shall be relieved from any and all responsibility thereunder.

#### **8-2-158.02.150: GUIDELINES AND CHECKLISTS.**

The City is hereby authorized and empowered to promulgate by way of resolution certain guidelines and/or checklists relative to this ordinance. These materials shall be provided to any interested person upon request and upon payment of a fee specified by the City. These materials shall be for instructional purposes only and represent an attempt to aid those seeking to comply with this ordinance. In the event any conflict arises between such guidelines and this ordinance or other regulations, resolutions or policies of the City, then said ordinances, resolutions, regulations, or policies shall be deemed controlling and all questions shall be resolved in their favor. (1997)

**8-2-168.02.160: FEES AND RECORDING**

- A. Utility connection fees and service assessments will be the established rate at the time application is made.
- B. Recording fees will be the established rate at the time recording is made. (Ord 02-19)

**8-2-178.02.170: ISSUANCE OF BUILDING PERMIT**

- ~~(A)~~1. The following requirements shall be met prior to issuance of any building permit within a subdivision:
  - ~~(1)~~a. All required fencing installed as a condition of subdivision approval in compliance with Syracuse City Zoning Ordinance;
  - ~~(2)~~b. All water and sewer and drainage systems installed, inspected and tested;
  - ~~(3)~~c. All curb and gutter installed;
  - ~~(4)~~d. A minimum of 8 inches of road base in place and graded;
  - ~~(5)~~e. All lots within the subdivision rough graded so that weeds and other vegetation can be maintained by the contractor;
- ~~(B)~~2. Contractors will be responsible to see that all construction materials and/or debris are continuously secured or removed from construction site in accordance with Syracuse City Ordinance, Chapter 6-1, Nuisances on Property. (Ord 02-19)

**8-2-188.02.180: OCCUPANCY OF A DWELLING.**

All structures used for the purpose of residential dwelling shall meet the following guidelines prior to occupancy:

- ~~(A)~~1. All underground off-site improvements properly installed and operational as approved by Syracuse City.
- ~~(B)~~2. All required asphalt or concrete hard surface roadway installed and completed throughout the entire phase in which the dwelling is located in accordance with Syracuse City design standards. In the event that hard surface paving cannot be properly installed due to weather related circumstances, the ~~developersubdivider~~ may petition the City Council for conditional occupancy providing the following guidelines are met:
  - ~~(1)~~a. Roadbase installed in accordance with Syracuse City design standards.
  - ~~(2)~~b. ~~DeveloperSubdivider~~ must maintain all roadbase surfaces providing for adequate vehicular accessibility ~~and that the~~ The developersubdividers shall provide for services which will not be available due to the absence of paving.
  - ~~(3)~~c. Required asphalt or concrete hard surface roadway shall be installed and completed as soon as weather related circumstances change or as directed by Syracuse City. (Ord 02-19)

**8-2-198.02.190: SUBDIVISION PHASES.**

A subdivision containing more than thirty-six (36) lots shall be planned in subsequent phases and must follow the following requirements:

- (A)1. The sketch plan must show the placement, numbering and boundaries of the phases within the subdivision.
- (B)2. Any future alteration or deviation from the original sketch plan will require the submittal of an amended sketch plan.
- (C)3. Design of each phase must be consistent with the Syracuse City's General Plan and this ordinance.
- (D)4. Phases must be completed in such a manner as to provide sufficient services to existing and future development.
- (E) 5. Phase and lot numbering must be sequential and consistent to that approved in the Sketch Plan. (Ord 02-19)

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**8-2-208.02.200: RESIDENTIAL DRIVEWAYS.**

The arrangement of residential driveways on proposed subdivision lots fronting a collector or arterial street will be directed by the City Planning Commission. Driveways fronting collector or arterial streets will be constructed to allow semi-circular, pull-through, or hammerhead pull out residential driveways. (Ord 02-19)

**8.02.210 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

**CHAPTER 3**  
**PUBLIC IMPROVEMENTS**

- ~~8-3-18.03.010~~: Design Standards
- ~~8-3-28.03.020~~: Local Minimum Standards & Specifications
- ~~8-3-38.03.030~~: Other General Standards
- 8.03.040 Severability

8-3-18.03.010: DESIGN STANDARDS.

The design of the final subdivision plat in relation to streets, blocks, lots, open spaces and other design factors shall be in harmony with design standards recommended by the Planning Commission and by other departments and agencies of city government. Design standards shall be approved by the City Council and shall include provisions as follows which are hereby approved by the City Council: (Ord. 12-10)

- A-1. Blocks shall not exceed thirteen hundred twenty feet in length.
- B-2. Dead-end streets, which exceed one lot depth in length, shall have a forty-foot (40') radius temporary turnaround area at the end. The turnaround shall have an all-weather surface acceptable to the City. (Ord. 03-10)
- C-3. Blocks shall be wide enough to adequately accommodate a minimum of two lots.
- D-4. Dedicated walkways through the block may be required where access is necessary to a point designated by the Planning Commission. Such walkways shall be a minimum of six feet in width, but may be required to be wider where determined necessary by the Planning Commission. The subdivider shall surface the full width of the walkway with a concrete surface, install a chain link fence or its equal at least four feet high on each side and the full length of each walkway and provide, in accordance with the standards, rules, and regulations, barriers at each walkway entrance to prevent the use of the walkway by any motor vehicle or by any non-motorized vehicle wider than four feet.
- E-5. Blocks intended for business or industrial use shall be designated specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.
- F-6. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, to the character of surrounding development and to existing requirements.
- G-7. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning ordinance for the zone or proposed zone in which the subdivision is located, and to the minimum requirements of the County Board of Health for water supply and sewage disposal.
- H-8. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly-dedicated street. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.
- I-9. Side lines of lots shall be approximately at right angles, or radial to the street lines.

~~J-10.~~ In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.

~~K-11.~~ Subdivision boundaries shall include all property; no protection or holding strips will be allowed. All improvements shall be installed to the boundary of the subdivision.

~~L-12.~~ Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than five hundred (500) feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than one hundred (100) feet diameter, measured to the property lines. (Ord. 12-10)

Exceptions to the maximum length of a cul-de-sac ~~up to eight hundred (800) feet of a cul-de-sac~~ may only be granted by the City Council, after receiving a recommendation from the Planning Commission ~~for an exception, and that an increased street length will not unreasonably impact the ability to provide emergency and other public services. To receive an exception in the maximum length, an applicant may be required to provide, but is not limited to, the following:~~ (Ord.03-10) (Ord. 12-10). ~~In order to recommend an exception, the Planning Commission must conclude that:~~

- ~~a. An exception is necessary to maximize the approved uses for the property allowed by zoning and the General Plan; and~~
- ~~b. Existing Geographic barriers or existing developments prevent a subdivider from creating a street with more than one outlet; and~~
- ~~c. Failure to create a cul-de-sac longer than 500 feet will result in islands of undevelopable property surrounded by developed property.~~

~~In cases where an exception to the 500 foot maximum cul-de-sac length is warranted, the subdivider shall provide the following prior to approval:~~

- ~~(1)a.~~ Written approval from Syracuse Police, Fire, and Public Works Departments. (Ord. 12-10)
- ~~(2)b.~~ Looped water main providing a two-way feed. (Ord. 12-10)
- ~~(3)c.~~ "Dead End" signage. (Ord. 12-10)
- ~~(4)d.~~ Street light at the end of the cul-de-sac. (Ord. 12-10)
- ~~(5)e.~~ Secondary emergency access and/or road width as required by Fire Department. (Ord. 12-10)
- ~~(6)f.~~ Snow storage location at the end of cul-de-sac, unobstructed by hydrants, streetlights, utilities, mailboxes, trees, structures, parking lots, etc. (Ord. 12-10)

~~M-13.~~ When a dead-end street reaches its maximum block length of 1320 feet, it shall not be extended except to connect to another street which provides a second point of independent access. (Ord. 03-10)

~~14.~~ Private Streets shall only be permitted in PRD and Cluster Subdivisions. Private Streets shall meet the minimum construction standards established for publicly dedicated streets with the standard right-of-way requirement. Pavement widths less

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than 35' may be permitted, when the private street ties into a minor collector street or greater, and does not terminate in a cul-de-sac. Private streets shall be perpetually maintained by a professionally managed Home Owner's Association as established within an approved development agreement. The purpose of a private street is not to provide a street which is substandard in construction to public streets, but one that allows for private gated access and maintenance for the exclusive use and benefit of the residents residing on said private street.

**8-3-28.03.020: LOCAL MINIMUM STANDARDS & SPECIFICATIONS.**

Standards for design, construction specifications, and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities shall be prepared by the City Engineer; standards for water distribution and sewage disposal facilities by the Board of Health; and similar standards for fire protection by Insurance Services Office. All subdividers shall comply with the standards established by such departments and agencies. These standards in addition to the general standards listed below shall be used by all subdividers. (1997)

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**8-3-38.03.030: OTHER GENERAL STANDARDS.**

A.1. Irrigation Ditches and Canals. Open ditches or canals shall not be allowed within a subdivision or within an existing street right-of-way adjacent to a subdivision. The subdivider shall work with the irrigation, drainage or ditch companies to determine:

(1)a. Methods of covering, realigning or eliminating ditches or canals.

(2)b. The size of pipe and culverts required.

(3)c. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.

In any case where canals or ditches are within public or proposed public rights-of-way, specifications and grades for pipe or culvert must be approved by the City Engineer.

When an irrigation ditch or canal is adjacent to subdivision development the subdivider must construct a continuous chain link fence on the property line of at least five (5) feet in height.

B.2. Buffering. In addition to fencing ditches and canals the subdivider shall be required to provide adequate buffering as outlined in the City's Zoning Ordinance. (1997)

**8.03.040 SEVERABILITY**

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If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 4

### SUBDIVISION SKETCH (CONCEPT) PLAN;

~~8-4-18.04.010~~: Procedures and Requirements for Submission

~~8-4-28.04.020~~: Feasibility Report

~~8-4-38.04.030~~: Action by the Planning Commission

~~8.04.040~~ Severability

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~~8-4-18.04.010~~: **PROCEDURES AND REQUIREMENTS FOR SUBMISSION** Submit one (1) standard 22" x 34" copy, plus four (4) reduced to 11" x 17" (1/2 scale) copies of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

~~A-1~~. The proposed name of the subdivision.

~~B-2~~. The adjacent property boundaries under the control of the subdivider together with the boundaries of the proposed Subdivision, showing all streets serving property proposed for subdividing.

~~C-3~~. Approximate number of lots proposed and street layout indicating general scale dimensions of lots. The scale shall not be less than 1" = 100'.

~~D-4~~. Approximate total acreage of the development as well as size of the individual lots.

~~E-5~~. Location of all irrigation, waste water drain channels, and all existing utilities within or adjoining the proposed subdivision.

~~F-6~~. Location of all subsurface or land drains within the boundaries of the proposed subdivision.

~~G-7~~. Location and approximate acres of open space or parks within the subdivision.

~~H-8~~. Vicinity map.

~~I-9~~. Current Zoning. (1997)

#### **8-4-2: FEASIBILITY REPORT**

The ~~developers~~subdivider shall prepare and submit a development feasibility report that addresses the following:

~~A-1~~. Proposed method of connecting to city utilities including, but not limited to, water, secondary water, storm drain, sanitary sewer land drains, etc.

~~B-2~~. Irrigation water rights to be conveyed to the city to meet the irrigation water requirements.

~~C.3.~~ Method and calculations for meeting the density requirements outlined in the city's zoning ordinance for the zone where subdivision is located.

~~D.4.~~ Method of meeting the open space requirements outlined in Section 8-2-5

~~E.5.~~ Identification of any potential wetland areas within the subdivision and proposed method of dealing with them.

~~F.6.~~ Estimated number of phases and the number of lots in each phase of the development.

~~G.7.~~ Method of meeting requirements for secondary access required by section 8-2-10. (1997)

**8-4-38.04.030: SKETCH PLAN APPROVAL.**

The Planning Commission, City Engineer and representatives of other City departments, as deemed necessary by the Zoning Administrator, shall review the Sketch Plan of the proposed subdivision. The Planning Commission shall either approve, deny, or conditionally approve the plans or table action for the next regular meeting, provided, however, that the Planning Commission ~~may will~~ serve notice of and hold a public hearing concerning the proposed subdivision before taking any action with respect thereto upon a determination that it is reasonably necessary and would be conducive to a correct and proper decision in the best interests of the City. Such notice shall be given at least ~~seven-~~ (7)ten (10) days before the proposed public hearing and shall be given by publishing it at least once in a newspaper having a general circulation within the City and by posting notice thereof in at least three (3) public places within the City. (Ord. 11-02)

If the Planning Commission denies a Sketch Plan the Planning Commission shall indicate its disapproval by written notice stating the reasons, in which case the applicant may appeal the decision to the City Council. Approval of sketch plans by the Planning Commission will extend for a period of one (1) year. If work or subsequent action by the ~~developersubdivider~~ to proceed to preliminary plan review does not occur within the year following initial approval, the ~~developersubdivider~~ must re-submit the plans for to re-approval under the latest City ordinances and specifications. (1999) (Ord. 11-02)

**8.04.040 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

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## CHAPTER 5

### PRELIMINARY SUBDIVISION REVIEW

- ~~8-5-18.05.010~~: Preliminary Plat  
~~8-5-2:8.05.020~~ Approval of Preliminary Plat  
~~8.05.030~~ Severability

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#### ~~8-5-1:8.05.010~~ PRELIMINARY PLAT

The Preliminary Plat shall comply with the following requirements:

- ~~(A)~~ 1. Submission Requirement: Submit Three (3) standard 22" x 34" copies (see standard drawing #1) plus Three (3) reduced to 11" x 17" (1/2 scale), of the preliminary plat to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.
- ~~(B)~~ 2. General Information Required:
- ~~(1)~~ a. The proposed name of the subdivision.
  - ~~(2)~~ b. The location of the subdivision, including the address of the section, township and range.
  - ~~(3)~~ c. Date of preparation.
  - ~~(4)~~ d. The location of the nearest bench mark and monument.
  - ~~(5)~~ e. The boundary of the proposed subdivision.
  - ~~(6)~~ f. Legal description of the subdivision and acreage included.
  - ~~(7)~~ g. Location, width and name of existing streets within two hundred (200) feet of the Subdivision and of all prior platted streets and other public ways, railroad and utilities rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract.
  - ~~(8)~~ h. Easements for water, sewer, drainage, utility lines, fencing, and other appropriate purposes.
  - ~~(9)~~ i. The layout, number, area, and typical dimensions of lots, streets, and utilities.
  - ~~(10)~~ j. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision including, but not limited to, sites to be reserved or dedicated for parks, playgrounds, schools or other public uses.
  - ~~(11)~~ k. Current inset City map showing location of subdivision.

(12)l. Boundary lines of adjacent tracts of undivided land showing ownership.

(13)m. Location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries.

(14)n. Existing sewers, field drains, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries, indicating pipe size, grades, manholes and exact location.

(15)o. Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries.

(16)p. Contours at two-foot intervals for predominate ground slopes within the subdivision between level and ten percent, and five-foot contours for predominate ground slopes within the subdivision greater than ten percent.

(17)q. The plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet and shall indicate the base of bearing true north.

(18)r. The subdivider's detailed plan for protecting future residents of his development from such hazards as open ditches, canals or waterways, non-access streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of a potentially hazardous nature located on, crossing, contiguous or near to the property being subdivided, with the exception that the subdivider's plan need not cover those features which the Planning Commission determines would not be a hazard to life and/or where the conforming structure designed to protect the future residents would itself create a hazard to the safety of the public. The foregoing does not relieve the subdivider of the duty to investigate all possible means of protecting future residents from a potential hazard before a determination is made that the only conceivable means of protection is potentially more hazardous than the hazard itself.

(19)s. Location of existing and proposed land drains. (1997)

**8-5-28.05.020: APPROVAL OF PRELIMINARY PLAT**

The Planning Commission, City Engineer and representatives of other interested City departments, as deemed necessary by the Zoning Administrator, shall review the preliminary plat and visit the site of the proposed subdivision. Following this investigation, and after receipt of the City Engineer's written comments and recommendations, the Planning Commission shall either approve, reject, conditionally approve or table action for the next regular meeting.

~~If the preliminary plat is approved, the Planning Commission shall return one copy of the plat signed by the Planning Commission Chairman to the subdivider with any conditions attached. Other signed copies shall be forwarded to each of the interested City departments. The Planning Commission shall retain one signed copy of the plat for its files.~~ If the Preliminary Plat is disapproved, the Planning Commission shall indicate its disapproval by written notice stating the reasons for disapproval.

The receipt of a signed copy of the approved Planning Commission approval of the preliminary plat shall authorize the subdivider to proceed with preparation of the final plat. Approval of preliminary plats by the Planning Commission will extend for a period of one year. If work or subsequent action by the developer/subdivider to proceed to final plan review does not occur within the year following initial approval, the plan must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999)

All requirements of sketch and preliminary plat approval shall be completed prior to the Planning Commission's consideration of Final Plat.

**8.05.030 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

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**CHAPTER 6**  
**FINAL SUBDIVISION REVIEW**

- [8-6-18.06.010](#): Final Plat
- [8-6-28.06.020](#): Final Plan and Profile
- [8-6-38.06.30](#): Final Approval
- [8.06.040](#): [Severability](#)

[8.06.010](#)      **FINAL PLAT—**

The Final Plat must be prepared by a licensed land surveyor on a sheet of approved tracing with permanent black Ink and shall be prepared in accordance with the requirements of this ordinance. The plat shall be 19" X 30" and shall have a one and one-half (1 1/2) inch border on the left and a one-half (1/2) inch border on the three remaining sides. The top of the plat shall be either north or east, whichever accommodates the drawing best.

The plat shall show:

- ~~(A)~~1. The name of the Subdivision, which name must be approved by the Planning Commission and County Recorder.
- ~~(B)~~2. Accurate angular and linear dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features.
- ~~(C)~~3. An identification system for all lots, blocks and names of streets. Lot lines shall show dimensions in feet and hundredths.
- ~~(D)~~4. The street address for each lot. Each street address shall be assigned by the City to be consistent with the current numbering scheme.
- ~~(E)~~5. True angles and distances to the nearest established street lines or official monuments which shall be accurately described in the plat and shown by appropriate symbol.
- ~~(F)~~6. Radii, internal angles, points and curvatures, tangent bearings and the length of all arcs.
- ~~(G)~~7. The accurate location of all monuments to be installed shown by the appropriate symbol. All United States, state, county or other official bench marks, monuments or triangulation stations in or adjacent to the property, shall be preserved in precise position.
- ~~(H)~~8. The dedication to the City of all streets, highways and other public uses and easements included in the proposed subdivision
- ~~(I)~~9. Street monuments shall be shown on the Final Plat as are approved by the City Engineer. Standard precast monuments will be furnished by the subdivider and placed as approved.

- (J)10. Pipes or other such iron markers shall be shown on the plat.
- (K)11. Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common use of all property owners.
- (L)12. All boundary, lot and other geometrics (bearings, distances, curve data, etc..) on Final Plat shall pose to an accuracy of not less than one part in five thousand (1/5000).
- (M)13. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use.
- (N)14. Boundary descriptions of the Subdivision.
- (O)15. Current inset City map showing location of subdivision.
- (P)16. Standard forms for the following:
  - (1)a. A registered Land Surveyor's Certificate of Survey as applicable under State Law.
  - (2)b. Owner's Dedication which shall "warrant and defend and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, maintenance and operation of the streets."
  - (3)c. A notary public's "Acknowledgement."
  - (4)d. The City Planning Commission's Land Use Authority (either the Planning Commission and/or City Council, as designated by the City Municipal Code) "Certificate of Approval."
  - (5)e. The City Engineer's "Certificate of Approval."
  - (6) The City Council's "Certificate of Approval."
  - (7)f. The County Recorder's "Certificate of Attest."
  - g. The City Attorney's "Certificate of Approval."
  - hi. Public Utilities approval and acceptance of Public Utility Easements.
  - (8)i. A three-inch (3") by three-inch (3") space in the lower right-hand corner of the drawing for recording information.

**8-6-28.06.020: FINAL PLAN AND PROFILE**

Plan and Profile must be prepared by a licensed engineer in accordance with the requirements of this ordinance. Standard 22" x 34" and reduced to 11" x 17" (1/2 scale) of the plan and profile will be required for review by the city. (1997)

General Information required.

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- (A)1. Plan for culinary water improvements. Show proposed water main sizes, valves, fire hydrants, and service connections to all lots within the proposed subdivision and connections to existing water mains
- (B)2. Plan for secondary water improvements. Show proposed secondary water main sizes, valves, and service connections to all lots within the proposed subdivision and connections to existing secondary water lines.
- (C)3. Plan for sanitary sewer. Show proposed sewer mains and manholes, together with proposed slopes and depths within the proposed subdivision. Also show location of service laterals to each lot within the subdivision.
- (D)4. Land Drain. Show method of dealing with land drains and subsurface water drains within the proposed development. If applicable, indicate location of any service connections and service manholes within the subdivision.
- (E)5. Storm Water. Show location and size of storm water drains, together with any manholes or drop boxes within the subdivision. Show slope and grade of all storm drain lines. Storm water calculations need to accompany drawings for engineer review.
- (F)6. Streets. Typical cross section of road improvements, together with flow line of proposed curb and gutter improvements as compared with existing ground slopes and center line offsets of all proposed utilities.
- (G)7. Stationing. Stationing callouts should conform with acceptable engineering practices.
- (H)8. Agreements. When necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission. (1997)

**8-6-3:8.06.030 FINAL APPROVAL-**

- (A)1. Submittal: Submit one (1) standard 22" x 34" copy of plat and plan & profile sheets, plus one (1) copy of each reduced to 11" x 17" (1/2 scale) to the city. Submit three (3) standard 22" X 34" copies of plat and plan & profile sheet, together with a cost estimate of off-site improvements, storm drain calculations, and a 19"X 30" mylar of the Final Plat to the City engineer.
- (B)2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance. If documents are in order, City Engineer will sign the mylar indicating his approval of the subdivision. After approval and signature of the Final Plat, the City Engineer shall submit the plat, along with his comments of review and approval to the Planning Commission.
- (C)3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall either approve, reject, or table action for the next regular meeting the Final Plat. If the final plat is approved, the Planning Commission Chairman shall sign the plat and forward it to the City Council for approval and signature, which action shall be taken in a regularly scheduled meeting of the City Council.

If the Planning Commission does not approve the Final Plat, disapproval shall indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final. Approval of final plats by the City Council will extend for a period of (6) six months. If work or subsequent action by the [developersubdivider](#) to proceed with offsite construction does not occur within the (6) six month period following initial approval, the plat and construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999)

~~(D)~~4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the [developersubdivider](#) has completed a pre construction meeting with the city planning and building departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend.

~~(E)~~5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8-2-3}. Some of the public improvements are as follows:

- ~~(1)~~a. Paving of streets
- ~~(2)~~b. Curb, gutter and sidewalks
- ~~(3)~~c. Sewer and water lines, including irrigation lines
- ~~(4)~~d. Storm and subsurface drainage
- ~~(5)~~e. Street signs, monuments, lighting, fences and street trees
- ~~(6)~~f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
- ~~(7)~~g. Utility development connection fees

~~(F)~~6. Recording. The Final Plat, bearing all official signatures as above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. No plat shall be recorded in the office of the County Recorder and lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is so approved and signed. (1997)

**8.06.040 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

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## CHAPTER 7

### ENFORCEMENT, PERMITS AND PENALTIES

~~8-7-18.07.010~~: Enforcement  
~~8-7-28.07.020~~: Inspection  
~~8-7-38.07.030~~: Permits  
~~8-7-48.07.040~~: Violation  
~~8-7-58.07.050~~: Penalty  
~~8.07.060~~ Severability

#### ~~8-7-1~~:~~8.07.010~~ ENFORCEMENT

\_\_\_\_\_ The Planning Commission, the City Council and such other departments and agencies and officials of the City as are specified under the provisions of this title are hereby designated and authorized as the agencies charged with the enforcement of the provisions of this title and shall enter such actions in court as are necessary. Failure of such departments to pursue appropriate legal remedies, shall not legalize any violation of such provisions. (1997)

#### ~~8-7-2~~:~~8.07.020~~ INSPECTION.

\_\_\_\_\_ Appropriate agencies and departments and officials of the City shall inspect or cause to be inspected all buildings, street improvements, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair. Excavations for fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by appropriate department, agency or officials. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the Inspector. (1997)

#### ~~8-7-3~~:~~8.07.030~~ PERMITS.—

\_\_\_\_\_ From the time of the effective date of this title, the Building Official shall not grant a permit, nor shall any City office, department or agency grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any provisions of this title until a subdivision plat therefor has been recorded or approved as herein required. Any license or permit issued in conflict with such provisions shall be void. (1997)

#### ~~8-7-4~~:~~8.07.040~~ VIOLATION.—

\_\_\_\_\_ No person shall subdivide any tract or parcel of land located wholly or in part in the City except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land which is any part of a subdivision or a proposed subdivision submitted to the Planning Commission, nor offer for recording in the office of the County Recorder, any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provision of this title. (1997)

**8-7-5:8.07.050 PENALTY.—**

Whoever shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction of any such violation, shall be punishable by a fine of not more than \$1,000.00, or by imprisonment for not to exceed 6 months, or by both fine and imprisonment or by the penalty for transfer and sale of property provided in Section 10-9-26, Utah Code Annotated, 1953, except that in all cases where a corporation would be punishable as for a misdemeanor, and there is no other punishment prescribed by ordinance, such corporation is punishable by a fine not exceeding \$1,000.00. Provided further, that each violation of this ordinance shall be considered a separate offense, and each day such violation is permitted to exist shall constitute a separate offense. (1997)

**8.07.060 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

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## CHAPTER 8

### AMENDMENTS, ~~VALIDITY,~~ & REPEALER

~~8-8-18.08.010:~~ Changes and Amendments

~~8-8-2:~~ Validity

~~8-8-38.08.020:~~ Repeal of Inconsistent Ordinances, Rules, and Regulations

~~8.08.030:~~ Severability

#### ~~8-8-1:~~8.08.010 CHANGES AND AMENDMENTS—

\_\_\_\_\_ This Subdivision Ordinance may be amended from time to time by the Syracuse City Council after ~~fifteen (15) days notice and public hearing~~public notice has been given in accordance with the City Municipal Code and State Statute, but all proposed amendments shall be first proposed to the Planning Commission for its recommendation, which shall be returned to the Syracuse City Council within thirty (30) days. Failure of the Planning Commission to submit its recommendations within the prescribed time shall be deemed approval by such commission of the proposed change or amendment. The Syracuse City Council may overrule the Planning Commission's recommendation by a majority vote of its members. (1997)

~~8-8-2:~~ VALIDITY. ~~Should any section, clause, or provision of this ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this ordinance as a whole or any part thereof other than the part specifically so declared to be invalid. (1997)~~

#### ~~8-8-3:~~8.08.020 REPEAL OF INCONSISTENT ORDINANCES, RULES, AND REGULATIONS.—

\_\_\_\_\_ All ordinances, rules and regulations, or parts thereof, of Syracuse City which are repugnant to or inconsistent or in conflict with this Ordinance are hereby repealed. (1997)

#### 8.08.030 SEVERABILITY

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

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# TITLE VIII

## SUBDIVISION ORDINANCE

### CHAPTER 1: PURPOSE

- 8.01.010 General Purpose
- 8.01.020 Public Interest
- 8.01.030 Variations—Exception
- 8.01.040 Building Official
- 8.01.050 Severability

### CHAPTER 2: GENERAL PROVISIONS

- 8.02.010 Definitions
- 8.02.020 General Requirements
- 8.02.030 Security of Performance
- 8.02.040 Fee Payment
- 8.02.050 Parks, Open Space and Other Public Spaces
- 8.02.060 Adjacent Streets
- 8.02.070 Relation to Adjoining Street Systems
- 8.02.080 Streetlights
- 8.02.090 Irrigation Water
- 8.02.100 Extension of Public Work Facilities
- 8.02.110 Second Access Required
- 8.02.120 Mandatory Use of City Water and Sewer Systems
- 8.02.130 Appeals
- 8.02.140 Written Agreements
- 8.02.150 Guidelines and Checklists
- 8.02.160 Fees and Recording
- 8.02.170 Issuance of Building Permit
- 8.02.180 Occupancy of a Dwelling
- 8.02.190 Subdivision Phases
- 8.02.200 Residential Driveways
- 8.02.210 Severability

### CHAPTER 3: PUBLIC IMPROVEMENTS

- 8.03.010 Design Standards
- 8.03.020 Local Minimum Standards & Specifications
- 8.03.030 Other General Standards
- 8.03.040 Severability

### CHAPTER 4: SUBDIVISION SKETCH (CONCEPT) PLAN;

- 8.04.010 Procedures and Requirements for Submission
- 8.04.020 Feasibility Report
- 8.04.030 Sketch Plan Approval
- 8.04.040 Severability

### CHAPTER 5: PRELIMINARY SUBDIVISION REVIEW

- 8.05.010 Preliminary Plat
- 8.05.020 Approval of Preliminary Plat
- 8.05.030 Severability

## **CHAPTER 6: FINAL SUBDIVISION REVIEW**

- 8.06.010 Final Plat
- 8.06.020 Final Plan and Profile
- 8.06.030 Final Approval
- 8.06.040 Severability

## **CHAPTER 7: ENFORCEMENT, PERMITS AND PENALTIES**

- 8.07.010 Enforcement
- 8.07.020 Inspection
- 8.07.030 Permits
- 8.07.040 Violation
- 8.07.050 Penalty
- 8.07.060 Severability

## **CHAPTER 8: AMENDMENTS & REPEALER**

- 8.08.010 Changes and Amendments
- 8.08.020 Repeal of Inconsistent Ordinances, Rules, and Regulations
- 8.08.030 Severability

# CHAPTER 1

## PURPOSE

|          |                      |
|----------|----------------------|
| 8.01.010 | General Purpose      |
| 8.01.020 | Public Interest      |
| 8.01.030 | Variations—Exception |
| 8.01.040 | Building Official    |
| 8.01.050 | Severability         |

### 8.01.010 GENERAL PURPOSE

The purpose and intent of this Chapter is to promote the public health, safety, convenience and general welfare of the inhabitants of the incorporated through provisions designed to: territory of Syracuse City in the matter of subdivision or matters affected by subdivisions

1. Provide for the harmonious and coordinated development of the City, and to assure sites suitable for subdivision development and human habitation.
2. Ensure adequate open space for traffic, recreation, light and air.
3. Facilitate the conservation or production of adequate transportation, water, sanitation, drainage and energy resources.
4. Avoid scattered and premature subdivision that would cause insufficient public services and facilities, or necessitate an excessive expenditure of public funds for the supply of such services and facilities.
5. Ensure utilization of the land in the best interest of the public welfare and the neighborhood deployment of the area concerned.
6. Preserve outstanding natural, cultural or historic features.

This chapter is designed to inform the subdivider and public of the requirements and conditions necessary to obtain approval of a subdivision. To this end, all requirements, where possible, are expressly delineated in this Title or other applicable ordinances. However, since it is impossible to cover every possibility, and there are some aspects which do not lend themselves to being easily articulated, this Title allows the Planning Commission and City Council to impose reasonable conditions upon a subdivider in addition to those expressly required, so long as such conditions do not conflict with any requirements set forth in this Chapter or other applicable ordinances. (1997)

### 8.01.020 PUBLIC INTEREST

Any proposed subdivision and its ultimate use shall be in the best interest of the public welfare and the neighborhood development of the area concerned. The subdivider shall present evidence to this effect when requested to do so by the Planning Commission. (1997)

**8.01.030 VARIATIONS/EXCEPTION**

In cases where unusual topographical or other exceptional conditions exist, variation and exception from this Ordinance may be made by the City Council after recommendation by the Planning Commission. (1997)

**8.01.040 BUILDING OFFICIAL**

Appointment. There is hereby created the position of Building Official who shall be appointed by the City Manager. (Ord. 11-12)

1. Duties. It shall be the duty of the Building Inspector to see to the enforcement of all ordinance provisions relating to buildings or zoning, and to inspect all buildings or structures being erected or altered, as frequently as may be necessary to insure compliance with the City ordinances. The Building Inspector shall also act as plumbing inspector and electrical inspector and shall have all the powers and perform all the duties connected therewith. (Ord. 11-12)
2. Permits. The Building Inspector shall issue permits for the construction, alteration or repair of structures or parts thereof and for the repair or installation of plumbing and electrical facilities or fixtures within any structure; but no permit shall be issued unless the plans of and for the proposed construction, alteration, repair, installation or use, fully conform to all City regulations then in effect. (Ord. 11-12)
3. Stop Order. The Building Inspector shall have the power to order all work stopped on construction or alteration or repair of building in the City when such work is being done in violation of any provision of any ordinance relating thereto. Work shall not be resumed after the issuance of such an order except on the written permission of the Inspector; provided, that if the stop order is an oral one, it shall be followed by a written stop order within an hour. (Ord. 11-12)
4. Entry powers. The Building Inspector shall have the power to make or cause to be made an entry into any building or premises where the work of altering, repairing or constructing any building or structures is going on, for the purpose of making inspections, at any reasonable hour. (Ord. 11-12)
5. Additional Duties. The City Building Official shall perform such other and further duties as the City Council may provide by ordinance, resolution, or regulation. (Ord. 11-12)

**8.01.050 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 2

### GENERAL PROVISIONS

|          |                                               |
|----------|-----------------------------------------------|
| 8.02.010 | Definitions                                   |
| 8.02.020 | General Requirements                          |
| 8.02.030 | Security of Performance                       |
| 8.02.040 | Fee Payment                                   |
| 8.02.050 | Parks, Open Space and Other Public Spaces     |
| 8.02.060 | Adjacent Streets                              |
| 8.02.070 | Relation to Adjoining Street Systems          |
| 8.02.080 | Streetlights                                  |
| 8.02.090 | Irrigation Water                              |
| 8.02.100 | Extension of Public Work Facilities           |
| 8.02.110 | Second Access Required                        |
| 8.02.120 | Mandatory Use of City Water and Sewer Systems |
| 8.02.130 | Appeals                                       |
| 8.02.140 | Written Agreements                            |
| 8.02.150 | Guidelines and Checklists                     |
| 8.02.160 | Fees and Recording                            |
| 8.02.170 | Issuance of Building Permit                   |
| 8.02.180 | Occupancy of a Dwelling                       |
| 8.02.190 | Subdivision Phases                            |
| 8.02.200 | Residential Driveways                         |
| 8.02.210 | Severability                                  |

#### 8.02.010 DEFINITIONS

The following terms used in this title shall have the respective meanings hereinafter set forth:

**ALLEY:** Any public way or thoroughfare less than 16 feet but not less than 10 feet in width, which has been dedicated or deeded to the public for public use.

**BENCH MARK:** A mark affixed to a permanent or semi-permanent object along a line of survey to furnish a datum level.

**BLOCK:** A piece of land bordered by streets or other rights-of-way, and or which is designated as a block on any recorded sub-division plat.

**BUILDING OFFICIAL:** The officer or other designated authority charged with the administration and enforcement of uniform codes, and the inspection of all subdivision improvements, or the building officials duly appointed representative.

**CITY:** Refers to Syracuse City.

**CITY COUNCIL:** The City Council of Syracuse.

**CITY ENGINEER:** Any registered civil engineer hired by the City Council to accomplish the objectives of this ordinance provided that no such person may serve the City and a

subdivider simultaneously where he would have to check his own work or the work of a member of his firm in connection with any subdivision in the City.

**CONDOMINIUM:** The ownership of a single unit in a multi-unit project together with undivided interest in common in the common areas and facilities of a property as provided by State law.

**CONSTRUCTION:** Any work or product which will become the property of the City; i.e., roads, curb and gutter, sidewalks, water works, sewer works, culverts, bridges, fencing, etc.

**CONTRACTOR:** The person in charge of construction. He could also be the subdivider.

**CUL-DE-SAC:** A minor street having only one outlet being terminated at the other end by a vehicular turnaround.

**DRIVEWAY:** A private roadway, the use of which is limited to persons residing, employed or otherwise using or visiting the lot on which the roadway is located.

**EASEMENT:** The quantity of land set aside or over which a liberty, privilege or advantage in land without profit, existing distinct from the ownership of the land, is granted to the public or some particular person or part of the public.

**FINAL PLAT:** A subdivision map prepared in accordance with the provisions of this ordinance that is accurately surveyed and such survey marked on the ground so that the streets, alleys, blocks, lots and other divisions thereof can be identified and which is designated to be placed on record in the office of the County Recorder.

**IMPROVEMENT DISTRICT:** Is as defined by Utah State law.

**IMPROVEMENTS:** Work objectives, devices, facilities, or utilities required to be constructed or installed in a subdivision. Such improvements may include but are not limited to water facilities, sewer facilities, sidewalks, curbs and gutters, drainage facilities, streets, trees, street signs, street lights, traffic control or safety devices, fire hydrants and such other facilities or construction required by the subdivision ordinance.

**INSPECTOR:** The authorized inspector or representative of the City Council.

**LOT:** A portion of the subdivision or parcel of land intended for building development or transfer of ownership.

**MASTER PLAN:** A long-range general plan that identifies present and future needs of Syracuse City, which outlines growth and development of land within the City and provides for health, general welfare, and safety as outlined in Section 10-9-301 et seq, Utah Code Annotated, 1953, as amended.

**MAY:** Is permissive.

**OPEN SPACE:** Shall mean any area within the subdivision that has been designated as open to meet the requirements of development

**OWNER:** Shall mean and refer to the person, corporation, partnership or other entity in which is vested the fee simple, title of the property to be subdivided, unless otherwise clearly indicated, or the owners designee.

PERSON: Any individual, firm, partnership, associate, entity, institution, or corporation and their heirs, assigns, or agents.

PLANNING COMMISSION: Shall mean the Syracuse City Planning commission unless another Planning commission is specifically named.

PRELIMINARY PLAT: A map or plan of a proposed land division or subdivision prepared in accordance with the requirements of this ordinance.

SHALL: Is mandatory

SKETCH PLAN: A conceptual drawing of the proposed development prepared in accordance with the requirements of this ordinance.

SMALL SUBDIVISION: The division of a tract or lot or parcel of land into two, but not more than 9 lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or of building development, wherein all such divisions front on an existing street.

SPECIFICATIONS: To be interpreted as rules and regulations.

STREET, ARTERIAL: A street existing or proposed, which serves or is intended to serve as a major traffic way, as a controlled access highway, major street parkway or other equivalent term to identify those streets comprising the basic structure of the street plan.

STREET, LOCAL: A street existing or proposed which is supplementary to a collector street and of limited continuity which serves or is intended to serve the local need of a neighborhood.

STREET, MAJOR COLLECTOR : Shall mean a street with a right-of way 72 feet, designated in the general plan to carry larger volumes of traffic to arterial streets.

STREETS, MINOR COLLECTOR: A street existing or proposed with a 66' right-of-way, which carries traffic from local subdivision streets to the major collectors

STREET, PRIVATE: A street or an alley whose ownership has been retained privately.

SUBDIVISION: Any land that is divided, resubdivided or proposed to be divided into two or more lots, parcels, sites, units, plots, or other division of land for the purpose, whether immediate or future, for offer, sale, lease, or development either on the installment plan or upon any and all other plans, terms, and conditions. "Subdivision" includes:

1. The division or development of land whether by deed, metes and bounds description, devises and testacy, lease, map, plat, or other recorded instrument: and
2. Divisions of land for all residential and non residential uses, including land used or to be used for commercial, agricultural, and industrial purposes.

SUBDIVISION REQUIREMENTS: Are those that are adopted by the various governing bodies in the City for the necessary proper development of a proposed subdivision.

SUBDIVIDE: And any derivative thereof shall have reference to the term subdivision as herein defined.

SUBDIVIDER: One who subdivides a parcel of land and may also be referred to as a subdivider.

WALKWAY: A right-of-way designed for use by pedestrians and not intended for use by motor vehicles of any kind.

WET LANDS: Any area that has the potential to support wildlife and the capability of natural water filtration whether naturally or man made.

ZONING: The most recent zoning ordinances adopted by Syracuse City. (1997)

## 8.02.020

### GENERAL REQUIREMENTS

1. Scope. This section defines the general requirements for improvements to be built by the Subdivider.

The improvements shall include all street improvements in front of all lots and along all dedicated streets to the connection with existing improvements of the same kind or to the boundary of the subdivision nearest existing improvements. Layout must provide for future extension to adjacent development and be compatible with the contour of the ground for proper drainage. All water lines, sewer lines, and any other buried conduit shall be installed to the boundary lines of the subdivision.

2. Standards for Construction Drawings. The following instructions are for the purpose of standardizing the preparation of drawings to obtain uniformity in appearance, clarity, size, and style. All drawings and/or prints shall be clear and legible and conform to good engineering and drafting room practice. Size of drawings shall be 22" x 34" (trim line) with 1/2" border on top, bottom and right sides. Left side shall be 1 1/2".

- a. In general the following shall be included on drawings:

- (i) North arrow (plan).
- (ii) Scale and elevations referenced to City datum.
- (iii) Stationing and elevations for profiles.
- (iv) Title block, located in lower right corner of sheet, to include:  
Name of City, Project title (subdivision, etc.) and Specific type and location of work.
- (v) Space for approval signature of City Engineer and date.
- (vi) Name of engineer or firm preparing drawings with license number and signature.

- b. Curb and gutter, drains and drainage structures, signing, lighting sidewalks, and street surfacing shall show:

- (i) Scale: 1" = 20' or 50' horizontal; 1" = 2' or 5' vertical.
- (ii) Both plan view and profile. Street center line.
- (iii) Stationing and top of curb elevations with curve data must be shown for all curb returns. Show top of curb elevation on both sides on even stations (50 FT. Sta. Max.).
- (iv) Flow direction and type of cross drainage structures at intersections with adequate flow line elevations.
- (v) Bench Mark location and elevation (use City datum).
- (vi) Bedding Details

- c. Sewer drawings shall show:
    - (i) Scale: 1" = 20' or 50' horizontal; 1" = 2' or 5' vertical.
    - (ii) Location, size, and grade of all lines except individual services.
    - (iii) Manhole details, size, location, and flow line elevation.
    - (iv) Type of pipe.
    - (v) Bench Mark location and elevation (use City datum).
    - (vi) Bedding Details.
  - d. Culinary and secondary water drawings shall show:
    - (i) Size and location of water mains, valves, hydrants, tees, etc.
    - (ii) Type of pipe.
    - (iii) Minimum cover.
    - (iv) Bedding Details
  - e. Each set of plans shall be accompanied by a separate sheet of details for structures which are to be constructed. All structures shall be designed in accordance with minimum requirements established by the Syracuse City Subdivision Standards.
    - (i) Drawing size: 22" x 34" (trim line).
    - (ii) Scale of each detail.
    - (iii) Title block, lower right hand corner (same format on all sheets), including the name of the subdivision.
    - (iv) Completely dimensioned and described.
3. Construction and inspection. No construction of public improvements shall proceed until the final plat has been approved by the City Council and filed for record in the office of the County Recorder, except that the City Council may conditionally approve the installation of off-site improvements as described in Section 8-7-3(D)(1). All public improvements shall be completed within one year of the date the final plat was approved, and the Building Official shall inspect the construction as it proceeds. A construction punch list shall be made up by the Building Official indicating the items missed or needing correction prior to acceptance of the improvements by the Building Official, and all required replacements or repairs shall be completed by the subdivider, at his expense, prior to acceptance by the City.
4. As Built Drawings. At the completion of construction, or at the end of one year, whichever comes first, the Building Official shall make an inspection of all improvements and inform the Subdivider and City Administrator of the results of the inspection. At the completion of construction, the subdivider shall call for inspection by the Building Official and said inspection shall be made within ten (10) days of the request thereof. The subdivider shall provide the City with record drawings accurately defining for permanent record the surface improvements and underground utilities as they were actually constructed and shall provide one mylar copy, which indicates any changes from the original approved final drawings. All sewer and land drain manhole flow lines shall be verified.
5. Inspection. All construction work involving the installation of improvements in subdivisions shall be subject to inspection by the City Building Official. Certain types of construction shall have continuous inspection, while others shall have periodic inspections. The City may request the services of the City Engineer to assist in inspection if it is deemed necessary.

- a. To cover the cost of inspection and management of off-site improvements, the subdivider shall pay a fee to the City based on the linear feet of improvements installed, the number of building lots in the subdivision, and the average number of hours spent inspecting off-site improvements. Said fee shall be established by resolution of the City Council. Said fee shall be paid prior to recordation of the subdivision plat.
  - b. The Community Development Director or his designee shall insure that all off-site inspections are installed in accordance with approved subdivision standards prior to acceptance by the City.
  - c. On construction requiring continuous inspection, no work shall be done except in the presence of the City Inspector. Continuous inspection may occur on the following types of work:
    - (i) Preparation of street subgrade and compacted fill.
    - (ii) Laying of street surfacing.
    - (iii) Pouring of concrete for curb and gutter, sidewalks, and other structures.
    - (iv) Laying of sewer pipe, drainage pipe, water pipe, valves, hydrants, and testing.
  - d. Periodic inspections shall be required on the following:
    - (i) Street grading and gravel base.
    - (ii) Excavations for curb and gutter and sidewalks.
    - (iii) Excavations for structures.
    - (iv) Trenches for laying pipe.
    - (v) Forms for curb and gutter, sidewalks, and structures. (Ord 05-12)
6. Requests for Inspection. Requests for inspections shall be made to the City by the person responsible for construction. Requests for inspection on work requiring continuous inspection shall be made three (3) days prior to the commencing of the work. Notice shall be given one (1) day in advance of the starting of work requiring periodic inspection.
7. Construction Completion Inspection. An inspection shall be made by the City Inspector after receiving a written document from the Subdivider that all work is completed. Attached to this document the subdivider's engineer shall prepare a statement that all sanitary sewers have been tested for exfiltration/infiltration and they have passed the requirements herein.
- 8.. Guarantee of Work. The subdivider shall warrant and guarantee (and post bond or other security) that the improvements provided for hereunder, and every part thereof, will remain in good condition for a period of one (1) year after the date of the construction completion inspection report by the City Inspector and shall agree to make all repairs to and maintain the improvements and every part thereof in good condition during that time with no cost to the City.

It is further agreed and understood that the determination for necessity of repairs and maintenance of the work rests with the City Inspector. His decision upon the matter shall be final and binding upon the subdivider, and the guarantee hereby stipulated shall extend to and include, but shall not be limited to, the entire street base and all pipes, joints, valves, backfill and compaction, as well as the working surface, curbs, gutters, sidewalks, and other accessories that are, or may be affected by the

construction operations, and whenever, in the judgment of the City Inspector, said work shall be in need of repairs, maintenance, or rebuilding, he shall cause a written notice to be served the subdivider, and thereupon the subdivider shall undertake and complete such repairs, maintenance, or rebuilding. If the subdivider fails to do so within ten (10) days from the date of service of such notice, the City Inspector shall have such repairs made, and the cost of such repairs shall be paid by the subdivider, together with 15 percent in addition thereto as and for stipulated damages for such failure on the part of the subdivider to make the repairs.

9. Acceptance of Materials. Material such as, but not limited to, bituminous products, Portland cement, steel, pipe gaskets, joints filler, fire hydrants and other similar commercially produced products will be accepted by the City upon submission by the subdivider of a supplier certification that the material meets specifications. These materials shall not be incorporated into the project until such certification has been received and approved in writing by the City Inspector.
10. Samples and Tests. Materials, equipment, and workmanship shall be subject to sampling or testing by the City. At the option of the Inspector, materials shall be subject to tests and inspection before such materials are used in the work. Representative preliminary samples of the character and quality prescribed shall be submitted without charge by the contractor or producer of materials to be used in the work in sufficient quantities or amounts for testing.

All tests of materials furnished by the contractor shall be made in accordance with the commonly recognized standards of National technical organizations and such special methods and tests as are prescribed herein.

11. General.
  - a. Approval of plans and specifications by the City Engineer on a submitted project will extend for a period of six months. If no work has been performed on such project within a period of six months following initial approval, the plans must be re-submitted and become subject to re-approval under the latest City standards and specifications.
  - b. Final acceptance of any or all work is contingent upon (1) an on-the-site inspection as the work progresses, (2) a reproducible "as built" plan having been submitted, and (3) a final inspection of the site.
  - c. All utilities, private or publicly owned, shall be placed underground unless otherwise approved or specified by the City. This will include, but not be limited to, telephone, gas, electric power, water, sewer, storm drains, etc. These underground utilities shall be installed before the surfacing of the streets and installation of road base, curb and gutter, sidewalks, etc.
  - d. It is the sole responsibility of the contractor to:
    - (i) Secure any and all permits required for completion of the project.
    - (ii) Provide for the safety and protection of all those engaged in the project, not allowing any unsafe conditions to exist.

- (iii) Acquire materials and produce workmanship which conforms to the City standards and specifications. Sub-standard installations and materials are subject to removal and replacement at the contractor's expense.
- (iv) Have all work performed in a manner acceptable by the City Inspector.
- e. No project can receive final approval until the workmanship and materials are in compliance with City standards and specifications. This includes accurate and proper placement of survey monuments and acceptable clean-up of area.
- f. All items not mentioned within these standards and specifications related to road work will be performed in accordance with the most recent edition of "State of Utah Standard Specifications for Road and Bridge Construction" by the State Road Commission.
- g. The burden of proof to justify any variance to the standards and specifications contained herein shall be at the expense of the petitioner. Final acceptance will be by the City Engineer.
- h. Adoption of these standards and specifications in no way alleviates the responsibility of the subdivider to practice good sound engineering and construction practices in all phases of his work. It is the intent of these standards and specifications to provide uniformity, continuity and eventual lessening of unnecessary maintenance expenses to the City.
- i. Where these standards and specifications are in conflict with adopted City ordinances, the most restrictive will apply.
- j. These standards and specifications are subject to revision, modification, additions or changes without notice, by reference to the Subdivision Ordinance and approval by the majority of the City Council. (1997)

#### **8.02.030**

#### **SECURITY OF PERFORMANCE**

1. A Subdivision plat shall not be recorded until the subdivider shall have furnished to the City a Security of Performance, acceptable to the City and as set forth below, in an amount set by the City Engineer and equal to at least 1.1 times the reasonable value of unfinished improvements required herein. The Security of Performance required by this section, and at the City's discretion, may be furnished by any of the following methods:
  - a. By providing a surety or cash bond in the amount specified herein and conditioned upon payment by the subdivider of all expenses incurred for labor or material used in the construction of required improvements.
  - b. By depositing the specified amount of cash in a bank account to which the City alone has access, but only in the event it becomes necessary, in order to complete, repair or replace the improvements as set forth below.
  - c. By depositing the specified amount of cash in a supervised bank account to which the Subdivider has access, with the approval and signature of the City, which funds shall be used to pay for the subdivision improvements as construction is completed and evidence that no liens have been placed on the construction project. In the event it becomes necessary for the City to foreclose on the

Security of Performance and move to complete, repair or replace the improvements as set forth below, then the City shall have access to said supervised bank account for the purpose of completing, repairing, or replacing improvements without the necessity of obtaining the approval of the subdivider.

- d. By any other method that is acceptable to the City, provided that the City's interests in assuring that the work required herein is paid for, inspected and completed in conformance with City standards are protected. (Ord 05-12)
2. The Security of Performance required by this section is to assure the City that all improvements are constructed in conformance with all relevant City ordinances, regulations, and standards, and to assure the City that all expenses incurred for labor or material used in the construction of the same are paid for by the Subdivider. Further, the City may retain 10 percent of the Security of Performance Guarantee provided by the subdivider until one year following the final inspection by the Building Official. (Ord 05-12)
3. In the event construction of the public improvements is not completed or is not completed in a satisfactory manner one year from the date the final plat was approved by the City Council, the City may proceed to install the improvements in a satisfactory manner at the subdivider's expense by foreclosing on at the subdivider's "Security of Performance" held by the City.

In the event the public improvements fail to meet the standards as set forth in the subdivider's written guarantee, the City shall so notify the subdivider who shall be given a reasonable time to repair or otherwise correct as requested. The City may proceed to repair or replace the unsatisfactory improvements at the subdivider's expense by foreclosing on any Security of Performance still held by the City; and, in addition, the City may avail itself of any other remedy provided to it under the laws of the state of Utah and of the City of Syracuse. In addition to any other remedies stated herein, the city shall not approve additional phases for development if the subdivider has not completed improvements in a satisfactory manner within one year from the date of final plat approval.

#### **8.02.040 FEE PAYMENT**

All fee schedules shall be established by the City Council by means of a resolution. Such fee schedules and the periodic adjustments thereof shall be a part of this ordinance by reference. (1997) (See Resolution R97-3)

#### **8.02.050 PARKS, OPEN SPACE, AND OTHER PUBLIC SPACES**

(Ord. 01-02) (Ord. 02-19) (Ord. 11-10)

1. Location of parks and other public spaces. The City shall require a minimum of 6.6 acres of property for parks or other public spaces for every 1000 population throughout the city. The location of parks shall be determined by the City as identified in the Syracuse City General Plan. Subdividers will be required to work with the City to obtain park property within the development where placement of parks have been identified.
2. Park Purchase Fee. In order for the City to obtain property for parks and other public spaces, the subdivider shall contribute to the City six and six tenths percent (6.6%) of the appraised value of land being developed, which shall be used to purchase property for parks and other public spaces in the City. This assessment shall be

made on each phase of development. The City may require the subdivider to donate six and six tenths percent (6.6%) of the property being developed should the City desire a park or other public space in that location. The amount of the Park Purchase fee shall be determined from a third party MAI (Member of the Appraisal Institute) designated appraisal requisitioned yearly by the City. The subdivider shall pay a nominal fee as determined by the City Council to defray the cost of the appraisal. The subdivider may accept the City's MAI appraisal or may procure and submit to the City an MAI appraisal of the subdivision property.

**8.02.060 ADJACENT STREETS**

It shall become the responsibility of the Subdivider to complete all of the necessary public improvements on streets adjacent to his proposed development. This shall include reasonable landscaping of park strips, as approved by the city, when a new street placed is adjacent to an existing lot, which becomes a corner lot because of placement of the road. This shall be done at the subdivider's sole expense. (Ord. 03-25)

**8.02.070 RELATION TO ADJOINING STREET SYSTEMS**

The arrangement of streets in new subdivisions shall make provision for the continuation of the existing streets in adjoining areas (or their proper protection where adjoining land is not subdivided) at the same or greater width (but in no case less than the required minimum width) unless the variations are deemed necessary by the Planning Commission for public requirements.

Street access for new subdivisions shall be established by using the AASHTO Traffic Design Manual calculation of 7.5 seconds of travel time between street accesses onto existing roadways, (which calculated would be 385 feet at 35 mph) unless otherwise recommended by the Planning Commission. The street arrangement must be such as to cause no unnecessary hardship to owners of adjoining property when they plat their land and seek to provide for convenient access to it. Where, in the opinion of the Planning Commission it is desirable to provide for street access to adjoining property, proposed streets shall be extended by dedication to the boundary of such property. Half streets along the boundary of land proposed for subdivision will not be permitted. (1999)

**8.02.080 STREET LIGHTS**

The placement of streetlights shall be included as part of the subdivision development. Subdividers shall be responsible to install or have installed, streetlights in accordance with adopted Construction Specifications.

Placement of streetlights shall be at each intersection within the development and at the end of each cull-de-sac, providing that the end of the cul-de-sac is at least 400 feet from the entrance thereof. (Ord 02-19) For cul-de-sac lengths in excess of 400 feet with a dogleg street bend of 45° or greater, the subdivider shall be responsible to install a streetlight at the dogleg of the cul-de-sac in addition to the streetlight at the end of the cul-de-sac.

**8.02.090 IRRIGATION WATER**

Due to the need of providing irrigation water for subdivision development, the City has estimated the impact of subdivisions on the area's water supply. Factors including the City's climate, temperature, precipitation, evapotranspiration rate, length of the irrigation

season, and soil type dictate that each acre of irrigable property requires roughly four acre feet (4 a.f.) of water annually during normal water years.

1. Residential Subdivisions. Based on extensive experience with residential subdivisions, the City has calculated that the nature and extent of a residential subdivision's impact on the water supply is roughly proportionate to three acre feet (0.75 x 4 a.f.) of water annually for each acre or part thereof within the subdivision during normal water years. Therefore, a residential subdivider shall convey to the City water rights that have been customarily used on the property to be developed that are usable by and acceptable to the City to provide 0.75 x 4 a.f. for each acre or part thereof within the subdivision. In the event there are no owner water rights on property to be developed, the subdivider shall obtain and convey water rights acceptable and usable by Syracuse City.
2. Nonresidential Subdivisions. The nature and extent of a nonresidential subdivision's impact on the water supply varies widely based on the amount of the subdivision that remains irrigable acres. Accordingly, a nonresidential subdivider shall convey to the City water rights that have been customarily used on the property to be developed that are usable by and acceptable to the City to provide 4 a.f. for each irrigable acre or part thereof within the subdivision. In the event there are no owner water rights on property to be developed, the subdivider shall obtain and convey water rights acceptable and usable by Syracuse City. No water rights shall be conveyed for full acres of asphalt or other non-permeable surfaces.
3. Exactions to Cease Upon Excess Supply. Every five years the Public Works Director shall determine whether the City's existing available water interests exceed the water interests needed to meet the amount of water needed in the next 40 years by the persons within the City's projected service area based on projected population growth and other water use demand ("reasonable future water requirements.") Should the Director conclude that available water interests exceed the reasonable future water requirements of the public, the Public Works Director shall notify the City Council and the City Council shall act to cease exacting water shares from any further subdividers until existing available water interests no longer exceed the reasonable future water requirements
4. **Exceptions for Residential Subdivisions.** The City Engineer may approve a reduction of water shares required in residential subdivisions in consideration of man-made lakes and ponds to be constructed as part of the development with the following requirements:
  - a. Lake(s) or pond(s) must be one acre in size or greater measured at the design water surface elevation;
  - b. Lake(s) or Pond(s) shall be designated as open space and shall be preserved and maintained by a Home Owner's Association in compliance with city code;
  - c. City culinary and secondary Irrigation water systems shall not be used to fill or maintain water level of lake(s) or pond(s);
  - d. Developer shall provide proof of construction approval from applicable agencies and water rights sufficient to maintain designed mean water elevation;
  - e. In the event that the Home Owner's Association seeks to convert the lake(s) or pond(s) to an alternate use, sufficient water shares shall be submitted to the City, prior to any approval of conversion.

**8.02.100 EXTENSION OF PUBLIC WORK FACILITIES**

The extensions of any City Public works facilities including but not limited to roads, bridges, storm drains, water mains, sewer lines, and secondary water systems, shall be installed by the subdivider of any subdivision. There shall be no consideration or return to the subdivider within this area. The City, however, will consider cost sharing on any water or sewer lines in excess of eight (8) inch diameter in the event the City desires to participate for future planning purposes. (Ord 02-19)

**8.02.110 SECOND ACCESS REQUIRED**

Providing for emergency response, all subdivisions having more than 35 homes shall have a minimum of two (2) ingress/egress roads, except that other acceptable alternatives for emergency accesses can be made and approved by both the Planning Commission and City Council. (Ord 05-12)

**8.02.120 MANDATORY USE OF CITY WATER, SECONDARY WATER AND SEWER SYSTEMS**

All subdivisions located within the corporate boundaries of the City of Syracuse shall be required to connect to the water and sewer systems of the City, any ordinance or resolution to the contrary notwithstanding. The City Council hereby expressly finds the requirements of this Section and Section 8-2-9 to be in the best interests of the City and to promote the public health, safety, and general welfare of the residents thereof. (Ord 02-19)

**8.02.130 APPEALS**

Any applicant, member of the Planning Commission and/or property owner within 1,000 feet of proposed subdivision property shall have the right to appeal the action of the Planning Commission to the City within five (5) days of the date of such action. Any action taken and not appealed within said five (5) days shall be final. When a written appeal is received by the City within five (5) days of the time the action was taken, the City will publish notice of an appeal hearing fifteen (15) days prior to the scheduled date by posting the notice thereof at three public places within the City. Action by the City Council will be final. (Ord 02-19)

**8.02.140 WRITTEN AGREEMENTS**

When and as written agreements are deemed to be necessary for the protection and understanding of all parties concerned, then they shall be entered into by all parties concerned, i.e., to cover areas of concern not specifically addressed by the subdivision ordinance or other requirements of the City, and shall be submitted with the final plats to the Planning Commission and the City Council.

1. Payback Agreement.
  - a. The City may enter into a payback agreement with a subdivider who installs improvements or facilities for water, secondary water, land drains, storm sewer, roads, or parks, where the improvements installed extend, expand, or improve the City's water, secondary water, land drains, sewer, storm sewer, roads, or parks, beyond the improvements required to service or benefit the subdivision or development proposed by the subdivider or where a subdivider installs improvements due to the layout or ownership of the land that benefit another landowner or subdivider who would or should in equity normally pay a portion of

the improvements. The payback agreement is not mandatory, but may be used at the option of the City upon approval of the payback agreement by the City Council.

- b. The dollar amount of the payback to the subdivider shall be solely determined by the City under the direction of the City Engineer after consideration of the portion of the improvements or facilities installed that benefit subdivider's development, and the portion of the improvements or facilities that are specifically over-sized or installed to provide for future development or benefit other landowners or future subdividers.
- c. The City shall, in all cases, be immune and not liable for any payments to the subdivider if the payback agreement is determined to be unenforceable or if the City is not able to collect from future subdividers. At the time a payback agreement is entered into with a subdivider, the City shall record a notice against the benefited property with the County Recorders office, which notice shall inform the benefited landowners that at such time as they develop the benefited property they will be required to pay for a portion of the improvements previously installed.
- d. The payback agreement shall not confer a benefit upon any third party and shall be in a form approved by the City Administrator or his designee. The responsibility for payment of the required improvements or facilities shall rest entirely with the subdivider.
- e. The payback agreement shall expire ten years from the date of the payback agreement or at such time as the subdivider has recovered the costs specified in the payback agreement, whichever comes first.
- f. If any part of this ordinance is found to be invalid by a court of competent jurisdiction, or if the Legislature of the State of Utah should pass a law which would invalidate any portion of this ordinance, all parties to the payback agreement shall be released from further responsibility thereunder and shall be relieved from any and all responsibility thereunder.

#### **8.02.150 GUIDELINES AND CHECKLISTS**

The City is hereby authorized and empowered to promulgate by way of resolution certain guidelines and/or checklists relative to this ordinance. These materials shall be provided to any interested person upon request and upon payment of a fee specified by the City. These materials shall be for instructional purposes only and represent an attempt to aid those seeking to comply with this ordinance. In the event any conflict arises between such guidelines and this ordinance or other regulations, resolutions or policies of the City, then said ordinances, resolutions, regulations, or policies shall be deemed controlling and all questions shall be resolved in their favor. (1997)

#### **8.02.160 FEES AND RECORDING**

1. Utility connection fees and service assessments will be the established rate at the time application is made.
2. Recording fees will be the established rate at the time recording is made. (Ord 02-19)

#### **8.02.170 ISSUANCE OF BUILDING PERMIT**

1. The following requirements shall be met prior to issuance of any building permit within a subdivision:
  - a. All required fencing installed as a condition of subdivision approval in compliance with Syracuse City Zoning Ordinance;
  - b. All water and sewer and drainage systems installed, inspected and tested;
  - c. All curb and gutter installed;
  - d. A minimum of 8 inches of road base in place and graded;
  - e. All lots within the subdivision rough graded so that weeds and other vegetation can be maintained by the contractor;
2. Contractors will be responsible to see that all construction materials and/or debris are continuously secured or removed from construction site in accordance with Syracuse City Ordinance, Chapter 6-1, Nuisances on Property. (Ord 02-19)

**8.02.180 OCCUPANCY OF A DWELLING**

All structures used for the purpose of residential dwelling shall meet the following guidelines prior to occupancy:

1. All underground off-site improvements properly installed and operational as approved by Syracuse City.
2. All required asphalt or concrete hard surface roadway installed and completed throughout the entire phase in which the dwelling is located in accordance with Syracuse City design standards. In the event that hard surface paving cannot be properly installed due to weather related circumstances, the subdivider may petition the City Council for conditional occupancy providing the following guidelines are met:
  - a. Roadbase installed in accordance with Syracuse City design standards.
  - b. Subdivider must maintain all roadbase surfaces providing for adequate vehicular accessibility . The subdivider shall provide for services which will not be available due to the absence of paving.
  - c. Required asphalt or concrete hard surface roadway shall be installed and completed as soon as weather related circumstances change or as directed by Syracuse City. (Ord 02-19)

**8.02.190 SUBDIVISION PHASES**

A subdivision containing more than thirty-six (36) lots shall be planned in subsequent phases and must follow the following requirements:

1. The sketch plan must show the placement, numbering and boundaries of the phases within the subdivision.
2. Any future alteration or deviation from the original sketch plan will require the submittal of an amended sketch plan.

3. Design of each phase must be consistent with the Syracuse City's General Plan and this ordinance.
4. Phases must be completed in such a manner as to provide sufficient services to existing and future development.
5. Phase and lot numbering must be sequential and consistent to that approved in the Sketch Plan. (Ord 02-19)

**8.02.200 RESIDENTIAL DRIVEWAYS**

The arrangement of residential driveways on proposed subdivision lots fronting a collector or arterial street will be directed by the City Planning Commission. Driveways fronting collector or arterial streets will be constructed to allow semi-circular, pull-through, or hammerhead pull out residential driveways. (Ord 02-19)

**8.02.210 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 3

### PUBLIC IMPROVEMENTS

|          |                                                     |
|----------|-----------------------------------------------------|
| 8.03.010 | <b>Design Standards</b>                             |
| 8.03.020 | <b>Local Minimum Standards &amp; Specifications</b> |
| 8.03.030 | <b>Other General Standards</b>                      |
| 8.03.040 | <b>Severability</b>                                 |

#### 8.03.010 DESIGN STANDARDS

The design of the final subdivision plat in relation to streets, blocks, lots, open spaces and other design factors shall be in harmony with design standards recommended by the Planning Commission and by other departments and agencies of city government. Design standards shall be approved by the City Council and shall include provisions as follows which are hereby approved by the City Council: (Ord. 12-10)

1. Blocks shall not exceed thirteen hundred twenty feet in length.
2. Dead-end streets, which exceed one lot depth in length, shall have a forty-foot (40') radius temporary turnaround area at the end. The turnaround shall have an all-weather surface acceptable to the City. (Ord. 03-10)
3. Blocks shall be wide enough to adequately accommodate a minimum of two lots.
4. Dedicated walkways through the block may be required where access is necessary to a point designated by the Planning Commission. Such walkways shall be a minimum of six feet in width, but may be required to be wider where determined necessary by the Planning Commission. The subdivider shall surface the full width of the walkway with a concrete surface, install a chain link fence or its equal at least four feet high on each side and the full length of each walkway and provide, in accordance with the standards, rules, and regulations, barriers at each walkway entrance to prevent the use of the walkway by any motor vehicle or by any non-motorized vehicle wider than four feet.
5. Blocks intended for business or industrial use shall be designated specifically for such purposes with adequate space set aside for off-street parking and delivery facilities.
6. The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites for buildings, and be properly related to topography, to the character of surrounding development and to existing requirements.
7. All lots shown on the preliminary and final plats must conform to the minimum requirements of the zoning ordinance for the zone or proposed zone in which the subdivision is located, and to the minimum requirements of the County Board of Health for water supply and sewage disposal.
8. Each lot shall abut on a street shown on the subdivision plat or on an existing publicly-dedicated street. Double frontage lots shall be prohibited except where unusual conditions make other designs undesirable.
9. Side lines of lots shall be approximately at right angles, or radial to the street lines.

10. In general, all remnants of lots below minimum size must be added to adjacent lots, rather than allowed to remain as unusable parcels.
11. Subdivision boundaries shall include all property; no protection or holding strips will be allowed. All improvements shall be installed to the boundary of the subdivision.
12. Cul-de-sacs (a street having only one outlet that terminates at the other end by a vehicle turnaround) shall be no longer than five hundred (500) feet from the centerline of the adjoining street to the center of the turnaround. Each cul-de-sac must be terminated by a turnaround of not less than one hundred (100) feet diameter, measured to the property lines. (Ord. 12-10)

Exceptions to the maximum length of a cul-de-sac may only be granted by the City Council, after receiving a recommendation from the Planning Commission for an exception. In order to recommend an exception, the Planning Commission must conclude that:

- a. An exception is necessary to maximize the approved uses for the property allowed by zoning and the General Plan; and
- b. Existing Geographic barriers or existing developments prevent a subdivider from creating a street with more than one outlet; and
- c. Failure to create a cul-de-sac longer than 500 feet will result in islands of undevelopable property surrounded by developed property.

In cases where an exception to the 500 foot maximum cul-de-sac length is warranted, the subdivider shall provide the following prior to approval:

- a. Written approval from Syracuse Police, Fire, and Public Works Departments. (Ord. 12-10)
  - b. Looped water main providing a two-way feed. (Ord. 12-10)
  - c. "Dead End" signage. (Ord. 12-10)
  - d. Street light at the end of the cul-de-sac. (Ord. 12-10)
  - e. Secondary emergency access and/or road width as required by Fire Department. (Ord. 12-10)
  - f. Snow storage location at the end of cul-de-sac, unobstructed by hydrants, streetlights, utilities, mailboxes, trees, structures, parking lots, etc. (Ord. 12-10)
13. When a dead-end street reaches its maximum block length of 1320 feet, it shall not be extended except to connect to another street which provides a second point of independent access. (Ord. 03-10)
  14. Private Streets shall only be permitted in PRD and Cluster Subdivisions. Private Streets shall meet the minimum construction standards established for publicly dedicated streets with the standard right-of-way requirement. Pavement widths less than 35' may be permitted, when the private street ties into a minor collector street or greater, and does not terminate in a cul-de-sac. Private streets shall be perpetually maintained by a professionally managed Home Owner's Association as established within an approved development agreement. The purpose of a private street is not to

provide a street which is substandard in construction to public streets, but one that allows for private gated access and maintenance for the exclusive use and benefit of the residents residing on said private street.

#### **8.03.020 LOCAL MINIMUM STANDARDS & SPECIFICATIONS**

Standards for design, construction specifications, and inspection of street improvements, curbs, gutters, sidewalks, storm drainage and flood control facilities shall be prepared by the City Engineer; standards for water distribution and sewage disposal facilities by the Board of Health; and similar standards for fire protection by Insurance Services Office. All subdividers shall comply with the standards established by such departments and agencies. These standards in addition to the general standards listed below shall be used by all subdividers. (1997)

#### **8.03.030 OTHER GENERAL STANDARDS**

1. Irrigation Ditches and Canals. Open ditches or canals shall not be allowed within a subdivision or within an existing street right-of-way adjacent to a subdivision. The subdivider shall work with the irrigation, drainage or ditch companies to determine:

- a. Methods of covering, realigning or eliminating ditches or canals.
- b. The size of pipe and culverts required.
- c. The responsibility for the periodic inspection, cleaning and maintenance of such ditches, pipes and culverts.

In any case where canals or ditches are within public or proposed public rights-of-way, specifications and grades for pipe or culvert must be approved by the City Engineer.

When an irrigation ditch or canal is adjacent to subdivision development the subdivider must construct a continuous chain link fence on the property line of at least five (5) feet in height.

2. Buffering. In addition to fencing ditches and canals the subdivider shall be required to provide adequate buffering as outlined in the City's Zoning Ordinance. (1997)

#### **8.03.040 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 4

### SUBDIVISION SKETCH (CONCEPT) PLAN;

- 8.04.010 **Procedures and Requirements for Submission**
- 8.04.020 **Feasibility Report**
- 8.04.030 **Action by the Planning Commission**
- 8.04.040 **Severability**

**8.04.010 PROCEDURES AND REQUIREMENTS FOR SUBMISSION** Submit one (1) standard 22" x 34" copy, plus four (4) reduced to 11" x 17" (1/2 scale) copies of a Sketch Plan to the Planning commission for review and discussion of plan and general scope and conditions. The Plan must be submitted at least two weeks prior to the next regularly scheduled meeting of the Planning Commission and shall include the following items:

1. The proposed name of the subdivision.
2. The adjacent property boundaries under the control of the subdivider together with the boundaries of the proposed Subdivision, showing all streets serving property proposed for subdividing.
3. Approximate number of lots proposed and street layout indicating general scale dimensions of lots. The scale shall not be less than 1" = 100'.
4. Approximate total acreage of the development as well as size of the individual lots.
5. Location of all irrigation, waste water drain channels, and all existing utilities within or adjoining the proposed subdivision.
6. Location of all subsurface or land drains with in the boundaries of the proposed subdivision.
7. Location and approximate acres of open space or parks within the subdivision.
8. Vicinity map.
9. Current Zoning. (1997)

**8.04.020 FEASIBILITY REPORT**

The subdivider shall prepare and submit a development feasibility report that addresses the following:

1. Proposed method of connecting to city utilities including, but not limited to, water, secondary water, storm drain, sanitary sewer land drains, etc.
2. Irrigation water rights to be conveyed to the city to meet the irrigation water requirements.
3. Method and calculations for meeting the density requirements outlined in the city's zoning ordinance for the zone where subdivision is located.
4. Method of meeting the open space requirements outlined in Section 8-2-5

5. Identification of any potential wetland areas within the subdivision and proposed method of dealing with them.
6. Estimated number of phases and the number of lots in each phase of the development.
7. Method of meeting requirements for secondary access required by section 8-2-10. (1997)

**8.04.030 SKETCH PLAN APPROVAL.**

The Planning Commission, City Engineer and representatives of other City departments, as deemed necessary by the Zoning Administrator, shall review the Sketch Plan of the proposed subdivision. The Planning Commission shall either approve, deny, or conditionally approve the plans or table action for the next regular meeting, provided, however, that the Planning Commission will serve notice of and hold a public hearing concerning the proposed subdivision before taking any action with respect thereto upon a determination that it is reasonably necessary and would be conducive to a correct and proper decision in the best interests of the City. Such notice shall be given at least ten (10) days before the proposed public hearing and shall be given by publishing it at least once in a newspaper having a general circulation within the City and by posting notice thereof in at least three (3) public places within the City. (Ord. 11-02)

If the Planning Commission denies a Sketch Plan the Planning Commission shall indicate its disapproval by written notice stating the reasons, in which case the applicant may appeal the decision to the City Council. Approval of sketch plans by the Planning Commission will extend for a period of one (1) year. If work or subsequent action by the subdivider to proceed to preliminary plan review does not occur within the year following initial approval, the subdivider must re-submit the plans for to re-approval under the latest City ordinances and specifications. (1999) (Ord. 11-02)

**8.04.040 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 5

### PRELIMINARY SUBDIVISION REVIEW

- 8.05.010 Preliminary Plat
- 8.05.020 Approval of Preliminary Plat
- 8.05.030 Severability

#### 8.05.010 PRELIMINARY PLAT

The Preliminary Plat shall comply with the following requirements:

1. Submission Requirement: Submit Three (3) standard 22" x 34" copies (see standard drawing #1) plus Three (3) reduced to 11" x 17" (1/2 scale) , of the preliminary plat to the Planning Commission for review at least two weeks prior to the next regularly scheduled meeting of the Planning Commission. The Planning Commission may, if said copies are not so submitted beforehand, postpone its consideration thereof until its next regularly scheduled meeting.
2. General Information Required:
  - a. The proposed name of the subdivision.
  - b. The location of the subdivision, including the address of the section, township and range.
  - c. Date of preparation.
  - d. The location of the nearest bench mark and monument.
  - e. The boundary of the proposed subdivision.
  - f. Legal description of the subdivision and acreage included.
  - g. Location, width and name of existing streets within two hundred (200) feet of the Subdivision and of all prior platted streets and other public ways, railroad and utilities rights-of-way, parks and other public open spaces, permanent buildings and structures, houses or permanent easements, and section and corporate lines within and adjacent to the tract.
  - h. Easements for water, sewer, drainage, utility lines, fencing, and other appropriate purposes.
  - i. The layout, number, area, and typical dimensions of lots, streets, and utilities.
  - j. Parcels of land intended to be dedicated or temporarily reserved for public use or set aside for use of property owners in a subdivision including, but not limited to, sites to be reserved or dedicated for parks, playgrounds, schools or other public uses.
  - k. Current inset City map showing location of subdivision.
  - l. Boundary lines of adjacent tracts of undivided land showing ownership.

- m. Location of all wells, proposed, active and abandoned, and of all reservoirs within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries.
- n. Existing sewers, field drains, water mains, culverts or other underground facilities within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries, indicating pipe size, grades, manholes and exact location.
- o. Existing ditches, canals, natural drainage channels, open waterways, and proposed alignments within the tract and to a distance of at least one hundred (100) feet beyond the tract boundaries.
- p. Contours at two-foot intervals for predominate ground slopes within the subdivision between level and ten percent, and five-foot contours for predominate ground slopes within the subdivision greater than ten percent.
- q. The plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet and shall indicate the base of bearing true north.
- r. The subdivider's detailed plan for protecting future residents of his development from such hazards as open ditches, canals or waterways, non-access streets, open reservoirs or bodies of water, railroad rights-of-way and other such features of a potentially hazardous nature located on, crossing, contiguous or near to the property being subdivided, with the exception that the subdivider's plan need not cover those features which the Planning Commission determines would not be a hazard to life and/or where the conforming structure designed to protect the future residents would itself create a hazard to the safety of the public. The foregoing does not relieve the subdivider of the duty to investigate all possible means of protecting future residents from a potential hazard before a determination is made that the only conceivable means of protection is potentially more hazardous than the hazard itself.
- s. Location of existing and proposed land drains. (1997)

**8.05.020 APPROVAL OF PRELIMINARY PLAT**

The Planning Commission, City Engineer and representatives of other interested City departments, as deemed necessary by the Zoning Administrator, shall review the preliminary plat and visit the site of the proposed subdivision. Following this investigation, and after receipt of the City Engineer's written comments and recommendations, the Planning Commission shall either, approve, reject, conditionally approve or table action for the next regular meeting.

If the Preliminary Plat is disapproved, the Planning Commission shall indicate its disapproval by written notice stating the reasons for disapproval.

Planning Commission approval of the preliminary plat shall authorize the subdivider to proceed with preparation of the final plat. Approval of preliminary plats by the Planning Commission will extend for a period of one year. If work or subsequent action by the subdivider to proceed to final plan review does not occur within the year following initial approval, the plan must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999)

All requirements of sketch and preliminary plat approval shall be completed prior to the Planning Commission's consideration of Final Plat.

**8.05.030**

**SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 6

### FINAL SUBDIVISION REVIEW

- 8.06.010 **Final Plat**
- 8.06.020 **Final Plan and Profile**
- 8.06.030 **Final Approval**
- 8.06.040 **Severability**

#### 8.06.010 **FINAL PLAT**

The Final Plat must be prepared by a licensed land surveyor on a sheet of approved tracing with permanent black ink and shall be prepared in accordance with the requirements of this ordinance. The plat shall be 19" X 30" and shall have a one and one-half (1 1/2) inch border on the left and a one-half (1/2) inch border on the three remaining sides. The top of the plat shall be either north or east, whichever accommodates the drawing best.

The plat shall show:

1. The name of the Subdivision, which name must be approved by the Planning Commission and County Recorder.
2. Accurate angular and linear dimensions for all lines, angles and curves used to describe boundaries, streets, alleys, easements, areas to be reserved for public use and other important features.
3. An identification system for all lots, blocks and names of streets. Lot lines shall show dimensions in feet and hundredths.
4. The street address for each lot. Each street address shall be assigned by the City to be consistent with the current numbering scheme.
5. True angles and distances to the nearest established street lines or official monuments which shall be accurately described in the plat and shown by appropriate symbol.
6. Radii, internal angles, points and curvatures, tangent bearings and the length of all arcs.
7. The accurate location of all monuments to be installed shown by the appropriate symbol. All United States, state, county or other official bench marks, monuments or triangulation stations in or adjacent to the property, shall be preserved in precise position.
8. The dedication to the City of all streets, highways and other public uses and easements included in the proposed subdivision
9. Street monuments shall be shown on the Final Plat as are approved by the City Engineer. Standard precast monuments will be furnished by the subdivider and placed as approved.

10. Pipes or other such iron markers shall be shown on the plat.
11. Accurate outlines and dimensions of any areas to be dedicated or reserved for public use, with the purposes indicated thereon, and of any area to be reserved by deed or covenant for common use of all property owners.
12. All boundary, lot and other geometrics (bearings, distances, curve data, etc.,) on Final Plat shall pose to an accuracy of not less than one part in five thousand (1/5000).
13. Location, function, ownership and manner of maintenance of common open space not otherwise reserved or dedicated for public use.
14. Boundary descriptions of the Subdivision.
15. Current inset City map showing location of subdivision.
16. Standard forms for the following:
  - a. A registered Land Surveyor's Certificate of Survey as applicable under State Law.
  - b. Owner's Dedication which shall "warrant and defend and save the City harmless against any easements or other encumbrances on the dedicated streets which will interfere with the City's use, maintenance and operation of the streets."
  - c. A notary public's "Acknowledgement."
  - d. The City Land Use Authority (either the Planning Commission and/or City Council, as designated by the City Municipal Code) "Certificate of Approval."
  - e. The City Engineer's "Certificate of Approval."
  - f. The County Recorder's "Certificate of Attest."
  - g. The City Attorney's "Certificate of Approval."
  - h. Public Utilities approval and acceptance of Public Utility Easements.
  - i. A three-inch (3") by three-inch (3") space in the lower right-hand corner of the drawing for recording information.

**8.06.020**

**FINAL PLAN AND PROFILE**

Plan and Profile must be prepared by a licensed engineer in accordance with the requirements of this ordinance. Standard 22" x 34" and reduced to 11" x 17" (1/2 scale) of the plan and profile will be required for review by the city. (1997)

General Information required.

1. Plan for culinary water improvements. Show proposed water main sizes, valves, fire hydrants, and service connections to all lots within the proposed subdivision and connections to existing water mains

2. Plan for secondary water improvements. Show proposed secondary water main sizes, valves, and service connections to all lots within the proposed subdivision and connections to existing secondary water lines.
3. Plan for sanitary sewer. Show proposed sewer mains and manholes, together with proposed slopes and depths within the proposed subdivision. Also show location of service laterals to each lot within the subdivision.
4. Land Drain. Show method of dealing with land drains and subsurface water drains within the proposed development. If applicable, indicate location of any service connections and service manholes within the subdivision.
5. Storm Water. Show location and size of storm water drains, together with any manholes or drop boxes within the subdivision. Show slope and grade of all storm drain lines. Storm water calculations need to accompany drawings for engineer review.
6. Streets. Typical cross section of road improvements, together with flow line of proposed curb and gutter improvements as compared with existing ground slopes and center line offsets of all proposed utilities.
7. Stationing. Stationing callouts should conform with acceptable engineering practices.
8. Agreements. When necessary, copies of any agreements with adjacent property owners relevant to the proposed subdivision shall be presented to the Planning Commission. (1997)

#### 8.06.030

#### FINAL APPROVAL

1. Submittal: Submit one (1) standard 22" x 34" copy of plat and plan & profile sheets, plus one (1) copy of each reduced to 11" x 17" (1/2 scale) to the city. Submit three (3) standard 22" X 34" copies of plat and plan & profile sheet, together with a cost estimate of off-site improvements, storm drain calculations, and a 19"X 30" mylar of the Final Plat to the City engineer.
2. Engineer Review: City Engineer will review submitted documents and transmit his conclusions and recommendations to the Planning Commission, including cost estimate for off-site improvements required by City ordinance. If documents are in order, City Engineer will sign the mylar indicating his approval of the subdivision. After approval and signature of the Final Plat, the City Engineer shall submit the plat, along with his comments of review and approval to the Planning Commission.
3. Approval: Upon receipt of the approved plans from the City Engineer the Planning Commission shall either approve, reject, or table action for the next regular meeting the Final Plat. If the final plat is approved, the Planning Commission Chairman shall sign the plat and forward it to the City Council for approval and signature, which action shall be taken in a regularly scheduled meeting of the City Council.

If the Planning Commission does not approve the Final Plat, disapproval shall indicated by written notice stating the reasons for disapproval, in which case the decision can be appealed to the City Council whose decision will be final. Approval of final plats by the City Council will extend for a period of (6) six months. If work or subsequent action by the subdivider to proceed with offsite construction does not occur within the (6) six month period following initial approval, the plat and

construction drawings must be re-submitted and become subject to re-approval under the latest City ordinances and specifications. (1999)

4. Construction of off-site Improvements: No construction of off-site improvements shall commence until the subdivider has completed a pre construction meeting with the city planning and building departments, at which time a review of construction project and expectations of the city will be discussed. Such conference shall be scheduled with the city and all affected utility companies will be invited to attend.
5. Approval to Record Subdivision: Before any subdivision plat will be recorded, the subdivider shall furnish a corporate surety bond in amount as finally determined by the City Engineer to secure the performance of the public improvements in a workmanlike manner and according to specifications established by the Syracuse City Subdivision Standards {See Section 8-2-3}. Some of the public improvements are as follows:
  - a. Paving of streets
  - b. Curb, gutter and sidewalks
  - c. Sewer and water lines, including irrigation lines
  - d. Storm and subsurface drainage
  - e. Street signs, monuments, lighting, fences and street trees
  - f. Removal or relocation of any easements which may affect the use of the dedicated streets by the City.
  - g. Utility development connection fees
6. Recording. The Final Plat, bearing all official signatures as above required, shall be deposited in the office of the City Recorder, who shall cause the plat to be recorded in the office of the County Recorder. No plat shall be recorded in the office of the County Recorder and lots included in such plat shall not be sold or exchanged, and no offer shall be made to sell or exchange any such lots unless and until the plat is so approved and signed. (1997)

#### **8.06.040**

#### **SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 7

### ENFORCEMENT, PERMITS AND PENALTIES

|          |              |
|----------|--------------|
| 8.07.010 | Enforcement  |
| 8.07.020 | Inspection   |
| 8.07.030 | Permits      |
| 8.07.040 | Violation    |
| 8.07.050 | Penalty      |
| 8.07.060 | Severability |

#### 8.07.010 ENFORCEMENT

The Planning Commission, the City Council and such other departments and agencies and officials of the City as are specified under the provisions of this title are hereby designated and authorized as the agencies charged with the enforcement of the provisions of this title and shall enter such actions in court as are necessary. Failure of such departments to pursue appropriate legal remedies, shall not legalize any violation of such provisions. (1997)

#### 8.07.020 INSPECTION

Appropriate agencies and departments and officials of the City shall inspect or cause to be inspected all buildings, street improvements, fire hydrants and water supply and sewage disposal systems in the course of construction, installation or repair. Excavations for fire hydrants and water and sewer mains and laterals shall not be covered or backfilled until such installation shall have been approved by appropriate department, agency or officials. If any such installation is covered before being inspected and approved, it shall be uncovered after notice to uncover has been issued to the responsible person by the Inspector. (1997)

#### 8.07.030 PERMITS

From the time of the effective date of this title, the Building Official shall not grant a permit, nor shall any City office, department or agency grant any license or permit for the use of any land or the construction or alteration of any building or structure on a lot which would be in violation of any provisions of this title until a subdivision plat therefor has been recorded or approved as herein required. Any license or permit issued in conflict with such provisions shall be void. (1997)

#### 8.07.040 VIOLATION

No person shall subdivide any tract or parcel of land located wholly or in part in the City except in compliance with the provisions of this title. No person shall purchase, sell or exchange any parcel of land which is any part of a subdivision or a proposed subdivision submitted to the Planning Commission, nor offer for recording in the office of the County Recorder, any deed conveying such parcel of land or any fee interest therein, unless such subdivision has been created pursuant to and in accordance with the provision of this title. (1997)

**8.07.050 PENALTY**

Whoever shall violate any of the provisions of this ordinance shall be guilty of a misdemeanor and, upon conviction of any such violation, shall be punishable by a fine of not more than \$1,000.00, or by imprisonment for not to exceed 6 months, or by both fine and imprisonment or by the penalty for transfer and sale of property provided in Section 10-9-26, Utah Code Annotated, 1953, except that in all cases where a corporation would be punishable as for a misdemeanor, and there is no other punishment prescribed by ordinance, such corporation is punishable by a fine not exceeding \$1,000.00. Provided further, that each violation of this ordinance shall be considered a separate offense, and each day such violation is permitted to exist shall constitute a separate offense. (1997)

**8.07.060 SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.

## CHAPTER 8

### AMENDMENTS & REPEALER

- 8.08.010 **Changes and Amendments**
- 8.08.020 **Repeal of Inconsistent Ordinances, Rules, and Regulations**
- 8.08.030 **Severability**

#### 8.08.010 **CHANGES AND AMENDMENTS**

This Subdivision Ordinance may be amended from time to time by the Syracuse City Council after public notice has been given in accordance with the City Municipal Code and State Statute, but all proposed amendments shall be first proposed to the Planning Commission for its recommendation, which shall be returned to the Syracuse City Council within thirty (30) days. Failure of the Planning Commission to submit its recommendations within the prescribed time shall be deemed approval by such commission of the proposed change or amendment. The Syracuse City Council may overrule the Planning Commission's recommendation by a majority vote of its members. (1997)

#### 8.08.020 **REPEAL OF INCONSISTENT ORDINANCES, RULES, AND REGULATIONS**

All ordinances, rules and regulations, or parts thereof, of Syracuse City which are repugnant to or inconsistent or in conflict with this Ordinance are hereby repealed. (1997)

#### 8.08.030 **SEVERABILITY**

If any provision of this chapter or its application to any person or circumstance is held to be invalid by a court of competent jurisdiction, the invalidity does not affect other provisions or applications of this chapter which can be given independent effect. To this end the provisions of this chapter are severable.



# COUNCIL AGENDA

March 12, 2013

Agenda Item #f                      Request to be on the agenda – Ed Gertge re: Fun Center  
Project Status Update. (15 min.)

***Factual Summation***

- This item was added to the agenda at the request of Ed Gertge.



# COUNCIL AGENDA

March 12, 2013

Agenda Item #g                      Discussion of a resolution requested by Councilmembers Johnson and Lisonbee supporting the 2nd amendment of the Constitution of the United States. (10 min.)

***Factual Summation***

- This item was added to the agenda at the request of Councilmembers Johnson and Lisonbee. Please see the attached resolution. Any questions regarding this item can be directed at either council member or City Attorney Will Carlson.

**The City of Syracuse**  
**RESOLUTION 2013-\_\_\_\_\_**  
**SUPPORTING THE RIGHT TO KEEP AND BEAR ARMS BY**  
**UPHOLDING THE 2<sup>ND</sup> AMENDMENT OF THE CONSTITUTION OF**  
**THE UNITED STATES OF AMERICA**

WHEREAS, After the Restoration of 1660 the British government began suppressing political dissidents by disarming opponents of the monarchy;<sup>i</sup>

WHEREAS, backlash from the British people led to assurances in the Declaration of Right that the people “may have arms for their defense suitable to their conditions and as allowed by law;”<sup>ii</sup>

WHEREAS, when our nation was debating ratification of the United States Constitution, those opposed to the Constitution argued that if it was ratified, the federal government would disarm the people,<sup>iii</sup>

WHEREAS, those supporting the Constitution argued that the document did not give the federal government power to abridge the right to keep and bear arms;<sup>iv</sup>

WHEREAS, in 1791 the Second Amendment to the United States Constitution was ratified, which states “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed;”<sup>v</sup>

WHEREAS, the United States Supreme Court has held that “the Second Amendment conferred an individual the right to keep and bear arms;”<sup>vi</sup>

WHEREAS, the Utah Constitution guarantees that the “individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms;”<sup>vii</sup>

WHEREAS, on December 14, 2012 a shooting at Sandy Hook Elementary in Connecticut reignited passions on the issue of guns;<sup>viii</sup>

WHEREAS, on January 16, 2013, President Barack Obama introduced a plan to reduce gun violence that proposed four steps to be taken through

Congressional and Executive action: closing background check loopholes, banning military-style assault weapons and high-capacity magazines, making schools safer, and increasing access to mental health services;<sup>ix</sup>

WHEREAS, on January 17, 2013, the Utah Sheriffs' Association issued an open letter to President Obama recognizing "domestic massacres" and stating

It is easy to demonize firearms; it is also foolish and prejudiced. Firearms are nothing more than instruments, valuable and potentially dangerous, but instruments nonetheless. Malevolent souls, like the criminals who commit mass murders, will always exploit valuable instruments in the pursuit of evil...lawful violence must sometimes be employed to deter and stop criminal violence. Consequently, the citizenry must continue its ability to keep and bear arms, including arms that adequately protect them from all types of illegality...<sup>x</sup>

and

WHEREAS, Davis County Sheriff Todd Richardson joined in the letter from the Utah Sheriff's Association and held a town forum on gun control on January 24, 2013;<sup>xi</sup>

NOW THEREFORE BE IT RESOLVED THAT the City of Syracuse upholds the Constitution of the United States of America and wholeheartedly supports the right to keep and bear arms as an individual right that belongs to the people; and

BE IT FURTHER RESOLVED THAT the City of Syracuse also upholds the Utah Constitution which guarantees that the "individual right of the people to keep and bear arms for security and defense of self, family, others, property, or the state, as well as for other lawful purposes shall not be infringed; but nothing herein shall prevent the Legislature from defining the lawful use of arms;

BE IT FURTHER RESOLVED THAT the City of Syracuse supports the position of the Utah Sheriff's Association and Davis County Sheriff Todd Richardson in the open letter written on January 17, 2013;

BE IT FURTHER RESOLVED THAT the City of Syracuse deeply mourns the senseless violence that has occurred in our state and across this great nation;

BE IT FURTHER RESOLVED THAT the City of Syracuse calls upon local, state and national officials to engage in immediate and responsible dialogue concerning gun rights, criminal violence, and in deterring unlawful gun activity without infringing on rights secured by the Constitutions of Utah and the United States;

BE IT FURTHER RESOLVED THAT the City of Syracuse supports legislation that protects and upholds the right to keep and bear arms, that does not ban assault weapons and high-capacity magazines, enforces existing gun laws, and continues to protect both open and concealed carry of arms;

BE IT FURTHER RESOLVED THAT the City of Syracuse encourages all people to participate in this sensitive conversation with honesty and sincerity while avoiding inflammatory rhetoric or accusations;

BE IT FURTHER RESOLVED THAT the City of Syracuse encourages citizens in their efforts toward responsible and legal gun ownership, and in acquiring training in the storage and use of firearms for their own protection and the protection of others;

BE IT FURTHER RESOLVED THAT copies of this resolution be sent to the President, each member of Utah's congressional delegation, Governor, Attorney General, Utah Senate President, Utah Speaker of the House, each member of the Utah State Legislature representing Davis County, the Utah Association of Counties, the Utah League of Cities and Towns, and the Davis County Sheriff.

PASSED, APPROVED AND ADOPTED this the \_\_\_\_\_th day of March, 2013.

\_\_\_\_\_, Mayor

SEAL

ATTEST:

\_\_\_\_\_

\_\_\_\_\_, Clerk

<sup>i</sup> “Between the Restoration and the Glorious Revolution, the Stuart Kings Charles II and James II succeeded in using select militias loyal to them to suppress political dissidents, in part by disarming their opponents.” Dist. of Columbia v. Heller, 554 U.S. 570, 592, 128 S. Ct. 2783, 2798, 171 L. Ed. 2d 637 (2008), citing J. Malcolm, *To Keep and Bear Arms* 31–53 (1994) (hereinafter Malcolm); L. Schworer, *The Declaration of Rights*, 1689, p. 76 (1981).

<sup>ii</sup> 1 W. & M., c. 2, § 7, in 3 Eng. Stat. at Large 441 (1689).

<sup>iii</sup> “During the 1788 ratification debates, the fear that the federal government would disarm the people in order to impose rule through a standing army or select militia was pervasive in Antifederalist rhetoric.” Dist. of Columbia v. Heller, 554 U.S. at 598 citing Letters from The Federal Farmer III (Oct. 10, 1787), in 2 *The Complete Anti-Federalist* 234, 242 (H. Storing ed.1981).

<sup>iv</sup> “Federalists responded that because Congress was given no power to abridge the ancient right of individuals to keep and bear arms, such a force could never oppress the people.” Dist. of Columbia v. Heller 554 U.S. at 599 citing A Pennsylvanian III (Feb. 20, 1788), in *The Origin of the Second Amendment* 275, 276 (D. Young ed., 2d ed.2001) (hereinafter Young); White, *To the Citizens of Virginia*, Feb. 22, 1788, in *id.*, at 280, 281; A Citizen of America, (Oct. 10, 1787) in *id.*, at 38, 40; Remarks on the Amendments to the federal Constitution, Nov. 7, 1788, in *id.*, at 556.

<sup>v</sup> U.S.C.A. Const. Amend. II

<sup>vi</sup> Dist. of Columbia v. Heller, 554 U.S. 570, 595, 128 S. Ct. 2783, 2799, 171 L. Ed. 2d 637 (2008)

<sup>vii</sup> Utah Const Art I, §6

<sup>viii</sup> “After Sandy Hook, Newtown Continues To Cope As It Plans A Future Beyond Tragedy,” Huffington Post, March 4, 2013, available at [http://www.huffingtonpost.com/2013/03/04/newtown-after-sandy-hook\\_n\\_2805491.html](http://www.huffingtonpost.com/2013/03/04/newtown-after-sandy-hook_n_2805491.html)

<sup>ix</sup> “Now is the Time, The President’s plan to protect our children and our communities by reducing gun violence,” The White House, January 16, 2013, available at [http://www.whitehouse.gov/sites/default/files/docs/wh\\_now\\_is\\_the\\_time\\_full.pdf](http://www.whitehouse.gov/sites/default/files/docs/wh_now_is_the_time_full.pdf)

<sup>x</sup> Letter from Utah Sheriffs’ Association to the Honorable Barack Obama, President of the United States (Jan. 17, 2013), available at [http://www.utahsheriffs.org/USA-Home\\_files/2nd%20Amendment%20Letter\\_1.pdf](http://www.utahsheriffs.org/USA-Home_files/2nd%20Amendment%20Letter_1.pdf)

<sup>xi</sup> “Davis Co. Sheriff talks gun control in town hall forum,” Fox 13 News, January 24, 2013, available at <http://fox13now.com/2013/01/24/davis-co-sheriff-talks-gun-control-in-town-hall-forum/>



**SYRACUSE CITY**  
**Syracuse City Council Agenda**  
**March 12, 2013 - 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 Ben Bolingbroke and Alexis Daniels.
3. Approval of Minutes:
  - a. Work Session Meeting of February 26, 2013
  - b. Special Meeting of February 26, 2013
  - c. Regular Meeting of June 12, 2012
  - d. Work Session Meeting of June 26, 2012
  - e. Special Meeting of June 26, 2012
  - f. Work Session Meeting of July 10, 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: Authorize Administration to dispose of surplus equipment.
6. Public Hearing: Proposed Ordinance No. 13-03 declaring the annexation of 26.99 acres of property located at approximately 3700 S. 2000 W. into the City of Syracuse, Davis County, Utah, and establishing zoning for the property.
7. Recommendation for Award of Contract for 1000 West Street Culinary Waterline Project.
8. Councilmember Reports
9. Mayor Report
10. City Manager Report
11. 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 8<sup>th</sup> day of March, 2013 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 March 8, 2013.

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

March 12, 2013

## Agenda Item #2

Presentation of the Syracuse City and Wendy's "Award for Excellence" to Ben Bolingbroke and Alexis Daniels.

### *Factual Summation*

- Please see the attached memo from the Community and Economic Development Department. Any questions regarding this item can be directed at CED Director Mike Eggett.



**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:** March 12<sup>th</sup>, 2013

**Subject:** Presentation of the Syracuse City & Wendy's Award for Excellence to Ben Bolingbroke and Alexis Daniels.

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### 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:

#### Ben Bolingbroke

"Ben is an outstanding and remarkable individual. He is one of the most diligent, dedicated and hardworking students and athletes we have ever had the pleasure of working with. As a Wrestler he was a District Placer in 7<sup>th</sup> grade and as a 9<sup>th</sup> grader he wrestled for Clearfield High School and placed 2nd in region. Ben is not only a great athlete, but also a very successful student. He currently has a perfect 4.0 cumulative GPA.

Ben always strives to do his best in all his endeavors. He works very hard and his successes are a direct result of his efforts. He is always positive and seeks to bring out the best in every situation. Ben's peers and classmates look up to him not only as an

example of a good student, but as someone who exemplifies good values, citizenship and remarkable character.

In the classroom and in athletics, Ben portrays the best qualities that a young person should have. He has a great sense of dedication and responsibility, a willingness to assist others, and to always have the courage to stand up and do what is right. This attitude of success in the face of adversity is in much demand in our world today and exemplifies his inner strengths.” –Bruce Illum and Doug Peterson, Legacy Jr. High

### Alexis Daniels

“Alexis is an excellent student, helpful to her fellow students, kind to everybody at all times, and is both inquisitive and brilliant! She carries a 4.0 GPA. Alexis is a Syracuse resident who makes a difference in her community. She is destined to do great things and is a great asset to our community.

On Valentine’s Day, students were purchasing roses for each other, giving out valentines, and asking each other “out.” Infatuation and social awkwardness was in the air. Now it is not unusual for students’ emotions to run high on this day, particularly when love interests are revealed. These students tend to get their hopes up and when those hopes are not met, they are disappointed and have a hard time coping. I saw one of these types of students in the corner of the commons area, crying. She was obviously disappointed or hurt emotionally for whatever reason. She is a special needs girl and has some challenges. I was absolutely not surprised to see that Lexi was tenderly comforting her by giving her an embracing hug and then handed the girl one of her roses. This made the girl very happy and she was smiling before I finished walking past. This act did not surprise me, because of Lexi’s caring attitude. It is interesting and fitting that she had just been voted by the student body as “biggest heart,” which she earned without self-promotion or fanfare. Lexi has probably already forgotten that she did this. She probably did not see me watching the incident as I walked past to get my lunch. It is simply who she is, and what she stands for. She stands as an example that the rest of us can learn from.” –Carve Wilson, Jason Vilos, and Doug Peterson, Legacy Jr. High

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 Ben Bolingbroke and Alexis Daniels.



# COUNCIL AGENDA

March 12, 2013

Agenda Item #3

Approval of Minutes.

***Factual Summation***

- Please see the draft minutes of the following meetings:
  - a. Work Session Meeting of February 26, 2013
  - b. Special Meeting of February 26, 2013
  - c. Regular Meeting of June 12, 2012
  - d. Work Session Meeting of June 26, 2012
  - e. Special Meeting of June 26, 2012
  - f. Work Session Meeting of July 10, 2012
  
- Any question regarding this agenda item may be directed at Cassie Brown, City Recorder.

Minutes of the Syracuse City Council Work Session Meeting, February 26, 2013.

Minutes of the Joint Work Session meeting of the Syracuse City Council and Planning Commission held on February 26, 2013, at 6:00 p.m., in the Council Work Session Room, 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:  
City Attorney Will Carlson  
Community Development Director Michael Eggett  
Parks and Recreation Director Kresta Robinson  
Fire Chief Eric Froerer  
Police Chief Garret Atkin  
Finance Director Steve Marshall  
Public Works Director Robert Whiteley  
Building Official Riley Jones

Visitors Present: Mike Thayne                      Nick Bybee                      Terry Palmer  
Jake Jones    Matt McBride                      John Lewis

The purpose of the Work Session was for the Governing Body to hear public comments; have pre-retreat budget discussions regarding a recycling program, the creation of two new Police Officer positions, crisis intervention training for the Police Department, staffing for storm sewer maintenance, utility rate increases, storm water fund increase to cover long-term projects, newsletter brief, and debt reduction; discuss special meeting agenda item four – Financial Ready Resolution; discuss 2013 Municipal Elections; discuss home business inspection process; discuss issuance of permits for water heater replacements; discuss iPad usage policy; discuss special meeting agenda item three – subdivision approval; and discuss Council business.

**Public comments**

6:01:07 PM

John Lewis stated he wanted to address the Council about employee merit raises. He stated he got some information off the City’s website that says the employees are the number one asset of the City and we need to invest in our employees. He stated he feels those statements are a ‘bunch of emotional bunk’ personally for one reason – of the \$150,000 that was

1 given for raises, Robert Rice and Steve Marshall took \$5,000 a piece, which was 15 percent, and Robert Rice makes  
2 \$140,000 a year and gives himself a \$5,000 increase.

3 Mr. Rice stated he did not give himself an increase. Mr. Lewis stated that it is his time to talk. He then stated Steve  
4 Marshall got a \$5,000 increase, Will Carlson got \$3,500, Kresta Robinson got \$3,500, and TJ Peace got \$3,400. He stated  
5 that he knows the Council is dealing with the fact that the Police Department has been working with inferior equipment, such  
6 as radios that do not work. He stated Officers are 'laying it on the line' and there are five employees, the top paid employees  
7 of the City, that could have paid for those radios with the increases they received. He stated there are seven employees total,  
8 including Robert Rice and Steve Marshall, that took \$40,000 of the \$150,000. He stated there is a lot of disparity and there  
9 was a plundering done by the top people in the City. He stated 19 employees got raises of \$.12, \$.21, and \$.22. He stated  
10 nearly 20 percent of the employees got those kinds of raises. He stated he is asking that the Council cut the purse strings with  
11 the administration; it is apparent that the administration cannot be trusted to make decisions based on giving them a block of  
12 money. He stated there needs to be some monitoring; for 'these guys' to make 'this kind of money' and for that kind of  
13 disparity to be given to the employees is a joke. He thanked the Council for their time.

14  
15 [6:04:09 PM](#)

### 16 **Pre-retreat budget discussions**

17 A staff memo from the Finance Director explained City Administration wanted to bring some budget discussion  
18 items to the Council before the budget retreat to get input and feed back as to what would be the best decision for the City.  
19 There are a handful of budget items that administration would like to discuss at length with the council so that we can all  
20 decide what would be the best option for the City. These topics include:

- 21 ○ Potential to implement a recycling program in the city.
- 22 ○ Potential to hire 2 new police officers.
- 23 ○ Potential to hire a new storm/sewer compliance employee.
- 24 ○ Utility Rates – long-term financial plan.
- 25 ○ Potential for crisis intervention training for police officers.
- 26 ○ Newsletter results and options.
- 27 ○ Debt Reduction and Fund Balance Philosophy.

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***Recycling program:***

The City has the opportunity to offer curbside recycling to residents; recycling would extend the useful life of the landfill because less garbage would be dumped. Capital costs of starting a new landfill would be huge (once the current landfill is full) and the City has responsibility to be environment friendly. Currently about half the residents have two black garbage cans. The City is charged based on number of cans instead of weight of garbage being sent to landfill. We currently charge \$7.20 for a second garbage can.

There are three types of programs offered by Robinson Waste:

- Mandatory (95%-100%) = \$2.10
- Opt-Out (60% - 95%) = \$2.25
- Opt-In (25% - 60%) = \$3.50

The total cost to citizens could be as low as \$3.00 to \$4.00 for recycling based on total costs of the program. Recycling Cans would be picked up every other week. The staff recommendation is to implement an opt-out program in the City. All residents would be signed up for recycling and would need to call the City to opt-out. Staff also recommends making the program mandatory for all new residents. The green waste opt-in program is still at only 19.8% (1315 cans out of 6650 households).

[6:04:19 PM](#)

Finance Director Marshall reviewed his staff memo. He stated he has not put the tentative budget together yet; he wanted to talk to the Council about some of these items before proceeding with preparation of the budget. He stated if there is no desire to include these items in the budget he will direct his attention to other items.

[6:11:18 PM](#)

Council discussion regarding the item commenced. The final determination was to not pursue a traditional curb-side recycling program.

[6:24:12 PM](#)

***Creation of two new Police Officer positions:***

1           The general law enforcement standard is to have one Police Officer per 1,000 residents. The City currently has 19  
2 officers for 24,756 residents. City staff estimates 250 building permits will be issued in FY2013; the average home size is  
3 four individuals meaning there will be approximately 1,000 new residents in FY2013. The proposal is to add one officer for  
4 new growth and one to “catch up” to standard. Each officer will cost the city \$65,000 to \$70,000 and the estimated  
5 equipment and start-up costs would be \$10,500 for each officer. There will be no need to purchase new vehicles.

6 [6:24:28 PM](#)

7           Police Chief Atkin reviewed the staff memo regarding this item.

8 [6:31:57 PM](#)

9           Council discussion regarding the item commenced. The final determination was to prepare two different budget  
10 proposals regarding this item; one including funding for the positions and one without. The item will be discussed further at  
11 the budget retreat.

12

13 [6:52:25 PM](#)

14 ***Staffing for storm sewer maintenance:***

15           The Utah Water Quality Act (UCA 19-5) regulates our ability to discharge storm water, sewer, and land drain  
16 Utah DWQ Permits. The Storm Water permit was issued July 2010 and the Sewer permit was issued Oct 2012. The staff  
17 recommendation is to ensure compliance with environmental regulations by adding one full time employee (FTE) to maintain  
18 compliance and increase part time hours for administrative permitting and reporting. The FTE would cost \$55,659 with  
19 wages and benefits and the additional part-time costs would be \$6,600.

20 [6:52:33 PM](#)

21           Public Works Director Whiteley reviewed the staff memo regarding this item.

22 [6:57:41 PM](#)

23           Council discussion regarding the item commenced. The final determination was to continue the discussion during  
24 the budget retreat.

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26 [7:09:47 PM](#)

**Utility rate increases:**

The City has a responsibility to charge rates for utilities that are reasonable, responsible, and that only cover the costs of our expenses. The City has not adjusted utility rates for at least three years with the exception of the rate charged by North Davis Sewer District. Costs during this 3 year period have increased. Utility rates can be broken down into operational costs and capital costs. Operational costs are those costs that are incurred to provide the utility service (i.e. salaries, wages, disposal fees, water purchase, equipment, supplies, etc.) Capital Costs are those costs incurred to repair, maintain, and improve our infrastructure system that delivers the utility to our homes and businesses. Capital costs for infrastructure repairs, maintenance, and improvement projects is our biggest issue when talking about utility rates. The costs of repairing, maintaining, and improving our infrastructure is charged as an expense to each utility in the form of depreciation expense. It is charged as an estimated cost over 40-50 years; this is an estimate of the useful life of the infrastructure. Currently the City is not completely funding the depreciation expense in the secondary water fund, storm water fund, or sewer fund. Below is the current shortage of funding for depreciation expense in each fund:

- Secondary Water = Shortage of \$227,834
- Storm Water = Shortage of \$255,641
- Sewer Fund = Shortage of \$65,041
- Culinary Fund = Surplus of 11,158
- Garbage Fund = Surplus of 16,732.

In order to fully fund the depreciation expense for each of these funds rates would need to be increased.

- Secondary water = \$2.85/household per month
- Storm water = \$3.20/household per month
- Sewer Fund = \$0.82/household per month

North Davis Sewer District is also raising its rate by \$1.50 in July 2013. Rates could be reduced in culinary water and garbage by \$.35/household per month. Staff has compiled a benchmark of 9 other cities utility rates for comparison purposes. Syracuse City has the third lowest rates out of 10 cities. Even if the City increased rates by \$8.02 per month (\$2.85+3.2+.82+1.5-.35) to \$72.07 per month we would still have the third lowest rates out of 10 cities.

City	Total Bill @ 8,000 GAL	Notes
<b>ROY CITY</b>	<b>\$63.28</b>	Basic
<b>CLINTON CITY</b>	<b>\$63.56</b>	Basic
<b>SYRACUSE CITY</b>	<b>\$64.05</b>	Basic
<b>FARMINGTON CITY</b>	<b>\$77.43</b>	BENCHLAND SECONDARY
<b>FARMINGTON CITY</b>	<b>\$89.93</b>	WEBER BASIN - SECONDARY
<b>LAYTON CITY</b>	<b>\$80.65</b>	INCLUDING AN ESTIMATE FOR SEC WATER
<b>CLEARFIELD CITY</b>	<b>\$80.69</b>	INCLUDING AN ESTIMATE FOR SEC WATER

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16           The staff recommendation is to adjust utility rates to fully fund depreciation expense; this would provide a better  
17 financial plan for the City long term. Rates would still be very competitive with surrounding cities. These other cities have  
18 recognized the need to fund their infrastructure costs.

19           [7:09:58 PM](#)

20           Mr. Marshall and City Manager Rice reviewed the staff memo regarding this item.

21           [7:14:25 PM](#)

22           Council discussion regarding the item commenced. The Council resolved they did not have the appetite for a large  
23 utility rate increase, but would discuss smaller incremental increases during the upcoming budget retreat.

24

25           [7:40:32 PM](#)

26           ***Crisis intervention training for the Police Department:***

27           Chief Atkin would like to discuss the potential to apply for a grant that would cover crisis intervention training  
28 (CIT) for all of his officers. This would be completed over a two to three year period of time. Police officers would all be  
29 required to attend 40 hours of training to complete the course. The grant would cover 50% of our costs to complete the  
30 training. Estimated costs of the training course and the overtime shift to cover those officers while they are at the training is  
31 estimated at approximately \$14,000. The City's net cost would be \$7,000 that would be spread over two to three years. This  
32 training will train officers to help citizens who are experiencing a mental health crisis. There was a resolution adopted during  
33 last legislative session to endorse Crisis Intervention Training. There was a case in Hurricane, Utah where a mentally ill  
34 person was tasered by police and later died.

1 [7:40:49 PM](#)

2 Chief Atkin reviewed the staff memo regarding this item.

3 [7:44:03 PM](#)

4 Council discussion regarding this item commenced. The conclusion was to include this item in the tentative budget.

5

6 [7:45:45 PM](#)

7 **Newsletter brief:**

8 The city asked its residents to help determine the most preferred way to receive their City Newsletter, aka “The Lake  
9 View”, via survey in the newsletter. The survey was include in the following newsletters:

- 10 ▪ July/August: Prices not included
- 11 ▪ September/October: Prices included
- 12 ▪ November/December: Prices included
- 13 ▪ January/February: Prices included

14 The total newsletters mailed was 6,909. Total responses received was 128; total people who did not respond was  
15 6,780. Responses were received via email, phone calls and delivery of survey insert included in the newsletter.

### **Newsletter Production Survey**

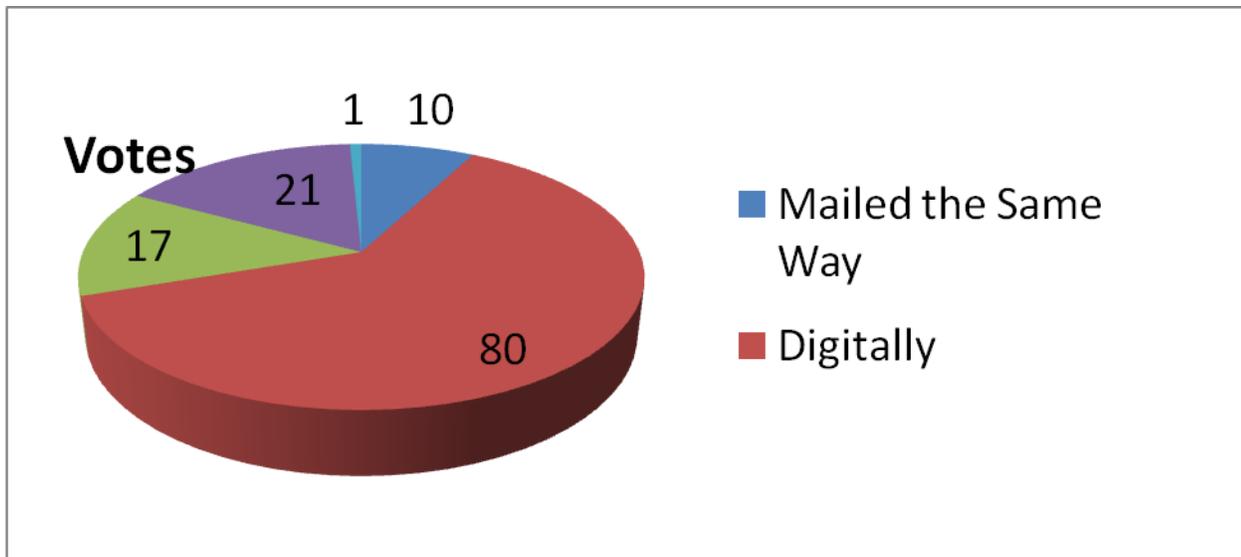
We are asking for residents help to determine the most preferred way to receive your Syracuse City Newsletter, aka “The Lake View”. Please choose whether you would like to receive the newsletter:

- A:** The same way as it is delivered now, bi-monthly via mail. (\$2,796.33)
- B:** Digitally, the newsletter will be created as usual but will be posted on the website and emailed to residents who wish to receive it that way. (\$0)
- C:** As a one page column every two weeks in the “Islander” newspaper. (\$400.00)
- D:** Included with your monthly City Utility Bill. (\$605.20)

**I would like to receive my City Newsletter via:** \_\_\_\_\_

Please return this survey to City Hall, email [mmartinson@syracuseut.com](mailto:mmartinson@syracuseut.com),  
or call 801-825-1477 with your response.

16



1  
2 [7:45:46 PM](#)

3 Mr. Marshall reviewed the staff memo regarding this item.

4 [7:46:55 PM](#)

5 Council discussion regarding the item commenced. The conclusion was to maintain the current practice of mailing a  
6 paper copy of the newsletter to each household in the City.

7

8 [7:59:47 PM](#)

9 ***Debt reduction:***

10 The City's fund balance was at 17.26% at the end of FY2012. We budgeted in October to use \$300,000 of that fund  
11 balance to give employee raises, fund more money to roads, and purchase some capital assets. This would have brought our  
12 fund balance down to around 14%. However, revenue trends are showing that we will most likely make up the \$300,000 we  
13 budgeted to use in October. Our fund balance will most likely end up at around 17-18% at the end of FY2013. Excess  
14 revenues over expenses can be utilized in several ways. Administration believes that the best use of that money can be  
15 narrowed to three options:

- 16 • Use money to fund road projects.
- 17 • Pay down debt.
- 18 • Keep in the general fund and build up our rainy day fund.

1 Administration believes that the best option is to use the excess money to fund roads. We recommend using as  
2 much revenues and/or fund balance as the council feels appropriate to fund our road projects. Once our roads are improved  
3 to our satisfaction, the next best option would be to pay down debt. Short-term debt is the preferred option because it will get  
4 paid off faster than our bonds. The last option would be to increase our rainy day fund balance. Currently our fund balance  
5 is close to the statutory maximum. SB158 is most likely going to increase the maximum from 18-25%. Administration  
6 recommends that before we increase our fund balance any higher that we fix our roads, pay down debt, and then look to  
7 increasing our fund balance.

8 [7:59:52 PM](#)

9 Mr. Marshall reviewed the staff memo for this item.

10 [8:02:29 PM](#)

11 Council discussion regarding the item commenced. The conclusion was to discuss budgeting philosophies relative  
12 to debt reduction at the upcoming budget retreat.

13

14 [8:04:28 PM](#)

15 **Discuss special meeting agenda item four –**  
16 **Financial Ready Resolution**

17 This resolution was added to the agenda at the request of Councilmembers Lisonbee and Johnson, after hearing a  
18 presentation on the idea at the League of Cities and Towns Policy Committee meeting on Monday, February 11. The  
19 brochure and draft resolution were provided in the Council packet for study prior to the meeting.

20 [8:04:31 PM](#)

21 Councilmember Johnson explained he and Councilmember have attended recent Legislative Policy Committee  
22 meetings at the Utah League of Cities and Towns (ULCT) and there is a package of bills that deal with being fiscally  
23 responsible or ready in the case that there is a lack of federal funding. He stated Senator Henderson has recommended a  
24 financial ready resolution that says the City will try to be prepared financially for those things and be good stewards of what  
25 ‘we’ have. He stated the proposed resolution gives support to the mentality of being financially ready. He stated it follows  
26 the vein of increasing the general fund reserve and being conservative with money. He stated it is possible the State will not

1 get as much federal funding as they have received in the past. He noted 40 percent of the State's budget is supported by  
2 federal funding and so they have to have two budget plans since there is a potential sequester looming.

3 [8:06:01 PM](#)

4 Council discussion regarding the item commenced. The Council concurred they were comfortable considering  
5 adoption of the resolution during the special meeting following this meeting.

6  
7 [8:06:59 PM](#)

### 8 **Discuss 2013 Municipal Elections**

9 A staff memo from the City Recorder since 2007 Syracuse City has conducted electronic elections and all registered  
10 voters have voted at the Syracuse Community Center. The average cost of City elections has been around \$23,000. Average  
11 voter turnout for primary elections has been 14% and for general elections has been 34%. Based on these turnouts, the cost  
12 per vote in an electronic election has been \$4.06. The Utah State Legislature has adopted legislation that allows a City to  
13 conduct an entire election by mail. Davis County would like to partner with Syracuse City to conduct a by-mail election.  
14 However, the costs to conduct both a primary and general election by mail would be \$53,448. After reviewing these costs,  
15 the City Recorder and Davis County Election Officials have decided to conduct an electronic primary election and a by-mail  
16 general election. The budget needed for this hybrid-type of election would be \$25,000, which is a \$5,000 increase over the  
17 2011/2012 election budget. Washington and Oregon States have conducted by-mail elections for the past several election  
18 cycles and their average turnout for local elections conducted by-mail is between 50-60%. If Syracuse achieved a turnout of  
19 50%, the cost per vote would be approximately \$2.64, but the turnout would be higher than it has been in the past. There  
20 have always been discussions in the past about the low voter turnout in the City; those discussions have centered on what can  
21 be done by the City to increase voter turnout. The City Recorder has tried several things, such as consolidating all voters to  
22 one voting site and extending hours for early voting, but turnout has remained low. This is the City's opportunity to try a  
23 new option that is proven in other jurisdictions to increase voter turnout.

24 [8:07:06 PM](#)

25 City Recorder Brown summarized her staff memo.

26 [8:07:53 PM](#)

1 Council discussion regarding the item commenced. The conclusion was to proceed with the proposal to conduct this  
2 hybrid-type election and include a budget of \$25,000 for the election.

3  
4 [8:18:38 PM](#)

5 **Discuss home business inspection process**

6 A memo from the Community Development Department explained that historically, home business inspections were  
7 implemented because many residents were finishing areas in their basements to accommodate their business needs and were  
8 doing the work without the required permits and subsequent inspections. Home business inspections were established as a  
9 service to help inform the public of building requirements and the need for inspections of safe construction measures and  
10 have continued since that time. As stated in Syracuse City Ordinance, 6-01-070. Inspections:

11 “(a) Authorized officers shall be permitted to make an inspection to enforce any of the provisions of this Title or any  
12 other applicable statute or ordinance, and may enter any building or may enter upon any premises during regular  
13 business hours; or, if there are no regular business hours, the officers or their authorized representatives shall first  
14 make a reasonable effort to locate the owner or other persons having charge or control of the building or premises  
15 and request entry.

16 (b) No owner, occupant or any other person having charge, care or control of any building or premises shall fail or  
17 neglect, after proper request is made as herein provided, to properly permit entry therein by the authorized officer or  
18 his representative(s) for the purpose of inspection and examination to ensure compliance with this Title.”

19 In contacting building departments of other cities and researching their processes of inspecting home based  
20 businesses, most cities stated they inspect when people are coming to the home, when chemicals, ammunitions or other  
21 materials are used or stored, all child related businesses, (ex: day-care, pre-school, art classes, dance classes...), hair and nail  
22 salons, or those who have on-site employees.

23 Building staff recommends that businesses meeting certain criteria or performing certain identified services (such as  
24 the above listed examples) still require an inspection and that the criteria would be determined by a self-home inspection  
25 form of questions attached to the business application and filled out by the business owner prior to submittal of such home  
26 business application (refer to the self-inspection document developed by the Syracuse City Fire Marshall). Also if

1 complaints arise from surrounding neighbors or customers, a building inspection would then be required to investigate the  
2 complaints/claims.

3 [8:18:52 PM](#)

4 Fire Chief Froerer and Building Official Riley Jones summarized the staff memo.

5 [8:21:12 PM](#)

6 Council discussion regarding the item commenced. The conclusion was to change the practice of conducting  
7 inspections for home inspections so that businesses that do not have customers coming to their home will not be required to  
8 have a home inspection. There was also direction to digitize the home inspection form on the City's website so that a  
9 business owner can fill out the form online and submit it electronically.

10

11 [8:25:09 PM](#)

12 **Discuss issuance of permits for water heater replacements**

13 A memo from the Community Development Department explained International Residential Building Code (IRC),  
14 Section R105.1 states:

15 "Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the  
16 occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any  
17 electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any  
18 such work to be done, shall first make application to *the building official* and obtain the required *permit(s)*."

19 For work that is exempt from permits see IRC Section R105.2.

20 The cost of the permit is \$ 56.40, (plus state fee of \$.56 for a total of \$56.96) and is considered our permit cost for  
21 one-time inspection projects, regardless of valuation of such project.

22 Here are some estimated costs for a basic inspection. Keep in mind that inspections could last from ½ hour to 1 ½  
23 hours depending on the type of inspection. We average the costs of the inspections into a basic flat rate based on average  
24 costs. Most inspections take between ½ hour and 1 hour to complete. The hourly rates include both salary and benefits of  
25 those individuals.

**Staff Time**

**1/2 hour**

**3/4 hour**

**1 hour**

**1.5 hours**

Building Official @ \$38.76/hr	19.38	29.07	38.76	58.14
Building Permit Tech @ \$28.93/hr	14.47	21.70	28.93	43.40
	<hr/>			
<b>Total</b>	33.85	50.77	67.69	101.54
	<hr/> <hr/>			

**Equipment, Supplies, Etc**

Vehicle usage @ \$.555/mile @ 5 mile trip	2.78	2.78	2.78	2.78
Office supplies and other misc expenses	3.00	3.00	3.00	3.00
	<hr/>			
<b>Total</b>	5.78	5.78	5.78	5.78
	<hr/> <hr/>			

Total Estimated Cost	39.62	56.54	73.47	107.31
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1           In checking with building departments (in neighboring cities) as to whether permits for water heaters are required,  
 2 all responses received were that they do require permits for water heaters. The fees for these permits vary and range between  
 3 \$47.00 - \$75.00.

4           Inspections are performed to ensure the work is completed according to code as outlined and required by the IRC.

5           This International Building Code (IBC) and International Residential Building Code (IRC) are adopted by Utah  
 6 State Code 15A-2-103 and Syracuse City Ordinance 9-3-1, therefore compelling the City to obey and abide by these codes.

7           Building Codes are designed to establish minimum requirements to safeguard the public safety, health and general  
 8 welfare of the public, therefore, there building staff recommends no change to the current requirement for the installation of  
 9 new or replacement water heaters without the appropriate permit and inspections.

10 [8:25:15 PM](#)

1 Mr. Jones and Mr. Marshall reviewed the staff memo.

2 [8:26:01 PM](#)

3 Council discussion regarding the item commenced. The conclusion was to maintain the current practice of requiring  
4 inspections and permits for water heater replacements.

5

6 [8:42:16 PM](#)

7

8 **Discuss iPad usage policy**

9

10 A memo from the Information Technologies Director explained the purpose of the iPad policy is to ensure proper  
11 use and maintenance of the iPads issued to the City Council and Planning Commission. A copy of the iPad usage policy was  
12 provided in the Council packet for study prior to the meeting.

13 [8:42:16 PM](#)

14 City Attorney Carlson provided a broad overview of the intent of the policy.

15 [8:44:11 PM](#)

16 Council discussion regarding the item commenced. Direction from the Council was to make various changes to the  
17 policy, including clarifying the separation of powers between the Council and City administration and to specify that if a  
18 Councilmember is asked to bring their iPad to the City offices for updates, etc., those updates will be done in the  
19 Councilmember's presence.

20

21 [8:58:30 PM](#)

22 **Discuss special meeting agenda item three –**

23 **subdivision approval**

24 A memo from the Community Development Department explained this is the final phase of Highlands at Glen  
25 Eagle. This phase was given final approval in 2007 and construction was started on the infrastructure, but due to the  
26 economic recession the plat was never recorded. Re-approval of the Final Plat will complete this subdivision and construction  
27 of the final connection of internal roads can be initiated. The Planning Commission held a public meeting on February 19,  
28 2013 for Final Plan Re-approval of Highlands at Glen Eagle Subdivision, Phase 10. All items noted in staff reports have been

1 addressed by the Planning Commission. On February 19, 2013, the Syracuse City Planning Commission recommended that  
2 the Syracuse City Council approve the Highlands at Glen Eagle Subdivision, Phase 10, subject to the City staff reviews dated  
3 January 24, 2013 and February 14, 2013.

4 The following documents were included in Council packets for use and review:

- 5 • Final plat drawing for Highlands at Glen Eagle Subdivision Road and lot plan
- 6 • City Engineer's review
- 7 • Planning Department's review
- 8 • Fire Department's review

9 The Syracuse City Planning Commission and CED Staff hereby recommend that the City  
10 Council approve the final plans for the Highlands at Glen Eagle Subdivision, Phase 10, located at approximately 3250 West  
11 900 South, subject to meeting all requirements of the City's Municipal Codes and City staff reviews dated January 24, 2013  
12 and February 14, 2013.

13 [8:58:33 PM](#)

14 Community Development Director Eggett reviewed his staff memo.

15 [8:59:31 PM](#)

16 The Council agreed they were comfortable considering final action on this item during the special business meeting  
17 to be held following the work session.

18  
19 [9:00:00 PM](#)

20 **Council business**

21 [9:00:06 PM](#)

22 Mayor Nagle inquired as to who the new chair of the North Davis Sewer District (NDSD) Board of Directors is.  
23 Councilmember Peterson answered it is Dave Tafoya, a Councilmember from Roy City and he was selected unanimously by  
24 the Board.

25  
26 [9:00:23 PM](#)

1 Councilmember Johnson stated he would like to add an item to the next Council agenda regarding a draft resolution  
2 supporting Sheriff Richards and the other Sheriff's that assembled to draft a letter declaring support of the Second  
3 Amendment of the Constitution. City Attorney Carlson asked for clarification on what should be presented. There was a  
4 discussion about an ordinance that was considered in Spring City.

5 [9:01:39 PM](#)

6 Council discussion regarding the item commenced. Councilmembers Duncan and Lisonbee stated they would  
7 support adding the item to the next agenda for discussion.

8

9 [9:03:01 PM](#)

10 Councilmember Johnson stated that he also wants to bring forth some changes to Title Eight that were recently  
11 recommended by the Planning Commission. Mayor Nagle explained she was waiting to add the item to the agenda until after  
12 the budget discussions were complete. Councilmember Johnson stated he would like to see it sooner than that.

13

14 [9:05:00 PM](#)

15 Councilmember Peterson stated the Utah League of Cities and Towns (ULCT) mid-year conference is coming up  
16 and he wanted to have a discussion about who will be attending. After a short discussion he stated he would like to attend.  
17 Councilmember Johnson expressed interest in attending as well and said he will check his schedule and report back to City  
18 staff regarding his availability.

19

20 The meeting adjourned at [9:09:13 PM](#).

21

22

23

24 \_\_\_\_\_  
25 Jamie Nagle  
26 Mayor

\_\_\_\_\_   
Cassie Z. Brown, CMC  
City Recorder

27  
28 Date approved: \_\_\_\_\_

Minutes of the Syracuse City Council Special Meeting, February 26, 2013.

Minutes of the Special meeting of the Syracuse City Council held on February 26, 2013, at [9:09:17 PM](#), in the Council Work Session Room, 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:  
City Attorney Will Carlson  
Finance Director Steve Marshall  
Community Development Director Michael Eggett  
Parks and Recreation Director Kresta Robinson  
Public Works Director Robert Whiteley  
Fire Chief Eric Froerer  
Police Chief Garret Atkin

[9:09:20 PM](#)

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 9:09 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

[9:09:23 PM](#)

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

[9:09:25 PM](#)

2. Approval of Minutes.

The minutes of the following meetings were reviewed: work sessions of May 8, 2012, May 22, 2012, June 12, 2012, and February 12, 2013, and regular meeting of February 12, 2013.

[9:09:26 PM](#)

1 COUNCILMEMBER LISONBEE MADE A MOTION TO APPROVE THE MINUTES OF THE WORK  
2 SESSIONS OF MAY 8, 2012, MAY 22, 2012, JUNE 12, 2012, FEBRUARY 12, 2013, AND THE BUSINESS MEETING  
3 OF FEBRUARY 12, 2013 AS AMENDED. COUNCILMEMBER JOHNSON SECONDED THE MOTION.

4 Councilmember Lisonbee stated she sent an email to City Recorder Brown asking that the discussion that took  
5 place during the February 12, 2013 business meeting regarding the appointment of Planning Commissioners be transcribed  
6 verbatim. She stated she told Ms. Brown she would help her with transcribing those minutes if she needed the help. Ms.  
7 Brown stated she will contact Councilmember Lisonbee to get clarification regarding which sections of the minutes that are  
8 not verbatim.

9 [9:10:17 PM](#)

10 Mayor Nagle stated there is a motion and a second to approve the minutes and she called for a vote. ALL VOTED  
11 IN FAVOR.

12

13 [9:10:20 PM](#)

14 3. Re-approval of the Highlands at Glen Eagle Subdivision, Phase 10,  
15 located at approximately 3250 W. 900 S.

16 A memo from the Community Development Department explained this is the final phase of Highlands at Glen  
17 Eagle. This phase was given final approval in 2007 and construction was started on the infrastructure, but due to the  
18 economic recession the plat was never recorded. Re-approval of the Final Plat will complete this subdivision and construction  
19 of the final connection of internal roads can be initiated. The Planning Commission held a public meeting on February 19,  
20 2013 for Final Plan Re-approval of Highlands at Glen Eagle Subdivision, Phase 10. All items noted in staff reports have been  
21 addressed by the Planning Commission. On February 19, 2013, the Syracuse City Planning Commission recommended that  
22 the Syracuse City Council approve the Highlands at Glen Eagle Subdivision, Phase 10, subject to the City staff reviews dated  
23 January 24, 2013 and February 14, 2013.

24 The following documents were included in Council packets for use and review:

- 25 • Final plat drawing for Highlands at Glen Eagle Subdivision Road and lot plan
- 26 • City Engineer's review
- 27 • Planning Department's review

- 1 • Fire Department's review

2 The Syracuse City Planning Commission and CED Staff hereby recommend that the City  
3 Council approve the final plans for the Highlands at Glen Eagle Subdivision, Phase 10, located at approximately 3250 West  
4 900 South, subject to meeting all requirements of the City's Municipal Codes and City staff reviews dated January 24, 2013  
5 and February 14, 2013.

6 [9:10:24 PM](#)

7 COUNCILMEMBER SHINGLETON MADE A MOTION TO GRANT RE-APPROVAL OF THE HIGHLANDS  
8 AT GLEN EAGLE SUBDIVISION, PHASE 10, LOCATED AT APPROXIMATELY 3250 W. 900 S.  
9 COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

10

11 [9:10:44 PM](#)

12 4. Proposed Resolution R13-07 supporting the Financial Ready Utah  
13 efforts to assess and provide for the potential risk to Utah from  
14 dependence on unsustainable federal funds.

15 This resolution was added to the agenda at the request of Councilmembers Lisonbee and Johnson, after hearing a  
16 presentation on the idea at the League of Cities and Towns Policy Committee meeting on Monday, February 11. The  
17 brochure and draft resolution were provided in the Council packet for study prior to the meeting.

18 [9:10:48 PM](#)

19 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R13-07  
20 SUPPORTING THE FINANCIAL READY UTAH EFFORTS TO ASSESS AND PROVIDE FOR THE POTENTIAL RISK  
21 TO UTAH FROM DEPENDENCE ON UNSUSTAINABLE FEDERAL FUNDS. COUNCILMEMBER LISONBEE  
22 SECONDED THE MOTION. ALL VOTED IN FAVOR.

23

24

25 At [9:11:04 PM](#) p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN.  
26 COUNCILMEMBER LISONBEE SECONDED THE MOTION; ALL VOTED IN FAVOR.

City Council Special Meeting  
February 26, 2013

1  
2  
3  
4  
5  
6  
7

\_\_\_\_\_  
Jamie Nagle  
Mayor  
Date approved: \_\_\_\_\_

\_\_\_\_\_  
Cassie Z. Brown, CMC  
City Recorder

Minutes of the Syracuse City Council Regular Meeting, June 12, 2012.

Minutes of the Regular Meeting of the Syracuse City Council held on June 12, 2012, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

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

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

City Employees Present:  
Police Chief Brian Wallace  
Fire Chief Eric Froerer  
Community Development Director Michael Eggett  
City Attorney Will Carlson  
Information Technologies Director TJ Peace  
City Planner Kent Andersen

Visitors Present: The visitors roster for this meeting was removed from the Council Chambers.

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 Lisonbee provided an invocation. Councilmember Shingleton then led all present in the Pledge of Allegiance.

2. Presentation of the Syracuse City and Wendy's "Award for Excellence" to McKenna Arciaga and Collin Clark.

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

1 Mayor Nagle stated that this month the nominees are McKenna Arciaga and Collin Clark. She stated that both  
2 individuals were selected from Bluff Ridge Elementary School and she wanted to read the statements that were submitted to  
3 justify their selection for the award. She first read the statement regarding Mr. Clark as follows:

4 "Collin is an excellent student with the highest of grades. He is also a model citizen, and treats everyone with  
5 kindness and respect. He went the extra mile this year in petitioning the school district to get our air conditioning  
6 turned on due to the extreme early heat wave which made our classroom unbearably hot. Collin is a model student in  
7 every sense of the phrase. He sets a great example for all of us to follow!"

8 She asked everyone present to give Mr. Clark a round of applause. She also invited Mr. Clark to the front of the  
9 room to shake the hand of each Councilmember.

10 Mayor Nagle then stated the second award recipient is McKenna Arciaga; she read what was written about Ms.  
11 Arciaga as follows:

12 "McKenna has worked extremely hard to improve her reading skills this year. She has made amazing progress! Her  
13 oral reading fluency has grown 45 words per minutes. She has reached a perfect score in her story retell and she has  
14 grown 2.3 grade levels in comprehension in one year taking her to an "above grade level" status."

15 She asked everyone present to give Ms. Arciaga a round of applause. She also invited Ms. Arciaga to the front of  
16 the room to shake the hand of each Councilmember.

17  
18 3. Public recognition of the winners of the Syracuse Museum and Cultural  
19 Center's 2012 Essay Competition.

20 Museum Board Member Sue Warren made a request to add an item to the agenda to allow her to recognize the  
21 winners of the Syracuse Museum and Cultural Center's 2012 Essay Competition. The email she submitted to staff is  
22 included below:

23 The 2nd Annual Syracuse Museum Essay Competition is again funded by the Rentmeister Family. The theme this  
24 year was "Finding a Treasure at the Museum." Don and Genee Rentmeister were instrumental in helping to found  
25 the museum a decade ago and donated many of the items in the collections. Both felt preserving and celebrating the  
26 history of Syracuse was vital, as well as educating the younger generation about its heritage. The family, now  
27 headed by Genee after Don's passing a few years ago, felt an essay competition for elementary, junior high, and  
28 senior high school-age Syracuse residents was one way of achieving these goals.

- 1           Winners of the 2012 competition:  
2           Elementary Age Prize Winners:  
3           1st--Kilie Garner (Syracuse Elem.) \$50.00  
4           2nd--Te'a Roberson (Buffalo Point Elem.) \$25.00  
5           3rd--Keeley Fajtek (Home Schooled) \$10.00  
6           Hon. Mention--Elizabeth Beeli (Home Schooled) Certificate  
7           Hon. Mention--Savannah van Dijk (Syracuse Elem.) Certificate  
8           Junior High Age Prize Winners:  
9           1st--Kassidy Garner (Syracuse Jr. High) \$100.00  
10          2nd--Rosalie Beeli (Home Schooled) \$50.00  
11          3rd--Clarissa Prigmore (Home Schooled) \$25.00  
12          Hon. Mention--Nathan van Dijk (Syracuse Jr. High) Certificate  
13          No prizes were awarded in the Senior High age group this year.

14          [1:57:25 PM](#)

15           Phil Gooch, president of the Museum Board, thanked the Council for the opportunity to tell them about this award,  
16          which is given by Don Rentmeister. Ms. Warren then approached and announced the award winners for the record.

17  
18          4. Approval of minutes.

19          [2:02:21 PM](#)

20           The minutes of the Special Meetings of April 24 and May 22, 2012 were reviewed.

21          [2:02:32 PM](#)

22           COUNCILMEMBER SHINGLETON MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL  
23          MEETINGS OF APRIL 24 AND MAY 22, 2012 AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE  
24          MOTION.

25          [2:02:48 PM](#)

26           COUNCILMEMBER LISONBEE MADE AN AMENDED MOTION TO APPROVE THE MINUTES OF THE  
27          SPECIAL MEETINGS OF APRIL 24 AND MAY 22, 2012 AS AMENDED AS FOLLOWS:

1 APRIL 24 MEETING, PAGE FIVE, LINE 23, CHANGE “STAFF” TO “GOVERNING BODY”.

2 MAY 22, PAGE 18, LINE 16, CHANGE THE WORD “MADE” TO “MAY”.

3 COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

4 [2:04:29 PM](#)

5 Mayor Nagle then called for a vote on the original motion. ALL VOTED IN FAVOR.

6

7 5. Public comment.

8 [2:04:51 PM](#)

9 Tricia Roundy, 1963 S. Bluff Road, stated that she saw on the agenda that there is a proposal to reappoint two  
10 Planning Commissioners. She stated she felt there are probably a lot of able bodied people that are willing to do that job and  
11 “we” should give someone else a chance to do it. She stated she wanted to thank the Planning Commissioners for their time  
12 and sacrifice that they have made, but maybe they should move along and let someone else have the opportunity to be  
13 appointed and help the City grow.

14 [2:05:56 PM](#)

15 Terry Palmer, 2486 W. 1500 S., stated his comments are related to City leadership. He stated that about six months  
16 ago he put a comment on Facebook stating that the City Council was the body that actually runs the City and he was  
17 straightened out by one of the past City Managers wife, who told him that the City Manager actually runs the City. He stated  
18 that in his dealings over many years he has found that leaders lead and managers manage people and projects. He stated that,  
19 to him, the Council are the leaders of the City and it is time to step forward. He stated there have been some audits done and  
20 it was found that over \$150,000 was taken from the road fund and put somewhere else; \$315,000 magically reappeared via a  
21 transfer from the general fund to the road fund. He stated he thinks the Council needs to look at these things. He stated he is  
22 working with a committee regarding the Ninigret project and Ninigret was allotted 10 minutes and they ended up taking  
23 about an hour. He stated he does not think that the committee members had much of an opportunity. He would recommend  
24 that the Council step up, lead, and get the City straightened out.

25 [2:07:46 PM](#)

26 Gerald Jacobs, 741 W. 2525 S., stated he feels privileged tonight after he and his wife have lived over in a former  
27 communist bloc in Europe doing humanitarian work. He stated he watched the people that lived under communism for years

1 and they never want to step forward and voice their opinion because they would rather stay under the radar. He stated that he  
2 appreciates the democracy that is available to “us”. He stated that his comments pertain to the audit that was initiated by the  
3 State of Utah Office of the State Auditor last February. He stated that they looked into Syracuse’s prior year’s questionable  
4 use of the Class C road funds. He stated there was an article in the Standard-Examiner on March 5 that included a quote  
5 from Bob Rice where he said the State’s inspection is a waste of time. He stated that he further stated that he was  
6 disappointed that the City got the hotline call after the problem was fixed. He stated earlier and better transparency by the  
7 City Manager’s efforts to correct the problem may have prevented the hotline action. He stated that in September of 2011  
8 Wood Richards and Associates, the City’s financial auditors, reported that Syracuse was properly using the Class C road  
9 funds provided by UDOT. He stated this audit report gave Syracuse City the highest financial award for municipal financial  
10 excellence. He stated that Mayor Nagle seemed particularly proud of the award, personally giving John Lewis a copy of the  
11 report in this very room. He stated the Utah State Auditor findings and recommendations of May 29 revealed over \$156,000  
12 of Class C road funds that were used inappropriately for City administrative costs during the Fiscal Year 2010-2011. He  
13 stated that if they would have looked back a couple of years further than that they would have found the same type of  
14 problem. He stated that contrary to the erroneous audit findings from Wood Richards and Associates, the Utah State Audit  
15 revealed \$156,000 in Class C road funds were used improperly for the last two years.

16 [2:11:02 PM](#)

17 John Lewis, 2330 S. 950 W., stated that “we” have within the City employees that use their time on programs that  
18 are not supported by the Council and the Planning Commission or by the residents. He stated it is nothing but a waste of time  
19 and money; some of the programs include the metering of secondary water and development of a flex zone and they have  
20 cost the City man hours from Mr. Rice and the City staff spending taxpayer dollars and something voted down by the  
21 Council. He stated it was not brought to the Council, nor was it considered important because of the back room planning that  
22 has been going on, bypassing the residents and the Planning Commission and City Council. He stated this waste of time,  
23 which is money, needs to be addressed upon the heads of those who are responsible. He stated that if they can not consider  
24 the will of the people, the Planning Commission, and the Council they need to be relieved of their duties and others need to  
25 be hired in their place that will not waste the taxpayers’ money on their own agendas. He stated that Mr. Rice has boldly  
26 stated that he is here to save money for the City and he has also stated that he felt the State audit was nothing but a waste of  
27 time and money. He stated that is hardly so; with \$156,000 misappropriated in funds, the Council needs to look at where the

1 funds were used. He stated there is a lack of transparency that was obviously found by the State wherein they found money  
2 that was “pulled from Paul to pay Peter”. He stated these disparities need to be addressed by the Council. He asked which  
3 administrative department the funds were used in. He stated the misuse of the funds is a grievous violation of State law; they  
4 are dedicated funds and not general funds and all the City needs is for UDOT to start withholding funds because of the  
5 misuse. He stated that he was personally given by the Mayor a copy of the audit from Wood Richards and Associates and  
6 that copy was not accurate because the State has proved there is a problem with transparency in this City. He stated he would  
7 ask the Council to look into it and go to the administrative departments that have used the money and hold them accountable.

8 [2:13:51 PM](#)

9 Ryan Chandler, 1555 W. 700 S., stated he wanted to talk about the new committee that has been assembled. He  
10 stated that he appreciates that people were willing to step forward and participate with the committee. He stated he is not  
11 sure of the official title of the committee, but its purpose is to analyze the Ninigret development. He stated that last he  
12 understood there was supposed to be an even representation of people that are for and against the development. He stated the  
13 Ninigret team was also invited to participate. He stated that he does not know how that can seem fair or balanced to anyone;  
14 it is unequal and it sounds like the last meeting was a Ninigret pep rally. He stated he was curious about the last meeting  
15 because he was unable to attend; he plans on attending all future meetings. He stated that he understands the needs to control  
16 the time in the meetings, but a lot of people want to be involved and heard whether they have been heard before or not. He  
17 stated that he also does not appreciate some of the comments that have been made about the land as far as respecting land  
18 owner rights. He stated that he is talking about PRI because they own the land and if they want to develop the land that is  
19 perfectly find and he fully respects that and the opportunity to develop the land will come with or without Ninigret. He stated  
20 his hope is that the meeting is not an amazing exercise in redundancy though it seems to him that it is. He stated that in the  
21 end there will be the same result; the reason for the meetings is to allow people to come forward and say how they feel. He  
22 stated that those that are for the project have had that time and he asked at what point the City will acknowledge that the  
23 development is not wanted. He stated there are other ways to help the City and this development is not the “only dance in  
24 town”. He stated that as soon as the SR193 project is completed by UDOT, PRI will be beating off the suitors that want to  
25 develop the land. He stated it is important for the Council to realize that.

26 [2:16:31 PM](#)

1 TJ Jensen, 3242 S. 1000 W., stated that his potential reappointment to the Planning Commission is on the agenda  
2 this evening. He stated he has very much enjoyed his service to the City and hopes to continue. He stated he also wanted to  
3 talk about Curt McCuistion and that he is a great asset as an alternate member of the Planning Commission. He stated that he  
4 participates in all meetings and has been called to serve when other members have not been present. He stated his input is  
5 very valuable; one of the things that he has done over the last year was to serve on the trails committee and his input was very  
6 valuable. He stated that he came up with a lot of great ideas. He stated the other thing that sticks out in his mind is that when  
7 the Planning Commission was talking about the new Stoker Gardens development, Mr. McCuistion spotted something on the  
8 engineering drawings that was very difficult to spot; he found a one inch variation in the grade for the drainage and he  
9 pointed that out to the developer and suggested how to correct the problem. He stated he has great engineering skills and the  
10 Planning Commission is currently a very well rounded by with members from many disciplines. He stated that he would  
11 recommend that Mr. McCuistion be reappointed as an alternate member of the Planning Commission.

12 [2:18:48 PM](#)

13 Scott Holt, 1123 W. 3150 S., stated that he wants to address the audit and he does not want to be redundant. He  
14 stated that he did want to point out that there checks and balances in place in the government system; one of the checks and  
15 balances is the use of the audit. He stated that he served the State Legislature for six years in the 1990's and when they  
16 looked at different functions of the government if it seemed they were getting out of line there was usually an audit ordered.  
17 He stated the audit helped the legislative branch determine if the money was being spent correctly or incorrectly. He stated  
18 that he does not think politics should be involved in an audit and he hated to see the headlines that said the Mayor accused the  
19 auditor of using Syracuse as political fodder. He stated he does not thinks that is correct and the Mayor is out of line. He  
20 stated it is not political and this is not a witch hunt; when someone requests an audit they are trying to make sure that the  
21 taxpayer money is being used appropriately and correctly. He stated that in looking at the audit report it is obvious that it was  
22 not. He stated that Class C money is a dedicated fund set aside by the legislature for personal use by the cities. He stated that  
23 money should not be comingled with other funds. He stated that the City no longer needs to bond or raise property taxes and  
24 there is magically \$350,000 available in the general fund. He asked what the City is taking from to refund the Class C money  
25 that was improperly used. He stated an audit has its place and politics does not have its place. He stated that before the City  
26 makes political fodder out of a reasonable check and balances system to make sure that the taxpayer money is doing what it is  
27 supposed to do, people should limit their comments and not embarrass the City any further.

1 [2:21:03 PM](#)

2 Pat Zaugg, 1593 W. 700 S., stated there has been a lot of talk about property owners rights and she has some  
3 questions. She asked who on the Council is willing to protect current property owners. She stated she has rights as a  
4 property owner to ensure that her property values will not decrease as a result of a development being constructed so close to  
5 her home. She stated that she owns 10 acres behind her house and she and her husband currently farm that property; it is an  
6 inheritance for her husband's nieces and nephews as well as all of her children. She stated that inheritance will be diminished  
7 if the City allows certain things to go on around the property that she owns. She stated that she wants to know who will be  
8 looking out for the property rights of the current property owners. She stated that "we" need to be very careful about what  
9 development "we" allow and ask if it will increase the property value and increase the value of Syracuse City as a whole.  
10 She asked if the City is only concerned about the rights of the big property owners. She stated she understands that PRI is a  
11 property owner and she recognizes their rights to develop, but she also recognizes that the City has a Master Plan for a reason  
12 and PRI, as a property owner, needs to adhere to that Master Plan and not demand that the City roll over and play dead and  
13 let them do whatever they want. She stated that if PRI is looking for someone besides Ninigret to develop the property, she is  
14 hopeful that developer will build according to the City's Master Plan as well as the desires of the citizens of Syracuse.

15 [2:23:10 PM](#)

16 Ray Zaugg, 1593 W. 700 S., stated that he sees an agenda item to discuss cul-de-sacs. He stated this has been an  
17 ongoing discussion with the Planning Commission and City Council. He stated he wondered why this is all of a sudden an  
18 issue. He stated there are cul-de-sacs in the City that are longer than what is allowed by the current ordinance and if the City  
19 is trying to make changes to bring those into conformance with the ordinance that is not necessary and they should just be  
20 seen as a past mistake. He stated that "we" have heard from Public Works and the Fire Department in the Planning  
21 Commission meetings and they have discussed their preference for the limit of the length of the cul-de-sacs. He stated he  
22 thinks that limit is somewhere around 650 feet with some strict guidance and requirements. He stated that to go beyond that  
23 would not be helpful to those that enjoy living in cul-de-sacs; they like to build in a cul-de-sac, but the longer the cul-de-sac  
24 is the less attractive it is because it can become more like a street rather than a dead end. He stated that the longer they are,  
25 the more people have a tendency to drive down them thinking they are a thru street, even though there is signage stating  
26 otherwise. He then stated he also wanted to mention the PRI property; it was stated last week in the committee meeting by  
27 the attorney for PRI that it does not matter to them whether Ninigret develops and that they will sell the land to whomever

1 wants to purchase it. He stated they are looking to get the best value for the property. He stated that if “we” look at the  
2 General Plan and remember where it came from and how it has been adjusted to meet the needs of the new SR193. . . “we”  
3 need to look at that and vet it very carefully before making any adjustments to it.

4  
5 6. Site Plan Approval, Syracuse Tanner Clinic expansion, located at approximately 2038 W. 1900 S.

6 [2:26:05 PM](#)

7 A staff memo from the Community Development Department explained this Syracuse Tanner Clinic Expansion Site  
8 Plan is a 6,900 square foot expansion of their existing facility of 11,212 square feet. According to the applicant, the Tanner  
9 Clinic facility was originally built with the intent of expanding, however due to the downturn in the economy was postponed.  
10 The expansion will include an additional seven doctors, which include family practitioners and an OBGYN.

11 On May 24, 2012 the Syracuse City Architectural Review Committee met and discussed the Site Plan. No additional  
12 concerns were brought up that were not addressed in the City staff review. On June 6, 2012, the Syracuse City Planning  
13 Commission held a public hearing regarding the proposed Syracuse Tanner Clinic Expansion Site Plan, in which no  
14 comments were received. On June 6, 2012, the Syracuse City Planning Commission approved recommendation to the  
15 Syracuse City Council the Syracuse Tanner Clinic Expansion Site Plan, contingent upon satisfactory completion of City staff  
16 comments. Staff asked that the developer provide an explanation of why the development exceeded the allowed maximum  
17 parking spaces of 82 based on the square footage of the building. City staff and Planning Commission are comfortable with  
18 allowing 118 parking spaces, specifically as this will provide for greater public safety by reducing on street parking.

19 A primary point that City staff would like to see addressed is an access easement letter between  
20 Tanner Clinic and the adjacent property to the west, allowing the provision of a secondary  
21 ingress/egress.

22 The Community & Economic Development Department hereby recommends that the City  
23 Council review the Syracuse Tanner Clinic Expansion Site Plan approval request for discussion purposes. The Community &  
24 Economic Development Department recommends, following recommendation from the Syracuse City Planning Commission,  
25 that the Mayor and City Council approve the Syracuse Tanner Clinic Expansion Site Plan, located at approximately 2038  
26 West 1900 South, subject to all recommendations made by the City Council, Planning Commission, and City Staff.

27 City Planner Andersen summarized the staff memo.

1 [2:28:45 PM](#)

2 COUNCILMEMBER PETERSON MOVED TO GRANT SITE PLAN APPROVAL FOR THE SYRACUSE  
3 TANNER CLINIC EXPANSION, LOCATED AT APPROXIMATELY 2038 W. 1900 S. COUNCILMEMBER JOHNSON  
4 SECONDED THE MOTION.

5 [2:28:57 PM](#)

6 Councilmember Duncan stated asked why 86 spaces are allowed for the development. Mr. Andersen stated it is  
7 hard to set a hard and fast rule for parking for this type of development. He stated it may be a good idea to look at the  
8 parking standards the City currently has in place because the use being proposed at the subject property is not conducive to  
9 what is written in the ordinance right now.

10 [2:30:03 PM](#)

11 Mayor Nagle stated there has been a motion and a second regarding the site plan and she called for a vote. ALL  
12 VOTED IN FAVOR.

13

14 7. Proposed Ordinance 12-13 amending various provisions of Title 10, the Land Use Ordinance, relating to  
15 administrative review and development review procedures – Site Plan Review.

16 [2:30:07 PM](#)

17 A staff memo from the Community Development Department explained that on February 8, 2011, City Council  
18 adopted Ordinance No. 11-02 amending various provisions of Title 10 (see attached Ordinance No. 11-02 excerpt). Included  
19 in this Ordinance was an amendment to the Site Plan review process, changing the land use authority for Site Plan approvals  
20 from the City Council to the Planning Commission and the City Council became an appellate body. However, staff missed  
21 the removal of a line in 10-4-090 (H), which states, “Upon approval by the Planning Commission, the Site Plan will be  
22 forwarded to the City Council for final approval.” Ensuring compliance with Title 10, staff has continued to bring Site Plan  
23 approvals to City Council. To reflect the intent of the Planning Commission recommendation and City Council Ordinance  
24 No. 11-02, staff recommends the removal of the subject line in 10-4-090 (H), thereby expediting the site plan approval  
25 process. Also included in proposed Ordinance No. 12-13 are inclusions to the process table to match Title 10 Chapter 4  
26 language.

1 On June 5, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments  
2 to the Site Plan Review, in which no comments were received. On June 5, 2012, the Syracuse City Planning Commission  
3 approved recommendation to the Syracuse City Council the attached amendments to Title Ten, Chapter 4, Administrative and  
4 Development Review Procedures as it relates to Site Plan Review within the Syracuse City Code.

5 The Community & Economic Development Department hereby recommends, following recommendation from the  
6 Syracuse City Planning Commission, that the Mayor and City Council amend Title Ten, Chapter Four, Administrative and  
7 Development Review Procedures as it relates to Site Plan Review within the Syracuse City Code to reflect Ordinance No. 12-  
8 13.

9 Mr. Andersen summarized the staff memo.

10 [2:31:14 PM](#)

11 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-13  
12 AMENDING VARIOUS PROVISIONS OF TITLE 10, THE LAND USE ORDINANCE, RELATING TO  
13 ADMINISTRATIVE REVIEW AND DEVELOPMENT REVIEW PROCEDURES – SITE PLAN REVIEW.  
14 COUNCILMEMBER PETERSON SECONDED THE MOTION;

15 [2:31:31 PM](#)

16 Councilmember Lisonbee stated that in the chart included in Title 10 lists the Planning Commission as the land use  
17 authority and the appellate body is the City Council. She stated before it stated that “as provided by this section the City  
18 Council is authorized to approve site plans after recommendation of the Planning Commission”. She stated the new language  
19 says the Planning Commission is now authorized to give approval after recommendation of the land use administrator, which  
20 for site plans would be the Community Development Director. She asked if that should not be specifically called out in the  
21 ordinance so it is clear to the citizens. Mr. Andersen stated the Community Development Director is the land use  
22 administrator, so it is a synonymous term used throughout Title 10.

23 [2:33:08 PM](#)

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

26

1 8. Proposed Resolution R12-18 appointing TJ Jensen and Curt McCuistion to the Syracuse City Planning  
2 Commission with their terms expiring June 30, 2016.

3 [2:33:15 PM](#)

4 A staff memo from the Community Development Director explained that back in February of 2011, TJ Jensen was  
5 appointed to complete the term of Nathan Miller on the Syracuse City Planning Commission. During this same time Curt  
6 McCuistion was appointed as the alternate Syracuse City Planning Commissioner. Both terms are set to expire at the end of  
7 June 2012, in order to keep the two terms in line and to maintain the establish Commission appointments rotation.

8 Greg Day, the Planning Commission Chairperson, has recommended to the Mayor the reappointment of TJ Jensen  
9 and Curt McCuistion to another four-year term in their respective Planning Commission positions. Both Commissioner  
10 Jensen and Commissioner McCuistion have affirmed their interest and intent to continue filling these positions for a new  
11 four-year term.

12 The Community and Economic Development Department fully endorses and is in support of the Mayor's proposed  
13 reappointment of these fine Commissioners. Commissioners Jensen and McCuistion have brought a great balance of  
14 opinions and insight to the Planning Commission and the CED Department looks forward to continuing its relationship with  
15 them.

16 For your use and review, City Staff has provided resolution 12-18 that supports the aforementioned reappointments  
17 to the Planning Commission.

18 The Community and Economic Development Department hereby recommends that the Mayor and City Council  
19 show their continued support for Commissioners Jensen and McCuistion by approving their reappointment to the Planning  
20 Commission in the seats that they currently hold.

21 Mr. Eggett reviewed his staff memo.

22 [2:34:07 PM](#)

23 COUNCILMEMBER SHINGLETON MOVED TO ADOPT PROPOSED RESOLUTION R12-18 APPOINTING  
24 TJ JENSEN AND CURT MCQUISTION TO THE SYRACUSE CITY PLANNING COMMISSION WITH THEIR TERMS  
25 EXPIRING JUNE 30, 2016. COUNCILMEMBER LISONBEE SECONDED THE MOTION.

26 [2:34:25 PM](#)

1 Councilmember Johnson asked if it is correct that Mr. Jensen will be a full member of the Planning Commission  
2 while Mr. McCuiston will be an alternate. Mr. Eggett answered yes.

3 [2:34:41 PM](#)

4 Councilmember Duncan stated that he has had quite a few discussions with Mr. Jensen and they have differences of  
5 opinion, but he appreciates that Mr. Jensen works hard and his heart is in his work as a Planning Commissioner.

6 [2:35:18 PM](#)

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

9 [2:35:24 PM](#)

10 Mayor Nagle stated she wanted to respond to Ms. Roundy's comments. She stated that Mr. Jensen and Mr.  
11 McCuiston have only served on the Planning Commission for 16 months. She stated she was a member of the Planning  
12 Commission herself and she understands there is an incredibly large learning curve. She stated that had these members been  
13 on the board for four years she would have likely vacated the position and asked for applications for interested parties. She  
14 stated that if Ms. Roundy has desire to serve she would encourage her to apply for future committee appointments in the  
15 future.

16

17 9. Public Hearing – Proposed Resolution 12-17 adopting the

18 Fiscal Year (FY) 2012-2013 budget.

19 [2:36:53 PM](#)

20 A staff memo from the Finance Director explained that as required by Utah Code Annotated 10-6-113, the  
21 governing body shall establish the time and place of a public hearing to consider its adoption and shall order that notice of the  
22 public hearing be published at least seven days prior to the public hearing. This requirement has been met since the City  
23 Council adopted the tentative budget on May 8<sup>th</sup> and set a public hearing on June 12, 2012 to consider adoption of the final  
24 budget.

25 Also required by Utah Code Annotated 10-6-118, "before the last June 22 of each fiscal period, or, in the case of a  
26 property tax increase under Sections 59-2-919 through 59-2-923, before August 17 of the year for which a property tax  
27 increase is proposed, the governing body shall by resolution or ordinance adopt a budget for the ensuing fiscal period for

1 each fund for which a budget is required under this chapter. A copy of the final budget for each fund shall be certified by the  
2 budget officer and filed with the state auditor within 30 days after adoption.”

3 No changes have been made to the FY2012 – 2013 tentative budget adopted on May 8, 2012 and this is the last  
4 council meeting we have to adopt a final budget before the June 22 deadline provided by State Law.

5 Staff recommends adopting the tentative budget as the final budget for the Fiscal Year 2012-2013.

6 [2:37:04 PM](#)

7 Mayor Nagle convened the public hearing.

8 [2:37:20 PM](#)

9 TJ Jensen, 3242 S. 1000 W., stated he knows the staff has worked very hard to free up some funds so the City can  
10 complete some road projects and he understands that the City will have close to \$3 million to use for that purpose, which is  
11 absolutely amazing considering where the City was three years ago. He stated he understands a lot of that money is one-time  
12 money, but he wanted to commend Mr. Rice and the rest of the staff for juggling some money around so the City can get a  
13 few roads fixed.

14 [2:38:13 PM](#)

15 There being no further persons appearing to be heard Mayor Nagle closed the public hearing.

16 [2:38:23 PM](#)

17 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION 12-17  
18 ADOPTING THE FISCAL YEAR 2012-2013 BUDGET. COUNCILMEMBER SHINGLETON SECONDED THE  
19 MOTION.

20 [2:38:42 PM](#)

21 Council discussion regarding the item then began. Councilmember Lisonbee stated she has raised some concerns at  
22 previous meetings and the Council was told there would be time later to address their concerns. She stated that she thinks the  
23 City Council should be exemplary in its own budget and she sees that in the recommended budget the Council’s sundry  
24 budget is nearly tripling and she is wondering what the purpose of that increase is. Mayor Nagle stated that fund is being  
25 increased to allow for the purchase of a table at the Davis County Gala supporting the Chloe’s Sunshine Playground. She  
26 stated the fee for a table is \$2,500, but the City stands to benefit via the receipt of anywhere between \$50,000 to \$75,000  
27 from the event. She stated she explained that during the Council retreat. Councilmember Lisonbee then asked why the books

1 and subscriptions line item is being increased. Mayor Nagle stated that is for the City's membership in EDCUtah for  
2 assistance in the development of the City's Economic Development Area (EDA). Councilmember Lisonbee stated she does  
3 not remember that discussion. Mr. Rice stated that was discussed during the review of the tentative budget. He stated that  
4 the City will be joining EDCUtah and the City will get full benefit of all their services; they are a 501C3 entity that works on  
5 economic development in Utah. He stated that the City will have a position on the Board of Directors for EDCUtah as well.  
6 He added that the City will have full access to the services they provide. Councilmember Lisonbee asked what services they  
7 provide. Mr. Rice stated they provide economic analysis, economic development, ties to several organizations that provide  
8 economic and job growth support in the State of Utah. Councilmember Lisonbee asked how much the membership fee is.  
9 Mr. Rice stated that it is \$2,900 per year. Councilmember Lisonbee then stated permanent employee wages for the Council  
10 are increased. Mayor Nagle stated that it must be for mandatory expenses because there is no wage increase. Mr. Rice  
11 directed Councilmember Lisonbee to the budget report and stated that the wages are the same; there was a vacancy for one  
12 month so the actual expenses may be lower. Councilmember Lisonbee stated that in the Administration Budget, the wages  
13 for permanent employees is also being increased. Mr. Rice stated that is because the City hired an attorney and the legal fees  
14 of the City were reduced. Councilmember Lisonbee stated that the Administration budget includes a line item for the Youth  
15 Court, but it is not listed in the Justice Court budget. She asked why that is. She stated it is listed as a contribution. Mayor  
16 Nagle stated that item was discussed during the retreat; in the past the Youth Court has not been funded though they do a lot  
17 to keep the youth out of the court system. She stated the Council talked about diverting a small portion of money to the  
18 youth court. Councilmember Lisonbee stated she does not have a problem with the contribution but asked if it would be  
19 more appropriate to include it in the Justice Court budget. She then asked about the budget for the newsletter. She asked if  
20 the current practice of publishing the newsletter will continue. Mr. Rice answered yes; he stated that it is up to the Council to  
21 change the format of the newsletter, but he has not received any firm feedback about how to make changes to the newsletter.  
22 Councilmember Lisonbee recommended putting one piece of paper in the utility bill. Mr. Rice stated that the budget will  
23 include an amount to continue the current practice, but if the Council wants to make changes that is up to them. He stated it  
24 is a policy issue. Councilmember Duncan stated that if the Council determines there is a less expensive option the funds can  
25 be reallocated. Mr. Rice stated that is correct. Mayor Nagle stated she thinks there is an opportunity for the City to create  
26 some efficiencies relative to the newsletter, but that will require a conversation and decision of the Council. Mr. Rice  
27 reviewed the options for making changes to the newsletter. Mayor Nagle suggested adding an item to the agenda to discuss  
28 that further and she encouraged the Council to reach out to residents to see what they would like to see happen.

1 Councilmember Duncan suggested adding a survey to the next newsletter asking citizens how they feel about the newsletter  
2 options. Councilmember Lisonbee then stated she is really concerned about another issue; she does not believe that the  
3 economic recession is coming to an end and the budget statement says that it is. She stated she does not agree and she  
4 believes there are still some tough times ahead. She stated she thinks Utah is doing well, but it is a latent monetary affect and  
5 she feels there will be some long term consequences and reverberations from what is happening in Europe. She stated that  
6 her husband saw a CNN piece about a car manufacturer in the east advertising 300 jobs and 22,000 people showed up to  
7 apply; that shows the real level of unemployment in the country. She stated that her concern is that a lot of various line items  
8 in the budget have increased, some of them almost double what they were last year. She stated she realizes there are things  
9 that need to be done, but she is concerned that perhaps the City needs to be a little more conservative. Mr. Rice stated that  
10 the budget is balanced and it is the first balanced budget the City has had in many years; it uses conservative revenue  
11 estimates and liberal expense estimates. He stated that when he began working for the City the fund balance was nine  
12 percent and at the end of last year it was 14.5 percent. He stated that he is projecting that it will be higher than that next year.  
13 He stated there is some padding in the budget to address Councilmember Lisonbee's concerns. He stated the City will spend  
14 \$3.9 on capital projects this year, including \$1.1 million for road projects. He stated all Class C road money is being used for  
15 road projects and all the salaries and wages were moved to a different place in the budget. He stated that if the City's  
16 revenues are underestimated by one percent, that translates to \$70,000 and if expenses are overestimated by one percent that  
17 is also \$70,000; that means that the City could have a \$140,000 swing in the budget. He stated staff knew there were  
18 problems with the road funds and they have been fixed for over a year; the auditors knew that and they pointed out that the  
19 problems were fixed by the City and the last time the problem existed was in the FY2010-2011 budget. He stated that the  
20 City has put significant money towards roads and other capital projects. Councilmember Lisonbee stated she understands  
21 that, but the City also has huge infrastructure costs coming up in the next couple of years.

22 [2:51:37 PM](#)

23 Councilmember Duncan stated that the City has balanced budget in the City for a few reasons. He stated that the  
24 City cannot spend more unless it bonds or raises taxes and both have been proposed in the past. He stated that the City  
25 Council voted against a tax increase and the citizens voted down a referendum to bond; both were proposed by the City. He  
26 stated that the City has a balanced budget in spite of recommendations to do those things. Mayor Nagle stated that she  
27 wanted it to be clear that those increases would have gone 100 percent to road projects. She stated the City was not asking

1 for any additional money for salaries or other expenses. She stated the bond was suggested by citizens; the Council said they  
2 would not take on more debt without letting the citizens vote on it. She stated there is \$10 million in outstanding roads and  
3 the longer those repairs are put off they can cost more in the long run. She stated that the City is trying to balance those  
4 needs. Councilmember Lisonbee stated that is to her point; if the City has \$10 million in outstanding road costs, the City's  
5 budget is not really balanced. She stated maybe everyone would think differently about it when considering a \$10 million  
6 deficit. Councilmember Peterson stated that the City cannot make all that up in one year. Councilmember Lisonbee agreed,  
7 but stated that the City also cannot pat itself on the back and say how great the balanced budget it. She stated she  
8 understands a lot of work has been put into the budget and she appreciates that, but, like she said in the budget retreat, she  
9 thinks the City cannot be too conservative with the budget. Councilmember Duncan stated one of the things he suggested  
10 was to take a closer look at the budget and allocate more money to the Class C road funds and the response was that until the  
11 City knows how big of a problem there is that cannot be done; yet tonight there is mention of \$10 million in outstanding  
12 projects. Mayor Nagle stated that was a discussion about infrastructure, not roads. Councilmember Duncan stated that  
13 everyone is aware of the problem, so why not do something about it. Mayor Nagle stated that something is being done; the  
14 amount being spent on roads is being increased greatly in this budget to \$3.9 million. She stated that is a pretty great  
15 improvement. Councilmember Duncan stated he would like to increase that to \$4.0 or \$4.1 million because every little bit  
16 helps. Councilmember Peterson stated he trusts that staff will be able to do that.

17 [2:55:46 PM](#)

18 Mayor Nagle stated she wanted to point out that two years ago staff brought a proposal to the Council to buy a  
19 tender truck to assist in increasing public safety in the City and on Antelope Island, but also to generate additional revenue  
20 for the City. She asked how much has been raised by the truck to date. Mr. Rice stated that the City has made nearly  
21 \$80,000 this year. Councilmember Duncan asked if that is gross or net. Mr. Rice stated that is gross, but the net is not much  
22 less because the City is already paying the salaries of the people operating the equipment. Mayor Nagle stated that she  
23 understands and shares the concerns of the Council and she believes the roads are the most critical issue for the City and to  
24 that end she believes the City has made tremendous strides to put more money to roads. She stated the auditor said  
25 specifically that they were issuing a favorable audit finding, but the reason they issued a press release was that it was an  
26 election year and they were getting heat that they had not been doing enough audits. She stated the Council and staff found  
27 those errors in Class C road funds and even though UDOT said that the expenses were allowed they were not best practice.

1 She stated that staff made changes to address those problems; not only were they corrected, but it was possible to refund the  
2 money and put over \$300,000 back into the budget last year. She stated that she understands and shares the concerns, but she  
3 wants the Council to not lose sight that really good strides are being made towards the roads.

4 [2:58:10 PM](#)

5 Councilmember Shingleton stated that the budget introduction states the economic recession is over and he disagrees  
6 with that wholeheartedly. He stated there are things the City needs to be careful of. He stated that probably the two biggest  
7 concerns he has are relative to the amount of overtime budget for the Police and Fire Departments. He stated he does not  
8 know why that much is necessary.

9 [9:02:28 PM](#)

10 Fire Chief Froerer stated that part time is necessary because his Firefighters work an average of 56 hours per week  
11 in 24 hour shifts. He stated that according to the Fair Labor Standards Act (FLSA) the City must pay overtime for some of  
12 those hours worked. He stated that the other portion of the overtime is simply the cost of providing public safety; he tries to  
13 cover as many calls as possible with part time staff, but that is not always an option. He stated sometimes it is necessary to  
14 callback a fulltime employee, which results in overtime costs. He stated that some of the Firefighters working wild land fires  
15 will be paid overtime rates, but that is offset by the revenue generated by that service. Councilmember Shingleton asked if  
16 the revenue generated through fighting wild land fires more than covers the overtime expenses. Chief Froerer answered yes  
17 and provided an example of how that would work. Mr. Rice added that overtime costs for the Fire Department are increasing  
18 by approximately \$10,000, but the revenue generated by fighting wild land fires is over \$80,000. He noted that part of the  
19 overtime costs will be covered by ambulance revenues.

20 [9:06:46 PM](#)

21 Police Chief Wallace stated that most of his overtime, approximately 95 percent, is money that is paid for Officers  
22 that work DUI or seatbelt enforcement shifts and other special projects. He stated his department is reimbursed by the State  
23 of Utah or the Federal Government for all of those overtime costs so there is essentially no cost to the City. He stated there  
24 are some instances where true overtime is incurred, but most of those hours are converted to comp time rather than overtime  
25 pay. He stated that his department gets approximately \$80,000 in revenue each year to cover his overtime. Councilmember  
26 Lisonbee asked Chief Wallace if the seatbelt shift is the type of shift where an officer sits outside a school and pulls over the  
27 moms that are dropping their children off at school without seatbelts. She asked if he got a grant from the Federal

1 Government to cover those costs. Chief Wallace stated the National Highway Safety Board gives the State of Utah money on  
2 Memorial Day and Labor Day to enforce seatbelt infractions. He stated the program is known as “click it or ticket”. He  
3 stated the program was very successful; the number of parents that were pulled over the second time the officer sat outside  
4 the school decreased by 95 percent. He stated that people need to wear their seatbelt even if they are just bringing their kids  
5 to school. Councilmember Lisonbee stated her understanding was that the Police Department receiving the money was  
6 contingent on the number of tickets they issued. Chief Wallace stated that is not correct; the number of tickets does not  
7 matter, but the cities that are granted money in future years are those that took a no tolerance stance on the seatbelt issue. He  
8 stated that he used to give a lot of warnings, but that was not effective. He stated that as a result of a no tolerance stance Utah  
9 is one of the highest ranked states for people wearing seatbelts.

10 [9:12:02 PM](#)

11 Councilmember Johnson asked about the discussion that was held during the budget retreat regarding the Web QA  
12 Shop Local website. He asked if there was any follow up discussion regarding other available options. He stated it is  
13 included in the Community Development budget. Mr. Eggett stated that the funding for that program was left in his budget  
14 because he wanted to have the discussion with the Council regarding whether to proceed with that program; the money can  
15 be used according to the decision of the Council. Councilmember Duncan stated it is essentially a placeholder. Mr. Eggett  
16 agreed. Councilmember Johnson stated he would like to talk about the program and other options further before staff spends  
17 the money.

18 [9:13:39 PM](#)

19 Councilmember Lisonbee asked if there are any wage increases in the budget. Councilmember Johnson stated there  
20 are wage increases for the Planning Commission. He stated Councilmember Lisonbee had mentioned she was still thinking  
21 about her feelings regarding that increase. Councilmember Lisonbee asked if there are any other wage increases. Mayor  
22 Nagle stated that she would like to suggest that the wage increases for the Planning Commissioners be left in the budget; she  
23 has been approached by some Commissioners that have said they feel the wage increase is valuable. She stated that those  
24 that do not want to accept the increase can choose not to. She stated the increase is \$25 per month per Commission member.  
25 Councilmember Lisonbee asked if there are any other wage increases in the budget. Mr. Rice stated there are a couple that  
26 were discussed during the budget retreat. Councilmember Lisonbee asked Mr. Rice to name those increases. Mr. Rice stated  
27 that there were raises for Steve Marshall and Kent Andersen. Councilmember Duncan asked about raises for the Police

1 Department. Mr. Rice stated that there will be money available for raises in that Department if Police Chief Wallace retires  
2 during this fiscal year. Councilmember Johnson asked if the wage increases will be implemented immediately.  
3 Councilmember Lisonbee asked Mr. Rice if he is saying the money is in the budget, but before he gives any Police Officers  
4 raises he will come to the Council to amend the wage scale. Mr. Rice stated that if Chief Wallace retires this year, that will  
5 free up excess money for wages in the Police Department. He stated that is dependent on promotions and other things that  
6 will take place upon his retirement. Councilmember Duncan stated that he has some concerns about that; he realizes that  
7 people want raises, but it seems to him that the City is creating a zero sum game by saying that when Chief Wallace retires  
8 they will use all the excess money and give it to Police Officers. He stated that if the City is going to hire a new Assistant  
9 Fire Chief and pay him \$35,000, would it not be necessary to dock everyone else's pay to create that \$35,000. He stated that  
10 he does not see Chief Wallace retiring just to give everyone raises. He stated that if the decision is made to give the Police  
11 Department raises, what about the Fire Department and other departments. He stated that he does not understand the logic  
12 between the Chief retiring and giving raises to the officers. Mayor Nagle encouraged the Council to take a look at the wages  
13 for the first responders in the City and look at how low they are; she has never heard anyone say that they do not want the  
14 City to pay for Police and Fire services and last year when a tax increase was proposed there were people that came forward  
15 and said only the Police and Fire Departments should receive pay increases. She stated that these are the guys that are saving  
16 lives and the amount that they are paid is way too low; they are making \$15 or \$16 per hour and they are literally kissing  
17 their family goodbye every morning. She stated she does not find it offensive that the City is trying to incent the first  
18 responders at all and she thinks that should be a priority for the City along with the roads. Councilmember Duncan stated he  
19 is not saying that it should not be a priority, but he wants to look at it first before simply saying that just because Chief  
20 Wallace is retiring that the extra money should be given to the Police Officers. He stated that there should be more of a  
21 global perspective; why not take the money that will be saved and give half of it to the Fire Department, too. Councilmember  
22 Peterson stated that he agrees to a point, but he thinks what the staff is talking about is a specific group of Police Officers that  
23 have been working for the City for four years and have never had a raise. Mr. Rice stated that it is more than that; there are  
24 some officers that are making the same wage that they have been making for eight, nine, or ten years. Chief Wallace stated  
25 that he understands the recession and everyone is tightening their belts and they have endured six years since anyone has  
26 received a raise. He stated he was looking at what will be his final budget this year and he did not want to pass on to the  
27 citizens any increased costs for the Police Department, but there is a savings that is realized because the City lost an officer  
28 that was being paid \$22 per hour and an officer was hired to take his place and is being paid \$17 per hour. He stated that

1 benefit has already been realized this year and the same will be true next year; plus the Department will also benefit  
2 financially from his retirement this year and those two numbers added together are all that is being considered for an increase.  
3 He stated he is not suggesting giving every officer and employee an increase, but as he looked at all the officers he found  
4 some that have 10 years' experience and they are still classified as Police Officer One or Two. He stated some of the Patrol  
5 Officers have 15 years' experience and bachelor's degrees or master's degrees and they have received nothing in the way of  
6 wage increases for six years. He stated that if the Council wants to send the message that all their hard work and advanced  
7 training is not valued. . .he is simply asking for the City to give them a promotion by moving from Police Officer One to Two  
8 or from Two to Three and then recognize some of the other officers that have received college degrees. He stated he wants to  
9 reward people for doing a good job for the City. He stated it is not a ton of money and it will not cost the citizens of  
10 Syracuse one dime more than what they paid last year for police coverage. Councilmember Johnson stated the increases will  
11 only occur if the City hires a new Police Chief and pays him less than Chief Wallace is currently earning. Chief Wallace  
12 asked why the City would hire someone and pay them the same wage he is earning; he stated he is near the top of the wage  
13 scale currently. Councilmember Johnson stated that is the point he is trying to make; he agrees with Chief Wallace's  
14 proposal, but he wants to make sure that something is put in place to ensure that the new Chief will be earning less than Chief  
15 Wallace so it is not necessary to offset the wage increases. Mayor Nagle stated the Council has the final say in the hiring of  
16 the Police Chief.

17 [9:22:46 PM](#)

18 Councilmember Duncan stated he would like for this to simply be a placeholder; the money can be left in the budget  
19 as it is currently listed and in November or December the Council will have the discretion to determine what is appropriate.  
20 He stated they can readdress that issue without determining where the money is going right now. Mr. Rice stated that the  
21 money is already being spent on wages; if the Chief retires and someone is hired at a lower wage that will create money that  
22 does not execute in the particular wages line item. Councilmember Johnson stated the Council can simply make sure that  
23 they do not hire a Police Chief at the same wage as Chief Wallace is earning. Chief Wallace stated that he started at the  
24 bottom and he is near the top of the wage scale now. Councilmember Johnson stated it sounds like the Council has control  
25 over hiring a new Police Chief and he is in agreement. Mr. Rice stated the Council will hire the new Chief and determine the  
26 amount of money that will be offered to that person. Councilmember Duncan stated the budget issue can be reviewed at that  
27 time as well. He stated that the Council can address the issue when Chief Wallace actually retires.

1 [9:24:39 PM](#)

2 Councilmember Lisonbee stated that she looked at the Police Department budget for wages and she does not see any  
3 Police Officer Three's, so she is confused by his statement that he would promote people to that position – that is not a  
4 position that is currently existing. Chief Wallace stated it is a position. Councilmember Lisonbee stated she found Sergeant,  
5 Detective, Administrative employee. Mr. Rice stated there is a Police Officer Three position in the wage scale but there are  
6 no people with that title right now. Chief Wallace stated that is correct; there are some that have been in the same position  
7 for 10 or more years. Councilmember Lisonbee stated it is helpful to point out that even though that is the case they also  
8 have a huge amount of money dedicated through the State pension fund every year that people in the private sector or armed  
9 forces do not have as a benefit. She stated if those people have been here that long they will retire after 20 years; if they just  
10 got hired they will retire after 25 years with a pension, which is a significant benefit that many people do not see. She stated  
11 that she agrees their wages are low, but she also has to look at every other citizen in Syracuse and their wages and the fact  
12 that they do not have a pension. She stated she realizes that they put their lives on the line. Mayor Nagle stated that other  
13 employees do have a pension. Councilmember Lisonbee stated she is talking about citizens. Councilmember Peterson stated  
14 the median wage in Syracuse is twice as much as much as a Police Officer makes. Councilmember Lisonbee stated it is not  
15 and she is talking about citizens; most citizens do not have a pension and they do not even have a retirement anymore. She  
16 stated that if they did their retirement accounts. . . Chief Wallace stated that he does not believe that is true and it is  
17 Councilmember Lisonbee's opinion. Councilmember Lisonbee stated that it is true and what she is trying to say is that she  
18 appreciates the Police and Fire employees putting their lives on the line for her; anyone that will jump into a burning building  
19 to save her family from a fire is a hero to her, but as a Councilmember she has to represent the entire City. She stated that all  
20 she is saying is that it is appropriate to fully disclose the benefits that are sometimes not seen; it is true that they do have  
21 benefits that not everyone sees. Chief Wallace stated that the pensions and benefits offered to public safety employees in  
22 Utah are much lower than in other states. Councilmember Lisonbee stated that it is 17 or 21 percent. Chief Wallace stated  
23 there are Police Chiefs all over the country that have much better pensions than his and there are military members that have  
24 benefits in addition to their pension. Councilmember Lisonbee stated she is just trying to promote full disclosure.  
25 Councilmember Peterson stated there is a line item in the budget for benefits totaling \$688,000; that is full disclosure.  
26 Councilmember Lisonbee stated that is correct and she asked what the percentage that a Police Officer gets dedicated to the  
27 pension fund. Mayor Nagle stated she believed it is 17 percent. Mr. Rice added that the contribution went up and the benefit

1 went down and he added that the benefit has changed for new employees. Mayor Nagle asked Councilmember Lisonbee  
2 what her suggestion is. Councilmember Lisonbee stated she does not have a suggestion and she is just pointing it out because  
3 the statements were being made that they do not make very much money and she wanted to clarify that while their salaries  
4 may be very low, there are other benefits that need to be considered. She stated that people that work in the public sector  
5 receive benefits that are not seen by people that work in the private sector. Mayor Nagle stated she just moved from the  
6 public sector to the private sector and she did so because the benefits are not good anymore and the pay is not what everyone  
7 thinks it is. Councilmember Duncan stated he moved from the public sector to the private sector and he wished he had the  
8 benefits he used to have. He stated it depends on the person.

9 [9:29:01 PM](#)

10 Councilmember Peterson stated this is a discussion about the City's employees and his feelings about raises are as  
11 follows: the City has not given an across the board raise since he has been on the Council. He stated he is in favor of giving  
12 everyone a raise and he has talked to Mr. Rice about it and he is in favor of merit increases. He stated that if it were his  
13 budget he would give everyone a raise. He stated he thinks there is room for merit increases and it is tough to be in a job and  
14 make the same amount every year when expenses continue to increase. He stated that offering raises to a few people while  
15 still having a balanced budget makes him ecstatic, even though he wished that it were possible to give everyone a raise. He  
16 stated he is a school teacher and his pay comes from taxpayer money and there have been some years that raises have not  
17 been given, but most years every teacher gets a raise. He stated that is not happening in Syracuse City. He stated that he had  
18 a Police Officer that he knew from another City approach him a while ago and the statement he made was that he was a  
19 Councilman that does not give raises to his Police Officers. He stated that there was a situation in the past where the City had  
20 foregone wage increases for a long period of time and it finally became necessary for the Council that was in place to pass a  
21 tax increase in order to get enough money to provide appropriate raises. He stated he fears the City is getting to that point  
22 again if decisions are not made to keep employees happy. Councilmember Duncan stated that he thinks that it is important to  
23 be careful when talking about these issues. He stated that he and his dad both used to be teachers and over and over it is said  
24 that teachers need to make more money because they are educating our children. He stated that when he decided to become a  
25 prosecutor working 12 months a year and paying off student loans he was only making \$3,000 more than a school teacher's  
26 starting wage. He stated that it is necessary to be realistic and take the emotion out of the discussion. He stated he has not  
27 looked at all the numbers, but he suggested that a wage analysis be done to get factual information.

1 [9:32:23 PM](#)

2 Mayor Nagle stated this discussion is a tangent and she asked if any Councilmember has a suggestion.  
3 Councilmember Peterson stated that the Chiefs have adequately explained the overtime issues and he would like to move on.  
4 Councilmember Duncan stated there was a suggestion that the grant of \$150,000 for secondary water study had been  
5 abandoned and he wanted to confirm that is no longer in the budget. Mr. Rice stated that is correct. Councilmember Duncan  
6 asked if that \$150,000 went to Class C road funds. Mr. Rice answered no; that money would have come from an enterprise  
7 fund and has nothing to do with road funding. He stated it did allow the City to do a secondary water line project.

8 [9:33:58 PM](#)

9 Mayor Nagle stated there has been a motion and a second regarding the budget and she called for a vote. ALL  
10 VOTED IN FAVOR OF ADOPTING THE BUDGET, WITH THE EXCEPTION OF COUNCLMEMBER LISONBEE  
11 WHO VOTED IN OPPOSITION.

12  
13 10, Public Hearing – Authorize Administration to dispose of surplus property.

14 [9:34:15 PM](#)

15 A staff memo from the City Recorder explained Fire Chief Eric Froerer, Police Chief Brian Wallace, and Parks and  
16 Recreation Director Kresta Robinson have each compiled and attached a list of items that the City would like to dispose of.  
17 The lists of items to be disposed of was included in the Council packet.

18 Mr. Rice summarized the staff memo.

19 [9:35:15 PM](#)

20 Mayor Nagle convened the public hearing. There being no persons appearing to be heard, the public hearing was  
21 closed.

22 [9:35:33 PM](#)

23 COUNCILMEMBER PETERSON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO DISPOSE OF  
24 SURPLUS PROPERTY. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

25 [9:35:42 PM](#)

1 Councilmember Duncan asked how the City employees put so many miles on the vehicles they drive. He stated the  
2 2004 Dodge Dakota has 77,000 miles. Mr. Rice stated that is only about 8,000 miles a year. Councilmember Duncan asked  
3 if the vehicles are used outside the City. Mr. Rice stated that it is below average usage. Councilmember Duncan then asked  
4 why the City is getting rid of the vehicles; they are not that old and they do not have too many miles. Mr. Rice stated the  
5 City no longer needs them; one of the things he has talked about over the last year and a half is really looking at what the City  
6 needs. He stated the City's fleet has been cut by eight vehicles over the last year and this is another net decrease of one  
7 vehicle. He stated one of the two vehicles will be replaced and he added that the vehicles are pretty beat up. Councilmember  
8 Duncan stated that his car is older and has more miles. Mr. Rice stated that the two trucks will be sold with the use of KSL  
9 Classifieds.

10 [9:37:35 PM](#)

11 Councilmember Peterson asked why the Council has to vote to donate the turnout gear from the Fire Department.  
12 Mr. Rice stated that any time equipment is being disposed of, no matter the manner of disposal, the Council must vote on it.

13 [9:38:01 PM](#)

14 Mayor Nagle stated there has been a motion and a second regarding the disposal of surplus property and she called  
15 for a vote. ALL VOTED IN FAVOR.

16  
17 11. Authorize Administration to execute lease agreement for a portion of Syracuse City Hall.

18 [9:38:04 PM](#)

19 A copy of the draft lease agreement for rental of space in City Hall was included in the Council Packet. Mr. Rice  
20 reviewed the agreement and stated that the prospective tenant has also reviewed it. He stated that executing the lease will  
21 allow the City to have more money to use in paying down City debt associated with the City Hall building.

22 [9:39:25 PM](#)

23 Councilmember Shingleton asked if there is a stipulation in the lease that the tenant must pay the City if they back  
24 out of the lease after renovations have been completed. Mr. Rice stated the City will not do any renovations until the lease is  
25 signed and the deposit is paid. Councilmember Shingleton stated that was a problem last time. Mr. Rice stated that the City  
26 was not compensated in cash, but ended up receiving free realty services to market the space.

27 [9:40:14 PM](#)

1 Councilmember Duncan stated that the lease rate seems low. Mr. Rice stated it is actually a good rate based on the  
2 market and it works out to about \$13.50 per square foot the first year of the lease.

3 [9:40:52 PM](#)

4 COUNCILMEMBER SHINGLETON MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE  
5 THE LEASE AGREEMENT FOR A PORTION OF SYRACUSE CITY HALL. COUNCILMEMBER DUNCAN  
6 SECONDED THE MOTION; ALL VOTED IN FAVOR.

7

8 12. Authorize Administration to execute agreement for Jensen  
9 Pond 18" Secondary Transmission Line Project.

10 [9:41:19 PM](#)

11 A staff memo from the Public Works Director explained this secondary project is one that was identified on the list  
12 presented to City Council as a high priority due to the restrictions the existing 6" line places on the Jensen Pond Pump House.  
13 This project will involve the installation of an 18" transmission line along Bluff Road from 2700 South Street to 3150  
14 West Street. A portion of this main at 1500 West Street will need to be bored due to utility conflicts. The cost of the boring  
15 will be bid out separately from this project on June 12, 2012. The engineers estimate for the boring is \$40,000. Syracuse  
16 City will also be purchasing the pipe for the boring at a discounted price from Kaysville City. The estimated cost of the pipe  
17 and fusion of the pipe is \$25,000. Jensen Pond 18" Secondary Transmission Line Project: \$310,178.05 Jensen Pond 22"  
18 Secondary Transmission Line Project (Boring): \$40,000.00 (Estimate) 22" HDPE Pipe and fusion: \$25,000.00. The total  
19 estimated project cost before contingency is \$375,178.05. The construction will begin as soon as contract documents are in  
20 place and be completed in September. The cost for this project came in about \$65,000 less than the estimate. The two lowest  
21 bids came in fairly close to one another. The bid amount on this project is \$310,178.05. Funding for this project will come  
22 from our secondary water budget. \$432,000 has been budgeted this fiscal year for this project. Staff recommends the  
23 contract be awarded to Craythorne, Inc.

24 Public Works Director Whiteley summarized the staff memo.

25 [9:44:29 PM](#)

1 COUNCILMEMBER LISONBEE MADE A MOTION TO AUTHORIZE THE ADMINISTRATION TO  
2 EXECUTE THE AGREEMENT FOR THE JENSEN POND 18" TRANSMISSION LINE PROJECT. COUNCILMEMBER  
3 PETERSON SECONDED THE MOTION.

4 [9:44:41 PM](#)

5 Councilmember Duncan stated he does not know much about Craythorne, Inc., but he wondered if there is ever a  
6 reason to consider going with someone other than the low bidder, especially when there is only \$400 difference between the  
7 two low bids. Mr. Whiteley stated that he has dealt with that issue in the past; the City's responsibility is to select the lowest  
8 responsible bidder. He stated responsible earns the City looks at the bid amount as well as the contractor's capability to do  
9 the work. He stated if this were a contract he did not know he would be researching their referrals and look closer at their  
10 bid. He stated he will always recommend the lowest responsible bidder and that is what he has done here. Mr. Rice stated  
11 that Craythorne has done a couple of different projects in the City.

12 [9:47:09 PM](#)

13 Councilmember Peterson stated this project is a long time coming; he has heard public works officials talk about this  
14 project for a long time and it will make residents very happy to have increased water pressure.

15 [9:47:55 PM](#)

16 Mayor Nagle stated there has been a motion and a second regarding approval of the contract and she called for a  
17 vote. ALL VOTED IN FAVOR.

18

19 13. Proposed Ordinance 12-10 amending various provisions of Title 8, the Subdivision Ordinance, relating to Cul-  
20 De-Sacs.

21 [9:48:00 PM](#)

22 A staff memo from the Community Development Department explained cul-de-sac length deficiencies were first  
23 brought forward to Planning staff from the City Engineer, who noticed multiple examples throughout the City where cul-de-  
24 sacs were well in excess of the current Title Eight standard of 400 feet. Examples include cul-de-sacs in excess of 800 feet  
25 (see attached City cul-de-sac examples). To assist in curing some of the existing deficiencies, expand development  
26 flexibility, and provide a mechanism that encourages creative design while also meeting City needs, amendments to the cul-

1 de-sac ordinance are proposed as attached. Police, Fire, Public Works, and the City Attorney have all reviewed, commented,  
2 and accepted the proposed changes.

3 On May 1, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed amendments  
4 to the cul-de-sac language, in which one comment was received. On May 1, 2012, the Syracuse City Planning Commission  
5 approved recommendation to the Syracuse City Council the attached amendment to Title Eight, Chapter Three, Public  
6 Improvements – Cul-desacs within the Syracuse City Code.

7 At the May 8, 2012 City Council meeting, aware that a procedural error had occurred during Planning Commission  
8 voting, the City Council remanded the consideration of cul-de-sacs back to the Planning Commission. On May 15, 2012 the  
9 Planning Commission voted to reconsider the amendment to cul-de-sacs, after which was tabled to the next meeting so that  
10 additional Planning Commission members could participate in the discussion. On June 5, 2012, the Syracuse City Planning  
11 Commission approved recommendation to the Syracuse City Council the attached amendment to Title Eight, Chapter Three,  
12 Public Improvements – Cul-de-sacs within the Syracuse City Code. Proposed changes include the increase of the standard  
13 cul-de-sac length from 400 feet to 500 feet with the ability to apply for an exception to the length if specific provisions (as  
14 listed in the attached ordinance language) are required to be met.

15 The Community & Economic Development Department hereby recommends, following recommendation from the  
16 Syracuse City Planning Commission, that the Mayor and City Council amend Title Eight, Chapter Three, Public  
17 Improvements – Cul-de-sacs within the Syracuse City Code to reflect attached Ordinance No. 12-10.

18 Mr. Andersen summarized the staff memo.

19 [9:50:24 PM](#)

20 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-10  
21 AMENDING VARIOUS PROVISIONS OF TITLE 8, THE SUBDIVISION ORDINANCE, RELATING TO CUL-DE-  
22 SACS. COUNCILMEMBER SHINGLETON SECONDED THE MOTION.

23 [9:50:42 PM](#)

24 Council discussion and debate regarding the item began with Councilmember Johnson suggesting that a maximum  
25 length of somewhere around 650 needs to be mandated. Mr. Andersen responded to questions of the Council regarding the  
26 proposal.

27 [9:59:48 PM](#)

1 COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND THE PROPOSAL TO ALLOW CUL-DE-  
2 SACS TO BE 500 FEET WITH NO REVIEW, BUT ANY CUL-DE-SAC BETWEEN 500 AND THE 650 FOOT  
3 MAXIMUM WILL NEED TO ADHERE TO THE REVIEW PROCESS.

4 [10:00:38 PM](#)

5 Mr. Andersen stated that the International Fire Code allows cul-de-sacs of 750 feet.

6 [10:01:00 PM](#)

7 COUNCILMEMBER JOHNSON STATED THAT HE WOULD AMEND HIS MOTION TO LIMIT THE  
8 LENGTH OF CUL-DE-SACS AT 750 FEET.

9 [10:01:30 PM](#)

10 Council discussion regarding the proposal continued.

11 [10:07:00 PM](#)

12 COUNCILMEMBER LISONBEE MADE A MOTION TO ALLOW A RESIDENT TO SPEAK.  
13 COUNCILMEMBER JOHNSON SECONDED THE MOTION. ALL VOTED IN FAVOR.

14 [10:07:41 PM](#)

15 Tricia Roundy, 1963 S. Bluff Road, stated that she is aware of the cul-de-sac that may be proposed by UDOT in  
16 conjunction with the construction of the West Davis Corridor. She stated that she knows the people whose homes would be  
17 “saved” by the cul-de-sac and she knows they would rather their homes be destroyed than live so close to a freeway  
18 interchange. She stated he also feels this is a back door deal; there have been a lot of comments about hypothetical cul-de-  
19 sacs as well as things that already exist in the City. She stated she feels the limit would be a good idea, but it also defeats the  
20 purpose of the ordinance. She stated that UDOT would like to construct a cul-de-sac that would basically ruin her  
21 neighborhood and she is opposed to that.

22 [10:09:07 PM](#)

23 Council discussion regarding the issue, specifically the cul-de-sac that may be proposed by UDOT, continued.

24 [10:13:47 PM](#)

1 Mayor Nagle stated there has been a motion and a second to adopt the ordinance and she called for a vote.  
2 Councilmember Johnson asked for acknowledgement of his amended motion. City Attorney Carlson noted that  
3 Councilmember Johnson's motion had not been seconded.

4 [10:14:08 PM](#)

5 COUNCILMEMBER JOHNSON STATED HIS MOTION WAS TO ALLOW CUL-DE-SACS OF 500 FEET AND  
6 ANY CUL-DE-SACS BETWEEN 500 AND 750 WOULD NEED TO MEET CERTAIN REQUIREMENTS VIA AN  
7 APPROVAL PROCESS. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

8 [10:14:54 PM](#)

9 Mayor Nagle called for a vote. COUNCILMEMBERS DUNCAN AND JOHNSON VOTED IN FAVOR.  
10 COUNCILMEMBRERS LISONBEE, PETERSON, AND SHINGLETON VOTED IN OPPOSITION.

11 [10:15:11 PM](#)

12 The motion failed and Council discussion regarding the item continued.

13 [10:18:05 PM](#)

14 COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND THE ORDINANCE TO LIMIT THE  
15 LENGTH OF A CUL-DE-SAC TO 850 FEET. Councilmember Lisonbee's motion died due to lack of a second.

16 [10:18:19 PM](#)

17 COUNCILMEMBER JOHNSON MADE A MOTION TO AMEND THE ORDINANCE TO LIMIT THE  
18 LENGTH OF A CUL-DE-SAC TO 800 FEET. COUNCILMEMBER LISONBEE SECONDED THE MOTION.  
19 COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE VOTED IN FAVOR. COUNCILMEMBERS  
20 PETERSON AND SHINGLETON VOTED IN OPPOSITION.

21 [10:19:05 PM](#)

22 Mayor Nagle stated there has been a motion and a second to adopt the ordinance regarding cul-de-sacs and she  
23 called for a vote. COUNCILMEMBERS DUNCAN, JOHNSON, AND LISONBEE VOTED IN FAVOR.  
24 COUNCILMEMBERS PETERSON AND SHINGLETON VOTED IN OPPOSITION.

25  
26 14. Proposed Ordinance 12-14 amending various provisions of Title 10,

1 the Land Use Ordinance, relating to a new Business Park Zone.

2 [10:19:35 PM](#)

3 A staff memo from the Community Development Department explained the Syracuse City Planning Commission, in  
4 coordination with a 200 South Subcommittee, created the Business Park Zone (see attached). Planning Commission review  
5 of the first draft of the Business Park Zone began December 6, 2011. The Business Park Zone went through three additional  
6 refinements to get it to the present product. The purpose of this zone is to provide areas primarily for planned general office  
7 and business park developments and related service that will be compatible with, enhance value of, and provide a transition  
8 to, nearby residential areas and will promote a quiet, clean environment. Development in this zone should emphasize a high  
9 level of architectural and landscape excellence. These zone districts will generally be established along high volume arterial  
10 streets in order to buffer the impacts of these streets from less intensive land uses. The intent is to create an attractive  
11 environment that will compliment, and serve as a transition to, surrounding uses.

12 On March 20, 2012, the Syracuse City Planning Commission held a public hearing regarding the proposed Business  
13 Park Zone, in which a few comments were received. On April 17, 2012, the Syracuse City Planning Commission approved  
14 recommendation to the Syracuse City Council the attached amendment to Title Ten, a new Business Park Zone within the  
15 Syracuse City Code.

16 Within the Business Park Zone, the way the Architectural Review Committee is structured, it is in conflict with  
17 other chapters within Title Ten which also outline the structure of the Committee. In other chapters of Title Ten, the Mayor,  
18 with consent of the City Council, appoint the Committee members. However, in the Business Park Zone, the Planning  
19 Commission Chair, with consent of the Planning Commission, appoint the Committee members. Staff recommends  
20 consistency with the application of the Architectural Review Committee. The Syracuse City Planning Commission hereby  
21 recommends that the Mayor and City Council amend Title Ten, to include the addition of the Business Park (BP) Zone within  
22 the Syracuse City Code to reflect attached Ordinance No. 12-14.

23 Mr. Andersen summarized the staff memo.

24 [10:21:22 PM](#)

25 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-14  
26 AMENDING VARIOUS PROVISIONS OF TITLE 10, THE LAND USE ORDINANCE, RELATING TO A NEW  
27 BUSINESS PARK ZONE. COUNCILMEMBER DUNCAN SECONDED THE MOTION.

1 [10:21:54 PM](#)

2 Council discussion regarding the item began.

3 [10:27:12 PM](#)

4 COUNCILMEMBER LISONBEE MADE A MOTION TO AMEND BY REDUCING THE LANDSCAPING  
5 REQUIREMENT IN THE TOWN CENTER.

6 [10:27:32 PM](#)

7 Council discussion continued.

8 [10:31:39 PM](#)

9 Mayor Nagle suggested tabling the item and continue the discussion in the next extended work session meeting so a  
10 more thorough discussion with staff can occur.

11 [10:32:39 PM](#)

12 COUNCILMEMBER LISONBEE STATED SHE WOULD SOLIDIFY HER MOTION TO AMEND BY  
13 REDUCING THE LANDSCAPING REQUIREMENT TO 10 PERCENT. COUNCILMEMBER SHINGLETON  
14 SECONDED THE MOTION; ALL VOTED IN FAVOR WITH THE EXCEPTION OF COUNCILMEMBER JOHNSON  
15 WHO VOTED IN OPPOSITION.

16 [10:33:48 PM](#)

17 Mayor Nagle stated there has been a motion and second to adopt the ordinance and she called for a vote.

18 [10:34:09 PM](#)

19 Councilmember Duncan stated he had additional questions and the discussion regarding the item continued.

20 [10:36:21 PM](#)

21 Mayor Nagle again called for a vote on the original motion. ALL VOTED IN FAVOR, WITH THE EXCEPTION  
22 OF COUNCILMEMBER DUNCAN WHO VOTED IN OPPOSITION.

23 [10:36:48 PM](#)

24 Councilmember Shingleton called for a roll call vote on the original motion. VOTING "AYE" –  
25 COUNCILMEMBERS JOHNSON, LISONBEE, AND PETERSON. VOTING "NO" – COUNCILMEMBERS DUNCAN  
26 AND SHINGLETON.

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15. Councilmember reports.

Councilmember reports began at [10:38:04 PM](#) . Councilmember Johnson provided his report first, followed by Councilmembers Peterson, Duncan, Shingleton, and Lisonbee.

16. Mayor report.

Mayor Nagle’s report began at [10:52:44 PM](#)

17. City Manager report.

City Manager Rice’s report began at [10:54:14 PM](#)

At 10:19 p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN. COUNCILMEMBER JOHNSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

\_\_\_\_\_  
Jamie Nagle  
Mayor  
Date approved: \_\_\_\_\_

\_\_\_\_\_  
Cassie Z. Brown, CMC  
City Recorder

Minutes of the Syracuse City Council Work Session Meeting, June 26, 2012.

Minutes of the Work Session meeting of the Syracuse City Council held on June 26, 2012, at 6:00 p.m., in the Council Work Session Room, 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 Administrator Robert Rice  
City Recorder Cassie Z. Brown

City Employees Present:  
Finance Director Steve Marshall  
IT Director TJ Peace  
City Attorney Will Carlson  
Community Development Director Michael Eggett  
City Planner Kent Andersen

The purpose of the Work Session was for the Governing Body to receive public comments; discuss a cost breakdown for a SIRE proposal vs. the Fortis system upgrade cost; discuss the format of City Council minutes; discuss the potential creation of a cul-de-sac on Bluff Road near Antelope Drive; discuss the City Newsletter format; discuss the solid waste hauling contract between Syracuse City and Robinson Waste Services Inc.; discuss the Administrative Title of the Syracuse City Code; and discuss Council Business.

Public Comments

11:59:15 AM

Julie Bachman stated she wanted to speak about the cul-de-sac issue and the impacts of alternative B for the West Davis Corridor. She stated she thinks the cul-de-sac issue is premature because no corridor route has been selected or announced by the Utah Department of Transportation (UDOT). She asked why the City is spending tax payer dollars on this at this time since it should not be looked at until after UDOT has made their announcement. She stated there will be time for comments after UDOT makes their selection. She stated that the reason she has been told is that the cul-de-sac puts two homes in between roads and Huckleberry Subdivision, but as far as she knows there are no plans to dead-end Bluff on the south side. She asked if that is correct. Mayor Nagle stated she is not sure what the answers to those questions are. City Manager Rice stated that there is an agenda item to discuss this issue tonight. Ms. Bachman stated that she knows the subdivision behind Bluff Road. . .the contractor was given an exception to make the roads narrower because he did not have

1 the land to provide homes on both sides of a normal width road. She stated that if the City tries to make that road a  
2 thoroughfare, that will not work and will create a burden for the homeowners living in that subdivision. She stated that on  
3 the south side there are several homes on Antelope Drive and this design will put Bluff Road through their backyards and  
4 leave them as an island. She stated those homes have not have been addressed as the homes on the north side have. She  
5 stated that when UDOT widens Antelope Drive they will not take the homes because the Antelope Drive design has been  
6 driven northerly so they are going to take the homes on the north side and not the south side. She stated that she has heard  
7 the Mayor and others say that they think this road will bring people to the town center of Syracuse. She stated the West  
8 Davis Corridor will mainly be a commuter road and these same people will not want to go through all the traffic lights and  
9 intersections. She stated she counted the intersections with traffic lights from 2000 West to 3000 West if Alternate B is  
10 constructed; there will be six intersections with traffic signals. She names the locations of the potential future signals and  
11 stated that is a very small area for six intersections.

12 [12:02:50 PM](#)

13 Tricia Roundy stated she was under the impression that the cul-de-sac issue was voted on and was finished at the  
14 last City Council meeting and she is curious as to why that decision is not satisfactory. Councilmember Shingleton stated  
15 Ms. Roundy is referencing two different cul-de-sac issues. Ms. Roundy stated that the Council adopted an ordinance.  
16 Councilmember Duncan stated that the Council adopted an ordinance that changed the way the City handles cul-de-sacs  
17 throughout the entire City, but tonight's agenda item is focusing on just one cul-de-sac. Ms. Roundy stated that answers her  
18 question about the cul-de-sac issue. She then stated that she has also been thinking about what she learned at the last Council  
19 meeting about the town center; it seemed that the City put up some money to develop the town center, but it seems that since  
20 the economy has slowed that was maybe not a good business decision and maybe the City should not be in business. She  
21 stated that trying to force the West Davis Corridor to be farther east is adding a mistake on top of another mistake. She stated  
22 that there is more room for expansion if the road were constructed out west and there could be a gas station and maybe a  
23 hotel. She stated that moving it further to the east will be cramming it in to an overcrowded area where there are already  
24 homes, a school, and a gold course and no developer wants to consider buying small parcels of ground to build something  
25 like a gas station.

26  
27 Discussion regarding SIRE's cost breakdown vs. Fortis system upgrade

1 [12:05:10 PM](#)

2 This item was originally discussed by the Council during their June 12 work session meeting. At that time the  
3 Council asked for a detailed cost breakdown for the services that SIRE provides. Included in the Council packet were the  
4 product demonstration presentation provided by SIRE as well as an updated price quote.

5 [12:05:30 PM](#)

6 City Recorder Brown introduced the item and reviewed the price quote.

7 [12:06:50 PM](#)

8 City Council discussion regarding the item then began. The conclusion of the discussion was for the Council to ask  
9 staff to get further price breakdowns regarding the document management and agenda automation systems. They also  
10 determined that in order to improve the quality of the meeting recordings on UStream, staff should eliminate the filming of  
11 meetings and simply provide a digital audio recording.

12

13 Discuss format of City Council minutes

14 [12:31:37 PM](#)

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

24 [12:31:41 PM](#)

25 Ms. Brown reviewed her staff memo.

26 [12:32:54 PM](#)

1 Council discussion regarding the item then began. The final conclusion was to add an action item to a business  
2 meeting agenda and receive public comment on the issue before taking a vote.

3

4 Discussion regarding the creation of a cul-de-sac on Bluff Road near Antelope Drive

5 [12:37:56 PM](#)

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

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

17 [12:38:58 PM](#)

18 City Planner Andersen reviewed the staff memo.

19 [12:41:45 PM](#)

20 Council discussion regarding the item began. Mayor Nagle summarized the conclusion of the discussion that all  
21 Councilmembers agree to recommend to UDOT that the option described in the staff memo, whether it includes the cul-de-  
22 sac, is not preferable.

23

24 Discuss City Newsletter format

25 [12:46:21 PM](#)

1 A staff memo explained the City Council asked for this agenda item during the June 12 business meeting. Staff did not  
2 prepare any documentation for this item, but is prepared to participate in the discussion led by the Council.

3 [12:47:08 PM](#)

4 Council discussion regarding the item began. The conclusion was to print a survey in the newsletter to poll citizens on their  
5 preferences for the format of the newsletter.

6

7 Discuss the solid waste hauling contract between Syracuse

8 City and Robinson Waste Services, Inc.

9 [12:53:25 PM](#)

10 A staff memo from the City Attorney explained Robinson Waste Management has been collecting garbage for  
11 Syracuse City for over a decade. Most recently, the City and Robinson entered into a Garbage Collection Contract  
12 (“Contract”) dated April 1, 2009. In the contract, the City agreed to pay Robinson a fuel allowance per household per month  
13 of .33% of the price of the price of diesel over \$3.00 per gallon (“Fuel Surcharge”). Since April 1, 2009, Robinson has  
14 charged the City 33% of the price of diesel over \$3.00 per gallon rather than .33% of the price of diesel over \$3.00 per gallon.  
15 This has resulted in a \$33,072.36 overcharge to the City. In early March the City discovered the discrepancy between the  
16 contract and the bill. On March 7, 2012 the City notified Robinson Waste of a breach of contract and made a demand on  
17 Robinson for repayment of the overpaid Fuel Surcharges. Robinson made repayment and has provided his “best offer” for a  
18 new contract term. Robinson’s proposed rates are neither uniformly higher nor lower for the city. The new contract  
19 eliminates the power of Robinson to unilaterally renew without the City’s consent. It also provides options for recycling and  
20 collecting on one side of the street. The proposed terms offered by Robinson’s best offer are not sufficiently beneficial or  
21 detrimental to the City for the City Attorney to make a recommendation. If the City Council approves the addendum, the City  
22 Attorney recommends that the City Council further determine whether or not to approve Recycling as mandatory, opt out, or  
23 opt in. Additionally, the City Attorney recommends a determination as to whether to approve collection from one side of the  
24 street where feasible.

25 [12:56:06 PM](#)

26 Mr. Carlson reviewed his staff memo.

1 [1:02:46 PM](#)

2 Council discussion regarding the potential contract began. There was input from City staff as well as Steve  
3 Robinson from Robinson Waste Services, Inc. The final conclusion was that discussion could continue during the business  
4 meeting immediately following this meeting.

5

6 Discussion regarding Administrative Title of the Syracuse City Code

7 [1:28:49 PM](#)

8 A memo from the City Attorney explained that on April 24, 2012 the City Attorney reported to the City Council that  
9 the Council's majority vote to recodify Title II was in error because four adjustments to mayoral power in the recodification  
10 required either a unanimous vote of the Council without the Mayor or a majority vote with the Mayor. In the months since,  
11 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.  
12 On June 12, 2012 the City Attorney recommended passing the recodified version of Title II with any additional changes the  
13 Mayor and City Council felt were necessary. In an effort to simplify and expedite a discussion of necessary changes to Title  
14 II, the City Attorney requested that the city's elected and appointed officials submit suggestions of areas that may benefit  
15 from revision. Included in the packet were the following documents:

- 16 1. A list of areas in Title II that may benefit from revision, submitted by elected and appointed City officials.  
17 2. Title I (old administrative title)  
18 3. Title II (draft administrative title)

19 [1:28:54 PM](#)

20 Mr. Carlson reviewed his staff memo, after which Council discussion commenced. Council gave direction to Mr.  
21 Carlson to prepare two drafts of an ordinance for the Council to consider at their next meeting.

22

23

24 The meeting adjourned at 9:13 p.m. ([3:12:42 PM](#))

25

26

1 \_\_\_\_\_  
2 Jamie Nagle  
3 Mayor  
4  
5 Date approved: \_\_\_\_\_

\_\_\_\_\_  
Cassie Z. Brown, CMC  
City Recorder

Minutes of the Syracuse City Council Special Meeting, June 26, 2012.

Minutes of the Special meeting of the Syracuse City Council held on June 26, 2012, at p.m., in the Council Work Session Room, 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:  
City Attorney Will Carlson  
Finance Director Steve Marshall  
Community Development Director Michael Eggett  
Parks and Recreation Director Kresta Robinson  
Public Works Director Robert Whiteley  
Fire Chief Eric Froerer  
Police Chief Brian Wallace

1. Meeting Called to Order/Adopt Agenda

3:12:41 PM

Mayor Nagle called the meeting to order at 9:13 p.m. as a special meeting, with notice of time, place, and agenda provided 24 hours in advance to the newspaper and each Councilmember.

2. Consideration of Solid Waste Hauling Contract between Syracuse City and Robinson Waste Services, Inc.

3:12:49 PM

A staff memo from the City Attorney explained Robinson Waste Management has been collecting garbage for Syracuse City for over a decade. Most recently, the City and Robinson entered into a Garbage Collection Contract (“Contract”) dated April 1, 2009. In the contract, the City agreed to pay Robinson a fuel allowance per household per month of .33% of the price of the price of diesel over \$3.00 per gallon (“Fuel Surcharge”). Since April 1, 2009, Robinson has charged the City 33% of the price of diesel over \$3.00 per gallon rather than .33% of the price of diesel over \$3.00 per gallon. This has resulted in a \$33,072.36 overcharge to the City. In early March the City discovered the discrepancy between the

1 contract and the bill. On March 7, 2012 the City notified Robinson Waste of a breach of contract and made a demand on  
2 Robinson for repayment of the overpaid Fuel Surcharges. Robinson made repayment and has provided his “best offer” for a  
3 new contract term. Robinson’s proposed rates are neither uniformly higher nor lower for the city. The new contract  
4 eliminates the power of Robinson to unilaterally renew without the City’s consent. It also provides options for recycling and  
5 collecting on one side of the street. The proposed terms offered by Robinson’s best offer are not sufficiently beneficial or  
6 detrimental to the City for the City Attorney to make a recommendation. If the City Council approves the addendum, the City  
7 Attorney recommends that the City Council further determine whether or not to approve Recycling as mandatory, opt out, or  
8 opt in. Additionally, the City Attorney recommends a determination as to whether to approve collection from one side of the  
9 street where feasible.

10 [3:13:04 PM](#)

11 Mr. Carlson summarized his staff memo.

12 [3:13:41 PM](#)

13 Gordon Raymond from Allied Waste asked for the opportunity to speak. Mayor Nagle allowed it. Mr. Raymond  
14 stated that his company provided a proposal in response to the City’s request for proposal (RFP). He stated that he wanted to  
15 mention that he has heard some discussion about different costs the City could be incurring for document management and  
16 the potential to spend \$14,000 was a big deal to the Council. He stated that spending significantly more money on a garbage  
17 hauling contract is not a big deal to the Council. He stated that his company spent a lot of time and effort to come up with a  
18 proposal that included some great ideas that would benefit the City. He stated that he feels the Council wants to use those  
19 proposals in its benefit while negotiating with the current service provider. He stated that the Council also commented that  
20 they will conduct another RFP in a year and get the same competition. He asked his company put in a lot of effort and his  
21 suggestion would be that if the City extends its contract with Robinson Waste, he would be interested in seeking a right of  
22 first refusal at the end of Robinson Waste’s contract if his company is willing to honor its proposal. He wondered if the City  
23 would be willing to entertain that kind of option.

24 [3:16:09 PM](#)

25 COUNCILMEMBER SHINGLETON MADE A MOTION TO TABLE CONSIDERATION OF THE SOLID  
26 WASTE HAULING CONTRACT BETWEEN SYRACUSE CITY AND ROBINSON WASTE SERVICES, INC.

1 [3:16:26 PM](#)

2 Mr. Carlson stated Mr. Robinson has reviewed the addendum to the contract and it has been provided to the Council.

3 [3:16:58 PM](#)

4 Council discussion regarding the item commenced.

5 [3:20:54 PM](#)

6 COUNCILMEMBER LISONBEE SECONDED COUNCILMEMBER SHINGLETON'S MOTION.

7 [3:21:14 PM](#)

8 Council discussion continued.

9 [3:25:52 PM](#)

10 Mayor Nagle stated there has been a motion and a second to table consideration of the agreement; ALL VOTED IN  
11 OPPOSITION TO THE MOTION.

12 [3:26:16 PM](#)

13 COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE SOLID WASTE HAULING  
14 CONTRACT BETWEEN SYRACUSE CITY AND ROBINSON WASTE SERVICES, INC. ACCORDING TO  
15 ADDENDUM NUMBER ONE WITH THE STIPULATION THAT THE AGREEMENT EXPIRE AFTER ONE YEAR.

16 [3:26:26 PM](#)

17 Mayor Nagle asked for more information about the City's ability to add a right of first refusal for Allied Waste to  
18 the agreement.

19 [3:27:24 PM](#)

20 COUNCILMEMBER DUNCAN SECONDED COUNCILMEMBER PETERSON'S MOTION.

21 [3:27:27 PM](#)

22 Council discussion regarding the right of first refusal continued.

23 [3:29:41 PM](#)

24 Mayor Nagle stated there has been a motion and a second to approve the agreement; ALL VOTED IN FAVOR.  
25

1 3. Proposed Ordinance 12-15 amending the existing zoning map of Title 10, "Syracuse City Zoning Ordinance",  
2 revised ordinances of Syracuse, 1971, by changing from R-3 Residential Zone to PO Professional Office Zone on  
3 the parcel(s) of real property herein described.

4 [3:30:53 PM](#)

5 A staff memo from the Community Development Department explained Curt Warnick, acting on behalf of the  
6 property owner(s) Tyler Dean and Leah Ann Leavitt, has submitted a request to rezone 0.264 acres of land located at 1384  
7 West 1700 South from the current R-3 Residential zone to PO Professional Office zone. This request is consistent with the  
8 General Plan designation for this property. On June 19, 2012, the Syracuse City Planning Commission held a public hearing  
9 regarding the proposed rezone request, in which comments were received. On June 19, 2012, the Syracuse City Planning  
10 Commission approved recommendation to the Syracuse City Council the proposed rezone of property, located at 1384 West  
11 1700 South, from R-3 Residential to PO Professional Office.

12 The Community & Economic Development Department recommends, following recommendation from the Syracuse  
13 City Planning Commission, that the Mayor and City Council approve the proposed rezone of property, located at 1384 West  
14 1700 South, from R-3 Residential to PO Professional Office on the Syracuse City Zoning Map to reflect attached Ordinance  
15 No. 12-15.

16 [3:31:05 PM](#)

17 Community Development Director Eggett reviewed the staff memo.

18 [3:32:00 PM](#)

19 COUNCILMEMBER JOHNSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-15  
20 AMENDING THE EXISTING ZONING MAP OF TITLE 10, "SYRACUSE CITY ZONING ORDINANCE", REVISED  
21 ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM R-3 RESIDENTIAL ZONE TO PO PROFESSIONAL  
22 OFFICE ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED. COUNCILMEMBER DUNCAN  
23 SECONDED THE MOTION.

24 [3:32:21 PM](#)

25 Council discussion commenced.

26 [3:32:53 PM](#)

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

3

4 4. Proposed Ordinance 12-16 amending the Syracuse City General Plan adopted in 1976, as amended.

5 [3:32:59 PM](#)

6 A staff memo from the Community Development Department explained that Irben Development, LLC has  
7 submitted a request to update the Syracuse City General Plan for approximately 83 acres of land located at approximately  
8 1500 West 3700 South from the current Open Space/Recreational and A-1 Agriculture zone to R-1 Residential zone. Part of  
9 this general plan update is a portion of Davis County owned property, who submitted documentation supporting changing the  
10 land use designation to R-1 Residential.

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

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

19 [3:33:06 PM](#)

20 Mr. Eggett reviewed the staff memo.

21 [3:34:31 PM](#)

22 COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-16  
23 AMENDING SYRACUSE CITY GENERAL PLAN ADOPTED IN 1976, AS AMENDED. COUNCILMEMBER  
24 SHINGLETON SECONDED THE MOTION.

25 [3:34:41 PM](#)

26 Council discussion commenced.

1 [3:35:34 PM](#)

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

4

5 5. Proposed Ordinance 12-17 amending the existing zoning map of Title 10, "Syracuse City Zoning Ordinance",  
6 revised ordinances of Syracuse, 1971, by changing from A-1 Agriculture Zone to R-1 Residential Zone on the  
7 parcel(s) of property herein described.

8 [3:35:40 PM](#)

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

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

18 Contingent upon approval of the Syracuse City General Plan update request reflected in Ordinance No. 12-16, the  
19 Community & Economic Development Department recommends, following recommendation from the Syracuse City  
20 Planning Commission, that the Mayor and City Council approve the proposed rezone of property, located at approximately  
21 1500 West 3700 South, from A-1 Agriculture to R-1 Residential on the Syracuse City Zoning Map to reflect attached  
22 Ordinance No. 12-17.

23 [3:35:44 PM](#)

24 Mr. Eggett reviewed the staff memo.

25 [3:36:02 PM](#)

1 COUNCILMEMBER LISONBEE MADE A MOTION TO ADOPT PROPOSED ORDINANCE 12-17  
2 AMENDING THE EXISTING ZONING MAP OF TITLE 10, "SYRACUSE CITY ZONING ORDINANCE", REVISED  
3 ORDINANCES OF SYRACUSE, 1971, BY CHANGING FROM A-1 AGRICULTURE ZONE TO R-1 RESIDENTIAL  
4 ZONE ON THE PARCEL(S) OF REAL PROPERTY HEREIN DESCRIBED. COUNCILMEMBER DUNCAN  
5 SECONDED THE MOTION; ALL VOTED IN FAVOR.

6  
7 6. Consideration of adjourning into Closed Executive Session pursuant to the provisions of Section 52-4-205 of  
8 the Open and Public Meetings Law for the purpose of discussing the character, professional competence, or  
9 physical or mental health of an individual; pending or reasonably imminent litigation; or the purchase, exchange,  
10 or lease of real property.

11 [3:36:30 PM](#)

12 COUNCILMEMBER PETERSON MADE A MOTION TO ADJOURN INTO CLOSED EXECUTIVE SESSION  
13 PURSUANT TO THE PROVISIONS OF SECTION 52-4-205 OF THE OPEN AND PUBLIC MEETINGS LAW FOR THE  
14 PURPOSE OF DISCUSSING THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL  
15 HEALTH OF AN INDIVIDUAL; PENDING OR REASONABLY IMMINENT LITIGATION; OR THE PURCHASE,  
16 EXCHANGE, OR LEASE OF REAL PROPERTY. COUNCILMEMBER SHINGLETON SECONDED THE MOTION  
17 WITH THE FOLLOWING ROLL CALL VOTE. VOTING "AYE" – COUNCILMEMBERS DUNCAN, JOHNSON,  
18 LISONBEE, PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

19 The meeting adjourned into Closed Session at 9:40 p.m.

20 The meeting reconvened at 9:55 p.m.

21  
22 Council Business (continued from the work session meeting)

23 [4:33:06 PM](#)

24 Council briefly discussed the schedule for upcoming meetings as well as the Heritage Days events

25 [4:38:24 PM](#)

26 Mr. Rice provided a brief report regarding the Fire Department's work on recent wildland fires.

27

1           At 10:05 p.m. COUNCILMEMBER SHINGLETON MADE A MOTION TO ADJOURN. COUNCILMEMBER  
2 PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

3

4 \_\_\_\_\_  
5 Jamie Nagle  
6 Mayor

\_\_\_\_\_

Cassie Z. Brown, CMC  
City Recorder

7  
8 Date approved: \_\_\_\_\_

Minutes of the Syracuse City Council Work Session Meeting, July 10, 2012.

Minutes of the Work Session meeting of the Syracuse City Council held on July 10, 2012, at 6:00 p.m., in the Council Work Session Room, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Brian Duncan  
Craig A. Johnson  
Karianne Lisonbee  
Douglas Peterson (participated via phone)  
Larry D. Shingleton

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

City Employees Present:  
Finance Director Steve Marshall  
IT Director TJ Peace  
City Attorney Will Carlson  
Community Development Director Michael Eggett  
Fire Chief Eric Froerer  
Parks and Recreation Director Kresta Robinson

The purpose of the Work Session was for the Governing Body to receive a report from the Parks and Recreation Director regarding Heritage Days; review agenda item five – proposed resolution updating the consolidated fee schedule; receive a presentation from the Syracuse Arts Academy relative to the West Davis Corridor; receive a presentation from “Citizens for Better Syracuse” relative to the West Davis Corridor; receive a report from the ad hoc committee; and discuss Council Business.

Report regarding Heritage Days

12:07:26 PM

Parks and Recreation Director Robinson provided a PowerPoint presentation regarding the recent Heritage Days celebration.

12:11:28 PM

Council discussion regarding the event began.

Review agenda item five – Proposed Resolution updating the consolidated fee schedule

12:13:58 PM

1 A staff memo from the City Recorder explained staff has found and recommended several changes to the fee  
2 schedule that are considered necessary. Most changes are minor while some are more significant. The items in red are either  
3 new fees being proposed or changes to existing fees in the fee schedule.

4 [12:14:17 PM](#)

5 Finance Director Marshall reviewed the staff memo and the proposed updates to the fee schedule.

6 [12:15:04 PM](#)

7 Council discussion regarding the item began.

8 [12:18:37 PM](#)

9 The time allotted for the item expired and Mayor Nagle stated discussion can continue during the business meeting.

10

11 Presentation from Syracuse Arts Academy relative to West Davis Corridor

12 [12:18:50 PM](#)

13 Jarad Pullum, Syracuse Art Academy Boardmember, made a request to be on the agenda to discuss the West Davis  
14 Corridor. He began his presentation.

15 [12:21:55 PM](#)

16 Council discussion regarding the presentation began.

17

18 Presentation from "Citizens for a Better Syracuse" relative to the West Davis Corridor

19 [12:24:18 PM](#)

20 Councilmember Johnson sent an email to staff asking to add an item to the agenda to allow for a presentation from  
21 the citizens group, Citizens for a Better Syracuse, as well as the Syracuse Arts Academy and discussion. His email explained  
22 he was approached and asked for them to be on the agenda. He asked for 15 minutes for the presentation/discussion. The  
23 content of the presentation are issues and concerns related to the West Davis Corridor.

24 [12:24:35 PM](#)

25 Nathan Miller and Jason Steed made a presentation on behalf of the Citizens for a Better Syracuse.

26 [12:34:26 PM](#)

1 Council discussion regarding the presentation began.

2

3 Report from ad-hoc committee

4 [12:34:45 PM](#)

5 Presenting on behalf of the committee are Councilmembers Doug Peterson and Craig Johnson as well as residents  
6 that participated.

7 [12:35:10 PM](#)

8 Councilmember Peterson provided his report first.

9 [12:40:56 PM](#)

10 Councilmember Johnson then provided his report.

11 [12:44:54 PM](#)

12 Resident Jack Frost provided his report.

13 [12:46:33 PM](#)

14 Terry Palmer provided his report.

15 [12:47:33 PM](#)

16 Planning Commissioner TJ Jensen provided his report.

17 [12:49:34 PM](#)

18 Carie Valentine provided her report.

19 [12:51:33 PM](#)

20 Brandyn Bodily provided his report.

21 [12:53:42 PM](#)

22 Alan Clark provided his report.

23 [12:55:48 PM](#)

24 Planning Commissioner Dale Rackham provided his report.

25 [12:57:06 PM](#)

1 Ryan Chandler provided his report.

2 [12:58:55 PM](#)

3 Council discussion regarding the committee commenced.

4

5

6 The meeting adjourned at 6:55 p.m.

7

8

9

10 \_\_\_\_\_  
11 Jamie Nagle  
12 Mayor

\_\_\_\_\_

Cassie Z. Brown, CMC  
City Recorder

13 Date approved: \_\_\_\_\_



# COUNCIL AGENDA

March 12, 2013

Agenda Item #5                      Public Hearing: Authorize Administration to dispose of surplus equipment.

## *Factual Summation*

- Please see the following memo regarding this agenda item. Any questions regarding this item may be directed at City Manager Bob Rice.
- Fire Chief Eric Froerer, Police Chief Garret Atkin, and IT Director TJ Peace have each compiled and attached a list of items that the City would like to dispose of. Staff will be present to review the list of items with the Governing Body as well as answer any question regarding this action.

## *Fire Dept. Surplus Equipment* Ahura Chemical Analyzer Kit

Syracuse Fire Dept acquired a Chemical Detection Kit in 2008 through a DHS FEMA grant. We have used it very infrequently to identify substances (tablets mostly) for the police dept. This kit is currently non-functional due to \$3000 in needed software upgrades. The Davis County Health Dept has expressed willingness to provide the needed upgrades and \$1400 annual maintenance to keep it operational, and keep it in the inventory of the Davis County Regional HazMat Response Team. The kit would remain available to any agency upon request. We propose this equipment be surplused and donated to the Davis County Health Dept.

## *IT Dept. Surplus Equipment*

- 4 17" CRT Monitors – They no longer function
- 7 Ink Jet Printers – These are old and no longer function
- 3 Portable Ink Jet Printers – These are from Police vehicles and no longer function
- Misc. Cords

Description	Make	Model	S/N	Quantity
Red cloth rolling chairs				6 (2 are broke)
Black rolling chairs				3 (all are broke or ripped)
Small wood/black top cabinet				1
Brown metal form holder				1
Fax machine	Brother			1
Parts of an L frame desk				1
7 large round tables				7 (all damaged)
1 metal chair				1
Wood book shelf				1
Flag pole				2
Flag pole stand				1
Flag				2
Motor Trend mini jump start				12 (8 new 4 used)
CD player w/case	Eddie Bauer			1 (damaged)
Scale	Ottaus	cent-o-gram		1
MTS 2000	Motorola		466ABS2000Z	1
MTS2000	Motorola		466ABS4475Z	1
MTS2000	Motorola		466ABS4162Z	1
MTS2000	Motorola		466ABS4248Z	1
MTS2000 battery	Motorola			4
Radio scan stands w/mic	Motorola			2
Trunk cargo kit for old Crown Vic				1
Mobile Vision Units				2
Typewriter	Olympia	Mastertype 3		1
Cages				4
Push bars				3
Vector light bars				2
Halogen light bar	MX7000 Federal Signal			1
LED light bar				1
Console (computer stands, etc.,)				several
Old copier	Sharp	ARM350N		1



# COUNCIL AGENDA

March 12, 2013

## Agenda Item “6”

**Public Hearing- Proposed Ordinance No. 13-03 declaring the annexation of 26.99 acres of property located at approximately 3700 S. 2000 W. into the City of Syracuse, Davis County, Utah, and establishing zoning for property.**

### *Factual Summation*

- Any questions regarding this item may be directed at City Recorder Cassie Brown.
- Please see the following memo re: Annexation Petition 2013-01 provided by Cassie Brown.
- Please see the attached Proposed Ordinance No. 13-03.

### *Memorandum*

On January 2, 2013 Michael J. Thayne (Irben Development) filed a petition to annex into Syracuse City 26.99 acres of property located at approximately 3700 South 2000 West. The City Engineer reviewed the annexation petition and his comments have been addressed by the petitioner.

On January 8, 2013 the Council voted to accept the annexation petition and I immediately began the certification process pursuant to the provisions of Title 10-2-403 of the Utah Code Annotated. On February 6, 2013 I sent the Council a memo declaring the certification of petition 2013-01. In that memo I explained that a notice of certification would be published in the Standard-Examiner for three consecutive weeks; the notice was meant to outline the annexation protest process. The same notice was also sent to all affected entities. The protest period expired March 10, 2013 and no valid protests were filed.

It is now appropriate to move to the next step in the process, which is to hold a public hearing to consider adopting an ordinance approving the annexation petition. A draft ordinance has been prepared for your consideration and all relevant materials have been attached hereto.

I will be available to answer any questions regarding the annexation process.

**ORDINANCE 13-03**

**AN ORDINANCE DECLARING THE ANNEXATION OF 26.99 ACRES OF PROPERTY LOCATED AT APPROXIMATELY 3700 S. 2000 W. INTO THE CITY OF SYRACUSE, DAVIS COUNTY, UTAH, AND ESTABLISHING ZONING FOR THE PROPERTY**

**WHEREAS** a majority of the owners of real property and the owners of not less than one-third of the real property as shown on the last assessment rolls in territory lying contiguous to Syracuse City have petitioned the City for annexation; and

**WHEREAS** the petition was accompanied by an accurate plat or map of the territory to be annexed, prepared under the supervision of Syracuse City Engineer or a competent surveyor and certified by the Engineer or surveyor; and

**WHEREAS** the petition and plat map have been filed in the office of the Syracuse City Recorder; and

**WHEREAS** notice of intent was advertised as provided by state law with no protests having been received within the 30-day protest period; and

**WHEREAS** the City Council held a public hearing with notice provided to the residents of the affected territory and adjacent property owners;

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

**Section 1. Annexation.** The property described in Exhibit "A" is hereby declared annexed into the City of Syracuse, Utah.

**Section 2. Zoning.** The property being annexed into Syracuse is hereby zoned as Residential R-1.

**Section 3. 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 4. Effective Date.** This Ordinance shall become effective immediately upon publication or posting.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SYRACUSE CITY, STATE OF UTAH, THIS 12<sup>th</sup> DAY OF MARCH, 2013.**

**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	_____	_____

## EXHIBIT "A"

Legal Description of property located at approximately 3700 South 1500 West.

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT WHICH IS NORTH  $0^{\circ}12'25''$  EAST 33.00 FEET ALONG THE QUARTER SECTION LINE FROM THE SOUTH QUARTER CORNER OF SAID SECTION 22; AND RUNNING THENCE NORTH  $89^{\circ}53'47''$  WEST PARALLEL TO THE SOUTH LINE OF SAID SOUTHWEST QUARTER 1136.30 FEET; THENCE NORTH  $0^{\circ}12'25''$  EAST 792 FEET PARALLEL WITH THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH  $89^{\circ}53'47''$  EAST 1136.30 FEET TO THE QUARTER SECTION LINE; AND THENCE SOUTH  $0^{\circ}12'25''$  WEST 792.00 FEET ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER TO THE POINT OF BEGINNING.

Contains 20.66 acres.



**PETITION FOR ANNEXATION OF TERRITORY  
TO SYRACUSE CITY, UTAH**

1979 West 1900 South  
Syracuse, Utah 84075  
Phone: 825-1477  
FAX: 825-3001

Petition No. 2013-01

Filed in the Office of the City Recorder  
By Mike Thayne

Date January 2, 2013

Fee: Up to 2 acres \$230.00 + \$173.00/acre  
2.1-5 acres \$575.00 + \$144.00/acre  
5.1-10 acres \$1,007.00 + \$115.00/acre  
10+ acres \$1,582.00 + \$87.00/acre

~~Additional \$300.00 to include rezone request~~

Handwritten calculations:  
 $1582 + (87 \times 26.99) = 2348.13$   
 $2348.13 - 300.00 = 2048.13$   
 $2048.13 + 360.00 = 2408.13$   
 Total 4208.38

Check # 51068401

**TO THE SYRACUSE CITY COUNCIL:**

The undersigned real property owners respectfully petition and pray that the described lands and territory in Davis County, Utah, attached hereto as Exhibit A, be immediately annexed to Syracuse City.

In support of this petition, the petitioners respectfully declare and represent that they are a majority of the owners of the private real property located within the above-described territory and are the owners of not less than one-third (1/3) in value of all said territory as shown by the last assessment rolls of Davis County, State of Utah, and that the said territory lies contiguous to the Corporate limits of Syracuse City, a Municipal Corporation of Utah.

Signature	Printed Name	Address
<u>[Signature]</u>	<u>Michael J. Thayne</u>	<u>1768 N. 4850 W.</u>
<u>Manager SWLW 1 LLC</u>		<u>Plain City, UT 84404</u>

Note: SWLW 1 LLC is the sole owner of subject property. SWLW 1 LLC Purchased Property from the Weavers - Recorded 12/21/12.

(Petitioners must submit a copy of this petition to the Davis County Clerk the same day it is filed with Syracuse City.)



THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK PRINTED ON THE BACK.  
THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT BORDER AND HOLOGRAM. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.



America First Federal Credit Union  
P.O. Box 9199 • Ogden, Utah 84409

3243



OFFICIAL CHECK

Cashier's Check

5-709  
110

No 051068401

DATE 01/02/13

Void After 90 Days

PAY Three Thousand Nine Hundred Thirty Dollars And Thirteen Cents

\*\*\*\$3,930.13\*\*\*

TO  
THE  
ORDER  
OF

SYRACUSE CITY

Drawer: Moneygram Payment Systems  
P.O. Box 9476 Minneapolis MN 55480  
Drawee: BNY Mellon Everett, MA

MEMO: SWLW 1 LLC ANNEXATION

⑈051068401⑈ ⑆011007092⑆0140011149565⑈

**RECEIPT**

DATE 1-2-2013 No. 051068401

FROM Mike Thayne \$ 3,930.13

Three thousand nine hundred thirty and 13/100 DOLLARS

FOR RENT

FOR Annexation Fees

ACCT.  PAID  DUE

CASH

CHECK

MONEY ORDER

FROM 051068401 - Am Fir TO \_\_\_\_\_

BY John Lund

1152

## NOTICE OF PROPOSED ANNEXATION

Notice is hereby given that a petition has been filed with Syracuse City, Utah, to annex 26.99 acres of property located at approximately 3700 S. 2000 W.; and more particularly described as follows:

A PART OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY, BEGINNING AT A POINT WHICH IS NORTH 0°11'53" EAST 33.00 FEET ALONG THE QUARTER SECTION LINE AND NORTH 89°59'02" WEST 1136.30 FEET PARALLEL WITH THE SOUTH LINE OF SAID SECTION FROM THE SOUTH QUARTER CORNER OF SAID SECTION 22; AND RUNNING THENCE NORTH 89°59'07" WEST PARALLEL TO THE SOUTH LINE OF SAID SECTION 1484.42 FEET TO A POINT WHICH IS 33 FEET EAST OF THE WEST LINE OF SAID SECTION; THENCE NORTH 0°11'27" EAST 792 FEET PARALLEL WITH THE WEST LINE OF SAID SECTION; THENCE SOUTH 89°59'02" EAST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1484.52 FEET; THENCE SOUTH 0°11'53" WEST PARALLEL WITH SAID QUARTER SECTION LINE 792.00 FEET TO THE POINT OF BEGINNING.

Petition was certified by the Syracuse City Recorder and notice of certification received by the Syracuse City Council on February 8, 2013. A copy of the complete annexation petition is available for inspection and copying at Syracuse City Office, 1979 West 1900 South, Syracuse, UT 84075, between the hours of 8:00 a.m. - 5:00 p.m. Monday through Friday, except holidays.

Syracuse City may grant the petition and annex the area described in the petition unless, within 30 days after the date of the City Council receipt of the notice of certification, a written protest to the annexation petition is filed with the Davis County Boundary Commission, P.O. Box 618, Farmington, Utah, 84025, and a copy of the protest delivered to the Syracuse City Recorder. The protest period will end March 10, 2013. Written protests may be filed by the legislative body or governing board of an affected entity with the Davis County Boundary Commission between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, except holidays.

Dated this 6<sup>th</sup> day of February 2013.

Cassie Z. Brown, CMC  
Syracuse City Recorder

PUBLISH THREE TIMES: FEBRUARY 10, 17, AND 24, 2013



# COUNCIL AGENDA

March 12, 2013

Agenda Item #7

Recommendation for Award of Contract for 1000 West Street Culinary Waterline Project.

*Factual Summation*

- Please see the attached memo from the Public Works Department. Any questions regarding this item can be directed at Public Works Director Robert Whiteley.



## MEMORANDUM

**To:** Mayor and City Council

**From:** Public Works Department

**Date:** March 5, 2013

**Subject:** Bid Award for 1000 West Street Culinary Waterline Project

**Background:**

This culinary waterline project is one that was identified on our list presented to city council as a high priority due to the age and restrictions the existing 6" lines place on the system. This project will involve the installation of a 12" culinary main on 1000 West & 1290 South, 8" culinary main on 1025 West and full width pavement replacement on 1290 South & 1025 West.

**Schedule:**

The construction will begin as soon as contract documents are in place and will be completed in Spring/Summer 2013.

**Cost:**

The cost for this project came in about \$67,000 less than the estimate. The bid amount for the total project is \$503,252.95 and the funding breakdown is as follows:

Culinary Water Impact Fee: \$298,504.39

Culinary Water Capital Budget: \$150,154.23

Class C: \$54,594.33

**Recommendation:**

We recommend that the bid be awarded to Kapp Companies.



March 5, 2013

Mr. Robert Rice, City Manager  
Syracuse City Corporation  
1979 West 1900 South  
Syracuse, Utah 84075

Re: Recommendation for Award of Contract  
1000 West Street Culinary Waterline Project

Dear Bob:

Enclosed is the bid tabulation for the bids opened March 5, 2013 for the above referenced project. This project will install a 12" culinary water main on 1000 West from 1700 South to the cemetery, a 12" culinary water main on 1290 South from 1000 West to 1100 West and a new 8" water main on 1025 West Street from 1290 South to 1475 South. We will install new asphalt the full width of the road on 1290 South & 1025 West. This project will abandon approximately 2,700 feet of cast iron main.

The low bidder and bid amount are as follows:

Low Bidder: Kapp Companies  
1595 West 3300 South  
Ogden, UT 84401  
Telephone: (801)-393-7360  
Bid Amount: \$503,252.95  
Engineer's Probable Cost Opinion: \$570,000.00

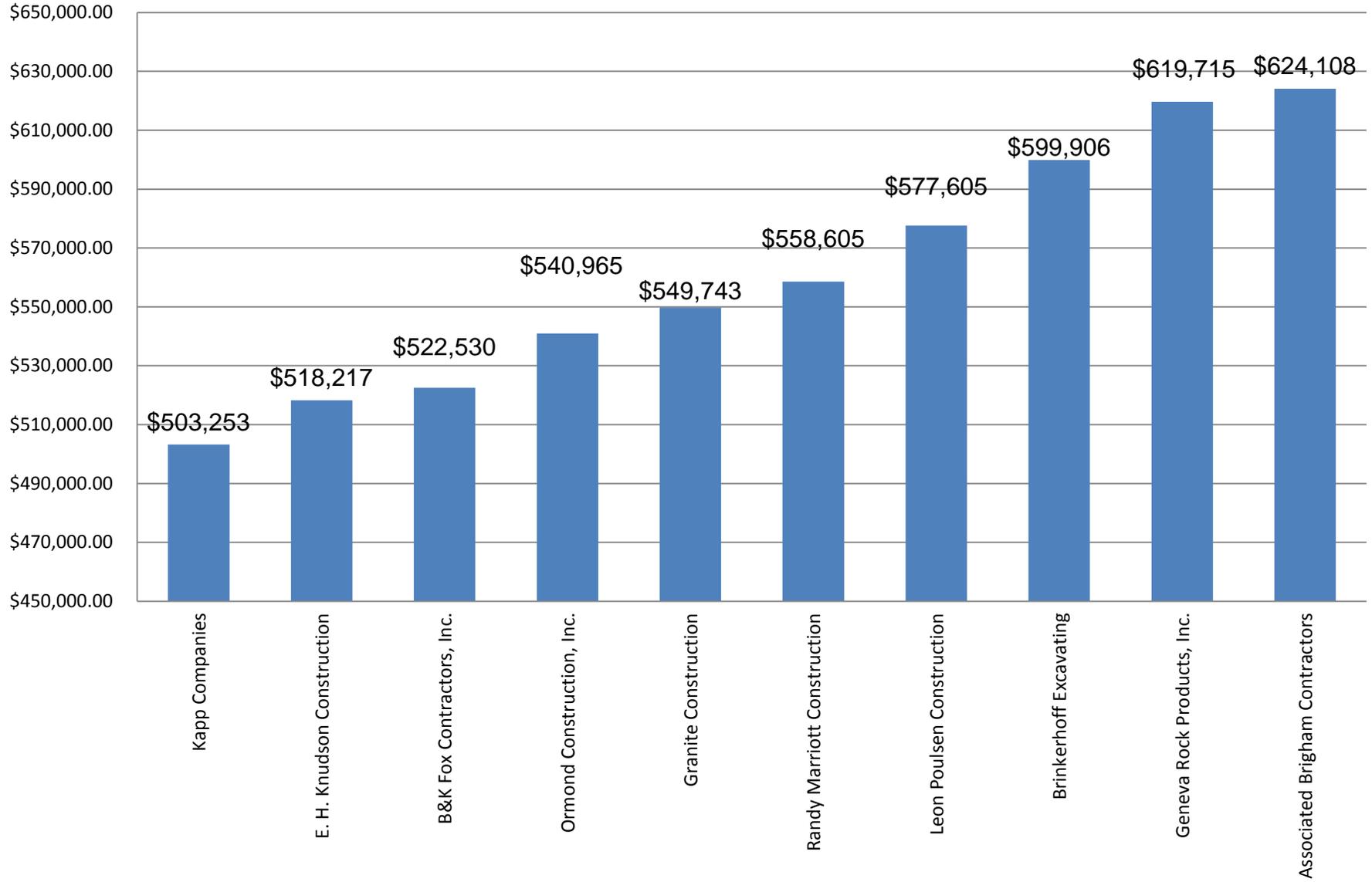
We have reviewed the submitted bid from all bidders and recommend awarding the contract to Kapp Companies.

Sincerely,

Brian Bloemen  
City Engineer

# Bid Tabulation

## 1000 West Street Culinary Waterline Project



# SYRACUSE CITY CORPORATION

## 1000 WEST STREET CULINARY WATERLINE PROJECT

LAST UPDATED:  
JANUARY 13, 2013

DRAWN BY: BB

1000 WEST STREET CULINARY  
WATERLINE PROJECT

COVER

**SYRACUSE**  
EST. CITY 1935



**SYRACUSE**  
CITY 1935

JANUARY 2013

WO 2013-01

SHEET:  
1 OF 14



**1000 WEST STREET CULINARY WATERLINE PROJECT**

**PROJECT QUANTITIES**

Item No.	Description	Unit	Quantity	Unit Price	Extended Price	Culinary Impact Fee		Culinary Capital		Class C	
1	Mobilization, Demobilization & SWPP	LS	1	\$37,000.00	\$37,000.00	0.59	\$21,830.00	0.30	\$11,100.00	0.11	\$4,070.00
2	Traffic Control	LS	1	\$7,088.00	\$7,088.00	0.59	\$4,181.92	0.30	\$2,126.40	0.11	\$779.68
3	Saw Cut Asphalt (Full Depth)	LF	2350	\$2.05	\$4,817.50	2284	\$4,682.20	33	\$67.65	33	\$67.65
4	16" DR-18 C-900 PVC(Blue Pipe)	LF	225	\$43.85	\$9,866.25	225	\$9,866.25		\$0.00		\$0.00
5	12" DR-14 C-900 PVC(Blue Pipe)	LF	2500	\$34.60	\$86,500.00	2500	\$86,500.00		\$0.00		\$0.00
6	10" DR-14 C-900 PVC(Blue Pipe)	LF	50	\$32.50	\$1,625.00	25	\$812.50	25	\$812.50		\$0.00
7	8" DR-14 C-900 PVC(Blue Pipe)	LF	1100	\$23.15	\$25,465.00		\$0.00	1100	\$25,465.00		\$0.00
8	6" DR-14 C-900 PVC(Blue Pipe)	LF	50	\$21.15	\$1,057.50		\$0.00	50	\$1,057.50		\$0.00
9	16"x12" DI FL Tee	EA	1	\$1,900.00	\$1,900.00	1	\$1,900.00		\$0.00		\$0.00
10	12"x10" DI MJ Tee	EA	1	\$869.00	\$869.00	1	\$869.00		\$0.00		\$0.00
11	12"x8" DI FL Tee	EA	1	\$973.00	\$973.00	1	\$973.00		\$0.00		\$0.00
12	12"x8" DI MJxFL Tee	EA	2	\$782.00	\$1,564.00	1	\$782.00	1	\$782.00		\$0.00
13	16" MJxFL Butterfly Valve	EA	1	\$2,834.00	\$2,834.00	1	\$2,834.00		\$0.00		\$0.00
14	12" MJxFL Butterfly Valve	EA	4	\$1,616.00	\$6,464.00	4	\$6,464.00		\$0.00		\$0.00
15	12" MJ Butterfly Valve	EA	1	\$1,660.00	\$1,660.00		\$0.00	1	\$1,660.00		\$0.00
17	8" MJxFL Gate Valve	EA	3	\$1,177.00	\$3,531.00	3	\$3,531.00		\$0.00		\$0.00
17	8" MJ Gate Valve	EA	1	\$1,247.00	\$1,247.00		\$0.00	1	\$1,247.00		\$0.00
18	16"x12" DI FL Reducer	EA	1	\$894.00	\$894.00	1	\$894.00		\$0.00		\$0.00
19	16"x10" DI MJ Reducer	EA	1	\$788.00	\$788.00	1	\$788.00		\$0.00		\$0.00
20	12"x6" DI MJ Reducer	EA	1	\$338.00	\$338.00		\$0.00	1	\$338.00		\$0.00
22	8"x6" DI MJ Reducer	EA	3	\$205.00	\$615.00	1	\$205.00	2	\$410.00		\$0.00
23	10" DI MJ 45° Bend	EA	2	\$486.00	\$972.00	2	\$972.00		\$0.00		\$0.00
24	6" DI MJ 45° Bend	EA	8	\$252.00	\$2,016.00	2	\$504.00	6.00	\$1,512.00		\$0.00
25	Remove & Salvage Existing Fire Hydrant	EA	5	\$304.00	\$1,520.00	2	\$608.00	3.00	\$912.00		\$0.00
26	New Fire Hydrant Assembly On 12" Main	EA	5	\$4,324.00	\$21,620.00	5	\$21,620.00		\$0.00		\$0.00
28	New Fire Hydrant Assembly On 8" Main	EA	3	\$3,884.00	\$11,652.00		\$0.00	3	\$11,652.00		\$0.00
29	Cap Existing Main (All Types & Sizes)	EA	20	\$200.00	\$4,000.00	7	\$1,400.00	13	\$2,600.00		\$0.00
30	Connect To Existing 12" Main	EA	1	\$2,082.00	\$2,082.00	1	\$2,082.00		\$0.00		\$0.00
31	Connect To Existing 10" Main	EA	2	\$1,350.00	\$2,700.00	1	\$1,350.00	1.00	\$1,350.00		\$0.00
32	Connect To Existing 6" Main	EA	4	\$921.00	\$3,684.00	1	\$921.00	3.00	\$2,763.00		\$0.00
33	3/4" Culinary Water Service Connection on 12" Main	EA	23	\$884.00	\$20,332.00	23	\$20,332.00		\$0.00		\$0.00
34	3/4" Culinary Water Service Connection on 8" Main	EA	18	\$743.00	\$13,374.00		\$0.00	18	\$13,374.00		\$0.00
35	3/4" Copper Service Line	LF	738	\$11.65	\$8,597.70	414	\$4,823.10	324	\$3,774.60		\$0.00
36	Reset Water Sampling Station	EA	1	\$1,241.00	\$1,241.00	1	\$1,241.00		\$0.00		\$0.00
37	Remove Existing & Install New Air Vac	EA	1	\$2,747.00	\$2,747.00	1	\$2,747.00		\$0.00		\$0.00
38	Adjust Manhole To Grade & Install Concrete Collar	EA	5	\$315.00	\$1,575.00		\$0.00		\$0.00	5	\$1,575.00
39	Adjust Valve To Grade & Install Concrete Collar	EA	1	\$210.00	\$210.00		\$0.00		\$0.00	1	\$210.00
41	Install "Frog Style" ADA Ramp w/ 1 Truncated Dome Panel	EA	1	\$1,275.00	\$1,275.00		\$0.00		\$0.00	1	\$1,275.00
42	Install "Frog Style" ADA Ramp w/ 2 Truncated Dome Panels	EA	1	\$1,700.00	\$1,700.00		\$0.00		\$0.00	1	\$1,700.00
43	Install 8' Valley Gutter	LF	33	\$67.00	\$2,211.00		\$0.00		\$0.00	33	\$2,211.00
44	Type A1 Foundation Material	TON	200	\$14.60	\$2,920.00	150	\$2,190.00	\$50.00	\$730.00		\$0.00
45	Bedding Material	TON	5223	\$8.90	\$46,484.70	3080	\$27,412.00	2143	\$19,072.70		\$0.00
46	Type A2 Agg. Base Material	TON	1306	\$11.05	\$14,431.30	885.92	\$9,789.42	420	\$4,641.88		\$0.00
47	3" Bituminous Asphalt (1290 South & 1025 West Street)	SF	52400	\$1.63	\$85,412.00		\$0.00	26200	\$42,706.00	26200	\$42,706.00
48	4" Bituminous Asphalt (1000 West Street)	SF	26700	\$2.00	\$53,400.00	26700	\$53,400.00		\$0.00		\$0.00
					\$503,252.95		\$298,504.39		\$150,154.23		\$54,594.33