

Minutes of the Regular Meeting of the Syracuse City Council held on June 9, 2009, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Alan Clark  
Doug Hammond  
Lurlen A. Knight  
Douglas Peterson  
Larry D. Shingleton

Mayor Fred Panucci  
City Administrator Rodger Worthen  
City Recorder Cassie Z. Brown

City Employees Present:

Community Development Director GJ LaBonty  
Police Chief Brian Wallace  
Fire Chief Craig Cottrell  
IT Director TJ Peace

Visitors Present:	David Hall	Lavell Sackett	David Goodsell
	TJ Jensen	Bob Yeaman	Kenneth Hellewell
	Jamie Nagle	Joannie Panucci	Tanna Woods

### 1. Meeting Called to Order/Adopt Agenda

Mayor Panucci 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. An invocation was provided by Councilmember Shingleton and at the request of the Mayor, Councilmember Peterson, led all present in the Pledge of Allegiance.

COUNCILMEMBER KNIGHT MADE A MOTION TO ADOPT THE AGENDA. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

### 2. Approval of Minutes

The minutes of the Work Session Meeting of May 12, 2009 were reviewed.

Councilmember Knight stated that on page nine, line 16, the word hold needed to be changed to hole.

COUNCILMEMBER KNIGHT MADE A MOTION TO APPROVE THE MINUTES OF THE WORK SESSION MEETING OF MAY 12, 2009 AS AMENDED. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

The minutes of the Regular Meeting of May 12, 2009 were reviewed.

COUNCILMEMBER SHINGLETON MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 12, 2009 AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The minutes of the Regular Meeting of May 26, 2009 were reviewed.

COUNCILMEMBER KNIGHT MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF MAY 26, 2009 AS PRESENTED. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

### 3. Public Comments

No visitors present wished to make public comments.

### 4. Councilmember Reports

Councilmember Peterson reported that he attended the meeting held by the Utah Department of Transportation (UDOT) regarding the construction to take place on State Road (SR) 108 otherwise known as 2000 West. He stated that in front of the schools there will be minor work; the best case scenario is that the work will be completed in 50 days with the worst case scenario being 80 days. He stated that UDOT will always try to have one travel lane open in each direction.

Councilmember Clark stated that he wanted to offer his congratulations to those Syracuse residents that recently graduated from Clearfield High School and Syracuse High School. He then added that the Miss Syracuse pageant will be held this Saturday, June 13 and he invited everyone to attend.

Councilmember Knight stated that he also attended the UDOT SR 108 meeting. He stated that a question often asked about road projects is why it is necessary to add new material to a road that has been recently constructed or reconstructed. He stated that a chip seal is often added to a road after it is completed and in the case of SR 108 the

construction will be completed in the fall, but the chip seal may not be added until the Spring of 2010. Mayor Panucci stated that the time lapse between completion of the project and the addition of the chip seal is dependent on each project. He stated that the main purpose of the project in front of the schools is to re-crown the road. Councilmember Knight added that the section of the road in front of his house will be widened.

Councilmember Hammond reported that Syracuse High School recently graduated their first graduating class and he wanted to congratulate the students and their teachers for the fine class that was produced. He stated that the school is a great school. He stated he is aware there are Syracuse City residents that are students at Clearfield High School as well and that school is also a very good school. He then reported that the Council will be reviewing and discussing the tentative FY 2009-2010 budget during the work session schedule to be held after this meeting. He stated everyone is welcome to attend because work sessions are open to the public. He stated that the tentative budget is very crucial to the citizens of Syracuse City; we are all in a time when everyone is hurting and the Council needs to take a look at what they are doing and how they are doing it. He stated the City staff has been reviewing the budget as well. He added that he appreciates input on the budget process.

Councilmember Shingleton also congratulated the graduating classes of Syracuse High School and Clearfield High School. He added that he also wanted to reiterate some things that have been said about the City budget. He stated the budget process is not an easy process and it has caused him and many others several sleepless nights. He stated he wanted the citizens to know that the Council is doing the very best they can and that they have the best interest of the citizens in mind.

#### 5. Mayor Report

Mayor Panucci stated that he also attended the UDOT SR 108 meeting and there were many questions asked. He stated that the project will stretch from Syracuse all the way to West Haven in Weber County. He stated that eventually the road will be five-lanes wide, but during this project it will be widened enough to accommodate three lanes – a traffic lane each way and a turning lane in the middle. He stated the turn lane will solve a lot of problems due to traffic back-ups. He added that UDOT wanted to make it clear that they are not buying any homes to complete this project; they will not purchase land to accommodate the corridor for five lanes because they do not know when that project will take place. He stated that with the \$15 million they are spending to complete the widening project they will only purchase little strips of land that are necessary for the imminent project. He added that no portion of the project is being funded by stimulus money; rather the entire amount is funded by State road funds.

#### 6. Set Public Hearing for June 23, 2009 to consider Proposed Resolution R09-14 adjusting the Syracuse City budget for the Fiscal Year ending June 30, 2009.

Several expenditures have and are still occurring in the FY 2008-09 budget year that were unbudgeted. City Administration is requesting that the Council formally recognize and authorize those expenditures in conformance with State statute. A public hearing must be held prior to Council consideration of the proposed budget opening. In order to meet noticing requirements, the Public Hearing can be set for June 23, 2009. A list of all expenditures that need to be reconciled will be provided to the Council prior to the public hearing.

Mayor Panucci stated this is a common practice any time an entity is responsible for a budget that spans an entire year. He stated the Council will open the budget and make necessary adjustments.

COUNCILMEMBER KNIGHT MADE A MOTION TO SET PUBLIC HEARING FOR JUNE 23, 2009 TO CONSIDER PROPOSED RESOLUTION R09-14 ADJUSTING THE SYRACUSE CITY BUDGET FOR THE FISCAL YEAR ENDING JUNE 30, 2009. COUNCILMEMBER HAMMOND SECONDED THE MOTION; ALL VOTED IN FAVOR.

#### 7. Request to be on the agenda – Kimber Hunt representing The North Davis Reporter.

Ms. Hunt requested a slot of time on the City Council agenda to discuss potential positive media story ideas with the Governing Body. Her request was provided to each member of the Governing Body in their packet.

Ms. Hunt was not present.

COUNCILMEMBER KNIGHT MADE A MOTION TO MOVE ITEM SEVEN TO THE END OF THE AGENDA. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Proposed Ordinance 09-09 amending various sections of Title Ten (X) of the Syracuse City Municipal Code pertaining to land use.

From time to time additions, deletions and amendments are required to current ordinances in order to clarify or rectify deficiencies in these ordinances. This latest amendment to Title X addresses several issues including:

- Floor plan requirements for Site Plan reviews
- Definition of visibility triangles at intersections
- Off-street parking requirements for residential subdivisions
- Billboard definitions and limitations
- New Town Center Overlay Zone

The language for all of the proposed amendments to Title X is included in your packet as 'Exhibit A'. New language is shown in red, deleted language is shown as strike-out.

Mr. LaBonty reviewed his memo relative to the proposed Ordinance. He stated that some of the necessary changes being made via this Ordinance have been pointed out by developers and others have been noticed by staff.

Mayor Panucci asked if staff is recommending widening the Town Center overlay zone. Mr. LaBonty reviewed the graphic highlighting the Town Center overlay zone and he explained that the Redevelopment Area was created it was done at approximately the same time as the creation of the Town Center Master Plan. He stated that the overlay zone did not truly encompass the entire Town Center area and when developers approached the City regarding potential developments he could not enforce the Town Center guidelines because the property they wished to develop was outside of the zone. He stated that the Town Center Master Plan document does not geographically define the Town Center zone and the changes being made via this Ordinance will provide that definition. He then pointed out the area of the City that the new Town Center zone will encompass. He stated that the northeast corner of 2000 West and 1700 South was not included in the old Town Center zone, but one could infer that it was supposed to be included. He stated that these changes will clearly define the parcels included in the zone, but they will not affect any of the current zoning in the underlying areas.

Councilmember Hammond asked if the Town Center zone guidelines will be applied to professional and commercial uses. Mr. LaBonty stated that any type of use to be located in the zone will be held to the Town Center Master Plan standards.

Mayor Panucci stated that he would like to call the Town Center zone an overlay zone. He then stated that developers wishing to develop outside of the zone would need to appear before the Architectural Review Committee (ARC). Mr. LaBonty stated that is correct and he added that the Planning Commission is working on commercial design standards that will be applied by the ARC. He stated that the Town Center Master Plan is not his document and he has no way to enforce its standards against any development that is not in the zone.

Councilmember Knight asked why the Town Center Zone did not stretch all the way to 500 West in order to encompass the area around the Smith's Grocery Store development. Mr. LaBonty stated that zone was defined via his interpretation of the Town Center Master Plan document and from listening to the Planning Commission. He stated that there was an indication that the theme of the Town Center development was to be different from other developments. He added that the Council has the right to change the boundaries if they so choose. Councilmember Knight stated that it would benefit the City to ensure that the development near Smith's will look good. He stated that currently some people have a hard time distinguishing between land located in Syracuse City and Clearfield. Mayor Panucci agreed and stated that he would not mind seeing the boundary of the zone stretching all the way to the eastern border of the City.

Mr. Worthen explained that the Town Center Master Plan is a planning document that will be used to plan the development of the land. He stated that the underlying zones will still be applicable. He stated that government entities use overlay zones to add requirements to a development; the underlying zone is still present, but the overlay zone increases requirements. Councilmember Clark stated that could potentially mean that a developer's costs may increase. Mr. Worthen stated that is correct; the design guidelines or landscape guidelines could be more involved and cause costs to rise. Councilmember Clark added that he had heard there were some issues with the development near the Pizza Factory; the developer was having a hard time acquiring tenants because of the amount of money he would need to charge for rent with the additional construction requirements. He stated that if design standards are increased in all developable zones in the City, costs, such as rent, would be higher. Mr. LaBonty added that the commercial design guidelines could be similar to the Town Center guidelines, but not be as stringent. He stated that an example is that Tanner Clinic has approached the City and requested approval to install a new sign; the type of sign they wanted would not have been permitted in the Town Center zone.

Councilmember Hammond stated that the western portion of the overlay zone extends down Antelope Drive but does not extend to the south side of Antelope Drive and he asked why that was. Mr. LaBonty stated that the property not included in the zone is not developable commercially. Mr. Worthen stated that the lots on the south side of Antelope Drive

are not deep enough to develop commercially. Councilmember Hammond disagreed and stated that the property should be added because whatever type of development takes place on the South side of Antelope Drive it will front the street. Mr. LaBonty asked if the Council wanted all lots fronting Antelope Drive to be included in the zone, to which Councilmember Hammond answered yes. Mr. LaBonty added that the zone will extend to 2500 West.

Councilmember Clark stated that page six, items two and three use arbitrary words, such as adversely, that can not be clearly defined. Mr. LaBonty agreed and stated that he thought that most of that type of language had been struck. Councilmember Clark stated item three uses the term 'appealing character'. He stated that term is not clearly defined, thus leaving it to the reader to interpret their own meaning. Mr. LaBonty agreed and stated that that type of language should be removed.

Mr. LaBonty then stated that he and the Planning Commission will revisit the Town Center Master Plan and incorporate some new design guidelines, including photographs of architecture the Commission would like to see. He stated the Town Center Master Plan is now seven years old and a review is needed.

Councilmember Peterson stated that page five, item D2 says that buildings may only be vacant for a period of 3.5 years before any action is taken. He asked where 3.5 years was derived from. Mr. LaBonty stated that language was already present in the commercial C2 zone language. Councilmember Knight added that the vacancy limit of 3.5 years was defined during the Wal-Mart project.

Councilmember Peterson stated page three, item G1, states that billboards are usually eight feet wide by four feet tall and he asked why it is necessary to include the dimensions of the billboard. Mr. LaBonty stated that the size can be stricken because all the Commission was trying to do was to define what constitutes a billboard.

Councilmember Knight stated that page four, item C includes the term 'excessive contaminants' and he recommended removing the word 'excessive' because it would be hard to determine what excessive means. Mayor Panucci asked if there is a grease trap that can prevent all contaminants from entering the sewer system. Councilmember Knight stated that no grease should be allowed to enter the sewer system, but by saying 'excessive contaminants' are prohibited one could infer that a certain amount is allowed.

Councilmember Hammond stated that pages one and two of the document reference the visibility triangle and it appears that one of the dimensions of the triangle is changing from 11 feet to 40 feet. He asked how that change will affect current developments. Mr. LaBonty explained that the Planning Commission desires to affect the corners of streets within commercial zones. He stated that he did a small sampling of residential lots and he did not see any that would be in violation of this change and if they are in violation, they would be 'grandfathered' and not be subject to the new changes. Councilmember Hammond stated there was a resident that came to the City recently who had trees planted in his park strip that are not trees included on the approved street-tree list. He stated that he did not want to see residents affected in that same manner relative to plants. He stated that he felt that this change should only be applied in commercial zones. Mr. LaBonty stated it will only be applied in commercial zones.

Councilmember Hammond stated page two of the draft language deals with off-street parking provisions and it states that additional off-street parking areas are required in residential zones and subdivisions that meet certain criteria. He stated that the section also states that home owners associations (HOA) are required to maintain all off-street parking areas within the subdivision. He asked if that language excludes private driveways in HOA communities. Mr. LaBonty stated that the intent was to apply these provisions to public parking spaces. Councilmember Knight inquired as to the thought behind this recommended change. Planning Commissioner Kenneth Hellewell approached the Council and explained the Planning Commission wanted to have certain areas set aside for additional parking. He stated that the provisions will only apply to streets that are less than 35 or 30 feet wide, depending on whether the road has curb and gutter. Mayor Panucci asked how wide the streets are in the Linda Vista subdivision. Mr. Worthen stated those streets measure anywhere from 25 to 35 feet. Mayor Panucci asked if that meant that if Linda Vista subdivision were built today the developer would be required to provide additional parking areas, to which Mr. Worthen answered yes. Councilmember Knight asked if the goal is to eliminate on-street parking except for in designated areas, to which Mr. Hellewell answered yes. He stated doing so would assist traffic flow and beautify subdivisions. Mayor Panucci asked if there is a reason that the Commission included a maximum number of parking stalls per dwelling unit. Mr. Hellewell stated that the Commission felt it appropriate to include a maximum. Mr. Worthen added that a minimum of one stall per two dwelling units may be excessive; that would mean that in a 40 unit development there would be an additional 20 parking stalls to be provided by the developer. He stated that seems somewhat high to him. Mayor Panucci added that not many developers would be interested in providing more than the required minimum amount so it is not really necessary to include a maximum number of stalls. Councilmember Clark stated that in the case that he has an event at his house there may be four to six cars in need of parking and if the minimum were reduced it would be much easier for the number of cars to exceed the number of provided spaces. Mr. LaBonty reminded the Council that these provisions will only apply to subdivisions with streets that are 30 feet wide or less. Mr. Hellewell then added that Planning Commission Chair Whiteley prompted this discussion by stating that he has found several instances

where he has been driving down a road that has cars parked on both sides and that situation causes accidents or near accidents. He stated this new language is a way to allow for increased parking in those subdivisions with narrower streets and increase safety. Mayor Panucci stated he is comfortable with the minimum of one stall per two dwelling units, but he felt the maximum could be taken out. He then added that existing developments will not be affected by this new language. Councilmember Hammond asked if staff new of any developments in the 'pipeline' that would be affected by this new language. Mr. Worthen stated there are no developments that he is aware of.

COUNCILMEMBER KNIGHT MADE A MOTION TO ADOPT PROPOSED ORDINANCE 09-09 AMENDING VARIOUS SECTIONS OF TITLE TEN (X) OF THE SYRACUSE CITY MUNICIPAL CODE PERTAINING TO LAND USE, WITH THE FOLLOWING CHANGES:

- PAGE SIX, SECTION 10-20-060(E) STRIKE ITEMS ONE (1) AND TWO (2);
- PAGE FOUR, SECTION 10-20-060(C) STRIKE THE WORD 'EXCESSIVE';
- PAGE TWO, 10-7-080(B)(2)(a) STRIKE 'AND A MAXIMUM OF ONE STALL FOR EACH DWELLING UNIT';
- PAGE TWO, 10-7-080(B)(2)(f) ADD THE WORD 'PUBLIC' IN FRONT OF 'OFF-STREET PARKING';
- PAGE 3, 10-8-030(G)(1) STRIKE THE LANGUAGE 'IS USUALLY LARGER THAN EIGHT FEET BY FOUR FEET (8' x 4') IN SIZE'.

COUNCILMEMBER SHINGLETON SECONDED THE MOTION AND THE FOLLOWING ROLL CALL VOTED WAS TAKEN: VOTING "AYE" – COUNCILMEMBERS CLARK, HAMMOND, KNIGHT, PETERSON, AND SHINGLETON. VOTING "NO" – NONE.

7. Request to be on the agenda – Kimber Hunt representing The North Davis Reporter.

Ms. Hunt requested a slot of time on the City Council agenda to discuss potential positive media story ideas with the Governing Body. Her request was provided to each member of the Governing Body in their packet.

Ms. Hunt was still not present.

COUNCILMEMBER KNIGHT MADE A MOTION TO REMOVE THE ITEM FROM THE AGENDA. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. City Administrator Report.

Mr. Worthen reported that the City's Public Works Director performed an inspection with the contractor for the roundabout project and they found 20 items that need to be taken care of. He stated that it will be necessary to close the intersection for one more day to apply a slurry seal and strip the road. Councilmember Peterson asked what type of landscaping will be installed in the middle of the roundabout. Mr. Worthen stated that is still being discussed, but landscaping that requires very little maintenance will be used. He then reported the project was completed under the budgeted amount and he added that there is still one light pole to be installed. He stated the project on the whole has been a success.

At 8:01 p.m. COUNCILMEMBER KNIGHT MADE A MOTION TO ADJOURN. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

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Fred Panucci  
Mayor

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Cassie Z. Brown, CMC  
City Recorder

Date approved: June 23, 2009