

Minutes of the Regular Meeting of the Syracuse City Council held on October 27, 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:  
IT Director TJ Peace  
Finance Director LaMar Holt  
Detective Cory Bybee

Visitors Present:	Dustin Hill	Zak Uhl	Wes Rendon
	Brock Johnson	Jared Watson	Larry Waite
	Kevin Nagle	Hilary Peterson	Cheryl Peterson
	Shalese Norton	Mike Harrell	Dallas Davies
	Ashley Hunzeker	Mark Hunzeker	Josh Vasquez
	Aubrey Price	Trevor Richardson	Brad Herdt
	Trish Herdt	Chris Choi	Ashlie Watts
	Daxton McCain	Bob Yeaman	Megan Gibson
	Will Backus	Grady McBea	Jake Hill
	Carolyn Beeston	Andrew Beeston	Kris Orton
	Danny Gongara	Ian Davis	Mike McBride
	Chelsea Laviguer	Theresa Sheffield	Katie VanSant
	Emily Taylor	Wally Peterson	Adam Frei
	Matt Kimmel	Shandee Fergeson	Jordan Montgomery
	Tanna Woods	Bob VanVelkinburgh	Jeanne VanVelkinburgh

### 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, Boy Scout Quinn Spackman representing Boy Scout Troop 309, led all present in the Pledge of Allegiance.

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

### 2. Approval of Minutes

The minutes of the Work Session Meeting of October 13, 2009 were reviewed.

Councilmember Knight stated that he wanted to amend page eight, line 18 of the minutes to include all criteria that would be considered when determining which employees should be subject to a layoff. He added that he would like the name of Ogden City's policy added to the minutes for reference. He provided a copy of the policy to City Recorder Brown.

COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES OF THE WORK SESSION MEETING OF OCTOBER 13, 2009 AS AMENDED. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

The minutes of the Regular Meeting of October 13, 2009 were reviewed.

COUNCILMEMBER HAMMOND MADE A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF OCTOBER 13, 2009 AS PRESENTED. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

### 3. Public Comments

Theresa Sheffield, 1087 Coventry Circle, stated that she is present this evening to address Mayor Panucci. She stated that it was brought to her attention that one of her campaign signs was misplaced near the roundabout intersection at 2700 South and Bluff Road. She stated that she was not sure why the Mayor could not have simply called her on the telephone and ask her if she had permission to place the sign where it was placed instead of causing seven City employees to

work on the issue, which was irresponsible and a frivolous expenditure of City money. She stated that she would have been happy to work with Mayor Panucci in a respectful manner to resolve the issue, but instead several hours and dollars have been wasted in a time when the City is trying to function within a very tight budget. She stated she was disappointed in the way the issue was handled and if Mayor Panucci has any future questions about her campaign he can call her directly.

Mayor Panucci stated that it does not matter whose campaign sign it was; the City is charged with making sure that rules and laws are followed. He stated it was not clear whether the sign was placed on City property or on private property. Ms. Sheffield reiterated that she felt that the issue could have been resolved via a simply phone call to her. She stated she could have told him who gave her authorization to place the sign.

City Administrator Worthen added that it was he who asked for assistance from other City employees to determine if the sign was located on City property or private property. He stated the answer to that question could not be easily reached and it took some research by a couple of City employees to get an accurate answer.

Wally Peterson, 2401 S. Bluff Road, stated that he has three items that he would like to quickly address. He stated that first he wanted to thank the City, and more specifically the Recreation Department, for their production of the Pumpkin Walk; it was great as usual and the weather cooperated. He stated the Recreation Department deserves a 'big thank you' for all they have done. He then stated that the second item he wanted to address was a piece of mail he received recently. He displayed a gold-colored post card and explained that the return addressee on the postcard is a group calling themselves the Syracuse Area Senior Citizens. He asked the Councilmembers if they had also received one of the postcards in the mail. He then provided each Councilmember and the Mayor with a copy of the postcard. He stated that he was appalled when he received the postcard in the mail. He stated he is a senior citizen and he was surprised that the postcard was sent to promote a particular Mayoral candidate. He stated that he was concerned that the City was responsible for the postcard so he visited with the City's Senior Program Coordinator, Tiffany Vigil, and she did not know anything about the postcard. He stated he has not been able to find out where the postcards originated from. Mayor Panucci stated that he understands Mr. Peterson's concerns, but asked Mr. Peterson what he wanted the Council to do. Mr. Peterson stated that the postcard is a misrepresentation; the way the postcard is worked would lead people to believe that the City or all senior citizens in Syracuse are promoting a certain candidate. He stated that he felt the Council needed to add some 'teeth' to their ordinances in order to pursue such items of misrepresentation and he felt that whoever is responsible for the postcard should be severely reprimanded. He then stated that the third item he wanted to discuss this evening is the construction of a new car wash in Syracuse City. He stated that it is hard for him to go anywhere recently without someone asking him what he thinks about the carwash situation. He stated that he thought that Councilmember Hammond's guest commentary article in the Standard-Examiner was great and if he was still on the City Council he would have made his decision about the car wash based on the business, not based on whether the owner of the carwash is the son of one of the other Councilmembers. He stated that projects should be considered based on their merit, period. He then stated he would also like to address an issue raised by Ms. Sheffield. He stated that he would personally like to thank the Council and the Mayor for the time and effort that they put into making Syracuse a great place to live. He stated that sometimes when reading the newspaper residents may come across negative articles about Syracuse City, but it really is a great place to live and he appreciates the time and effort the Governing Body puts into making that so.

#### 4. Councilmember Reports

Councilmember Peterson stated there are a lot of things going on lately. He stated that last week there was a "Meet the Candidates" event; the Pumpkin Walk, and the City's First Annual Volunteer Day. He stated that he attended the Pumpkin Walk and the Volunteer Day and both events went well. He wanted to offer thanks and kudos to City staff that were involved in the organization of both events. He also thanked the citizens that attended the events.

Councilmember Clark stated that he also wanted to thank those citizens that participated in the Volunteer Day and the Pumpkin Walk. He stated that the night that he went to the Pumpkin Walk the crowd was not as large as it has been in the past and he wondered if that is a result of the discontinuance of the mailing of a paper copy of the newsletter to each household in the City. He stated that he would like for the City to find a way to ensure that more people are receiving an electronic copy of the newsletter. He stated he would like to propose that an item be added to a future agenda to allow the Council to discuss with staff the issue of the dissemination of information. He encouraged everyone in attendance this evening to visit the City's website and sign-up to receive an electronic copy of the newsletter. He asked them to encourage their families and neighbors to do the same. He then stated that this morning he attended a meeting of the Wasatch Integrated Waste Management District (WIWMD) and they announced that on November 4 there will be a groundbreaking ceremony for the future recycling center at the landfill. He stated the project should be completed sometime in April 2010. He stated that the landfill is currently receiving recyclables and some household waste, but this project will increase and improve that practice. Mayor Panucci asked if there has been any more discussion about implementing a county-wide recycling program. Councilmember Clark stated there has not been much talk about that issue as of late; there are limited resources and there was

not a great market for such a program in the county. He stated that the construction of a recycling center will somewhat take the place of a county-wide recycling program. He stated that the WIWMD had stayed out of the recycling discussion because many communities are implementing their own programs.

Councilmember Knight stated that he wanted to thank all the citizens who participated in the Volunteer Day projects. He then stated that he wanted to read the results from a statewide Utah League of Cities and Towns (ULCT) survey regarding how communities are dealing with the downturn in the economy. He reported that 41 percent of cities and towns have decreased infrastructure spending; 41 percent have restricted employee travel; and 35 percent are using 'rainy day funds'. He stated Syracuse City has done all of these things as well, but there is currently no rainy day fund available to use. He stated that one-third of cities and towns are decreasing the size of their staff and their budgets are reduced by 13 percent compared to a year ago. He stated that some of the things the City is facing seem to be common in other cities as well and that is largely due to the reduced sales tax dollars being generated statewide. He stated if sales tax revenues continue to decline the cities facing these issues will continue to increase. He then stated that he wanted to report that the selection of new youth court members is nearing completion. He stated he is not sure how many residents are aware of the existence of the youth court and he explained that it is operated by the youth of the community with oversight from advisors. He stated that for a person to be allowed to go to youth court they must admit guilt and they are assigned their punishment and appropriate restitution by other youth in the community. He stated he wanted to compliment those that oversee youth court because they do it with no compensation and they do a great job.

Councilmember Hammond stated that he had the opportunity to participate in the Volunteer Day project that took place at Jensen Park and on the City's trail system. He stated there were just a few people at that particular project, but there were a number of residents that participated in projects throughout the City. He agreed with Councilmember Clark and stated that somehow the City needs to figure out how to better communicate with citizens and he would be open to discussing options in the future. He reported that last Saturday the Syracuse Museum honored the Thurgood Family, who has been longtime residents of the City. He stated that the event was something the Museum had been planning for some time and there were a number of participants and attendees. He stated that if residents have not had a chance to visit the Museum they are missing out and they need to plan a visit. He stated it is a great institution and they do a great job with their tours and explaining the history contained there. He added that there is a lot of time and effort put into the organization of the Pumpkin Walk and he thanked those that were responsible for the event. He stated he had an opportunity to explain what the Pumpkin walk is to a non-resident and they were amazed by the event and that it has been taking place for some many years.

Councilmember Shingleton stated that he participated in the Legacy Park project on Volunteer Day. He stated there was a large piece of ground that was plowed and stakes were pounded into the ground to set up garden spots for the community garden. He stated each garden plot will measure 20 feet by 20 feet. He stated there were about 12 or 13 people assisting on the project and the Public Works Director commented that it would have taken his crew three days to complete the project without all the help of the volunteers. He congratulated the City employees and all the volunteers for all the work that was accomplished that day. He stated that he hopes it will be possible to get the word out about future Volunteer Days. He added that he also attended the Pumpkin Walk and it was a great event as well. He also reported that approximately one month ago the Museum hosted their last Farmer's Market of the season and there were many other activities happening at the City that day as well. He stated there are many things for visitors of the Museum to do and he encouraged all residents to visit the Museum.

## 5. Mayor Report

Mayor Panucci asked how many people in Syracuse are aware that there used to be a dance hall in Syracuse City out on the edge of the Great Salt Lake. He stated it is true that there was once a dance hall at the end of Antelope Drive and over 30,000 people a year visited the dance hall in the 1800's. He added that the City also used to be home to a rail spur that ran through Syracuse City right down to the waters edge where salt, sugar beets, and sugar cane were harvested. He stated these are all things that one can learn by visiting the Museum. He stated he would highly encourage everyone to visit the Museum and learn about the roots of the community and how the City developed over the years. He then stated that much has already been said about Volunteer Day; it was a great event for the community, but the thing about volunteers is that they must be managed and organized and City Staff, namely Public Works Director Waite, did a great job of that and they deserve to be complimented for their efforts. He stated that together, everyone that participated in the event got a lot of work done. He then stated that he attended the recent monthly Council of Governments (COG) meeting, which was held at the Syracuse Community Center. He stated the COG consists of all Mayors in Davis County, County Commissioners, members of the Davis School District Board, and representatives of other government entities. He stated that the group received a presentation regarding the swine flu and the bottom line is that there are not going to be enough vaccinations against the virus until after the virus has already infected residents in the City. He stated that those in charge of distributing the vaccine are going to make sure that first responders and those in high risk categories are vaccinated first. He stated that he hoped that the

amount of vaccinations available will continue to increase giving residents more opportunities to be vaccinated. He stated that if anyone is part of a high risk category they should contact the County Health Department for information on how to get vaccinated. He encouraged parents to keep sick children home from school to prevent the virus from moving through the entire community. He then stated the Pumpkin Walk was a success, though the attendance numbers were not as high this year as they have been in past years. He agreed that it may be necessary to reevaluate the decision to quit sending paper copies of the newsletter to each household in the City. He then stated that he wanted to thank the owner of the new Wendy's restaurant being constructed in the City; he donated all the chili that was sold as a fundraiser at the Police Department trailer. He stated he is looking forward to having Wendy's as part of the community. He added that the Iceberg restaurant is also being built as is a new carwash. He stated that he received a call from a reporter from the Standard-Examiner who was seeking to write an article about some of the vacant commercial spaces in the City. Mayor Panucci stated he was puzzled as to why the reporter was focusing on the problem in Syracuse when the same situation can be found in most cities across the country. He stated that he explained that Syracuse City still has construction occurring and new businesses will be opening soon. He stated that growth has absolutely slowed down, but that has happened everywhere. He stated that the reporter asked him why businesses have opened and then, shortly thereafter, closed their doors. He stated that he explained to the reporter that is something that typically happens in any new commercial centers in a developing community, which Syracuse is. He stated that if a business decides to sell ice cream cones for \$4.00 each, they are probably going to struggle. He stated that the City does not tell businesses how to manager their business; that is what has made America a great place to live. He stated government is supposed to stay out of private business affairs and let business owners do things the way they want to. He stated that he felt that he talked the reporter out of focusing on the issue in Syracuse. Councilmember Knight stated there was a recent article in the Standard-Examiner about the issue. Mayor Panucci stated that the article did not focus solely on Syracuse City businesses. Councilmember Knight disagreed and stated that Syracuse was the only city mentioned in the article. Mayor Panucci stated that last month the City issued 16 building permits, which is more permits than were issued at this time last year. He then reported that the City has been informed that it will be receiving an award of a \$350,000 grant to expand or improve the City's secondary water system. He stated that the money will be used to increase the size of the secondary water line running along Bluff Road from Jensen Park to the roundabout at 2700 South and 2000 West. He stated the City has wanted to do this project for some time and this grant funding will ensure that the project is completed sooner than it would have been otherwise. He stated the City's lobbyist in Washington, D.C. have told him that the City should have the money before the end of the year, which will enable the City to work on the project while secondary water is shut off. He stated that completion of the project will mean that the City will not be forced to implement an alternate watering schedule for residents. He stated this grant will be added to a list of several large grants that the City has been successful at receiving to improve the City's secondary and culinary water systems.

## 6. City Administrator Report

Mr. Worthen thanked the Public Works Department for their organization of and participation in the City's first Volunteer Day. He then reported that he met with the Administrative Office of the Courts regarding an upcoming software conversion that will be implemented in all courts statewide. He stated that the conversion was mandated by the State Legislature to ensure that all courts throughout the State are using the same record keeping system. Councilmember Knight stated that he spoke to the City's Justice Court Judge, Judge Bean, and he told him he likes the new software very much. Mr. Worthen stated that is correct and he added that he has been pleasantly surprised by the ease of the conversion. Mayor Panucci stated that the good thing about the conversion is that Syracuse City is not the first city to receiving the new software; it has been implemented and tested in other cities. Mr. Worthen stated that is correct and he added that he will include an agreement regarding the conversion on an upcoming agenda for Council approval. He added that he also received a letter of intent regarding the State's strategic transportation plan. He stated that he will provide each member of the Governing Body of a copy of the letter, which outlines the roads that the City would like to have added to the plan. Councilmember Knight asked when the City will be informed of whether the roads have been added to the plan. Mr. Worthen stated the City will be informed early in 2010. He then stated that he has been in discussions recently with David Hall from the new charter junior high school regarding a private/public partnership to construct a portion of the west end of Freemont Park. He stated that the school wants to develop the property immediately north of the City's Fire Station to include two small soccer fields. He stated the school has committed to complete the grading, irrigation, and landscaping of the area at their own expense if they are granted priority in using the area. He stated that he has expressed his concerns to Mr. Hall about the project and Mr. Hall was willing to address his concerns. He stated that he will bring more information to the Council once it is available. He then stated that he wanted to congratulate Geneva Rock for completing the work on the detention basin behind the Police Station prior to the Pumpkin Walk event. He stated that the detention area will manage all storm water diverted from Antelope Drive. He stated that Geneva Rock has informed the City that they must complete some mandatory heavy equipment training with their employees and they asked to use the Freemont Park property to do that

training. He stated the site has historically been used to stockpile dirt and Geneva Rock will grade the dirt piles and complete the rough grade in preparation for future development, all at no cost to the City.

7a. Set Public Hearing for December 8, 2009 to consider declaring lot 432 of the Rock Creek Subdivision as surplus property to be disposed of via a formal bid process.

Syracuse City recently completed the initial development of Rock Creek Park phase two. Currently, there remains unfinished title work as a result of a new road and the park development. Namely there are two issues that need to be managed as follow-up on the surplus parcel; the two affected lots, and the roadway development.

First as part of the park development the City constructed a new street connecting the east end of Rock Creek subdivision to St. Andrews Drive. This was done to improve neighborhood mobility, provide access to the park, and enhance safety response efforts. The road is currently operational, however, the City and two adjoining landowners need to finalize and ultimately approve an amended plat identifying the new street and property line adjustments. This work will involve a title company to properly record the transfer of the old street to the landowners and update the respective mortgage lenders on each parcel. The amended plat (Rock Creek Phase 4 Amended) will also dedicate the new roadway as a public right of way to Syracuse City.

Second the City needs to establish the remaining parcel of property identified as lot 432 as surplus property. By so doing the City can then obtain a certified appraisal to establish a base value on the property and eventually accept closed bids for the future sale of the land. The sales proceeds would be returned to the City's park land purchase fund. In order to declare the land surplus, a public hearing needs to be established to allow the public to comment. In the meantime, City staff will be working with the Planning Commission to review the amended plat and obtain their recommendation for the Council's future consideration and approval.

At this time staff recommends the Council set a public hearing for the purpose of declaring the parcel surplus property. The hearing may occur during the City Council meeting to be held December 8, 2009. Upon completion of the hearing the City Staff will begin working with a local title company to complete the necessary title work on the three lots affected by the park development and ultimately record the amended plat.

COUNCILMEMBER HAMMOND MADE A MOTION TO SET PUBLIC HEARING FOR DECEMBER 8, 2009 TO CONSIDER DECLARING LOT 432 OF THE ROCK CREEK SUBDIVISION AS SURPLUS PROPERTY TO BE DISPOSED OF VIA A FORMAL BID PROCESS. COUNCILMEMBER KNIGHT SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Proposed Ordinance 09-15 amending the existing zoning map of Syracuse City by changing from Residential Zone R-3 to Residential Zone R-2 the parcel of property located at approximately 2429 S. 1950 W.

The applicant requesting the rezone appeared before the Planning Commission on October 20, 2009. The land in question is approximately .20 acres in size and is located at 2429 South 1950 West. The parcel of land is currently zoned R-3 Residential and the applicant would like it to be changed to R-2 Residential. This change is consistent with the current City General Plan. The applicant plans on doing a subdivision plat amendment by combining this parcel of land with a building lot that they own directly south of the parcel in question. City Staff has reviewed this application and feels the applicant has met all of the requirements of the Syracuse City Land Use Ordinance (10-4-070), specific to paragraph "E" (Approval Standards). Notices were sent to the Standard Examiner and to property owners within a 300' radius of the proposed land 10 days before the Planning Commission meeting. A Public Hearing was held at this same meeting; there were no public comments.

Mr. Worthen reviewed the staff documentation regarding the rezone request as well as the map of the area in which the property is located. He explained that the applicant wants for both parcels of property to be assigned the same zoning designation. Mayor Panucci asked why that is necessary. Mr. Worthen explained that the property owner wants to join the two parcels as one and in order to do that both parcels must be assigned the same zoning designation.

COUNCILMEMBER KNIGHT MADE A MOTION TO ADOPT PROPOSED ORDINANCE 09-15 AMENDING THE EXISTING ZONING MAP OF SYRACUSE CITY BY CHANGING FROM RESIDENTIAL ZONE R-3 TO RESIDENTIAL ZONE R-2 THE PARCEL OF PROPERTY LOCATED AT APPROXIMATELY 2429 S. 1950 W. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

9. Proposed Ordinance 09-16 amending various sections of Title Ten of the Syracuse City Municipal Code pertaining to land use.

From time to time additions, deletions and amendments are required to ordinances in order to clarify or rectify deficiencies in the ordinances. This latest amendment to Title X addresses the following:

- Accessory Buildings and Structures setbacks for corner lots
- Lot and Yard Regulations
- Wireless Telecommunications

The language for all of the proposed amendments to Title X is included as exhibit "A" to Ordinance 09-16.

Mr. Worthen reviewed the staff documentation regarding the proposed changes to Title Ten. He stated that one of the recommended changes deals with lot and yard regulations and homes that are bound by open areas in certain developments managed by a homeowner's association (HOA). He stated that some property owners would like to construct accessory buildings in their backyards, but their backyards may be too small. He stated that the ordinance states that if the property is adjacent to an open area un-delineated by a fence or formal landscaping, the construction of an accessory building would be allowed. Councilmember Knight asked if someone receiving permission to build an accessory structure according to this ordinance would be denied the right to install a fence in the future. Mr. Worthen stated that is possible; there are very unique developments where that may happen. He stated most residents living in developments managed by HOAs typically have very small backyards. He stated there is an HOA development near the roundabout at 2700 South and 2000 West where homeowners have built garages or other accessory structures behind their property lines so they are essentially located in the HOA managed property. He stated these ordinance changes are being recommended to address those issues. Councilmember Knight asked if the Council should add additional language to the ordinance to dictate that people that add decks or accessory structures to their homes will later be prevented from erecting a fence. Mr. Worthen stated that type of language could be added, but the City would normally rely on the active enforcement of HOA requirements by the HOAs themselves. He stated that the HOA near the golf course does not allow any of their residents to install fences. Mayor Panucci asked what would happen if the HOA dissolves and there is no longer a body responsible for enforcing the HOA rules. Mr. Worthen stated that the ordinance stipulates that there be an active HOA to enforce the HOA rules. Mayor Panucci asked if the term 'active HOA' is defined in the ordinance. Mr. Worthen stated he was not positive that 'active HOA' was defined within Title Ten. Mayor Panucci stated he wanted to make sure that definition is included in the ordinance. Mr. Worthen then stated that the City will not get involved in HOA management and it never will. He stated that other cities, such as South Jordan, require HOAs to submit annual reports regarding their status; some cities send a form letter to the HOA board and the HOA board responds with their status. Mayor Panucci stated he would like staff to draft an ordinance mandating that type of practice in the City. Councilmember Knight stated that even if there is an active HOA that approves something and that HOA later dissolves, something they approved could be out of compliance. Councilmember Clark stated that would not happen as long as the property owner and HOA followed the rules that were in place at the time that they did the work. Mayor Panucci agreed. He then stated that he would like to review ordinances from other cities regarding active HOAs and the requirement that they submit annual reports to the City. He stated he thought that a definition of the term 'active HOA' needed to be included in the proposed ordinance before the Council adopts it.

10. Authorize Fire Chief to execute agreement for mutual aid in fire protection and hazardous materials incident response.

Fire Chief Cottrell approached the Council and stated that this agreement is essentially a 'housekeeping' item that is done every four years. Councilmember Knight asked Chief Cottrell if he was aware of a time that this agreement has been used. Chief Cottrell stated that in the three years that he has been employed by the City he has not had to rely on mutual aid from Hill Air Force Base (HAFB). He stated that prior to that the City has used HAFB for their hazardous materials expertise and before Davis County was certified to work on bombs the City used HAFB for that service as well. Mayor Panucci asked if the City is committing any City materials via this agreement. Chief Cottrell stated that the City is committing to provide equipment or staff at events that may take place on HAFB. He stated that the agreement is intended to benefit all parties, but he would say that HAFB is currently gaining the highest benefit, although if there were an incident in Syracuse City, the benefits provided by HAFB would pay the City back "in spades". He stated if there happened to be an incident in the City similar to the incident that happened on HAFB when a pilot had to drop items from his plane, the plan would be to get the plane as far out on the causeway as possible before dropping anything. He stated this agreement would definitely come into play during that type of incident. Mayor Panucci asked what was dropped from the plane. Chief Cottrell stated the pilot was forced to drop two fuel tanks and two 500 pound bombs. He stated that Syracuse City is in the flight path of HAFB and anything could happen. He added that if there was a major incident at the Sewer Plant and the City's response system was overwhelmed the HAFB crews would respond as well.

COUNCILMEMBER SHINGLETON MADE A MOTION TO AUTHORIZE FIRE CHIEF TO EXECUTE AGREEMENT FOR MUTUAL AID IN FIRE PROTECTION AND HAZARDOUS MATERIALS INCIDENT RESPONSE. COUNCILMEMBER HAMMOND SECONDED THE MOTION; ALL VOTED IN FAVOR.

11. Reconsideration of declaring Elected Officials eligible to enroll in City health benefits program

Councilmember Knight stated that he has received several phone calls from residents that are concerned about this issue. He stated that most of the phone calls he received were following the recent "Meet the Candidates" event where the issue was discussed. He stated that during that event all candidates seemed to be in agreement that this practice should be discontinued, which is why he asked for this item to be added to the agenda.

COUNCILMEMBER KNIGHT MADE A MOTION THAT, EFFECTIVE IMMEDIATELY, THE PRACTICE OF OFFERING HEALTH BENEFITS TO ELECTED OFFICIALS BE DISCONTINUED. COUNCILMEMBER CLARK SECONDED THE MOTION. COUNCILMEMBERS CLARK AND KNIGHT VOTED IN FAVOR. COUNCILMEMBERS HAMMOND, PETERSON, AND SHINGLETON VOTED IN OPPOSITION.

Councilmember Peterson stated that his understanding was that when the Council voted on this issue in the past, that vote took place in conjunction with the new fiscal year and the execution of new benefits contracts and he asked if this change can be made in the middle of a benefit plan year. Councilmember Clark stated that the change can be made in the middle of the benefit plan year because this vote would be considered an event. Councilmember Knight stated the City would simply need to send an amendment letter to the City's insurance provider. Mayor Panucci stated that the City can change its policy at any time, which would be considered an event that would qualify the City to make changes to the benefit plan. Councilmember Peterson stated that his other concern is why the Council would not wait until the City has contracted with a Human Resources company to handle this issue. Councilmember Clark stated he was not sure whether that makes a difference in deciding this issue. Councilmember Peterson stated that the Council would be requiring staff to do additional work to make the change to the benefits package. Councilmember Knight stated the work would simply consist of sending a paragraph to the City's insurance provider explaining the change in policy.

COUNCILMEMBER SHINGLETON MADE A MOTION TO DISCONTINUE THE PRACTICE OF OFFERING HEALTH BENEFITS TO ELECTED OFFICIALS EFFECTIVE JANUARY 1, 2010. COUNCILMEMBER HAMMOND SECONDED THE MOTION.

Councilmember Clark inquired as to the reason Councilmember Shingleton wanted to wait until January 1, 2010 to discontinue the practice. Councilmember Shingleton stated that discontinuing benefits now would impact someone that is currently receiving insurance from the City and the City is their only insurance source. He stated that he is making his decision out of compassion and he feels he is being fair. He stated people need to understand that the remaining five members of the Governing Body to not take advantage of the benefits program. Councilmember Hammond added that the cost for the benefits for the one enrollee is a mere pittance.

An audience member asked for an opportunity to address the City Council, which Mayor Panucci declined and explained that no public comments will be taken on this issue.

Councilmember Knight stated that if the practice will be considered wrong in January then it is wrong now. He stated that this is a practice that was implemented by the current administration and the current administration should discontinue it. Councilmember Hammond stated that the current administration will be handling the issue by making the decision effective January 1, 2010. Councilmember Knight added that the Council is not basing the decision on what is best for the City; rather the decision is being based on what is best for one individual. Councilmember Clark added that the City would not be preventing that individual from having benefits; the individual could retain their benefits through the COBRA program. He then explained that when this issue was raised last spring he decided to discontinue his dental coverage and his family now has no dental coverage and he has been paying for all dental service for his family out of his own pocket. He stated that he could have retained that benefit, but for the benefit of the City he felt he should not. He stated he now pays approximately \$1,400 per year for dental bills. He stated that he recognizes that discontinuing the practice of offering benefits to elected officials now would impact one individual because he feels that same impact himself, but the residents of the City have asked the Council to make a change and that change should be made today.

Mayor Panucci called for a vote on Councilmember Shingleton's motion.

COUNCILMEMBERS CLARK, HAMMOND, PETERSON, AND SHINGLETON VOTED IN FAVOR. COUNCILMEMBER KNIGHT VOTED IN OPPOSITION.

Councilmember Clark stated that he voted in favor simply because he does want the practice of offering benefits to elected officials to be discontinued, but he still believes that the change should be effective today rather than January 1.

COUNCILMEMBER KNIGHT CHANGED HIS VOTE AND VOTED IN FAVOR OF THE MOTION.

Councilmember Knight stated that he made an affirmative vote for the same reason as Councilmember Clark.

City Council Meeting  
October 27, 2009

Councilmember Shingleton stated that he would like to make a statement. He stated he would have applied the same compassion when making this decision regardless of which member of the Governing Body the decision would impact. He stated that his decision has nothing to do with the individual; it was simply based on compassion. Councilmember Knight stated the Council also must have compassion for the taxpayers of the City and the Fire Fighters who had their life insurance taken away. Councilmember Shingleton stated he was not on the Council when the decision to discontinue life insurance for Fire Fighters was made and he would not take responsibility for that decision.

At 8:15 p.m. COUNCILMEMBER HAMMOND MADE A MOTION TO ADJOURN. COUNCILMEMBER KNIGHT 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: \_\_\_\_\_