

Minutes of the Special Meeting of the Syracuse City Council held on October 25, 2011, at 7:00 p.m., in the Council Chambers, 1979 West 1900 South, Syracuse City, Davis County, Utah.

Present: Councilmembers: Alan Clark
D. Matthew Kimmel
Matthew Ocaña
Douglas Peterson
Larry D. Shingleton

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

City Employees Present:
Police Chief Brian Wallace
Information Technologies Director TJ Peace
Finance Manager Steve Marshall
Community Development Director Mike Eggett
City Planner Kent Andersen

Visitors Present:	Sarah Zvonkovic	Mykah Vockel	Teresa Hernandez
	Jeremiah Zohner	Mariah Ewing	Brannon Ewing
	Brayden MacFarlane	Brock Snow	Joe Levi
	Natalie Levi	Craig Johnson	Colton Dallimore
	Alex Perez	Killian Taylor	Brandon Taylor
	CJ Stringfellow	John Lanning	Randy Miller
	Sean Dixon	Brett Garner	Derick Peterson
	Bob VanVelkinburgh	Jeanne VanVelkinburgh	Kenneth Limb
	Tate Strickland	Brytin Jones	Devin Jones

1. Meeting Called to Order/Adopt Agenda

Mayor Nagle called the meeting to order at 7:00 p.m. as a specially 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 Ocaña provided an invocation. Two Boy Scouts (no names given) then led all present in the Pledge of Allegiance.

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

2. Approval of Minutes

The minutes of the Special Meeting of September 27, 2011 were reviewed.

COUNCILMEMBER PETERSON MADE A MOTION TO APPROVE THE MINUTES OF THE SPECIAL MEETING OF SEPTEMBER 27, 2011 AS PRESENTED. COUNCILMEMBER CLARK SECONDED THE MOTION

Councilmember Shingleton stated that he wanted to request a correction to page 17 of the minutes. He stated that on line one of that page he is quoted as saying "I made a motion". He stated what should be inserted after that comment is that "Mayor Nagle called for a vote and Mayor Nagle turned to Councilmember Shingleton and said 'Larry, this is my meeting. I will run it how I want.' And Councilmember Shingleton stated 'Mayor, I made a motion'."

Mayor Nagle asked City Recorder Brown to listen to the recording of the September 27, 2011 meeting to determine what was said during that portion of the meeting and update the minutes accordingly. Ms. Brown stated she would be happy to do that, but she stated she feels the Council needs to have a discussion about meeting minutes as a result of some comments that have been made at the last few meetings. She stated that her understanding is that she is charged with providing a minute document that serves as a summary of the meeting rather than a verbatim record of the meeting. She stated that is the way meeting minutes have always been published in Syracuse City. She stated that she needs some direction from the Council on what they are expecting. She stated that the minute document that she provided does indicate that Mayor Nagle made the statement that she is in control of the meeting. She stated that language is on page 16, line 25.

Mayor Nagle stated that she wants to make sure that the meeting minutes do not become a weapon. She stated that some of the changes that have been requested have been motivated out of residents' strong dislike of past or current Councilmembers so they have asked for their comments to be added verbatim. She stated she wanted to be sure that the minutes are simply a professional record of what is happening during the meetings. Councilmember Shingleton stated he agrees with that, but there are times when grammatical errors have been corrected in the past.

Councilmember Clark stated that his understanding is that the minutes have never been verbatim, but that the intent of the meeting is communicated in the document. He stated that if the minutes were verbatim the actual minutes document would be much longer than it already is.

Mayor Nagle added that anyone has the opportunity to view recordings of the meeting online. She stated that will allow people to understand precisely what has been said and who said it, as well as what their tone of voice was.

Ms. Brown read the section of the minutes that communicate what Mayor Nagle and Councilmember Shingleton said during the September 27 meeting. She stated that she will make any change that she is asked to make, but she would like firm direction from the Council so that she can consistently prepare the minutes in a similar fashion.

Councilmember Kimmel stated he agrees that the written record of the meetings are for concept and to provide general information about what takes place in the meetings. He then asked if the recordings of the meetings are a complete record of the meeting or if they are ever cut down or edited in any way. Ms. Brown stated the video recordings of the meetings are not edited by the City. She added that the City also has a digital audio recording of each meeting that citizens can access as well. Councilmember Kimmel stated the written minutes can serve as a guideline so that citizens do not need to sit through hours of a video recording to be able to listen to one section of the meeting they may be interested in.

Councilmember Clark stated that he feels that Ms. Brown is following the direction of the Council and he is comfortable with the way she is preparing the minutes. He stated that there have been times that residents have asked that their comments be included verbatim in the record of the meeting and Ms. Brown has met that request. He stated that the Council is charged with giving final approval to the minutes, so they could choose not to approve someone's request that their comments be verbatim. Councilmember Kimmel stated that is true.

Mayor Nagle asked Councilmember Shingleton if he wanted to offer a substitute motion, to which Councilmember Shingleton answered no.

There being no further discussion on the minutes Mayor Nagle called for a motion. ALL VOTED IN FAVOR.

3. Public Comments

Bob VanVelkinburgh, 2081 W. Craig Lane, stated that he would like to speak about the upcoming election. He stated that he has attended many City Council meetings while the City has been under the current administration as well as when it was under past administrations. He stated that he can assure everyone that he has never in his life seen a more dedicated group of Councilmen and Mayor; they all have the intent to do their best for the City of Syracuse. He stated that in reviewing what happened under past administrations it is apparent that a lot of money was spent on things like a new City Hall, the Community Center, and a fishing pond. He stated that when the current Mayor took office along with other members of the City Council they had a serious deficit to overcome and they have done a wonderful job of doing that. He stated that at the same time the economy "went in the tank" and that reduced the City's revenues, which mean there were a lot of serious problems to deal with all at once. He stated that in this election year "we" should strive to talk to issues rather than "throwing bricks at each other" over tiny little things that do not "amount to a damn". He stated that he is suggesting that everyone "cool it a bit" and treat each other with dignity. He stated the challengers should be allowed to stand up at the 'Meet the Candidates Night' and tell the citizens how they think they could do the job better than the current Council and what their plans are. He stated "we" know what this Council has done and he would encourage everyone to attend the 'Meet the Candidates Night' and see what the other candidates have to say.

Joe Levi, 1844 W. 1975 S., stated that he is representing the Syracuse Citizens for Fair Rules in Public Meetings group. He stated he has lived at his current address for about 13 years and during the time he has seen a lot of change and not all of it was for the better. He stated that during the last City Council meeting he brought up the City's lack of rules of order and procedure to govern public meetings of the legislative body as required by Utah law. He stated based on tonight's agenda item to adopt Resolution R11-33 and doing a little bit more research he has found his concerns were warranted and he has discovered more concerning things. He stated the collection of rules that have been thrown together are laughable at best, illegal at worst, and undoubtedly offensive to anyone that has read through them. He stated he has only had about 30 minutes to read through the "so-called" rules and his list of problems that he found is not complete. He stated that he came up with four problems in the resolution itself and over 20 problems in the actual rules document, which is exhibit A to the Resolution. He stated he will make a copy of what he found available for the Council. He then began reviewing the problems he found. He stated that the Resolution calls what is being adopted bylaws and rules of procedure. He stated that State law requires rules of order and procedure to govern public meetings of the legislative body. He stated that what has been assembled is not a set of rules of or order and procedure to govern a meeting of the legislative body – it's not even close. He stated that sections 3F and 5 are the only real set of rules of order and procedure and even those are filled with problems. He stated that section one clearly states that the rules are non-bonding or rules that do not have to be followed. He stated that is interesting. He then stated that section 4J states that the City Council can invoke additional guidelines and procedures as necessary; the rules can even be changed whenever they need to be to fit the circumstances without giving any prior notice. He asked the question "isn't that convenient?". He then stated section two goes on to redefine what is already in Syracuse City Municipal Code; it redefines, not repeats, what is in City law. He stated that section four allows the Mayor to define a group of people, ask them to pick a spokesperson – like himself – and limit that person's time to speak. He stated that if thirty people attended

a City Council meeting to speak about an issue, such as the West Davis Corridor project for example, the Mayor could ask those 30 people to elect a spokesperson and limit that person to speaking for five minutes instead of the 90 minutes that the group of 30 people would have been allowed to speak. He stated that is 85 minutes less public comment that the City Council will not need to listen to. He stated the Mayor will essentially have the power to silence citizens if she does not want to listen to what they have to say or to simply require that they make their comments in the time allotted. He stated he does not know whether she will wield that power, but why include it in the rules otherwise. He asked what if someone speaks longer than the time they are allotted, which he did last time he spoke to the Council. He stated the rules cover this problem in section 4I, which says that any person that disrupts the meeting by exceeding a time limit, discussing irrelevant issues (without defining what irrelevant is), or otherwise (which is a pretty big catch-all word) may be removed at the direction of the Mayor. He stated that luckily that is illegal and violates State law 10-3-608, which states that the only way a person can be removed from the meeting is a by a two-thirds vote of the legislative body. He stated that is the first illegal part of the rules that the Council is considering adopting. He stated that so far the rules are non binding and can be changed with no notice, gives the Mayor the power to silence an entire group of citizens, and illegally gives her the power to have anyone that is disruptive removed. He stated that sounds more like a dictatorship than a representative form of government, but calling the Mayor a dictator is a pretty strong accusation that he does not make lightly. He stated sections 2A and 2B of the rules redefine the role of the Mayor to be the Chief Legislative and Chief Judicial Officer of the City. He asked if he read that correctly. He stated if "we" pass this Resolution the Mayor will be the Chief Legislative Officer or the person in charge of passing laws; she will also be the Chief Judicial Officer or the person in charge of interpreting laws and applying punishments for their violation. He then stated that adding in recent changes to the Mayor's duties and responsibilities that this City Council adopted, the Mayor is also the Chief Law Enforcement Officer of the City; she has the power to call upon her own personal, private police force. He stated that is included in section 2.03.010(9) that says the Mayor can call upon the residents of the City over the age of 21 to assist in enforcing the laws.

City Manager Rice announced that Mr. Levi's five minutes had expired. Mayor Nagle thanked Mr. Levi for his comments and asked him to sit down. Mr. Levi stated that is a dictatorship; the Mayor has all of the power. Mayor Nagle asked Mr. Levi if he would please sit down. Mr. Levi stated he would like the minutes to reflect that the Mayor has asked him to sit down. Mayor Nagle asked Police Chief Wallace to remove Mr. Levi from the building. Mr. Levi stated the Mayor has asked for him to be removed and he asked if that is a motion. Mayor Nagle again asked Chief Wallace to remove Mr. Levi. Chief Wallace asked Mayor Nagle if she wanted him to sit down or if she wanted him removed from the meeting. Mayor Nagle stated that if Mr. Levi could sit and be respectful. Councilmember Kimmel asked if this is lawful.

COUNCILMEMBER OCANA MADE A MOTION TO HAVE MR. LEVI REMOVED FROM THE MEETING.

Mr. Levi stated that State Code states that there must be a motion and a vote of two-thirds of the Council to have someone removed. Councilmember Ocana stated that he has made a motion. Mr. Levi asked if there is a second to the motion. Councilmember Clark asked Mr. Levi to please sit down out of respect for the Council. Mr. Levi addressed Councilmember Clark and stated he would be happy to sit down, but that he wanted his point on record.

Mayor Nagle addressed Mr. Levi and stated that if he would have attended the work session meeting prior to this meeting he would have seen that many of the points that he raised as being issues or problems were clarified by the Council and staff. She stated that the duties of the Mayor should mirror what is currently in the City's ordinances. She stated that is why it is important to attend work sessions; one could see what had actually happened and what changes are going to be made. She stated she does not have her own private police force, but she does have a group of citizens that are committed to try to make her look bad and a few of them are here tonight. She stated that in a time of emergency she can call upon citizens over the age of 21 to help enforce the laws and ordinances that have been passed by the Council, which she has no voice in. She stated that she respects Mr. Levi's right as a citizen to address the Council, but she would ask for the same respect to be returned to her. She asked if there is anyone else present this evening that would like to address the Council.

TJ Jensen, 3242 S. 1000 W., stated that he is a member of the Planning Commission and they are in the process of creating their rules of procedure. He stated they have spent quite a bit of time on the document as well as researching what other cities are doing. He stated that he would suggest taking some extra time to make sure the rules say exactly what the Council wants them to say before they adopt them. He stated they may also want to look at the bylaws the Planning Commission is considering; it may help them finalize the document to be used by the Council.

4. Public recognition of the Museum and Cultural Center Board for their contributions to preserving the history of Syracuse City.

Mayor Nagle stated that she asked for this item to be added to the agenda because she has been amazed by the dedication of the people that work in the Museum. She stated that they do not do it for any type of reward; rather it is a labor of love for them. She stated that is evident when one visits the Museum. She stated the enthusiasm that the Board members show when they take people on tours is very easy to see. She stated that it is important to remember the history of the City

and she stated that “you can’t go forward without remembering where you have been”. She stated that on behalf of the entire Council and all of the residents she wanted to present them with a certificate of appreciation for helping the City recognize where it has come from, documenting the history of how the City is moving forward, and for all the countless hours they have donated to the City. She presented the certificate to Museum Board President Phil Gooch. Mr. Gooch stated he wants to take this opportunity to speak and mention all of the great people that work with him. He stated his term will expire in December and a new President will take over. He stated he wanted to read the names of the people that are working with him; Gene Carlson, Kathy Carlson, Lanny Holbrook – Treasurer, Cindy Gooch, Colleen Abate, Pat Hale, Sue Lauren, Colleen Thurgood, Bev Gooch, Steve Anderson – future President, Karen Reagan – Secretary, Russ Barker, Sonja Barker, Viola Bennett, Vivian Cummings, Pauline McBride, LeJean Reniker, and Emily Zaugg. He stated they appreciate the City very much for allowing them to be able to keep the Museum clean, for paying the utility bills, and for maintaining the landscaping. He stated that more than anything else they appreciate the young people that come to visit them. He stated that they are great; the City has great children and they respect the Museum. He stated they do have limited hours because everyone that works at the Museum is a volunteer and they have other volunteer activities as well. He stated there are a total of 19 volunteers and they are great. He encouraged everyone to come by and see them. He stated they are grateful for the City’s support as well as the support of the citizens. He stated they are also grateful for The Islander newspaper because they have published many great articles about the Museum and the history. He stated Susan Stoker has written the articles and he encouraged everyone to read them because they will learn a lot about Syracuse City in the “old days”.

Mayor Nagle stated that she thinks it is great when people are committed to volunteering their time and services on an ongoing basis. She stated that every volunteer hour matters, but the effort of the Museum Board is a sustained force in the City and she appreciates what they do.

5. Proposed Ordinance 11-11 amending the existing zoning map of Syracuse City by changing from Agriculture (A-1) Zone to General Commercial (GC) Zone the property located at approximately 1752 W. 1700 S.

Russell Rentmeister, acting on behalf of the property owner Cordova LLC, has submitted a request to rezone 0.32 acres of land located at approximately 1752 W. 1700 S. from the current Agriculture (A-1) zone to General Commercial (GC) zone. This request is consistent with the General Plan designation for the property. The Planning Commission held a public hearing on October 18, 2011 and discussed the matter. Russell Rentmeister explained his desire to relocate his business, Rentmeister Total Home Service, to this location. Planning Commission recommends City Council approve of the rezone for all 0.32 acres of the subject property. The City Council, acting as the Land Use Authority in this matter, is expected to review the Stoker property rezone request and decide whether to approve the rezone in compliance with the General Plan Land Use Map. The Community and Economic Development Department recommended that the City Council review the rezone request for discussion purposes and subsequently follow the recommendation from the Planning Commission to approve the rezone request.

City Planner Andersen approached the Council and summarized the staff memorandum that was provided to each member of the Governing Body.

Councilmember Clark asked if the rezone request is in line with the General Plan, to which Mr. Andersen answered yes.

COUNCILMEMBER SHINGLETON MADE A MOTION TO ADOPT PROPOSED ORDINANCE 11-11 AMENDING THE EXISTING ZONING MAP OF SYRACUSE CITY BY CHANGING FROM AGRICULTURE (A-1) ZONE TO GENERAL COMMERCIAL (GC) ZONE THE PROPERTY LOCATED AT APPROXIMATELY 1752 W. 1700 S. COUNCILMEMBER KIMMEL SECONDED THE MOTION; ALL VOTED IN FAVOR.

6. Public Hearing – Proposed Resolution R11-32 adjusting the Syracuse City Budget for the year ending June 30, 2012.

Staff is recommending to adjustments in the Fiscal Year 2011-2012 budget. The approved budget has \$40,000 built in to pay for a lease of a 10-wheeler vehicle. However, the budget needs to be amended to show the capital lease proceeds inflow and the capital equipment purchase outflow of \$183,000. The net change to the budget is zero. This budget change also includes a categorical change from Capital Equipment to Capital Lease Repayment in the amount of \$40,000 to better identify the Capital Lease Repayment in the budget. This also results in a net change of zero. The second change is as follows: the Information Technology (IT) budget was amended to include an additional expense under equipment supplies and maintenance of \$20,000. This increase in expense is for new laptop computers for the new police vehicles. The increase in expense was utilized from a fund balance surplus that was set aside for the purpose of purchasing laptops and computers on an as needed basis.

Finance Director Marshall approached the Council and summarized the staff memorandum that was provided to each member of the Governing Body.

Mr. Rice explained that most of the expenses related to the new Police vehicles are built into the price of the cars themselves. He stated that staff initially considered using existing laptop computers in the new vehicles, but they found that the laptops that Officers are currently using will not meet their needs. He stated they are standard laptops that do not ride well in vehicles and there are several maintenance issues. He stated that staff proposes upgrading to a Tuff Book type of computer for the vehicles; they are meant to be used in vehicles and maintenance costs will be greatly reduced.

Mayor Nagle then convened the public hearing.

Natalie Levi, 1844 W. 1975 S., asked if the laptops will only be used in the new cars or will they be used in all City vehicles. Mr. Rice stated the City will only purchase enough of the new laptops for the 10 new Police vehicles. Ms. Levi asked if there is enough money in the budget to purchase new Tuff Books for all City vehicles. Mayor Nagle answered no. Mr. Rice explained that in two years it may be possible to replace all of the equipment in the next batch of new vehicles. He explained the City just created an IT fund and the fund will grow in order to place all IT infrastructure City-wide.

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

**COUNCILMEMBER PETERSON MADE A MOTION TO ADOPT PROPOSED RESOLUTION R-32
ADJUSTING THE SYRACUSE CITY BUDGET FOR THE YEAR ENDING JUNE 30, 2012. COUNCILMEMBER
CLARK SECONDED THE MOTION**

Councilmember Kimmel asked the difference in price between the types of laptops the City is currently using and the Tuff Books. IT Director Peace explained that the cost to purchase the Tuff Books will be approximately 50 percent higher than the cost for regular laptops. Councilmember Kimmel asked how long the City has had the laptops that will be replaced. Mr. Peace stated that the current laptops are anywhere from one to four years old. Councilmember Kimmel asked how long the Tuff Books should last, to which Mr. Peace answered four years. Councilmember Kimmel asked if savings will be realized through reduced maintenance costs, to which Mr. Peace answered yes and explained that when the cost for maintenance labor and parts is added to the initial purchase price of a regular laptop the total cost is approximately \$2,200, which is more than the initial purchase price of a Tuff Book. Councilmember Kimmel asked how long the Tuff Books should last, to which Mr. Peace answered four years.

Councilmember Ocana stated that he has gone on ride along trips with different Police Officers and he has seen how bad of shape the laptops are in. He stated their failure to operate properly eats into valuable time in response situations; the state of the laptops is detrimental to the duties that an Officer must perform on a regular basis.

Mr. Rice acknowledged that the initial purchase price of a Tuff Book is higher than the purchase price of a regular laptop, but he has personally used a Tuff Book in Iraq in his humvee for an extended period of time and it was very durable. He stated that instead of trying to use a typical office computer, Officers will have access to a computer that is made for field use. He stated the new computers will provide a great benefit to the Police Department.

Councilmember Shingleton asked if the City will publicly bid this project. Mr. Rice answered no, but explained that Mr. Peace will obtain three vendor prices. Councilmember Shingleton asked why the project will not be put out to bid. Mr. Rice stated staff will be following the State bidding procedures and will solicit prices from a local vendor that is on a State contract. He added that the price included in the budget opening is the maximum amount that will be spent.

Councilmember Kimmel stated he would expect that the older laptops will be replaced first. Mr. Peace stated that is correct. Councilmember Kimmel asked if any of the computers will be reassigned to office staff. Mr. Peace stated he will do that whenever possible. He stated that some of the computers are in such a state of disrepair and the only thing he will do with them is strip all of the data from them and then dispose of them.

Mayor Nagle stated that one of the things she would like to point out is that the City has not replaced any Police vehicles or any of the equipment in them for at least three years and that is problematic. She stated that anyone that has gone on a ride along with an Officer has seen that they have several pieces of equipment in their vehicles that are not functioning property, which creates a liability for the City. She stated that she is aware that the amount of money being added to the budget for this expense is high, but she reminded everyone that many needed purchases have been delayed for several years. She stated that staff has really done a good job of "band-aiding" equipment and using it for as long as possible. She added that there are also instances where staff has used items that were available for sale at Police auctions rather than purchasing new pieces of equipment. She stated that these types of decisions and efforts have carried the City through lean times.

Councilmember Peterson stated he thought the City was always planning on leasing the 10-wheeler rather than purchasing it. Mr. Marshall stated that is correct. Councilmember Peterson asked if the reason for the budget opening is to simply clarify the accounting practice that will be used in the lease process. Mr. Marshall stated that is the reason for the budget opening. He stated the information being presented tonight should have initially been included in the budget, but it was not and it is necessary to correct it.

There being no further discussion on the proposed Resolution Mayor Nagle called for a vote. ALL VOTED IN FAVOR.

7. Authorize Administration to execute agreement with Siemens for street light conversion/upgrade.

Staff has been working over the past six months on a project to upgrade our street lights. As previously briefed, several options are being considered including purchasing non City-owned street lights and the transition of all lights to a longer lasting and more efficient light, which will significantly lower operating and maintenance costs. To that end, staff has been working with Siemens Industry, Inc. to develop an energy savings performance contract. The Mayor and Council received a brief from a Siemens representative and all seemed to be impressed with the scope and outline of the project. However, before proceeding with executing a contract with Siemens, the Council asked staff to conduct some research to determine if there are other companies authorized by House Bill 116 that could provide the same service as Siemens at a lower cost. Staff has looked at the entire list of authorized contractors and contacted those that may be providers for street lighting projects and found that Siemens is the only company currently providing service in the street lighting area. Staff would like to move forward with the next step in the process, which is to sign a letter of intent with Siemens that will lead to an investment grade audit.

Councilmember Kimmel asked if the City has solicited bids for this project. Mr. Rice explained that the State Legislature adopted House Bill 116 in 2010 and they provided companies that have met the requirements of the Utah State Contract through the request for proposal (RFP) process as energy service contract providers. He summarized the staff memo provided to each member of the Governing Body and explained that staff found that there was only one other vendor that works with street lights, but when they were contacted they informed staff that they are not available to do the type of project that Siemens has committed to do. He stated that the bottom line is that Siemens is the only company that can provide the service the City is seeking.

Councilmember Clark inquired as to what the next step is. Mr. Rice stated the Mayor will sign a letter of intent to proceed with an investment grade audit. He stated that he and Siemens have settled on a final price that the City would have to pay only if staff or the Council decides to back out of the project. He added there are also several criterion that Siemens must meet and if they fail to meet just one the City will not be required to pay. He stated the amount that has been settled on is \$9,500.

Councilmember Kimmel asked if the project cost has been included in the current budget. Mr. Rice stated that it does not cost the City to move forward with the project so not amount of money has been included in the budget. He stated all payments made to Siemens will come from savings that the City will realize by upgrading or converting street lights. He reiterated that the City will only be required to pay the \$9,500 if the decision is made to not proceed with the project following the investment grade audit.

Mayor Nagle stated she appreciates the proactive work staff has done on this project.

Public Works Director Waite stated that he and Mr. Rice have worked on this project together and he has been very impressed by Mr. Rice. He stated that Siemens initially suggested a price much higher than \$9,400 and Mr. Rice told them that price would not be acceptable. He stated that Siemens subsequently lowered their price. He stated that he was sure that Mr. Rice would not share this information with the Council, but he wanted them to know that the work that Mr. Rice has done through the negotiation process ultimately saved the City thousands of dollars.

COUNCILMEMBER OCANA MADE A MOTION TO AUTHORIZE ADMINISTRATION TO EXECUTE AGREEMENT WITH SIEMENS FOR STREET LIGHT CONVERSION/UPGRADE. COUNCILMEMBER PETERSON SECONDED THE MOTION; ALL VOTED IN FAVOR.

8. Proposed Resolution R11-33 adopting Syracuse City Council bylaws and rules of procedure.

Title Two of the Syracuse City Code currently includes rules that all members of the Governing Body must adhere to. It also includes the statement that the City Council will refer to Robert's Rules of Order as a guide for City Council meetings. The Council is now desirous of adopting a document independent of the City Code that provides more specific rules and procedures for the orderly conduct of City business during City Council meetings. Staff has prepared a draft document for consideration and potential adoption by the Council.

COUNCILMEMBER CLARK MADE A MOTION TO TABLE ADOPTION OF PROPOSED RESOLUTION R11-33 ADOPTING SYRACUSE CITY COUNCIL BYLAWS AND RULES OF PROCEDURE. COUNCILMEMBER PETERSON SECONDED THE MOTION.

Ms. Brown stated she wanted to add some comments to the record in response to the statements made by Mr. Levi during the public comment portion of tonight's meeting. She stated that she believes that the word he used to describe the document that staff prepared for Council consideration was 'laughable'. She stated that she is offended by that comment because staff put a lot of effort and time into preparing the document after researching what other cities in the area have adopted. She added that Councilmember Shingleton provided some documents from the Utah League of Cities and Towns (ULCT). She explained the ULCT is an entity that advises cities throughout the State and the copies of rules of procedure obtained from them are very similar to the document that she prepared for Council consideration. She added that the section of State Code that Mr. Levi cited only applies to removal of a member of the Governing Body rather than a resident. She stated that she simply wanted to express her thoughts; she felt like staff was attacked after having put a lot of work into the document. She stated it was her goal to respond as quickly as possible to the comments that were made by Mr. Levi during the September 27 meeting.

Councilmember Clark stated that he is impressed that Ms. Brown was able to put together the document so quickly and the only reason that he moved to table adoption of the rules is that he feels that more discussion is needed on the topic. He stated he feels it is important to adopt such a document, but there is no reason that has to be done tonight.

Councilmember Shingleton stated that the reason that he distributed the information that he did is that he feels the Council need to have other ideas to consider. He stated that he has no problem with the work that Ms. Brown did, but he simply wants the Council to have alternatives to consider.

There being no further discussion on the proposed Resolution, Mayor Nagle called for a vote. ALL VOTED IN FAVOR.

Mayor Nagle stated that she wanted to add that she did not think that Mr. Levi's earlier comments were directed at Ms. Brown. She stated that she feels that Mr. Levi has an issue with her and if one is to visit his official GOP website it will become apparent that his comments are directed towards the Mayor rather than City staff. She stated she is sorry that staff was "in the crossfire" for something that has nothing to do with them.

9a. Appoint poll workers for Syracuse City General Election to be held November 8, 2011.

According to Section 20A of the Utah State Code, the City Council is required to appoint poll workers that will be working for the City on Election Day, which is November 8, 2011.

Mayor Nagle asked how poll workers are selected. Councilmember Kimmel stated he was going to ask that same question. Ms. Brown explained that the Davis County Clerk's Office is assisting the City in the organization of the 2011 Election and recruiting poll workers was one of the tasks that they have handled in this election cycle. She explained that they typically advertise that they are seeking election workers, but it is common for the same people to assist with elections in each election cycle. She explained that people that worked in the last election would have been the first choice for the County in this election. She added, however, that there may be some people that worked in the 2009 Municipal Election that are not working this year for various reasons.

Councilmember Kimmel inquired as to how many workers have had past experience. He asked if any of the people working this year are first time poll workers. Ms. Brown answered no and explained that everyone working in this election cycle has worked in past elections, i.e. municipal elections, county elections, or national elections.

COUNCILMEMBER PETERSON MADE A MOTION TO APPOINT POLL WORKERS FOR THE SYRACUSE CITY GENERAL ELECTION TO BE HELD NOVEMBER 8, 2011. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

9b. Accept proposed rewrite of Title Four of the Syracuse City Code for a first reading.

Mayor Nagle asked Ms. Brown to provide a brief introduction for this item. Ms. Brown stated the document provided to the Council is a draft of the proposed rewrite of Title Four of the City Code, which addresses City utilities as well as parks and the City's Community Center. She stated staff would ask that the Council take some time to read through the document over the next several weeks in anticipation of adding a review of the document to an upcoming work session agenda.

Councilmember Clark asked that the document be loaded onto each Councilmember's iPad as an independent document so that it is easier to read through. Councilmember Kimmel commented that would be very helpful.

COUNCILMEMBER PETERSON MADE A MOTION TO ACCEPT PROPOSED REWRITE OF TITLE FOUR OF THE SYRACUSE CITY CODE FOR A FIRST READING. COUNCILMEMBER CLARK SECONDED THE MOTION; ALL VOTED IN FAVOR.

10. Councilmember Reports.

Councilmember Kimmel stated that he has received comments from some citizens about a couple of things; the first was the regularly scheduled Council meeting of October 11 that was cancelled. He stated that the Councilmembers simply received an email explaining that the Council had not brought forth any items to be added to the agenda and so staff, with the Mayor's concurrence, recommended canceling the meeting. He stated that he was not going to be able to attend the meeting if one were held, but canceling the meeting impacted public discourse. He stated he is aware that the City is going through the process of rewriting every title in the City Code and there are several other things that staff and the Council are working on together so to say that there were no items on the agenda seemed disingenuous to him. He stated that he does not know anything about the situation, but shortly before the meeting was going to be held the Council received an email explaining it was cancelled for reasons that he does not understand. He stated he would appreciate a better explanation regarding that issue. He then stated the second issue that concerns him is the fact that someone that was seeking information about a project that the City had published a request for proposal (RFP) for asked staff several well founded questions about the process and the concerns they had. He explained that person received a response from the City that was extremely harsh and threatening via the inclusion of the name of the City's Attorney. He stated the person was only asking questions; they were not making accusations from what he read in their email and for them to "get knocked on their can" is very concerning to him. HE stated there is a lot of discussion about being united and having good discourse. He stated that if someone is making false allegations or doing something illegal he feels it is appropriate to make them aware of the potential results of their actions; however, that should be done in the proper time and place. He stated the last thing he wanted to comment on is the issue of public comments. He stated that the Council is trying to approve some rules of procedure that can be used to handle this issue. He stated citizens will be able to know what is expected and how a meeting is conducted. He stated in the past he has had people address him directly in a negative or positive manner, but he has never taken the opportunity to address them personally and tell them whether he disagrees or agrees with what they said in public comments. He stated that is not in order and the Council should let their public comment stand and talk to them after the meeting if there are issues with what a citizens said. He then stated he wanted to talk about the Museum. He stated that Phil Gooch is a neighbor of his and what he and his other volunteers do at the Museum is amazing. He is a World War II Veteran and he has done a lot for his country and this community and you will not find a better man than him. He stated for him to receive the award on behalf of the Museum Board tonight was very special to him because he knows how much time and effort Mr. Gooch dedicates to the Museum. He stated that he wanted to extend the invitation to anyone in the community to volunteer at the Museum. He stated the Board needs all the help they can get, but they do an excellent job with the resources that they have. He stated this is an excellent opportunity for families to volunteer and learn more about this City and the surrounding area.

Councilmember Peterson stated that a Clearfield resident called him recently to thank the City for building the trail system. He stated the same person also added that they were thankful that the citizens of Syracuse City pay their taxes to provide funding for the maintenance of the trails. He stated he knows there are plenty of Syracuse City residents that love to use the trail system as well. He stated the Parks employees do a great job of maintaining the trails and City parks.

Councilmember Clark stated that he currently chairs the Clearfield High School Community Council (CHSCC) and there are a lot of good advancements happening at Clearfield High right now due to the use of electronics in classrooms. He stated that is one of the things that the CHSCC has been pushing; they are using trust land funds that the school receives for different types of electronics. He stated Principal Suzie Jensen has helped with spearheading that effort and he wanted to thank her for that. He stated he has been very impressed with her work. He then stated that he is a member of the Wasatch Integrated Waste Management District (WIWMD) Board and they are in the process of creating a new committee to consider what to do with the landfill in the future. He stated there are several questions that need to be answered when considering the future of the landfill and the Board looks forward to having good information to consider.

Councilmember Shingleton stated that he wanted to remind citizens to attend the pumpkin walk this Thursday through Saturday. He stated there will be new things at the event such as vendor booths and food. He added that the event will be taking place all day on Saturday this year, which is new as well. He stated one of the goals is to eliminate lines at the event this year, which a lot of people will be very happy about. He stated that he and his wife go to the event every year and they will appreciate not having to stand in line. He added that he wanted to compliment the Museum Board for the great job they do at the Museum. He then stated he goes to the Museum a couple of times each year and he enjoys it very much. He then stated that the members of the Council and staff do not always do things the way that citizens may think they should be done, but one of the rules that he would like to see included in the rules and procedures document is one dealing with decorum. He stated that the draft document that was provided by staff states that the Mayor and Councilmembers shall treat each other with respect and act at all times during the meeting in a civil and courteous manner to each other and the public. He stated that goes two ways and "we" need to be careful of the words that "we" use. He stated a lot of time and effort goes into preparing information for the Council. He stated that work may not come out the way that citizens want it to, but they should at least pick their words so that they are respectful because it is not that the Council and staff are not trying to do things as they should be done. He stated the Mayor and Council should follow that advice as well.

Councilmember Ocana stated that he is a member of the Antelope Island Tourism Board and he had the opportunity to attend a couple of Board meetings since the last time the Council met. He stated that he planned on reporting on the pumpkin walk event, but thanked Councilmember Shingleton for sharing that information. He reported that the 25th Annual Bison Range Roundup will be held October 27 through November 6. He stated that new to the event this year will be chili dinner on October 28. He stated the Davis Chamber of Commerce, as well as several other entities, has been involved with promoting the event. He stated it is a world renowned event; people from all over the world come to participate. He stated he hoped that citizens would be able to attend the event. He added that the Board is also participating in the promotion of the Turkey Trot 5K race event scheduled for November 19. He stated proceeds from the fundraising event will go to the Chloe's Sunshine Playground project. He then reported that he attended the last Planning Commission meeting and they do a lot of work that may not always get recognized. He stated he appreciated being able to attend the meeting to see what issues they are currently dealing with. He stated he wanted to thank them for their work and let them know he thinks they do a good job.

Councilmember Shingleton stated another fundraising event worth mentioning is the Guns and Hoses Basketball Game scheduled for November 11 at the Syracuse High School. He stated that all proceeds from that event will go to a local child that is fighting cancer.

11. Mayor Report.

Mayor Nagle stated she wants to address a few issues that have been raised this evening. She stated the first is regarding the regularly scheduled meeting of October 11 that was cancelled. She stated that if Councilmember Kimmel ever has a question about why something like that has occurred she would encourage him to call her or the staff. She stated that the proposed rewrite of Title Four was not completed and has not been reviewed by legal counsel so it was not ready to be added to the agenda of October 11. She reiterated that if Councilmember Kimmel has questions about those types of things he should call and talk to someone before assuming that something bad is taking place. She stated that she and the staff tried to find something to add to the agenda, but there simply was nothing worthy. She stated scheduling a meeting simply for the purpose of having a meeting seemed wasteful and not a good idea. She then stated she also wanted to comment on the issue that Councilmember Kimmel raised about staff's response to an email questioning the City's RFP process. She stated that staff did a lot of research after receiving the email. She stated there has been a lot of recent information in the media about some improper bidding practices by the State's Division of Alcohol Beverage Control (DABC) and that has made everyone sensitive to this type of issue. She stated that the allegations included in the email that Councilmember Kimmel referenced were serious and they were directed at City staff. She stated that while she agrees that Mr. Rice's response to the vendor was harsh, she also believes that he was responding in defense of his staff, which was charged with not being transparent and doing illegal things. She stated she can understand his feelings that those allegations needed to be addressed. She added that she also provided a response to the email and she provided each member of the Council with her response. She stated that staff's research found that the vendor in question has a very interesting way of ordering their merchandise and she provided some background on the situation. She explained that the vendor had also bid on a similar job for a City in Nevada and the number of meters that he ordered was the same number that would be needed in Nevada, but for some reason he put Syracuse City's name on them. She stated she would agree that looks bad so she called the company and asked them why they had done that and they provided her with an explanation. She stated that the number of meters that were needed in Nevada was 4,500 while Syracuse City's RFP was for 6,500. She stated the number of meters on the pallets in the warehouse was 4,500. She stated she has spoken with the CEO of the company to ensure that was the case because the City has tried to be very transparent in this process and the allegations lodged against the City are very serious. She stated that City staff has not had an advocate on their side for a long time and she applauds Mr. Rice for responding how he did. She stated that every member of the Council has a job during the day and at the end of the day they would all like to feel like they have a boss that "has their back" if they are accused of doing something very serious. Mayor Nagle then stated that as for the comments that she made earlier in tonight's meeting – she will not apologize. She stated she will always defend staff when they are attacked. She stated that far too often people fail to recognize staff and they think they are leach on the citizens instead of the backbone of the City. She stated that staff is constantly under assault and she will take every opportunity to let them know that she appreciates them. She then reported that she is very excited to participate in the Bison Roundup. She stated that she and Layton Mayor Steve Curtis will actually participate in the roundup, though she is a little nervous to do so. She stated that she would encourage everyone to look at the schedule for the event because there is something for everyone to participate in. She stated Antelope Island has been a great partner with the City and the City has seen a significant raise in sales tax revenue due to that partnership. She stated that Councilmember Ocana has worked very hard to increase the City's exposure through the Antelope Island Tourism Board as well as the Davis Area Convention and Visitors Bureau. She stated that when Community Development Director Eggett was appointed past Councilmember Hammond gave him a hat from Antelope Island and told him that the Island was the key to the City's success and she applauded Mr. Eggett for taking those words and parlaying that into action. She stated that she thinks that the City is seeing great things as a result.

12. City Manager Report

Mr. Rice stated that the financial report for the period ending at the end of September was provided in the Council packets. He reported that expenses are tracking below the budgeted amounts and revenues are tracking above the budgeted amounts. He then reported that the transition to electronic pay stubs is completed and that new process is saving the City a lot of money, time, and paper. He stated he would also like to transition to electronic utility bills in the City and he would encourage each member of the Governing Body to talk to their constituents about signing up to participate in that process. He then stated that he wanted to provide the Council with a report of a small victory that happened recently in the City. He stated that in staff meeting a week ago several Department Heads had a discussion regarding comments they had heard from citizens about the intersection of 3000 West and 2700 South and the fact that it is somewhat dangerous at this time because of all of the traffic from Black Island Farms. He explained that there is no traffic light or street light at the intersection and it is difficult for people stopped at the stop sign to see cross traffic. He stated that staff had the desire to correct the problem and they wanted to find a quick and simple fix so Public Works Director Mike Waite conducted a lot of research into the possibility of adding solar lights to the stop sign and he found a vendor that offered a solar powered flashing red light that could be mounted to the top of the stop signs. He stated each light was \$35 so he bought all four that the vendor had in stock and he was able to add the lights to the stop sign within four days of the City being notified of the issue. He stated the total cost was \$70, but the return is very great. He stated it may seem like a small issue, but to him it was a big win and a problem that was quickly solved by staff.

Mayor Nagle stated that she wanted to add some information about the West Davis Corridor project. She stated that in the spring of 2011 the Council passed a resolution asking the Utah Department of Transportation (UDOT) to consider a refined alternative route that followed the Bluff Road corridor. She stated that after hearing a couple of presentations from UDOT she got the impression that they had not given the City's recommendation any serious consideration. She added that resident and Planning Commissioner TJ Jensen also recently offered an alternative interchange idea for the intersection of Antelope Drive and the potential future West Davis Corridor. She stated that she recently met with Davis County Commissioners and West Davis Corridor project manager Randy Jefferies and she asked him to look at the City's recommendation as well as the information provided by Mr. Jensen and provide her with any information as to why the City's and Mr. Jensen's recommendations were not viable. She stated that within four hours of the meeting she received a phone call from UDOT and they reported to her that they had met with their engineers and they feel that Mr. Jensen's idea may be viable. She stated she wanted to thank Mr. Jensen for his work and for his dedication to the City. She stated she wants residents to know that the City and many residents are doing everything possible to preserve farmland in the City.

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

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

The meeting adjourned into Closed Executive Session at 8:32 p.m.

The meeting reconvened at 9:13 p.m.

At 9:14 p.m. COUNCILMEMBER CLARK MADE A MOTION TO ADJOURN. COUNCILMEMBER SHINGLETON SECONDED THE MOTION; ALL VOTED IN FAVOR.

Jamie Nagle
Mayor

Cassie Z. Brown, CMC
City Recorder

Date approved: November 15, 2011