



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #4:           **Public Comment/Council Reports**

***Factual Summation***

- There have been no requests for public comment



# Syracuse City

## Council Agenda

June 13, 2006

**Agenda Item #5: Consent Agenda**

***Legal Basis***

*State Code 52-4-6: (1) Any public body which holds regular meetings that are scheduled in advance over the course of a year shall give public notice at least once each year of its annual meeting schedule as provided in this section. The public notice shall specify the date, time, and place of such meetings. (2) In addition to the notice requirements of Subsection (1) of this section, each public body shall give not less than 24 hours public notice of the agenda, date, time and place of each of its meetings. (3) Public notice shall be satisfied by: (1) posting written notice at the principal office of the public body, . . . (b) providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the public body, or to a local media correspondent.(4) Public bodies are encouraged to develop and use electronic means to post notice in addition to those means listed in Subsection (3). (5) When because of unforeseen circumstances it is necessary for a public body to hold an emergency meeting to consider matters of an emergency or urgent nature, the notice requirements of Subsection (2) may be disregarded and the best notice practicable given. No such emergency meeting of a public body shall be held unless an attempt has been made to notify all of its members and a majority votes in the affirmative to hold the meeting.*

***Factual Summation***

**A. Authorize changing date for June 27<sup>th</sup> Council Meeting**

- Primary elections are scheduled on June 27, which is the date of the next regularly scheduled City Council meeting.
- Davis County has been authorized to utilize the City Council chamber as the polling place for several election precincts
- Staff recommends that the regularly scheduled meeting for June 27 be rescheduled to June 29 at 7:00 p.m. with a work session at 6:00 p.m.

**B. Authorization to Execute Documents**

- The City has received a \$450,000 Federal appropriation for Jensen Nature Park.
- The appropriation will be administered through an NRCS located in Salt Lake City. They will be responsible to see that all statutory requirements are met by the City.
- They have requested that the City provide them with documentation certifying that the Mayor is authorized to execute documents associated with this appropriation.
- In light of the fact that current ordinance is not specific regarding this issue, they have requested that the City Council take formal action to authorize the Mayor to execute all documents associated with this federal earmark.

***Staff Proposal***

***Reschedule the next City Council meeting to June 29, 2006 at 7:00 p.m. and authorize the Mayor to execute documents in behalf of the City.***



# Syracuse City

## Council Agenda

June 13, 2006

### Agenda Item #12: **Award Contract, 500 West Test Well**

#### ***Legal Basis***

City Code 3-6-1: A. Bidding Requirements. Whenever the City Council shall contemplate making any new improvement to be paid for out of City funds, the City Council shall cause plans and specifications for and an estimate of the cost of the improvement to be made. If the estimated cost of such improvement shall be less than the bid limit of \$125,000 as established by State Code 11-39-101 for the year 2003 and increasing each year thereafter as calculated therein, , the City may make such improvement without calling for bids for making the same. If the estimated cost of such proposed improvement shall exceed the bid limited as calculated in State Code 11-39-101, the City shall, if it determines to proceed with the building improvement or public works project, request bids for completion of the building improvement or public works project by publishing notice at least twice in a newspapers of general circulation in the city at least five (5) days before opening the bids. Each notice under this section shall indicated that the City may reject any or all buds submitted.

Except as provided in Subsection C of this section, the City shall enter into a contract for the completion of the building improvement or public works project with the lowest responsive responsible bidder.

B. Dividing the Cost of a Public Improvement or Public Works Project. The cost of the building or public works project may not be divided to avoid exceeding the bid limit and subjecting the City to the requirements of this section. The City may divide the cost of a building improvement or public works project that would, without dividing, exceed the bid limit if the City complies with the requirements of this section with respect to each part of the building improvement or public works project that results from dividing the cost.

C. Rejecting Bids. The City may reject any or all bids submitted. If the City rejects all bids submitted but still intends to undertake the building improvement or public works project, the City shall again request bids by following the procedure provided in this section. If, after twice requesting bids by following the procedure provided in this section, the City determines that no satisfactory bid has been submitted, the City Council may undertake the building improvements or public works project as it considers appropriate.

#### ***Factual Summation***

- The drilling of a test well at 500 West for our culinary water system was advertised and only one bidder responded.
- The bid received was four times more than the engineer's estimate for the test well.
- Current conditions have drawn the majority of drill operators outside the state of Utah, with work loads extending four to six months in the future.
- Because the price for this test well was so high the City Administrator has recommended that the bid be rejected.

#### ***Staff Proposal***

***Reject bids for the 500 West Test Well***



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #7:                   **Appoint Construction Manager for City Office  
Construction**

### *Legal Basis*

### *Factual Summation*

- Hogan Construction is currently managing the building of the Community Center and has expressed interest in working with the City to construct a new city office building
- The appointment of a construction manager would save the City the general conditions portion of a contract and would allow the contractor to become part of the construction team to insure that the City receives the best product for the dollars spent
- A construction management option would still allow the City to receive competitive bids on each aspect of the building construction. For example, they would solicit at least three bids from companies who do footings and present those prices to the City to award to the lowest responsible bidder. This procedure would be followed through the entire construction of the building.
- This process is similar to that used by other cities when constructing more than one project.
- Using the services of Hogan Construction would greatly reduce the cost of the city office building inasmuch as they are currently doing business for the City and the school district.
- The proposal from Hogan and associates construction is attached for your review.

### *Staff Proposal*

***Authorize the Mayor to issue a change order allowing Hogan and Associates to provide construction management services for the new City Office Building.***



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #8:                   **Public Hearing, Secondary Water Capital  
Facilities Plan**

### ***Legal Basis***

*State Code 11-36-201(2) (a): Before imposing impact fees, each local political subdivision shall prepare a capital facilities plan . . . (e): . . .before adopting the capital facilities plan: (A) give notice of the plan according to this Subsection (2)(e); (B) at least 14 days before the date of the public hearing: make a copy of the plan, together with a summary designed to be understood by a lay person, available to the public; and place a copy of the plan and summary in each public library within the local political subdivision; and hold a public hearing to hear public comment on the plan.*

### ***Factual Summation***

- An amended capital facilities plan for Secondary Water has been provided by Epic Engineering
- Public notice has been given as prescribed by law
- This is the first step in amending the secondary water impact fees that we have been working on for the past six months.



# Syracuse City

## Council Agenda

June 13, 2006

**Agenda Item #9:                    Adopt Capital Facilities Plan and Set Date for  
Public Hearing to Pass an Impact Fee Enactment**

***Legal Basis***

*Refer to Agenda Item #8*

*State Code 11-36-20(4) and (5): A local political subdivision may only impose impact fees on development activities when its plan for financing system improvements establishes that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. Each local political subdivision imposing impact fees shall prepare a written analysis of each impact fee . . .*

*State Code 11-36i-202(1): (a) Each local political subdivision wishing to impose impact fees shall pass an impact fee enactment. (d) In enacting an impact fee enactment municipalities shall make a copy of the impact fee enactment available to the public at least 14 days before the date of the public hearing; and comply with the notice and hearing requirements of . . . Section 11-36-401(4)(f).*

***Factual Summation***

- After holding a public hearing, the governing body may adopt the capital facilities plan or an amended plan.
- A written analysis of the impact fee is required, which must be provided to the library at least 14 days before adopting an impact fee enactment.
- Lewis Young has prepared the written analysis.
- Prior to adopting an impact enactment a public hearing must be held with notice published at least 10 days prior to the hearing.
- Such hearing could be held June 29, 2006, at 7:30 p.m.

***Staff Proposal***

***Adopt Secondary Water Capital Facilities Plan and set a public hearing to receive public input prior to passing an impact fee enactment.***



# Syracuse City

## Council Agenda

June 13, 2006

### Agenda Item #10: Conditional Uses

#### ***Legal Basis***

*City Code 10-6-7: Upon recommendation of the Planning Commission, the City Council shall consider the application for conditional use permit. Based on the nature of the request, the City Council may require a public hearing to be held prior to action upon the request. Following a public hearing (if necessary) the City Council shall approve, deny, or approve the conditional use permit with such conditions as deemed appropriate to protect and preserve the health, safety, and welfare of the community.*

#### ***Factual Summation***

##### A. Two Family Dwelling, Colin Brown

- Colin Brown's request for a two family dwelling at 2151 West 2200 South was recommended for denial by the Planning Commission on May 16i
- The City Council reviewed the request on May 23,2006
- The request was tabled for two weeks
- Council minutes from May 23 are attached for review.

#### ***Staff Proposal***

##### B. Home Occupation, Karest Stephenson Day Care

- Karesa Stephenson has applied for Angel Korner, a day care home occupation at 1465 West 2500 South.
- She is only caring for an infant grandchild while her daughter finishes her schooling, a period of approximately 2 years.
- She does not have a fenced yard but agreed to complete a play area within six months.
- The child is only an infant and will not be playing outside.
- Planning Commission recommended approval of the request provided a fence is installed within a six month period and that the hours of operation be between 7:30 a.m. and 2:30 p.m.

#### ***Staff Proposal***

***Approve Home Occupation request for Angel Korner Day Care with the condition that hours of operation be between 7:30 a.m. and 2:30 p.m. and that a fenced play area be completed within six months.***



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #11: **Clearfield High School request for use of  
Fremont Park**

***Factual Summation***

- On behalf of Clearfield High School, Todd Hammond has requested use of Fremont Park for the months of July and August between 7:30 a.m. and 11:00 a.m. for sports related activities.
- Clearfield High School facilities are not usable during this time because of remodel/landscaping projects.
- Syracuse City sports activities are not held at that park until later in the day.

***Staff Proposal***

***Authorize Clearfield High School to utilize Fremont Park between the hours of 7:30 a.m. and 11:00 a.m.***



# Syracuse City

## Council Agenda

June 13, 2006

### Agenda Item #13: **Public Hearing, Budgets**

#### ***Legal Basis***

*City Code 3-1-5: At a meeting of the City Council at which the tentative budget is adopted the City Council shall determine the time and place of a public hearing to consider the adoption of the budget and shall order that notice thereof be published at least seven days prior thereto by publication in at least one issue of a newspaper of general circulation in the City.*

*City Code 3-1-6: At the time and place so advertised, or any time and place to which such public hearing may be adjourned, the City Council shall hold a public hearing on the budget as submitted, at which all interested persons shall be given an opportunity to be heard, for or against the estimates of revenue and expenditures or any item thereof in any fund*

*State Code 10-6-127: . . .The governing body may, at any time during the budget period, review the individual budgets of the funds set forth for the purpose of determining if the total of any of them should be increased. If the governing body decides that the budget total of one or more of these funds should be increased, it shall follow the procedures set forth for holding a public hearing.*

*State Code 17B-4-1301 (Redevelopment Agency): Each agency shall prepare and its board adopt an annual budget of revenues and expenditures for the agency for each fiscal year . . . before June 22. The agency's fiscal year shall be the same as the fiscal year of the community that created the agency. Before adopting an annual budget, each agency board shall hold a public hearing on the annual budget.*

#### ***Factual Summation***

- Public hearings have been scheduled to meet the statutory requirements of opening and adopting the operating budgets for the City.
- Slight adjustments have been made to the tentative budget that was presented to the Council in May and will be reviewed by the Budget Officer.
- The City is also required to hold a public hearing to consider adoption of the RDA budget.
- The issue of largest concern centers around the proposed tax rate for next year. To date we have not received the information needed to determine whether or not the certified tax rate would be acceptable to the City. However, preliminary indications from the County show a potential decline in the property tax rate. Any decline in the rate will have a financial impact on the City's ability to provide services at the current level. We are hopeful that we will have better idea by Tuesday evening to allow the Council to make a decision as to whether or not they will accept the certified tax rate or retain the current tax rate. Barring any significant changes, it would be the recommendation of the staff to reject the certified tax rate and retain the current tax rate, which would require delaying adoption of the budget until August.



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #14:           **Resolution R06-10, adjusting FY 2005/06  
Annual budget**

### ***Legal Basis***

*State Code 10-6-128: After the conclusion of the hearing, the governing body, by resolution or ordinance, may amend the budgets of the funds proposed to be increased, so as to make all or part of the increases therein, both estimated revenues and appropriations, which were the proper subject of consideration at the hearing. Final amendments in the current period to the budgets of any of the funds set forth shall be adopted by the governing body on or before the last day of the fiscal period.*

### ***Factual Summation***

- The City Administrator and City Treasurer are working on balancing this year's expenditures and will be prepared to make recommendations to the Council on adjustments within the various funds.
- Resolution will be prepared prior to Tuesday's meeting.

### ***Staff Proposal***

***Adopt Resolution R06-10, adjusting the FY 2005/06 budgets***



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #15:           **Resolution R06-11, Adopting FY 2006/07  
Budget**

### ***Legal Basis***

*City Code 3-1-7: After the conclusion of the public hearing, the City Council may continue its review of the tentative budget and may insert such new items or may increase or decrease such items of expenditure as were the proper subject of consideration at said public hearing, except as restricted by law.*

*On or before June 22 of each fiscal year, or in the case of a property tax increase, before August 17, the City Council shall by resolution adopt a budget for the ensuing fiscal year for each fund for which a budget is required by law. A copy of the final budget shall be certified and filed with the State Auditor within thirty (30) days after adoption.*

### ***Factual Summation***

- We are uncertain which direction this item may go in light of our inability to determine next year's Certified Tax Rate.

### ***Staff Proposal***



# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #16:                   **RDA Resolution RDA-06-02, Adoption of FY  
2006/07 Budget**

### ***Legal Basis***

*State Code 17B-4-1301 (Redevelopment Agency): Each agency shall prepare and its board adopt an annual budget of revenues and expenditures for the agency for each fiscal year . . . before June 22. The agency's fiscal year shall be the same as the fiscal year of the community that created the agency. Before adopting an annual budget, each agency board shall hold a public hearing on the annual budget.*

### ***Factual Summation***

- A resolution outlining the Redevelopment Agency Budget for FY 2006/07 will be prepared prior to Tuesday's meeting.

### ***Staff Proposal***

***The City Council, acting as the Redevelopment Agency Board, adopt  
RDA Resolution RDA-06-02, Fiscal Year 2006/07 Budget***



# Syracuse City

## Council Agenda

June 13, 2006

### Agenda Item #17:           **Zoning Ordinance Revision Draft**

#### ***Legal Basis***

*State Code 10-9a-502(2): The municipal legislative body shall consider each proposed land use ordinance and zoning map recommended to it by the planning commission, and, after providing notice as required by Subsection 10-9a-205(1)(b) and holding a public meeting, the legislative body may adopt or reject the ordinance or map either as proposed by the planning commission or after making any revision to the municipal legislative body considers appropriate.*

*State Code 10-9a-503(3): The legislative body shall comply with the procedure specified in Section 10-9a-502 in preparing and adopting an amendment to a land use ordinance or a zoning map.*

#### ***Factual Summation***

- Drafting of amendments to the City's Zoning Ordinance to comply with LUDMA requirements has been ongoing for several months.
- A public hearing was held on March 14, 2006
- Chapters outlining requirements for a PRD Zone, a Professional Office Zone, and a Research Park Zone have been added to the proposed amendments.
- The only change recommended in the animal keeping section is to reduce the number of points required for large animals from 25 to 20, thus allowing two such animals on ½ acre.
- An ordinance will be prepared for the next Council meeting to adopt the revised Zoning Ordinance.
- Any corrections or changes required should be provided to staff prior to the next meeting.



# Syracuse City

## Council Agenda

June 13, 2006

### Agenda Item #6: **Appoint City Recorder**

#### ***Legal Basis***

*City Code 1-8-3: APPOINTMENTS BY MAYOR. On or before the first Monday in February following a municipal election, the Mayor, with the advice and consent of the City Council, shall appoint a qualified resident or nonresident to each of the offices of City Recorder, City Treasurer and City Marshal except as otherwise provided by ordinance.*

*The Mayor, with the advice and consent of the Council, may also appoint all such officers and agents as may be provided for by law or ordinance, and in like manner fill all vacancies among the same, except as otherwise provided by law.*

#### ***Factual Summation***

- As you are aware, Kathy Holt, our City Recorder, will be retiring effective July 1, 2006
- Interviews have been held and Cassie Zee Brown has been selected for her replacement
- Cassie is well qualified to fill the position of City Recorder
- Cassie will not be available to begin work until July 3, 2006, but she will spend a little time at the city prior to that time to get acquainted with her responsibilities.
- Appointment to the office of City Recorder should be made effective July 1, 2006.

#### ***Staff Proposal***

Appoint Cassie Zee Brown as City Recorder effective July 1, 2006.





# Syracuse City

## Council Agenda

June 13, 2006

Agenda Item #18:           **Ordinance 06-13, Amending Traffic and  
Criminal Regulations**

***Legal Basis***

*City Code 1-2-2: All ordinances adding to, deleting from, or altering any part of these Revised Ordinances shall constitute an amendment to these Revised ordinances.*

***Factual Summation***

- Recently new ordinances were adopted by the Council to adopt the State Codes for Traffic and Criminal Violations
- In the process of codifying, the codifier has recommended that the proposed ordinance be adopted that would totally repeal the ordinances in effect prior to adoption of Ordinances 06-08 and 06-09 so that reference will not be made to the previous regulations.
- The proposed ordinance would meet the requirements to accomplish this.

***Staff Proposal***

***Adopt Ordinance 06-13, repealing Traffic and Criminal Regulations adopted prior to Ordinances 06-08 and 06-09.***