

MINUTES
SMITHFIELD CITY COUNCIL MEETING
June 27, 2012

The Smithfield City Council met in a regular scheduled meeting at 96 South Main, Smithfield, Utah, on Wednesday, **June 27, 2012**. The following were present constituting a quorum:

Mayor	Darrell G. Simmons
Council Members	Jeffrey Barnes Brent Buttars Kris Monson Dennis Watkins
Excused	Barbara Kent
City Manager	James P. Gass
City Recorder	O. Dean Clegg

Mayor Simmons called the meeting to order at 6:05 p.m.

Councilmember Jeff Barnes offered a prayer and led the Pledge of Allegiance

Visitors: Glen J. Thornley, Johnny W. McCoy, Ruth Swaner, Ralph Erickson, Jeffrey Strate, Geraldine Niederhauser, Gary Niederhauser, Lynda Gittins, Char Izatt, Jay Downs, Mike Weibel, Jeremy Hunt, and Jean Douglass

Excuse Councilmember Kent

Agenda:

1. Consideration of Consent Agenda
 - Minutes of City Council Meeting held May 23, 2012
 - Minutes of City Council Meeting held June 13, 2012
2. Resident Input
3. Consideration of Request from Gary and Geraldine Niederhauser, East Sky View Development, Inc., for Approval for Phase 16 (8 lots) of the Final Plat for East Sky View Subdivision Located at Approximately 600 South, 660-700 East. Zoned R-1-12.
4. Consideration of **Resolution 12-07**, “An Amendment to the Final Budget for the Fiscal Year 2011/2012 for all Funds”
5. Consideration of **Resolution 12-09**, “Set the Certified Tax Rate for Fiscal Year 2012-2013”
6. Adding a “Permit Time” to the Chicken Permit Fee in the Prevailing Fee Schedule
7. Discussion on Fire Restrictions for Open Pits, Fireworks, and Discharge of Firearms
8. City Manager Items
9. Mayor and Council Reports
10. Adjournment

Consideration of Consent Agenda

Continuation of Minutes of City Council Meeting held June 27, 2012

Minutes of City Council Meeting Held May 23, 2012

Minutes of City Council Meeting Held June 13, 2012

Mayor Simmons declared the consent agenda approved for both meetings.

Resident Input:

Smithfield resident Ralph Erickson told those present that this Saturday morning at 9:00 a.m. the Historical Society is hoping to get a group to go to the Youth Center and remove vegetation that is growing on the north side.

Mr. Erickson also reminded the council of the tall grass on Second South and Second East. Something really needs to be done there. You cannot see anything at that intersection until you get to it.

City Manager Jim Gass said the street mower is closing in on that area.

Smithfield resident Lynda Gittins said in looking at the budget adjustment on the golf course budget they went over \$39,700 on only labor. Before the last meeting she talked to two council members and they said there would be no raises to give them. There is a two per cent increase at the golf course. You need to get this under control.

Smithfield resident Glen J. Thornley has been in contact with the Forest Service. They have \$86,000 that will be spent in Smithfield Canyon above the forest boundary line this year. He has asked for a mountain pack trail, but we are going to get a nice parking area, with about three to six inches of crushed gravel. The road will be much more comfortable. Signs will be constructed there. Federal money was received because of flooding that damaged the bridge at the forest service boundary and black stump bridge. They will be replaced. Right now we are not obligated to help, but there will be some Boy Scout projects available. Mr. Thornley applied for this money.

Smithfield resident Jeff Strate asked for clarification on last city council meeting as he has some concerns on what was agreed upon with the Historical Society budget. He understood the Historical Society would use \$2,500 from their budget and provide another \$2,500 for the building assessment. Then if the assessment of the Youth Center came out positive the city would reimburse the Historical Society their \$2,500. It was explained the decision was the Historical Society would put up \$2,500; the city would put up \$2,500 of their own. To provide the city's \$2,500 the Historical Society budget was increased from \$5,000 to \$7,500." Councilmember Kris Monson said there was some discussion about if it came out positive, but no one agreed with it. Mayor Simmons asked "Where are we at on the assessment?"

Smithfield resident Glen J. Thornley thought that money couldn't be spent until we got into the new budget year. Mr. Thornley is right. The Historical Society will make arrangements for the assessment.

Consideration of Request From Gary and Geraldine Niederhauser, East Sky View Development, Inc., for Approval for Phase 16 (8 Lots) of the Final Plat for East Sky View Subdivision Located at Approximately 600 South 660-700 East, Zoned R-1-12.

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Geraldine Niederhauser told the Mayor and Council thanks for all the help the city has given them through the years. This is the second to the last phase that they will be doing. They are trying to develop eight lots, two on 700 East and six on 660 East on 600 South. The Planning and Zoning Commission gave a favorable recommendation. She hopes that the council finds this acceptable. Councilmember Dennis Watkins asked if 660 East would connect through to 600 South Street. Mrs. Niederhauser acknowledged the road will go through but small segment will be missing until the final phase. Councilmember Brent Buttars had a question with the numbers listed on the lots, but the project itself was okay. The preliminary plat had lot numbers that differed from the plat but it was determined the lots had been number consecutively.

Motion: Councilmember Kris Monson made a motion to approve a request from Gary and Geraldine Niederhauser, East Sky View Development, Inc., for approval of Phase 16 (8 lots) of the Final Plat for East Sky View Subdivision located at approximately 600 South, 660-700 East, Zoned R-1-12. The motion was seconded by Councilmember Brent Buttars. A roll call vote was taken and the following votes recorded:

Yea: Councilmembers Barnes, Buttars, Monson, and Watkins
Nay: None
Absent: Councilmember Kent
Motion Passes

Mrs. Niederhauser said it has turned out well so far and she will be glad when it is completed.

Mr. Niederhauser said Smithfield is a great community and he appreciates working with officials here. He thanked everyone.

Consideration of Resolution 12-07, An Amendment to the Final Budget for the Fiscal Year 2011/2012 for all Funds

Councilmember Dennis Watkins asked City Manager Jim Gass to please review the adjustments. Mr. Gass said this is one of the smallest budget adjustments that we have had in a long time. The total adjustment was \$92,000. Details of the adjustment for each department was provided on the accompanying sheets. He explained the city received over \$33,000 in Energy Efficiency Block Grant funds and a similar amount in RAPZ Tax funding for improvements to the Civic Center. Even though these funds were received this year and in large measure spent in this fiscal year, the Auditors accrued the funds into the last year's budget because they were awarded last year. As a result revenues for this year were short that amount but the funds did reside in the accounts receivable at the beginning of the year. As the money was spent this year the accounts receivable was reduced by the amount spent. The auditors also, for the first time, accrued one additional payroll into this year contrary to what had historically been done in the past. This was to recognize a payroll debt that was incurred at the end of June but not paid until the first of week of July. As a result, the city had to show 27 payrolls in the fiscal year rather than the normal 26.

In addressing criticism by Lynda Gittins during citizen input, Mr. Gass explained the golf course wasn't reclusely overspending their payroll. The over expenditure was in part attributed to the additional payroll that had to be shown and the fact that they elected to take over the clubhouse café which required funds to pay the employees. In doing so the there was a payroll obligation of

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incurred of \$16,773 plus benefits, but it was more than offset by \$52,000+ received in snack bar sales.

Whether or not there will be funds available to contribute to the capital fund won't be known until the books are nearly closed on the fiscal year.

Councilmember Dennis Watkins asked City Recorder Dean Clegg if we have set aside money for the library. Is that money earmarked? City Recorder Dean Clegg stated it has been.

City Manager Jim Gass drew the council's attention to the amount of money the general fund had planned to contribute to the Recreation Budget. Because of the success of the programs this year this contribution was reduced by \$46,600. Their program continues to grow.

Councilmember Jeff Barnes said he is really quite nervous right now over concerns about these budget adjustments. He is a really strong proponent of fiscal responsibility. We are fostering overspending, maybe even encouraging it because there are no consequences for their overspending. When we set a budget, departments are responsible for that budget. There are no consequences for overspending in the city. We need to look at spending in a different way. We should see what has been spent every month. Mr. Barnes proposes we approve increases in the budget before the money is spent. The departments that spend over their allotted amounts are insubordinate. He would like to see extra money approved to departments only as they need it on a monthly budget. How do we prevent a department from going in the red? Councilmember Kris Monson said maybe we, as council members, should pay better attention to the departments that we have responsibility over.

Councilmember Kris Monson said we should know where our departments stand on their budgets. Mayor Darrell Simmons asked if the council would like to see expenditures on a monthly basis. Councilmember Jeff Barnes said he would like to see a monthly printout. City Recorder Dean Clegg reminded council members to please be cautious when you see them. June doesn't close until the middle of August. Just be cautious. Councilmember Barnes is mainly interested in the final statement. Councilmember Jeff Barnes asked Mr. Clegg to put a copy of these statements in his box. Councilmember Kris Monson asked Mr. Clegg if he would send her reports via e-mail. Councilmember Barnes said that would be okay for him as well.

City Manager Jim Gass said he is very offended. We are very careful with the money and are financially responsible. We always come to this body before we spend any money. We have talked extensively about the police over the past few months and I believe we have that well in hand. Otherwise, we get approval from the council. Councilmember Barnes would like to see it on a monthly basis. City Recorder Clegg said they will e-mailed a financial statement to each council member as soon as it is possible. We will get you the financial statements. If you see something, please come in and we will discuss it.

Mayor Simmons said this isn't a day to day budget. It moves around a lot. City Recorder Clegg will give copies to the council members monthly.

Councilmember Barnes said he knows that the budget is a monster. City Manager Gass apologized to Mr. Barnes for getting upset, Mr. Barnes accepted the apology.

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Motion: Councilmember Dennis Watkins made a motion to approve **Resolution 12-07**, “An amendment to the final budget for the fiscal year 2011/2012 for all funds.” The motion was seconded by Councilmember Brent Buttars. A roll call vote was taken with the following results:

Yea: Councilmembers Barnes , Buttars, Monson, and Watkins
 Nay: None
 Absent: Councilmember Kent
 Motion Passes

Resolution 12-07

A RESOLUTION AMENDING THE FISCAL YEAR 2011/12 BUDGET FOR THE CITY OF SMITHFIELD, UTAH.

BE IT ORDAINED by the City Council Members of the City of Smithfield, Utah, that the 2011/12 fiscal budget be amended to include increases within the General Fund and Special Revenue Funds.

CHANGES TO GENERAL FUND REVENUES*

Charges for Services	\$ 16,500.00
Intergovernmental	\$ -23,101.73
Licenses and Permits	\$ 7,000.00
Taxes	\$ 45,406.00
Revenue from Fines	\$ -23,000.00
Miscellaneous Revenues	\$ 12,000.00
Additional Revenue	\$ <u>1,500.00</u>

TOTAL \$ 36,304.27

Contribution from General Fund Reserve \$ 55,764.19

GRAND TOTAL \$ 92,068.46

INCREASE TO GENERAL FUND EXPENDITURES*

Legislative	\$ 21,000.00
City Court	-5,000.00
Administrative	3,700.00
Attorney	10,000.00
Non Departmental	4,000.00
General Government Buildings	17,000.00
Elections	-2,600.00
Police	42,900.00
Fire	17,100.00
Animal Control	-3,500.00
Streets	1,000.00
Public Works	9,200.00
Sanitation	19,000.00

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Park and Park Areas	8,900.00
Library	7,500.00
Contributions	<u>-58,131.54</u>

TOTAL \$ 92,068.46

CHANGES TO THE RECREATION FUND*

EXPENDITURES	\$ 35,100.00
UNAPPROPRIATED FUND SURPLUS	\$ 15,000.00
TRANSFERS FROM GENERAL FUND	\$ -46,600.00
REVENUES	\$ 66,700.00

CHANGES TO THE PARK IMPACT FEE FUND*

REVENUES	\$ 60,000.00
EXPENSES	\$ 74,000.00
CONTRIBUTION FROM IMPACT FEE RESERVE	\$ 14,000.00

CHANGES TO THE DEBT SERVICE FUND*

CONTRIBUTIONS AND TRANSFERS	\$ 29,837.50
EXPENSES	\$ 29,837.50

CHANGES TO THE GENERAL CAPITAL IMPROVEMENT FUND*

REVENUES	\$ -1,900.00
TRANS. FROM GCIF RESERVES	\$ 32,837.50
EXPENSES	\$ 30,937.50

CHANGES TO THE WATER FUND*

REVENUES	\$ 50,498.50
EXPENSES	\$ 50,498.50

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CHANGES TO THE SEWER FUND*

REVENUE:	\$ 123,500.00
EXPENSE:	\$ 123,500.00

CHANGES TO THE STORM SEWER FUND*

REVENUE	\$ 21,000.00
EXPENSES	\$ 21,000.00

CHANGES TO GOLF COURSE FUND*

REVENUE	\$ 163,200.00
EXPENSES	\$ 163,200.00

*See attached schedules for additional details

PASS AND APPROVED this 28th day June, 2012.

SMITHFIELD CITY CORPORATION

/s/ Darrell G. Simmons

Darrell G. Simmons, Mayor

ATTEST:

/s/ O. Dean Clegg

O. Dean Clegg, Recorder

City Recorder Dean Clegg said this has been the hardest budget we have had since he has worked here. This has been one long tedious experience. He thanked all who have been involved with it and bringing it to a close. Now we can get on to the auditors coming.

Consideration of Resolution 12-09, "Set the Certified Tax Rate for Fiscal Year 2012-2013"

City Recorder Dean Clegg said Tamara Stone, Cache County Assessor, has our property tax information online with the State Tax Commission. Taxable values were decreased by 5 per cent by the assessors. We are guaranteed the same amount of property tax as last year plus new growth. Councilmember Brent Buttars asked if all the tax evaluations in the county went down. Mr. Clegg acknowledged that it was the case. The tax rate is .001671 which includes the funds for the recreation center. Even with the recreation center we are still in the middle of all the cities in the county.

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near future. We have fireworks coming up on July 4 which contribute to the anxiety. He informed the council that everything east of 700 East to the east city limits is restricted and there are no fireworks allowed. Fireworks will be restricted on Canyon Road, off to the left, and off to the right. Restrictions will be also by Summit Creek. Chief Downs suggested we not even buy fireworks. It is probably easier for cities to say "No Fireworks." Restrictions are allowed three days before and three days after the "Fourth" and the "Twenty-fourth" with no fireworks permitted after 11:00 p.m. except on the 4th and 24th when they can be discharged to midnight.

When fire restrictions are in place, people go to the golf course and set off fireworks. Some of these fireworks are set off by people who live by the golf course. Councilmember Kris Monson said that Canyon Road and the mountains are very dry. She wondered how people get onto the golf course and set off fireworks. Chief Downs said recreational fire pits are approved if the flame is no higher than 2 feet.

Fireman Mike Weibel said post cards have been mailed out to every household in Smithfield and Hyde Park. You can access the internet at www.smithfieldfire.org. It will be updated. He added that the whole east bench has fire restrictions. Smithfield, Hyde Park, North Logan, Logan, Providence, and River Heights all have the same restrictions. We belong to Cache Valley Coalition for Public Education and are using this resource to educate the public on fire safety.

The city council and fire department personnel agreed to put restrictions down Center Street and above Second East.

Chief Johnny McCoy said fireworks that go over 15 feet are illegal. The police will cite people for illegal fireworks. We are going to try to concentrate on the Canyon area. The Fire Department will be patrolling; the police will be patrolling. We will be out in force on July 3 and 4.

Chief Downs then asked if there were any changes the council would like to make. The Council suggested the line be re-drawn to include Mack Park

Mayor Simmons said, "Let's just celebrate with common sense." He asked the council if they feel okay with what Chief Downs has presented. They all agreed with the Fire Department Guidelines. Mayor Simmons thanked Chief Downs and the Fire Department and the Police Department.

City Manager Items

Sales Tax Report

City Manager Jim Gass handed out the sales tax reports for the last month to each council member. They are up \$8,000 over same month last year. He told councilmembers to be very careful about sharing information contained in the reports with anyone. This information is to be guarded and he handed out a statement from the State Tax Commission stating such.

Sewer

Mr. Gass also handed out a report summarizing the findings of a sewer study that modeled the sewer system performed by Sunrise Engineering. He informed the council they plan to make a presentation on the study at a future council meeting. The study shows the system is in good shape with a few challenges reserved for the future.

Councilmember Brent Buttars said Logan City is looking more at adding a mechanical system in order to meet standards for phosphates. If that happens, we can look at a big increase. The USU Program using the algae hasn't worked well in the field.

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Mayor and Council Reports:

Councilmember Watkins' Report:

Nothing to report tonight.

Councilmember Monson's Report:

Nothing tonight.

Councilmember Barnes' Report:

Councilmember Barnes wanted all council members to mark their calendar for the Community Covenant Program on November 12, 2012 at Sky View High School. He has contacted General Tarbet; he will come and speak at the assembly and present the "Community Covenant". He would like all council members to be in attendance at this important assembly.

Councilmember Buttars' Report:

Councilmember Buttars drove through many cities in Utah recently. When he returned to Smithfield he realized what a nice city we have. Mayor Simmons agrees.

Mayor Simmons' Report:

Let's set a date for the city picnic. How about September 6 (Thursday night)? Let's start planning. He would like to have it at Mack Park at 6:00 p.m.

City Recorder Clegg:

City Recorder Dean Clegg asked how many wanted to attend the "League of Towns and Cities" in Salt Lake City in September. All will go. Mr. Clegg will start working on reservations.

Adjournment

Motion: Councilmember Kris Monson made a motion to adjourn. All were in agreement. Adjourned at 7:48 p.m.

Approved and signed this 11th day of July 2012.

SMITHFIELD CITY CORPORATION

ATTEST:

Darrell G. Simmons, Mayor

O. Dean Clegg, Recorder