

MINUTES
SMITHFIELD CITY COUNCIL MEETING
January 9, 2013

The Smithfield City Council met in a regular scheduled meeting at 96 South Main, Smithfield, Utah, on Wednesday, **January 9, 2013**. The following were present constituting a quorum.

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| Mayor | Darrell G. Simmons |
| Council Members | Jeffrey Barnes Brent Buttars Barbara Kent Kris Monson Dennis Watkins |

Mayor Simmons called the meeting to order at 6:00 p.m.
Councilmember Kris Monson offered a prayer and Boy Scout Jacob Kunzler of Troop 288 led the Pledge of Allegiance.

Visitors: Zan Murray, Trevor Datwyler, David Barnes, Christian Clarke, Jordan Brooksby, Brett Conley, Jake Kunzler, Spencer Conley, Brandon Kobb, Marcos Chaparro, and Jean Douglass

Agenda:

Welcome and Opening Ceremonies

Consideration of Consent Agenda
Minutes of December 12, 2012 City Council Meeting

Mayor Simmons declared the consent agenda approved.

1. Resident Input
2. Selection of Mayor Pro Tempore
3. Report from J-U-B Engineering on Municipal Water Study
4. Signing of the Community Covenant by Mayor and Council Members
5. Discussion on Rules of Order for City Council Meeting
6. Discussion of Prevailing Fee Schedule for 2013
7. Public Hearing, not to begin before 7:00 p.m., to Receive Public Input for Consideration of **Ordinance 12-08**, "An Ordinance Amending the Smithfield City Land Use Ordinance (Zoning) Title 17; by Adding Chapter 17.14 "Animal Right Regulations for R-1 Zones" in its Entirety"
8. Adjourn for RDA Annual Business Meeting
9. Reconvene City Council Meeting
10. City Manager Items
11. Mayor and Council Reports
12. Adjournment

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Resident Input:

None

Selection of Mayor Pro Tempore

It was decided that Councilmember Dennis Watkins would remain as the Mayor Pro Tempore for the coming year. All were in agreement

Report from J-U-B Engineering on Municipal Water Study

JUB employee Trevor Datwyler handed out a report on the water study they have been working on for over a year. Zan Murray of JUB said the purposes and objectives of the report are to see evaluate the amount of water the city has both in water rights and developed. As a result of their study they feel the city needs to continue pursuing additional water to meet anticipated future demands, this despite the fact the city currently has sufficient water rights to meet demands for the next 25 years.

In conducting the study, they looked at the status and origin of all water rights currently being held. They also projected future demand based on estimated population growth and anticipated water use patterns. Mr. Murray urged the city council to begin the process of upgrading the production of the Birch Well to satisfy an immediate need to meet the peak summer day demand. He also recommended a filing on water being taken from Smithfield Canyon be expanded to include the period between April 1st and May 15th to reflect water historically being taken by the city through the exchange agreement with Smithfield Irrigation Company but during which time there often is no canal water to meet the exchange.

Mr. Murray told those in attendance some of the precautionary measures we should consider:

1. Teach people to conserve
2. Purchase additional water rights
3. Utilize secondary water more extensively
4. Increase benefits of existing rights.

Councilmember Brent Buttars said we should add to that list "Smaller Lots".

Mr. Murray suggested ways to plan for the future could include (1) Upgrade the Birch Well and increase capabilities, (2) Purchase water rights from Cache Valley Ranches, (3) Convert existing water rights to municipal use that are currently classified under a different use, (4) Explore the potential to further develop the secondary water, and (5) use secondary water for parks.

We use eight times more water outside our homes than inside.

City Manager Jim Gass said most of the city (approximately 60%) is covered by the Smithfield Irrigation system. There are some developed areas where we could use secondary water. He added that in most cases we have secondary water access with most of our parks. We need to have a better filtered screening system at the cemetery.

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Mr. Gass suggested we sit down with J-U-B and complete a ten-step list of things that we need to be doing.

Items on Canal

Mr. Murray and Mr. Datwyler showed slides on the progress on the piping of the Logan, Hyde Park, Smithfield Canal through Logan Canyon and along the bench past Lundstrom Park.

Signing of the Community Covenant by Mayor and Council Members

Councilmember Jeff Barnes reported the Community Covenant did not arrive. Capt. Simmons was not in attendance. Hopefully it will be here at the next city council meeting.

Discussion on Rules of Order for City Council Meetings

There was no discussion from the council. Rules of Order will remain the same as last year.

Discussion on Prevailing Fee Schedule for 2013

City Manager Jim Gass presented a draft of the Prevailing Fee Schedule in a slightly different format designed to make it easier to find the various fees. The council was asked to review the schedule and notify the office of any changes they'd like to see. Also to let the office know if they have concerns with any of the proposed changes indicated on the draft.

There are a few fees being recommended for increase including those for cemetery plots and internment. We currently are falling far short of the cost associated with burials and long term care of the cemetery based on the revenues being received. The proposed changes would not be enough to cover those costs, but it would help close the gap especially for weekend burials.

City Recorder Dean Clegg will prepare a resolution to approve the Prevailing Fees Schedule for 2013 for the next meeting.

Public Hearing not to Begin before 7:00 p.m. to Receive Public Input for Consideration of Ordinance 12-08 . “An Ordinance Amending the Smithfield City Land Use Ordinance (Zoning), Title 17; by Adding Chapter 17.14 “Animal Right Regulations for R-1 Zones” in its Entirety”

Councilmember Kris Monson said we have talked about this for a year now.

City Manager Jim Gass reminded the council that a land owner with a large animal has to have a minimum amount of property that is usable and accessible. If a portion of that required property comes from an adjoining property owner there will need to be an agreement assuring the free use of that adjoining property. The gate between the two pieces of property must be opened.

Mayor Simmons opened the public hearing at 7:05 p.m. There were no comments from the public, so Mayor Simmons closed the public hearing at 7:06 p.m.

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Councilmember Brent Buttars questioned Item “A” on Paragraph 17.14.040 which states “Animals kept only for periods not to exceed seven months during a calendar year will only count at half the adult animal unit equivalent rate.” After some discussion it was decided this provision should be struck and the ordinance modified to reflect the change.

City Recorder Dean Clegg suggested everyone read the ordinance again and see if there are any other changes that need to be made before it is considered. The ordinance will be modified to reflect the change mentioned above and brought back to the council for consideration.

Adjourn for RDA Annual Business Meeting

The City Council meeting was adjourned at this point to go into the Redevelopment Agency Meeting. After the Redevelopment Agency meeting we will reconvene with the city council meeting. Adjourned at 7:10 p.m.

Reconvene City Council Meeting

The city council meeting was reconvened at 7:56 p.m.

City Manager Items

Civic Center Remodel

The entrance has been cut on the east side of the civic center; this entrance and connecting foyer will be tiled this week. Concrete work on the outside entrance is continuing with cold weather precautions being observed. Most of the interior work is complete with the exception of floor coverings. It was reported that the public works employees have been busy making improvements to the old back section of the building. This area has been cleaned, repaired, and in some areas painted to make better use of the space. In one section, the area was improved to provide storage space for the Children’s Theater costumes and props. Another area was rearranged to allow for the parking of some city vehicles once the old city office is torn down.

Old City Office

Bids to take what is left in the building will be advertised in about two weeks.

The Public Works Department is currently involved in repairing equipment in anticipation of the coming summer season. They are also continually repairing trucks and plow involved in snow removal.

Question From Public About Roads

The question has been asked, “Do we salt all our roads?”. We do hills, intersections, and high traffic areas.

Budgets

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City Manager Gass handed out to all council members a copy of the State Money Management Report showing where the city currently has the reserve funds. The report also shows the current levels of deposit in those funds. Mr. Gass reported the current budget is showing a better than expected level of revenues while expenditures are holding steady. Overall the budget looks good. The police department has done a great job maintaining expenditures especially in comparison to recent years. The officers have also done a good job of using up much of their vacation and comp time while not adversely effecting coverage.

Councilmember Brent Buttars asked where we are at with Hyde Park on the sewer charges. City Manager Gass reported that after close evaluation of the charges to Smithfield over the past 12 months it turned out that we were undercharged during the first 5 months and then overcharged the next 5 months. Most of this confusion was the result of meter reading errors on the part of Hyde Park and Logan City. Overall, the result was nearly a wash. Because our saving were realized in the last budget year but the overage seen in this budget year, we will likely need to make an adjustment to the budget before year's end to reflect the overage.

City Recorder Dean Clegg asked the council members to please go over the list of dates shown on a handout that reflects meetings scheduled for the city council in 2013.

Mayor and Council Reports

Councilmember Buttars' Report

Nothing to report

Councilmember Barnes' Report

We lost a city icon when Libby Gittins passed away recently.

Councilmember Barnes will not be in attendance at the city council meeting held June 12. He will be gone on June 12 and the rest of that week.

Councilmember Monson's Report

Councilmember Monson reported they are starting Health Days meetings. They will be meeting on the Health Days Pageant next week. They will likely cut down on the amount they give for scholarships. In the past, businesses have been asked to shoulder much of the cost associated with the scholarships and with the number of requests for funds being solicited from the businesses they feel continuing to support the pageant may be too much

Susan Barrus is thrilled about the space she was given to store costumes for the Children's Theater in the civic center.

Councilmember Kent's Report

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Councilmember Kent said she was very pleased with the great job city workers did on the streets during the series of storms during the Christmas Holidays.

Councilmember Watkins' Report

Councilmember Watkins thanked Councilmember Kris Monson for the fine job she did on the front page of the last city newsletter. He has given all council members an assignment to do that article. Please discuss an area pertinent to your assignment on the city council.

At the next city council meeting, Councilmember Watkins will be out of town.

Councilmember Watkins said that with the word being out that City Recorder Clegg is going to retire and that City Manager Gass is thinking about it too, the question of residency has been asked.

City Recorder Dean Clegg told the council the only residency requirement for the city manager and the city recorder is found in the ordinance dealing with the city manager. That ordinance gives the city council the right to require the city manager to live in the city should the council elect to do so. There is no language concerning the city recorder and there are no provisions in the Personnel Manual.

Councilmember Dennis Watkins asked if living in the city was something they wanted to require of all employees and if so would it need to be written into the personnel manual.

Councilmember Kris Monson said sometimes they need to have a break when they go home. If you don't live in the city you represent you can go out without constantly being questioned about matters going on in the city.

Councilmember Barbara Kent feels if it is a requisite that a person lives in Smithfield, we limit ourselves.

City Manager Gass feels there are advantages to the city when the city manager doesn't live within the city. He said he doesn't have neighbors he feels compelled to represent, he doesn't have areas he favors over others, and he can be unbiased in the daily decisions he is required to make.

Councilmember Watkins said he has had only two people ask if we are going to require new hires to live in the city. He said there could be some cost saving by requiring some employees to live within the city. An example would be police officers who are allowed to take their cars home.

City Recorder Dean Clegg said that the policy manual states the fire department and the police department personnel have a radius from the center of town they have to live in.

Mayor Simmons' Report

Mayor Simmons worked with the National Guard about getting waste removed from a storage building behind the Civic Center. The material was left when the National Guard vacated the building. The State sent a representative to review the material and they have agreed to taken care of the removal.

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We have not received any money yet from the bikes listed in the newspaper for sale. Most of them were donated to the Aggie Blue Bike Program at USU. The police department may still be holding the funds collected.

Councilmember Barbara Kent asked if we got rid of the litigation on the canal. City Manager Gass answered there will be a discussion on this issue on January 22nd in District Court before Judge Allen. He will be there.

Adjournment

Motion: Councilmember Kris Monson made a motion to adjourn. All were in agreement. Adjourned at 8:37 p.m.

Approved and signed this 23rd day of January 2013.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

O. Dean Clegg, Recorder