

1 **PROVIDENCE CITY COUNCIL MINUTES**

2 **May 26, 2009**

3 **Providence City Office Building**

4 **15 South Main Providence, UT**

5

6 Call to order:	Mayor Simmons
7 Roll Call of City Council Members:	Mayor Simmons
8 Attendance:	D Astle, K Baker, J Russell, D Low, R Liechty
9 Excused:	
10 Pledge of Allegiance:	J Russell

11  
12 **Approval of the minutes for May 12, 2009 City Council Meeting:**

13 **Motion to approve the minutes from May 12, 2009: R Liechty, K Baker second**

14 **Vote: Yea: K Baker, D Astle, J Russell, D Low, R Liechty**

15 **Nay: None**

16 **Abstain: None**

17 **Excused: None**

18

19 **Public Comments:**

20 Gary Hansen asked about the 4-way stop on 100 North and 100 West. UDOT said we don't meet warrant.  
21 D Astle said he was on the Council when they put the 4-way stop on 100 North and Main. Mothers were very adamant that  
22 the 4-way stop be at that intersection.

23

24 **BUSINESS ITEMS:**

25 **Item No. 1. Resolution 09-008.** The Providence City Council will consider for adoption a resolution amending the  
26 Providence City Personnel Policy regarding travel reimbursement.

27 **Motion to approve: J Russell, K Baker second**

28 S Bankhead said the City needs to redo its travel per diem. We obtained this policy from the State. This way we know what  
29 to give the employees whether they are gone for a full day, part days, whether the conference provides meals.  
30 This will save the City some money on per diem. If we pay for meals during the conference then the employee won't get per  
31 diem for meals for that day. You would only be deducted during the conference not on your travel days. We just want to pay  
32 for out of pocket.

33 J Russell said it needs to be included that the Mayor approves the Finance Officer.

34 R Liechty said he felt like there should be a mileage amount such as more than 90 miles.

35 D Astle asked about motels.

36 S Bankhead said that usually the motel is taken from the list that the conferences give us. The IRS does have a cap for each  
37 hotel. The IRS states that we will not go over the premium schedule. We can put a cap on the hotels.

38 R Liechty asked who has access to the Visa card.

39 S Bankhead said we have 1 Visa card. Now we buy a Visa gift card with a certain amount on them depending on where you  
40 are going.

41 D Astle asked about a regular Visa card instead of a gift card.

42 S Bankhead said that most banks require a name, not just a business.

43 K Baker asked about purchase cards. They use them up at USU.

44 D Low asked if the system works for us.

45 S Bankhead said it does.

46 R Simmons said we don't want the employees to have to use their own credit cards and then get reimbursed.

47 J Russell asked if we reimbursed for mileage.

48 S Bankhead said the jeep is used for the farthest trip and we reimburse anyone else who has to drive their own vehicle. If the  
49 City vehicle is not available we reimburse the full amount. If it is and they want to use their own vehicle we only pay 1/2 the  
50 mileage.

51 D Astle said he would like for there to be a cap on the lodging.

52 **Vote: Yea: K Baker, D Low, R Liechty, J Russell, D Astle**

53 **Nay: None**

54 **Abstain: None**

55 **Excused: None**

1 **Item No. 2. Ordinance No. 003-2009.** The Providence City Council will consider for adoption an ordinance amending  
2 Providence City Code Title 3 Chapter 8 Business License Regulations Residential Solicitation.

3 **Motion to approve: J Russell, R Liechty second**

4 R Simmons said they are adding a national background check. They also are adding a temporary license certificate before a  
5 2:00 pm cutoff.

6 S Bankhead said we made the 2:00 pm cutoff so that the employees would have time to make sure everything is correct  
7 before they give them their licenses. This model ordinance was made because of a lawsuit that was brought against some  
8 cities.

9 D Astle asked if you take the information they provide do you make them swear under oath.

10 S Bankhead said they have to bring to us a background check.

11 D Astle asked if you trust the solicitors to bring their own background checks.

12 S Bankhead said that is why we asked for a National background check. We don't have very many solicitors we just need to  
13 be able to have time to make sure everything is there.

14 R Liechty said his employer uses a service that gives them the background check in a matter of minutes.

15 S Bankhead asked if he would get the information on the company they use. Utah is a closed information State so we can't  
16 use the Sheriff's office for background information. This is also only the State. We are requiring \$75 per person. We are  
17 hoping that this will discourage some of the solicitors. Non-profit organizations are exempt.

18 D Low asked how you profile a group so they fit into exempt or non-exempt.

19 S Bankhead said it is pretty easy to follow the exempt list. If they are not affiliated with any of the exempt groups, they are  
20 not exempt. We get about 1 legitimate complaint each time. This is to safeguard the City and give us time to get the licenses  
21 out.

22 D Astle said he would like for an oath to be added to the application.

23 **Vote: Yea: D Low, R Liechty, D Astle, K Baker, J Russell**

24 **Nay: None**

25 **Abstain: None**

26 **Excused: None**

27  
28 **Item No. 3. Ordinance No. 002-2009.** The Providence City Council will consider for adoption an ordinance amending  
29 Providence City Code Title 9 Building Regulations, Chapters 1, 2, 3, 4, 5, 6

30 **Motion to approve: J Russell, D Low second**

31 S Bankhead said about 10 years ago an ordinance was put together that automatically accepted what the State code was. We  
32 started the ordinance but never finished it. It was brought to our attention a few weeks ago so we needed to finish this. We  
33 have used the State codes but we don't always adopt appendices. We need to have it set up to change with the State codes.  
34 You can't violate the zoning ordinances.

35 D Astle said if they don't come in for a building permit they won't know that.

36 D Low asked about basements that have been finished without a permit. Is this just an honesty thing? If they finish their  
37 basement and we know about it this makes their property taxes go up.

38 D Astle said it is important that electrical and plumbing is done correctly.

39 S Bankhead said the code allows for you to do your own electrical and plumbing because they feel like the inspector will  
40 catch any problems.

41 D Astle asked about an appeal process for a stop work order from the building inspector.

42 S Bankhead asked if the Council would like to reconsider the zoning for accessory dwellings.

43 D Astle said he thinks that is something that the Council should look at.

44 R Simmons said in Chapter 1 drop the green wording.

45 R Liechty said he wouldn't want someone to go around a stop order because he needs it done.

46 R Simmons asked about Chapter 2 – Electrical code.

47 S Bankhead said if you are remodeling and you don't touch electrical, plumbing or weight bearing walls you can proceed  
48 without a building permit. You need to check with zoning before you do anything.

49 R Simmons asked about electrical. Nothing

50 Plumbing – nothing

51 Mechanical and fuel gas codes – nothing

52 Chapter 7 – nothing

53 Chapter 8 - nothing

54 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**

55 **Nay: None**

56 **Abstain: None**

57 **Excused: None**

58 **Motion that we move to item no. 4 and go back to item no. 3 – J Russell, D Low second**

1 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**

2 **Nay: None**

3 **Abstain: None**

4 **Excused: None**

5  
6 **Item No. 4. Resolution 09-017:** The Providence City Council will consider for adoption a resolution changing the name of  
7 Von's Park to Baer Park as requested by Lex Baer.

8 **Motion to approve: R Liechty, D Astle second**

9 Lex Baer said that Von's Park was built by his father about 50 years ago. It was a jungle at the time. With a lot of hard work  
10 it was made into a park. L Baer built a lot of the original structures in the park. He would like for the name to be changed to  
11 Von Baer Park. L Baer and his mother tried to upkeep the park for awhile. Eventually the park was given to the City. A lot of  
12 people don't know who Von is. He would like to prolong the Baer name.

13 R Simmons said the sisters are OK with this.

14 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**

15 **Nay: None**

16 **Abstain: None**

17 **Excused: None**

18 **Motion to return to item 3. – R Liechty, D Low second**

19 **Vote: Yea: D Astle, K Baker, R Liechty, D Low, J Russell**

20 **Nay:**

21  
22 **Item No. 5. Discussion:** The Providence City Council will discuss a proposal from David Low for a splash pad.

23 D Low showed the Council a picture of the splash pad that he would like to have for Providence. He thinks that this would be  
24 a great thing for kids and adults alike. He feels like Alma Leonhardt Park would be a great place for this. He discussed the  
25 differences in the prices and the different pads that are available. The Council asked what the insurance cost would be. He  
26 explained what it would cost for recyclable water. He talked about the size and having the water activated so the water isn't  
27 wasted. He talked about the estimated cost per day to run the splash pad. He would like to seek volunteers to help with the  
28 plumbing, electrical, etc. There is money that has been donated that could be used for this particular item. He has asked for a  
29 couple of bids for this. It can be designed exactly the way the Council wants it. He believes that this would be greatly used.  
30 He would like to work with the City Engineer and the Building Inspector for their input. He believes that the City would get  
31 tremendous support for this.

32 R Liechty would like to see it at Zollinger Park.

33 D Low said that there are advantages to having it at Alma Leonhardt Park.

34 R Simmons asked that two of the Council members go check out both parks and see which one would be best.

35 D Low just wants it to go to the best place. He doesn't care which park it is in. He asked if he could move forward with this  
36 plan. The Council said to go ahead.

37  
38 **Item No. 6. Discussion:** The Providence City Council will discuss impact fee revenue and use practices.

39 R Simmons said he constantly hears people say that the City is run on impact fees. Impact fees cannot be put into the general  
40 fund. This is restricted money. This money has to be spent on what it is collected for and has to be spent within 6 years. The  
41 Home Builders Association would love to find Cities using the impact fees incorrectly.

42  
43 **Item No. 7. Discussion:** The Providence City Council will discuss the proposed 2010 Budget for the following funds:  
44 General, Capital Project, Water, Sewer and Storm Water.

45 R Simmons said the sales tax projections are not that far off from last year. Taxable sales are down. Construction drives a lot  
46 of the economy. Construction is way off.

47 D Astle said people have really cut back on spending.

48 S Bankhead said the sales tax is point of sale and population. Even though our businesses are doing really strong our  
49 population sales tax is down.

50 S Bankhead said the general fund budget has not changed much since February. She explained what the total amounts  
51 projected for next year would be. Impact fees are being looked at closely. We have to send a report to the State that tells them  
52 where our impact fees are being spent. Randy Eck would like to finish 300 East to 1000 South. That would qualify for impact  
53 fees. If we want to put the round-about in we would have to use C Road funds or general funds.

54 D Astle asked about franchise taxes.

55 S Bankhead said they are dropping. Maybe people are conserving more.

56 R Simmons said a lot of people don't have land lines for their phones. We now have municipal telephone taxes. Natural gas  
57 dropped after the last rate adjustment.

58 S Bankhead said she tries to estimate conservatively.

1 R Simmons said we have to rebate back the sales tax to Maceys for 7 years.  
2 S Bankhead said the point of sales tax will probably hold but the population tax will probably drop. Building permit fees will  
3 be down drastically. Class C funds will drop a little. State grants are not anticipated for next year. The City needs to spend  
4 our impact fees. A lot of the difference is mostly in impact fees spent last year. The general operating funds are watched  
5 closely. Sale of fixed assets are surplus items that we sell during the year. Small Claims have filing fees that go to the City.  
6 Employee benefits are up about 58% of our total wages. We show 100% of the benefits that go out but we don't show what  
7 the employee pays. On salaries and wages there is no cost of living or wage increase at all. This includes what was granted to  
8 them in this physical year. The employees will have a negative impact in their checks if their benefits go up and they don't  
9 get an increase in their checks. The cost of living increase for last year was 2%. They also could get a merit increase of up to  
10 3%. D Low asked if there is wiggle room to give the employees a 1% cost of living raise. He feels that the morale] of the  
11 employees is important. S Bankhead feels like if the City would pick up the additional 20% of the benefit package the  
12 employees would be OK with this. If everything is kept flat the employee will not pay anything extra from their check. There  
13 is not a pool of good employees sitting out there looking for work. There is no merit money for increases. It is important that  
14 the employees are able to get insurance. Public Works is scaling way back on construction projects. They are cutting back on  
15 overlay, chip seals, crack seals, all of the heavy duty maintenance. A public hearing has to be held on the budget. It will be on  
16 June 9<sup>th</sup>. The budget has to be adopted by the 22<sup>nd</sup> of June. Water impact fees have dropped dramatically. We have a lot of  
17 money that is restricted cash in water because of debt payments and impact fees. There is no fee increases or tax increases in  
18 the budget. The sewer money will be put into a maintenance fund. Our water and sewer systems have remained healthy. A  
19 Fire station and new office building could be done with capital project funds. The Council education and travel is in the  
20 Administration fund. D Low suggested that the Council drop the education and travel expense and drop the City Celebration  
21 expense and use that money to give the employees raises. S Bankhead said that would be difficult to do. D Low feels like the  
22 employees need to be kept happy. S Bankhead said the dental insurance price is going down but the benefit is going up.

23  
24 **STAFF REPORTS:**

25 S Bankhead talked to the Council about the letter that is being sent to the 100 South residents. It talks about the sewer coming  
26 and the fences that are in the right of way. The City will pay for the removal of the fence and 50% of the rebuilding of the  
27 existing fence. The Council is Ok with this letter.  
28 Little League is in full swing. We tried to have an introduction to the Park day. It wasn't a big success. We will attempt to  
29 make it better next year.  
30 The office staff has been moved around. We are trying to keep on top of the finances better. We will also be doing cross  
31 training.

32  
33 **COUNCIL REPORTS:**

34 D Astle reminded the Council of June 5<sup>th</sup> and 6<sup>th</sup>. He also asked about the School District agreement. He also would like to  
35 thank the City for everything that has been done on the corner where the monument is.  
36 D Low reminded the Council of June 5<sup>th</sup> and 6<sup>th</sup> also. He talked about the advertising.  
37 J Russell said he would like the Council to look at signage codes again.  
38 R Simmons talked about Steve Thompson resigning from the Logan City Council. He would like the Council to look at  
39 accessory dwellings again. The City does not allow rentals in your home at this time. H1N1 flu is now up in the State. There  
40 is none in Cache Valley at this time. Bear River Health Department is prepared if there is an outbreak here.

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42 **Motion to adjourn: R Liechty, J Russell**

43 **Vote: Yea: K Baker, D Astle, J Russell, D Low, R Liechty**

44 **Nay: None**

45 **Abstain: None**

46 **Excused: None**

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48 Meeting adjourned at 9:10pm

49 Minutes taken and prepared by Terri Lewis

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53 \_\_\_\_\_  
Randy Simmons, Mayor

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Skarlet Bankhead, City Recorder