

SMITHFIELD CITY COUNCIL

JANUARY 23, 2019

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 23, 2019. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Wade Campbell.

The following council members were in attendance: Deon Hunsaker, Jamie Anderson and Wade Campbell.

Curtis Wall arrived during the meeting.

Bart Caley was excused.

City Manager Craig Giles, Police Chief Travis Allen and City Recorder Justin Lewis were also in attendance.

VISITORS: Michelle Anderson, Dianne Campbell, David Anderson, Olivia Johnson, Curtis Hebdon, Bruce Leishman

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JANUARY 9, 2019.

A motion to approve the city council meeting minutes from January 9, 2019 was made by Wade, seconded by Jamie and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Campbell

No Vote: None

Absent: Caley, Wall

RESIDENT INPUT

There was not any resident input.

DISCUSSION AND APPROVAL OF JACKIE HANCOCK AND STEPHEN TEUSCHER AS COMMISSIONERS ON THE SMITHFIELD CITY PLANNING COMMISSION.

Mayor Barnes stated Jackie Hancock and Stephen Teuscher have both been serving on the planning commission and their terms are expiring. Jackie and Stephen both are willing and wanting to serve another term.

Jamie mentioned they are the two most seasoned commissioners as this will be Stephen's and Jackie's third terms. None of the rest of the commission have yet to serve a full term.

A motion to approve Jackie Hancock and Stephen Teuscher as Smithfield City Planning Commission members was made by Wade, seconded by Jamie and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Campbell
No Vote: None
Absent: Caley, Wall

REAPPROVAL OF ORDINANCE 18-15, AN ORDINANCE DISCONNECTING PARCEL NUMBER 08-043-0009 AND 08-043-0040 FROM WITHIN THE SMITHFIELD CITY LIMITS TO CACHE COUNTY. THE PARCELS ARE LOCATED AT APPROXIMATELY 560 AND 590 NORTH ON 400 WEST. THE PARCELS TOTAL APPROXIMATELY 4.83 ACRES.

Mayor Barnes mentioned this ordinance had already been unanimously approved by the city council in the past and Justin would explain why the ordinance needs to be reapproved.

Justin informed the council after the council approved the disconnect request/ordinance the information was then sent to the Cache County Surveyor's Office for review. The council adopted the disconnect ordinance on November 28, 2018. The information was taken to the county the following day. With the holiday season and workload at the county the information was not reviewed, approved and given back to the city for submittal to the State of Utah until January 8, 2019.

On January 8th, the information on the disconnect request was sent to the Utah Lieutenant Governor's Office as the final step in the process. A member of that office reviewed the request and contacted Justin to let him know the ordinance must be approved within 30 days of submittal to the state. More than 30 days had elapsed from when the ordinance was approved by the council to when it was submitted to the state.

A representative of the Utah Lieutenant Governor's Office suggested the ordinance be reapproved at the next council meeting with the new date.

The ordinance is now back before the council for reapproval with the only change to the ordinance being changing the date from November 28, 2018 to January 23, 2019.

A public hearing is not required for the ordinance at this meeting because it was held when the original ordinance was discussed, reviewed and approved on November 28, 2019.

A motion to reapprove Ordinance 18-15, an Ordinance disconnecting Parcel Number 08-043-0009 and 08-043-0040 from within the Smithfield City limits to Cache County amending the effective date from November 28, 2018 to January 23, 2019 was made by Wade, seconded by Jamie and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Campbell
No Vote: None
Absent: Caley, Wall

Deon mentioned he heard a rumor the county put a moratorium on new subdivisions. Craig and Mayor Barnes both replied they had not heard anything from the county in this regard.

DISCUSSION AND POSSIBLE VOTE ON THE LOCAL CONSENT FORM FOR THE OFF PREMISE BEER LICENSE REQUIREMENT BY THE DABC (DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL) FOR SUMMIT CREEK CONVENIENCE STORE, LLC (183 NORTH MAIN), LEE'S MARKETPLACE (850 SOUTH MAIN) AND MILLER SMITHFIELD CHEVRON, LLC (780 SOUTH MAIN).

Justin informed the council Deputy City Recorder Char Izatt had been contacted by the State of Utah. As part of the beer license renewal process it is now a requirement the city council approve the local consent form for those entities with off premise beer licenses.

An off premise beer license means a person can go into one of these stores and purchase beer and take it elsewhere to consume.

In town there are three such businesses: Lee's Marketplace, Summit Creek Sinclair and Chevron.

The council is giving consent for these three businesses to continue to operate as they have in the past by approving this request.

Deon asked if the local consent form is for off premise beer licenses only? Justin replied that is correct.

Mayor Barnes mentioned these businesses had these licenses for a period of time and are not new but renewing their current beer licenses with DABC.

A motion to approve the Local Consent Form as required by the Department of Alcoholic Beverage Control (DABC) for Summit Creek Convenience Store, LLC, Lee's Marketplace and Miller Smithfield Chevron, LLC was made by Wade, seconded by Jamie and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Campbell

No Vote: None

Absent: Caley, Wall

DISCUSSION ON THE POSSIBILITY OF CREATING A TRAIL COMMITTEE FOR THE CITY.

Mayor Barnes mentioned the council needs to determine if they want to create an official trail committee by ordinance or an unofficial committee who can help out as needed.

Jamie stated he did not think the trail committee needed to be official. The committee would be formed to work with Cache County Trails Coordinator Dayton Crites and to apply for grant funding when possible. All decisions would be made by the city council but the committee could gather data and present information for the council to consider and review.

Craig stated it could start out as an informal committee and if it evolves into something bigger than expected an ordinance could be created and the committee officially created.

Craig mentioned he researched what other communities are doing and some have commissions, boards and informal committees. There is not a consensus of how to do it.

Jamie asked Justin if he could email out a request for volunteers? Justin replied he would put the advertisement on Facebook as well as through the Parlant communication system.

Mayor Barnes asked the council if they were okay with an informal committee being formed at this time? The consensus of the council was to form an informal volunteer trail committee.

Mayor Barnes suggested asking Kris Monson to participate where she lives locally and has a passion for trails.

Jamie mentioned there is a monthly meeting with the county. There is also a Cache Trails Alliance which meets and discusses local trails and projects. They are not officially sanctioned or funded they are just volunteers who want to improve the trail system in Cache Valley.

Jamie mentioned he would prepare some information to send out to the residents asking for volunteers to serve on the committee.

CITY MANAGER REPORT

Craig showed the council a map of the proposed location of the new well. A letter of intent has been signed between the city and the Sportsman for Fish and Wildlife (SFW) to purchase 0.7 acres for the well site.

An appraisal will be done on the land.

Clay is in the process of putting together a bid packet to do a test on the proposed well. If the test is successful then the city will look to purchase the land from the SFW.

It is anticipated the project will take one to three years to complete.

Jamie asked if the well will tap into an aquifer or stream? Craig replied this location is the first choice of the hydrologist who did the report for the city.

Jamie asked if any neighboring water supply will be tied into or drained from the new well? Craig replied there should not be an effect on those in the area as the well is anticipated to be at a depth of 500 to 800 feet and will be part of an aquifer.

Deon mentioned Hyde Park City has a well up Birch Canyon and it is good to keep the new well away from their well.

Jamie asked for clarification on where the new well would be. Craig replied up ¼ mile east of the city owned water tank in Dry Canyon.

Craig mentioned when the weather improves and the road is accessible the council should take a road trip to review the proposed well site.

Mayor Barnes asked if there is a good road accessing the parcel? Craig replied there is.

Craig informed the council there is an existing utility easement to the water tank so a new utility easement will only be required from the water tank to the new well area.

Wade asked if the new well will feed into the Dry Canyon water tank? Craig replied that is correct.

Mayor Barnes asked where the Forest Service boundary is in relation to the proposed well site? Craig replied Forest Service land is farther to the east of the well site.

Craig provided an update on the new Logan Regional Wastewater Treatment Facility.

The total project cost is \$150,271,315.

So far \$9,250,059 has been spent on the project for land, planning, design, site utilities and permits.

The installation of the concrete piles has started and will take four months for them to be installed.

Project completion is projected for March 2022.

A tour will be provided to council members and mayors of Logan City and the six outlying communities who utilize the system in the summer.

As part of the funding package provided by the State of Utah an impact fee study is being done for treatment. In the future an impact fee will be charged by the city for sewer treatment for new construction projects. The funds will be remitted to Logan City. The study will take approximately 90 days to complete. A presentation will then be made on the study. The council is encouraged to attend since the city will be charging this impact fee in the future on new construction projects.

Craig updated the council on the vibration dampening trench bids.

There were five bids submitted on the project and they are as follows:

LeGrand Johnson Construction Co.	\$22,641.00
Royalty Services Group	\$33,996.00
Circle "C" Construction Inc.	\$42,000.00
DWA Construction, Inc.	\$45,490.00
Landmark Companies, Inc.	\$75,311.00

LeGrand Johnson Construction Company is the low bidder and J-U-B Engineers is in the process of reviewing their bid to make sure it is correct and can be accepted.

The project is anticipated to start in two to three weeks.

The project is estimated to take one to two weeks to complete once the contractor is onsite. The project should be completed by the end of February.

On March 12th at 8:00 A.M. at the Birch Creek Golf Course a BRAG (Bear River Association of Governments) Resource Event is being held. BRAG will inform local businesses about the services they offer and how they can help local businesses. A flyer is being created and will be distributed regarding the event.

YOUTH COUNCIL REPORT

Youth Council Mayor Olivia Johnson informed the council the youth council went to The Family Place on January 17th for a service project. The building and toys were sanitized and cleaned. Tiaras were also made for an upcoming princess tea pageant The Family Place is going to hold at a later date.

Service projects for February and March will be planned and are expected to include either the Lion's Club, police department or fire department.

Members of the executive council are going to the State Capital building on Tuesday, January 29th to take a tour and meet with Representative Val Potter and Senator Lyle Hillyard.

Mayor Barnes asked if the executive council is going on January 29th or 30th as the 30th is the Day at the Legislature for mayors, council members and youth council members. Wade replied they are going on the 29th which is not the normal day everyone else is going.

Mayor Barnes asked Olivia to let all youth council members know they are supported by the council and mayor.

Deon mentioned the youth council has volunteered to help the Lion's Club manage the food stand during Blue Sox baseball games this year.

Olivia mentioned she toured the capital last year and the youth got to meet with Representative Potter and Senator Hillyard as well as go onto the senate floor. It was an amazing experience for everyone who attended.

Council Member Curtis Wall arrived at the meeting.

COUNCIL MEMBER REPORTS

Wade mentioned he worked at the state capital as an intern and the youth council will have a great experience and enjoy their time there.

Deon mentioned he was approached by some residents after the planning commission meeting on January 16th and they would prefer life cycle housing in the area which will be developed north and west of Birch Creek Elementary. The area is mainly young families and residents of the area would like to see different demographics such as a 55 and older community.

Deon asked if a date had been finalized for Health Days? Curtis replied it would be the same as in the past, nothing would be changed for this year. The only change will be some of the activities which have been on Saturday morning will now be in the afternoon. The parade and main events will be held on Saturday, May 11th.

Jamie informed the council of some information provided by Dayton Crites who is the Cache County Trails Coordinator.

The position has been established for three years.

In 2018, 2.4 miles of new trail were added.

Work was done on the Riverside Drive walking trail.

There were 2,200 volunteer hours from those working on trails.

Grant funding in the amount of \$550,000 was received.

A project was worked on at Beaver Mountain.

Jamie informed the council the library board met last week.

It was announced a telescope had been donated to the library by the Cache Astronomical Society. The library board and staff are working on a checkout policy for the telescope.

A book loaning process is being considered as well as whether a fee is charged for books received from other libraries.

Jamie asked Craig if a fee is charged does it need to be added to the Prevailing Fee Schedule? Craig replied the fee would need to be included.

A grant to purchase 150 books was received.

A holiday book sale was held and \$275 was collected.

New shelving will be purchased for the children's library with proceeds from the donation to the library. The cost over the amount of the donation will come out of the current library budget.

A CLEF grant in the amount of \$5,300 has been received.

The golf course staff is preparing for the upcoming season. A new vendor is being considered to operate the café.

Wade asked what happened to the current vendor who has been overseeing the café? Jamie replied there were some problems and issues so another vendor is being considered. Mayor Barnes mentioned if the new vendor advertises and has good food sales will increase over previous years.

Curtis mentioned he was looking for a specific rural community planning book he read about in a Letter to the Editor piece. After researching libraries throughout the state the book was not available. Utah State University was able to find the book at a library in Arizona and will get it shipped here. The book can be rented for three months and there is not a cost associated with the book loaning program. Even the shipping was free.

Jamie mentioned the library staff is estimating they are spending \$250 to \$300 per year on getting books from other libraries. This expense comes out of the budget and there is not any revenue to offset this expense. One thought is to charge \$2.00 as a processing fee for books received from other libraries.

Mayor Barnes suggested advertising the book loaning program and any associated fees in a future newsletter. Jamie replied once the board and staff determine if a fee will be charged the information can be advertised to the residents of the city.

Curtis mentioned the planning commission recommended approval of a rezone in the area north and west of Birch Creek Elementary. Visionary Homes, the developer, will submit two plans for consideration if the city council approves the rezone request. One plan will be regular housing and the second plan will be a life-cycle housing concept.

Deon asked if the municipal code included a life-cycle zone? Curtis mentioned it does not and will have to be considered if the planning commission and city council support the concept.

The planning commission is going to review a proposed life-cycle housing concept being considered in Providence.

Deon mentioned a life-cycle housing project could take five or more years to develop. Curtis agreed and mentioned Visionary Homes is already thinking of a several year project not a one year project.

Deon asked if there was any discussion about Saddleback Road and what the city wants for that roadway? Curtis mentioned it will need to be discussed when any future development is officially presented.

Deon mentioned the long term plan was to have 400 North eventually connect to 800 West. Curtis mentioned the only thing the planning commission considered was the rezone request. Plans and drawings of the proposed development would happen at a future date.

Deon expressed concern 400 North will not connect to 800 West. Property north of Saddleback Road is located in the county not the city and is being considered to be subdivided.

Curtis informed the council Mason Niederhauser resigned as a planning commission commissioner. Mason's job changed and he was not able to attend planning commission meetings on a regular basis. Mason served as a commissioner for approximately one year.

Scott Gibbons will now be moved from alternate commissioner to a full-time commissioner.

Jasilyn Heaps is the second alternate commissioner and will move into the role as first alternate.

Curtis mentioned he would speak with a couple of residents who expressed interest in serving and bring a name to the council for consideration at a future council meeting for second alternate.

Jamie asked about the process of asking the planning commission to formally consider a life-cycle housing concept for the city. Curtis replied information is already being gathered in this regard. Ogden has a nice concept to review. The planning commission has been discussing this type of plan for at least three to four months. Jasilyn Heaps has done extensive research on the topic.

Jamie asked if smaller sized building lots would be included in a life-cycle housing concept? Curtis replied not necessarily but it could include areas of 55 and older housing, walking paths and smaller lots. A pathway could lead to Birch Creek Elementary as an example of what might be included.

Curtis mentioned the public hearing on the rezone request was very good with well thought out comments. Mayor Barnes mentioned the planning commission members and public were very professional in how they handled the public hearing. The comments were well prepared. Nobody went home mad.

Curtis asked for an update on the sidewalk project on 300 South at approximately 700 East? Craig replied the plan is currently being developed.

Curtis asked when the project will go out to bid? Craig replied in July when the new budget year begins.

Curtis mentioned he would notify the school and the residents who were asking for an update on the project.

Craig mentioned that project will be included in the fiscal year 2020 budget.

Wade mentioned some residents asked him why Jasilyn Heaps was involved in the discussions during the planning commission meeting. Wade informed the residents Jasilyn is an alternate commissioner and can participate in the discussion but cannot vote unless a commissioner is absent from the meeting. Jamie suggested having the alternates sit up front with other staff members during the planning commission meeting so there is not any confusion on who they are and why they are participating.

MAYOR'S REPORT

Mayor Barnes mentioned the next city council meeting will be on Wednesday, February 27th. There is not a council meeting on Wednesday, February 13th.

Mayor Barnes mentioned he will be attending Local Officials Day at the State Capital Building on Wednesday, January 30th. Deon replied he was going to attend if the youth council needed leaders to give the kids rides but since they were going down a day early he would not be attending.

Mayor Barnes informed the council the Logan Rotary Club was donating some trees to the city. The trees will be planted on Arbor Day which is April 25th this year. Ten trees will be planted. The tree committee selected different varieties for the city based on the provided list. The Logan Rotary Club is donating 100 trees to local Tree City USA cities to plant. If more trees are available the city will gladly accept them.

Mayor Barnes mentioned interviews for the Ambassador program will be held on Saturday, March 9th. A couple of council members are needed to help with the interviews as around 18 applications were submitted. Jamie mentioned that is fantastic to have so many applications as last year there were only seven.

Olivia Johnson mentioned there will be five applicants selected and each interview takes around ten to fifteen minutes.

Curtis, Jamie and Wade all said they would be willing to help with the interviews.

Mayor Barnes mentioned the interlocal fire agreement between the city and Cache County is going to expire. Fire Chief Jay Downs and Cache County Fire Chief Rod Hammer are working on reviewing and updating the current agreement. The council will consider the new contract at a future council meeting.

Mayor Barnes mentioned it is quite complicated when fire, EMS and transfers are all factored into the system. Other cities and the county are all involved. Chief Downs is very knowledgeable and understands the system better than anyone. Chief Downs is a tremendous asset to the city.

Mayor Barnes informed the council the historical society rented a lift so the top of the youth center could be accessed.

The historical society is working on a CLG grant to put a steeple on the youth center. A company from Garland, Utah is working with the historical society to supply a bid for the project. Curtis mentioned the vendor is Mumm Companies.

Mayor Barnes mentioned the lift was rented to access the top of the building so the foundation area could be checked to make sure it will hold the correct weight capacity for the project.

The grant application is due by February 8th.

Mayor Barnes informed the council he, Craig and Justin met with Matt Anderson who works for Senator Mitt Romney. A good conversation was held regarding local concerns and issues.

Mayor Barnes mentioned he had been contacted by some residents asking why only one public hearing is held on a rezone request. The city council is the land-use authority and make the final vote. Residents are wondering why the public hearing is held at the planning commission level. Some residents feel it is more appropriate to hold a public hearing on a rezone during the city council meeting as well as at the planning commission meeting. Justin replied the code says only one public hearing is required but the city council can add a public hearing at their discretion. Craig cautioned the council to not pick and choose when to have public hearings. Be consistent and hold them the same for every request. Not just for the particular rezone request which is currently being considered. Mayor Barnes concurred.

Justin mentioned the city municipal code states the public hearing will be held before the planning commission. Craig mentioned the code would have to be amended if the council wants to hold a public hearing before both bodies.

Curtis asked why a public hearing is needed at both levels? Mayor Barnes replied residents want to be heard. They have good ideas. Mayor Barnes felt it is more appropriate to have the public hearing held in front of the city council since they have final decision on the rezone request. Wade replied he heard the same questions and concerns on this rezone request regarding public hearings.

Curtis mentioned the council should not pick and choose when to hold a public hearing. Mayor Barnes concurred.

Mayor Barnes asked if the current municipal code states the public hearing will be held before the planning commission? Craig replied that is correct. Curtis replied the code could be amended if the council felt it is appropriate. Wade replied the council needs to be uniform in when the public hearing is held for consistency purposes.

Mayor Barnes stated the residents who contacted him stated once the planning commission approves a request they feel it is a done deal even though the planning commission does not have final authority on approving or denying a request.

Jamie stated a rezone request comes before the council whether the planning commission voted to approve or deny the request. It is the responsibility of the city council to review the minutes

from the planning commission meeting and review the information on the rezone request before the council meeting. Those who voiced a concern during the public hearing during the planning commission meeting have been heard and comments read and reviewed. Their comments are noted and it is the responsibility of the council to review them.

Jamie did not feel it is necessary to have the same people say the same thing to the planning commission and then again to the city council. Curtis mentioned the letters which have been submitted for review are also kept with the planning commission meeting minutes.

Jamie stated he was okay leaving the code as it currently states. Mayor Barnes replied the council can review the code and consider changing in the future if they feel the need to do so.

****Wade made a motion to adjourn at 7:34 P.M.****

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder

SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, January 23, 2019**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Wade Campbell

1. Approval of the city council meeting minutes from January 9, 2019
2. Resident Input
3. Discussion and approval of Jackie Hancock and Stephen Teuscher as commissioners on the Smithfield City Planning Commission.
4. Reapproval of Ordinance 18-15, an Ordinance disconnecting Parcel Number 08-043-0009 and 08-043-0040 from within the Smithfield City limits to Cache County. The parcels are located at approximately 560 and 590 North on 400 West. The Parcels total approximately 4.83 Acres.
5. Discussion on the possibility of creating a trail committee for the city.
6. Discussion and possible vote on the Local Consent Form for the off premise beer license requirement by the DABC (Department of Alcoholic Beverage Control) for Summit Creek Convenience Store, LLC (183 North Main), Lee's Marketplace (850 South Main) and Miller Smithfield Chevron, LLC (780 South Main).
7. City Manager Report
8. Council Member Reports
9. Mayor's Report

Adjournment

*****Items on the agenda may be considered earlier than shown on the agenda.*****

In accordance with the Americans with Disabilities Act, individuals needing special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least three (3) days before the date of the meeting.