

**SMITHFIELD CITY COUNCIL**

**MARCH 14, 2018**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, March 14, 2018. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jamie Anderson.

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

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

**VISITORS:** Heather Matthews, Kim Rappleye, Lisa Rappleye, Mark Williams, David Frandsen, Merilee Olson, Todd Davis, Wade Lindley, Julie Marshall, Joseph Marshall, Tyson Luthi, Russell S., Lindsey Black, Derek Beer, Dianne Campbell, Scott Nelson, Scott Jones, Kendrick Jones

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM FEBRUARY 28, 2018.**

\*\*\*A motion to approve the city council meeting minutes from February 28, 2018 was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Hunsaker, Anderson, Caley, Campbell, Wall

No Vote: None

**RESIDENT INPUT**

LISA RAPPLEYE: Kim and I purchased our home about nine years ago. It is located along the northern edge of the golf course. All of our children have now moved away. When they come home with their families we do not have enough space in our home. We had some plans drawn up to expand our home. We tried to obtain a building permit but cannot because of setback requirements. We have been maintaining about 70 feet behind our home but found out we only own 40 feet behind our home. Our architect thought the setback was 10 feet not 30 feet as listed in your ordinance. We are appealing to the council for help. We are trying to seek a solution to allow us the 16 feet we need to build the addition. I have provided some photos of our home showing the property. We have a large backyard. Our home sits on two building lots. The footage we need will not affect anyone. We still have 40 feet beyond this point. The area belongs to the city/golf course. We have maintained, mowed, fertilized and trimmed the trees for years in this no man's land. We even paid for a tree to be removed. The golf course has no interest in using this 40 feet of space. We desperately need the space to meet the setback requirement. We have been working on this since last September. We are asking you to change your setback requirements for special circumstances like this. We have been told a variance is futile and won't be granted. We could purchase some land but have been told it is not for sale. Maybe you could allow a certain percentage variance along the golf course. Some homeowners appear to only have about a 20 foot setback in their backyard. We think the simplest solution is to deed us the

property. We are already maintaining the area. It is not being used by the city. Let's put our heads together and come up with a way to help us. Help us with the spirit of the law not the letter of the law. We are anxious to get started. Our contractor is already starting other projects. We want to find a resolution to this problem. The 16 feet we need is very little and makes no difference in this area.

MAYOR BARNES: We will review the options you have spoken about. This item will be discussed at the April 11<sup>th</sup> council meeting as the March 28<sup>th</sup> council meeting is the presentation of the new budget.

LINDSEY BLACK: I am part of the Sunrise Elementary Community Council. We are grateful for your support on our project. We are applying for a UDOT (Utah Department of Transportation) Grant to complete the sidewalk on 300 South. Curtis, thank you for your help. Principal Derek Beer has submitted the application. We are excited and hopeful.

MAYOR BARNES: When will we know if the grant has been received?

LINDSEY: By the end of April. March 27<sup>th</sup> is the deadline to submit the application.

MAYOR BARNES: Do you know how much funding is available?

CURTIS: About \$1,800,000.

MAYOR BARNES: How much did you apply for?

PRINCIPAL DEREK BEER: About \$40,000.

LINDSEY: We talked to representatives of UDOT and they have funded several projects in the past in the \$50,000 to \$200,000 range so we think we are within reason on our request.

MAYOR: Thanks to everyone who has spent time on this application.

LINDSEY: We need to thank Brian and Jessica Higginbotham as well.

<b>LEGISLATIVE UPDATE AND DISCUSSION WITH REPRESENTATIVE VAL POTTER</b>
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Val Potter updated the council on the recent legislative session.

Over 550 bills were reviewed.

One of the bills Val submitted was to supplement the salary of special education teachers in the amount of \$4,100. There is a shortage of special education teachers throughout the state and those coming into the field are not staying. The bill passed.

An education grant program was approved for a period of one year. The trial period will be done in Cache Valley. Individuals convicted of a misdemeanor or third degree felony can go to a technical college and avoid jail time. A judge must review and approve on a case by case basis. The intent is for the individual to get training for a long lasting career. The bill is a way to keep individuals out of jail and help them obtain long lasting skills. Cache County Sheriff Chad Jensen helped put together the program.

Val had six bills passed during the legislative session.

The state has a surplus this year of approximately \$500,000,000 (500 hundred million). More than half of the funds were saved and put in a rainy day fund for when the economy slows. Right now the economy is similar to 2008 before it collapsed.

One item going on the ballot this fall, November 2018, is in regards to funding education in the amount of an additional \$750,000,000 (750 million). With the amount of money being proposed legislators thought the residents of the state should vote on the request. If approved the request would cost the average household in the State of Utah an additional \$450 to \$550 per year. If approved, the funds would be collected by adding an increase to gasoline tax in the amount of \$0.10 per gallon. Some of the funding would go to education and some of the funding would go to transportation.

Another law passed was making it so police departments cannot have quotas on the number of tickets an officer must issue each month. The majority of the police departments in the state do not have quotas in place but some do and that is no longer allowed.

Fireworks restrictions were changed. The sale of fireworks will now be allowed from July 2<sup>nd</sup> through July 5<sup>th</sup> not July 1<sup>st</sup> through July 7<sup>th</sup> like in the past. Sales will be allowed July 23<sup>rd</sup> through July 25<sup>th</sup> not July 21<sup>st</sup> through July 27<sup>th</sup> like in the past. New Year's Eve and the Chinese New Year are still allowed. The bill was a compromise as some cities want to ban fireworks permanently year round.

Deon asked if the Chinese New Year is a popular time for the lighting of fireworks? Val replied it is in areas such as Salt Lake, Ogden and Provo.

Deon asked for an update on the bill about cities being able to sell water outside of city boundaries. Val replied the house voted on the bill but the senate did not. Nothing was approved or changed. What is happening is some cities have water storage tanks or areas located in other cities. Cities that did not own the tank or property were then charging the city owning the tank or property a high amount of tax. The bill would have stopped this from happening.

Val mentioned he has served on a city council, as mayor and on the county council. Only about 20% of those elected as a state representative have served in a local office and understand what happens on a local level.

Mayor Barnes asked for an update on the homeless shelter bill as well as the cost to Smithfield City now the bill has been adopted. Val replied the amount has not been finalized. Homelessness is a problem. About \$40,000,000 to \$50,000,000 is needed to deal with the problem in the Rio Grande area of Salt Lake City. All of the cities and towns in the state need to pitch in and help pay for the shelters and low income housing. Everyone will help pay this cost rather than just the cities where the problem is occurring. Homelessness will spread throughout the state if it is not addressed. Mental illness and drug abuse are part of homelessness issues which need to be dealt with.

Mayor Barnes asked how the amount is determined each city will owe? Val replied it is a complex formula. Mayor Barnes replied the initial projection is the cost to Smithfield City will

be \$30,000 to \$40,000 per fiscal year which is a big hit to the general fund of the city. Val replied Logan City Mayor Holly Daines has the same concern. The formula has not yet been finalized.

Val mentioned sales tax collected is decreasing while property tax collected is increasing throughout the state. There are some income tax issues which need to be addressed as well. Roads are a concern throughout the state. Last year over \$1,000,000,000 (one billion) was spent on roads in the state but very little was spent in Cache Valley. Every city and town in the valley has road issues. The problem is that potholes that are not repaired will require the entire road to be replaced at a later date at a greater expense.

Mayor Barnes asked who is pushing the education ballot initiative? Val replied Scott Anderson, CEO of Zions Bank, Gail Miller of the Larry H. Miller Auto Group and Ron Jibson former CEO of Questar Gas Company. If the initiative is passed about two hundred to three hundred million of the seven hundred fifty million will go to education. The people will decide the outcome of this initiative by voting on it in November.

Val asked the council to contact him with questions, comments or concerns throughout the year as well as during the legislative session.

**DISCUSSION WITH REPRESENTATIVES OF THE FAMILY PLACE AND AUTHORIZING APRIL 2018 AS CHILD ABUSE PREVENTION MONTH IN THE CITY. DISCUSSION WITH REPRESENTATIVES OF CAPSA AUTHORIZING APRIL 2018 AS SEXUAL ASSAULT AWARENESS MONTH.**

Scott Nelson informed the council he is a board member for The Family Place.

April is nationally recognized as Child Abuse Prevention Month.

The Family Place has been in existence since 1982 and served thousands of people locally.

There are four main core services offered.

Right now there are facilities in Hyrum, Smithfield and Logan.

In 2017, 11,087 individuals were served by The Family Place.

In 2017, there were 364 children who were victims of child abuse in Cache and Rich Counties. The most common type of abuse is endangerment (opioid abuse), non-supervision and deprivation of necessities.

Thirty-eight percent of those abused were zero to five years old.

Most perpetrators are between the ages of 18 and 34.

Scott asked the council to consider the following: Identifying a council member to act as a liaison between The Family Place and the city. Share information about services The Family Place offers. Inform and involve the youth council to bring about awareness to Child Abuse Prevention Month. Share social media posts from The Family Place during the month of April.

“Steppin Up” is a program where those who have been abused are represented at the Cache County Courthouse on Wednesday, March 28<sup>th</sup>.

A benefit dinner and auction will be held on Friday, April 13<sup>th</sup>.

Mayor Barnes read the Child Abuse Prevention Month Proclamation (Included at the end of the meeting minutes).

Mayor Barnes mentioned the city staff will be happy to advertise these events if the staff is given a flyer or information to post on the events.

Scott mentioned the dinner and auction are the biggest fundraiser for the year. Funds are raised to help pay the wages of the therapists as well as employees helping at the shelters. The state will help pay the cost of one employee at the shelter but there must be at least two employees at the shelter at all times. Those staying at the shelter usually stay anywhere from one day to one month.

Heather Matthews, representing CAPSA, stated she is working on a campaign to promote sexual assault awareness month which is the month of April. Recognizing April as sexual assault awareness month started in 2011 and the State of Utah led the charge. Logan has been involved since the beginning. The intent is to inform people about sexual assault. Utah has a higher rate of sexual assault cases than the national average.

Mayor Barnes read the Proclamation in Recognition and Support of Sexual Assault Awareness Month (Included at the end of the meeting minutes).

Mayor Barnes asked how the city can promote awareness? Heather replied by having people visit CAPSA’s website.

Mayor Barnes mentioned these situations do happen in the city and the community needs to work together to help prevent them in the future.

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 18-03, AN ORDINANCE REZONING PARCEL NUMBER 08-044-0036 FROM A-10 (AGRICULTURAL 10-ACRE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET). THE PARCEL IS LOCATED AT APPROXIMATELY 675 NORTH 600 EAST (CROW MOUNTAIN ROAD) AND IS 11.97 ACRES.**

Mark Williams from Neighborhood Non-Profit Housing Solutions stated the request is to rezone the parcel west of their current project on Crow Mountain Road. The plan in the future is to develop this parcel after the current project is completed.

Mayor Barnes asked how far along the current project is? David Frandsen replied 16 homes are being built and 16 building lots are left to be built on. The first group of eight homes should be completed within the next month. The other eight homes will be completed later this year.

Mark stated he understood the concerns mentioned at the public hearing regarding noise and garbage. Mark is working with the families building the homes to rectify this concern.

Mark asked the council to notify him of any issues or concerns with the homes or the project. Mayor Barnes mentioned when homes are built cardboard and paper is prevalent on the jobsite. When the wind blows this garbage ends up on surrounding parcels. Mark replied he will work with the homeowners to ensure the garbage is picked up.

Mayor Barnes mentioned there has been a concern by some residents living in the area of the lack of a park and place for children to play in the area. There have also been concerns about traffic on the roads in the area. Long term the plan is to connect 680 North Main to this area. Mark replied the main road going through the area proposed for rezone is part the road which will eventually connect to 680 North Main.

Jamie asked for an update on the remaining 16 lots which have yet to be built on. Mark replied there is only one supervisor on the project so until eight of the current homes are finished the next eight homes cannot start.

David mentioned there are already eight families approved for the next group of homes and eight additional families are working to get approved for the next group of homes behind that.

Mark mentioned four of the building lots in the current subdivision will be sold to anyone who wants to purchase them.

Jamie asked how many building lots will be on the parcel proposed for rezone? Mark replied engineering for the parcel has not been completed but he anticipated 17 to 25 building lots.

Jamie mentioned this area would help in the low to moderate income housing the city is struggling to fill right now. Craig replied right now the city is short about 50 to 60 units in this regard based on the formula used by the state.

Mayor Barnes asked how someone qualifies to build a home in this project? David replied it is a self-help program with several requirements needing to be met. Income is a factor. The income of the person(s) cannot exceed 80% of the median income of the area. Income also factors in household size. The larger the family the more the family can earn and still qualify. The applicant must have good credit as the loans are done through the USDA. If debt to income is out of balance the applicant will not qualify.

Mayor Barnes asked the typical household size going into one of these homes? David stated approximately three people but there is a mix of singles, married with no children and married with children occupying the homes.

Mayor Barnes asked if both the husband and wife work on the home? David replied it is mandatory a person or couple work a minimum of 35 hours per week on the project. Timecards are used and people have to check in and out. The homes typically take 10 months to build on this program.

Curtis asked if the time spent by the person(s) is 1,600 hours for the project? David replied it is usually in the 1,600 to 2,100 hour range. Volunteers and family member hours count towards the hours as well. There is a minimum age for someone to help since it is a construction zone. Participants must be at least 16 years old or 18 years old to run power tools. Family and non-family members are invited to participate.

Mayor Barnes mentioned the area where the current homes are being built is full of rock and gravel and will not retain water.

Mayor Barnes asked what the landscaping requirements are for the project? David replied the front yard must be completed before a person(s) can move in. Mayor Barnes encouraged David and Mark to make sure the area is xeriscaped as much as possible since the area will not retain water. Drip systems should be installed and water wise plants should be recommended.

Curtis asked if a landscape contractor is used to help with the project? David replied that is correct.

Curtis asked what the applicants have to do outside of building the home. David replied they must attend a home ownership class as well as classes on learning to be responsible and successful. Managing finances is taught as well as some pre-construction classes.

Wade mentioned he had ridden horses through this area throughout his life and there is quite a bit of wildlife in the area such as deer and an occasional mountain lion. Wade suggested planting wildlife resistant plants and making sure all of the homeowners are aware of the wildlife residing in close proximity to this area.

Mark thanked the council for having the resident input section of the council meeting. Mark serves on the Millville City council. Until their last city council meeting they had never had a resident input line item on the agenda but they are doing it now and will do so moving forward.

\*\*\*A motion to adopt Ordinance 18-03, an Ordinance rezoning Parcel Number 08-044-0036, 11.97 acres, located at approximately 675 North 600 East (Crow Mountain Road) from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet) was made by Jamie seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Hunsaker, Anderson, Caley, Campbell, Wall

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON THE PETITION FOR SERVICES REQUEST BY TODD DAVIS TO HAVE CULINARY WATER SERVICE AT A NEW HOME TO BE LOCATED OUTSIDE OF THE CITY BOUNDARY AT APPROXIMATELY 1400 EAST 200 SOUTH. PARCEL 08-047-0003.**

Todd Davis stated he had submitted an application for culinary water service for a new home which would be built outside of the city boundary.

Wade asked Clay if there is a concern about supplying water to this parcel. Clay replied a water model is not required for a single home but there was adequate water for the subdivision just to the south of this proposed home. Todd replied the water model was done for 40 to 42 homes for his subdivision to the south but he increased the size of the lots so only 38 homes would be built in the subdivision.

Todd informed the council he owns Parcel Number 08-207-0012 where the private water service line would run across to get to the parcel the home will be built on. Parcel Number 08-207-0012 is almost unbuildable because of the close proximity to the power lines running across the parcel. The water meter would be set just off the road, 300 South, and Todd would be responsible for all costs beyond the city owned water meter.

Clay also mentioned since a fire hydrant is not required a water model was not needed.

Jamie asked for clarification of Code Section 13.04.400, Section "F" where it states the city will require two shares of water from a local canal company. Todd replied his understanding was he could pay the \$2,000 fee since shares are not available in this area.

Deon asked if there are liability issues supplying water to this parcel. Deon was worried about having adequate water flow for fire protection. Chief Downs replied the county does not have a requirement for fire flow and this parcel is in the county. Mayor Barnes replied there are many homes in the county which do not have enough water flow for fire protection services.

Bart asked where the nearest fire hydrant is located? Todd replied at 1300 East 300 South.

Chief Downs asked if the request to build the home in the county had been approved by the county? Todd replied the county told him he could build on the parcel but would have to meet the city specifications for the driveway entering the property. There will be a circle drive at the house to allow fire department apparatus to get close to the home and turnaround if needed.

Wade asked Todd where he intended to build on the parcel? Todd replied just east of the old ditch line which is about in line with the eastern edge of Parcel Number 08-207-0012.

Mayor Barnes mentioned at the last council meeting Todd agreed to allow the Bonneville Shoreline Trail to run through his property, is this still the case? Todd replied he is agreeable to working on a trail system either along the powerlines or along the eastern boundary of the parcel but would have to see a proposal for what was going to be created before he could commit to

what is being done. Bart thanked Todd for his willingness to allow the trail to run through his parcel.

Todd explained frustration from people driving ATV's, XUV's and even a pickup truck onto his parcel when it was muddy and tearing up the hayfield they were driving around in.

Mayor Barnes mentioned this ordinance was created for those times when a special request like this is made. The city would most likely protest a well in this area due to the closeness of the city water tank. Clay replied in this instance a protest would not be filed as the well is not in the city well area.

Clay asked Todd if he already applied for a well permit? Todd replied that was correct, he applied several weeks ago for a well permit.

Mayor Barnes mentioned if this request is granted Todd would pay the same city fees just like all of the residents do.

Mayor Barnes asked Todd if he currently lived in the city? Todd replied he has lived in the city for 52 years.

Curtis asked for clarification on Code Section 13.04.400, Section "G". Craig replied the fee charged has to be the same as the residents pay. It is against the law to charge a different fee on a connection outside of the city.

Craig mentioned Todd would be required to pay an impact fee just like all new construction does in the city. Todd asked how much the impact fee is? Clay replied it depends on the size of the meter which is typically either ¾ inch or one inch. An encroachment permit will be required as well.

Mayor Barnes mentioned only one home is allowed on this service line if the request is granted.

Jamie asked Todd if he still intended to drill a well if the city approved his request? Todd replied he had not yet decided.

Jamie asked Todd to make sure he read Code Section 13.04.400, Section "D". Todd replied he had and thought it was referring to the city could ask for lawns to not be watered in the event of a water shortage but did not think that meant an entire loss of service to the home.

Wade mentioned this request is not common and asked Justin the last time a request had been made. Justin replied this type of request had not been approved for approximately 13 years. All requests since that time have been denied by the council. Mayor Barnes replied he did not recall having a request like this in the last six years he had served.

Jamie asked Justin why requests had been denied in the past? Justin replied he had been told by other staff members and previous council members the thought process was either a home is in the city or the county. Services will be offered if in the city. Services will not be offered in the

county. A person should not have the right to pick and choose which services they want to have. They either pay for all city services or they are not allowed in. Those permitted to use city services without being in the city do not pay their share of other city offered services but receive a city service. Mayor Barnes replied that was not the opinion of everyone in the past or this section of code would not have been adopted. Curtis replied he felt a home should either be entirely in the city or entirely in the county, not both.

\*\*\*A motion to approve the Petition of Services application by Todd Davis for a single culinary water service hookup for a new home to be built at approximately 200 South 1400 East outside of the city boundary was made by Jamie, seconded by Deon and the vote was unanimous.\*\*\*

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

Curtis replied he could support the request but at the same time he could easily vote against the request. Curtis felt the applicant needed to have all city services or no city services. If city services are received the parcel should be in the city.

Todd thanked the council for approval of the application and mentioned he would hope to be part of the city in the future but the storm water impact fee is too high and he cannot afford to annex into the city.

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 18-01, A RESOLUTION AMENDING THE SMITHFIELD CITY CONSTRUCTION STANDARDS & DESIGN, PART 1 “DESIGN STANDARDS”, CHAPTER 2.0 “STREET DESIGN”, SECTION 2.3 “STREET SECTIONS”, PARAGRAPHS C, D, E & F.**

Clay explained the proposed resolution clarifies how much asphalt is required for each new subdivision that will be built in the future. Also, fill slopes shall be a maximum of three feet horizontal and one foot vertical unless certain criteria are met.

Mayor Barnes asked if all of the verbiage in the resolution is new? Clay replied a couple of items are being removed but the majority of the resolution is new. The purpose of the resolution is to make it clear how much asphalt is required for new roads.

\*\*\*A motion to adopt Resolution 18-01, a Resolution amending the Smithfield City Construction Standards & Designs, Part I “Design Standards”, Chapter 2.0 “Street Design”, Section 2.3 “Street Sections”, Paragraphs C, D, E and F was made by Bart, seconded by Curtis and the vote was unanimous.\*\*\*

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

Jamie asked to continue discussing Code Section 13.04.400 which allows for city services outside of the city.

Curtis asked for example if Todd Davis were to go to the rec center and sign up for a program is he a resident or a non-resident? Jamie replied a non-resident.

Curtis expressed concern by allowing this there is an unknown of future requests and how this will impact the city moving forward.

Jamie stated he approved Todd's request as the ordinance allows it.

Jamie asked what the impact will be down the road if the parcel is annexed into the city after the home is built? Craig replied Todd would pay an impact fee now to hook onto the water system. Craig stated he would check into it but did not think the city could impose any other requirements. Clay replied the home would be on a septic tank for sewer service so unless he hooked onto the city sewer system no fees would be due until that time.

Bart asked if it would be possible to bring the entire parcel into the city and then split off one lot just for the home? Justin replied the parcel would have to be rezoned and then a parcel could be separated off just for the home.

Curtis mentioned if there is a water shortage the city would be able to control how much water Todd would have. If Todd was on a well he would be able to control the amount of water he has available. Mayor Barnes replied if there is a water shortage the entire town is in trouble not just the Todd Davis home.

Jamie stated he is not fond of the ordinance. Craig replied the council did not have to grant the request. The council needs to do what is best for the city. The ordinance simply allows someone to make a request and then it is up to the council to approve or deny the request.

Jamie asked if the city could be sued if a request is denied? Craig replied he did not think so as the parcel is outside of the city boundary and the council has the ability to approve or deny per city ordinance. Similar requests have been denied in the past.

Craig asked the council if they would like the ordinance updated to include accepting a fee if shares are not available? Jamie stated that is a good idea and should be done.

Curtis stated Section "G" is confusing as well. The fee of \$15 needs to be updated as well. Justin replied the fee is based on the current fee in the prevailing fee schedule and that part of the ordinance needs to be updated as well.

Craig wanted to clarify an item some residents have become confused on recently. When it says the code was adopted on November 11, 2015 that does not mean it was changed. The city changed codification service providers at that time from Sterling Codifiers to Municipal Code Online. Ordinance 15-20 simply adopted all of the city code on November 11, 2015 as it was previously written. The code was simply switched over to Municipal Code Online. No changes were made to the code in that ordinance. The current code was adopted and made available online at that time.

## **CITY MANAGER REPORT**

Craig did not have any additional items to discuss.

## **COUNCIL MEMBER REPORTS**

Curtis informed the council Rec Center Director Brett Daniels was currently attending a conference. The rec center received an award for being the best at the criteria listed in the award.

Curtis mentioned Bart, Jamie and Wade will receive plaques for their years of service at the next planning commission meeting which will be held on Wednesday, March 21<sup>st</sup>.

Curtis toured the Doodlebug Academy with the owner, Mike James. The grand opening for the business is on Saturday, March 17<sup>th</sup> from 10 A.M. to 4:00 P.M. The state is inspecting the building on Monday, March 19<sup>th</sup> and the intent is to start enrolling students within the next two weeks. Mayor Barnes was hopeful everyone on the council could attend the grand opening at some point during the day.

Curtis mentioned he had heard in the past the city is not business friendly. Curtis wanted the council to know Mike had specifically stated how good the city council, mayor and staff had been to him and his spouse on this project.

Curtis stated the access road on the east side of the splash pad had been removed. Principal Pugmire and his staff at Summit Elementary are in the process of restriping the parking stalls on 100 West and getting ready to redirect the flow of the buses coming into and leaving the school.

Curtis asked if the new traffic signs had been installed? Chief Allen replied there are new signs at 69 North Main as well as at Center Street.

Curtis asked Craig for an update on the skate park. Craig replied a representative of Grindline, the skate park designer, was on site getting the project laid out. Concrete will be poured in the northwest corner of the park next week. The project will then continue working its way to the south. The large bowl will be the last section to be constructed. The project will take three months to complete.

The council discussed how they will participate in the Health Days parade. Mayor Barnes is hopeful to get a large pipe band for the parade and walk in front of it carrying the flag.

Wade informed the council he has received a number of comments on the storm water impact fee which will be assessed starting in April. People would like the council to review and discuss this fee again in the future. Mayor Barnes felt that was a good idea as he has concerns about the fee as well.

Wade mentioned he is working with Planning Commissioner Nathan Wright to come up with some options for the council to consider.

Mayor Barnes mentioned other than Logan City no other city in the valley charges a storm water impact fee. Mayor Barnes supports having a storm water impact fee but the charge for larger lot sizes needs to be reviewed.

Mayor Barnes mentioned this item will be reviewed in the next couple of months after some other items and meetings are taken care of first.

Curtis asked if J-U-B Engineers should be consulted about this concern? Craig replied the impact fee analysis was done by Public Sector Economics not J-U-B Engineers.

Craig mentioned Nathan works for the engineering firm CRS and hoped there is not a conflict of interest. Wade replied he had just received some ideas and observations from Nathan on the impact fee analysis.

Curtis asked Craig if Emily Sim of Public Sector Economics should be consulted about the concern of the council on the fee and if there are other options? Craig replied the council can do that but needs to be prepared to pay Emily for any time she spends on the project. The council must be able to justify any amount charged for an impact fee and the current fee schedule can be justified.

Mayor Barnes did not feel the scale of how the storm water impact fee is charged is fair for large lots. A home on one quarter acre takes up no more space than a home on one acre but yet the home on one acre will pay four times more for the storm water impact fee.

Bart informed the council he met with Gary Saxton who oversees economic development for Logan City. In the future Smithfield will be involved in economic development opportunities that arise in Cache Valley. Companies solicit requests and the city can submit an application with what is being offered. Char Izatt and Clay are helping Bart locate potential properties in town which would be good for future businesses to be located on. When a request is made the city will have about ten days to respond. An example was given where an IT company is looking for some warehouse space. North Logan City submitted an application listing the building formerly occupied by Kmart as a potential option.

Bart is creating a document for the council to review which can be submitted when requests like this are made.

Bart and Nicole Zollinger from the Smithfield Chamber of Commerce met with Jaci Bennett and invited her to join the chamber. Jaci's new building is laid out well and a good use of the land.

Bart and Nicole will visit with the owners of the Doodlebug Academy in the future and invite them to join the chamber as well.

Bart mentioned during planning commission meetings those in the audience can voice their concern on each line item on the agenda. If the council is not going to allow that during a council meeting then residents need to be informed they need to discuss their concern during the resident input section of the meeting as they will not be allowed to comment later. Mayor Barnes replied

a resident can speak during resident input or if there is a public hearing on the item. Craig mentioned if the council wants residents to comment on each line item on the agenda then the items need to be published as public hearings. Bart suggested in the future making it clear that all comments need to be made during resident input unless there is a public hearing on their specific concern.

Deon mentioned the annual Lion's Club spaghetti dinner will be held on Thursday, April 11<sup>th</sup> from 5:30 P.M. to 7:30 P.M. The youth council has helped in the past and has been requested to help again this year. They usually help setting up the tables and chairs as well as with the meal.

Deon mentioned the Utah State University club baseball team season, weather permitting, will start on Friday, March 16<sup>th</sup>. The Lion's Club will be in charge of the concession stand again this year.

Jamie mentioned the ambassadors will be holding a fundraiser on Saturday, March 24<sup>th</sup> for the library. The annual ambassador pageant is Saturday, March 24<sup>th</sup>.

Jamie informed the council he met with Eric Kleven and Chad Daniels about ways to increase revenue at the golf course and ways to decrease expenses. Supplying cash to patrons of the course is costing the golf course funds as there is a transaction fee each time someone wants extra cash from a debit card transaction. The course is considering implementing a fee when only cash is wanted. The golf course is currently open for the season.

Curtis asked if an ATM machine could be installed? Jamie replied it is too costly for the city to purchase an ATM machine and monitor it. Curtis suggested contacting USU Credit Union or Cache Valley Bank to see if they have an interest in putting an ATM at the clubhouse.

Mayor Barnes mentioned he was working with Craig on a couple of changes which could save the golf fund money and they will be discussed at a future council meeting.

## **MAYOR'S REPORT**

Mayor Barnes asked for an update on RDA projects which had been approved and not completed. Craig replied legal counsel is reviewing historical state statutes on this issue as it is quite complicated where the RDA is so old.

Mayor Barnes mentioned two or three RDA project approvals go back several years and the projects have never been completed or started. Craig mentioned the city staff provided legal counsel with all of the RDA documents the city has on file for them to review.

Mayor Barnes mentioned the Comcast Cares Days of Service will be held on Saturday, April 21<sup>st</sup>. Mayor Barnes was hopeful all of the council would be able to attend and participate. Curtis mentioned signup sheets are being handed out at the rec center. Mayor Barnes mentioned signup sheets will be handed out at the local schools as well.

Mayor Barnes stated in the last city newsletter he submitted an article about the city being part of Tree City USA. Right now there is a need for board members on the city's tree committee. Three residents contacted the mayor and informed him they are willing to serve. At the March 28<sup>th</sup> council meeting, Kilby Jensen, Devin Overly and Rebecca Diehl will be formally approved as members of the Smithfield City Tree Committee.

Mayor Barnes asked for an update on the construction project at 1000 South Main. Craig replied the fire hydrant was relocated this week.

Mayor Barnes reminded the council he is heavily involved with the local scouting program. The Mayor is having a special coin made. Mayor Barnes would like to encourage scouts to attend council meetings and have a long term goal of earning their Eagle Scout award.

Mayor Barnes asked the council if he could purchase the coins on a city account and then reimburse the city for the cost of the coins as he planned on purchasing a couple hundred coins? The coin would say Smithfield City on it as well as Jeff Barnes.

Curtis asked if the coin is a city award why is the mayor's name on the coin individually rather than as mayor? Mayor Barnes replied because he is paying for the coins. Curtis did not support purchasing the coins as he felt this was a personal project of the mayors and not a city project. Mayor Barnes replied this is a project of his. Curtis replied if this is a city project the city can purchase the coins and not pay sales tax. If this is a personal project the coins should not be paid for by the city and the buyer should pay sales tax.

Curtis asked the cost of the coins. Mayor Barnes replied 200 coins will cost around \$1,600.

Curtis asked if this is an award from Mayor Barnes and Smithfield City or from Jeff Barnes personally? Mayor Barnes replied he intended to include "Smithfield City" on the coin and it is a personal project of his.

Bart said he did not have a concern with the request as it is promoting citizenship in the community.

Mayor Barnes mentioned he was discussing this item as he wanted to be transparent in what he is doing.

Wade replied he did not have a concern as there is no cost to the residents.

Jamie replied he felt if it is a city project the city should pay for it but if it is a personal project then it should not be run through the city account.

Deon stated he supported having a coin the mayor and council could hand out not just to scouts but to others who give service to the community. Nibley City had a severe culinary water problem a couple of years ago and they gave out coins to everyone who helped out with the issue.

Mayor Barnes stated he would do this project on his own and it would not be a city project or run through a city account.

Mayor Barnes asked Chief Downs to inform the council on the presentation he made at a recent mayor's association meeting. Chief Downs informed all of the mayors in the valley how EMS and ambulance service works in the valley. There are issues with daytime fire department coverage in several small cities in the valley. Ambulance service is totally separate from fire service and there is not an issue with ambulance coverage in the valley. Right now the Cache County Fire Department is doing a study on fire service throughout the valley. Some of the mayors in the south end of the valley are considering changing what they are doing in regards to fire department coverage. Logan City, recently, substantially increased the amount Providence City owes for fire department coverage so several mayors are now looking at other options. The mayors in the north end of the valley do not have the same issue as those in the south end of the valley.

Bart asked for an update on hiring the new employee for the fire station. Chief Downs replied he is going through the process right now but it is hard to find an engine boss. An engine boss is needed for all wildland fire trips.

Wade complimented the fire department on the service they offer to the community. Wade received many compliments about the department from residents.

Bart asked Chief Downs to update the council on the current training which is going on. Chief Downs informed the council the driving simulator had been used to train about 150 people over the last several weeks. The council is welcome to try the simulator as well to see what staff members throughout the valley experience.

Mayor Barnes mentioned the focus of the March 28<sup>th</sup> council meeting will be on the new budget for Fiscal Year 2019.

Craig suggested at the March 28<sup>th</sup> council meeting to amend the ordinance where the impact fee was set for storm water and remove it until the council can decide how they want to proceed. Jamie concurred.

Craig did not feel it would be appropriate to charge the new rate if within a month or two the council is going to reduce the rate. Jamie concurred.

Craig stated the new impact fee for water would remain in place but the storm water fee would be removed from the ordinance until the council makes a decision in the future. The mayor agreed and asked for the item to be on the March 28<sup>th</sup> agenda.

*\*\*\*Wade made a motion to adjourn at 8:56 P.M.\*\*\**

**SMITHFIELD CITY CORPORATION**

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Jeffrey H. Barnes, Mayor

**ATTEST:**

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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, March 14, 2018**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jamie Anderson

1. Approval of the city council meeting minutes from February 28, 2018
2. Resident Input
3. Legislative update and discussion with Representative Val Potter.
4. Discussion with representatives of The Family Place and authorizing April 2018 as Child Abuse Prevention Month in the city.
5. Discussion and possible vote on Ordinance 18-03, an Ordinance rezoning Parcel Number 08-044-0036 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is located at approximately 675 North 600 East (Crow Mountain Road) and is 11.97 Acres.
6. Discussion and possible vote on the petition for services request by Todd Davis to have culinary water service at a new home to be located outside of the city boundary at approximately 1400 East 200 South. Parcel Number 08-047-0003.
7. Discussion and possible vote on Resolution 18-01, a Resolution amending the Smithfield City Construction Standards & Designs, Part I “Design Standards”, Chapter 2.0 “Street Design”, Section 2.3 “Street Sections”, Paragraphs C, D, E & F.
8. City Manager Report
9. Council Member Reports
10. 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.

# CHILD ABUSE PREVENTION MONTH PROCLAMATION

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SMITHFIELD CITY'S GREATEST ASSET IS OUR CHILDREN,  
NOW AND FOR THE FUTURE.

**WHEREAS;** ALL CHILDREN deserve to grow up in a safe and nurturing environment to ensure they reach their full potential.

**WHEREAS;** CHILD ABUSE is a serious and growing problem affecting millions of our nation's children and thousands of children in Utah annually; and,

**WHEREAS;** CHILD ABUSE respects no racial, religious, class or geographic boundaries; and,

**WHEREAS;** IT IS IMPORTANT for all citizens of Smithfield to become more aware of child abuse and the critical need for prevention within their respective neighborhoods and community; and,

**WHEREAS;** DECREASING the occurrence of child abuse relies upon the efforts of every individual in order to make a positive, substantial impact upon the children of today, who will become the leaders of tomorrow;

**WHEREAS;** ALL CHILDREN deserve to receive an education in an environment where they are safe and supported, and where they can learn and thrive;

**THEREFORE;** we, the Smithfield City Council, do hereby proclaim April 2018 as Child Abuse Prevention Month. We support child abuse prevention efforts and education and encourage all citizens to actively help protect our children and work to create strong families within this community.

In witness whereof, I hereunto set my hand on this 14<sup>th</sup> day of March, 2018

  
\_\_\_\_\_  
Smithfield City Mayor





CITIZENS AGAINST PHYSICAL AND SEXUAL ABUSE

## Proclamation

### In recognition and support of Sexual Assault Awareness Month

**WHEREAS**, In Utah, 1 in 3 women and 1 in 7 men will experience intimate partner violence in their lifetime. Compared to the nation, it is estimated that Utah has higher rates of sexual assault. In recognizing that domestic violence is a prominent and pervasive issue, we, the City of Smithfield, understand the necessity of providing services, supporting, and believing survivors of sexual assault. We also recognize the dire need for prevention efforts directed towards ceasing the occurrence of sexual assault. We, the City of Smithfield, most importantly know that we can increase the quality and togetherness of our community by creating an environment where sexual assault is unacceptable. We hereby pledge to Start By Believing and show our unwavering support to survivors of sexual assault.

**NOW THEREFORE**, be it resolved that I, Jeffrey H Barnes, Mayor of Smithfield do hereby proclaim the month of April to be Sexual Assault Awareness Month. In recognition and support of Sexual Assault Awareness Month, CAPSA and survivors of sexual assault, the City of Smithfield hereby officially recognizes April as Sexual Assault Awareness Month.

Together, we are capable of making a difference in the lives of many. This April, start by believing. Start by standing against sexual assault. The City of Smithfield does.

Signed this 14<sup>th</sup> day of March, 2018

Mayor Jeffrey H. Barnes  
Smithfield Utah