

SMITHFIELD CITY COUNCIL

JUNE 14, 2017

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, June 14, 2017. The meeting began at 6:00 P.M. and Mayor Darrell G. Simmons was in the chair. The opening remarks were made by Barbara Kent.

The following council members were in attendance: Deon Hunsaker, Barbara Kent, Jeff Barnes and Curtis Wall.

Kris Monson was excused.

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, Rec Center Director Brett Daniels and City Recorder Justin Lewis were also in attendance.

VISITORS: Jared Thayne, Noah Thayne, Heidi Harper, Todd Beutler, Todd Horman, Ben Johnston, Juli Weber, John Bedingfield, Blake Dursteler, Dave Olson, Merilee Olson

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM MAY 10, 2017.

A motion to approve the city council meeting minutes from May 10, 2017 was made by Curtis, seconded by Barbara and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

RESIDENT INPUT

There was not any resident input.

YEARLY UPDATE AND DISCUSSION WITH HEIDI HARPER ON THE CACHE VALLEY TRANSIT DISTRICT.

Heidi Harper stated she was happy to see a bus from the transit district in the Health Days parade.

Right now all of the board members are going through a period of training. One of the training goals is to work as a single body rather than a bunch of committees and subcommittees like in the past.

A short range transit plan is currently being reviewed and worked on. Right now the second version of the plan is being reviewed and critiqued. The long term goal is for the plan to be a five year plan. Some of the purposes of the plan are to identify transportation needs and ways to improve services. A transportation consulting company is being used to help create the plan.

The board meeting which will be held on Wednesday, June 28th will not be a regular meeting but a tour of the facility where the buses are housed. Most of the board members have not seen this facility. All of the board members have been invited to attend as well as any council member or mayor.

All of the meetings are open to the public and anyone can attend.

Jeff asked the location of the bus repair facility? Todd Beutler stated at 754 West 600 North North in Logan.

Heidi asked the council to pass along any comments, questions or concerns regarding the district. The board members like to hear the positive and the negative.

Mayor Simmons asked Heidi how long she had been serving on the board for the city? Heidi replied for five years.

Mayor Simmons and the council thanked Heidi for her past and current service to the community.

Heidi mentioned she is still growing and learning about the district. There is a lot of stuff happening behind the scenes to make the district a success.

Mayor Simmons asked how many board members are on the board? Todd replied 19.

DISCUSSION AND UPDATE ON THE BONNEVILLE SHORELINE TRAIL WITH CACHE COUNTY TRAILS COORDINATOR DAYTON CRITES.
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Dayton Crites informed the council public input on the proposed countywide trail system had just been completed.

The Smithfield City master plan trails map is being incorporated into the countywide trail map system.

Dayton asked the council for their input on which trail systems in the city they deem the most important.

The top priority for the county is the Bonneville Shoreline Trail system. The Bonneville Shoreline Trail system extends approximately 330 miles and goes from Provo, Utah into Idaho.

Those building in the George R. Weeks Subdivision and the Vista's at Dry Canyon would benefit as the trail system would run through that area.

A big priority for the county is to develop the trail system from Green Canyon in North Logan to Birch Creek in Smithfield.

The biggest issue for the trail system is getting access through private land or through the wilderness. The wilderness area in the valley is much higher on the mountains and the ideal location for the trail system is through private land. There are three landowners on the east bench of Smithfield that need to be contacted and worked with for the Bonneville Shoreline Trail project. They are Vincent Hansen, James and Faye Shupe and the Sportsmen for Fish and Wildlife (SFW). SFW has approved of the trail system as long as it is closed in the winter months when wildlife are wintering in the area. Dr. Hansen has been sent letters and called at his office but he has yet to contact Dayton to discuss the trail system.

Curtis mentioned he sees people utilizing some of the lower trail systems in the area. Dayton mentioned he would like those areas to become official trails as in most cases people are trespassing right now when they utilize those areas.

Barbara asked what the distance is between Green Canyon and Birch Creek? Dayton replied approximately eight miles.

Curtis asked if anyone knew Dr. Hansen and would be able to contact him? Jeff stated he had worked with Dr. Hansen in the past as part of his job.

Dayton asked the council for their help in moving the trail system forward as his job is to help broker agreements and find grants. Without the help of each community a trail system cannot be completed.

Jeff asked how Dr. Hansen had been attempted to be contacted? Dayton replied via mailed letters and leaving messages at his work requesting a return call.

Mayor Simmons thanked Dayton for his passion for all of the trails projects and being able to work with such a small budget.

BEN JOHNSTON OF JOHNSTON ENGINEERING, AGENT FOR TODD DAVIS, HAS REQUESTED CONSIDERATION OF APPROVAL OF THE FINAL PLAT FOR THE VISTA'S AT DRY CANYON, A (40) LOT SUBDIVISION LOCATED AT APPROXIMATELY 1280 EAST 300 SOUTH. ZONED R-1-12.

Craig informed the council the request is for a 40 lot subdivision up Dry Canyon to the east of the George R. Weeks Subdivision. The subdivision would extend east to the power lines. Homes would be on both sides of the Dry Canyon Road. The planning commission had reviewed and approved the request and forwarded to the council for consideration.

Deon asked if the area at the east end of the parcel was two large lots? Ben Johnston stated that was correct.

Jeff expressed concern for storm water flow problems as there had been problems in this area in 2011 and 2017. Ben replied the development includes adding storm water piping and attaching to the existing storm water system of the city as well as having a detention pond behind four of

the lots on the west side of the property. The existing pipe is approximately 24 inches in diameter and will be connected too.

Jeff asked if there would be turnarounds at the end of each road running north and south? Ben stated Todd Davis, property owner, was working with the landowner to the north about putting turnarounds on their parcel but if an agreement could not be reached then building lots would be changed to turnaround points.

A motion to approve the Final Plat for the Vista's at Dry Canyon Subdivision, forty (40) lots, located at approximately 1280 East 300 South was made by Curtis, seconded by Deon and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

PUBLIC HEARING TO CONSIDER ORDINANCE 17-11, A REQUEST BY BLAKE DURSTELER, AGENT FOR SCBL HOLDINGS, LLC TO REZONE PROPERTY FROM CC (COMMUNITY COMMERCIAL) TO CB (CENTRAL BUSINESS DISTRICT) LOCATED AT 532 SOUTH MAIN STREET, PARCEL NUMBER 08-110-0070. 1.53 ACRES.

Craig informed the council the request is to rezone the property along the highway where Cantwell Brothers Lumber used to be located from Community Commercial (CC) to Central Business District (CB). The request is only for the parcel along the highway not the parcel to the east that is zoned with a multi-family designation. The setbacks are different between Community Commercial and Central Business District and that is why the developer is making the request. The planning commission has reviewed and recommended approval of the request and forwarded to the council for consideration.

Jeff asked the difference in the setbacks between the two zones? Craig replied that Central Business District does not have any setback requirements other than if the parcel is next to a residential unit which then requires a 10 foot setback. Community Commercial requires 30 feet in the front and rear and 10 feet on the sides.

****The public hearing opened at 6:30 P.M.****

Blake Dursteler mentioned to the council the intent is to meet the 10 foot setback requirement on the rear of the parcel. Because of the need for additional parking for the assisted living center the 30 foot requirement was too much and would take away parking stalls. With a 10 foot requirement the parking stall requirement can be met.

****The public hearing closed at 6:32 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 17-11.

Barbara mentioned she had reviewed the meeting minutes from the planning commission meeting. The zoning classification of Community Commercial seemed good at the time it was approved but the actual plans for the building had not yet been created and the change was now needed as the plans were being finalized. Blake replied after designing the building and finding out the number of required parking stalls there would not be enough room to meet that requirement with the current setback requirements.

Deon mentioned he read an article in a newspaper showing the biggest area of growth in regards to age is in the 50 to 70 year old classification. The demand in this area is going to increase and businesses like this will be needed.

Jeff asked if all of the other assisted living centers in the valley were full? Blake responded that a new market analysis had been completed and even though other similar businesses are being built in other communities in the valley they are filling up quite fast and there is a need in the valley.

Jeff asked how many people could reside in the building? Blake replied there will be up to 48 beds of which 10 will help with memory loss.

Mayor Simmons asked if the building would be similar in design to the Legacy House in Logan? Blake stated that was correct. The building would be two-story and provide the same type of care.

Curtis asked if the memory care portion of the building would be in a lockdown mode so the residents could not just walk out? Blake mentioned one wing of the building will be setup as needed and required to ensure safety for those with memory loss.

Mayor Simmons asked Blake when construction of the building would start? Blake replied the building plans could not be finalized until the zoning classification and setbacks were confirmed so this would be the final step in the design phase of the project.

A motion to adopt Ordinance 17-11, an Ordinance rezoning Parcel 08-110-0070, located at approximately 532 South Main, from CC (Community Commercial) to CB (Central Business District) was made by Barbara, seconded by Deon and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

TODD HORMAN, AGENT FOR DRY CANYON, LLC, HAS REQUESTED REAPPROVAL OF PHASE 2 OF THE FINAL PLAT (12 LOTS) FOR THE GEORGE R. WEEKS SUBDIVISION, LOCATED AT APPROXIMATELY 300 SOUTH 1100 EAST. ZONED R-1-12. ORIGINALLY APPROVED ON SEPTEMBER 28, 2016.

Justin informed the council Todd Horman had received approval of the final plat for Phase 2 of his subdivision at the bottom of Dry Canyon on September 28, 2016 from the council. Todd has developments in several other local cities and they all have different rules. Todd thought the final plat could not be recorded until all of the improvements were completed like another local community. Smithfield's ordinance requires the final plat to be recorded within six months of approval. The time period has expired. Todd needs to get the final plat reapproved so he can get it properly recorded. Nothing has changed with the subdivision. It is exactly the same other than it needs to be finalized within six months of approval and the original approval was not.

Todd Horman mentioned the improvements are currently being installed and should be completed within the next two to three weeks.

Todd mentioned he wanted to clarify some confusion on the name of the subdivision. The correct and advertised name is the Weeks Subdivision not the Dry Canyon Subdivision which some people had been calling the development. There will not be any confusion between this subdivision and the subdivision to the east called the Vista's at Dry Canyon.

A motion to reapprove Phase 2 of the Final Plat, 12 lots, for the George R. Weeks Subdivision located at approximately 300 South 1100 East was made by Curtis, seconded by Deon and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

Craig mentioned the city staff had reviewed the six month requirement in the city ordinance and will be recommending to the council in the future it is changed to twelve months like other surrounding communities.

PUBLIC HEARING, ON ORDINANCE 17-12, AN ORDINANCE REGARDING THE DISCONNECT REQUEST BY DAVE AND MERILLE OLSON FOR PARCEL NUMBER 08-043-0009 AND A SMALL PORTION OF PARCEL 08-043-0040 FROM WITHIN THE SMITHFIELD CITY LIMITS TO CACHE COUNTY. THE PARCELS ARE LOCATED AT APPROXIMATELY 560 NORTH 400 WEST. THE PARCELS TOTAL APPROXIMATELY 4.7 ACRES.

Justin informed the council a request had been made by Dave and Merilee Olson to disconnect a parcel they own from within the city limits. They reside at 560 North 400 West.

What is a disconnect request? It is when a person/entity owns property within the city limits and wants to remove the parcel from within the city limits and take back into the county or a surrounding city. In this case the request would be to take the parcel back into the county.

The advertising guidelines and process are set by the state. Dave and Merilee made the request in April. The county and city were both notified of the request. The request was then advertised in *The Herald Journal* four times. A public comment period was held and no protests or comments were received by the city staff.

The parcels being requested for disconnect are one full parcel owned by Dave and Merilee and a small section of the parcel to the north of Dave and Merilee owned by Don Flaherty. Approximately 90% of the property already owned by the Flaherty's is in the county. Only a small section is located within the city boundary.

The parcels on the north, west and east sides of the Olson parcel are located in the county.

The disconnect request has been requested by the Olson's because the ordinances guiding how a parcel is subdivided would require them to install a water and sewer main line, bring the road up to city code, installation of curb and gutter along the frontage of their parcel and installation of sidewalk on the frontage of their parcel. The bid obtained and submitted to the city by a private contractor for this work totaled \$299,735.

As part of the process a public hearing is required and then a vote of the council to approve or deny the disconnect request.

****The public hearing opened at 6:43 P.M.****

Dave Olson informed the council he would like to build a new single story home on the parcel he owns within the city. The parcel was annexed into the city 25 years ago. With the requirements of current city ordinances the infrastructure alone would cost \$299,735 and that does not include the home. The parcel is located in an agricultural area. City code requires storm water to be retained and right now there is not a drainage issue in the fields. In the entire time Dave has lived in the area he recalls seeing a city snowplow truck push the road less than five times. The road is rough and not maintained by the city. The majority of people in the area do not know the parcel is located within the city. After talking with the county they would require the road to be widened three feet. After talking to Staker & Parson Companies they stated it would be easier to widen the road eight feet at the cost of approximately \$11,000. The parcel had been requested to be subdivided in the past but do to family circumstances the subdividing of the property had not been completed. An agreement was put in place at that time regarding the improvements and the agreement will no longer be honored based on current city ordinances. Since a lender will not loan \$700,000 for a \$200,000 home a request to disconnect has been made. The city ordinances would not allow him to continue to live in town due to the cost of the infrastructure. Dave has resided in Smithfield for 50 years.

****The public hearing closed at 6:47 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 17-12.

Deon asked if moving the irrigation water line, relocating the power lines and installing a non-climbable fence were all required by the city? Dave Olson stated they would be if the road has to be widened. If the road does not have to be widened then those three items would not be required. Barbara mentioned the sight proof fence is a city requirement.

Deon asked for an explanation on the water and sewer lines included in the bid. Dave replied right now there are two homes on the existing private sewer line that is about 800 feet long. A third home cannot be added to the existing line. The ordinance requires a new main line to be installed. The ordinance requires the new main line to run 20 feet beyond the end of the parcel into the neighboring parcel.

Deon informed Dave he had talked to several other developers about the cost of infrastructure work and they informed him on average it is \$20,000 to \$40,000 per building lot which is substantially cheaper than this bid.

Dave mentioned he had received a second bid from Lloyd H. Facer Trucking for the sewer and water lines only and it was around \$79,000.

Merilee Olson stated they want to build the new home south of their existing home. The city ordinance would require the entire frontage of the parcel to be changed not just the area in front of the new home. A new road would be required as well as curb and gutter on both sides of the road and the sewer and water lines would go 20 feet into the neighboring parcel.

Deon asked Merilee if their existing home was on city water and sewer service? Merilee stated that was correct. Merilee mentioned the existing sewer line does not run down the side of the road but cuts across the field in a diagonal manner angling back towards the road.

Dave mentioned the main water and sewer lines would have to be upgraded from in front of Ernie Garza's home all the way to his property which is over 800 feet for the water line plus the installation of a fire hydrant. The sewer line would be over 900 feet long and closer to 1,000 feet. Approximately 700 feet of curb and gutter would be required as well as a detention pond. The requirements for one home are the same as if a large parcel was being developed and many homes being included to be built.

Jeff asked where the current water line is located? Dave replied it runs from the corner of his property to the corner of his house. It does not run down the side of the road.

Deon asked if a well would be used for the new home if the disconnect request is granted? Dave replied that is up to the city as he was aware of other homes located outside of the city using city services. Drilling a well is cheaper than the cost of the infrastructure.

Dave mentioned the fields to the west of his property are farmed and if curb and gutter is installed it will be ruined by tractors and farm machinery as they will just drive over the curb and gutter to get into the field or back onto the road.

Dave stated it is ridiculous to require curb and gutter on both sides of the road and whoever came up with the ordinance did not give it much thought. Anyone living on the edge of town will have the same problem as it is a mess having to do all of the infrastructure required in the ordinance to build one home on a parcel.

Deon asked Dave if he had checked on what is required to drill a well? Dave replied water shares and drilling a well did not concern him as he had plenty of water shares.

Todd Horman stated he felt the bid is legitimate for the infrastructure work as he had developed several subdivisions. Installing so much infrastructure is not cost effective for one home, it takes many homes to make it financially viable.

Todd stated he had known Dave for years and Dave just wants to reside in an area away from people.

Todd mentioned he understood why the city ordinance is written as it is so that developers have to pay the cost to develop a parcel but this case is different. The request to go into the county makes sense. A well and septic tank would work for this project. Other new homes in the area are on wells and septic tanks in the county.

Todd stated if three bids were obtained for this parcel in his opinion they would be within 10% to 15% of Dave's bid.

Jeff remarked it is unfortunate the same rules apply to agricultural areas as rural areas in the city. The general plan says agriculture should be promoted in this area.

Mayor Simmons asked Todd if on his current development, the George R. Weeks Subdivision, if the city did not have ordinances in place establishing the infrastructure requirements would any of them have been installed? Todd said no because the cost of building lots is based on the cost of the land and associated improvements to the land.

Mayor Simmons mentioned he felt all bids are high right now for excavation work, new homes and even commodities.

Mayor Simmons mentioned the council is bound to adhere to current city ordinances. This might seem unfair but until the ordinance is changed it is in effect.

Todd mentioned this situation is unique where normally a city is built from the inside out meaning the next person in line adds his/her section of infrastructure. In this case the city infrastructure is a long ways from the Olson parcel and would cost a significant amount of money to get to the Olson parcel.

Mayor Simmons mentioned another item the council must consider is future annexations in this area. One parcel owner can stop an entire area from being annexed into the city.

Mayor Simmons asked Todd if he would want city amenities at his residence? Todd replied each situation is different.

Todd mentioned some developers like Duane Williams prefer to do all of their projects in the county where they don't have to deal with infrastructure and each home is on a well and septic tank.

Mayor Simmons mentioned the council must also consider the precedent which would be set with a ruling on this request. Things change over time; the city used to not have any stop lights, then it had one and now it has three. Times change and ordinances can as well. The current ordinance cannot be changed overnight but can over time. The council is bound by their oath to abide by current ordinances. Todd mentioned his issue is not with the ordinance but with the high cost to develop a lot for one home.

Mayor Simmons mentioned the city ordinance in this regard can be reviewed. This is a unique situation that gives reason to review the city ordinances in this regard.

Deon asked if the city staff plowed the snow in this area? Craig replied the city staff is responsible to push snow on all city streets.

Deon mentioned people want city services but they don't want to abide by the rules or pay their fair share of the cost especially when living on the edge of the city. Anytime restrictions are lifted in the end the city ends up paying the cost.

Deon suggested reviewing the ordinance and seeing what other local communities do with their agricultural land. Mayor Simmons mentioned by reviewing and possibly changing an ordinance it is fair for everyone not just one person.

Merilee stated she was not sure why the ordinance was changed in November 2016 but there must have been a reason.

Merilee did not feel the city staff and council are trying to keep agricultural lands in agriculture. Recent changes to the ordinance could not have considered the impact on agricultural areas.

Merilee stated dividing a parcel in two should not be considered a subdivision. New ordinances need to be created for these types of situations.

Mayor Simmons mentioned in the past half roads had been built in some areas and they are problematic. Mayor Simmons used the new Neighborhood Non-Profit Housing Corporation (NNHC) subdivision as an example. What if a half road was required for 40 homes? Roads fall apart and deteriorate at a much greater rate when there is not curb and gutter to help hold them together. NNHC wanted to only put in a half road. The city must look at the long term effect of such projects. The project needs to be completed correctly the first time. The current ordinances state this is the best way to do it at this time and those are the rules until they are officially changed. Merilee stated a subdivision is much different than wanting to build one home. Mayor Simmons mentioned there can be minor and major subdivisions but they all have certain rules.

Merilee mentioned they had done some research and curb and gutter can actually cause problems as it holds run off water back from taking its natural course. Curb and gutter can actually cause flooding not prevent it.

Merilee asked the council if the ordinances were changed what would the timeline be for such changes? Mayor Simmons mentioned he was not sure but the end of the year would probably be the soonest.

Craig mentioned the ordinance that was amended in November 2016 had been in place for many years and was not a new ordinance.

Craig mentioned ordinances can be reviewed but the council must determine what the difference is between a one lot subdivision and a many lot subdivision. What is the cutoff between requiring infrastructure and not requiring infrastructure? The timeframe to change an ordinance would be based on what the council wants included or removed from a new ordinance.

Mayor Simmons mentioned December 31st is probably not realistic as case studies from other communities need to be reviewed and the short term and long term impact of any change must be considered. What other communities of a similar size are doing should be considered.

Merilee mentioned something changed with the city ordinances in November 2016 as several new homes in the area are not required to put in curb and gutter and sidewalk in that part of town. Craig replied the only change was the council had the ability to waive the requirement for curb and gutter and sidewalk west of 400 West in the past and they no longer are allowed to do so based on the ordinance they amended in November 2016.

Dave asked if all of those new homes in the area were approved before the ordinance was changed? Craig stated each home would have to be reviewed on a case by case basis.

Dave stated he had a previous agreement with the city to put funds in an escrow account where if the surrounding area was developed he would be required to install the infrastructure at that time but that offer was no longer being offered. Those residing on the edge of the city will never be able to build as the cost is too high. Mayor Simmons remarked the city has ordinances in place at this time that everyone must abide by.

Jeff asked Dave based on the conversation and information provided by the council did he want to continue with his request to disconnect? Dave replied yes because of the unwillingness of the council to change as it is not affordable to build in the city. Nobody will be able to afford to build on the edge of town based on current ordinances. Mayor Simmons replied the disconnect request has long term implications for the city as well that must be taken into account.

Curtis mentioned he had been on the planning commission previously and now on the council and there is not a perfect solution for this issue. Curtis wanted to see what other cities are doing and come up with some possible options.

A motion to deny Ordinance 17-12, an Ordinance disconnecting Parcel Number 08-043-0009 and Parcel Number 08-043-0040 from the city limits of Smithfield City, Utah was made by Curtis seconded by Barbara and the motion passed by a vote of 3-1.

Yes Vote: Hunsaker, Kent, Wall

No Vote: Barnes

Absent: Monson

Dave asked if based on the vote of the council his understanding is his parcel is still located within the city limits and he cannot build a new home until he complies with city ordinances? Mayor Simmons stated that is correct.

DISCUSSION AND VOTE ON RESOLUTION 17-09, A RESOLUTION ADOPTING THE BUDGET FOR THE PERIOD OF JULY 1, 2017 THROUGH JUNE 30, 2018.

Craig gave a final overview of the proposed budget for Fiscal Year 2018.

The general fund totaled \$6,026,898.

Since the last meeting a big increase had been made to the fire department budget as it was increased \$300,000. The fire department in conjunction with CCEMS (Cache County Emergency Medical Services) will now cover patient transports to other hospitals with the local ambulances. Three new full-time employees will be hired and the cost will be paid 100% by CCEMS to the city.

Cost of living wage increase for all city employees had been decreased from 3.0% to 2.0%.

Workers compensation coverage is up 7.0% over the previous budget year.

A RAPZ tax grant in the amount of \$97,000 was approved and will be used for the redevelopment of the Central Park area.

The Park Impact Fee fund totaled \$80,600. All of the impact fees collected will be paid against the loan on the Pitcher property.

Water Enterprise Fund totaled \$1,016,090.

Sewer Enterprise Fund totaled \$1,611,926.

Storm Water Enterprise Fund Revenue: \$219,721

Storm Water Enterprise Fund Expense: \$243,773

Golf Course Enterprise Fund Revenue: \$959,613

Golf Course Enterprise Fund Expense: \$1,007,799

Mayor Simmons mentioned the changes to the Fire and EMS are good for the city and department.

Fire Chief Jay Downs mentioned the changes to the Fire Department budget had already been approved by the CCEMS board. The CCEMS board will pay for the three new employees as well as the part-time employees that are needed when the full-time employees are doing transfers.

There are about 200 to 250 transfers done per year.

The changes in coverage will not keep two ambulances fully staffed with full-time and part-time employees.

Mayor Simmons asked Chief Downs to explain what a transfer is, what is involved and who has been handling transfers in the past.

Chief Downs informed the council in some cases hospital care that is needed or required is not available in Logan. The patient needs to get to a hospital most likely somewhere between Ogden and Salt Lake City where there are doctors with special expertise. The patient must be transported by ambulance in some cases from one hospital to another.

Transfers have increased over 400% statewide in the last five years.

Transfers have been done by the Logan City Fire Department in the past. Some nights two or three transfers are required by the same personnel which can result in tired personnel driving on the highway and freeway. The new change would allow for fresh drivers at all times.

Cache Valley continues to increase in population and the amount of transfers will continue to increase not decrease.

A motion to approve Resolution 17-09, a Resolution adopting the budget for the period of July 1, 2017 through June 30, 2018 was made by Deon, seconded by Curtis and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

****The city council meeting was temporarily adjourned for a short break at 7:30 P.M.****

****The city council meeting reconvened at 7:40 P.M.****

PUBLIC HEARING ON ORDINANCE 17-14, AN ORDINANCE AMENDING TITLE 8.40.050 “USE OF TOBACCO IN PUBLIC AREAS AND PARKS PROHIBITED”.

Craig stated Brett Daniels had been contacted about the smoking ordinance the city currently has in place. The current ordinance is lacking in that it does not define certain areas and does not include anything on e-cigarettes (electronic cigarettes). The proposed ordinance includes information on e-cigarettes as well as a new section for mass gatherings and information on parking lots. If a person is caught by law enforcement and cited it could result in a Class B Misdemeanor which could result in six months in jail and a fine of \$1,000. The local health department is willing to help out with signage if the ordinance is approved.

****The public hearing opened at 7:43 P.M.****

There were not any comments or questions from the public.

****The public hearing closed at 7:44 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 17-14.

Curtis stated he supported the ordinance but wanted to know how it would be enforced? People have been observed smoking at Forrester Acres and other recreation areas in the city. Would a police officer need to be called? Mayor Simmons replied the key is to educate the public. Inform the person the first time, contact the police department the second time and have a citation issued the third time, if necessary.

Curtis mentioned he had even seen players smoking on the field of play in the past. E-cigarettes are somewhat new but have been observed as well.

Mayor Simmons asked Recreation Center Director Brett Daniels if he expected any effect on the programs run by the city if this ordinance is adopted? Brett replied he did not see this effecting the program. The Bear River Health Department contacted the city and asked if the city had an e-cigarette policy in place. After reviewing the entire ordinance it was determined the entire ordinance should be updated. The purpose of the ordinance is not to actively cite people for not complying. The health department is also willing to provide signage for city owned areas as well.

Curtis suggested all of the softball fields have appropriate signage put in place. Brett replied the signs will be very clear and spell out what the ramifications are for not complying.

Barbara asked if a warning could be issued rather than a citation? Chief Allen stated that is correct and the judge has discretion on the fine and jail time as well.

Barbara asked Chief Allen if he agreed with the amount set in the statute for non-compliance? Chief Allen replied the judge has discretion on each case and can implement a fine, jail time or dismiss the case.

Jeff asked if a citation is issued for a Class B Misdemeanor what exactly does this mean and what happens after the citation is issued? Chief Allen stated it would require a mandatory court appearance by the alleged violator. The person would be cited and released by the police officer. The preference would be to not arrest the person. The person then comes before the judge and the case is reviewed and the person is sentenced or the case is dismissed.

Jeff asked if the city code states what the fine and jail time could be? Craig replied that is correct. Craig suggested the council review the ordinance and possibly change the fine amount and jail time. Logan City has a flat \$25 fine for this same type of violation. Jeff felt a fine of \$100 would be appropriate.

Mayor Simmons mentioned if a few citations are issued in the city it won't take long for people to come into compliance. The key is to educate the people visiting city owned properties and venues.

Chief Allen said he was not aware of any big issues this ordinance would resolve or create.

Jeff asked if people had been seen smoking at wedding receptions on city property? Mayor Simmons stated that is correct; he had witnessed this happening before. Chief Allen mentioned he had witnessed someone smoking at Mack Park the previous month.

Jeff asked how many signs the health department will supply to the city? Brett replied he had been told as many as the city needs for all of its areas of need.

Brett mentioned the reason mass gatherings was included in the ordinance is for Health Days so people cannot just stroll around during the event and create a potential problem for others.

***A motion to adopt Ordinance 17-14, an Ordinance amending the Smithfield City Municipal Code Title 8.040.050 "Use of Tobacco in Public Areas and Parks Prohibited" was made by Curtis, seconded by Deon and the vote was unanimous. ***

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

DISCUSSION AND POSSIBLE APPROVAL OF UPDATES TO THE PERSONNEL MANUAL.

Craig mentioned the personnel manual is always being reviewed and changed to make it a better and more understandable manual. A Human Resources professional the city has access to through the insurance broker of the city had been reviewing the manual. They recommended the word "permanent" be removed from the manual in its entirety. An employee could think that permanent means they are guaranteed a job forever. Permanent is being replaced with full-time. The manual is being reviewed thoroughly and more proposed changes will come before the council in the future.

Curtis asked who is reviewing the manual for the city? Craig replied that Todd Anderson is a Human Resources Professional that works with the Moreton Group. The cost to have access to the Human Resources staff at Moreton costs the city \$75 per year.

Barbara mentioned this is a good change and all of the recent changes have been appropriate.

A motion to approve changes to the Smithfield City Personnel Manual was made by Barbara, seconded by Jeff and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 17-11, A RESOLUTION ADOPTING THE SMITHFIELD MANUAL OF DESIGN AND CONSTRUCTION STANDARDS.

Craig informed the council several staff members had been working with representatives from J-U-B Engineers on providing some standalone construction and design standards for all contractors doing work in the city. Currently, national, county and city standards are being used. The proposed standards would all be located in one document and would be available for review online. This document includes everything from water, sewer, street and storm water requirements to the specific fire hydrant or street light that is required. The resolution is to put the standards into effect. At the July council meeting an ordinance will come before the council to remove all of the old code in regards to city standards. The old code would not be changed if the new design standards are not approved. The standards can be amended at any time or as needed.

A motion to adopt the Smithfield Manual of Design and Construction Standards was made by Jeff, seconded by Barbara and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

PUBLIC HEARING ON RESOLUTION 17-10, A RESOLUTION AMENDING THE BUDGET FOR THE PERIOD OF JULY 1, 2016 THROUGH JUNE 30, 2017.

Craig reviewed proposed changes to the Fiscal Year 2017 budget. The biggest increases being from paying off two loans through Zions Bank and making them internal loans from the Water Enterprise Fund to the General Fund and the Golf Enterprise Fund.

Increases in the Park Impact Fee fund were for additional impact fees collected. The additional revenue in turn allowed more funds to be applied to the loan owed on the Pitcher property.

Biggest additions to the general fund were for the CDBG grant that was obtained by The Family Place but receipted in by the city and paid out by the city in the amount of \$136,107.

The loan to pay off Zions on the loan for the police station resulted in an increase to the Police Department budget of \$360,550.

Increases in revenue and decreases in expenses resulted in a transfer from the general fund to the general capital improvement fund.

The rec center had another outstanding year and the amount required to be transferred from the general fund to the rec fund was decreased \$65,682.

With the addition of new homes and buildings over the last year the garbage collection fee and expense were both increased.

The fire department received a Safer Grant that increased their budget \$41,882 and overall the grant brought in \$144,475 over the entire budget year.

Monthly water revenue is down substantially because of a long wet spring so revenue is decreased by \$55,000.

Two loans from the water enterprise fund resulted in an increase to the water fund for these two items in the amount of \$696,785.

Impact fees are up in the sewer fund as well as capital improvements.

Storm water permit fees are up as well as system maintenance costs and utility expense.

The biggest increase to the golf fund of \$333,068 is for the loan from the water fund to the golf fund for the club house loan.

****The public hearing opened at 8:00 P.M.****

There were not any comments or questions.

****The public hearing closed at 8:01 P.M.****

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 17-10.
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Barbara thanked Craig for his work on the budget as this would be the last budget amendment for the fiscal year.

Craig informed the council in the current fiscal year donations were made to the historical society and for the purchase of a GaGa ball pit that is being completed as an Eagle Scout project. The revenue has been received but the projects won't happen until the new fiscal year so these two items are specific expense line items in the new budget.

A motion to approve Resolution 17-10, a Resolution amending the budget for the period of July 1, 2016 through June 30, 2017 was made by Deon, seconded by Curtis and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: None

Absent: Monson

<p>CITY MANAGER REPORT ELECTION UPDATE (CITY RECORDER)</p>

Craig reminded the council the splash pad will open on Saturday, June 17th at 11:00 A.M.

Jeff asked if the pressure issues had been resolved? Craig replied he was not aware of any issues. The nozzles that spray water out of the ground have to have minimum pressure so when a person sits on them and the water comes out it won't hurt the person. Jeff mentioned he had not seen the in-ground nozzles working yet. Craig mentioned there will be some adjustments to the system as the city staff learns how to operate it consistently on a daily basis.

Curtis asked if there would be a ceremony? Craig mentioned there will be a ribbon cutting ceremony and some vendors will be in attendance.

Craig informed the council in the past volunteers had been used to help clean off the cemetery grounds after Memorial Day. This year only around a half dozen volunteers helped out. In the future, the city staff will work during the day to clean off the grounds. This will save on overtime and the task can be accomplished with the manpower of the staff not hoping volunteers will show up.

Craig reminded the council the general plan has been completed and the next step in the process is to finalize the water, storm water and transportation plans. The plans are based on what the city needs now and in the future. The engineering estimate for the cost of what is needed for roads over the next twenty years is \$120,000,000. The majority of this would be paid by developers as they build new roads for their developments. The city will pay for items like widening roads in some areas to help with traffic flow issues. The number is an engineering estimate only and includes all of the projected growth over the next twenty years.

Within five years a new water source and storage tank will be needed at a cost of approximately \$10,000,000. The State of Utah mandates how much storage the city is required to have as well as what is needed for fire flow.

Public Sector Economics is currently working on revised impact fees for water, storm water and parks. The council will get to see and review these reports in the next couple of months when they are complete. Then a public hearing and vote of the council will happen for the new proposed rates.

Justin informed the council the signup period for the upcoming election had closed.

There are two candidates for mayor and a primary election is not required for the mayor's seat.

There are six candidates for two council seats. A primary election is required and will be held on Tuesday, August 15th. At the conclusion of the primary election there will be four remaining candidates for the two council seats.

One of the candidates for a council seat had verbally mentioned she was going to withdraw her name from the race but until she submits something in writing it won't be official.

The election will not be a vote-by-mail election but a traditional election like in years past. The polling center will be the Youth Center for both the primary and general election.

The general election will be held on Tuesday, November 7th.

COUNCIL MEMBER REPORTS

Deon mentioned the Smithfield Irrigation Company would like the city to reduce the cost of the \$1,500 excavation bond that is required to cut a road. The irrigation company has reduced some of their fees at the request of the city and in return they would like the fees of the city reduced. Craig replied an excavation bond is required when a road is cut to make sure it is properly repaired when the job is completed. The city refunds \$750 or ½ of the cost of the bond when the project is completed and done properly.

Deon mentioned the fees charged by the Cache Highline Canal Company and the Smithfield Irrigation Company are substantially different. In some cases the Smithfield Irrigation Company does not even charge a fee.

Craig mentioned the best option in regards to the excavation bond cost is to have an agreement between the irrigation company and the city like the city does with Rocky Mountain Power, Questar and Comcast. A separate agreement is in place with these entities in this regard. The fee should not be lowered but a separate agreement should be created.

Deon mentioned the long term goal of the city is to get as many people as possible on the irrigation system so there is less demand on the culinary water system.

Barbara mentioned there were 70 applications for youth council for the upcoming year which starts at the start of the school year. Many of those that have served on the youth council in the past are now serving in executive leadership positions at the high school.

Barbara mentioned she attended the luncheon at the senior center on Tuesday, June 13th. The plan for the new budget year was explained to those in attendance. The city will provide 33 to 34 meals for the new budget year just like in the past. A volunteer group has been created and will be led by Ruth Swaner and Max Thompson. The volunteer group will work to arrange gatherings outside of the regular lunch meeting for games or other types of entertainment.

There have been some comments and confusion about the number of times the center has provided a meal throughout the last few years. On average the city has provided 33 or 34 meals per year at the center not 52 as stated by some people. In the past, most years only consisted of one meeting in July, two in August and one in September which is the annual Dutch oven dinner.

Curtis asked how many people normally attend? Barbara stated on average about 47 people pay for a meal at a cost of \$3. Justin mentioned on average there are around 60 in attendance to each luncheon.

Barbara mentioned in the future the luncheons will be held on the second and fourth Tuesday of each month.

Barbara wanted to clarify some misinformation that was circulating through the community. Lee's Marketplace has not provided free day old bread to the Senior Center in the past. Lee's Marketplace provides bread to the Cache Food Pantry which is based in Logan. An employee of the food pantry brings the bread to the senior center for distribution not Lee's Marketplace.

Mayor Simmons mentioned one of the goals of forming the committee is to help the group become independent in the future.

Barbara mentioned there is a local food pantry that is held on the second Monday of each month in the Civic Center where donated bread and commodities can be picked up by residents in need.

Resident Tom Karren helps with both the Cache Food Pantry and the local food pantry and has donated countless hours in this regard for the community and to help the residents.

Jeff mentioned he confirmed the city will receive grant funding in the amount of approximately \$3,027 towards the tree evaluation that was completed in the city. The grant is from the State of Utah Lands and Forestry Department. Summit Creek has not flooded which has been good for the community.

Jeff asked if the youth council mayor is still given \$500 at the completion of his/her term? Craig stated that is correct and included in the budget.

Curtis thanked Heidi Harper for being a dedicated representative for the city on the Board of Directors of the Cache Valley Transit District.

The Smithfield Chamber of Commerce takes the summer months off.

Three members of the community have contacted Curtis about their willingness to serve on the planning commission. Right now there is not an opening but in the future as openings become available these three residents will be contacted and asked to serve.

MAYOR'S REPORT

Mayor Simmons informed the council at his last monthly mayor's meeting Cache County Executive Craig Buttars informed all of the local mayors the state would allow a vote to occur on adding 0.25% increase in sales tax for roads to the upcoming ballot during the general election. Right now the county is working with the local towns and cities to see if this is something they want to consider. Each town or city must decide by August whether or not to include the proposal on the ballot for the upcoming general election.

Craig asked if 50% of the revenue would still go to the local transit district? Mayor Simmons said he had not yet had a chance to read the new proposal and was not sure. Craig mentioned the proposal in the past was that 50% of the funds would go to the transit district and the remaining 50% would be split between the county, cities and towns in the valley.

Mayor Simmons mentioned he had talked to Deon and Barbara and Jeff will now be the council member who works directly with the Historical Society.

Mayor Simmons mentioned during the annual Health Days Celebration the city held its annual Arbor Day gathering and planted some trees by the splash pad. The Arbor Day proclamation was read as part of the event as well. Jeff mentioned the trees that were planted were Chinese Lilacs.


Mayor Simmons read the Arbor Day proclamation in its entirety.

****Barbara made a motion to adjourn at 8:29 P.M.****

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, 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, June 14, 2017**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Barbara Kent

1. Approval of the city council meeting minutes from May 10, 2017
2. Resident Input
3. Yearly update and discussion with Heidi Harper on the Cache Valley Transit District.
4. Discussion and update on the Bonneville Shoreline Trail with Cache County Trails Coordinator Dayton Crites.
5. Ben Johnston of Johnston Engineering, agent for Todd Davis, has requested consideration of approval of the Final Plat for the Vista's at Dry Canyon, a (40) lot subdivision located at approximately 1280 East 300 South. Zoned R-1-12.
6. Public Hearing to consider Ordinance 17-11, a request by Blake Dursteler, agent for SCBL Holdings, LLC to rezone property from CC (Community Commercial) to CB (Central Business District) located at 532 South Main Street, Parcel Number 08-110-0070. 1.53 Acres.
7. Discussion and possible vote on Ordinance 17-11.
8. Todd Horman, agent for Dry Canyon, LLC, has requested reapproval of Phase 2 of the Final Plat (12 lots) for the George R. Weeks Subdivision, located at approximately 300 South 1100 East. Zoned R-1-12. Originally approved on September 28, 2016.
9. Public Hearing on Ordinance 17-12, an Ordinance regarding the disconnect request by Dave and Merilee Olson for Parcel Number 08-043-0009 and a small portion of 08-043-0040 from within the Smithfield City Limits to Cache County. The parcels are located at approximately 560 North 400 West. The parcels total approximately 4.7 Acres.
10. Discussion and possible vote on Ordinance 17-12.
11. Discussion and Vote on Resolution 17-09, a Resolution adopting the budget for the period of July 1, 2017 through June 30, 2018.

12. Public Hearing on Ordinance 17-14, an Ordinance amending Title 8.40.050 “Use of tobacco in public areas and parks prohibited”.
13. Discussion and possible vote on Ordinance 17-14.
14. Discussion and possible approval of updates to the Personnel Manual.
15. Discussion and possible vote on Resolution 17-11, a Resolution adopting the Smithfield City Manual of Design and Construction Standards.
16. Public Hearing on Resolution 17-10, a Resolution amending the budget for the period of July 1, 2016 through June 30, 2017.
17. Discussion and Vote on Resolution 17-10.
18. City Manager Report
Election Update (City Recorder)
19. Council Member Reports
20. 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.