

SMITHFIELD CITY COUNCIL

DECEMBER 14, 2016

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, December 14, 2016. The meeting began at 6:00 P.M. and Mayor Darrell G. Simmons was in the chair. The opening remarks were made by Kris Monson.

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

City Manager Craig Giles and City Recorder Justin Lewis were also in attendance.

VISITORS: Michael Furgeson, Jonah Larsen, Denver Lund, Richard Jewkes, April Bosworth and Cub Scout Pack 88, Zan Murray, Clayton Gefre (*The Herald Journal*)

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM NOVEMBER 9, 2016.

A motion to approve the city council meeting minutes from November 9, 2016 was made by Curtis, seconded by Barbara and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

RESIDENT INPUT

Gannon O’Leary asked since the completion of the new library building what are some other areas of need and opportunities for service? Kris replied the city is currently working on a new splash pad and skate park and there will be opportunities there in the next year.

Gannon asked what other projects are happening in the city? Craig stated there are several new housing developments that have been recently approved and the Cantwell Lumber property is being cleared off. Apartments and an assisted living center are being built there.

Brock Stockey asked Mayor Simmons what some of his most important responsibilities are? Mayor Simmons stated the entire staff has many responsibilities and one current one is plowing snow. The city has over 52 miles of roads to push the snow off of and it takes four plow trucks about eight hours each to clear the roads during an average snow storm. Normally, the roads are cleared late at night and before the morning commute so it is easier for residents to travel. Another big responsibility is keeping the city fiscally sound.

Krew Knowles asked what education or other background work was needed to prepare to serve on the council or as mayor? Barbara mentioned very few council members or mayors have any city government training so it is important to take classes in school on history and the constitution. How laws are formed and enforced should be understood as well. To run for office there are only a few basic qualifications such as being a registered voter, residing in the city for at least the last 12 consecutive months and some positions require people to be a certain age or

older. Joining the youth council and participating on it at a young age will help people understand what a council and mayor do. Curtis mentioned he is a Cub Master and over the last year has been able to study the history of the city, see old buildings and houses and learn more about the history of the community.

Mike Furgeson reminded the council that himself and his scout troop had come before the council the previous month and asked what they could do for the city and the council advised them to do an act of service. The scout troop had gone to Lee's Marketplace and helped shoppers take their grocery bags to their cars for an hour or so to help out. The scout troop was happy to help out and put a smile on people's faces while dressed in their scout uniforms.

Barbara mentioned the new splash pad and skate park were being built for the residents. The skate park concept actually started by a young man from the city and his friends coming before the council a couple of years ago and mentioning why one was needed and what a benefit it would be to the community.

AUDIT PRESENTATION BY ALLRED JACKSON FOR THE PERIOD OF JULY 1, 2015 THROUGH JUNE 30, 2016

Justin introduced Diana Cannell from the firm Allred Jackson. This was Allred Jackson's first audit for the city. The city put the audit process out to bid earlier in the year and Allred Jackson was selected. Diana is the managing audit partner at the firm and will review the results of the audit.

Diana thanked Craig, Justin, Jane and the rest of the city staff for their responsiveness on helping gather information for the audit process. The first year of auditing a city when a new firm takes over takes longer than the next year. All internal controls and system processes have to be carefully reviewed and documented. The auditing staff spent a bunch of time in this area as well as the staff as they had to gather all of the information that was requested.

Page 21 of the document shows all of the funds of the city. Total assets of the city equal \$48,676,871 which is about one million dollars more than the previous budget year. The biggest factor being an increase in capital assets. Total increases were about 1.6 million and then depreciation was taken from that amount.

Page 48 gives a detail of the Capital Assets of the city.

For auditing purposes the city is looked at in two ways. The general fund, special revenue funds and general capital improvement fund are all reviewed. The enterprise funds such as water, sewer, storm water and golf are reviewed separately. Enterprise funds are supposed to be self-supportive and user fees are charged.

A new change for the last two fiscal years is how pension liability is accounted for in the audit paperwork. The State of Utah now requires each city to list their portion of liability they have in the Utah Retirement System (URS). The city does not owe this amount but has to show the amount it could owe in the audit document. Accounting for this item started in the last fiscal

year. The Net Pension Liability for the city is \$1,053,068. The State of Utah provides the auditing firm the number to include in the financials for this line item. The city does not control this amount or owe this amount.

During the fiscal year about \$480,000 in principal on outstanding bonds was paid.

Total equity or net position was \$40,800,095 which was about \$900,000 more than the previous fiscal year.

Page 25 shows the revenue for the general fund, RDA, general capital improvement fund and the debt service fund.

The audit document shows the financials in two ways. One including depreciation and capital assets purchased and the other without. Revenues over expenditures without accounting for depreciation and capital assets purchased totaled \$24,088.

Page 30 shows revenue and expenses for the water, sewer, storm water and golf enterprise funds. The total change in net position for all funds was \$598,965. Revenue was up approximately \$200,000 over the previous budget year because of user fees, grants and other miscellaneous revenue. System improvements are not shown in this area and they must be capitalized.

Diana and her staff will be working with the city staff in January on some system improvements for the coming year and ways for the staff to be more efficient and understand the financials in a better way to help the council make future decisions.

Jeff asked how depreciation is calculated? Diana stated on a straight line basis. Meaning it is the exact same amount each month for "X" amount of years. The number of years are determined by the type of asset. Most equipment is capitalized over five to seven years and most buildings and infrastructure are capitalized for at least a minimum of 20 years.

Jeff asked why water, sewer and golf all showed negative operating losses? Diana explained the city is not receiving enough revenue to pay for future equipment or infrastructure purchases. The city needs to review user fees and make sure they are high enough as impact fees are too volatile and cannot be counted on from year to year.

Diana informed the council some of the other test areas of the audit are the testing of invoices, state compliance and contacting and working with third parties. State compliance testing is many pages of documents and the review of processes such as is the staff posting the agenda when required, are meeting minutes completed and posted as required and is the treasury bond high enough. These are just a few of the dozens of items that are checked and reviewed.

Page 73 shows a schedule of findings and recommendations. The city has three items that were noticed and the city was written up for meaning they need to be corrected.

Finding 2016-1 stated the fund balance in the general fund was too high. The state will allow 25% of the estimated revenue to stay in the account but the city did not transfer enough funds at

year end and had 27% in the fund balance. A negative number here would be a problem but being above the limit is easily corrected by transferring additional funds to the general capital improvement fund. Finding 2016-1 was considered a minor finding.

Jeff asked what happens when a city is out of compliance like in this instance? Diana stated the city has a year to correct the problem or they will be sent a letter by the state telling the city to correct the problem or the state will advise how to correct it. In some cases, tax disbursements can be withheld from the city until they come into compliance.

Mayor Simmons asked if there is a ceiling on the amount in the fund balance? Diana stated a city is allowed 25% of the general fund estimated revenue and a town is allowed up to 75%. This only applies to the unreserved fund balance as the city does have a reserved fund balance for special funds or projects such as Class "C" Road Funds. The key is to make sure the upper limit is not exceeded on June 30th of each year. The limit can be above or below the threshold throughout the year but not on June 30th.

Finding 2016-3 stated the bi-annual report to the State of Utah showing all of the cash and investment accounts for the city did not have all of the accounts listed. The report that was submitted did not include the escrow accounts for the city. The report was corrected on a future filing showing the escrow accounts and the item is minor and easily correctable.

Finding 2016-2 is in regards to a loan from two fiscal years ago that was not documented or accounted for correctly. The water fund and sewer fund transferred some funding to the golf course and the city approved the general fund to pay back the funds to the water fund and the sewer fund. No documentation was created and the loan was not properly accounted for on the financial statements. The payments have been being made as stipulated but the transaction was not properly accounted for. The council needs to review the transaction and either properly document it or possibly forgive the loan. If the loan is not forgiven a fair interest rate needs to be determined and charged and loan documents created. This item needs to be resolved no later than June 30, 2017. The general fund could also transfer the remaining balance owed to the water and sewer fund if budgeted for correctly.

Barbara asked if finding 2016-1 would be resolved by paying off the loan referenced in finding 2016-2? Diana stated that would be possible if the council chose to do so.

Mayor Simmons mentioned the audit process is very hands on for the auditing staff and the city staff and he had been involved in the process and worked with the auditing firm as well.

Barbara mentioned the summary portion of the audit document was well written.

Diana mentioned where this was their first year with the audit there are not yearly side by side comparables for the council to review but there would be for the next two fiscal years as the city had signed a three year agreement with Allred Jackson for auditing purposes.

UPDATE ON THE CHILDREN'S YOUTH THEATRE BY SUSAN BARRUS

This item was cancelled and not discussed.

DISCUSSION AND POSSIBLE VOTE ON THE NORTH CACHE TRANSPORTATION CORRIDOR PLAN

Zan Murray from J-U-B Engineers came before the council to discuss the proposed North Cache Transportation Corridor Plan.

The project had started with some funding from the COG.

Three communities are involved: Smithfield, Hyde Park and North Logan.

The original plan was to establish some north/south corridors through the three communities. Some east/west corridors were added later in the process of developing the plan.

Representatives of the three cities have met as a group several times working on the plan. The general transportation plan for each city as well as the long term CMPO (Cache Metropolitan Planning Organization) plan were considered and all of the information was compiled into one document.

Attachment "A" of the plan is the main corridor map with the highway listed as the main road. Existing signal lights were shown as well as proposed signal lights for the future. The signal lights on the highway must be approved by the Utah Department of Transportation (UDOT).

The east/west corridors were shown where they tie into the north/south corridors.

Sizes of roads for the north/south corridors were listed in the plan so the three cities would have matching roads on these corridors.

North Logan City wants to add some roads to the map for their own review purposes but they won't affect the plan.

Barbara asked if 400 West would end at 100 North in Smithfield as there would be problems going north of 100 North in Smithfield? Zan mentioned this is just a proposed regional plan that also takes into account the master plan of the city. In Smithfield, 100 North is shown as a collector road. The city plans will show more detail than this plan. On the map, 800 West is also shown.

Barbara asked if this plan could be changed or updated in the future as UDOT is unwilling to change anything on their proposed plans in most cases. Zan stated this document is meant to help the three cities work together as they grow and add or develop new roads.

Zan mentioned Table 2 is an important part of the document as it shows the type of road, the ROW width and the asphalt width for specific roads. This table allows the three cities to plan for

the future in regards to the amount of footage needed for roads. The amount of area needed for sidewalk, curb and gutter and trails will be up to each city.

Deon mentioned 400 West in the city goes along the railroad tracks. It would not be possible to have a sidewalk between the road and the railroad tracks. Zan mentioned the plan only talks about roads, number of lanes for each road and the how many cars each road could move. It is up to the cities what they want to require in regards to sidewalks. Craig mentioned the intent of the plan is to have a road like 400 West be the same width through all three communities. Not have a situation where in Smithfield the road is 100 feet wide and then narrows down to 50 feet wide in Hyde Park and then back to 100 feet wide in North Logan. The plan is to make sure all of these main roads are the same width and size.

Barbara liked the idea of standardizing all of the main roads through the three cities to be the same.

Mayor Simmons asked how minor and major collector roads are determined? Smithfield will have the majority of the growth on the east side of the city. Zan mentioned the key is access management. How frequently can driveways come on and off a road? The more access granted on a road the more congestion there will be on the road. Major collectors require at least 300 feet of spacing between shared access points. Minor collectors don't allow parking along the road but do allow driveways to enter the road. No homes can be built to have driveways accessing a major collector. Minor collectors allow new homes to be built with driveways coming onto the road.

Zan showed Attachment "B" which specifically shows what is required for certain sizes of roads with a certain amount of lanes. The following roads were listed with specific calculations:

- 99' Right of Way – 5 Lane
- 99' Right of Way – 3 Lane
- 80' Right of Way
- 66' Right of Way – Option 1
- 66' Right of Way – Option 2
- 66' Right of Way – Option 3 Ribbon Curb

Zan informed the council Hyde Park wants to address some concerns they have with 1200 East as they plan for the future and this discussion will take place in January at their council meeting.

Jeff asked if 300 South in Smithfield is 66 feet wide? Zan stated that is correct. In the long run 600 South will be wider than 300 South as there are a lot of existing driveways on 300 South and not as many on 600 South at this time so the road can be widened in the future.

Zan mentioned one of the biggest points to the plan is making sure all of the corridors align from city to city and the roads are built to the same width specification as agreed upon. If roads are planned for then development can be done right when proposed.

Zan asked the council for any changes or comments they want to make on the plan as the intent was to meet with Hyde Park in January, make their proposed changes and then come back to the three city councils for approval after that point. North Logan has already been met with and they want to add some east/west roads in the plan but had no other major changes that would affect Hyde Park or Smithfield.

Mayor Simmons asked if there was a need for the three city councils to meet and discuss the plan before it is voted on? Craig stated he did not see a need where representatives of the three cities had met several times. Smithfield had been represented by Craig Giles and Clay Bodily. Hyde Park was represented by Mayor Bob Christensen and Mike Grunig. North Logan had been represented by City Manager Jeff Jorgensen and others.

Zan said the only major area to review and possibly change is 1200 East as Hyde Park wanted to review this specific corridor as they had some questions and concerns.

Jeff asked if there will be a major collector above the irrigation canal in the future? Zan said in the long term that is correct but the key is to have the plan in place now so as developers come in they will know what is required and planned for in regards to roads.

Deon asked if Richmond needed to be included in the long term plan? There are limited options from the east side of Smithfield going north but the railroad tracks in Smithfield go directly through Richmond. Zan stated the long term plan does not show very much growth on the west side of Smithfield or Richmond and was not part of any long term planning at this point.

APPROVAL OF KELLY LUTHI AS A COMMISSIONER ON THE SMITHFIELD CITY PLANNING COMMISSION

Curtis informed the council planning commission member Bryant McKay had served the number of allowed terms on the planning commission and needed to be replaced. Kelly Luthi has been serving as an alternate and would like to start serving as a full commissioner.

A motion to approve Kelly Luthi as a full commissioner on the Smithfield City Planning Commission was made by Curtis, seconded by Jeff and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall
No Vote: None

Curtis informed the council there was a need for a couple of alternate commissioners for the planning commission and he hoped to present some names for approval at the January council meeting.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 16-12, A RESOLUTION SUPPORTING POLICY AND ACTIVITIES WHICH ADDRESS AIR QUALITY AND CLIMATE CHANGE

This item was cancelled and not discussed.

DISCUSSION AND VOTE ON ORDINANCE 16-12, AN ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR MEETINGS DURING CALENDAR YEAR 2017

Justin informed the council it is time to adopt the annual meeting schedule for calendar year 2017.

The ordinance as proposed would keep all of the meetings on the same days and times as in the past.

The city council would meet on the second Wednesday of each month with the meeting starting at 6:00 P.M.

The planning commission would meet on the third Wednesday of each month with the meeting starting at 7:00 P.M.

The RDA would meet on the second Wednesday of each month at the conclusion of the city council meeting but not start sooner than 6:30 P.M.

Curtis asked why the planning commission started at 7:00 P.M. and not 6:00 P.M. like the city council? Clay stated a couple of years before the commissioners had asked to start the meeting at seven rather than six as it fit their schedules better.

A motion to adopt Ordinance 16-12, an Ordinance establishing a time and place for holding regular meetings during calendar year 2017 was made by Kris, seconded by Barbara and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

PUBLIC HEARING, NO SOONER THAN 7:15 P.M., FOR THE PURPOSE OF DISCUSSING ORDINANCE 16-05, AN ORDINANCE AMENDING THE SMITHFIELD CITY SUBDIVISION REGULATIONS, TITLE 16, IN PARTICULAR SECTION 16.12.030 "PREPARATION AND REQUIRED INFORMATION" AND CHAPTER 16.16 "REQUIREMENTS FOR SUBDIVISIONS"

Clay mentioned the majority of this ordinance is minor changes such as removing the exact size of the signature block on the plat. The size of the signature block can vary on different plats.

The definition of a block is being changed as most people think a block is a square and the word block was being changed to street for clarification purposes.

Upper Canyon Road was being added to the area not allowing double frontage lots but could be removed if the council did not want it included.

Jeff asked for clarification of 16.16.020 Section "C" regarding the 25 feet that is listed. Clay stated developers only want to put in half roads if they are not developing both sides of a new road. This ordinance makes it so main access roads must be completed from curb to curb by the developer. No partial main access roads are allowed.

Barbara asked what the 25 feet signified? Clay stated the road must have at least 25 feet of asphalt.

Barbara asked when half roads are allowed? Craig mentioned all main access roads require the entire road to be installed but secondary roads require at least 25 feet of asphalt as well.

Barbara mentioned Saddleback Road is 30 feet wide and does not seem to be wide enough. Craig mentioned eventually the road will need to be the width of a full road.

****The public hearing opened at 7:23 P.M.****

There were not any questions or comments from the residents.

****The public hearing closed at 7:24 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 16-05
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Jeff mentioned there were a couple of paragraphs he would like to rephrase but the ordinance could be considered and modified later if needed.

Barbara felt the changes were appropriate.

Deon mentioned the signature block does not have to be in the left hand corner it could be in the right hand corner. The wording needed to be changed to state the requirement meets State of Utah standards. Deon was aware of a plat that was rejected by Mike Gleed at the Cache County Recorder's Office because the state standard was not met. The city should not be setting the standard, the city should follow the state standard. Clay remarked state standard is being met and only one change was being proposed to the entire ordinance in this regard.

Deon asked in 16.16.010 does the 1,600 feet apply if a road has an outlet in the middle? Clay stated if there is an outlet in the middle then the length of the road is split and the calculation starts over.

Deon asked if a corner lot is considered a double frontage lot? Clay replied double front is only talking about the front and the back. Deon felt the wording needed to be changed as he felt as

written a corner lot would be a double frontage lot. Clay replied the city has a separate corner lot ordinance.

Deon mentioned he was reading Section 16.16.050 and there are a few places where one acre-foot needs to be changed to one acre-foot for consistency purposes.

Deon mentioned in the ordinance where it mentions capital stock of Smithfield Irrigation they have four types of shares of which three are in regards to the delivery of water and one is for water and it should be clarified. Clay stated he felt the ordinance does not need to be changed because it states usable water and does not reference specific shares. Deon asked if all four types of stock were allowed? Clay stated each irrigation company is different and that is why it specifically states usable water.

Deon asked if one share of delivery stock and a share of water stock was needed to meet the city requirement? Clay stated the stock given to the city must bring usable water to the city as written. Mayor Simmons mentioned the key was the water must be usable and then it is allowed to come to the city. Craig mentioned this is an existing ordinance and there have not been any problems or issues in the past as written.

Jeff asked in general terms does one acre-foot mean one share of water? Clay stated no that is not the case. Jeff mentioned he was told by Keith Meikle one share of water in the Highline Canal equated to one acre-foot of water.

Barbara asked if a new storm water section was being added in its entirety to the ordinance? Clay stated that was correct.

Jeff asked in 16.16.030 Section "F" why was 250 being changed to 150 in regards to a satisfactory turnaround area? Clay stated to match current fire code.

A motion to adopt Ordinance 16-05, an Ordinance amending Municipal Code Title 16 Section 16.12.030 "Preparation and Required Information"; and Chapter 16.16 "Requirements for All Subdivisions" was made by Jeff, seconded by Curtis and the motion passed by a vote of 4-1.

Yes Vote: Kent, Monson, Barnes, Wall

No Vote: Hunsaker

The council meeting temporarily adjourned at 7:37 P.M. for a short break.

The council meeting reopened at 7:49 P.M.

PUBLIC HEARING, NO SOONER THAN 7:30 P.M., FOR THE PURPOSE OF DISCUSSING ORDINANCE 15-19, AN ORDINANCE AMENDING THE SMITHFIELD CITY STREET, SIDEWALKS AND PUBLIC USES, TITLE 12, IN PARTICULAR ADDING CHAPTER 12.12.040 "MAINTENANCE OF STREET RIGHT-OF-WAY (PARK STRIP)"

Craig mentioned the proposed ordinance would define what the park strip is, who maintains it and what type of landscaping is allowed. The ordinance also clarifies who is responsible for tree care and trimming and all other types of park strip maintenance is defined and spelled out.

Mayor Simmons asked if gardens are allowed in the park strip? Craig stated garden items are allowed as long as they do not grow over three feet tall, grow into the sidewalk or over the curb and gutter and cannot have thorns or spikes.

Mayor Simmons mentioned he was aware of a couple of instances where the plants covered the sidewalk. Craig stated if the city staff is notified of these areas they will send a letter to the property owner and ask them to remedy the situation immediately as covering the sidewalk is not allowed.

Barbara mentioned she liked the proposed ordinance and noticed it did address vehicles and trailers being parked against the curb and gutter.

Curtis asked if xeriscaping is allowed and recommended since it helps to conserve water? Craig mentioned it is allowed and basically the only thing not allowed is for a park strip to be filled in with concrete.

****The public hearing opened at 7:55 P.M.****

There were not any comments or questions from the public.

****The public hearing closed at 7:56 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 15-19
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Mayor Simmons mentioned any ordinance is only as good as enforcement is on the ordinance. Craig agreed and mentioned the staff had received many calls regarding tree trimming. Some people are fine with the policy where they are required to trim and maintain the trees in the park strip and other residents are not happy about it. Kris mentioned it is hard for residents to deal with large branches when they fall off or break.

Mayor Simmons mentioned this ordinance will need more education for the residents than most other ordinances. Craig mentioned the information can be sent out through Parlant and advertised in other city areas. Currently, the city is maintaining some residential and business park strips. If the ordinance is approved the homeowners and businesses will be notified with a letter and a copy of the ordinance to review. All homeowners and businesses are more than welcome to come to the city office to discuss and review the new ordinance.

Mayor Simmons asked what happens when a homeowner or business does not maintain the park strip? Craig stated it would fall under the nuisance ordinance guidelines and be dealt with accordingly.

A motion to adopt Ordinance 15-19, an Ordinance amending the Smithfield City Street, Sidewalks and Public Places, Title 12, in particular adding Chapter 12.12.040 "Maintenance of Street Right-of-Way (Park Strip) was made by Barbara, seconded by Kris and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON CHANGES TO THE EMPLOYEE PERSONNEL MANUAL

Craig reviewed some proposed changes to the Employee Personnel Manual.

New sections were being added for computer security, log-in credential sharing and downloading of software on city owned computers and devices.

The old FMLA (Family Medical Leave Act) was being replaced in its entirety with new more clear and concise sections as well as adding information on service member families.

Curtis asked how often the city staff deals with FMLA issues? Craig said the staff dealt with one recently but overall they are very infrequent. Some other larger cities deal with FMLA questions and issues on a daily and weekly basis.

A new maternity leave section was proposed. The State of Utah is amongst the lowest in the nation in what is offered to employees for maternity leave. IKEA was given as an example of what some large organizations are offering as IKEA will pay the employee six weeks of 100% salary and an additional six more weeks at 50% salary. Overall the United States is very low in what is offered for maternity leave and Estonia is rated as the best for what is offered.

Other proposed changes included changing the person time off (PTO) accrual limit for the department heads from the current maximum carryover of 120 hours on June 30th to a maximum carryover of 200 hours on June 30th. The department heads are not able to take time off as often as the other employees and the department heads asked to have the limit raised so they are not losing so many hours on a yearly basis.

The city staff reached out to the majority of the other communities in the city and found out that Smithfield is the only city that does not observe Veteran's Day. Smithfield is one of only two cities that does not observe Columbus Day as well. The request was to add these two days to the annual holiday schedule to be in line with the rest of the towns in the valley and the county.

Curtis asked what happens when a holiday falls on a weekend? Craig stated the office is closed on Friday if a holiday falls on Saturday. The office is closed on Monday if the holiday falls on Sunday.

Barbara mentioned there had been many gradual changes to the personnel manual over the last year and she liked them. Craig mentioned the department heads are an integral part of the city

staff and the staff did not want to lose them to another local entity because of days off and other comparable items.

Mayor Simmons mentioned the holidays in question are not highly productive for the staff. Justin agreed and mentioned banks and the post office are closed on the two proposed days off and the city office staff is limited in what they can do when money cannot be deposited and bills and other items cannot be collected, paid or mailed.

Curtis asked if all new hires receive this information? Craig stated that is correct. The employee personnel manual is online and all new employees have to sign a document stating they know where it is located and have reviewed it.

Jeff asked what happens when an employee retires and has personal leave hours remaining? Craig stated any accrued compensation time and personal leave time is paid to the employee when their employment with the city is terminated or they leave. Some employees still have hours in what was formally referred to as a Personal Leave Bank and those employees would be paid 20% of the accrued hours up to a maximum of 240 hours when they retire.

A motion to approve changes to the Smithfield City Employee Personnel Manual was made by Kris, seconded by Curtis and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

PUBLIC HEARING, NO SOONER THAN 7:45 P.M., FOR THE PURPOSE OF DISCUSSING ORDINANCE 16-10, AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 5 BUSINESS LICENSES AND REGULATIONS, SECTION 5.080.020 “DELINQUENCY”; LATE FEES, LEGAL ACTION; 5.20.130 “PRESCHOOL: LICENSING CONDITIONS”; 5.20.140 “PRESCHOOL: REGULATIONS: TITLE 9 PUBLIC PEACE AND WELFARE, SECTION 9.16.030 “DEFINITIONS”.

Justin informed the council the staff would like to update some of the city code in regards to business licenses. The proposal is to add a second late fee to those that have not renewed their business licenses by March 31st in the amount of \$50.00. Business license renewals are due by the end of December and mailed at the start of November of each year.

Some new verbiage for preschool licenses would require the applicant or applicants to provide the city an original Bureau of Criminal Identification (BCI) history report.

The wording “municipal building inspector” would be removed from this section as well since the city now contracts with Cache County Corporation for building permit inspections and does not have a building inspector on staff.

Preschools would now be inspected by the fire department just once per year rather than twice as the fire department does not have enough personnel to do two inspections per year.

The definitions in the Commercial Zones would be updated to match the rest of the code. The city no longer uses designations C-1, C-2 or C-3 and uses CC, GC and CB and CP respectively.

****The public hearing opened at 8:17 P.M.****

There were not any comments or questions from the public.

****The public hearing closed at 8:18 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 16-10

Curtis asked if the second late fee of \$50 was enough? Justin stated the intent was to get businesses into compliance but if the fee was too much they would likely would not renew their license at all.

Jeff asked how many business licenses the city issues each year? Justin stated he did have an exact count but it was several hundred. Most of the licenses issued by the city are for in-home occupations the majority of people would never even know about.

****A motion to adopt Ordinance 16-10, an Ordinance amending municipal code Title 5 Business Licenses and Regulations, Section 5.080.020 “Delinquency; Late Fees, Legal Action”; 5.20.130 “Preschool: Licensing Conditions”; 5.20.140 “Preschool; Regulations; Title 9 Public Peace and Welfare, Section 9.16.030 “Definitions” was made by Kris, seconded by Deon and the vote was unanimous.****

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

CITY MANAGER REPORT

Craig stated the council needs to determine the final location of the skate park as the city has been awarded an Eccles grant in the amount of \$15,000 and the process cannot proceed without the exact location of the project being determined.

Craig stated the staff would like to keep the skate park at Central Park as previously proposed because of visibility and available open space in the area.

Craig asked the council if they were okay with the skate park remaining at Central Park or should it located elsewhere? Curtis stated he was fine with Central Park. Barbara mentioned she thought the council had already approved the project for Central Park and liked the idea of it being there. Deon stated he had heard two concerns about having the skate park at Central Park. One there was a concern some of the skaters would skate onto the splash pad area. The second concern was not having enough area for the kids to run around or sit down and get warm after being on the splash pad. Jeff agreed with Deon’s concerns. Mayor Simmons stated adults and kids will adjust to the area they are able to use.

Barbara asked if the RAPZ tax application showed both projects at Central Park? Craig stated that was correct.

Jeff asked if there was only enough funding at this point to pay for one of the projects? Craig stated all of the funding is in place for the splash pad but only a little was in place for the skate park at this point.

Deon mentioned he would like the road leading from 100 North to the Youth Center taken out and the bridge made a walking bridge to the splash pad. Jeff concurred. Kris agreed and felt the splash pad is too close to the side road and it should be closed off. Barbara mentioned she would support closing the road during the summer months when the splash pad is being used but not year round. Jeff mentioned the road could be gated off on both ends for several months to limit the access during the summer months when the splash pad is utilized.

Jeff asked if all of the current RAPZ tax funding was being used for the splash pad project? Craig stated that was correct and the city is supplying some in-kind labor and materials as well.

Jeff asked if the city would apply for more funding for the area for this year's RAPZ tax application? Craig stated that was correct.

Jeff asked if the Eccles grant had been applied for or was just awarded to the city? Craig stated an application was submitted for the Eccles grant as well as a Utah Outdoor Recreation grant and the city did not receive that grant. The Utah Outdoor Recreation grant was only for trails and the city staff was not made aware of this until after the application was submitted.

Craig stated the staff wants to do a Request for Quotation (RFQ) for the skate park but cannot do that until the exact location of the skate park is determined.

The consensus of the council was the skate park will be located at Central Park on the west side of the splash pad.

Jeff mentioned he had been taking photos of the creation of the splash pad and could show a time lapse of the work when the project is completed.

Craig reminded the council the general plan is available for the residents to review. The public hearing on the general plan will be held on Wednesday, January 18th in a joint city council/planning commission meeting. The council will then discuss and vote on the new general plan at the February 8th city council meeting. After the general plan is approved the process to redo the transportation plan and rate studies for water and storm water will be started. Impact fees will be reviewed as well.

Kris asked when the truth in taxation hearings could start? Craig stated they could be part of the budget process for the next budget year.

COUNCIL MEMBER REPORTS

Deon asked for an update on the status of the school continuing to use the gym in the youth center. Craig stated the school will continue to use the gym until the construction of their new gym is complete and the city staff has not been provided a timeline for the completion of the project.

Deon asked the council for their thoughts about the historical society putting a lighted star on the outside of the youth center during the month of December. The funds to refurbish the star would be raised by the historical society. There is an old star in the attic of the youth center that would need to be redone as it has not been used for many years. Barbara asked what needed to be updated? Deon said all of the lights need to be changed.

Mayor Simmons stated it would be a nice symbol of the holiday season to have the star on the outside of the building as long as the city staff was involved in putting it up and taking it down and a fire hazard would not be created.

Mayor Simmons wanted to make it clear the star is to represent the city and the time of year not one specific person or event. The star is not to be a monument to one person as the city has had many great people in the past and they are not individually honored. Cemeteries are places to honor individuals not city buildings.

Deon expressed concern the star might not be visible from the highway because of the large pine trees between the road and the building.

Mayor Simmons asked how donations for this project should be handled? Justin remarked all donations should be made to the city not just a specific group in the city. The council will allocate the funds were appropriate in the budget for a specific project.

Mayor Simmons mentioned having the star as part of the annual decorations for the city would be a very nice addition to all of the other decorations the city puts on the library and the surrounding area.

Craig reminded the council the city does not have a very high lifting boom truck so the location of the star needs to be reasonable for the city staff to accommodate the request.

Mayor Simmons asked Deon to visit with the historical society and let them know the star project is a good idea and approved by the council. The star is part of the city décor not a monument to a single person. Jeff agreed.

Deon asked if there were any fire hazard concerns? Barbara suggested having Fire Chief Jay Downs look at the construction of the star and approve it before it is hung in the future.

Mayor Simmons and the council wished Deon the best of luck in his upcoming hip replacement surgery. Deon stated if all went well he would be able to go home the same day as the surgery.

Barbara mentioned the senior ball had been held and a disc jockey was used and he did a good job for the demographic attending the event. Barbara thanked the Lion's Club for their annual support of this event.

Barbara informed the council some of the renters of the senior center have left the building dirty and they should have not been refunded their deposit. The ladies who prepare the luncheon for the weekly senior citizen meal end up cleaning up the mess.

Barbara asked if the chairs at the senior center could be cleaned? Justin remarked the chairs were cleaned earlier in the year.

Barbara expressed frustration for the decorations not being removed and the kitchen not being cleaned up by the renters. Craig stated this was the first complaint he had received as the city staff is up there cleaning and monitoring the building and nobody has complained recently. Justin stated there are different levels of cleanliness and the city staff might think what is clean to them is very different than the ladies doing the senior's luncheon as he had never heard a complaint until now.

Barbara mentioned the seniors who attend the weekly luncheon enjoy the food and have fun socializing and the luncheon is well attended.

Justin informed the council Rachael Bott, who oversees the senior center luncheon, had recently had surgery on her feet.

Kris informed the council she had attended a valley trail committee meeting and the committee is looking for a trailhead area in the city to access the Bonneville Shoreline Trail. The original location of the trailhead would have cost \$50,000 for the land but the committee needs to find an area where there is not any cost for the land. The committee is working with the Sportsmen for Fish & Wildlife to use some of their land up Dry Canyon as a trailhead and it appears an agreement could be reached in the future.

Jeff mentioned the dedication of the new Veteran's Memorial was great and well attended by people from the valley and out of the valley.

Jeff asked if a light would shine on the memorial? Justin stated as the final part of the project Jon Cheatham was working with a local electrical contractor to install a light on the southeast corner of the library building that will shine down on the monument from above and not shine into the eyes of anyone driving on the highway as they pass by.

Jeff mentioned he would be getting with Ben Harris to finalize the tree inventory project for the city and then he would be paid and the application to receive the grant funding could be submitted.

Curtis informed the council the annual Smithfield Chamber of Commerce Night of Giving event had been held on December 3rd. All 224 tickets were sold for the first time. Revenue collected totaled \$30,360. The chamber met to discuss how to distribute the proceeds to local families in

need. One hundred twenty-seven children were helped with each child 12 years of age and older receiving a \$100 gift card and those children under 12 years of age receiving a \$50 gift card. Stacey Dority and the chamber had hosted a great event that helped out many local families.

Curtis mentioned he would not be able to attend the planning commission meeting on December 21st and asked the council if any of them could attend in his behalf? Jeff stated he would attend if there was not a conflict with his monthly tree committee meeting.

MAYOR'S REPORT

Mayor Simmons asked if there is any issue with the council sending emails and texts back and forth to each other to distribute information? Justin stated information can be provided but nothing can be approved or denied.

Curtis asked the mayor if he wanted responses to each email that is sent? Mayor Simmons stated he would like to know if an email is received and any questions or concerns from the council or staff. Deon stated he will respond to the sender of the email but not the entire group. Mayor Simmons asked why not include everyone from the original email? Deon stated that is how he chooses to respond. Barbara asked the mayor if he wanted everyone included in the response or just himself? Kris stated it is nice to get a group response so she knows what the other council member's questions or concerns are.

Mayor Simmons stated there are many ways for the council to communicate and he would like items small items reviewed and resolved or suggestions made before the council meeting so the council members and staff can make a report with the correct information during the council meeting.

Mayor Simmons informed the council he would be visiting with each of them individually in the next month to discuss their current assignments and if they want to make changes and what his proposed changes would be.

****Kris made a motion to adjourn at 9:01 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, December 14, 2016** The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Kris Monson

1. Approval of the city council meeting minutes from November 9, 2016.
2. Resident Input
3. Audit presentation by Allred Jackson for the period of July 1, 2015 through June 30, 2016
4. Update on the Children's Youth Theatre by Susan Barrus
5. Discussion and possible vote on the North Cache Transportation Corridor Plan.
6. Approval of Kelly Luthi as a commissioner on the Smithfield City Planning Commission.
7. Discussion and possible vote on Resolution 16-12, a Resolution supporting policy and activities which address air quality and climate change.
8. Discussion and vote on Ordinance 16-12, an Ordinance establishing a time and place for holding regular meetings during calendar year 2017.
9. Public Hearing, no sooner than 7:15 P.M., for the purpose of discussing Ordinance 16-05, an Ordinance amending the Smithfield City Subdivision Regulations, Title 16, in particular Section 16.12.030 "Preparation and Required Information" and Chapter 16.16 "Requirements for Subdivisions".
10. Discussion and possible vote on Ordinance 16-05.
11. Public Hearing, no sooner than 7:30 P.M., for the purpose of discussing Ordinance 15-19, an Ordinance amending the Smithfield City Street, Sidewalks and Public Uses, Title 12, in particular adding Chapter 12.12.040 "Maintenance of Street Right-Of-Way (Park Strip).
12. Discussion and possible vote on Ordinance 15-19.
13. Discussion and possible vote on changes to the Employee Personnel Manual.

14. Public Hearing, no sooner than 7:45 P.M., for the purpose of discussing Ordinance 16-10, an Ordinance amending Municipal Code Title 5 Business Licenses and Regulations, Section 5.080.020 “Delinquency”; Late Fees, Legal Action; 5.20.130 “Preschool: Licensing Conditions”; 5.20.140 “Preschool; Regulations; Title 9 Public Peace and Welfare, Section 9.16.030 “Definitions”.

15. Discussion and possible vote on Ordinance 16-10.

16. City Manager Report

17. Council Member Reports

18. 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.