

**SMITHFIELD CITY COUNCIL**

**MARCH 9, 2016**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, March 9, 2016. The meeting began at 6:00 P.M. and Mayor Darrell G. Simmons was in the chair.

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

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

The opening remarks were made Curtis Wall.

**VISITORS:** Coby Carling, Camron Carling, Alex Carling, Steven Foster, Mary Foster, Austin Birky, Rev Birky, Andy Hutchison, Patrick Robanske, Carson Wilkinson, Ashton Robanske, Bart King, Judy King, Glen Jay Thornley, Wade Campbell, Jon Cheatham, Ray Cheatham, Heather Cheatham, Dayton Crites

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM THE FEBRUARY 10, 2016 CITY COUNCIL MEETING AND WORKSHOP MEETING MINUTES FROM FEBRUARY 25, 2016**

\*\*\*A motion to approve the city council meeting minutes from the February 10, 2016 city council meeting was made by Jeff, seconded by Kris and the vote was unanimous.\*\*\*

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

\*\*\*A motion to approve the city council meeting minutes from the February 25, 2016 city council workshop meeting was made by Jeff, seconded by Kris and the vote was unanimous.\*\*\*

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

**RESIDENT INPUT**

There was not any resident input.

**DISCUSSION WITH JON CHEATHAM ON A POSSIBLE EAGLE SCOUT PROJECT AT THE LIBRARY GROUNDS.**

John Cheatham came before the council to discuss his proposed Eagle Scout project. John lives by Birch Creek Elementary, is 15 years old and is a varsity scout. John had a PowerPoint

presentation he went through regarding the design and location of the proposed veteran's memorial.

The points of John's presentation were as follows:

Slide 2          Why A Veterans Memorial is Needed

Communities should honor their veterans  
Other communities in Cache Valley have veteran's memorials  
Smithfield City does not have a formal veteran's memorial  
A memorial will further beautify our city

Slide 3          Memorial Proposal

A bronze sculpture of a battlefield cross surrounded by landscape pavers forming the shape of a pentagon. A plaque is placed on a larger paver near the sculpture explaining the memorial.

The memorial will be located on city property just southeast of the library building.

Slide 4          Sculpture Design

Life-size bronze battlefield cross  
Includes: boots, rifle and helmet  
Conveys a powerful message

Slide 5          Meaning Of The Battlefield Cross

"The helmet...signifies the fallen soldier, their name never to be forgotten. The inverted rifle with bayonet signals a time for a prayer, a break in action to pay tribute to our friend. The combat boots, worn and dirty, represents the final march of the soldier's last battle".

<http://www.battlefieldcrossgeneration.org/>

Slide 7          Sculpture Design

Simple and clean design  
Inexpensive compared to other sculpture options  
Sculpture estimated cost: \$7,000

Slide 8          Other Memorial Elements

Landscape pavers surrounding the sculpture will be arranged in a pentagon shape indicating the five areas of the army.

Estimated paver cost: \$1,600 as provided by A& D Landscaping

Bronze plaque secured to a larger paver near the sculpture  
Estimated cost: \$1,000

Slide 9 Proposed Location

Central to the city  
Southeast of the south end of the Carnegie library  
Attaching to the existing sidewalk and across from an existing memorial bench

Slide 10 Funding

Total Estimated Cost: \$9,600  
Donations from businesses  
Donations from Local Veteran and Civic Organizations  
Donations from residents  
Possible help from the state or county.  
Possible help from Smithfield City.

Slide 11 Donations from Local Businesses

February 12<sup>th</sup> – Scouts from John's troop visited 38 Smithfield businesses.  
Many of the businesses expressed an interest to help or donate if the city approved the project.  
Some businesses pledged \$100 to \$500 towards the cost of the project  
The scout troop would return to the businesses after the city approves the project to ask for the actual donation.

Slide 12 Donations from National Businesses

Walmart Community Grants  
Home Depot Grants  
Possible funding from the Comcast Cares Day of Service

Slide 13 Donations from Other Organizations

The American Legion and Veterans of Foreign Wars have been contacted.

John planned on contacting the local Lion's Club and Kiwanis Club.

Slide 14 Donations from Citizens

Ideas to consider: Health Days Booth, city newsletter advertisement, donation jars at local businesses, possibly go door to door or setup a gofundme.com account.

Slide 15 State and County

Senator Lyle Hillyard, Representative Jack Draxler and County Council Member David Erickson have all been emailed and asked for financial support for the project

Slide 16      Quote from Abraham Lincoln

“Honor the soldier and the sailor everywhere, who bravely bares his country’s cause. Honor, also, to the citizen who cares for his brother in the field and serves, as best as he can, the same cause.”

Kris thanked John for being so well organized. An amazing amount of work had been done just to get to this point.

Kris informed John she would work with the appropriate city people to get the booth fee waived during the Health Days Celebration.

Mayor Simmons asked if the memorial would be better served to be at the new memorial park? Jeff mentioned the new memorial park will be located where the old city office building used to be.

Mayor Simmons informed John the council had always wanted to do a veteran’s memorial for the community and had considered main street as well as the cemetery. A memorial on Main Street would be much more visible.

Mayor Simmons asked the height of the sculpture? John stated around waist high.

Jeff mentioned he was a retired military member and thought this proposal was a fantastic idea.

Jeff has been involved with the scouting program for many years and this was the best presentation he had ever seen. The statue was appropriate as planned but the location might need to be considered or changed. The site of the old city office building might be a better location.

Jeff asked if the sculpture could be temporarily installed and then moved to the new memorial park when the project is completed? John stated the project would take several months to prepare and gather the funds.

John informed the council he had hoped to utilize some boy scouts during the Comcast Cares Day of Service to excavate the location where the sculpture would be placed but the project could be moved to any location the council approves of.

Mayor Simmons informed John that having the project ready to go by Comcast Cares would be hard as it is only a month away.

Mayor Simmons asked Jeff to work with John on the project and proposed location.

Mayor Simmons mentioned the city needs to review the budget and take other factors into account before the city can commit to any funding for the project.

Curtis mentioned there are some great resources in the city that can be used. Curtis has a close friend who can help with the paver portion of the project. Curtis approved of the project and

informed John he would be willing to help print out some flyers or other information to be distributed during Health Days.

John mentioned that Deon had a cotton candy machine he was thinking of utilizing for his booth at Health Days and take the funds generated from Health Days sales to help pay for the project. Deon mentioned John was more than welcome to use his cotton candy machine and suggested the candy be made and bagged before Health Days so it could just be sold on the Saturday of Health Days.

Deon informed the council he had some concerns at the beginning about the sculpture but after learning the meaning behind the sculpture and what it represents he was in support of the project.

Jeff asked if this type of sculpture was located anywhere else in the valley? John said he was aware of veteran's memorials in several other cities in the valley but none with this sculpture.

Mayor Simmons mentioned the city budget would be reviewed and the city will help as much as possible.

Barbara mentioned she liked the location as well as the sculpture. Barbara had concern the new memorial park might not be built for several years and John wants to work on his project now so it is not fair to make him wait.

Barbara asked if all of the funding needs to be raised before the project can start? John responded that was correct as most of the companies involved in the project want money up front as a deposit before the work can commence.

Kris asked John if he needed approval from the council to proceed? Mayor Simmons mentioned the project is a discussion at this time and the city needs to review its role in Eagle Scout projects not only for this project but for the future as this was the largest amount of expense the city would have ever looked at doing for this type of project.

The consensus of the council was for John to proceed with his project and to work with Council Member Jeff Barnes to finalize the location and other details of the project.

**REQUEST BY THE PROPERTY OWNERS SURROUNDING THE HANSEN-KELLER SUBDIVISION FOR THE DEVELOPER TO PAY 50% OF THE COST OF A PRIVACY FENCE PER CITY ORDINANCE.**

Justin informed the council the property owners surrounding the new intrablock development owned by David Lillywhite named the Hansen-Keller Subdivision had made a formal request for a privacy fence to be installed. Per City Ordinance 17.84.020, Section G, the developer is responsible to pay 50% of the cost of the privacy fence. The request meets city ordinance and is being officially requested to be entered into the meeting minutes. The property owners will work with the developer on the installation of the fence and the cost of the fence. Curtis stated David was aware of the potential request and mentioned it during the approval process of the subdivision.

\*\*\*A motion to approve the request by the property owners surrounding the Hansen-Keller Subdivision to have the developer pay 50% of the cost of the privacy fence was made by Barbara, seconded by Kris and the vote was unanimous.\*\*\*

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

No Vote: None

### **UPDATE AND DISCUSSION WITH CACHE COUNTY TRAILS COORDINATOR DAYTON CRITES.**

Dayton Crites came before the council to introduce himself as the new trails coordinator for Cache Valley. Dayton is employed by Cache County Corporation on a two year contract. Several cities agreed to participate in a two year trail program of which Dayton has been hired to oversee.

Dayton's job is to find grants to expand the trail system in the valley as well as work with and help to implement trail systems in cities throughout the valley. Smithfield City has a good trails plan that was developed several years ago and the intent is to integrate the Smithfield City trail plan into the Cache County trail plan.

Trails provide better health and safety is better by keeping people off of roads.

Physical activity is important. Trails allow people to get outside and move around.

There is a need for trails and people want trails.

Safety is a big factor that can be provided by having a trail system. Nineteen percent of automobile accidents involve bicycles or pedestrians. Trails make safer communities.

Economic data shows single family homes located within 500 feet of a trail system have an 11% higher value than those homes located outside of the 500 foot buffer.

Trails systems are being created throughout Utah and the rest of the nation.

Adobe Systems located in Lehi, Utah because of the quality of life in the area. Businesses want to locate in areas where the quality of life is good.

Dayton informed the council he was working with Scott Datwyler who was on the Smithfield City Trail Committee when it was in existence.

Kris mentioned she was the council member who oversaw the trail committee and a master grid was created several years ago. The long term intent was to have all of the local trails connect but the economy slowed for several years and there was not any funding available for trails. The intent was to have the city trail system connect to the Bonneville Shoreline Trail. Scott Datwyler served on the committee but the committee had been disbanded because of a lack of funding.

Dayton informed the council that the county council had submitted a RAPZ tax application which if approved would help to pay for some surveying along the canal system from Logan City to Hyde Park City.

Kris asked if there is a need to reform a city trail committee? Dayton mentioned Scott is on the county trail committee and there is not a need for a city trail committee at this time.

Kris asked Dayton to forward her information about the meetings of when and where they are and the meeting minutes from past meetings as she has an interest in being involved.

Barbara informed Dayton the city is having a day of service on Saturday, April 30<sup>th</sup> and work could be completed on local trails that day.

Mayor Simmons asked Dayton to send a copy of the PowerPoint presentation to the council he had shown to the Cache Mayor's Association.

Kris mentioned the more positive information on trails that can be posted throughout the community and valley the better. Some people do not like trails and have actually closed off trails in the past. Trails need to be promoted for their positive aspects as some people have the mentality that a trail system just lets a stranger walk through their backyard.

Jeff asked if the county has a budget for trail construction? Dayton stated there is a small amount of money to help with surveying of existing easements but there is not any funding for the actual building of trails.

Dayton mentioned part of his job is to apply for grants and help design trail systems. Dayton is available to help the city if they have or see a need for his assistance.

#### **DISCUSSION AND APPROVAL OF MEMBERS ON THE SMITHFIELD CITY TREE COMMITTEE.**

Jeff informed the council he had five names for the council to consider approving for the city tree committee. The council had adopted Ordinance 16-01 which changed the number of members on the committee from five to seven. Three of the board members will serve three year terms and the other four board members will serve two year terms.

Jeff presented the following names for consideration:

As Chairman Lisa Michaels and Dixon Allen and Lonnie McCulloch as board members for three year terms.

Carol Huckaby and Troy McClain as board members for two year terms.

The committee is still looking for two more members to serve two year terms.

\*\*\*A motion to approve Lisa Michaels, Dixon Allen and Lonnie McCulloch for three year terms on the Smithfield City Tree Committee and Carol Huckaby and Troy McClain for two year terms on the Smithfield City Tree Committee was made by Jeff, seconded by Kris and the vote was unanimous.\*\*\*

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

No Vote: None

Mayor Simmons asked when the terms of the board members would start? Jeff stated as soon as approved by the council.

Mayor Simmons asked if the terms would expire in March or at the end of a calendar year? Jeff stated they would expire in March.

Mayor Simmons asked Jeff how long Smithfield City had been a Tree City USA? Jeff stated for 23 years.

Mayor Simmons read the Arbor Day Proclamation. A copy of the proclamation is included at the end of the meeting minutes.

#### **UPDATE AND DISCUSSION OF THE FINANCIAL IMPACT OF RELOCATING THE HEALTH DAYS PARADE TO MAIN STREET.**

Craig informed the council one of the requirements by UDOT (Utah Department of Transportation) to allow for the Health Days Parade to be held on Main Street is they require three million dollars of insurance coverage. The city currently has a two million dollar policy. After consulting with the insurance provider for the city; the cost for a five million dollar policy is the same as a three million dollar policy. The increase in yearly insurance premium would be \$11,421 to go from two million dollars of coverage to five million dollars of coverage. With the additional expense of renting barricades and electronic signs the estimate for the parade cost could be as much as \$18,000. The city's insurance provider is working with UDOT to see if something can be done in regards to the insurance coverage and cost. Right now an agreement has not been reached but Craig would update the council when information is available.

Barbara suggested contacting Senator Lyle Hillyard as he had mentioned he had a good working relationship with the director of UDOT.

Jeff asked if the insurance premium increase of \$11,421 was part of the \$18,000 or in addition to the \$18,000? Craig stated the insurance cost is \$11,421 and the barricade and electronic signs cost around \$7,000 so the parade could cost as much as \$18,000.

Glen Jay Thornley stated he felt the cost was too much but suggested contacting Senator Hillyard and others to see if anything could be done about the UDOT requirements.

Chief Allen mentioned the message boards are rented and cost \$120 per day and UDOT would require two signs and they would need to be placed a week in advance of the parade.

Mayor Simmons thanked Craig for the update and mentioned a decision will need to be made soon as planning is required.

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 16-03, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED. THE PARCELS BEING CONSIDERED FOR ANNEXATION ARE LOCATED NORTH AND WEST OF CROW MOUNTAIN ROAD NORTH OF THE RIDGEVIEW ESTATES.**

Justin informed the council Neighborhood Non-Profit Housing Corporation (NNHC) is making two annexation requests. The first request is for 18.22 acres located on Crow Mountain Road bordering the Ridgeview Estates on the north end. There are two property owners and parcels included in the request. The resolution being considered is simply starting the annexation process. Once the resolution is adopted Cache County Corporation is contacted and has thirty days to make comment on the annexation request. The city planning commission will review the request at their April meeting. The city council would then discuss the certification of annexation at the May city council meeting. The request will be advertised and a protest period will be held for thirty days starting in May. The council will then hold a public hearing and possible vote at the July council meeting. The land is automatically zoned as A-10, Agricultural 10-Acre, if the annexation request is approved. If the council chooses to approve the annexation NNHC would then make a rezone request which would go to the planning commission for consideration and then the city council for approval or denial. The process will take around six months to approve or deny the request.

Kris asked if either of the parcel owners had not signed the request for annexation? Justin informed the council the original request by NNHC was to annex around 118 acres all located in this area. There were one or two property owners who did not want to be part of the annexation request and could have protested the request. NNHC decided to split their request into two smaller requests and not include the landowner(s) that could protest the request.

Jeff commented the area is on the flat part of the hill and he had concerns about supplying culinary water to the homes in the area. Mayor Simmons mentioned the annexation request is totally different than a rezone request or approval of a plat and water concerns and other items will be discussed at the appropriate time if or when a request is made.

Justin mentioned the parcels considered for annexation are the following:

|                     |             |                               |
|---------------------|-------------|-------------------------------|
| Parcel# 08-044-0035 | 6.25 Acres  | Owner: Brian & Diana Peterson |
| Parcel# 08-044-0036 | 11.97 Acres | Owner: Nancy P Jaussi         |

\*\*\*A motion to adopt Resolution 16-03, A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED, was made by Curtis, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 16-05, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED. THE PARCELS BEING CONSIDERED FOR ANNEXATION ARE LOCATED EAST OF THE HUNTER MEADOWS SUBDIVISION PHASE 13.**

Justin informed the council this is for the second request by Neighborhood Non-Profit Housing Corporation (NNHC). The parcels for consideration are east of the Hunter Meadows Subdivision and the parcels would be accessed from 680 North Main. There are two parcels being considered. The parcel owned by Marc Peterson is 100% out of the city limits. The second parcel is owned by Dennis and Ruth Peterson and about  $\frac{3}{4}$  of the parcel is already in the city limits and the remaining 25% or so is located in the county. Dennis and Ruth had not signed the annexation request but a peninsula or island cannot be created so the remainder of their parcel would be considered for annexation. Once the resolution is approved Dennis and Ruth would be notified of the possibility of the parcel being annexed into the city and they would be able to voice a concern or issue a protest at a future council meeting when the protest period is open. Right now the only thing being considered is the resolution to start the annexation process.

Kris expressed concern eventually a request would be made to annex all of the remaining acreage in the area and all of the parcels would be developed by NNHC. Barbara mentioned they would be requesting single family homes not multi-family.

Glen Jay Thornley informed the council they need to consider and review some open water ways in that area as there could be a wetland impact.

Jeff expressed concern for the big overhead power lines running through the parcel and the area is on a hill.

Justin mentioned the parcels being considered for annexation are:

|                     |             |                               |
|---------------------|-------------|-------------------------------|
| Parcel# 08-044-0030 | 13.92 Acres | Owner: Marc Peterson          |
| Parcel# 08-044-0031 | 2.89 Acres  | Owner: Dennis & Ruth Peterson |

Parcel 08-044-0031 is 13.66 acres of which 10.77 acres is already located within the city boundary.

\*\*\*A motion to adopt Resolution 16-05, A RESOLUTION ACCEPTING THE PETITION FOR ANNEXATION OF CERTAIN REAL PROPERTY UNDER THE PROVISIONS OF SECTION 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED, was made by Curtis, seconded by Barbara and the motion passed by a vote of 4-1.\*\*\*

Yes Vote: Hunsaker, Kent, Barnes, Wall

No Vote: Monson

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 16-04, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE FOR THE CITY.**

Craig informed the council Eric Kleven and Chad Daniels have reviewed the fee structure at the golf course and have proposed some fee changes for the year. Most of the changes are an increase of \$1.00. Senior play on holidays would be reduced \$1.00. New pricing was being made for juniors. The intent of the increase is to generate more income for the operation and upkeep of the course. Mayor Simmons mentioned the proposed changes keep the golf course competitive as the golf market is a very competitive business.

Curtis asked if there was a concern of losing customers if the fee increase is implemented? Craig replied where the fee increase is only \$1.00 per round there was not expected to be a reduction in those playing. The intent with the new junior fee schedule was to bring them in line with the regular and senior rates but still offer a discount on some of the junior fees.

Curtis asked when the last fee increase had been implemented? Craig stated two years ago.

\*\*\*A motion to adopt Resolution 16-04, A RESOLUTION ADOPTING CHANGES TO THE GOLF COURSE FEES IN THE SMITHFIELD CITY PREVAILING FEE SCHEDULE, was made by Jeff, seconded by Deon and the vote was unanimous.\*\*\*

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

No Vote: None

**INITIAL DISCUSSION ON THE NUMBER OF DOGS AND CATS OR COMBINATION OF BOTH THAT WOULD BE ALLOWED ON CONDITIONAL USE PERMIT APPROVAL.**

Curtis informed the council after a cattery was recently approved several questions arose about how many dogs and cats should be allowed at a residence in the city. The planning commission has been reviewing information over the last six months or so and is asking the council for guidance on what they think as the planning commission does not want to waste time if the council will completely change what the planning commission comes up with. Jeff and Deon had voiced their concerns at a planning commission meeting on the subject.

Mayor Simmons asked what started the discussion on this topic? Clay stated the cattery had spurred conversation with the planning commission and they are looking more at the future than any current problems.

Justin asked how many cats are at the cattery? Curtis stated 32.

Mayor Simmons asked Curtis what input the planning commission needed from the council? Curtis responded the number of cats and dogs or combination of both that would be allowed at a residence in the city.

Mayor Simmons asked if everything in the current animal control ordinance would be reviewed by the planning commission? Curtis stated possibly it would.

Justin mentioned he has two dogs and they live in a kennel that is 40' x 32' and is larger than some homes. Justin's dogs are well taken care of and have the appropriate licensing and vaccinations. Around the corner from where Justin lives one dog is tied to a chain and barks all the time. By limiting the number of dogs or cats this has no bearing on if a pet owner is a good or bad pet owner according to Justin.

Mayor Simmons asked who would enforce an ordinance in the city if a cap is placed on the number of animals allowed? Curtis mentioned that is a concern of the planning commission as well. Jeff stated the city's animal control officer is the natural fit for such enforcement.

Mayor Simmons asked Curtis if the planning commission had done more than just have a general discussion on the topic? Curtis responded the planning commission has been reviewing the issue for around six months and discussed the size of property and zoning as consideration for the number of pets allowed.

Curtis mentioned the cattery owner is good pet owner and is doing everything to stay compliant. Planning Commissioner Steve Edwards had a concern she had one dog with so many cats and the cattery owner found a new home for the dog and now just has cats. The planning commission is concerned about enforcement as pets/animals are a very emotional item to some people.

Curtis mentioned he felt the city did not do pet licensing very well. The city does not know how many animals are in the city that are not licensed. Currently, licenses are issued on a calendar year basis.

Curtis asked if anyone knew a percent of the animals licensed in the city? Clay mentioned the percent would be small and not anywhere near 100%.

Curtis expressed concern about how to enforce animal control rules but the city does need to know how many pets are in the city.

Mayor Simmons asked what other areas need to be discussed by the planning commission or city council? Chief Allen mentioned generally the city's animal control officer does not respond or get a call until there is a problem. Sending a city staff member door to door to ask about animals is a possibility but there would be no way to know if the property owner is being truthful. Citations can be issued but an officer needs probable cause to even investigate an issue. Residents want to feel protected in their homes. The police department is not allowed to randomly look in homes and yards for animals.

Curtis mentioned something has to happen or a complaint filed before action is taken. Chief Allen mentioned law enforcement needs to witness the act to issue a citation.

Officer Denton Call and city staff members had recently done a rabies vaccination clinic and dog license clinic but not all of the dogs in the city are licensed or vaccinated.

Mayor Simmons suggested seeing how other communities are handling this issue.

Curtis felt educating the community with information in the newsletter might be successful as the cost to license an animal is not that much.

Curtis asked how many dogs had come to the clinic? Justin stated around 123 this year and around 88 last year. Justin felt the clinic would increase in numbers each year as the city continues to have it and advertise it well in advance. Chief Allen mentioned some residents don't want to license their animals and won't do it no matter what the city does.

Mayor Simmons mentioned one of the reasons the city requires dogs to be licensed is for safety purposes. Dogs need to have proper rabies vaccinations to protect the residents. Wade Campbell mentioned he is on the planning commission and rabies can cause problems and one of the roles of the government is to ensure the health and safety of the residents.

Wade stated he is a dog owner and licenses his dog because he is required to do so; it is part of being a pet owner.

Mayor Simmons asked Wade if he would be interested in being on a committee if one was created to discuss and review this topic? Wade stated he would be glad to help on a committee.

Mayor Simmons felt the public, law enforcement and others should be involved to see if what is currently happening is working or not. Curtis remarked that is what the planning commission is for and a committee is not needed.

Mayor Simmons suggested to Curtis that he go back to the planning commission and ask them to come up with a proposal for the council to review. There will be enforcement issues that need to be dealt with. It might be good to invite Chief Allen or a member of his department to the discussion. Char Izatt could be involved for questions or issues with licensing. The residents need to be educated and a plan needs to be made in this regard. What does the current ordinance say and is it okay or does it need to be changed? The planning commission needs to decide. Are there neighborhood issues where a neighborhood watch group could be involved?

Curtis felt changing the licensing structure made sense as a license should be good for one year not just until the end of a calendar year. People buying dogs later in the year might not license the dog as they don't want to have to pay another fee at the start of the year. Justin stated the city staff already sells dog licenses in November and December for the following year. Industry standard is to have a calendar year license. Curtis suggested licenses be reviewed.

Mayor Simmons felt educating the residents' needs to be a priority. Curtis remarked the biggest issue will be enforcement.

Glen Jay Thornley stated he felt a dog license should be valid for one year from the date of purchase. Chief Allen stated there will be issues with the tags as the tags are valid for the calendar year not a year from the date of issue. Craig explained there will be more administrative costs to handle dog licenses if they are not on a calendar year basis. Tracking will take longer, more time will be involved by the staff and this will result in an increase in the fees paid by the residents. Mayor Simmons agreed extra costs must be passed along, if incurred.

Curtis suggested looking into the possibility of on-line dog license renewals and purchases.

Curtis mentioned he does not want to see this issue come to the council and just keep going back and forth between the planning commission and the council so he was hoping to get some guidance now so there would be less discussion and questions could be answered at the planning commission.

Jeff stated residents need to realize they live in an urban environment. Homes are close to each other. Dogs and cats are annoying in Jeff's opinion. There needs to be a number restriction put in place. There will always be those that will not follow the rules but if some residents come into compliance then the rules are a success. Jeff felt no more than two dogs should be allowed at a residence with exceptions for service dogs and other special requests. Jeff felt approving a conditional use permit for a dog kennel license is giving people permission to disobey the rules.

Curtis informed the council not every conditional use permit request is approved. Several have in fact been denied.

Kris mentioned people are always mad about ordinances set by the city but she felt having a set time such as a calendar year basis license, with a set fee made the most sense for dog licenses.

Barbara mentioned this is a touchy subject as a lot of people consider their animals part of their family. There will always be those residents that are bothered by their neighbors having pets.

Barbara felt the annual dog clinic is making progress on getting dogs licensed as there was a significant increase this year over last year. It is not possible to license 100% of the dogs in the city but progress is being made on a yearly basis.

Deon mentioned he attended the planning commission meeting when this was discussed and voiced his opinion. Deon expressed concern that having 32 cats at one residence cannot be healthy and he went to the Bear River Health Department and there are not any rules regarding the number of animals allowed at a residence. Curtis mentioned he had talked to the health department as well and there are not any health rules or regulations in this regard.

Deon mentioned he used to have a cat but no longer has a cat or dog. Cats roaming through his yard had been more of a problem than dogs over the years. One barking dog; however, can upset

an entire neighborhood. There is not a simple answer as it is a very touchy and emotional subject.

Mayor Simmons asked Curtis to have the planning commission come up with a proposal and bring it to the council for consideration. Curtis mentioned the planning commission wanted input from the council and the council to be involved but he will do as directed.

### **CITY MANAGER REPORT**

Craig read the following statement from the Smithfield City council meeting minutes from January 9, 1980:

“Motion made by Dennis Funk to approve a policy waiving the burial charges for all former Mayors of Smithfield City, all former employees who retired in the service of Smithfield City and any current employee of Smithfield City, seconded by Clifford Craig. Unanimously.”

Craig informed the council other than the city utility billing clerk nobody was aware of this information and it is not in the city code, prevailing fee schedule or any other documented place.

Craig asked the council if this is something they supported or wanted to do away with since it is not documented anywhere but on a single piece of paper in an office desk.

Kris asked the cost charged for a burial? Justin replied \$350 during the week and \$500 on the weekend is the resident fee. Craig mentioned this item had come to light when a former mayor, Oral Ballam, had recently been buried on a Saturday which resulted in three staff members having to work and be paid overtime but the city did not receive a burial fee.

Justin informed the council he had reached out to a few other local municipalities and none of them have anything like this in place.

Craig mentioned the staff needs guidance on this issue but there was not much support from the staff to keep this item where it is not really documented or discussed.

Mayor Simmons mentioned it was a nice thought but did not feel it was appropriate for only mayors but not for council members and it would be better if everyone pays the burial fee.

Kris mentioned there is a cost to the taxpayers for the burial and people need to pay for the service they receive.

The consensus of the council was to no longer recognize the motion made in the January 9, 1980 city council meeting regarding waiving of burial fees for past mayors and employees as the motion of the council was not included in any fee schedule or city ordinance.

Mayor Simmons thanked Craig for the weekly updates he sends to the council letting them know what is going on, issues, challenges and changes that are happening in the city.

Deon asked if there would be access concern issues with the new subdivision that would be proposed by Neighborhood Non-Profit as he understood if there are 32 or more homes a second access is required? The parcel up by Crow Mountain Road could have as many as 88 homes built on it. Craig remarked the city staff had seen a preliminary plat and it had some dead end roads that are not allowed so the roads will have to be looped and changed by the project engineer. The city staff, planning commission and city council will deal with the concern at a later time when the official plat is presented. All city code and fire code must be met before approval can be granted for any new subdivision.

Deon mentioned he knows some towns have over 100 homes coming onto one street and that does not allow people to leave the area in an orderly manner and the council needs to consider this on all future subdivision approvals.

### **COUNCIL MEMBER REPORTS**

Deon informed the council he attended the Cache Highline Canal meeting on Monday, March 7<sup>th</sup> and was elected as a board member. Former city employee, Jon Wells, was elected as the vice president. The canal company is thinking of changing their bylaws so the vice president by default becomes the president the following year so there will be some continuity moving forward on the board.

The irrigation canal has been completely piped from 4400 South going south. Some of the benefits of a piped system are less water loss from evaporation and water soaking into the soil. The water pressure in the system will be increased as well. A swell has been left in the old canal to allow for the collection of runoff water. The cities involved with the canal company pay a yearly fee to allow the storm water to collect in the swell/canal area.

Right now the annual snowpack is below 90% of normal.

The canal company does not have the right to grant authority to have a trail along the side of a canal as the canal company does not own the land they just have an easement or permission from the property owner to access the canal area. The canal company does not want to deal with liability issues from having a trail by the canal as well.

Deon mentioned he had done a ride-along with Officers Denton Call and Adam Roper on President's Day. The patrol cars are not very spacious and hard for a larger person to get in or out of. Speeding is a problem on 600 South and 300 South. Center Street is another road that speeding tickets are issued on in the summer mainly from people coming and going from the golf course.

The privacy fence on 300 South 1000 East continues to be vandalized and the police department is trying to catch the people that continue to damage the fence at all times of the year.

Deon mentioned there is a youth care facility in Cornish and one of the youth had stolen a truck from in Weston, Idaho and the stolen truck had a shotgun in the truck. Deon expressed concern for the backup the officers have when they respond to a call. Backup help is limited at best. The

Cache County Sheriff's Office is focusing on the Hyrum City area right now so there is limited backup support from them in the north end of the valley. If the officers from the North Park Police Department are on a call, they are a small department about the same size as Smithfield's Police Department, there is little to no backup for the city's officers.

Deon expressed concern for the location of the proposed skate park at Central Park between the historic cabin and the road on 100 North. The location in Deon's opinion was a poor choice. There is a need for a skate park but Deon felt a different location would be better.

Mayor Simmons thanked Deon for his willingness to be on the canal board, his expertise in this field will be a benefit to the city and the canal company.

Mayor Simmons asked if anyone else had concern about the location of the splash pad or skate park? Kris mentioned she had not talked to Brett Daniels about the RAPZ tax application for this project but the location or project could be changed. Kris mentioned she reviewed an interactive area in Richfield that is accessible to the residents year round where a water park has limited use since the summers in the valley are relatively short. An interactive year round project might be better than a splash pad.

Barbara reminded the council of the annual spaghetti dinner fundraiser at the Lion's Lodge on Thursday, March 10<sup>th</sup> starting at 5:00 P.M. The youth council helps the Lion's Club on a yearly basis with this dinner. Comcast is now accepting online registration for the day of service. The information will be posted on the city website, Facebook and sent out through the city communication system. The next meeting between Comcast and the city staff will be on April 7<sup>th</sup>. The group is still looking for larger projects that need to be completed.

Barbara asked if staining the wood fence at Mack Park would be a good project? Craig stated weather permitting it would be a good project for the service day. Jeff mentioned the fence had been stained in 2015. Barbara felt it would be a good project to have the entire fence stained at the same time since only part of the fence was stained in 2015. Mayor Simmons thanked Barbara for her help with the youth council and for the day of service as it is a big project.

Kris mentioned she had been contacted by members of the LEAF club (Logan Environmental Action Force). The club was formed by some students at Logan High School and they are focusing on making air in the valley cleaner and want to involve the city. The club would like to take ten minutes at the April council meeting to make a presentation to the council. The club will be asking for a member of the community to be on a committee they are forming.

Kris informed the council library board committee Chairman Mike Neilson had secured a donation of 1,500 slightly used books that would be handed out during the Health Days parade. A group of single adults from a local faith based group would be helping to label the books as adult or children so they would be handed out to the right people during the parade.

Mayor Simmons asked for an update on the library building and board. Were there any concerns? Kris informed the council there were not any ventilation fans installed in either of the

new bathrooms at the library but she had contacted the city staff and they had installed some electronic air fresheners that go off periodically.

Jeff informed the council he had been contacted by six to eight boy scouts looking for Eagle Scout projects. Jeff asked Barbara to share with him potential projects the boy scouts could do as Eagle Scout projects as part of the Comcast Cares Day of Service. Craig informed Jeff that Doug Petersen has a list of projects as he is constantly contacted about these types of projects. Jeff stated he would have the boys' contact Doug but asked Barbara to pass along any information she has that might be a good project.

Curtis informed the council the first general plan meeting had been held. Information from the meeting had been provided to the council for review. Air quality is a concern and Curtis had inquired with the engineering firm over the project to see if something could be incorporated into the new general plan.

Curtis had met with the local chamber of commerce to discuss ideas and one item they are considering is a buy local program.

Curtis mentioned a couple of council members had inquired about who was attending the general plan meetings at this point and there are several members of the engineering firm over the project, Craig, Justin, Mayor Simmons, Clay, planning commission chairman Jamie Anderson and Curtis at this point. Right now the group is just in the information gathering phase and information is provided to the council after the group meets. Other council members can attend but as soon as three of them are going to be in attendance the meeting becomes an official meeting which needs to be advertised, recorded and minutes taken. The next meeting will be held on March 23<sup>rd</sup>.

Mayor Simmons mentioned he had assigned Curtis to this project as part of his council member responsibilities and appreciated other council members wanting to be involved. Jeff mentioned if Curtis or the Mayor could not attend the meeting he would like to attend in their behalf and serve as an alternate member on the committee.

Curtis mentioned the council will be involved in the process more in the future as right now is just information gathering.

Mayor Simmons asked Jeff to be the first alternate for the committee and Deon to be a second alternate for the committee.

Deon mentioned he was involved in the last general plan process and there were many more people involved. Several people were involved and several meetings were held with the public. Deon was surprised how small the committee is during this general plan review. Mayor Simmons commented right now the committee is small as information is gathered and prepared and meetings will be held in the future with the residents. Craig informed the council the general plan philosophy has changed over the last few years. A draft of the general plan is created and then the planning commission, city council and residents are involved. Right now the cost of the project is budgeted at \$128,000. Additional meetings can be held but they will come at an

additional cost above what is budgeted. Residents, the planning commission and the council will all have a chance to review the plan and make comments at a later date.

Curtis asked Barbara if anyone had approached Paragon or the four or five biggest employers in the city to see if they would have an employee service day in conjunction with Comcast Cares? Barbara stated she had not contacted them and asked Curtis to reach out to anyone that he thought would have an interest as those helping on the day of service do not have to be residents.

Barbara mentioned the Easter egg hunt will be held on Saturday, March 26<sup>th</sup>. The youth council is helping to stuff the Easter eggs and will help the chamber of commerce with the event.

## **MAYOR'S REPORT**

Mayor Simmons thanked the council and city staff for the continuity amongst the group. There are many staff members, council members and residents that are passionate about the city. The valley is growing and as part of growth the transit system will grow.

Heidi Harper is the Smithfield City representative on the Cache Valley Transit District Board. Heidi wants to continue to stay on the board but there needs to be a council member that communicates with her and passes along information to the council.

Mayor Simmons asked the council if any of them were willing to take on this role? Curtis asked how much time would be involved? Mayor Simmons remarked it would be just on occasion to pass along information and visit with her about the happenings of the transit district so the council can stay informed. Curtis mentioned he has a personal relationship with several employees of the transit district and he would be willing to be the city council representative over the transit district.

Mayor Simmons mentioned the golf course would open for the year on Thursday, March 10<sup>th</sup>.

Jeff mentioned Porcupine Dam is fuller right now than it was at this same time last year.

*\*\*\*Kris made a motion to adjourn at 8:19 P.M.\*\*\**

## **SMITHFIELD CITY CORPORATION**

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Darrell G. Simmons, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

**SMITHFIELD CITY CORPORATION  
96 South Main  
Smithfield, Utah 84335**

**AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah on Wednesday, **March 9, 2016**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Curtis Wall.

1. Approval of the city council meeting minutes from February 10, 2016 and workshop meeting minutes from February 25, 2016
2. Resident Input
3. Discussion with Jon Cheatham on a possible Eagle Scout project at the library grounds.
4. Request by the property owners surrounding the Hansen-Keller Subdivision for the developer to pay 50% of the cost of a privacy fence per city ordinance.
5. Update and discussion with Cache County Trails Coordinator Dayton Crites.
6. Discussion and approval of members on the Smithfield City Tree Committee.
7. Update and discussion of the financial impact of relocating the Health Days parade to Main Street.
8. Discussion and possible vote on Resolution 16-03, a Resolution accepting a petition for annexation on certain real property under the provisions of Sections 10-2-403 and 10-2-405, Utah Code annotated, 1995, as amended. The parcels being considered for annexation are located north and west of Crow Mountain Road north of Ridgeview Estates.
9. Discussion and possible vote on Resolution 16-05, a Resolution accepting a petition for annexation on certain real property under the provisions of Sections 10-2-403 and 10-2-405, Utah Code annotated, 1995, as amended. The parcels being considered for annexation are located east of the Hunter Meadows Subdivision Phase 13.

Smithfield City Council Meeting Minutes, March 9, 2016

10. Discussion and possible vote on Resolution 16-04, a Resolution updating the Prevailing Fee Schedule for the city.
11. Initial discussion on the number of dogs and cats or a combination of both that would be allowed on conditional use permit approval.
12. City Manager Report
13. Council Member Reports
14. Mayor's Report  
    Reading of Arbor Day Proclamation

Adjournment

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

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

Prepared, posted in the City Office and library, emailed to each Council Member, emailed to the Herald Journal, Smithfield Sun, and forwarded to be posted on the City Web Site on 03/07/16, and the Utah Public Meeting Notice website.