

**SMITHFIELD CITY COUNCIL**

**DECEMBER 11, 2019**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, December 11, 2019. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Wade Campbell.

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

Council Member Bart Caley arrived during the meeting.

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

**VISITORS:** Kevin King, Jon Wells, Jamie Andrus, Juli Weber, Heidi Harper, Bryce Goodin, Michelle Anderson

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM NOVEMBER 13, 2019**

\*\*\*A motion to approve the November 13, 2019 city council meeting minutes was made by Jamie, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Hunsaker, Anderson, Campbell, Wall

No Vote: None

Absent: Caley

**RESIDENT INPUT**

There were not any comments or questions.

**APPROVAL OF KATIE BELL AS A COMMISSIONER ON THE SMITHFIELD CITY PLANNING COMMISSION.**

Curtis mentioned Katie attended the November planning commission meeting and wants to serve.

\*\*\*A motion to appoint Katie Bell as a commissioner on the Smithfield City Planning Commission was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Hunsaker, Anderson, Campbell, Wall

No Vote: None

Absent: Caley

**APPROVAL OF MIKE ARNOLD AS TRUSTEE REPRESENTING SMITHFIELD CITY ON THE CACHE VALLEY TRANSIT BOARD OF TRUSTEES.**

\*\*\*Council Member Bart Caley arrived at the council meeting at 6:36 P.M.\*\*\*

Mayor Barnes mentioned Mike attended the November council meeting.

Jamie asked the council what they expect Mike to do in this position? Mayor Barnes mentioned provide information to the council and attend the monthly CVBT meetings. For the upcoming newsletter some verbiage is being added regarding CVTD.

Heidi Harper mentioned a new route from the Transit Center in Logan to the Wal-Mart at the south end of Logan has been added. It is a direct route. Jon Wells mentioned there is not a direct route from Smithfield. A person would go from Smithfield to the Transit Center and then on another bus to the Wal-Mart at the south end of Logan if they chose to do so. Heidi concurred.

Jon mentioned there are only two routes from Smithfield going south. Heidi concurred and mentioned they are the Smithfield route and a Preston route.

Jon mentioned there are routes from the Transit Center to Utah State University as well.

Mayor Barnes presented Heidi Harper with a plaque of appreciation for her years of dedicated service to the city serving as a Trustee on the Cache Valley Transit Board of Trustees.

Curtis mentioned he would ask Mike to submit the annual CVTD report to the council as well as the monthly meeting minutes for the council to review.

Curtis suggested Mike come before the council once a year to provide an update on what is going on with the district.

Mayor Barnes suggested Mike immediately report anything important the council needs to be aware of or involved in.

\*\*\*A motion to appoint Mike Arnold as a Trustee representing Smithfield City on the Cache Valley Transit District Board of Trustees was made by Jamie, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-17, AN ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR MEETINGS DURING CALENDAR YEAR 2020.**

Justin mentioned the meeting schedule for 2020 is based off of the last couple of years. There will be two meetings in January, February, March, May, June and August. There is only one

meeting in April and September because of the Utah League of Cities and Towns meetings. The November 11<sup>th</sup> council meeting has been moved to November 4<sup>th</sup> because November 11<sup>th</sup> is Veteran's Day. There is only one meeting in October because the second meeting of the month would have been on the 28<sup>th</sup>, one week before the November 4<sup>th</sup> meeting. In November and December there is only one meeting because of the holidays.

Jamie asked if a Truth in Taxation hearing is needed would it be held on August 12<sup>th</sup>? Justin replied that is correct and if that hearing is not needed the meeting will be cancelled.

\*\*\*A motion to adopt Ordinance 19-17, an Ordinance establishing a time and place for holding regular meetings during calendar year 2020 was made by Jamie, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 19-16, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY.**

Craig mentioned himself, Jamie, Eric Kleven and Chad Daniels met to discuss the fees charged at the golf course as this is something they do annually. The current proposal is to make the season pass good from November 1<sup>st</sup> through October 31<sup>st</sup>. This same timeframe would also apply to the seasonal driving range pass.

The season pass for the driving range would increase from \$299 to \$350.

Another proposed change would be in the sewer fund:

The impact fee for sewer treatment would be included. The fee would be \$2,433 per ERU (Equivalent Residential Unit). This fee would not go into effect until April 1, 2020.

\*\*\*A motion to adopt Resolution 19-16, a Resolution amending Smithfield City's Prevailing Fee Schedule was made by Bart, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 19-17, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-406 AND 10-2-405, UTAH CODE ANNOTATED, AS AMENDED. THE PARCEL BEING CONSIDERED FOR ANNEXATION IS LOCATED AT APPROXIMATELY 350 EAST 600 SOUTH. PARCEL NUMBER 08-119-0020. THE PARCEL IS APPROXIMATELY 8.96 ACRES.**

Mayor Barnes mentioned the annexation request is for a parcel south of Sky View High School on the east side of the Canyon View Subdivision. Bruce and Julie Godderidge are the parcel owners and Visionary Homes would be the developer of the land.

Justin mentioned this is the first step in the process. This is not formally approving the annexation request. After the Resolution is approved the request will be sent to the school district and county for review. The request will come back to the council twice more as it works its way through the process.

Mayor Barnes asked if the school district had ever commented on an annexation before? Justin replied not any he had been involved in. Typically the only time a school district would be involved is when two different school districts are close to a certain parcel and they work to decide which schools will accept the students after the development is completed. In Cache Valley that is not the case as all students outside of Logan City are part of the Cache County School District.

Wade asked what the plan is for the parcel if it is annexed into the city? Bryce Goodin replied it would be to develop and put single family homes on it.

Jamie asked the council and planning commission to consider how the trail system could be tied into the canal trail system to the east of this parcel. A trail system could be installed to help connect the canal trail to 250 East.

Bryce asked Jamie for clarification on what he wanted done. Jamie replied he would like to see the trail system connected to all of the homes to the west such as along 250 East.

Mayor Barnes mentioned a sidewalk will be installed as part of the development process.

Mayor Barnes asked if the annexation request for the Nielsen property has been finalized? Justin replied it has been finalized. The Nielsen property is part of the city.

Mayor Barnes mentioned the Godderidge family and Visionary Homes would be swapping some property if the annexation request is approved. Bryce mentioned the home owned by Wayne Nielsen would be sold on an acre or so of land and the rest of the property would be swapped between the two entities.

Mayor Barnes asked if the land swap was approximately the same acreage? Bryce replied that is correct.

Deon mentioned one benefit of the development is the road along 600 South on the north end of the parcel will be widened as part of this project. The area has been a parking problem for years. Rocks have currently been installed on the side of the road by the property owner.

Mayor Barnes asked Bryce if the Godderidge family was aware they would own land in the city if everything is approved? Bryce replied they are aware they would have property located inside the city boundary.

Deon mentioned he was contacted by Justin about a potential concern with Parcel Number 08-119-0015. After reviewing that parcel with Mike Gleed, at the county, it was determined there is not a problem. The issue is the parcel description is very vague. The new parcel description is tied to the Canyon View Subdivision legal description which should help to correct the issue.

Curtis mentioned he was confused by Jamie's request for a trail.

Curtis asked if the request for a trail would need to be included in the motion to adopt the Resolution? Justin replied not as part of this approval as this Resolution just starts the process. Any conditions would be added after the public hearing when the vote of the council occurs on the actual annexation request.

Jamie mentioned there needs to be a way to get people from the canal trail to 250 East.

Bryce asked if the sidewalk would suffice as the trail or if something else is wanted? Wade stated he felt a wider sidewalk would work. Bryce replied he was aware of trails where the sidewalk was extended from five feet wide to eight feet wide. Jamie replied he did not consider a sidewalk a trail. Curtis concurred.

Jamie asked the council to support finding a way to connect the canal trail to 250 East long term.

\*\*\*A motion to adopt Resolution 19-17, a Resolution accepting a Petition for Annexation for Parcel Number 08-119-0020 was made by Bart, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**PUBLIC HEARING, NO SOONER THAN 7:00 P.M, FOR THE PURPOSE OF DISCUSSING ORDINANCE 19-16, AN ORDINANCE AMENDING CHAPTER 3.20 "MUNICIPAL IMPACT FEES" BY IMPLEMENTING A WASTEWATER TREATMENT IMPACT FEE.**

Craig mentioned Smithfield sends its waste/sewage to Logan City. Logan is in the process of building a new treatment plant at a cost of \$136,000,000. The city utility bill has been previously increased to help pay for this project.

During the financing process the State of Utah encouraged Logan City to create an impact fee for sewer treatment.

A study was completed and the cost per ERU (Equivalent Residential Unit) would be \$2,433.

Logan City will collect the fee.

As part of the process to obtain a building permit/zoning clearance the fee will be collected at that time.

The Ordinance must be adopted even though the city will not actually collect the fee. Logan City will collect the fee.

Craig mentioned if the impact fee is not adopted the city will still have to pay Logan City the fee so the monthly utility fee will have to be increased to pay the fee. The idea behind the fee is new growth will pay for itself not existing residents.

Curtis asked why Logan City is collecting the fee? Craig replied there is an option for Smithfield City to collect the fee but Logan City will have to determine the number of ERU's so the fee can be calculated. Rather than have the builder go to Logan City to have the fee determined, then come to Smithfield City to pay the fee, then go back to Logan City showing the fee has been paid the builder will now pay the fee when the number of ERU's is determined by Logan City. Another concern would be if the number of ERU's is calculated wrong that would be a Logan City issue not a Smithfield City issue so Smithfield City would not be liable in this regard.

*\*\*\*The public hearing was opened at 7:02 P.M.\*\*\**

Jon Wells asked if the impact fee amount of \$2,433 is a tentative amount or an actual amount? Craig replied it is actual.

Jon asked if Logan City had approved the impact fee? Craig replied it had been. Smithfield City is part of an interlocal agreement where a rate committee was formed. The rate committee adopted the fee and now it is up to each city to adopt and implement the fee. The fee would not go into effect until April 1<sup>st</sup>.

Jamie asked if everyone in the Logan City sewer service area will pay the fee April 1<sup>st</sup> and after? Craig replied that is correct.

Jamie asked what happens to the fee if there is a cost overrun on the project? Craig replied the impact fee is to pay for future capacity in the system so it is a known amount.

Jamie asked if the cost of the plant is 10% over budget what happens to the impact fee? Will it change or stay the same? Craig replied the impact fee would stay the same but the monthly utility fee would increase.

Craig mentioned the cost of the new plant has increased because of the tariff on steel. The maximum cost of the plant, per the contract, is \$136,000,000 which includes contingency funds.

Mayor Barnes asked if the project has started? Craig replied it has.

Wade asked if the minimum the fee will be is \$2,433? Craig replied all single family homes, no matter the size of the home, will pay \$2,433. ERU's will be used for apartments and commercial businesses.

*\*\*\*The public hearing closed at 7:05 P.M.\*\*\**

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-16.**

Mayor Barnes stated people always say new fees are being added. This fee will only effect developers and people building new homes. Craig mentioned the developer will always pass the fee onto the buyer.

Craig mentioned one concern is the impact on commercial businesses. Where the fee is the same for Logan City and the six closest outlying communities it will keep the playing field the same so nobody has an advantage over another city who is part of the interlocal agreement group.

\*\*\*A motion to adopt Ordinance 19-16, an Ordinance adopting an Impact Fee Facilities Plan and enacting an Impact Fee for Wastewater Treatment was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**PUBLIC HEARING, NO SOONER THAN 7:15 P.M., FOR THE PURPOSE OF DISCUSSING RESOLUTION 19-15, A RESOLUTION AMENDING THE FISCAL YEAR 2020 BUDGET WHICH IS THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020.**

Mayor Barnes mentioned the council amends the budget at the mid-point of the fiscal year each year. Most of the original budget is based off of estimates. Now actual numbers on several purchases are known, such as equipment, the budget is adjusted. Some line items will go up and some will go down.

Craig reviewed proposed changes to the fiscal year budget.

Total General Fund Revenue and Expense would increase \$611,179.

The biggest increase to revenue is \$208,000 from RAPZ Tax received. The RAPZ tax funds are being used to pay for the Forrester Acres expansion project.

Wildland fire income totaled \$139,000.

A Safe Sidewalk Grant in the amount of \$38,000 was received.

The city receives a new tax called "Local Road Tax". Both revenue and expense were increased by \$50,000. The Local Road Tax is very similar to Class "C" Road Funds but the funds can also be used for sidewalks and trails.

The surplus sale of equipment and vehicles totaled \$81,000. The biggest sale being the tender from the fire department for \$70,000. There was \$11,000 in miscellaneous equipment from the public works department and golf course sold as part of a bid sale.

When the Land and Conservation Fund Grant is received in the amount of approximately \$400,000 it will be added to the budget at that time. These funds are being used to pay for the Forrester Acres expansion project. The staff is in the process of gathering the documentation for this grant so the reimbursement request can be submitted.

The Capital Improvement Fund is decreasing by \$250,000 of revenue. At the start of the budget year these funds could not be allocated until the council set the property tax rate. The full increase was approved by the council and now the funds are being allocated.

The majority of the increases to expenses are for increases to wages and benefits from the market adjustments approved by the council.

In regards to Water Enterprise Fund expense, the proposed expense increase is in the amount of \$480,801. Replacing bad water meters would be in the amount of \$280,000 and the remaining \$200,000 would be used for drilling a new test well.

The old city office location, 69 North Main, has been ruled the most favorable site to drill a test well. The second choice was by the Del Monte plant on 600 South.

Curtis asked who determined where the proposed test well should be drilled at? Craig replied Loughlin Water Associates gathered the data and made the recommendation.

Right now is a good time to bid a well project. Only one bid was received on the last test well project. The staff felt that bid was high but nobody else submitted bids. The council has the option to consider the project in this fiscal year or wait until Fiscal Year 2021. Typically projects bid in the summer months cost more.

Bart asked what happens to the parcel if the test well tests good? Craig replied a small building would be built like at Forrester Acres and at the Birch Creek Golf Course. One exact location has not yet been determined. The location is recommended in that area. One positive is the city already owns the land. The only item would be getting a new waterline installed to connect to the system.

Mayor Barnes asked how deep the test well would be drilled? Any issues from septic tanks in the area from back in the 1980's should be gone.

Mayor Barnes asked where the well would tie into the existing system? Craig replied on 100 West or 100 North. The intent would be to go to 100 West to avoid the splash pad and skate park area and having to remove and replace any of the new concrete in the area.

Curtis asked why this location was not used for the last test well? Craig replied the first choice is to always have a well by a water tank. Bob Oaks did the work to determine the last location and he came up with two sites. Water was found but not enough to justify paying out \$1,000,000 for a full production well. Mayor Barnes mentioned the city tried to stay up on the mountain but is now moving back down into the valley floor.

Wade asked the potential of the last test well drilled. Craig replied it was about 400 to 500 gallons per minute. The city needs around 2,000 gallons per minute to justify the high cost of installing a permanent well. The test well was drilled to a depth of approximately 1,000 feet.

*\*\*\*The public hearing was opened at 7:16 P.M.\*\*\**

There were not any comments or questions.

*\*\*\*The public hearing closed at 7:17 P.M.\*\*\**

<b>DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 19-15.</b>
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Curtis asked Craig if he had any issues or concerns with the budget? Are there specific things which need to be reviewed or corrected? Craig replied “Fines to the State” for court citations are increasing but court revenue is staying flat. The hope is the city court only operates at a \$20,000 loss but it could be as high as a \$40,000 to \$50,000 loss.

Craig mentioned most of the changes are from grants received. The city does not account for grants until they are received.

Employee turnover has stabilized since market adjustments were made for wages. There has been very little turnover since the adjustments were put in place. The salary adjustments had the effect the council was looking for.

Bart asked if the adjustments included selling the fire tender for \$70,000 and purchasing the used ladder truck for \$40,000? Craig stated that is correct and the difference is being put in a restricted fund for future equipment purchases for the fire department.

Craig mentioned one concern he has is about equipment. The council has made a focus on the public works department to get caught up on equipment needs. There is a need for a sewer jetter truck. The sweeper has had a lot spent on maintenance and repair recently and in the last couple of years. It is time to cycle out the old sweeper and get a new one.

Curtis mentioned he had seen the ladder truck. It looks good and is clean for a used vehicle. Mayor Barnes mentioned he had seen the fire station staff training with the ladder truck at various buildings throughout the city.

*\*\*\*A motion to adopt Resolution 19-15, a Resolution amending the Fiscal Year 2020 Budget was made by Jamie, seconded by Bart and the vote was unanimous.\*\*\**

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

No Vote: None.

Mayor Barnes commented the budget of the city is clear and understandable and easy to read.

## COUNCIL MEMBER REPORTS

Bart mentioned he had been approached by a couple of residents wanting to use the horse arena in the winter months. In the past there had been a concern about debris/garbage as well as people tearing up the parking lot doing doughnuts in the winter months. A couple of residents want to work their horses in the arena as it is a safe place to do it. Wade mentioned he received similar phone calls as well.

Mayor Barnes mentioned the area used to have the gate open year round and the parking lot was plowed in the winter. The gate is now closed and the snow is not plowed which could be an issue.

Mayor Barnes asked if people really want to use the horse arena in the winter months? Wade replied they do as the area is sandy and not muddy. The venue has been used for decades for this purpose. The area was used for this purpose even before the city took over ownership. One local resident is being very vocal about not being able to use the arena now.

Bart asked if the main concern is things being torn up? Craig replied that as well as the neighbors calling to complain about noise, access and other issues.

Bart suggested putting a combination lock on the gate so only those using the horse arena would have access to the grounds. Mayor Barnes replied he would like a keyed lock and the people need to call a city staff member when they want in so the city knows when people are coming and going. Craig replied the simplest thing is just to open the area back up. Mayor Barnes replied he wants the area closed when not being used.

Craig mentioned the reason the area was not closed and locked up in the past was because of the blue recycle bins. Now the recycle bins are gone so the gate has been locked.

Craig stated city policy requires reservations to be made to use city facilities. Jamie asked if anyone followed that rule in regards to the horse arena? Craig replied no they do not.

Curtis asked if someone was being paid to monitor and schedule the arena? Craig replied in the past a coordinator was paid \$600 per month during the summer months for this purpose. In the future this won't happen as all scheduling will be done by the rec center.

Curtis mentioned some of the issues in the past have been ruts were created in the parking lot and sprinklers were broken. The scheduling rules are being broken and people have done it that way forever.

Mayor Barnes asked how many people would use the arena in the winter? Bart replied everyone who contacted him would. Wade replied he would estimate around 10 to 12 people.

Curtis asked if the area is only being used for draft horses? Wade replied all types of horses utilize the arena.

Bart felt installing a combination lock would limit the use and the city would know who is coming and going by who they supply the combination too. There would be some control and it would not be a free for all.

Curtis asked if use of the arena is not allowed where will people train their horses? Bart replied along the side of the road or railroad tracks. Wade replied on the side of the road is hard as most people don't know how to act with their vehicle when they approach horses.

Curtis asked if there are other options to consider? Wade replied he has options for the winter months but utilizes the arena in the summer months. Bart replied those who contacted him don't have land they can use in the winter months to train their horses on so they would have to trailer them elsewhere.

Mayor Barnes asked how often the arena would be used? Wade replied Todd Downs would use the arena several times per week.

Mayor Barnes stated so few people use the arena in the winter access should be limited.

Curtis asked if the 4-H Club used the arena in the summer? Craig replied that is correct.

Bart mentioned he supported installing a combination lock and giving out the lock information to those wanting to use the arena. Mayor Barnes replied a combination lock would not let the city know who is coming and going and when.

Bart stated Todd Downs could be put in charge if he is the biggest user during the winter months.

Curtis asked if the security cameras in the area are on all the time or off for the winter? Craig replied they are always on.

Mayor Barnes asked if the video cameras video the horse arena? Craig replied they do not.

Curtis asked if the video cameras cover the entrance gate? Craig replied slightly.

Wade asked Craig what his concerns are. Craig replied the issue with keys and key fobs is they always end up in somebody else hands other than who they were assigned too. The preference of the staff is just to open the gate permanently. Snow can be an issue as well. If snow collects along the fence the gate could be damaged when it is opened and closed.

Mayor Barnes asked what kind of damage is done. Craig replied there are kids in the parking lot in the summer doing doughnuts which throws gravel everywhere and makes a large cloud of dust. Snow will also invite kids to go in and do doughnuts and tear up the parking lot.

Mayor Barnes stated he did not support opening the arena for only a few people.

Jamie replied he did not have a preference as he had not been contacted by anyone in this regard.

Craig mentioned snow is no longer plowed in the area. It was plowed in the past so people could access the recycle bins.

Deon asked if there are still cutter races at the track? Wade replied the arena is only used for training purposes.

Deon stated he was not sure if he liked the idea of the area being locked off but when the area is not used there should not be access. Bart replied that is why a combination lock works.

Curtis felt those wanting to use the arena should create a proposal and come before the council with the request. Jamie replied there is already a policy in place governing the use of the facility. Those wanting to use the arena should schedule the use with the rec center.

Curtis mentioned if the area is scheduled it will need to be plowed. Deon concurred. Bart replied he did not think having the area plowed would be an issue. Curtis replied he would like to hear from those wanting to use the arena. Mayor Barnes replied they need to be asked directly if the area must be plowed. Wade replied another option is to open the area and let everyone know it is not being maintained by the city in the winter months.

Mayor Barnes stated he wanted to talk to those wanting to utilize the facility and the council could discuss in January. Bart asked Mayor Barnes if the discussion would be an agenda item? Mayor Barnes replied it could be if needed. Bart replied he would notify Todd and Scott Downs the council would discuss the item at the January 8<sup>th</sup> council meeting and they should be in attendance for the discussion.

Curtis mentioned the horse pull event at the arena during Health Days is a great event. Mayor Barnes replied it is one of the few remaining horse pull competitions.

Wade stated the arena is a very nice facility for people to use.

**PUBLIC HEARING, NO SOONER THAN 7:30 P.M., FOR THE PURPOSE OF DISCUSSING ORDINANCE 19-19, AN ORDINANCE AMENDING THE CURRENT SMITHFIELD CITY MUNICIPAL CODE SECTIONS 15.040.010 "ADOPTION OF BUILDING AND RELATED CODES", 8.08.020 "DEFINITIONS", 8.12.080 "APPENDIX DESCRIBING FIRE DISTRICTS OR ZONES", 2.20.040 "ADDITIONAL DUTIES OF BUILDING INSPECTOR", 13.08.060 "POLICY", 13.08.070 "REQUIREMENTS", 13.20.030 "SMALL UNDEGROUND WASTEWATER DISPOSAL SYSTEM CODE ADOPTED" AND 16.04.060 "COMPLIANCE REQUIRED".**

Craig mentioned a previous city council adopted the building code. For some reason the fire code was not included in this section so now it would be added as well as a reference to the Appendix. This ordinance would also change the working "uniform fire code" to "International fire code" in several places. The ordinance is very simple and cleans up some technical wording.

*\*\*\*The public hearing was opened at 7:39 P.M.\*\*\**

There were not any comments or questions.

*\*\*\*The public hearing was closed at 7:40 P.M.\*\*\**

### **DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-19.**

Deon asked if the ordinance is correct where it states the code will be made available with the City Manager not the City Recorder? Craig replied he has the code books in his office so that is why the ordinance says City Manager and not City Recorder.

*\*\*\*A motion to adopt Ordinance 19-19, an Ordinance amending the current Smithfield City Municipal Code Sections 15.040.010 “Adoption of Building and Related Codes”, 8.08.020 “Definitions”, 8.12.020 “Appendix Describing Fire Districts or Zones”, 2.20.040 “Additional Duties of Building Inspector”, 13.08.060 “Policy”, 13.08.070 “Requirements”, 13.20.030 “Small Underground Wastewater Disposal System Code Adopted” and 16.04.060 “Compliance Required” was made by Jamie, seconded by Wade and the vote was unanimous.\*\*\**

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

No Vote: None

### **CITY MANAGER REPORT**

Craig mentioned the City Office will be closed on December 24<sup>th</sup> and 25<sup>th</sup> and open on the 26<sup>th</sup>.

Elected official training will be on Saturday, January 4<sup>th</sup> at Utah State University from 8:00 A.M. until 2:30 P.M. for those who want to or can attend.

Craig informed the council iWorq is working on a new program called textmygov. There will be an announcement in the upcoming newsletter and the information is already on the website. The intent is people can text a number and ask questions and receive information via text. It is a pilot program iWorq has asked the city to demo. Also, items such as potholes and street lights which are out can be reported. A work order is created and dispatched to the correct department. The hope is the program will gain some momentum in the city and the residents will use it. Right now the staff is working on the keywords in the program.

Curtis asked if the city controls the keywords? Craig replied that is correct. They can be updated and changed at any time.

Curtis asked if someone typed “agenda” or “city council” what would happen? Craig replied nothing right now but they could be added as keywords and then it would text a link to the agenda on the website. The links which are sent are direct links to the city website. The number to text and demo is (435) 265-4597.

Jamie asked if this phone number is specific to Smithfield? Craig replied that is correct. Upfront there is extensive labor by the staff but long term it could offer some good information to the residents.

## **COUNCIL MEMBER REPORTS**

Curtis mentioned the Top of Utah Boys basketball tournament has been completed. There were teams from Boise, Idaho as well as from Juab and Uintah counties. The younger kids and girls tournament will be held December 11<sup>th</sup> through the 14<sup>th</sup>.

The Turkey Trot was a success with 75 more runners this year than last year.

The planning commission is moving forward with the master plan community ordinance. They have been working on this concept for many months.

The planning commission will hold their annual pizza party before their regular meeting on December 18<sup>th</sup>. Callaway's Bistro is supplying the pizza.

Katie Bell is now a commissioner having replaced Jackie Hancock. Jackie served on the commission for many years.

Curtis mentioned he talked to the mayor about some issues at the cemetery. As well as with a CMPO grant which was applied for to get a signal light at 800 South Main. Curtis asked to discuss both items.

Mayor Barnes asked Craig to provide the council an update on the signal light. Craig informed the council last week some staff members, the mayor, representatives of UDOT (Utah Department of Transportation) and representatives of the CMPO (Cache Metropolitan Planning Organization) met to discuss signal lights at the south end of the city.

There is a corridor agreement in place between North Logan, Hyde Park, Smithfield and UDOT. The agreement calls for the next signal light in Smithfield to be placed at 1000 South Main.

The council previously wondered about the possibility of placing the light at 800 South Main. A warrant analysis was completed. Of the six criteria required for a signal light only one was met and it was not safety related. The item justifying a light was the amount of time it takes to turn left coming off of 800 South.

The natural fit of the signal light is to place it at 1000 South.

The corridor agreement was reviewed. If the signal light is requested to be moved to 800 South the corridor agreement will need to be modified.

After review the staff, mayor, CMPO and UDOT all feel the best location for the next signal light is 1000 South. If a signal light is placed at 1000 South it would be able to tie into 100 East and 250 East.

The first item in the process is purchasing land on the east side of 1000 South. Curtis asked if the land is owned by the Gossner family? Mayor Barnes stated that is correct.

Craig mentioned before a warrant analysis could be done on 1000 South the land would need to be purchased and the road would have to be completed and connect with 100 East. There has been long term planning to connect to 250 East as there was an agreement put in place with a property owner on 250 East where their house was slid farther to the south when it was built in anticipation of the highway having a road connect to 250 East long term.

In 2020, a CMPO application will be submitted for the roadwork needed to connect the highway to 100 East at 1000 South.

With the Rolee Boutique and another multi-family housing project being built on 1000 South everyone felt it is best to have the light at 1000 South.

The soonest a signal light could be installed would be 2021.

Curtis asked if the deadline was missed for the last CMPO application period? Craig replied the next application period is the summer of 2020 for projects to be completed in 2020 and 2021. Once the roadwork is completed the city is at the mercy of UDOT for when the warrant analysis would be done and when a signal light might be installed. UDOT cannot do anything until the city gets the highway connected to 100 East at 1000 South. The hope is the project can be completed in 2021.

Mayor Barnes informed the council he had City Engineer Clay Bodily submit an application to the CMPO earlier this year for a signal light to be installed at 800 South Main. One of the submittal requirements is the engineering design plans are 90% complete. The submitted plans were not 90% complete so the city did not qualify. After meeting with UDOT it was determined even if the application had been approved by the CMPOS most likely UDOT would have disqualified the request because the corridor agreement had not been modified. The intent is to start working on a signal light and applying for funding in 2020.

Curtis asked if a CMPO grant application would be submitted in 2020? Mayor Barnes stated that is correct.

Mayor Barnes mentioned members of the Gossner Family Trust need to be approached about the possibility of selling some land so a road can be installed connecting the highway to 100 East.

Curtis asked if the project could be completed next year? Craig replied best case scenario the road would be installed in 2020 and the signal light in 2021. The road must be completed before UDOT can do a warrant analysis. Mayor Barnes mentioned the warrant analysis must be done to show a signal light is needed. There is the possibility the analysis might show a signal light is not needed at this time.

Craig mentioned an option UDOT informed him about is making 800 South a super street after the signal light at 1000 South is installed. What this means is a median would be installed at 800

South once the signal light at 1000 South is installed. With a median installed it would not allow vehicles to turn left. The median would be installed for safety reasons. The median could be considered once a signal light is installed at 1000 South but not before.

Jamie asked who would pay for the signal light at 1000 South? Craig replied UDOT would since it is on their road.

Jamie felt the safety barrier at 800 South was a fabulous idea if a signal light was installed at 1000 South.

Jamie stated the Gossner family needs to be approached about selling some land at 1000 South. If that cannot happen then the corridor agreement needs to be amended to put the signal light at 800 South.

Craig mentioned the city has two options if the Gossner family will not sell any land. The city can seek to acquire the property through eminent domain or the signal light can be moved to 800 South. The city would prefer not to take the land. A concept plan is being drawn up to show the Gossner family what the proposal would be.

Deon asked what the concept plan would show? Craig replied the road connecting the highway to 100 East. Deon mentioned the new road is not in the city. Craig replied that is correct. The intent is to see if the Gossner family would be willing to sell a small section of land on the north end of their property to the city so a road can be installed.

Mayor Barnes mentioned the CMPO wants to know which option the council prefers. Having the signal light at 800 South or at 1000 South. There will be a discussion on this item at the January 8<sup>th</sup> council meeting.

Mayor Barnes mentioned the new road on the east side of Arby's and the Green Gorilla Carwash could also connect to the new road going to 1000 South as well.

Jamie asked if most of the traffic issues at 800 South are from people turning left? Craig replied most of the accidents happen between 800 and 900 South but south of the 800 South intersection.

Curtis asked if there was a possibility to connect 100 West 800 South to 1000 South by installing a new road from 800 South to 1000 South? Craig replied that would be a great idea long term as it would give all of the businesses in that area a signal light they could drive too.

Mayor Barnes mentioned there was an issue at the cemetery. A previous employee of the city made a clerical error on a burial plot number. The paperwork the resident had for their burial plot had a different plot number than the city paperwork.

The process was reviewed with the current staff member over the cemetery paperwork, Lora Lee Wise, and there is a good process in place.

The city does an average of 100 to 150 burials per year.

Curtis mentioned he did not think the issue was a personnel issue but a process issue. The Karren family spoke highly of Hayden Downs. The burial was supposed to happen on a Saturday. Because of the grave being dug in the wrong location and the paperwork not clarified until Monday and the burial was not completed until Tuesday. The family wanted the council and mayor to know they did not have a great experience and there are opportunities for improvement.

Mayor Barnes replied this situation might not ever happen again as he was not aware of this issue ever happening before. Curtis replied he hoped the mayor was correct.

Mayor Barnes stated the issue was a number was written down wrong on a piece of paper. The error was a human error. The process is not bad. Curtis did not agree. Mayor Barnes replied he would agree to disagree with Curtis as the process is fine and not changing.

Jamie asked how the city can make sure this issue does not happen again in the future? Craig replied the city buries over 100 people per year. Since Craig started working for the city over 500 burials have been completed and this is the first time this issue has come up. The Karren family was called first thing Monday morning to work on resolving the situation. There are and always will be issues at the cemetery with burial plots. The most common issue is plots which are too close together. Marking the plots 100 years ago was not an exact science so some of them are off. All current burials can be marked exactly. The current issue was a number was written down incorrectly in 2011 on a grave plot certificate.

Mayor Barnes mentioned Curtis had an issue with cemetery plots in the past as well. About 10 years ago someone was buried in the plots Curtis owned. Curtis stated that was correct and he approached an ex-city employee and they informed him of the issue and moved his two plots to another location.

Mayor Barnes mentioned issues will continue to occur at the cemetery and they will be resolved as needed. The biggest issue will always be the digging of the graves where if a burial was off 100 years ago it makes several other plots be off as well. Deon concurred.

Deon mentioned he watched a grave get dug by hand by city employees as equipment could not access the area of the burial. A century ago there were not vaults put in the ground. The body was put in the ground, covered with a cloth and then concrete poured over the top of the body. The concrete would run and could get into the plot next to it. Some of the burial plots are extra tight and the staff has to take extra care not to disturb a neighboring plot.

Mayor Barnes mentioned the entire city staff was well aware of what happened and did what could be done under the circumstances.

Jamie asked if the staff was contacted on Saturday when there was a problem? Craig replied that was correct.

Curtis mentioned the family had nothing but praise for Hayden. The family was frustrated they could not contact anyone on Thursday or Friday. Justin mentioned he was confused why there was an issue contacting the staff. Lora Lee made arrangements for the burial on Wednesday. The

burial was on Saturday so there could not have been any issues until Saturday when it was determined the grave was dug in the wrong location. Thursday was a holiday so the office was closed.

Justin asked for clarification on what communication was not done during the week. Mayor Barnes agreed as arrangements were made well in advance of the Saturday burial date. There was not an issue until Saturday when it was determined by the family the burial plot was in the wrong spot.

Curtis mentioned the family told him they tried to contact the city and did not know who to contact. Justin mentioned as soon as Hayden found out there was an issue he was contacted on Saturday. On Monday morning, Justin called the mortuary and talked to their staff at 7:15 A.M. Justin attempted to contact the Karren family starting at 7:30 A.M. or so but was only able to leave a voicemail. At approximately 12:45 P.M. the Karren family came to the city office building to resolve the issue.

Craig mentioned he was not sure why there was an issue contacting the staff. There are phone numbers posted at the city office as well as on the website. The on-call phone number is listed as well.

Curtis mentioned flowers were sent to Sally Karren in behalf of the council and mayor.

Curtis mentioned he was told there was an issue accessing the cemetery computer program at the city office. Craig replied that is not correct as the city is trained two deep in all positions so if one person is not around someone else can help the person. Because of the issue the Karren family was asked to wait for 15 minutes for Lora Lee to return from lunch so she, Hayden and Justin could review the situation with the family.

Mayor Barnes mentioned he personally talked to Sally Karren about the issue.

Curtis stated he wanted the council to be aware as the family struggled with the situation. Mayor Barnes replied in the end it all worked out as the family picked a new location for the four burial plots and the burial was completed.

Wade mentioned he attended a Christmas party at the Birch Creek Clubhouse catered by The Beehive Grill. The venue and the meal were excellent.

Bart mentioned the Night of Giving was excellent. The event was well attended.

Eric Kleven is the outgoing president of the Smithfield Chamber of Commerce. Wayne Moore will be the new president for 2020.

Lee's Marketplace was selected as the business of the year by the chamber.

Lee's Marketplace prepared the meal for the Night of Giving.

Participation in the silent and live auction was good.

A lot of local families will be helped with the proceeds raised from the event.

Logan City notified Cache County of their intent to terminate the CCEMS (Cache County Emergency Medical Services) contract.

The county is going to have a study done on fire and EMS coverage in Cache Valley.

Bart asked Chief Downs to provide an update on what is happening with the fire department.

Chief Downs mentioned where Logan notified the county of their intent to terminate the CCEMS agreement that means it will be terminated on January 1, 2021. At that time CCEMS will no longer exist. The county has decided to do an RFP (Request for Proposal).

Chief Downs recommended the council start to review and consider options for what is best for Smithfield and the cities who contract with Smithfield.

A concern is the period of time it takes to obtain licenses. To get an ambulance and paramedic license will take a minimum of 90 to 120 days if there are no objections. One case in the state is still ongoing after two years as there was an objection to the license request. There are several other licenses which must be obtained as well and they take 30 to 90 days to obtain on average.

Chief Downs felt the State of Utah will most likely want to meet with Logan, the county and others to see if a deal can be worked out.

Jamie mentioned the golf course is closed for the winter but the banquet facility is open for Christmas parties.

The last library board meeting was cancelled due to a lack of business.

The Ambassador program is set for next year other than coordinating who will pull the float in the parades.

Jamie asked Craig if he was aware of the snow plowing issue at the Mick Nichols residence? Craig stated the issue is right where the city ends and the county starts.

Jamie mentioned himself and Kris Monson would be meeting with Mick around Christmas time to discuss the possibility of getting some land for a trailhead for the Birch Canyon trail.

Deon mentioned the irrigation canals are closed for the winter months. The board is applying for some grant funding for some projects so hopefully the stakeholders do not have to pay for the projects.

The irrigation board is also reviewing a proposed subdivision at approximately 400 North 100 West where the canal would be crossed three times if the subdivision is approved.

The Lion's Club is still looking for new members.

**MAYOR'S REPORT**

Mayor Barnes mentioned himself and Jackie Hancock attended the newly elected official's training at Utah State University in January. The training was very good and everyone should attend if they can.

Council member assignments will be made at the first council meeting in January. Those with assignments four years or longer will be changed.

**FINAL THOUGHTS BY COUNCIL MEMBER BART CALEY.**

Bart mentioned it has been awesome to serve. The city has great department heads. The city is a great place to live and has great employees and volunteers.

Bart informed the council he is working on finishing an advertisement for a book which is being put out on the cities in Cache Valley. Logan City will have three or four pages in the book and Smithfield will have one.

Bart mentioned in the upcoming newsletter his submission will be about getting involved locally.

Bart stated if an independent board is formed to review options and issues regarding the fire department and CCEMS (Cache County Emergency Medical Services) he would be willing to serve on the board as a volunteer.

Bart stated he was glad he got involved and was able to serve.

Mayor Barnes thanked Bart for his willingness to serve and he enjoyed their association.

Mayor Barnes presented Bart with a clock of appreciation for his time served on the city council.

*\*\*\*Jamie made a motion to adjourn at 8:27 P.M.\*\*\**

**SMITHFIELD CITY CORPORATION**

\_\_\_\_\_  
Jeffrey H. Barnes, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

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

**AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, December 11, 2019**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Wade Campbell

1. Approval of the city council meeting minutes from November 13, 2019.
2. Resident Input
3. Approval of Katie Bell as a Commissioner on the Smithfield City Planning Commission.
4. Approval of Mike Arnold as Trustee representing Smithfield City on the Cache Valley Transit District Board of Trustees.
5. Discussion and possible vote on Ordinance 19-17, an Ordinance establishing a time and place for holding regular meetings during calendar year 2020.
6. Discussion and possible vote on Resolution 19-16, a Resolution amending the Prevailing Fee Schedule of the City.
7. Discussion and possible vote on Resolution 19-17, a Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2-406 and 10-2-405, Utah Code Annotated, as amended. The parcel being considered for annexation is located at approximately 350 East 600 South. Parcel Number 08-119-0020. The parcel is approximately 8.96 Acres.
8. Public Hearing, no sooner than 7:00 P.M., for the purpose of discussing Ordinance 19-16, an Ordinance amending Chapter 3.20, "Municipal Impact Fees" by implementing a Wastewater Treatment Impact Fee.
9. Discussion and possible vote on Ordinance 19-16.
10. Public Hearing, no sooner than 7:15 P.M., for the purpose of discussing Resolution 19-15, a Resolution amending the Fiscal Year 2020 Budget which is the period of July 1, 2019 through June 30, 2020.
11. Discussion and possible vote on Resolution 19-15.

12. Public Hearing, no sooner than 7:30 P.M., for the purpose of discussing Ordinance 19-19, an Ordinance amending the current Smithfield City Municipal Code Sections 15.040.010 “Adoption of Building and Related Codes”, 8.08.020 “Definitions”, 8.12.020 “Appendix Describing Fire Districts or Zones”, 2.20.040 “Additional Duties of Building Inspector”, 13.08.060 “Policy”, 13.08.070 “Requirements”, 13.20.030 “Small Underground Wastewater Disposal System Code Adopted” and 16.04.060 “Compliance Required”.
13. Discussion and possible vote on Ordinance 19-19.
14. City Manager Report
15. Council Member Reports
16. Mayor’s Report
17. Final thoughts by Council Member Bart Caley.

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.