



SMITHFIELD CITY COUNCIL MINUTES

August 28, 2024

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah, on Wednesday, August 28, 2024. The meeting began at 6:30 P.M.

Opening remarks by Council Member Todd Orme.

Mayor Kristi Monson was excused. Councilmember Wade Campbell served as Mayor Pro-Tempore.

Council Members in Attendance: Wade Campbell, Sue Hyer, Todd Orme, Jenn Staker, Ted Stokes

City Staff: Justin Lewis (City Manager), Dana Lazcanotegui (City Recorder), Clay Bodily (City Engineer), Fire Chief Jeff Peterson, Police Chief Travis Allen, Jeremy Hunt (Assistant Fire Chief), Shawn Bliss (Library Director), Brett Daniels (Rec Center Director), Brian Boudrero (Planning Manager)

Visitors: John Hauptman, Richard Valera, Bill Wrigley, Scott Wamsley, David Forrester, Lynn Godderidge, Matt Landfair, Jay Ball, Clay Wengreen, Zane Hyer, Avery Staker, Jennifer Moser, Phyllis Smith, Nathan Smith, Lee Helms, Alexander Volkerding, Mark Low, Bret Holman, Doyle Peck, Gloria Hunt, Stuart Reis, Kathy Petersen, Clayton Housley, Caralee Stokes, Edith Lillywhite, Nay Dean Park, Nathan Ruben

Approval of City Council Meeting Minutes from July 10, 2024

***** Motion made by Councilmember Orme to approve the July 10, 2024 meeting minutes. Motion seconded by Councilmember Staker. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

Public Hearing to discuss the proposed increase in property tax revenue for the City. The Smithfield City tax on a \$501,000 residence would increase from \$346.64 to \$372.54, which is \$25.90 per year. The Smithfield City tax on a \$501,000 business would increase from \$620.26 to \$677.35, which is \$47.09 per year. If approved, the City would increase its property tax revenue by 7.55% above last year's property tax budgeted revenue, excluding eligible new

Mr. Lewis advised that the Fiscal Year 2025 budget has been discussed since March. The department heads have provided presentations to the City Council about specific needs. The Recreation Center, Fire Department, and Police Department have all requested one additional full-time employee. The City could not bridge the gap to fund the positions during the budget process, so options were considered. Tonight's request is a property tax increase of \$129,141 based on using the same rate as last year, 0.001352, which translates to a 7.55% increase. For the average home in Smithfield, the annual increase will be \$25.90 or \$2.16 a month. It is calculated based on the assessed value of a home. Cache County determines the assessed value, and the City determines the property tax rate. The value set on homes is based on 55% of the assessed value. Last year, the Council considered a property tax increase of \$53.93, a

17.71% increase, offset by eliminating a \$4.00 per month Public Safety Utility Fee, so the net effect was \$5.93. Several line items were cut so that an increase this year would be smaller. These positions cannot be funded from water, sewer, or stormwater funds because those are enterprise funds; these need to come from the general fund.

Brett Daniels (Rec. Center Director) advised that a full-time employee has been needed and requested for the last several years. The last time a full-time employee was hired was in 2003 when revenue was approximately \$289,000; this year, it is approximately \$1,000,000. The population has grown significantly, and most of what the Rec Center does has tripled – including admittance to the Center, programs, and services. The goal is to continue to enhance and expand opportunities for residents. Last year, the Center recouped ~87% of what was budgeted (the national average is ~25%).

Fire Chief Jeff Peterson advised that paramedic/ambulance service is provided to 24,000 people across 64 square miles and fire protection to four cities and surrounding unincorporated areas. Automatic aid is provided to every city north of Providence (including Logan). Smithfield also shares ambulance transfers to the Wasatch Front. Last year, the department responded to 1,389 incidents, requiring 2,440 apparatus responses. Every response requires a report to be completed, which is reviewed by other EMS personnel attending the patient (peer review), the Captain, and the Battalion Chief; after that, it goes to outside QA and the Fire Chief. Any deficiencies are addressed, reporting errors are corrected, and training is implemented. Last year, 161 times, there were two overlapping calls, 31 times, three overlapping calls, and a couple with 4-5 overlapping calls. Incidents can require anywhere from 17 personnel on a first alarm response to a transfer, which requires two personnel. Annual training includes 42 medical protocols, 35 medication protocols, policy/procedure, fire/EMS evolutions, tech rescue, hazmat, active shooter, and equipment inspections every 48 hours. Engine 40 is one of 12 apparatuses with 121 pieces of equipment and mechanical systems that must be in place and functioning. The department has one full-time Fire Chief, one full-time Assistant Chief/Fire Marshal/Operations & EMS Chief who has to help cover paramedic calls, and one 5-hr per weekday part-time Assistant Chief who tracks medications, codes invoices, orders, and stocks medical supplies, covers one of three shifts as a Battalion Chief, fills in as part of the crew when needed, and takes most of CERT responsibilities. One Battalion Chief/Training Officer helps the “C” shift bring the crew of up to seven personnel. Even though the new position is for a Battalion Chief, they will be part of the seven-person crew that responds out of the station 24/7. Their administrative duties will include EMS training, quality assurance, protocol compliance, staffing, and scheduling. Department administration is trying to build an emergency operations program, write an emergency operations plan, build an emergency operations center inside the fire station, and expand the CERT (Community Emergency Response Team) program. OSHA’s proposed Emergency Response Standard coming out next year will, in whole, in part, or by reference, adopt 46 NFPA (National Fire Protection Association) standards that have been heretofore consensus standards (recommendations). In his opinion, this will be one of the most significant changes in the fire service in many years. They are constantly evaluating call volume, particularly multiple simultaneous calls. No one cares how busy departments are, but they do care that when they call 911, someone responds quickly with the competency and equipment needed to do their job. He hopes that this presentation, the 56-page thesis provided to the council last spring, and the budget plan conclusively defends the need for this position.

Police Chief Travis Allen explained that they are requesting one full-time officer dedicated to patrol. Currently, nine patrol officers and one patrol sergeant cover 24/7. Call volume has consistently increased by approximately 200 calls per year. The hope is to provide the best

service possible to the residents. As the City grows, critical infrastructure needs to grow as well. They are seeing a shift in the type of calls they respond to. The complexity of the calls has changed, and they are taking more time. There is also an increase in high-priority calls. He would like to have one offer per 1,000 residents.

6:53 p.m. Public Hearing Opened

John Hauptman agrees that these positions are needed and favors this proposal.

Bill Wrigley has listened carefully to the presentations and supports the proposed increase. He agrees that critical infrastructure needs to grow with the population.

Clay Wengreen has lived in Smithfield for 24 years and is trying to understand why his property tax has had a 120% increase and would like some answers. Councilmember Campbell said Mr. Lewis can provide information on who he needs to speak with at Cache County regarding the assessed value listed on the property tax notice. Smithfield City does not assess property values. Councilmember Stokes said there is a request for a redetermination form that can be filed with the county and encouraged Mr. Wengreen to look into this process if he feels the valuation is incorrect.

Nathan Smith has the same question about increased property tax values and wants to know how it was configured.

Lee Helms said his property taxes have increased. He understands that residents need the help of the Fire Department. He has never had to worry about his doors being locked and believes Smithfield is a great city. This needs to stop somewhere; he cannot afford to pay his property tax, and it takes two months of income to pay it.

Alex Volkerding has lived in Smithfield for two years. He is an Army officer and an Iraq War veteran. He asked how funds would be spent for the Police Department. He understands the need for more resources in case of conflicting priorities for service; however, there are considerations he implores the Council to consider first. Would the money be better and more effective for training and equipping officers? For example, what training do the officers have in an active shooter response? Are they proficient in room clearing? As a parent of a child in school, this is a concern. How often do officers train with their firearms outside of the annual qualification? Do all officers have patrol care beams, and are they equipped with red dot sights (ROD) and low power variable options (LVPO)? Do all officers have Level IV body armor? He questioned physical fitness requirements, how often officers are given to train, and whether it is sufficient. If the answers to these questions are insufficient, then the allocation of taxpayer money should focus on quality, not quantity. He would like better-trained officers who are knowledgeable of the laws they are required to enforce and the rights of the citizens they are there to protect.

Clayton Housley is curious how the "hold the rate" Smithfield implemented a few years ago is handled and why it is not covering these expenses. Councilmember Campbell explained that, based on state law, this is a request to hold the same 0.001352 rate as the previous year; 2024. Even though the rate stays the same, it is considered a tax increase based on property valuations which requires a public hearing.

7:04 p.m. Public Hearing Closed

Discussion and possible vote on Resolution 24-06, a Resolution setting the Real and Personal Property Tax Rate.

Mr. Lewis answered the questions posed about property valuations. Cache County does these; he encouraged residents to talk to the County Assessor if there is a disagreement with the valuation. This process is time-sensitive, so he encouraged residents with concerns to contact the County as soon as possible. The Assessor's Office assigns market value to property; the combined rate is applied to the taxable value, which for residential properties is 55% of market value; all other properties are taxed at 100% value. Generally, 1/5 of the City will be reassessed annually. The state decided a couple of years ago that due to volatility within the market, counties would do a 100% review of assessed values – which is atypical. He reiterated that the City is not involved in assessing the value of properties. Councilmember Stokes noted that values could be substantially lower than in previous years. In a year when home prices went down, some received increases in taxes, which indicates that perhaps certain bureaucrats are trying to increase revenue. He encouraged residents to challenge the valuation if they think it is incorrect. Councilmember Orme noted that the change could depend on the assessment's last date.

Councilmember Stokes asked about the training, preparation, and ability to respond to an active shooter situation. One of his biggest fears is that one of the schools might face this scenario. He asked how an additional officer might help with this concern. Chief Allen explained that active shooter training is held annually, and they have started training with the fire department on the rescue task force. There is active training on room clearing, building searches, and hallway movement.

In answer to Mr. Volkerding's questions, Chief Allen advised that a yearly firearm qualification requires a 100% pass; training is also done quarterly. The current body armor is Level IIIA and does not have rifle plates.

Councilmember Stokes received two emails from spouses of former Smithfield officers who thought funding should be used for equipment and personnel raises. One spouse said that her husband had an ill-fitting vest. He asked about the status of the equipment. Chief Allen advised that all officers have relatively new vehicles and laptops, all new rifles were furnished this year, and Glock handguns were replaced two years ago. Every officer is fitted with a vest when they start; one may be used temporarily until the fitted one arrives. Rifle plates for vests are on the want list and are \$600 per officer. Tasers, or another less lethal option, will be updated soon. Officers are trained on the red dot site (RDS) with the new Glocks. Physical fitness is not currently mandated – they must pass for POST certification. There is time allotted on each shift for fitness training (an hour on the grave shift and 0.5 hours on day/swing shifts). There is an in-house facility for officers to use. Councilmember Stokes asked if this time could be increased; Chief Allen said that could happen, but officers must be available to respond to calls, so staffing is always considered. He noted that room-clearing training is done at least twice annually, and alarm calls provide additional training opportunities. Councilmember Stokes asked if the department could get keys for all schools within the City; Chief Allen said the department has keys for Sky View High School, but they are happy to work with the school district for the other schools.

Councilmember Stokes said a current officer thought an additional person would allow for more training opportunities. Chief Allen noted that another officer would help with coverage and allow flexibility for officers to attend more training.

Councilmember Stokes spoke with two former prosecutors; one was concerned about Smithfield's paperwork deficiencies, which sometimes made prosecution more difficult. He asked what is being done to provide better training on this issue. Chief Allen asked if there were specific details; Councilmember Stokes said he was not trying to disparage anyone; he just expressed that there had been a concern. Councilmember Campbell worked for the Department of Public Safety 15 years ago, and at that time there were concerns with the police department; however, great strides have been made over the years.

Councilmember Stokes said one of the issues he campaigned on was the notion that employees should be rewarded for good employment; he understands this can often be difficult. He wondered if funds could be better used for incentive pay and/or additional equipment/training. He used an example of a positive interaction with an officer saving the City a potential lawsuit. Chief Allen said he believes the greater priority is another officer. Councilmember Campbell said department heads were given flexibility with funds this year to address COLA (Cost of Living Adjustment) and incentive and other pay concerns.

Councilmember Hyer thinks the Council should support the department's needs for these proposed positions. She pointed out that the weekly report shows the police handled 123 calls last week, so they are busy.

Councilmember Staker likened fire/EMS/police positions to insurance. The hope is never to need them, but if it is, they are there. She expressed personal appreciation for EMS and is grateful for what they do. Smithfield is growing, and corresponding infrastructure growth is necessary. She believes the City needs to stay ahead of the need.

Councilmember Orme agrees with the need for the positions. All departments are being "tasked to death." The revenue from the Rec Center certainly justifies the need for another employee. He has had the opportunity to train with the fire department and realizes the need for more staff. He has spent many hours with police ride-a-longs and has seen how busy they are and how difficult it is to balance schedules. He trusts that the department heads know what is best and does not want to dictate how to use the requested funding.

Commissioner Staker is concerned that people will be angry with the increase but will also complain if there are problems. She hopes residents understand that the Council has spent much time considering this decision.

Mr. Lewis answered for Commissioner Stokes that the average residential growth is approximately 125-150 new building units per year at approximately 3.8 people per household. It does not seem to be slowing down. Councilmember Stokes would like to incentive more commercial. He is worried about this raise in light of the previous increase in the culinary water rate. He does not believe that another police officer is necessary at this time; some of his previous comments were ill-presented; he does not have a problem supporting the police department and appreciates everything Chief Allen does. He is

concerned that a new officer will be requested each year as the population grows. While officers are needed, there are safer communities than others. He does not want to see taxes consistently being raised. The Rec Center has not had another full-time employee in 20 years, which is commendable for all they have done with limited personnel. He is hesitant to put money in other areas because he has been pushing Mr. Daniels to propose a plan for an additional facility to provide more affordable recreation and fitness opportunities. His opinion is that another police officer is not currently needed; however, one might be needed soon and he is willing to be cooperative. He said the Council needs to be cautious with increases, even small ones.

Councilmember Staker asked if fire and police could survive another year without these positions being filled? Chief Allen said there is a need; however, they will work with whatever the Council determines. She wanted to point out that these positions will be in the field, not administrative.

Councilmember Campbell has spent years as the liaison to the fire department. Depending on the type of call, different responses are needed. Most personnel are being utilized if there are more than two calls at once. More staff is needed to respond to emergencies. Fire and police are there when lives depend on it. He wants to be proactive and plan for the future. He understands that raising taxes is personal, and the Council tries to make the best decisions possible.

***** Motion made by Councilmember Orme to approve the proposed increase in property tax revenue for the City. The Smithfield City tax on a \$501,000 residence would increase from \$346.64 to \$372.54, which is \$25.90 per year. The Smithfield City tax on a \$501,000 business would increase from \$620.26 to \$677.35, which is \$47.09 per year. The City will increase its property tax revenue by 7.55% above last year's property tax budgeted revenue, excluding eligible new growth. Motion seconded by Councilmember Hyer. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None

Discussion and possible vote of Shae Hansen as a member of the Smithfield City Library Board.
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Mr. Campbell said this will fill a vacancy on the board as Kathy Toolson's term has come and gone. The library is doing amazing things to provide more community programs and involvement.

***** Motion made by Councilmember Hyer to approve Shae Hansen as a Smithfield City Library Board member. Motion seconded by Councilmember Staker. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None

Discussion and possible approval of amendments to the Personnel Manual of the City

Justin explained the following housekeeping items:

Article III – Overtime Compensation

“B. (add #7) Overtime is calculated based on actual time worked. The calculation of overtime does not include Personal Time Off (PTO), Short Term Disability Leave, Comp Time, Holiday, or any other non-worked hours.”

Article 1 – General

2. Addition of wording “*or any controlled substances*” in the first sentence.

Mr. Lewis confirmed for Commissioner Orme that this is based on a 40-hour work week.

***** Motion made by Councilmember Stokes to approve amendments to the Personnel Manual of the City”. Motion seconded by Councilmember Hyer. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None

Discussion and possible vote on Ordinance 24-17, an ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Section 17.81.130 “Development Agreement” and 17.81.040 “Rezone Required”, Chapter 17.84 “Intrablock Development”, Section 17.84.040 “Development Plan”, and Chapter 17.88 “Planned Unit Developments”, Section 17.88.150 “Failure to Perform”.

Mr. Boudrero explained the following proposed changes:

MPC Development Agreement

The current MPC code requires a development agreement for the preliminary plans, and it should be a requirement for each final plat. The word “preliminary” will be replaced with “final” in §17.81.130.

Intrablock Development Review

A portion of the Intrablock section §17.84.040 still references the STRC (Subdivision Technical Review Committee), which is being removed and replaced with the term “Administrative Land Use Authority.”

PUD Rezone Requirements

Adding language to §17.88.150 that defines what changes or modifications to the approved preliminary plans would nullify approval and start the process of rezoning to the original zone.

MPC Rezone Requirements

Adding language to §17.81.040 that defines what changes or modifications to the approved preliminary plans would nullify approval and start the process of rezoning to the original zone.

Mr. Lewis pointed out that the Planning Commission has recommended approval. He explained that this is within a PUD (Planned Unit Development) overlay, and the Council has to approve the plan. The approved plan cannot be changed (e.g., a new developer takes over and wants to make modifications). These Code changes make it clear that if a plan is changed in any capacity, they will have to start the process over, re-apply, pay the fee, and obtain appropriate approvals. The change avoids ambiguity in the interpretation of the Code.

***** Motion made by Councilmember Stokes to approve Ordinance 24-17, an ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Section 17.81.130 “Development Agreement” and 17.81.040 “Rezone Required”, Chapter 17.84 “Intrablock Development”, Section 17.84.040 “Development Plan”, and Chapter 17.88 “Planned Unit Developments”, Section 17.88.150 “Failure to Perform”. Motion seconded by Councilmember Staker. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

City Manager Report

Mr. Lewis said new Jake Brake signs have been ordered and put up in the north, south, and west parts of the City due to a resident asking why the ones that were up were no longer valid (incorrect Code). Chip sealing and road construction projects are ongoing. The 200 North sewer project is nearing completion and paving is anticipated on September 13th. A couple of pressing school safety sidewalk issues will be completed next month. The roundabout near Sky View High School is open; UDOT (Utah Department of Transportation) electronic signage will be installed next month (it is a UDOT-sponsored project). The center will be landscaped with native vegetation. The old playground at Forrester Acres has been removed, and a new grant-funded one will be installed. Two surplus sales are going on, one with the fire department and the other at the golf course. The Planning Commission continues to be busy; the General Plan, which is a slow process, is ongoing. The spring waterline project is continuing; the goal is to have engineering completed by the end of the year, with construction beginning in spring 2025.

Mr. Lewis clarified that the new sewer line on 200 North had a slope issue, which had to be corrected by the contractor. The City did not have to pay for the changes.

Council Member & Mayor Reports

Councilmember Orme said the Tree and Historic Preservation Committee would start meeting again next month. There was limited success with the multicultural food truck

event; another attempt will be made in the spring.

Councilmember Staker said the Health Day Ambassadors have completed their activities. The seniors are meeting every week. The Arts Council had a successful summer and are planning some Christmas activities.

Councilmember Stokes said the Chamber of Commerce hosted an event recognizing Cache Valley native Olympian Conner Mantz at Stonefire Pizza, which was a great success. The Trail Committee has almost completed the Hyde Park extension.

Councilmember Campbell said the Mosquito Abatement District will hold a public hearing on November 21, 2024, for a tax increase which is the first in 17 years. He provided an update on some of their programs. The Library Board continues to provide programming activities and all of them listed are the City calendar on the website.

*** The meeting adjourned at 8:43 p.m. ***

Minutes prepared by Debbie Zilles

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, 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, August 28, 2024. The meeting will begin at 6:30 PM.

Welcome/Pledge of Allegiance and thought/prayer by Todd Orme

1. Approval of the City Council meeting minutes from July 10, 2024.
2. Public Hearing to discuss the proposed increase in property tax revenue for the City. The Smithfield City tax on \$501,000 residence would increase from \$346.64 to \$372.54, which is \$25.90 per year. The Smithfield City tax on a \$501,000 business would increase from \$630.26 to \$677.35, which is \$47.09 per year. If approved, the City would increase its property tax revenue by 7.55% above last year's property tax budgeted revenue excluding eligible new growth.
3. Discussion and possible vote on Resolution 24-06, a resolution setting the Real and Personal Property Tax Rate.
4. Discussion and possible approval of Shae Hansen as a member of the Smithfield City Library Board
5. Discussion and possible approval of amendments to the Personnel Manual of the City.
6. Discussion and possible vote on Ordinance 24-17, an ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Section 17.81.130 "Development Agreement" and 17.81.040 "Development Plan" and Chapter 17.88 "Planned Unit Developments", Section 17.88.150 "Failure to Perform".
7. City Manager Report
8. Council Member and Mayor Reports

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) 792-7997, at least three (3) days before the date of the meeting.