

SMITHFIELD CITY COUNCIL

MAY 8, 2019

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, May 8, 2019. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Curtis Wall.

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

Wade Campbell arrived during the meeting.

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, Rec Center Director Brett Daniels, Public Works Director Doug Petersen, Golf Professional Eric Kleven, Golf Superintendent Chad Daniels, City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

VISITORS: Darek Kimball (J-U-B Engineers), Stephen Eborn, Craig Neilson, Donya L. Harvey, Jason Watters (Utah Local Governments Trust), Mike Harris, Clayton Housley, Matt Hyde, Russell S., Travis Taylor, Sharol Marchant, Casey Staley, Alisa Staley, Rosemary Dukeman, Ursula Jaussi, Dianne Campbell, Hutch Daniels,

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM APRIL 10, 2019.

A motion to approve the city council meeting minutes from April 10, 2019 was made by Bart seconded by Jamie and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Caley, Wall

No Vote: None

Absent: Campbell

RESIDENT INPUT

CLAYTON HOUSLEY: I live in the Smithfield Ridges area. I attended the last planning commission meeting. Travis Taylor has been trying to resolve some of our issues. Some issues have been resolved but there is still a big issue. We are part of an HOA (Homeowner's Association). The HOA is considered a declarant HOA until the developer finishes the project. The homeowner's have no legal recourse until the developer is done with the project. The developer could hike our HOA fees and we would have no legal recourse. The fees have been increased about 80% this year. We have gone from about \$180 per year to \$320 per year. The city council has the power to change this dynamic. The city council is responsible for all development in the city. The planning commission does not have the right or power to regulate or take action against the HOA. The city council can take action. The city council needs to make sure the development is consistent with what was agreed too. Please give authority to the planning commission or staff to force the developer to comply. I need someone to voice our concerns.

Wade Campbell arrived at the council meeting at 6:37 P.M.

CURTIS: We are considering approval for the remaining phases in the development tonight. I know the HOA stays what is considered a declarant HOA until all phases are complete.

CLAYTON: There is no legal recourse for the current homeowners.

MAYOR: We will review the information you have presented. The staff or I will talk to the developer to see what can be done.

DONYA HARVEY: Mike Harris, Craig Neilson and I are representing the Historical Society tonight. We are holding a picture exhibition of historical photos during Health Days. We have been collecting photos, originals and copies, for many years. We received a grant to archive the photos. There are some real gems in the collection. We plan to display some of the most interesting ones. The photos we display will show people, places and events.

MAYOR: When will the photos be displayed?

DONYA: At the tabernacle on Friday, May 10th, from 9:00 A.M. until noon and then from 5:00 to 9:00 P.M. Then on Saturday, May 11th, from 11:00 A.M. until 4:00 P.M. We encourage the council to attend. A seven foot banner will be on display showing off Smithfield Implement and the drug store which used to be located by it. There is a page on Facebook called Yellow Brick Homes of Smithfield. The pages shows homes from the city built with locally made bricks. I live in one of those homes. We have some flyers to handout advertising our event and want to thank the council for advertising on Facebook and other places for us.

ALISA STALEY: I have some concerns about the Summit Creek Place Subdivision. The subdivision will be behind my house. I have a concern for traffic. The highway is the only entrance and exit. Preston and other cities north of the city are growing. Traffic is only getting worse. The speed reduces right in this area when coming into town. There will be a couple of experimental buildings which have businesses on the bottom and apartments on the top. I am concerned this is an experiment. Why are they putting these buildings in a residential area? I have a concern there are already vacant buildings for businesses on the south end of town. Why build more buildings when there are so many vacant buildings on the south end of town right now? I have talked with Curtis Wall and Lifestyle Homes about a fence around the development. On the drawing of the proposal a fence is not included. We would like it in writing they will install a fence. We want to know what type of material the fence will be made of.

ROSEMARY DUKEMAN: The owner of Lifestyle Homes came to me about this project as my property is directly affected. My land will be impacted. He told me last year there will be a fence. I am concerned about making sure there is a fence. I am also concerned about traffic. I also have concerns about emergency vehicles being able to access the property.

SHAROL MARCHANT: I am also concerned about the Summit Creek Place development. I second what the others have said. I have a concern the fence is not shown.

CURTIS: I am told there will be a fence.

SHAROL: I want to see it in writing. I have a concern about lights shining into homes. My yard is wide and will be affected by this development.

MAYOR: We appreciate your thoughts and concerns. This information will be considered when we discuss the request later in the meeting.

TAP (TRUST ACCOUNTABILITY PROGRAM) AWARD PRESENTATION TO THE CITY COUNCIL BY REPRESENTATIVES OF THE UTAH LOCAL GOVERNMENTS TRUST.

Jason Watterson came before the council to present the TAP Award for the fifth consecutive year.

The Trust has 550 members and only about 20 have received the award for five consecutive years.

The Trust helps the city staff focus on safety and risk management.

The city is growing fast so there is potential for large growing pains.

The city has a safety committee in place which is one of the award requirements. The program focuses on keeping the employees and community safe.

Jason thanked Craig, Brett Knight and the rest of the city staff for keeping the safety committee growing and committed to make the city a safer place to work and live.

Also, as part of the award the city received a check in the amount of \$4,187 which can be used for the purchasing of safety equipment for the city staff. The city will also receive a 4.5% discount on the upcoming worker's compensation premium.

Jason presented Mayor Barnes with the TAP Award for 2019.

DISCUSSION WITH STEPHEN EBORN REGARDING THE POSSIBILITY OF THE BOY SCOUTS OF AMERICA USING THE CIVIC CENTER IN 2020 FOR THEIR SCOUT MEETINGS.

Mayor Barnes informed the council the Boy Scouts of America would like to be able to use a city building for a troop to meet in next year.

Stephen Eborn introduced himself. Stephen is the field director for Trapper Trails.

Scouting in this geographical area is going through a major change. Right now 96% of the local scout units are associated with the Church of Jesus Christ of Latter Day Saints.

With the upcoming changes it is anticipated there will be 30 units in the Cache Valley area.

The Smithfield Lion's Club is sponsoring a local unit and allowing the use of their building for meetings.

So far all of the cities in the valley who have been asked about the possibility of using a city building for future scout meetings have been supportive of the request except for Clarkston.

Stephen asked the council if the boy scouts could utilize a room in the Civic Center in the future or another city building.

In the future, the troops in the valley will be formed based on the school boundaries.

American Legion Post 47 is going to sponsor Troop 47 in Hyrum. Hyrum will encompass the area served by Mountain Crest High School.

The goal is for each community who has a troop to have a place to meet in that city.

Multiple sponsors are already in place to help with the program.

Mayor Barnes asked who the local sponsors are in the city? Stephen replied the Lion's Club and Lee's Marketplace.

Right now there are approximately 15,000 scouts in Cache Valley. It is expected there will be around 2,000 scouts in the valley after the Church of Jesus Christ of Latter Day Saints quits participating in the program at the end of the year.

There are still a large amount of youth who want to participate next year.

The troops cannot afford to pay rent to rent buildings for their weekly meetings.

Stephen mentioned if the local scout troop could utilize a city building they would schedule their meetings around the meetings scheduled by the city.

Curtis asked how often the scouts will meet? Stephen replied once a week.

Curtis asked, on average, how long do the meetings last? Stephen replied about two hours.

Curtis asked if the city allows use of the building what hours would be needed for the meetings? Stephen replied typically from 6:00 P.M. until 8:00 P.M. or 7:00 P.M. until 9:00 P.M. The time is not set and can be adjusted as needed.

Curtis asked who is currently meeting at the Lion's Club? Stephen replied a community pack has met there for about two years.

Zootah is a local partner and in the last year participation for their troop has grown by 700%.

Curtis asked if the Civic Center is needed because of the gym? Stephen replied they need use of a classroom. Mainly during the winter months as during the summer the troop will be doing outside activities.

The annual food drive will still be held on a yearly basis. The Cache Valley Food Pantry gets about four months worth of food from the annual food drive.

The food pantry in Bear Lake is 100% stocked by the annual food drive.

A troop typically consists of 50 to 100 kids. The Logan troop is already at 50 kids.

Parents in the valley have their children on waiting lists as they want to participate once the program is going.

All of the leaders are volunteers.

The intent would be to use the same building at the same time each week unless there is a scheduling conflict.

Curtis asked Brett if he had any concerns with a Boy Scout troop using the Civic Center? Brett replied he would support the decision of the council. The gym would not be available because of the basketball leagues but classrooms would be.

Stephen mentioned Hyde Park and North Logan are allowing the use of their city buildings so local troops in those cities can stay and meet locally.

Mayor Barnes mentioned most likely children will attend the closest option to their home.

Stephen mentioned nationally, school boundaries decide where troops go and the program is for kindergarten age through twelfth grade.

Preston and the West Side area each have their own troops.

Bart asked if a liability waiver has to be signed to use the building? Brett replied right now a home schooling group and martial arts program rent rooms in the Civic Center. They all have a rental agreement in place with the city along with a one million dollar liability insurance policy. Stephen replied the scouting program has insurance policies in the amount of one million and two million dollars in place.

Curtis asked if the Senior Center would be a good place to meet? Stephen replied the scouting program will use any building the city is willing to share. The long term expectation is the troop meeting in the Lion's Club will outgrow the building.

Mayor Barnes mentioned the Senior Center has a small restroom facility. Curtis replied at least fifty people can meet in the building and there is access to the city park next to the building for outside activities.

Curtis mentioned he felt the city should help where possible.

Mayor Barnes mentioned he talked with Jonathan Badger of Lee's Marketplace and one of the main reasons he is willing to participate is because Bob Holbrook is involved. Bob has been involved with the local scouting program for several decades.

Stephen mentioned Trapper Trails is a local business. There are eight camps in the area with the closest being Beaver Dam, Camp Bartlett, Camp Hunt and Hull Valley. Those four camps are all within an hour's drive. The city is allowed use of these facilities if scheduled in advance.

Deon mentioned one advantage of using the Senior Center is the Lion's Club Lodge is just to the east across the bridge and the two groups could easily combine for an activity if they want too.

The consensus of the council was to allow the local Boy Scouts of America Troop to utilize a city owned building in the future.

Curtis mentioned the scheduling of all city buildings is handled through Brett Daniels and the Rec Center.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY TRAVIS TAYLOR, AGENT FOR SMITHFIELD RIDGES, LLC AND J THOMAS HOMES, LLC FOR RENEWAL OF THE PRELIMINARY PLAN FOR SMITHFIELD RIDGES A PLANNED UNIT DEVELOPMENT. ZONED R-1-12/PUD (SINGLE FAMILY RESIDENTIAL/PLANNED UNIT DEVELOPMENT OVERLAY).

Travis Taylor came before the council.

The current development is completed through Phase 9.

Phases 10 and 11 would be next and worked on at the same time.

Mayor Barnes mentioned this request was previously approved by the city council but the timeline to file the appropriate paperwork had expired.

Travis mentioned there are not any changes from the previous request/approval.

Jamie asked what the timeframe is for construction of the new phases? Travis replied they would like to start as soon as possible.

Jamie asked how many phases are left to complete? Travis replied five.

Jamie asked if a new phase will start once the current phase is built out? Travis replied Phase 10 and 11 would be worked on at the same time because it is easier to install utilities for both phases at the same time.

Bart asked Clay if he had any concerns with the request? Clay replied he did not.

Clay mentioned the process for a PUD (Planned Unit Development) is different than a regular subdivision and that is why this request is coming back before the council.

Travis mentioned construction on the previous phases did not occur as fast as expected so the previous approval had expired.

A motion to approve the renewal of the Preliminary Plan for the Smithfield Ridges, a Planned United Development 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 THE REQUEST BY OBODO DEVELOPMENT, AGENT FOR PROPERTY OWNER CRAIG POPPLETON, FOR APPROVAL OF THE FINAL PLAT FOR SUMMIT CREEK PLACE SUBDIVISION, 32 LOTS, 2.77 ACRES, LOCATED AT APPROXIMATELY 451 NORTH MAIN. ZONED CC/MU (COMMUNITY COMMERCIAL/MIXED-USE OVERLAY).

Mayor Barnes asked if anyone was in attendance representing Obodo Development? Justin replied Beth Larchar had asked to be on the agenda for this item, had been provided a copy of the agenda and was aware of the council meeting date and time.

Jamie asked if there was any confirmation a fence would be installed? Curtis replied every picture he had seen and discussion he was part of included a fence being installed as part of the project.

Clay mentioned the city cannot require a fence to be installed. Also, the city cannot dictate what type of fencing material would be used for a new fence. Curtis mentioned the pictures he saw showed a white vinyl fence.

Mayor Barnes mentioned the developer will decide whether or not to install a fence as the city cannot force installation of a fence as part of project approval.

Curtis mentioned he attended a meeting with Alisa Staley, Jasilyn Heaps who is a member of the planning commission and Beth Larchar who represents the developer. Installation of a fence was part of that discussion as the developer was aware of the concern about headlights and other issues from the development.

A motion to approve the Final Plat for Summit Creek Place Subdivision, 32 lots, 2.77 Acres, located at approximately 451 North Main was made by Bart, seconded by Wade and the motion passed by a vote of 3-2.

Yes Vote: Hunsaker, Caley, Wall

No Vote: Anderson, Campbell

DISCUSSION WITH MEMBERS OF THE HISTORICAL SOCIETY REGARDING POSSIBLE MUSEUM LOCATIONS IN THE CITY.

This item was cancelled.

DISCUSSION AND POSSIBLE VOTE ON RECEIVING THE CERTIFICATION OF ANNEXATION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY CKC PROPERTIES FOR PARCEL NUMBER 08-109-0016 AND DIRECT PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON MAY 11TH, 18TH AND 25TH. THE PARCEL IS LOCATED SOUTH OF 830 SOUTH AND WEST OF 200 WEST. THE PARCEL IS 9.88 ACRES.

Mayor Barnes mentioned the owners of the Rolee Boutique want to build a new building in the city. The parcel they purchased is outside of the city limits so they are working to annex the parcel into the city so they can have city services.

Justin mentioned he was not contacted by Cache County or the Cache County School District with any concerns or questions.

The next step in the process is to start advertising the public hearing on the request. The public hearing and vote of the city council will be at the June 12th city council meeting.

A motion to accept the Certification of Annexation request by CKC Properties for Parcel Number 08-109-0016, 9.88 acres, was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

PUBLIC HEARING, NO SOONER THAN 7:30 P.M., FOR THE PURPOSE OF DISCUSSING AN APPLICATION TO THE CIB (COMMUNITY IMPACT BOARD) FOR A NEW SEWER MASTER PLAN UPDATE.

Craig mentioned the city intends to apply for a planning grant through the CIB. A public hearing is required as part of the process. The intent of the grant is to complete a sewer master plan, impact fee analysis and rate study. Data from the system would be collected and the system mapped. A capital facilities plan as well as an impact fee facility plan would be created. All findings in all of the reports will be presented to the council. The grant is a 50/50 matching grant. The estimated cost of the plans is \$60,000 so the grant application will be for \$30,000.

Mayor Barnes asked if the grant is submitted to the state? Craig replied the CIB is a State of Utah funded entity.

The public hearing opened at 7:31 P.M.

Mayor Barnes mentioned anytime the city can apply for grant funding they should.

Curtis asked if an engineer would be involved? Craig replied an engineering firm provided the estimated cost of the projects.

Curtis mentioned Sunrise Engineering would like an opportunity to bid on the project.

Mayor Barnes asked how detailed the CIB application is? Craig replied it is quite simple.

Mayor Barnes asked if the project is approved would an engineering firm be hired at that time? Craig replied that is correct.

***The public hearing was closed at 7:32 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-03, AN ORDINANCE WHICH AMENDS THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 “SUBDIVISION REGULATIONS” IN PARTICULAR CHAPTER 16.06 “MINOR SUBDIVISIONS”, SECTION 16.060.070 “REQUIRED IMPROVEMENTS”.

Clay mentioned right now the code allows for a development of three building lots or less to delay installing the infrastructure improvements until a building permit is issued. This has become a problem in specifically two cases in town. One at approximately 455 North 100 West and the other at about 78 North 300 West. A developer is getting the project approved, not installing the improvements and then selling the building lots without telling the buyer there are infrastructure improvements required. The proposal is to remove this section from the municipal code so the improvements must be installed when the project is approved.

Mayor Barnes asked if a person split their parcel in two; they could sell one of the building lots and not be required to do the improvements before they sold the building lot. Clay replied that is correct as the municipal code is currently written.

Mayor Barnes asked what happened with the two cases which are currently an issue in town? Clay replied the purchaser of the lots will have to obtain a larger loan to pay for the improvements or not do the project. The improvements must be installed before the project can start.

Mayor Barnes mentioned the seller sold the building lot and did not tell the buyer about any of the city requirements. Clay replied that is correct.

Mayor Barnes mentioned he did not support removing the ability of the council to waive the curb, gutter and sidewalk requirement west of 400 West as in some cases it is appropriate and it is the second proposed change to the ordinance.

Bart asked for an example of where not installing curb, gutter and sidewalk would be appropriate? Mayor Barnes replied he was aware of homes on 300 North where the majority of the front yard would be taken away if these improvements were installed. Bart disagreed and mentioned several places in town would have infrastructure which connects if projects required the same infrastructure improvements throughout town.

Bart mentioned the city is growing and expanding. There are places on the west side of town where there is not curb, gutter and sidewalk. All of these improvements need to be installed when the project is completed or the city will pay to install the improvements at a future date.

Jamie supported removing the ability to request a waiver for curb, gutter and sidewalk as it makes these improvements consistent throughout the city. A developer would not be able to skirt the system. Long term problems of having missing pieces of infrastructure would not be an issue.

Deon supported having as much infrastructure installed as possible when the project is originally done. Any infrastructure not completed during the completion of the project will require the city to pay for it later on.

Mayor Barnes mentioned Hyrum City does not require curb, gutter and sidewalk as they prefer the storm water to drain into the fields on the side of the road. Craig replied there are flooding issues in Hyrum as well. Mayor Barnes replied Smithfield has flooding issues as well even though curb, gutter and sidewalk is required.

A motion to adopt Ordinance 19-03, an Ordinance amending the Smithfield City Subdivision Regulations, Title 16 in particular Chapter 16.06 “Minor Subdivisions” was made by Wade, seconded by Jamie and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-04, AN ORDINANCE WHICH AMENDS THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS” IN PARTICULAR CHAPTER 17.120 “USE MATRIX TABLE”; SECTION 17.120.010 “USE ALLOWANCE MATRIX”.

Clay mentioned this ordinance updates the Land-Use Matrix. Some businesses would now be permitted by conditional-use, some would be permitted and others would not be allowed. Curtis mentioned the planning commission had spent extensive time reviewing and making the proposed changes to the matrix. They had reviewed the matrix over a period of several months.

Jamie asked if “Clothing or similar manufacturing” would now require a conditional-use permit in General Commercial zoning or be permitted? Craig replied it would be changed from a permitted use to requiring a conditional-use permit.

Jamie mentioned “furniture manufacturing” had been updated to “furniture and cabinet manufacturing”.

A motion to adopt Ordinance 19-04, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120; Section 17.120.010 “Use Allowance Matrix” was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

UPDATE BY REPRESENTATIVES OF OBODO DEVELOPMENT ON THE SUMMIT CREEK PLACE SUBDIVISION.

Curtis mentioned Beth Larchar had arrived at the meeting and has some information to present and an update on the project.

Beth mentioned she visited the ladies who had a concern about whether or not a fence would be installed as part of the project. The developer is going to pay to install a six foot white vinyl privacy fence around the project.

Beth mentioned the ladies wanted something in writing stating a fence would be installed and she would work with them on their request.

DISCUSSION ON CEMETERY FEES.

Mayor Barnes mentioned he felt the fees charged to non-residents should be reviewed. The city does not need non-residents being buried in the city just because Smithfield is the cheapest price.

Justin mentioned for cemetery fee purposes a resident is defined as someone currently living in the city or a person currently paying property tax to the city.

Mayor Barnes mentioned burials are not done by stacking people on top of each other but by placing them side by side which takes more plot spaces.

Mayor Barnes mentioned the staff collected information on the fees paid to other cities throughout the state.

Jamie mentioned some cities charge the same rate for residents and non-residents while others charge double or more for non-residents.

Mayor Barnes mentioned he felt the resident fees currently being charged are appropriate. Curtis mentioned they were adjusted a couple of years ago to the current fee schedule.

Curtis felt non-resident fees should be increased.

Curtis asked how many burial plots were reclaimed during the reclamation process last year? Justin replied around 250.

Mayor Barnes asked why Richmond charges three times more for a non-resident burial plot than a resident burial plot? Justin replied the cemetery district board does not want the Richmond Cemetery to be the cheapest option for those looking only for a good deal. The board does not want the Richmond cemetery to be the cheapest option for non-residents.

Mayor Barnes mentioned there are many Saturday burials.

Jamie mentioned Provo does not even allow any non-resident plot purchases or burials.

Curtis mentioned his parents are buried in the city but lived the majority of their lives in Idaho Falls. Curtis did not have an issue paying more as a non-resident for his parents.

Wade asked what the fee is for an exhumation? Justin replied the same cost as a regular burial.

Curtis stated he supported increasing all non-resident fees by 1/3 and leaving the residents fees as currently listed. Jamie concurred.

Mayor Barnes mentioned this meeting was only a discussion on the fees so they will come before the council for a vote at the May 22nd city council meeting.

CONTINUED DISCUSSION ON THE FISCAL YEAR 2020 BUDGET WHICH IS THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020.

Wade mentioned the council needs to decide which direction they want to go in regards to the proposed property tax increase.

Wade mentioned he emailed the department heads and asked them to review their budgets and come up with a list of items they could cut or reduce in their budget so additional funding could be added to the fire department budget for wage adjustments.

Jamie mentioned he supported implementing the proposed property tax increase from 2018 over a period of two years and then holding the rate after that point. This year would be the second increase over two years.

Jamie supported the proposed budget as written including a property tax increase in 2019. There will always be opposition to any proposed increase in any fee or tax.

Bart agreed with Jamie's comments and mentioned he felt the problems from 2018 were only band aided at that time and they need to be fixed.

Jamie mentioned it is the job of the department heads to be fiscally responsible and he felt the budget as written is that way.

Mayor Barnes mentioned the city is frugal and the funds are spent wisely. Money is not thrown away. Only a portion of the problems in 2018 were taken care of. Resolving the problems by taking funds from other departments is not wise or a good solution to the problem.

Mayor Barnes mentioned the proposed budget is balanced and asked for clarification on how the property tax increase is implemented. Craig replied the additional revenue is included in the new budget and the expense is shown but the funds are not encumbered. Until any increase is approved or denied the funds cannot be encumbered.

Curtis mentioned he supported the proposed property tax increase.

Curtis mentioned several residents he spoke with felt the entire amount proposed in 2018 should have been adopted so city services could be adequate. The residents are willing to pay for the services the city offers and they want the services offered to be adequate.

Curtis suggested changing the format for the public hearing on the proposed tax increase. Last year, Jamie did a presentation on why the tax increase was being considered. Curtis felt a presentation is not needed this year as those in attendance did not listen last year as they were too emotional and would not listen to anything regarding any increase.

Jamie mentioned one mistake he felt was made last year was only taking care of some city departments while not addressing any needs in other departments. All departments should have been taken care of in the same way.

Curtis mentioned previous to last year it was 2011 since the previous tax increase.

Bart felt the property tax rate should be held in the future. Doing so will help to pay for growth.

Jamie expressed concern for businesses which had closed up in the last year such as Jim's Grill, Firestone, 7-Eleven and Wells Fargo Bank.

Curtis mentioned he was aware of some businesses who want to locate in the city. Jamie stated a couple of new businesses are going in south of Lee's Marketplace. Curtis replied Arby's and the Green Gorilla Carwash are going to be built south of Lee's Marketplace.

Curtis mentioned he was aware of a bank who wanted to come to the city in 2020.

Jamie asked if anyone was aware of the lease agreement between the property owner and Wells Fargo Bank? Justin replied the building owner told the city staff the lease runs through July 15, 2019 on that building.

Deon stated several residents have been telling him they are still upset about the increase from 2018. Those effected the most are senior citizens and young families on fixed incomes.

Deon expressed concern the legislature is thinking of changing the sales tax formula and it is unknown how this will affect the city.

Deon compared the sales tax collected by the city and it was 5th or 6th on the list compared to other local communities in total dollars collected. Hyrum collects more sales tax than Smithfield.

Deon mentioned the two largest property tax payers in the city are apartment complexes. Once completed the apartments where Cantwell Lumber used to be located will most likely be in the top three. Right now three businesses make up spots three through five on the list of property tax collected for the city. They are Lee's Marketplace, Paragon Tool and Metal Vision respectively.

Deon stated Hyrum collects more property tax from Swift than Smithfield does from its top seven commercial property tax payers combined.

Deon mentioned none of the commercial entities in the city would even be in the top ten in North Logan.

A commercial base needs to be developed in the city but Deon was not sure how to accomplish that goal.

Deon asked if the bonds on the rec center are paid off? Craig replied that is correct. The bonds were paid off this year.

Deon mentioned residents would be paying less this year to the city if the proposed property tax increase is not implemented because of the rec center bonds being paid off.

Deon stated he did not like how the state does the property tax process as he felt holding the rate the same each year should not be considered a property tax increase.

Deon mentioned residents will be upset even if the rate is held the same as last year. People are still mad the rate was increased last year.

Deon stated one person mentioned the city does not have the services offered in Logan so the tax in Smithfield should be less than Logan. The senior center program in Smithfield is paid for by Smithfield where the senior program in Logan is paid for by Cache County.

Deon mentioned the Smithfield Fire Department is about the only department in the valley which generates revenue from contracts with Hyde Park, Amalga, Richmond and the county.

Jamie mentioned every year the rate is not held residents pay less to the city.

Deon mentioned some residents think the entire amount of property tax paid is to the city where in reality only about 13% comes to the city. Other entities receive the rest such as the school district.

Curtis asked when the county will have rate and property tax valuation information? Craig replied around the first of June.

Justin mentioned the property tax public hearing has been scheduled for 7:00 P.M. on Wednesday, August 14th if the council chooses to proceed with the increase.

Justin mentioned the legislature made a change this year which requires the public hearing on the property tax increase be a separate meeting from the regular council meeting. If the council is going to have a regular meeting on August 14th it will have to be concluded by 7:00 P.M.

Curtis asked if the county increased their property tax rate? Chief Downs replied the county held the rate last year. Curtis mentioned it is important to hold the rate moving forward.

Doug Petersen thanked the council for adjusting the wages in some of the departments in the city and hoped the rest would be taken care of this year.

Mayor Barnes mentioned Brett Knight left employment with the city to go to Hyde Park for \$10,000 more per year.

Jamie asked what job Brett would be doing in Hyde Park? Mayor Barnes replied the same job as in Smithfield.

Mayor Barnes asked which department Brett worked with for the city? Doug replied he worked in water and sewer.

Mayor Barnes mentioned significant investment was made in training and certifications for Brett and he left for another city because of a higher wage. Other employees will continue to leave if their wages are not adjusted to market value as well.

Curtis mentioned he heard Mayor Barnes was taking over responsibility for the budget of the city? Mayor Barnes replied that is correct.

Curtis asked Mayor Barnes why he was doing that? Mayor Barnes replied because it is the responsibility of the mayor.

Bart mentioned the city manager had overseen the budget for many years. Mayor Barnes replied that was correct but a formal vote of the council had never been done in that regard. Craig replied the city manager helped prepare the budget for a couple of decades but the council never formally voted on approving the city manager to oversee the process. Mayor Barnes replied it was his duty as listed in the city code and he intended to oversee the budget moving forward.

Curtis asked why the city manager position is being advertised through May 31st and not have it close sooner? Justin replied the mayor asked him to include that deadline in the job announcement.

Curtis asked Mayor Barnes what qualifications he has to do the budget? Mayor Barnes replied it is the responsibility of the mayor and he can get assistance as needed.

Mayor Barnes stated he would consult with the department heads and city manager as needed on the budget.

Jamie asked Mayor Barnes why he wants to oversee the budget. Curtis asked if any of the numbers in the proposed budget have changed? Mayor Barnes replied nothing in the budget would change without approval of the council.

Curtis asked Mayor Barnes if all proposed changes would be brought to the council on the proposed budget? Mayor Barnes replied that is correct.

Mayor Barnes mentioned he has reviewed the city code and will follow it and ask the city manager and others for help as needed.

Curtis asked how the budget for the historical preservation commission and historical society was added to the proposed budget? Mayor Barnes replied all committees and department heads have submitted their budget requests and it is up to the council to decide what amounts to approve.

Curtis mentioned he would like to be made aware of any changes to any line item in the proposed budget. Mayor Barnes replied he would review any proposed change with the council.

Curtis mentioned Char Izatt is retiring at the end of May. So far there are 20 job applications for the new City Planner position.

Curtis asked where he oversees the planning commission to be involved in the interview process for the City Planner position. Mayor Barnes felt that request was appropriate. Bart asked to be included as well.

Chief Allen mentioned the department heads run lean departments and do not carelessly ask for or spend money. A previous council member told Chief Allen the easiest way to get fired is to overspend the budget of the department the person oversees.

Chief Allen mentioned a preliminary budget is created and then each department head meets with the city manager. The budget is then reviewed and input offered. Changes are made and that proposal is then brought before the city council for consideration. The department heads want to provide the services of the city as best as possible. Mayor Barnes replied all department heads would agree and follow the same process.

CITY MANAGER REPORT

Craig mentioned Brett Knight is leaving the city as he has accepted employment elsewhere.

The vibration dampening trench project is now complete except for some minor cleanup work.

Secondary water is being turned into the city maintained irrigation system the week of May 13th.

Jamie asked for an update on the new water source project in Dry Canyon. Craig replied if the new budget is adopted, as proposed, the test well will be done in the next fiscal year.

Jamie asked who will oversee this project since Craig is leaving the city? Clay replied the project is ready to proceed once the budget is adopted. The project is ready to be put out to bid in the new fiscal year.

Craig mentioned there is some grading over the drain line which still needs to be done as part of the vibration dampening trench project.

Mayor Barnes mentioned he talked to Steve Parkinson about his new development. The culinary water line has been installed and the sewer line is currently being installed. There are approximately 12 building lots and 10 of them have already been spoken for.

COUNCIL MEMBER REPORTS

Curtis mentioned it is Health Days week and the main events will be held on Saturday, May 11th. The race will be Saturday morning and include the Mayor's Mile. The fire department will hold their annual pancake breakfast.

Chief Downs mentioned the pancake breakfast will be at the fire station from 6:30 A.M. to 9:30 A.M. and a flag ceremony will be performed at 8:00 A.M.

Curtis mentioned he picked up the parade candy for the council to throw. Those lining up for the parade will start at 300 South Main. The council will gather to be at the start of the parade. Brett Daniels recommended anyone participating in the parade needs to start lining up by 9:45 A.M.

Curtis informed the council, Hutch Daniels has agreed to serve on the planning commission as an alternate. Steve Teuscher resigned so there is currently an opening. Hutch will be approved by the city council at the May 22nd council meeting.

Mayor Barnes mentioned he was at the golf course during the Smithfield Chamber of Commerce event and it was well attended.

Mayor Barnes also attended the young musician's contest on Monday night and there are many young talented youth in the city.

The youth theatre performances will be held on Friday and Saturday night in the Sky View High School auditorium.

Curtis asked if there will be a demonstration or contest at the skate park? Brett replied there will be a competition at 11:30 A.M. after the parade.

Mayor Barnes asked who is judging the event? Brett replied Zack and other employees from Directive will be involved.

Wade did not have any additional items to discuss or review.

Bart mentioned the Smithfield Chamber of Commerce annual fundraiser for the local elementary schools at the golf course was a great success. Several staff members from the schools were in attendance as well as the principals from the local schools.

Bart thanked Alpine Cleaning and Restoration, Lee's Marketplace and McDonald's for their generous donations to the fundraiser.

Bart thanked Eric, Chad and the entire golf course staff for making sure there were no hitches or delays and the fundraiser was successful.

Bart asked if the total amount raised had been announced? Eric Kleven replied it was anticipated each local elementary school would receive at least \$5,000.

Bart mentioned the staff for the chamber will report the exact numbers at their next chamber meeting.

Bart asked Chief Downs for an update on the fire department. Chief Downs mentioned the Utah Fire & Rescue Academy had been doing some training classes for the department. One of the training sessions was an officer class. There was also some command center training. The command center does simulations of calls of service. The department is also training with the Richmond department. Some hazardous materials training is also being completed.

Deon mentioned irrigation water is being turned into the system.

Curtis asked who the Lion's Club selected as the Citizen of the Year? Deon replied it will be announced on Friday.

Mayor Barnes asked if the person will be in the parade? Brett replied he hoped they would be in the parade and the rec center staff would be notified as soon as possible so signs could be made informing parade attendees who the grand marshal is.

Jamie thanked the mayor for attending the monthly library board meeting while he was out of town.

Jamie mentioned the golf course would like to get the new golf carts for people to start using. Eric mentioned the new golf carts are currently located in California waiting to ship here.

Jamie informed the council the next trails committee meeting will be on Tuesday, May 14th at 6:30 P.M. at the city office building.

Mayor Barnes mentioned the library staff is currently trying to fill an open position for a part-time library clerk. The position will close on May 10th.

MAYOR'S REPORT ARBOR DAY PROCLAMATION

Mayor Barnes informed the council the Logan Rotary Club celebrated their 100th anniversary on April 25th. They provided twelve evergreen trees to the city for free. All of the trees were planted on April 25th. Two young men planted the trees for their Eagle Scout projects. The city staff marked the location where the trees were to be planted at Forrester Acres, Sunset Park and the library.

The Tree Committee will have a booth at Health Days. They will do their annual tree giveaway.

A tree will be planted at noon on Saturday, May 11th as part of the Health Days celebration and in honor of Arbor Day.

Mayor Barnes read the Arbor Day Proclamation.

Mayor Barnes mentioned the advertisement for the City Manager job opening will run through May 31st.

Mayor Barnes asked when the job opening closes for the City Planner position? Craig replied the application period closes on Friday, May 10th.

The council took a short recess at 8:58 P.M.

The council meeting was reconvened at 9:12 P.M.

CLOSED MEETING FOR REASONS ALLOWED BY STATE LAW, INCLUDING, BUT NOT LIMITED TO, THE PROVISIONS OF SECTION 52-4-205 OF THE UTAH OPEN AND PUBLIC MEETINGS ACT, AND FOR ATTORNEY-CLIENT MATTERS THAT ARE PRIVILEGED PURSUANT TO UTAH CODE ANN. 78B-1-137, AS AMENDED.

A motion to close the regular city council meeting and open the executive session was made by Bart, seconded by Wade and the vote was unanimous.

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

No Vote: None

The executive session opened at 9:12 P.M.

Those in attendance: Deon Hunsaker, Jamie Anderson, Mayor Barnes, Bart Caley, Wade Campbell, Curtis Wall, Craig Giles, Clay Bodily and Justin Lewis

A motion to close the executive session and reopen the regular city council meeting was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

The executive session closed at 9:38 P.M.

****Jamie made a motion to adjourn at 9:39 P.M.****

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, Mayor

ATTEST:

Justin B. Lewis, City Recorder

SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, May 8, 2019**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Curtis Wall

1. Approval of the city council meeting minutes from April 10, 2019
2. Resident Input
3. TAP (Trust Accountability Program) Award presentation to the city council by representatives of the Utah Local Governments Trust.
4. Discussion with Steve Eborn regarding the possibility of the Boy Scouts of America using the Civic Center in 2020 for their scout meetings.
5. Discussion and possible vote on the request by Obodo Development, agent for property owner Craig Poppleton, for approval of the Final Plat for Summit Creek Place Subdivision, 32 lots, 2.77 Acres, located at approximately 451 North Main. Zoned CC/MU (Community Commercial/Mixed-Use Overlay).
6. Discussion and possible vote on the request by Travis Taylor, agent for Smithfield Ridges, LLC & J Thomas Homes LLC, for renewal of the Preliminary Plan for Smithfield Ridges a Planned Unit Development. Zoned R-1-12/PUD (Single Family Residential/Planned Unit Development Overlay).
7. Discussion with members of the Historical Society regarding possible museum locations in the city.
8. Public hearing, no sooner than 7:30 P.M., for the purpose of discussing an application to the CIB (Community Impact Board) for a sewer master plan update.
9. Discussion and possible vote on receiving the Certification of Annexation Petition from the City Recorder for the Annexation request by CKC Properties for Parcel Number 08-

109-0016 and direct the publication of such petition in The Herald Journal on May 11th, 18th and 25th. The parcel is located south of 830 South and west of 200 West. The parcel is 9.88 Acres.

10. Discussion and possible vote on Ordinance 19-03, an Ordinance which amends the Smithfield City Municipal Code Title 16 “Subdivision Regulations” in particular Chapter 16.06 “Minor Subdivisions”, Section 16.060.070 “Required Improvements”.
11. Discussion and possible vote on Ordinance 19-04, an Ordinance which amends The Smithfield City Municipal Code Title 17 “Zoning Regulations” in particular Chapter 17.120 “Use Matrix Table”; Section 17.120.010 “Use Allowance Matrix”.
12. Discussion on cemetery fees.
13. Continued discussion on the Fiscal Year 2020 budget which is the period of July 1, 2019 through June 30, 2020.
14. City Manager Report
15. Council Member Reports
16. Mayor’s Report
Arbor Day Proclamation
17. Closed meeting for reasons allowed by state law, including, but not limited to, the provisions of Section 52-4-205 of the Utah Open and Public Meetings Act, and for attorney-client matters that are privileged pursuant to Utah Code Ann. 78B-1-137, as amended

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.