

SMITHFIELD CITY COUNCIL

JUNE 23, 2021

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, June 23, 2021. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jon Wells.

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

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

VISITORS: Michelle Anderson, Ryan Anderson, Brian Higginbotham, Andrew Lillywhite

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JUNE 9, 2021.

A motion to approve the June 9, 2021 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.

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

No Vote: None

RESIDENT INPUT

BRIAN HIGGINBOTHAM: I am both a resident and a planning commission member. I want to bring a question up with you. I am an administrator at Utah State University. I work closely with cities and local governments. I have the pulse of what different communities are dealing with statewide. I want to know how progressive you want to be on looking at some of the city ordinances which I think are outdated. I don't think some of ours are as strategic as other cities. I helped create the accessory dwelling unit ordinance which is working its way through. I appreciate your feedback on it. I think two new issues we need to review are setbacks and building height. I know the city did not have a ladder truck in the fire department when the ordinance was developed.

JON: I think a lot of our ordinances are the original boiler plate ordinances from when the code was created in 1970. I think the ordinances you mention are all original.

BRIAN: I want to talk about setbacks. I know some were denied when a request was made to have them changed. Some cities are looking at this strategically. Why 30 feet in the front yard? It might have made sense in the 1970's. Now people want the room in their backyard. The front yard is all grass but parents don't want their kids playing there because of safety issues. Logan City has changed their setback requirements. The planning commission has a general consensus they should be reviewed. I know the last time the council reviewed making changes there was not a lot of momentum. I don't want to research and present something if there is no need. I would look at other things. The planning commission is willing to do the work and present something to the council for consideration. I don't want to waste my time. Some people have expressed no interest in making the change while others have. I am interested in reviewing setbacks and building height in the code at this time.

JAMIE: I am not opposed to reviewing. I have been on the planning commission and council. Very rarely has a variance been requested. I don't want to shrink building lot sizes even if setbacks change.

WADE: Things need to be looked at. I am open to reviewing. I have a small front yard and a deep backyard at my house. Your point is valid. I am open to a discussion. We don't want to reinvent the wheel. We need to be progressive and review as we grow. I am considering getting rid of the grass in the park strip in front of my house. We need to examine the code even if we don't make any changes.

JON: You will find pushback from the council on changes if you try and restrict property rights. We won't make any knee jerk reactions. I attend the planning commission meetings. We can review what you have requested. Maybe we can better what we already have. I would be open to review what the planning commission comes up with. I know the planning commission would only make a request to make a change which would improve the entire city.

CURTIS: I would support at least reviewing the code.

MAYOR: The planning commission can review what they feel is appropriate and the council will review what they come up with.

BRIAN: These are not random requests. I am learning what others are doing throughout the state. Some of the thing's cities are strategically reviewing are housing, water, property rights and accessory dwelling units.

CITY MANAGER REPORT

Craig informed the council the fall Utah League of Cities and Towns Meetings will be held September 29th through October 1st in Salt Lake City. It is time to register those who want to attend.

As part of the upcoming audit review of the Fraud Risk Assessment questionnaire is required. This was done late last year but that was for Fiscal Year 2020. The current questionnaire is for Fiscal Year 2021. The assessment is an annual audit requirement.

Open burning will be prohibited in the city. The open fire pits at Mack Park would be affected. The hillside area behind Mack Park is drying up quickly. The fire chief is allowed to implement this restriction as part of his power and duties.

Curtis asked if Rec Center Director Brett Daniels would be notified so he could notify renters of the park? Craig replied Brett will be notified and the city will post and distribute the notification as well to all of the residents.

Wade asked if propane grills would be allowed in the park? Craig replied they are allowed. Open fires would not be allowed.

COUNCIL MEMBER REPORTS

Wade asked for an update on the new well. Craig replied the test pumping has started. It will be pumped continuously for 24 straight hours. Draw down and other testing will be completed. The intent is to have the project completed by Friday, June 25th. The well would be capped at that

time while the next phase of the project is started. The well should produce 1,200 to 1,800 gallons per minute but the staff is hoping for 2,000 gallons per minute.

Wade mentioned the wildland fire truck is on the board. Is only one truck going out now? Chief Downs replied only one truck is on the board at this time.

Jon asked if there will be any effect on ambulance service when the wildland fire team is gone? Chief Downs replied there is no effect.

Curtis asked if any additional firework restrictions need to be implemented? Craig replied based on state law the city cannot restrict more than what has been done in the past.

Curtis mentioned other cities are banning fireworks throughout the entire city. Craig replied they are being legally challenged on the restriction as well. Deon mentioned cities cannot ban fireworks as it falls under legislative authority at the state level. Possible lawsuits are coming where fireworks have been banned.

Jamie asked how any restriction can be put in place? Craig replied the current legislation reads a city can implement a restriction which it has historically done in the past. What Smithfield City has done in the past has been the same for many years so it qualifies.

Jamie asked how tightly the restriction will be enforced? Chief Allen replied his department will start by issuing warnings. Citations will be issued if the person continues breaking the law.

Curtis asked how many people have been cited in the last year? Chief Allen replied he would have to pull a report as he did not know offhand.

Chief Allen mentioned the majority of the issues are on the east side of town with an occasional issue on the west side. Typically the fireworks are seized from a repeat offender. A citation is issued as a last resort.

Curtis stated he was just curious if the police department actually enforced the restriction. Chief Allen replied the majority of the calls for service on the dates fireworks are allowed to be discharged are for fireworks related offenses.

Wade asked if a restriction was in place for all of the valley but in each individual city it is up to them how they want to proceed? Craig replied that is correct. Each city is able to determine what they will restrict.

Wade mentioned the cemetery grounds are very dry and he supported the city in cutting back on water usage. The city is doing the best it can to conserve.

Curtis asked the council if they had a desire to know where and when mosquitoes are sprayed for. The next Cache Mosquito Abatement District (CMAD) meeting is on Thursday, June 24th.

Wade mentioned he hears the truck driving around town.

Jon mentioned he sees the vehicle on the west side of town quite often.

Curtis mentioned a lot of the local slews and other areas are dry so there is not mosquito activity in these areas.

Curtis mentioned he would supply any CMAD information to the council they want to review.

The recreation department is busy with camps and leagues.

Mayor Barnes asked if there would be a Health Days meeting next week? Curtis replied there is an upcoming thank you dinner for those who helped.

Mayor Barnes asked when the dates for the event for 2022 would be determined as he has people asking him already about next year. Curtis mentioned next year's school year goes into June.

Curtis mentioned himself, Rec Center Director Brett Daniels and Special Events Coordinator Richard Varela all supported leaving the event in June. Mayor Barnes mentioned next year it would be the second week of June because of school getting out late. Curtis mentioned the dates have not yet been formalized.

Mayor Barnes asked how soon the dates would be formalized? Curtis asked when an answer is needed? Mayor Barnes replied the sooner the better.

Jamie asked why the urgency to determine the dates now? Mayor Barnes replied because people are already planning for next year.

Craig mentioned he talked to Brett yesterday, June 22nd, and his preference is if the event cannot be held the first week of June, then it needs to be held in May. Since 2022 would be the second week of June, Brett's preference is May. There is not enough staff to do Health Days and the summer camps at the same time. Curtis replied he did not think that information was correct based on his previous discussions with Brett.

Mayor Barnes mentioned if the event is held in June 2022, it would be the 6th through the 11th. Curtis replied he would not commit to a specific date at this time.

Mayor Barnes asked for the date to be determined soon. Curtis replied he would have a formal date by the end of August.

Jamie asked how the golf course has adapted to reduced watering? Craig mentioned watering has been cut back 25% at this time. The rough area will be dryer. There is concern how much longer water will be in the irrigation canal.

Jon mentioned once the flow in the river reaches a certain point, they will shut down the system. Craig mentioned right now the flow is 190 cubic feet per second. Once it drops to 100 cubic feet per second the system will be shutdown. Jon mentioned Smithfield utilizes about 70 cubic feet

per second. Craig mentioned irrigation water feeds the cemetery so once the irrigation water is gone the cemetery grounds will not be watered.

Deon mentioned the Lion's Club is starting a new service project. The Lion's Club is going to start collecting soft plastic. Items such as bread sacks and shopping bags. These items can be exchanged for park benches.

Deon expressed concern the new road in the Golden Forest development which attaches to Elm Street is a road leading to nowhere going west. The road stops at the railroad tracks. There is no guarantee the railroad company will grant access across the railroad tracks.

Deon suggested developing 800 North to the railroad tracks as opposed to the newly proposed road which is south of 800 North.

Mayor Barnes asked if the new road crosses the railroad tracks? Deon replied, as proposed, the new road would stop/dead end at the railroad tracks.

Deon stated in his opinion the best road to development long term is 800 North and have the railroad crossing at that location.

Mayor Barnes asked if the proposed subdivision has been reviewed by the planning commission? Deon replied the request goes before the planning commission in July.

Jon mentioned himself and a contractor would be meeting at the Douglass Mercantile Building on Thursday, June 24th. The three upper windows on the west side will be measured and new windows ordered.

The planning commission will be reviewing a few different sections of the municipal code as they feel they need to be updated which will help the city long term. There are no current issues which have led to reviewing these sections of code. The commission wants to be proactive and review different sections of the code each month.

MAYOR'S REPORT

Mayor Barnes mentioned the Tree Committee purchased a couple of trees and gave them to the city to plant in the cemetery. A new tree has also been planted by the splash pad.

Jon mentioned the planning commission is anticipating there will be a lot of development pressure coming to the city where a temple has been announced in the northwest part of the city. The planning commission would like to review and update the future land-use map of the city. This is the only part of the General Plan they want to update at this time.

Mayor Barnes mentioned it would be helpful if updated maps were printed for everyone to review.

Jon mentioned it is up to the council to decide if they want to approve this request by the planning commission. Craig asked how just a portion of the General Plan can be redone and not the entire General Plan? The entire plan works together. It is not really possible to update one part without updating the entire plan. The current General Plan was adopted in 2017.

Jamie mentioned the General Plan takes about two years to redo. Craig replied at a very high cost as well.

Jon asked if the General Plan can be updated without the help of a consultant? Craig replied the city does not have enough staff members to oversee this project.

Curtis mentioned the plan is very detailed and quite costly. Craig replied for the General Plan and the Master Plans for water, sewer and transportation the cost will be well over \$100,000.

Curtis mentioned he does not want to spend \$100,000 or more at this time for a revision.

Curtis asked how long between General Plan updates before the last update? Craig replied 11 years.

Craig mentioned the council could budget for a new General Plan in the fiscal year 2023 budget.

Curtis asked if a grant was obtained to pay for the previous General Plan update? Craig replied the city received some funding from the CIB (Community Impact Board). Cache County is not a mineral producing county and does not contribute anything to the CIB fund so there is not a guarantee of approval. The staff will start to look for grant opportunities to pay for a General Plan update.

Jon asked the council if they wanted to consider a General Plan update in a year? Mayor Barnes replied he thought the vast majority of annexations and rezones are already complete and did not see a lot of requests being made in the next year or two. Curtis concurred.

Curtis also mentioned the area around the temple is already designed for development if the property owner wants to sell. Jon replied the city has no idea what may or may not be requested so does the city want to be proactive in that area or reactive? Wade replied he felt waiting another year or two for a General Plan update would be appropriate.

Mayor Barnes asked for current maps to be printed now and put up for display.

Wade mentioned the biggest challenge is how to properly grow.

Jamie asked if the request is to update the future land-use map only? Jon replied the planning commission does not understand the process or cost involved in making an update. The planning commission is worried about significant growth in the area surrounding the temple.

Mayor Barnes mentioned a significant amount of land has been annexed in the last year. Annexations in the future in the northeast part of town will be limited but there is still potential for annexations in all other areas of town.

Jon mentioned sewer flow will be an issue going west until the sewage lift station is installed.

PUBLIC HEARING ON RESOLUTION 21-13, A RESOLUTION AMENDING THE FISCAL YEAR 2021 BUDGET WHICH IS THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021.

****The public hearing was opened at 7:12 P.M.****

There were not any comments or questions.

****The public hearing was closed at 7:13 P.M.****

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-13.

Craig reviewed some highlights from the proposed amendments to the budget.

Property tax revenue increase of \$213,994 from holding the property tax rate the same as previous years in 2020.

The city council elected not to hold the property tax rate the same in 2021 so it will be decreasing.

Mass Transit tax increase of \$62,668. This is a pass-through tax and the exact same amount of revenue and expense are in the budget.

Local Road tax increase of \$19,000.

Sales tax increase of \$338,865.

Building permit increase of \$22,061.

Business license increase of \$6,650.

Wildland fire increase of \$50,112.

Increase to the Richmond Fire contract in the amount of \$11,113 and to the Hyde Park fire contract in the amount of \$19,375.

Increase of \$259,000 for ambulance service revenue.

Increase to justice court fine revenue of \$16,416.

Revenue increase for library grants in the following amounts: \$4,600, \$3,000, \$429 and \$4,212.

Revenue increase to Rec Center in the amount of \$135,624.

Increase to golf course revenue in the amount of \$288,121.

Jamie asked for an update on the property tax process for 2021. Craig replied three council members and the mayor did not support holding the property tax rate the same this year, 2021, so the rate by decrease by default.

The biggest single line-item change to the budget would be transferring \$1,025,258 from the General Fund to the General Capital Improvement Fund. Those funds are used to purchase equipment and for future projects in future fiscal years.

Water Enterprise Fund revenue increase of \$24,719 not including impact fees.

Water Enterprise Fund expense increase of \$564,276 not including impact fees. The vast majority being used for the drilling of the new production well.

Funds have been saved for the production well for many years and this fiscal year the well has been drilled and will be paid for.

Sewer Enterprise Fund revenue increase of \$99,680 not including impact fees.

Sewer Enterprise Fund expense decrease in the amount of \$63,643 not including impact fees.

Storm Sewer Enterprise Fund revenue increase of \$190,450 not including impact fees. This is because of the increase in the monthly utility fee in July 2020.

Storm Sewer Enterprise Fund expense decrease in the amount of \$6,500.

Wade asked if the water fund balance was continuing to increase? Craig replied that is correct. Funds have been saved for a couple of years to pay cash for the new production well.

Jon asked if there are plans for a new tank/reservoir? Craig replied once the production well project is complete the city will start working on a new tank.

Right now new water tanks are being built in Hyde Park and Providence.

Wade asked the size of the new tanks in those cities. Craig replied the Hyde Park tank is two million gallons.

Jon asked if these were new tanks or replacing existing tanks? Craig replied they are new tanks.

Wade asked what size the new Smithfield tank will be? Craig replied at least two million gallons but the staff is considering three million gallons.

Wade asked the cost difference between a two million and three million gallon water tank. Craig replied typically a tank costs around \$1.00 per gallon. Economies of scale will be considered to determine if a two or three million gallon tank is constructed.

Wade asked what the increase to the court fund is for? Craig replied there are decreases to wages, benefits, bailiff and fines paid to the state and an increase for the amount paid to the prosecutor.

Wade asked what the increase to the library is for? Craig replied wages, benefits, books, all of the grants and the elevator service contract.

Wade asked if the hours at the library have been resolved? Craig replied additional hours were not allocated in the new budget so the hours would stay the same.

Mayor Barnes asked if the hours can be adjusted so they are the same hours daily? Mayor Barnes would prefer the library open an hour earlier each day as well. Craig replied the long-term intent is to standardize the hours.

Craig mentioned the estimate to provide additional standardized hours at the library is \$21,000.

Mayor Barnes suggested standardizing the weekday hours to the same each day Monday through Friday. Craig replied the majority of the traffic at the library is from 10:00 A.M. to 1:00 P.M. and then after 5:00 P.M. so one of those times would be lost if the hours are standardized. Jamie replied people will adapt to the new hours no matter what they are.

Mayor Barnes suggested closing the library on Monday and distributing those hours to other days of the week.

Wade asked if the peak hours and days are known? Craig replied he would obtain that information from the library staff.

Curtis suggested letting the library board review the hours and make a recommendation to the council. Wade replied he would review the hours with the board at their next board meeting.

Mayor Barnes asked for an update on the upcoming water and sewer projects. Craig replied the intent is to bid the sewer project this fall so it can be completed next spring. The pump house for the new production well will be built in the new fiscal year and should be online next spring.

A motion to adopt Resolution 21-13, a Resolution amending the Fiscal Year 2021 Budget was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells, Campbell
No Vote: None

Craig mentioned in the new budget \$250,000 has been allocated to redo the roads in the cemetery. The contractor contacted the city stating they made a clerical error in the bid and the

correct bid is \$291,000. If the council chooses to approve the new price the budget would be amended in December for this correction.

Craig mentioned himself, Clay Bodily and the mayor met to review the issue. They all felt even with the cost difference the project should still proceed.

Wade asked if other bids were received for the project? Craig replied this is the only company who does this process. A full road reconstruction would cost over \$500,000. This contractor takes up the existing asphalt and mixes with concrete and other materials and then puts the redone material down. The entire cemetery would be redone in about a week.

Jon asked when the project will be done? Craig replied if the council approves the new price the contractor will be here on August 2nd.

Jamie asked for the name of the vendor. Craig replied Bedrock Project Management Services.

Curtis asked if the city accepted a bid from the contractor? Craig replied the contractor realized there was a mistake in the calculation of the cost and notified the city of the discrepancy.

Wade suggested asking the contractor to split the difference with the city. Craig mentioned a bid bond was not included with the project to cover the discrepancy.

Curtis suggested asking for a reduction in the amount but to proceed with the project.

Jamie stated the contractor needs to do a good job and make a profit so our request needs to be reasonable. Mayor Barnes concurred and mentioned the city needs this project done because it cannot afford to do the project if the cost doubles or more.

Jamie mentioned where there is a contract in hand the contractor cannot simply walk away from the project. Craig replied he would review the contract to see what options there are.

****Curtis made a motion to adjourn at 7:32 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, June 23, 2021**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jon Wells

1. Approval of the city council meeting minutes from June 9, 2021.
2. Resident Input
3. City Manager Report
4. Council Member Reports
5. Mayor's Report
6. Public Hearing on Resolution 21-13, a Resolution amending the Fiscal Year 2021 Budget which is the period of July 1, 2020 through June 30, 2021.
7. Discussion and possible vote on Resolution 21-13.

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.