



SMITHFIELD CITY COUNCIL MINUTES

April 10, 2024

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, April 10, 2024. The meeting began at 6:30 P.M. Mayor Kristi Monson was in the chair. The opening remarks were made by Mayor Monson

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; Brian Boudrero, Planning Manager; Chief Travis Allen, Police Department; Shawn Bliss, Library Director; Karen Bowling, Assistant Library Director.

Visitors: Jeff Barnes, Bob Holbrook, Ashley Grigg, Joshua Bradley, Scot & Raquel Muir, Zane Hyer, Jennie Orme, Lindsey Crookston, Maddie Soto, Brady Turner, Kevin Johnson, Chris Olsen, Wendy El-Bakri, Jeff Young, Katie Bell

Approval of City Council meeting minutes from March 27, 2024

***** Motion made by Councilmember Orme to approve the March 27, 2024 meeting minutes. Motion seconded by Councilmember Staker. Vote 4-0. *****

Yes Vote: Hyer, Orme, Staker, Stokes

No Vote: None

Absent: Campbell

Resident Input

Bob Holbrook, a member of the Planning Commission, said there seems to be a lot of hesitancy within the City Council regarding the Master Planned Community (MPC) zone. The Commission understood when it was approved it was not perfect and there would have to be changes made to fit the community's needs. The Mayor has expressed the need to have a variety in new subdivisions. Land is a finite commodity and should be used wisely. The City is not in the business of searching out and establishing new parks and trails and there is a shortage of moderate-income housing. There is talk of hundreds of new jobs coming into Cache Valley and those people will need places to live. The MPC is a great way to help with these issues, use land prudently, provide aesthetic appeal, establish parks and trails the City does not have to maintain and provide a variety of housing options. He encouraged members to visit the MPC that Visionary Homes is developing; it feels more like an R-1-10 (10,000 Square Foot Lots) area with more amenities. He would like the council to review the MPC ordinance and provide feedback to the Commission on changes they want.

Raquel Muir is a long-time resident and homeowner in Smithfield City. She currently resides at 522 South 1140 East. A new home is being built at 512 South 1140 East – directly north of her home. This new home is set to be built 6 feet from her property line.

The Smithfield City website under Community Development states the purposes of codes are to promote safety, prosperity, good order, comfort, convenience, and aesthetics, lessen congestion in streets or roads, and secure safety from fire and other dangers. The City Municipal Code states under Section 17 that area width and side yard regulations shall be 10 feet. Why then is this new home being built 6 feet from her property line? Smithfield City granted an exemption to the developer and allowed a 6-foot minimum distance. To make matters worse, no other homes on her street have been built this closely which means her home and this future home will be an eyesore which will affect the privacy and future desirability of both properties. It also means that if her neighbor's home were to catch fire there is a greater risk that her home will also be affected. She would like to know why the exemption was granted. It cannot be that the City wanted housing to be more available because an extra 4 feet on one lot does not create that. It also should be known that this is not a starter home community, which would make sense for the smaller setbacks. The home being built will be a 3,000 square foot rambler. The homes along her street cost \$500,000-\$600,000. Her home represents a significant investment for which her family has worked and sacrificed for many years to be able to afford. She is aware of "buyer beware" but invited councilmembers to view her photos and/or visit her street and view the large excavation that is underway. She is concerned about the safety and stability of the soil. This did not have to happen. The builder and developer could have arranged for the construction to allow 10 feet but they did not because the City allowed an exemption. She is not opposed to the City growing, they look forward to having a neighbor but do not understand why they will only be 6 feet away. She is a transplant to Smithfield and appreciates the fact that she was able to move here, she has lived in two foreign countries and four different states and has seen the results of poor planning and overambitious development firsthand. She asked that starting now, the City should no longer allow exemptions such as this and looks forward to hearing what rationale could lead to the conclusion that 6 feet is a reasonable standard in this specific community and how that promotes safety, prosperity, good order, comfort, and good aesthetics.

Mayor Monson asked Mr. Boudrero to meet with Ms. Muir to talk about the plat map. Councilmember Stokes asked her to text him the photos.

YOUTH COUNCIL REPORT

Ashley Grigg and Josh Bradley reported that the Easter Egg Hunt and the Senior Luncheon both went well, and both with good turnouts and positive feedback. Recruiting for next year's youth council is underway and they will be working on a Health Days parade float.

Discussion and update with representatives of CAPSA on April being Sexual Assault Awareness Month (SAAM).
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Maddie Soto works in the Development, Education & Awareness department at CAPSA as the Community Engagement Director. This April, for Sexual Assault Awareness Month, CAPSA is highlighting the importance of believing survivors when they open up about having experienced sexual violence. CAPSA has witnessed first-hand how negative responses and disbelief can worsen trauma and foster an environment where perpetrators face no consequences for their crimes. Decades of research demonstrate

that victims of sexual assault are often doubted or blamed and these negative responses have many harmful impacts. Negative responses also decrease the likelihood that victims will report the crime and reach out for help. Rape is the most under-reported crime and 63% of sexual assaults go unreported. The message to start by believing the victim is vital. Outcomes will only change when survivors receive supportive responses to their disclosures. She distributed the CAPSA fiscal year impact report to the Council; she encouraged members to review the information and learn more about what CAPSA accomplishes.

Councilmember Stokes asked if CAPSA had any pro bono legal assistance. Ms. Soto responded that Chris Guymon provides a legal clinic; they always welcome more assistance.

Council Member Wade Campbell arrived at the meeting at 6:45 P.M.

Discussion and update with representatives of AllTech, LLC.

Jeff Young, President of AllTech, LLC, has worked with Smithfield City for years on the status of technology and security. One of the things they look for when it comes to dynamics for both the public and private sectors is the investment they have put in over time. Smithfield is on the upper end of cities that have made changes over time. The City has implemented different practices. Smithfield tends to be a major backbone for the northern Utah area (especially with Fire/EMS). Cities are tied to state mandates. Legislation was passed in 2023 that will go into effect in January 2025. The new mandate is classifying all cities and towns in the state of Utah as authorized top-level domains (.gov). Anyone representing a city is required to have a .gov account. Any affiliated domains that have any association with Smithfield must also have a .gov account. Due to the size of Smithfield this is a big ramification. A .gov account is required to have a separate server through Microsoft. AllTech will have to take all the employee emails and manually move them to the new server – which will be a tedious process. The City Council and Planning Commission will also be required to use an official .gov account. The Police Department is required to have the highest security level in the state. This process will take months to implement. The City moved to Microsoft last year, which assists the process. AllTech will have to make sure all correspondence is saved and archived. When it comes to legal litigation this will ensure that nothing has been inadvertently deleted. All state retention requirements will continue to be adhered to.

Councilmember Orme asked if there was any training for employees and officials to fully understand what the process and additional security measures and liabilities will be. Mr. Young responded that there will be training which will be broken down into two parts; the first will be recognizing the .gov and how it affects the end-users; the second part will be assisting understand the legalities. There is also annual training that can be provided. He noted that there is quite a disadvantage to using private emails, especially regarding GRAMA requests; sometimes if there is an appeal, all private emails can be forced to be sorted and reviewed by a private party. All official correspondence needs to go through a .gov program.

Councilmember Stokes inquired regarding the cost. Mr. Young responded that it would be quite a bit of money because Smithfield is a large city. Mr. Lewis said the City currently has smithfieldcity.org, birchcreekgolf.com, smithfieldrecreation.com, and smithfieldpd.net. The forgoing will all have to be changed and rolled over to a .gov account. The City has requested to use smithfieldutah.gov and smithfieldut.gov. due to smithfieldcity.gov being too generic. This change will affect all the websites and the hundreds of employee emails. Pricing has not been finalized yet and will be addressed further at next month's budget discussion. Smithfield has already secured partial funding to cover anti-virus and artificial intelligence (AI) network scanning. Another grant application was submitted and Smithfield received a 3-year grant to cover all monthly costs and training. There might be another grant available to assist with some of the costs; however, cities may have to evaluate whether this would work for them or not because there are matching funds required and the cost to apply can be quite high. Mr. Young said when they get the final numbers from Microsoft, they can finalize the total cost. One advantage that Smithfield has is the fact they have responsibly stayed up to date on technology throughout the years.

Councilmember Orme asked if this would require a VPN (virtual private network). Mr. Young said it would not be from a City Council or Planning Commission perspective. A VPN will continue to be available to personnel (similar to the time when employees worked from home during COVID-19).

Councilmember Campbell asked how much "quite a bit of money" might mean. Mr. Young said currently the average license is \$12 per month; the license range right now for the department heads and police department will be going to \$60 per month. There will be a one-time cost upfront migration cost ranging from approximately \$10,000-\$30,000. Tonight's discussion is geared more toward education. Detailed costs can be provided at a future meeting.

Discussion and update on the Arts Council.

Councilmember Staker reported that the Arts Council is working on multiple events for the upcoming Health Days celebration. The Arts Council will be doing chalk art along the sidewalk with an entry fee of \$25. There will be an Artists Corner at Forrester Acres and the Health Day Ambassadors are working on the float for the parade.

Discussion and possible vote on Ordinance 24-10, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development.

This item was listed on the agenda, however; it was rescheduled to Wednesday, May 8th.

Discussion and possible vote on Resolution 24-02, a Resolution amending the Prevailing Fee Schedule of the City.

Mr. Lewis explained the changes being proposed.

Currently, there is nothing in the fee schedule for a home-based contractor business license. The request is for an initial \$50 fee and then a \$25 annual renewal fee.

At this time, there is not an election filing fee, the proposal is requesting a \$50.00 filing fee to help with the time the staff puts into helping the candidates through the process. This will hopefully weed out those candidates that are not serious about running for office. Mr. Stokes supported a higher fee such as \$100.

Rentals: Remove the \$1,000 fee for the rental of the banquet room (5+ hours; maximum of 8).

Add a fee of \$250.00 and add a wedding reception and other day use of the room to \$750.00. These fees would allow a full-time Smithfield City employee the option of renting the room at a discounted rate once per year. There are currently (51) full-time employees; although not all employees will use it. Mr. Lewis confirmed that the full-day rental would be from the start of to the end of the event (they cannot set up/take down the night before or after). The golf course and golf business will always take precedence at the facility.

***** Motion made by Councilmember Campbell to adopt Resolution 24-02, a Resolution amending the Prevailing Fee Schedule of the City. Motion seconded by Councilmember Staker. Vote 4-1 *****

Yes Vote: Campbell, Hyer, Orme, Staker

No Vote: Stokes

Absent: None

Continued discussion and update on the Fiscal Year 2025 Budget.

Mr. Lewis said the budget will be discussed again in May and June before it is adopted in June. As discussed at the March 27, 2024, Budget Meeting, the three big needs this year include one new full-time employee for the Recreation Center, one new additional Fire Battalion Chief position for the Fire Department, and one new Police Officer for the Police Department.

Mr. Lewis highlighted the following: due to interest rates, the City is making money from the interest reserve. Mass Transit Tax is a pass-through tax; the State Auditor requires that it is listed in the City's finances, but the City never receives it, it is passed through and goes to CVTD (Cache Valley Transit District). Health insurance is going up. The broker said it is the worst year they have ever experienced for small groups; the increase (if things stay the same) will be 19% - which is not sustainable. A change to eliminate the ability to use an out-of-network provider locally would bring the increase down to a 9% increase. This may impact a few employees but is something that will need to be considered to afford it. Grants are not included until the City knows they

have them (e.g., RAPZ tax), and impact fees are also not included until they are paid. The Water Enterprise Fund has not been factored in because a change in rate has not been decided or approved by the city council. Some enterprise funds on the summary sheet show negative amounts. The City has been setting aside money for many years to fund some large projects. A large stormwater project on 1000 South to 1200 West will be paid for with cash. The sewer upgrade on 200 North from Main Street to 200 West will also be paid for with cash. Ten projects in the water fund need to be completed. Three will be completed and paid for with cash this fiscal year and another three will be done next year in the new fiscal year. When the garbage service moved from Logan City to Econo Waste, Smithfield purchased the garbage cans so that will help if the vendor ever needs to change. The rate will not need to change because the projections were accurate. A 7.00% wage increase is being proposed; 4.00% for COLA (Cost of Living Adjustment) and 3.00% for department heads to allocate as they see best for their department. Information is still being gathered, but the staff is treating this \$23 million budget seriously and trying to be cautious yet proactive.

Councilmember Stokes asked at what point the Council will know the exact increase if the property tax rate needs to be adjusted. Mr. Lewis said right now there are variables - there are no proposals or changes to stormwater and garbage. Water will be discussed more next month. He encouraged holding the general fund rate. Property tax will not be known until June when the County provides that information.

Councilmember Stokes said one of the issues/concerns he was asked about when running for election was water-tiered billing. He does not have a problem with the concept if it matches a certain size of property. He would like to propose that if someone has over a 0.5 acre lot the allotment could be slightly different to permit more water to meet the tier. For example, if someone owns 0.5 acres and the neighbors across the street own 0.25 acres, the 0.5 acre gets billed more. He asked if the tiered system brings in a great deal of income to the City and whether it would be detrimental to change. Mr. Lewis said that is a difficult question to answer. Staff would need to run some scenarios and gather more information. The base rate needs to be considered and then property sizes would have to be inventoried. Staff is willing to do some research and get back to the Council, but it will likely not be able to happen before June. Councilmember Stokes would like residents to be able to apply for exemptions in specific cases so it is the property owners' responsibility.

Councilmember Campbell encouraged holding the tax rate. Years ago when that was not done and taxes had to be raised was a very difficult time. Holding the rate will automatically increase as property taxes increase. Mayor Monson agreed that was a very difficult situation years ago and she would not like to see that happen again.

City Manager Report

Mr. Lewis reported that UDOT (Utah Department of Transportation) will be replacing the asphalt on the bridge (culvert) located by Smithfield Implement and it will commence next week. The project will be completed prior to Health Days. The cemetery road project was slightly delayed due to rain conditions but will be finished by the end of the month. The road base is in and grading is being done. The cemetery entrance sign will be installed by Memorial Day. Next, the General Plan Open House will be held on

Wednesday, May 1, 2024, from 5-8 p.m. at the Smithfield City Office in an effort to try and attract all populations and all demographics. Everyone is invited to attend. The plan will likely take 12-18 months to complete. It is meant to serve as a guiding document. The Planning Commission will spend months/years working on changing the City Code based on the General Plan guidance. Lastly, a flyer for Health Days was sent out to the public today, there will be some amazing activities, there is quite a bit of time behind the scenes to make this happen and Mr. Lewis appreciates everyone involved who helps make it a success.

Council Member & Mayor Reports

Councilmember Orme had the opportunity to attend the Library Committee meeting. He learned a great deal regarding the activities they had scheduled and all the improvements that had been made. Next, the Tree Committee will have a booth for Health Days. He encouraged all members to attend any committee meetings they can to learn more about what is happening in the City.

Councilmember Staker reported that the Senior Center hosted a fun April Fools lunch last week where the Health Ambassadors provided the entertainment.

Councilmember Stokes reported that the Chamber of Commerce meeting was rescheduled for April 11, 2024. Next, the County Trails "Adopt-A-Trail" event will be on April 26, 2024, from 5-7 P.M. at the Cache County Fairgrounds.

Councilmember Campbell thanked Councilmember Orme for attending the Library Committee on his behalf. The library has hired a social media technical specialist. Next, It has been fun to see how Health Days has grown over the years and he encouraged everyone to be a part of it this year. He also appreciates the improvements at the cemetery, which have been very much needed.

Mayor Monson invited all council members to attend Health Days events (May 4-11, 2024). The Youth Theatre usually invites someone to open the show, the Mayor may be extending an invitation to assist with that. The Day of Service will be held on Saturday, April 27, 2024; the Mayor encouraged everyone to serve as they can and focus on doing something in their specific neighborhood.

*** The meeting adjourned at 7:52 p.m. ***

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, Smithfield 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, April 10, 2024. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Wade Campbell

1. Approval of the city council meeting minutes from March 27, 2024
2. Resident Input
3. Discussion and update with representatives of CAPSA on April being Sexual Assault Awareness Month (SAAM).
4. Discussion and update with representatives of AllTech, LLC.
5. Discussion and update with representatives of the Arts Council.
6. Discussion and possible vote on Ordinance 24-10, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to R-1-10 (Single-Family Residential 10,000 Square Feet). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development. – **ITEM RESCHEDULED**
7. Discussion and possible vote on Resolution 24-02, a Resolution amending the Prevailing Fee Schedule of the City.
8. Continued discussion and update on the Fiscal Year 2025 Budget.
9. City Manager Report
10. 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.