

SMITHFIELD CITY COUNCIL

JANUARY 8, 2014

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 8, 2014. The meeting began at 6:00 P.M. and Mayor Darrell Simmons was in the chair.

The following council members were in attendance: Dennis Watkins, Barbara Kent, Kris Monson, Jeff Barnes and Brent Buttars.

City Manager James Gass and City Recorder Justin Lewis were also in attendance.

The opening remarks were made by Mayor Simmons.

Mayor Simmons informed the council that he, Barbara and Kris had all been sworn into office for their new four year terms just before the start of the council meeting.

VISITORS: Kelly Cannon (Herald Journal), David Barnes, Ruth Simmons, Glen Jay Thornley, Eric Newell, Rob Dayton, Dale Cox, Brett Daniels, Bobby Tieman, Darenger Tieman, David Gordon, Tonya Gordon, Rob Dayton

CONSIDERATION OF CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE DECEMBER 4, 2013 CITY COUNCIL MEETING

After consideration by the council, the Mayor declared the consent agenda for the December 4, 2013 city council meeting minutes as approved.

RESIDENT INPUT

There was not any resident input.

REAPPOINTMENT OF MEMBERS OF THE PLANNING COMMISSION

Brent stated that Jamie Anderson's term on the planning commission had expired. Brent had spoken with Jamie and he was willing to serve another term and Brent commented he had done a great job on his previous term and that he recommended he be reappointed.

A motion to appoint Jamie Anderson as a commissioner on the Smithfield City Planning & Zoning Commission was made by Brent, seconded by Kris and the vote was unanimous.

Yes Vote: Watkins, Kent, Monson, Barnes, Buttars
No Vote: None

Brent mentioned that the planning commission will continue to meet on the third Wednesday of each month at 7:00 P.M. in the city council chambers.

Mayor Simmons asked Brent how replacements for the commission are selected as he had some people that had expressed interest in serving? Brent stated that there should be a couple of openings in the next year and right now members first serve as alternates and then move their way up onto the commission.

JOHN PACHECO OF PACHECO COMPANY TO DISCUSS RETROFITTING THE LIGHTING SYSTEMS IN THE CITY BUILDINGS

Rod Kujaczynski stated that he works in the commercial and business development area for Gardner Engineering. They have created a venture partnership with John and Pacheco Company.

Rod stated that he wanted to discuss the energy savings and cost savings that are available by switching to LED lighting in the city buildings. Rod stated that his company was on the GSA schedule and that is quite a vetting process to be included. Rod informed the council that being on the GSA list adds a lot of credibility to their business and what they do.

Rod mentioned that the other item they do outside of LED lighting is they are a solar power integrator.

Rod's message to the council was that his company has two different mechanisms to save the city money.

Rod stated that there is a huge demand for electricity and that money could be saved by converting some of the city sources to solar power. There are incentives for both commercial and agricultural users as well as residential users.

Rod expressed concern that most people just open their electrical bill and pay it without analyzing it in anyway. People do not track their electrical bills. There are opportunities for the community. Rod's company would work formally with the city to offer a community program. If several people did a buy into the program then bulk pricing discounts could be utilized.

Rod stated there is a 30% federal tax credit as well as a 10% state tax credit. The credits apply to systems that cost up to \$50,000. Accelerated depreciation is also allowed and that can be a considerable financial incentive for some businesses. There is also another incentive in Smithfield through the USDA as the city is located within an agricultural zone. There is grant money available from the USDA. Salt Lake City is not in the agricultural zone and does not have the option to apply for the grant funding.

Rod informed the council there are five incentives to get paid back via solar power. Some companies are paid back in as quickly as four years and some homes take up to nine years. Low performing businesses normally take around seven to eight years. High performing businesses are usually four to five years. Rocky Mountain Power is trying to promote going green and offers an incentive but to get the incentive is like winning the lottery according to Rod. Rod told

the council not to count on the Rocky Mountain Power incentives but all the others can be counted on.

Rod mentioned that residential users get the same federal tax credit and the state tax credit is up to 25% or to \$2,000 in savings.

Rod stated that he would like to team up with the city and look at having a public hearing or meeting to discuss the programs that are available with the residents.

Rod stated he would like to look into the feasibility of possibly converting the Civic Center or library to solar power as well as any other building the council wanted reviewed.

Jim stated that with the new library being built it would be a good time to consider LED lighting as well as the solar power option as the building was still in the development stage.

John Pacheco stated that there are programs out there for governmental agencies where the systems can be installed and amortized on the monthly utility bill; therefore, not having any out of pocket costs to the city.

Rod commented that he understands that there can be push back and skepticism in regards to solar power. Rod stated that solar power is misunderstood. There have been many rumors over the last five to ten years regarding solar power. The economics in regards to solar power have changed. The cost of power today is much higher than it was five years ago. The cost of the solar equipment has dramatically decreased as well.

Rod informed the council there is a program that is available to municipalities and school districts where the equipment is financed by a third party and not any tax payer funds are used to finance or pay for the costs. The time is right in the market for the city to consider this option. Rocky Mountain Power's bill increases by about 10% a year for inflation at the current time. These increases were put in place in 2011 and run through 2021. The increases are about seven to ten percent per year. With that size of yearly increases the monthly utility bill will double in about seven years.

Kris mentioned that Scott and Toni Gibbons have a newer home in the city and they have solar power and they have not paid over \$5 per month to Rocky Mountain Power. John stated that it is possible to get to a zero power bill from Rocky Mountain Power.

Rod commented that every situation is different and that every building is different. Power bills need to be evaluated and roof space needs to be reviewed. At that time it can then be determined if a net zero figure is possible. Sometimes it can be achieved and sometimes it cannot be achieved.

Barbara asked Rod if the solar power system will pay for itself? Rod stated that was correct as technology has advanced and the equipment is cheaper than it was in years past. The cost of electricity has increased and 99% of the population does not understand that concept. There are ways now to see what power is being saved and how much is being used. This information can

even be viewed on a smart phone device. The new systems are very user friendly. With the current financial incentives the system will pay for itself in four to nine years and the rate of return on residences is around 9-12% on a yearly basis. Usually, residences payback within ten years.

John stated that in some locations they had put a kiosk in the city office area for people to see and review information.

Mayor Simmons asked if it would be possible to get a client list to review? Rod stated that he could provide a list.

Mayor Simmons commented that the project list on their website is very big. John stated that a lot of the work is GSA work and he understands government economics as he worked with them extensively in Canada. John mentioned that he had done lighting work on air force bases, embassies and currently just received the contract for a new V.A. hospital in New York. Rod mentioned that they have clients in Cache Valley, all along the Wasatch front and that their office is located in south Weber. Rod informed the council that Kim Gardner is very well respected in the solar integration and install business all around. Rod stated his company had done work at Hill Air Force Base, the V.A. hospital in Salt Lake and at Weber State University.

Barbara asked the life span of the equipment if the payback is ten years? Rod stated the warranty is 25 years for the panels and invertors but normally they have a life expectancy of 40 years. Commercial grade systems have a ten year warranty. Commercial systems should still be operating at 85% efficiency in 25 years.

Mayor Simmons asked how should this conversation proceed from this point? Rod commented that information could be put on the city website regarding the offer of a renewable energy program. Then schedule a couple of meetings with the citizens to discuss the program. Equipment examples could be shown at the presentation. At that time, determine the interest level from the citizens and local businesses and see what is available. Rod asked for a copy of the power bill for the city office building so he could do a cost comparison. With tangible information in hand he could see if it was possible to get to a net zero bill on the city office building. The fire station was another possibility according to Rod for this program.

Jeff asked Rod if they had ever done this type of work on a Recreation Center that was part of a high school? Rod stated not exactly but that the Summit County building that they worked on would be very similar. Mayor Simmons asked if the program would still apply where a portion of the building was a high school? Rod stated that school districts qualify for the program as well.

Jeff asked how the system would work for residential users? Are several homes hooked together? Rod stated that each home would be on a stand-alone system and that each homeowner would acquire their own system. The more systems that are purchased the cheaper the systems become in regards to equipment costs. Rod's company would help each homeowner to determine what size of system was the right size for their home. John stated that originally in Salt Lake there were only five people that had an interest in the program but over the course of

six months there were 181 homes that were converted to solar power. There was a big discount on the equipment due to the number of homes involved. Some were smaller homes and some were larger homes but they all saved money on the equipment. An analysis should be done on each home to see what system is needed and if the roof structure will allow for the system to be installed. Some homes have ample roof space and others don't have any or enough space for the required number of panels.

Jeff asked Rod if there were government tax credits for residential users? Rod stated that both federal and state tax credits were available and that Rocky Mountain Power had a program but that rebate was very hard to get and not to count on it. Rod stated that about 55% of the cost of the system can be recaptured in the first year from tax incentive savings and a decrease in the monthly power utility bill.

Mayor Simmons commented that it was an interesting discussion and something he would recommend is researched for the city. The Mayor asked Justin to supply Rod the invoices he needed to analyze some of the city's systems.

Rod informed the council that Rocky Mountain Power would go to a net zero billing but there was not a reason to install a bigger system than needed as Rocky Mountain Power would not buy extra power from the residences but would just issue credits on that particular residence monthly bill. Rod did mention that in places like St. George, Heber and Eagle Mountain that those communities will pay for the power but only at a wholesale price. The monthly credit program with Rocky Mountain Power runs through March 30th of each year and any unused credits on that date go away and the account goes back to zero. John commented that there are debits and credits on each residence account each month as some months more energy is produced than needed and some months more energy is used than produced.

Rod mentioned there are three forms of solar power; a grid type system, a grid system tied to a battery backup and a completely off the grid system. Rod's company installs all three types of equipment. Off the grid systems are normally used for cabins located a significant distance from any power source.

Mayor Simmons asked for Rod to provide a written analysis for the council to review after he had analyzed some of the city buildings.

Rod and John both thanked the council for allowing them to come in and explain what they do and what they offer to the city and the community.

DAVE GORDON TO ASK THE COUNCIL FOR PERMISSION TO HAVE CARNIVAL RIDES AT THE HEALTH DAYS CELEBRATION

Dave Gordon informed the council that he operates a carnival six months a year and that last year he set up his carnival for the Richmond City Black & White Days Celebration and it worked very well. Dave stated he had to go to the council in Richmond to get approval to just give him a chance and so he was coming to the Smithfield city council just asking for a chance as well. Dave stated he has five carnival type rides and some inflatables. Dave stated he was aware of

the concern by Jim and Justin about where to locate the rides as the Forrester Acres area does not have any available space. Dave commented that he does not have to be at Forrester Acres and that he believed the area by the library would work for what he wanted to do. Dave mentioned he is a local person that wants to be Utah friendly and family friendly. Dave mentioned he had been to Mendon and was hoping to be allowed to be part of the May Day celebration. Hyrum City Mayor Stephanie Miller was working on a program where kids would get out of the house and be able to earn free passes to the carnival and he was willing to work out some type of arrangement for the local kids as well. Normally, he pays 5% to 25% to the city of his net profit for allowing him to be there. The amount paid to the city is based on the amount collected. The more collected the higher percentage to the city.

Kris stated she was not sure how she felt about this idea as she was unsure of the space that is needed for such an event. Kris did mention that she remembered attending a carnival in the city when she was younger and had a great time.

Brett Daniels stated he was not opposed to trying about anything once but did have some concerns. Brett asked, where could it go? The area at Forrester Acres is already being fully utilized and the turf on the fields has to last all year long and cannot be torn up. Lack of parking is a big concern. Brett did state that he thought the Central Park area would be a good place.

Brett asked if it would possible to do the carnival at a different time of year? Dave commented that there needs to be a local celebration going on to draw a crowd and just having a carnival would not be cost effective.

Jim reminded the council that the property located south of the Youth Center is owned by the school district and not the city. Dave commented that anywhere in that area would work. Jim expressed concern for the Central Park area as there are pavilions, trees and horse shoe pits to deal with as well as no parking. Barbara stated a carnival was located there years ago. Dave stated he works around trees, swing sets, etc. no matter where he goes and that would not be a problem. Jeff stated that there would be parking close by at the Youth Center and where the old city office building was located.

Jim asked Dave how many days he wanted to operate the carnival? Dave proposed that he would like to have it open Thursday, Friday and Saturday. Thursday would be the free ride pass day for the kids that were willing to help and earned the free ride passes. Dave stated he would look to the city for help in setting the hours of operation.

Barbara asked Dave how often he operates the carnival in the month of May? Dave stated he is always operating in May of each year and has just learned to deal with the weather over the years.

Barbara asked if the rides could be setup down by the green waste bins? Jim mentioned that Saturday would be the main day and would not work in that area due to the horsemen and that Saturday would be Dave's biggest day as well. Jim stated that Central Park may work for what he is trying to do. Jim expressed concern that if it rains that the turf would be significantly damaged from all of the foot traffic.

Mayor Simmons commented that he had seen carnival rides located on parking lots as well. Jim asked if the Civic Center parking lot or where the old city office building was located would work? Dave stated that his carnival is not that big and would only take up about 10% of the space that most people think is needed.

Brett expressed concern that there are similar rides at Forrester Acres and if the carnival is done the same day that the other vendors will suffer financially. Brett did not want to see paying booths suffer a financial decrease.

Mayor Simmons asked Dave what his timeline was in regards to needing a commitment from the city? Dave stated he just needed a few week's notice so he could set his schedule. Mayor Simmons asked Brett to allow Dave to come before the Health Days committee and get their input.

Dave stated that he cannot compete with the booths and they will always have more business than the carnival. Dave asked the council for just one chance to try his carnival in the city and that he knows the feedback will be positive. Dave stated that carnivals bring back memories from the past and are a part of the American culture.

Mayor Simmons asked Dave his proposed hours of operation? Mayor Simmons stated that normally the booths at Forrester Acres were shutting down around 2:00 or 3:00 P.M. on Saturday. Dave stated the majority of his business would be later in the day. Dave expressed a willingness to not open the carnival until 3:00 P.M. once the booths and rides were closed at Forrester Acres.

Jeff stated that it might be better financially for Dave to have the carnival located in town. The concern about the turf being damaged is not an issue as the Summerfest festival occurs at the Logan Tabernacle and if the turf is watered that within two weeks it looks fine.

Barbara asked Dave what amount he paid to Richmond last year? Dave stated it was just over \$500.

THREE CREEKS SUBDIVISION TO ASK THE COUNCIL ABOUT THE POSSIBILITY OF DISBANDING THE H.O.A. IN THEIR SUBDIVISION

Kris stated that this subject had been brought up two or three times in the past and that all of the homeowners were tax payers to the city and the only people that benefited from the creation of the P.U.D. was the developer. The homeowners had asked to come before the council with a proposal.

Eric Newell stated he was the president of the H.O.A. and that they had been in charge of maintaining the roads and had done preventative maintenance in the past. There are 27 homes and about 1,900 feet of road in the P.U.D. There is some common area in the unbuildable lot areas. The homeowners are each willing to pay the city \$750 each for a total one-time payment of \$20,250; if the city would be willing to take over the maintenance and snow plowing of the

road. The homeowners were willing to make the payment as they know there will be expenses to maintain the road.

Kris asked what the yearly fees are paid to the H.O.A.? Eric stated that each homeowner pays \$300 per year.

Barbara stated there were 27 homes and asked Eric if he had permission to speak for all of the homeowners? Eric stated that was correct and the homeowners were all in agreement. Eric did say there was a concern from some of the homeowners about the common areas.

Mayor Simmons commented that area always looked very nice and asked Jim to comment on the maintenance in that area. Rob Dayton, H.O.A. secretary, stated that the homeowners address any issues immediately. If there are cracks in the sidewalk they are fixed and roads are maintained as needed. There is little impact on the roads from the existing homes.

Jeff asked when the subdivision was built? Jim stated it was started in 1997 and the final plan was approved in 1998.

Jim stated that this area is a P.U.D. with several common areas and the city is not involved in those areas. The road in the subdivision does not meet city standards. Originally, several of the property owners that had money down on the building lots wanted the area private and even wanted to gate the area off. The city did not allow for it to be gated. The area is a beautiful spot but several of the property owners did not want to build the area to city standards and wanted to form a P.U.D. The city agreed to the P.U.D. but was clear that the area did not conform to city standards and would be a private area. The road is not a public road. The cul-de-sac has an 1,100 foot long road with a sidewalk only on one side. The city rules allow for a 550 foot road and sidewalks on both sides.

Brent asked if others had made this request before to the city? Jim stated that the request had been made by the developer of the Ridges Subdivision and as part of the request they had to go back and remove the existing sidewalk and make the road wider. Install a new sidewalk and park strip area as well to meet city standards.

Barbara asked Jim how this road was different than approved city roads. Jim stated it would need to be at least an additional six feet wider and would need a sidewalk and planter strip on both sides. The public works department does not want to take over the road as it is 1,100 feet long and is a dead end street. Concessions were made with the developer and lot owners in this area to allow for the approval of the subdivision. If the city were to take over the road; the only thing the city would get is about \$2,500 per year in road money. Most likely that would not even cover the cost of pushing the snow. Eric commented that all they are asking is for the city to take on an additional 1/3 of a mile of snow plowing.

Barbara asked what the P.U.D. was paying now to have the snow pushed? Rob stated that it was \$150 each time as Lloyd Facer had given them a really good price.

Rob asked what city standards were not met on the road? Jim stated there was not a planter strip and the road is 1,100 feet long and city standards would have required another entrance/exit from the subdivision out to Canyon Road. By making this additional road one of the building lots would have been lost and a bridge would have been required to be built as well. The opinion of those in the area was they wanted to form a P.U.D. as they did not want another outlet onto Canyon Road. The homeowners did not want people driving through their area and that was also a reason they wanted to install a gate to keep the area very private.

Barbara asked if there was adequate room for fire equipment response? Jim stated that there was not an issue in that regard.

Mayor Simmons asked how the length of the road affects snow removal? Jim stated the main issue is that people think the road leads to somewhere and it just dead ends.

Mayor Simmons stated that there would have been a bridge and second access required to comply? Jim stated the road would have to be accepted as non-conforming since it is over 550 feet long. Jim expressed concern that the city could not plow the snow for \$150 each time in that area. Jim asked what is in it for the city to accept this road? The city gets nothing in return. There are only eight public works employees that are currently in charge of 53 miles of roads. The city would be adding another half mile of road and get nothing in return. Additional employees won't be hired to help push the snow and it would just add more time that is required to clear city roads.

Kris asked Jim why the city is allowing P.U.D.'s? Jim stated that the city no longer allows areas like this. Kris commented that the majority of the homeowners that were there when the project started have moved and now it is left to the current homeowners. Jim commented that Eric and all the other homeowners knew they were purchasing a home in a P.U.D. when they bought it and that there would be monthly dues. Kris commented that those homeowners are paying taxes to the city just like everyone else.

Jim stated that Stone Haven, Northridge, and Champlin's area were all places that had private roads and they all pay taxes to the city and they would all like the city to take over the roads. All of these areas were granted concessions when they were built but they still want the city to take over the roads. Jim understood that there were new homeowners that have moved in but that did not change the rules or requirements established by the city when the area was built.

Eric commented that the P.U.D. meetings were just more meetings he was hoping to avoid. Jim commented that the P.U.D. is wanting the city to take the burden away from the homeowners and put it on the city. Rob commented that the biggest cost would be the open space areas and that five homeowners were willing to buy these areas and take care of the areas and the P.U.D. is just asking for the city to take over the road. Jim informed the council that the water and sewer lines are the responsibility of the city already.

Barbara asked if the road is currently wide enough for garbage trucks and city snow plow trucks? Jim stated that it was fine for both types of vehicles as this particular road was built wider than

some of the other P.U.D. roads in the city. Eric stated there is not a lot of traffic in the area and the road is in good condition.

Jim suggested that he meet with Eric to go over the pros and cons of what can be done by the P.U.D. and the city and then come back to the council at that point. Mayor Simmons thought that would be a good idea. Eric commented that the P.U.D. was just trying to offer a different solution.

Rob stated there are currently two exits; Robin Street and Meadowlark Street. Jim stated that there was not an exit at the far end of the cul-de-sac.

Barbara asked Jim if the city would have required a different design for the city to accept the road initially? Jim stated that was correct and that a building lot would have been lost and a bridge would have been required.

Kris asked Jim how many of the original property owners were in agreement on the forming of the P.U.D and not having the city accept the road? Jim stated that many were in favor of it but it had been several years ago but he thought at least half of those involved were for the forming of a P.U.D. The subject was quite contentious as most of the people living on Canyon Road did not want the increased traffic and he guessed around 20-30 people attended the public hearing.

Mayor Simmons asked Eric to arrange to meet with Jim and continue to discuss the subject.

PUBLIC HEARING TO RECEIVE INPUT FOR CONSIDERATION OF RESOLUTION 14-01, "AN AMENDMENT TO THE BUDGET FOR THE PERIOD OF JULY 1, 2013 THROUGH JUNE 30, 2014 FOR ALL FUNDS".

Mayor Simmons asked Jim to discuss the budget and proposed changes before the public hearing so the public would understand what is being considered for approval.

Jim stated that the budget is reviewed and adjusted twice per year. The annual budget is prepared in March and April and is prepared with anticipated expenses and revenues. It is hard to set a month to month budget and very hard to set a budget a year in advance. The proposed adjustments adjust some of the accounts to what is actually happening. The proposed adjustment is at the mid-point of the budget year and the smaller of the two yearly adjustments. The proposal is to increase general fund revenues by \$46,210 and increase general fund expenses by \$46,210 as well.

There are some bookkeeping adjustments as well with biggest being a transfer from the Park Impact Fee Cash Account to the general fund.

Sales tax revenue would be increased \$20,810 and energy tax \$20,000. The energy tax is the 6% tax that is collected by Rocky Mountain Power and Questar and remitted to the city. Energy tax has been high with a cold winter and a hot summer. The total increases to the "Revenues from Taxes" would be \$40,810.

So far this budget year had not been good in “Licenses and Permits” revenues and building permit revenues will be down substantially. Right now the adjustment would be to reduce building permits by \$30,000 and if the trend continues the budget may have to be decreased another \$30,000 in June. The original budget had \$145,000 in building permits revenues which was not as high as the actual amount received in the last budget year. Building in the city is down. The apartment complex at the south end of town is now completed. Neighborhood Non-Profit has built out their subdivision and the town homes building has slowed. The current structures being built are duplexes and not 6-plexes. Single family home construction is still consistent.

“Intergovernmental” revenues would increase by \$7,500 as the police department received a grant which is used for the purchase of specific items. The expense for this grant will be the exact same amount.

In the “Charges for Services” section the city made about \$34,000 from the big wildfire season last summer. There was the big Millville fire, a small Smithfield Canyon fire and about five or six other fires the city responded too. The city makes good money when they supply equipment and manpower to these fires. The city receives approximately \$100 to \$150 per hour for response to these fires. Revenues would be increased by \$32,000 for the income received from helping on those fires.

“Revenue from Fines” would be decreased by \$25,000 as justice court fines are down considerably which is a big hit to the city. The majority of this decrease appears to be from less citations being issued. There were some software ticketing issues earlier in the budget year but those issues have been resolved. Some years justice court fines are in the \$180,000 to \$190,000 range and a couple of years in the \$150,000 to \$160,000 range. At the current trend for the year; revenues will be down \$50,000 to \$60,000 for the budget year. Most likely this section of the budget will see another big decrease in June as well.

The park impact fee was established several years ago and \$1,000 is collected per permit issued. The city general fund paid for the expansion of Forrester Acres, Heritage Park, and Sunset Park to name a few because there were not any funds in the impact fee account. The general fund has supplemented these projects all along with the intent of the park impact fee fund paying back the general fund when funds were available. The original budget called for transferring \$50,000 from the impact fee account to the general fund to pay for the city portion of the Blue Sox lighting project with the balance being paid by RAPZ tax funding. The amendment calls for the transfer of another \$20,000 to the general fund in this budget year. Even if all of the money was transferred from the impact fee account to the general fund there would still be a balance due to the general fund from past park expenditures. Funds are being left in that account to pay for the equipment at Sunset Park as well as to complete the basin for the equipment at that park.

The fire department personnel have an account that collects money from the firemen’s payroll checks as they set aside funds to pay for jackets and other items the city does not pay for. The city holds these funds and pays the associated expenses for these purchases. They have purchased \$900 worth of items and so there is a transfer of \$900 from that account into the general fund to reimburse the city for the expense paid.

The Planning and Zoning Expense budget is being increased by \$4,000 due to the attorney fees that were paid that were above the original budget allocation. There have been more developments that had to be reviewed by the city attorney than anticipated and some of them required more extensive work. The Ridges was one of these subdivisions and the developer was charged for the costs above and beyond the normal plan review.

The Police Department budget has been increased \$7,500 for the expenses associated with the grant that was received.

The Fire Department budget has increases of \$6,000 to the Wildfire Payroll for the wages that correspond with the wildfires that were fought. A \$3,000 increase to Equipment Repair for injector work on one of the trucks and \$900 for the expense associated with firemen payroll deductions. It is also proposed that \$22,000 be spent outfitting another truck in the fire department so that it would be suitable to respond to wildfires as well. The funds would be for the purchase of the equipment as the fire department workers would do the labor to install the equipment. By outfitting this truck it would allow the city to stage an additional piece of equipment and earn more money on fires that are responded to.

Mayor Simmons asked Jim had that truck been available last year would it have been utilized on those fires? Jim stated that was correct; it would have been utilized. Barbara commented that it would be helpful in the city if needed as well.

There is a \$1,600 increase to the auto and property insurance in the Publics Work budget due to the addition of the new dump truck as well as insuring the new Lean Too Building that was installed. An additional \$1,200 is included for the rain gutters and side panels on the new Lean-To building that were installed after completion of the building.

Jeff Young had done an analysis on the computer systems at the golf course as there are some computer issues. All of the current machines are running on Windows XP and that program will no longer be supported in April of this year and will be susceptible to viruses and other problems. Most of the new computer programs will not run on Windows XP either. Of all the systems in the city the golf course is in the worst shape and some of the systems are still running on a DOS based system. Specifically, the sprinkling system at the golf course is still using a DOS based system. If that particular system crashes the golf course cannot be watered. The main items will be updated now and the others completed in the next budget year. In the General Capital Improvement Fund there will be a decrease of \$10,000 in recreation equipment and an increase in computers for \$10,000 so the net effect will be zero.

Kris asked Jim if Brett Daniels was aware that equipment could not be purchased at the recreation center? Jim stated he would get with Brett and discuss the change. Right now the school district is responsible for 2/3 of the cost of the equipment and at this point they have not indicated a willingness to buy an new equipment in this budget year.

The Mayor thanked Jim for his detailed explanation of the proposed changes.

The regular council meeting was closed and the public hearing opened at 7:50 P.M.

There were not any comments from the public.

The public hearing was closed and the regular council meeting reopened at 7:51 P.M.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 14-01

Jeff stated the proposed changes were very straight forward and easy to understand. Barbara thanked Jim for his detailed explanation.

A motion to adopt Resolution 14-01, A RESOLUTION AMENDING THE FISCAL YEAR 2013/14 BUDGET FOR THE CITY OF SMITHFIELD, UTAH, was made by Jeff, seconded by Dennis and the vote was unanimous.

Yes Vote: Watkins, Kent, Monson, Barnes, Buttars

No Vote: None

DISCUSSION ON THE RULES OF ORDER FOR CITY COUNCIL MEETINGS

Justin explained that this was an annual discussion for the council about approving how and when city council meetings are run. The responsibilities of the City Manager and City Recorder for the council meetings. Who is allowed to vote on items and the general conduct of city council meetings.

A motion to approve the Smithfield City Rules of Order and Conduct of City Council Meetings for 2014 was made by Kris, seconded by Barbara and the vote was unanimous.

Yes Vote: Watkins, Kent, Monson, Barnes, Buttars

No Vote: None

SELECTION OF MAYOR PRO TEMPORE

The Mayor stated that Dennis had been the mayor pro tempore for the last calendar year and thanked him for his service in behalf of the mayor when the mayor was not able to attend city council meetings.

Justin announced after voting by each of the council members that they had selected Dennis to be mayor pro tempore for the calendar year 2014.

A motion to approve Dennis Watkins as Mayor Pro Tempore for the calendar year 2014 was made by Barbara, seconded by Kris and the vote was unanimous.

Yes Vote: Watkins, Kent, Monson, Barnes, Buttars

No Vote: None

CITY MANAGER REPORT

Jim informed the council that a traffic corridor study is being done on the highway between 1400 North in Logan and 600 South in Smithfield. Everything from entrances to signal lights will be evaluated. After the completion of the study a new agreement between UDOT and the three cities will be completed. Part of the discussion will be whether or not a signal light should be installed on 800 South. UDOT does not like to make changes to the signal lights as planned in the past.

Jim informed the council that he had attended a meeting with Logan City to discuss the new sewage treatment facility options that will be required to deal with nitrogen, phosphorous and ammonia. All of the options will be very expensive and cost estimates were in the 100 to 200 million dollar range. Jim was hopeful that the costs would go down over time but with the new ammonia standards that is not the case. There are many different treatment options and some were immediately discarded due to cost. The anticipated increase to the monthly sewer utility bill will be around \$10 a month when the system is put in place. Smithfield was not part of the effort to plan for this problem when it started but after contacting Issa Hamud with Logan City the outlying communities will be included in future discussions and meetings.

Brent asked if all options would still be considered? Jeff inquired how the old lagoons would work with the new system? Jim stated the most likely option would be to go to a mechanical plant and the existing lagoons would be used for storage purposes. The storage would allow for the equalization of flow and to prevent big peaks in the flow to the plant. The three stage plant option does not use the ponds and is easily expandable. More reactors can be added to allow for more flow. The system is easier to operate compared to some of the other options and is not as costly to maintain. Methane gas could be captured and used. Another option was the bio-dome system and would include around 14,000 domes. Right now there are regular meetings to discuss this subject and the available options. Between all of the communities there is approximately \$15,000,000 in the bank to start the project. Different finance packages are being considered.

One of the main discussion items is how the system is done. Currently, Logan owns the system and each city contracts with them to treat the waste. Another option is to form a sewer district like some communities have done on the Wasatch Front. In a district, each community has some ownership but also some of the debt as well. Without a district one community would dictate how everything is done and with a district everyone would have a say in how things are done and managed.

Jim strongly suggested that the city consider the district option as right now the city had no input into what is happening. From the meeting Jim had attended it appeared that Logan was willing to consider forming a district.

Jim stated this would be the most expensive project ever financed for Logan City.

Jim explained that another possible option would be to team up with Hyde Park and North Logan and start a new system or Smithfield just do a new system by itself. All options need to be considered so that when residents ask what was considered it can be answered that all avenues were investigated. The feasibility of a system just for Smithfield and one with the three communities should be considered but most likely will not be feasible financially.

Mayor Simmons asked Jim if the State of Utah would even allow Smithfield to build its own system? Jim stated that the state has been willing to allow new systems if the standards required by the state are met. One concern would be that North Logan would have to pump the waste up hill to reach the Smithfield system. Most of the current infrastructure that takes the waste from Smithfield to Logan would not be usable by any of the three communities. The city would have to build a plant and then take the flow to the Bear River.

Jim informed the council that he would speak with Scott at Sunrise Engineering and ask them for a price on doing a brief overview of the feasibility of a Smithfield only system and a three community system. Dennis stated it would be negligent of the council not to consider all options for the community and liked the idea of investigating these other options. Jim concurred there would be a lot of citizen inquiries into such an expensive system.

Jim stated it would be hard to have the support of the citizens until all options had been investigated. Dennis stated that most likely the cost of the plant would be about the same if it was just for Smithfield or for all three communities. The Mayor stated it can be hard to get different communities to agree on certain subjects.

Dennis asked Jim if being part of a district would be beneficial to the city? Jim stated that the only way to have any control of what is going on or how the system is run; the city would need to be part of a district. Barbara reminded the council that Logan is charging an administrative fee to the outlying communities right now as well. Jim commented that there would still be fees even in a district for an office and personnel.

Barbara asked if Logan can dictate if a district is formed or not? Jim stated that the state won't dictate if it can be done but that the local communities would have to decide. Dennis stated after the fiasco with the billing issues between Smithfield, Hyde Park and Logan that he was concerned about Logan's ability to manage the new system and that one possible option would be to house the sewer district offices in the basement of this building; if space was needed. Jim hoped all the communities could get together and discuss with each other. The project is big and even tougher for the communities south of Logan as the distances to get the waste to Logan are even further than those on the north end of Logan. Jim stated that at this time he thought a district was the best option but all options should be considered.

Mayor Simmons asked if anyone knew the timeline to have the new plant operational? Brent stated he had not heard an exact date. Jim said he was not 100% sure but that he thought it was by 2017 but with the new ammonia standards it might be 2019. It is anticipated that it will take two years to build the new facility after it is approved and financed. Brent thought the new ammonia standards allowed for an extension of one year; not two years.

Brent asked Jim how the new pump station would be affected by this project? Jim stated that the city is not paying for the pump station and that it is being billed in monthly fees over time by Logan to Smithfield. Logan City is fronting the costs of the pump station. Jim stated that if Smithfield did its own system that Logan would still have to pay for the pump station and would not get anything from Smithfield.

Jim stated that Logan has been good to work with but that he wished the outlying communities had been involved in the project before now. The treatment options being considered are not familiar to Jim. Mayor Simmons asked if the byproduct could be captured and used as a renewable energy source? Jim stated the algae option would allow for that but there are issues with the algae system in cold weather areas. The system does not work when the temperature is cold. The bio-dome option would work in the cold but had never been on such a large scale system. There is quite a bit of maintenance on algae systems and usually the algae systems are small scale and not large like this system would be.

Glen Jay Thornley commented that studies can be completed however the person asking for the study wants it done. If the city is hoping for the end result to be to stay with Logan the study would reflect that; if the hope was the city was to go on its own the study would reflect that way. Glen wanted the study to be done with a positive attitude so that the correct information was provided. From conversations he had with others; they were hopeful that Smithfield could have a system of their own. Logan was already receiving enough money from the outlying communities according to Glen.

COUNCIL MEMBER REPORTS

Brent stated that he appreciated having the employee Christmas party as much at the fire station as he did at the golf course.

Brent asked Jim how the progress was on the golf course well project? Jim stated the company was supposed to mobilize this week but had not yet and he was hopeful they would be here next week.

Brent asked how the cell phone tower project was coming along? Jim stated they had not started the project yet and that he did not anticipate them starting until the weather improves in April or so.

Brent asked Jim for an update on the homeowner that had installed a fence on city property at the golf course. Jim informed the council that he had spoken with the city attorney, Bruce Jorgensen, and the claim to get this resolved would be handled through small claims court.

Jeff stated that Adam Christensen is enlisted in the U.S. Army and stationed in Alaska. Adam is 29 years old and a graduate of Sky View High School in 2002. Adam recently won a very prestigious "Soldier of the Year" award as he was chosen for first place out of the 24 soldiers that participated.

Jeff informed the council that local youth Connor Mantz, who is also on the city youth council, was recently selected as a high school All-American in cross country. Connor finished a race in San Diego, sponsored by Foot Locker, where he finished in 7th place. Right now Connor is only a junior and as a sophomore he finished in 12th place. Barbara stated that Connor's mom had helped on the youth council for many years. Jeff stated that he got this information from the Herald Journal.

Kris informed the council she would be attending a meeting next Wednesday in Hyrum as Hyrum city is doing a challenge with the local youth to get them away from TV's and cell phones and possibly this could be incorporated into the Health Days activities for Smithfield.

Barbara stated some of the youth council members would be spending a day with some legislators and that it is a good training exercise and gets the kids some good contacts with state representatives.

Barbara wanted the council to know she had been approached by someone that thanked her for what the local Chamber of Commerce had done for her family. Kris stated that 83 families were helped this year.

Barbara commented that it was interesting having the employee Christmas party at a new venue. Kris stated that the library staff loved it.

Barbara thanked Jim and Justin for their weekly updates as well as having information available on the cloud for the council to review at any time.

Dennis commented that the new street lights on 600 South were delightful and a good project to have completed. Kris commented they were great and she was happy with the number that had been installed.

Dennis stated the library drawings were coming along and that Kelly wanted to have the design completed and the project put to bid in February. Jim concurred that the hope was to take the project to bid in February. Jim informed the council that one of the next meetings would be to discuss carpet, colors, wall textures, etc. The library would like to review the current floor plan before it is finalized but the project is still progressing. Barbara commented it was good to see the picture in the newsletter and Jim hoped to have more pictures to see soon. Dennis stated he had a copy of the building and would send a copy to the council.

MAYOR'S REPORT

The Mayor thanked everyone that was involved in the Christmas employee social as it was hard to visit with everyone in person but he wanted everyone to know how much they are all appreciated by him and that he really enjoyed working with such a great group of people. The Mayor thanked everyone for their willingness to always attend meetings and also thanked the Herald Journal and Kelly Cannon for their coverage of the city. Barbara thanked Kelly for being accurate in her reporting as well.

Mayor Simmons read an email that he had received from a citizen complaining that the city curfew is too early in the evening.

Kris stated she knew the noise ordinance kicked in at 10:00 P.M. Jim commented that in the 1990's there had been some vandalism issues and that if he recalled correctly the curfew time was 11:00 P.M. on weekdays and midnight on weekends.

The Mayor asked if anyone knew if the local law enforcement was actually picking people up for this problem? Jim wondered if it was possibly people wandering through the parks at night. Kris stated that people needed to be out of the city parks by dusk per city code.

The Mayor read a section of the email asking for the curfew to be changed to midnight on weekdays and 2:00 A.M. on weekends. Free time was needed for local youth after they get home from work late at night and that was not possible; currently. The email stated that being able to walk with friends or by himself just to clear his mind should be allowed at night and that it would allow him to better prepare for adulthood.

Barbara commented she would like to know why this email had been written if there was a specific incident or not. The Mayor stated the email did not say if there had been a past problem.

Jim read from the city code and the current rules state that youth under the age of 18 are permitted from being on the city streets from 10:30 P.M. to 5:00 A.M. during the week and from midnight to 5:00 A.M. on the weekends. Barbara asked where that rule applied? Kris stated in public areas. The Mayor asked how or if it was being enforced? Jeff expressed concern that Sky View has programs during the week that last until up to 10:30 P.M. at night during the week. Jim stated there are several exceptions to the rule; such as if a youth were with a parent. The Mayor said that most of the concerns listed in the email were already addressed in the city rules with the exception of the 10:30 P.M. restriction. This might be something for the city to consider reviewing down the road. The Mayor stated he would email the person a copy of the city ordinance as well as offer an explanation. Brent asked if this person were an adult if there were any issues? Jim stated that it only applied people under the age of 18.

Brent asked Jim if any of the other communities had decided what they were doing in regards to the Board of Adjustments personnel? Jim said that Hyrum was going to use Paul Larsen. Brent stated that the city should consider him as well as he had past ties to the city and would see what is happening in other communities.

A motion to adjourn at 8:45 P.M. was made by Kris.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, Recorder

SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, Utah 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, **January 8, 2014**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Mayor Simmons.

1. 6:03 P.M. Consideration of the Consent Agenda
Approval of meeting Minutes from the December 4, 2013 City Council Meeting
 2. 6:05 P.M. Resident Input
 3. 6:15 P.M. Reappointment of members of the Planning Commission
 4. 6:20 P.M. John Pacheco of Pacheco Company to discuss retrofitting the lighting systems in the city buildings.
 5. 6:40 P.M. Dave Gordon to ask the council for permission to have carnival rides at the Health Days Celebration.
 6. 6:55 P.M. Three Creeks Subdivision to ask the council about the possibility of disbanding the H.O.A. in their subdivision.
 7. 7:15 P.M. Public Hearing to receive input for Consideration of Resolution 14-01, "An Amendment to the budget for the period of July 1, 2013 through June 30, 2014 for all funds".
 8. 7:25 P.M. Discussion and possible vote on Resolution 14-01.
 9. 7:30 P.M. Discussion on Rules of Order for City Council Meetings
 10. 7:35 P.M. Selection of Mayor Pro Tempore
 11. 7:40 P.M. City Manager Report
 12. 7:50 P.M. Council Member Reports
 13. 8:05 P.M. Mayor's Report
- Adjournment

Smithfield City Council Meeting Minutes, January 8, 2014

Items on the agenda may be considered earlier than shown on the agenda.

In accordance with the Americans with Disabilities Act, individuals needed special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least (3) days before the date of this meeting.

Prepared, posted in the City Office and library, emailed to each Council Member, emailed to the Herald Journal, Smithfield Sun, and forwarded to be posted on the City Web Site on 01/06/14, and the Utah Public Meeting Notice website.