

**SMITHFIELD CITY COUNCIL**

**JANUARY 22, 2014**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 22, 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 Recorder Justin Lewis was also in attendance.  
City Manager James Gass was excused.

The opening remarks were made by Council Member Buttars.

**VISITORS:** Nefi Garcia (Verizon Wireless), Stacey Barfuss, Daniel Barfuss, Scott Bennett, Kelly Bell, Caden Bell, Char Izatt, Sheri Egbert, Stephanie Miller, Jack Draxler

**CONSIDERATION OF CONSENT AGENDA**

**APPROVAL OF THE MINUTES OF THE JANUARY 8, 2014 CITY COUNCIL MEETING**

After consideration by the council, the Mayor declared the consent agenda for the January 8, 2014 city council meeting minutes as approved.

**RESIDENT INPUT**

There was not any resident input.

**DISCUSSION AND POSSIBLE VOTE ON ALLOWING A NEW RESIDENCE LOCATED OUTSIDE OF THE CITY LIMITS TO HOOK ONTO THE CITY SEWER SYSTEM.**

Mayor Simmons informed the council that this item has been delayed until the person making the request gets approval from Cache County to build the residence. Once approved by Cache County the applicant may or may not come to the council to make the request for city sewer services.

**PRE-LEGISLATIVE DISCUSSION WITH LOCAL REPRESENTATIVE JACK DRAXLER.**

Jack Draxler came before the council to discuss some concerns he has with the upcoming legislative session as well as answer any questions that the council might have. Jack represents District 3 which is the North West quadrant of Logan and then North Logan to the Idaho border. Jack said he is trying to visit with each city council in his district before the upcoming legislative session which starts next Monday. Jack stated he had been to Richmond the previous evening and to Hyde Park a couple of weeks ago.

Jack stated that the Utah League of City and Towns is good for the city but asked that the council take any individual concerns of the city or council to him and he will try and help when possible.

Jack commented that there are a couple of things that the council may or may not be aware of and he wants to discuss them and get the input of the council. There is a proposed bill that would make it so that cities cannot require a business license for businesses that have revenues of under \$250,000 per year. Jack stated as a former mayor this gives him heartburn. The intent is to help small businesses and be a champion of small business is what the bill sponsor is trying to accomplish according to Jack. This bill could put the city in a tough bind.

Jack used the example of an individual that is repairing cars in his garage. The business could increase and there could be ten to twelve parked cars at this residence plus one that is being worked on. A business license gives the city some oversight of this type of situation. Each city usually has a nuisance ordinance but that usually does not apply in this circumstance.

Jack used another example of someone raising a significant amount of puppies or a puppy mill as some may call it. A puppy mill in a residential area can be very hard on the neighbors.

It is important to consider private property rights but those residing around the area need to be protected as well according to Jack.

Jeff asked what the exact wording in the bill states? Jack stated it exempts businesses with revenues under \$250,000 from being required to have a business license and removes the ability of a city to require a license.

Dennis asked why would someone sponsor a bill like this? In Jack's opinion it was for the bill sponsor to be a champion to small business.

Jack stated that this would be his 8<sup>th</sup> legislative session and that one thing he has learned is that when a legislator sits at home and thinks of making legislation it is usually not the best. It is always better when a constituent comes to the legislator for help.

Jeff asked Jack if he had any idea how many businesses this would effect in Utah County? Jack stated he was not sure but that he estimated there were many more businesses below \$250,000 per year in revenue than above.

Jack mentioned as a former mayor of North Logan he always wanted to be business friendly. A business license can be good on many levels as it needs to be fair to the licensee as well as the surrounding neighbors; especially in a residential area.

Jeff asked Jack if he would be voting against the proposed bill? Jack stated that he would be voting against the bill but he wanted the city to be aware that it had been proposed. Jack wanted to know the thoughts of the city council and suggested the council contact other legislators as well as the bill sponsor with their concerns. Jack also suggested contacting the league to make sure they are aware of the concerns of the city.

Barbara asked if this bill passed if preschools with revenues under \$250,000 would then be exempt from being licensed? Jack stated that was correct. Barbara said she liked the safeguards that were already in place as they give good outlines to follow and that would no longer be allowed. Jack commented that the state would still be involved with preschools in regards to the safety of the kids, hygiene and to make sure they meet the required space requirements. Kris then stated that who would follow up on this if a license was not required? This bill made no sense in her opinion.

Jack informed the council that he has a business license at his home and it is not oppressive and costs around \$25 per year. Jack understands that with his business being located in a residential area that there cannot be ten people coming and going at the same time and that business hours need to be normal business hours. There should not be noise or traffic impacts at home based businesses.

Dennis mentioned that the Utah State Tax Commission certainly recognizes businesses with revenues under \$250,000 as that is around \$1,000 a day in revenue and makes for a very nice sized business. Dennis thanked Jack for looking at this bill negatively.

Jack stated that the bill might be sponsored by someone that thinks a city wronged them and wants the system fixed. Jack cautioned that lawmakers cannot just look at one particular situation but must look at the entire community as a whole.

Mayor Simmons asked Deputy Recorder Char Izatt her thoughts as she handles business licenses for the city. Char stated that she had been made aware of it by some of her business license contacts as well as the league. The impact to communities would be great. Another consequence is that if businesses are not known by communities then the communities cannot pass the information on to the county to collect personal property taxes and that revenue area would decline as well.

Mayor Simmons asked for the number or name of the bill. Jack stated it is Bill Number 225.

Barbara asked how this would affect door to door solicitors? Jack stated that depends on the rules of each community. Char stated that solicitors are not considered a home occupation and would not be part of this bill.

Jack informed the council of another huge issue which is Class C Road Funds. Right now these funds are almost exclusively being used for maintenance and less and less maintenance is being done each year. Cars are more efficient; therefore, less gasoline is purchased. There are a few ways it can be addressed. A fixed number can be added to the existing gas tax. A local option sales tax would be possible which would put the opportunity in the hands of the city to decide what to do. The other option would be to do an increase by indexing.

Jeff asked for Jack to explain indexing. Jack explained that the yearly increase would be based off of the consumer price index rather than the cost of gasoline or crude as that market is very volatile. There could be a cap included as well such as at 4%. There is already a precedent for indexing as the state uses it in regards to retirement benefits. If the index increases 3% then the

rate is adjusted 3%. If the index increases 6% then the rate would only increase 4% as there is a cap in place. In Jack's opinion this was the best idea but he was not getting many of his fellow legislators to agree with him. Most legislators don't like anything that is automatic and indexing would be automatic. Indexing would protect the cities from a deteriorating revenue stream. Right now as inflation goes up and cars become more efficient the road funds are just staying level. The last option would be to do nothing and keep it as it currently is outlined. More and more roads are being maintained on fewer funds each year. It is an election year and Jack stated he was not sure if his fellow legislators would be courageous enough to vote for an increase.

Brent asked Jack the last time the rate was raised? Jack stated the last time the rate was raised was over ten years ago.

Dennis commented that inflation continues and that inflation is not fixed and anytime something remains fixed that creates problems. Dennis liked the idea of indexing using the consumer price index as that would keep in line with inflation. Dennis stated he is conservative but reality must be faced as well and that there will always be more roads needing repair; not less. Dennis also stated he did not like the idea of putting it back in the cities lap with a local option sales tax. That could put the city at a disadvantage. If Logan did not increase the rate then it is cheaper to shop in Logan than Smithfield and that would mean less revenue to Smithfield. Dennis stated he liked the idea of local control on certain things but this was not one of them.

Jack asked the council if they would support indexing or doing nothing? Kris stated she liked the indexing idea as it was not a big increase all at once like a \$0.10 per gallon increase would be.

Mayor Simmons asked Jack if he would be available during the session and how he could be reached? Jack stated to contact him via email at [jdraxler@le.utah.gov](mailto:jdraxler@le.utah.gov).

Brent expressed concern about businesses that build right on the edge of the city but what they are doing does not agree with what is allowed in the city. Brent mentioned an example of some proposed storage units that were proposed by Sky View High School in the county but the city long term plan showed that area as a residential area. Brent mentioned that Idaho has an overlapping law that cities have to work together if they overlap within a mile or so of each other. Jack stated he was not aware of this Idaho law.

Brent mentioned the airport overlay as well stating that in that certain area structures can only be so high. Jack stated that ideally different jurisdictions need to work together. Jack expressed concern in regards to the overlapping concept as most communities in Salt Lake join each other and North Logan and Logan join each other. Jack would not like Logan telling North Logan what they can or cannot do in a certain area within their city limits. Jack then stated that he did understand Brent's concern. Jack stated that the legislature is reluctant to over manage or over control local areas which might be a surprise to some people. Jack informed Brent that he would research the Idaho law and how it applies. Brent then mentioned that maybe it could be just for a county working with a city and not necessarily a city with a city. Barbara suggested that in the future that maybe the city should meet with the county regarding this concern. Jack stated the preferred approach is always for the local groups to work together first. Jack stated he would

find out about the Idaho law and what the advantages and disadvantages are to what they are doing.

Jack thanked the council for their service as there are sacrifices made by all involved in community service.

Mayor Simmons asked the council if any of them were attending the upcoming session? Jeff stated he was going down for one day. Barbara stated that the youth council had decided to attend every other year.

**DISCUSSION AND POSSIBLE VOTE ON A RIGHT-OF-WAY AGREEMENT WITH ROCKY MOUNTAIN POWER FOR POWER SERVICE FOR A NEW VERIZON CELL PHONE TOWER AT THE BIRCH CREEK GOLF COURSE.**

Nefi Garcia stated he is based out of Murray, Utah and works with Verizon Wireless. The proposed cell phone tower has been in process for a long time but has been stopped a couple of times along the way. The proposal is to get the site completed this spring or early summer. The original plan was to run the power to the site from by the clubhouse. The new proposal is to run the power from the south and there is an easement requirement from Rocky Mountain Power in order for this to take place. The new proposal would be to run the power up in the area of the golf course maintenance shop and then up to the tower site. This change would be considered amendment number 2 to the original agreement.

Jeff asked what amendment 1 was for? Nefi stated it was a financial requirement made by the city.

Mayor Simmons commented that the only proposed change was from the original access point of the power to the site. Nefi stated that was correct and that all of the work would be underground; directional boring.

Jeff asked Nefi if the power would be run from 120 South then north to the maintenance shop? Nefi stated that was correct.

Jeff asked if the power would mainly follow the road? Nefi stated that was correct; the pathway would be followed as much as possible.

Jeff asked how wide the easement would be? Nefi stated it would be 12 feet; 6 feet from the center.

Barbara stated she liked the boring idea so the turf would not be affected. Kris commented the only change to the project was just the way the utilities would be run to the location of the tower.

Mayor Simmons asked Nefi why the original plan was being changed? Nefi stated that it had been determined that it would be more cumbersome from by the clubhouse and that area would get torn up and they wanted to avoid any issue like that at the clubhouse.

Brent asked how much power was needed at the site? Nefi stated it would be single phase; 200 amps. Much like a house.

Justin stated that Jim and Chad were both okay with the proposed change.

Mayor Simmons asked if the tower was really going to be installed this time as it had been planned for several years? Nefi stated that construction would occur this year for sure.

Jeff asked Nefi if the easement is approved when would construction begin? Nefi stated in the late spring or early summer. The necessary merchandise for the tower and building has been ordered.

\*\*\*A motion to approve the Right of Way Easement request for Rocky Mountain Power on Assessor Parcel Numbers 08-067-0011 & 08-067-0006 was made by Kris, seconded by Brent and the vote was unanimous.\*\*\*

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

No Vote: None

### **HYRUM CITY MAYOR STEPHANIE MILLER TO DISCUSS THE “UNPLUGGED CHALLENGE” PROGRAM.**

Stephanie Miller asked if any of the council had seen the workshop at the league meetings on the program that was started in Heber Valley by a couple of attorney's? None of the council attended the workshop. The attorneys wanted to come up with a way to get children outside and away from violent video games. Their hope was to limit exposure to violence with something that was fun. Their goal was to provide some activities that could be done in the community. One of the pluses to the program is that foot traffic at participating businesses increased 400%.

Jeff asked Stephanie how much business was generated by the program? Stephanie stated there were several businesses that were ready to close and they are now doing well as they just needed exposure to let people know where they are and what they offer. The key for the businesses was just getting people in the doors. The program consisted of 101 activities and most of them were free. It was a way to get the youth in the community outdoors. Once the activities are decided then businesses can decide which ones they want to sponsor.

Stephanie stated that she talked to the Cache County School District and they are in support of the program. The intent is to use the local youth council's to spread the word at the schools. The plan is to present the program to the kids at the schools two weeks before school gets out. Each child would be provided a lanyard to attach the badges too. The program runs from Memorial Day through Labor Day. There would be a magazine that is put together showing maps, trails and all of the activities to choose from. For example, one activity in the Heber Valley program was to hike to Bridal Veil Falls and take a picture. Then the youth would take the picture to the business and show them they had completed the activity and the business would then give the kid a badge. The kids love to collect the badges.

Stephanie stated she had heard some really great testimonials from both children and businesses that participated in Heber.

Stephanie said even some homebound adults sponsored activities and had thousands of kids coming to their door to do an activity or receive a badge. Heber Valley originally planned to hand out about 6,000 badges and ended up handing out about 65,000 badges.

Stephanie stated that her original intent was to start this program in the south end of the valley only but there has been such an interest that she approached the northern communities as well. There is a onetime setup fee of \$3,500 that would be split amongst all of the participating communities and the expected fee is around \$400 per community. The entire program will take three to five years to play out. In Stephanie's opinion this is a great program for each community for a cost of \$400. Hyrum is going to involve the summer reading program in their activities for this program. Cities do not have to sponsor an activity but Hyrum is choosing to do so. The cost of each tag or badge is \$1.00 and that cost is paid by the participating businesses. The setup cost will also pay for the website that needs to be created. Businesses will go in and sign up for the program once the website is up and running.

Kris stated she was told that Heber had overwhelming support from the police department? Stephanie commented that one of the most popular badges came from the police department. The officers were given badges to give out to kids that they saw doing good deeds.

Barbara asked the ages of the kids that will be participating? The program is mainly for kindergarten age through middle school and the youth councils will be relied upon to see if there is interest with the high school age kids according to Stephanie.

Kris asked who is paying for the lanyards? Stephanie stated that the businesses would pay for the lanyards and badges but that there is one company that is thinking of paying the cost of the lanyards. Kris mentioned that IHC was considering paying for all of the lanyards for the entire state.

Mayor Simmons asked Stephanie how the program was being received by other communities? Stephanie stated that it had been well received in every community she has asked to participate.

Jeff asked what happens when a business that spends \$500 to purchase 500 badges runs out of badges and does not want to buy anymore badges? The kids will still keep coming in so what should the business do in this regard? Stephanie stated she did not know as that had not been an issue she had heard about. Stephanie was only aware of businesses wanting to buy more badges as they kept running out.

Mayor Simmons stated that the \$3,500 fee would cover the program for the entire valley with a cost of about \$400 per city. Are there other costs on top of that fee like the cost of the lanyards? Stephanie stated the only cost to the city was the initial onetime setup fee. If the library chose to do an activity they would be responsible for the associated cost of the activity. Hyrum is going to tie the activities into their summer reading programs. The Mayor stated it was a minimal financial investment to have healthier kids and to get them outdoors in the community.

Jeff asked if this would be just for the summer? Stephanie stated that was correct; from Memorial Day through Labor Day.

Mayor Simmons asked Daniel Barfuss, a local boy scout, who was in attendance to come before the council and give his thoughts on the program. Daniel stated he thought it was quite interesting and that in his opinion it will lower violence is there is a lot of violent video games. Daniel thought the program was like a scavenger hunt and his friends would be comparing badges and bragging about what badges they each had.

The Mayor asked Daniel if he thought his friends would participate in this program? If he thought it was interesting as it is something new? Stacey Barfuss, Daniel's mom, mentioned that all of the kids that age are into collecting various items and she would support the program. It helps to keep the kids away from the gaming devices and TV and she was for that.

The Mayor informed Stephanie that he thought the magazine was well thought out. Barbara asked if Smithfield would be included in the magazine if the city was part of the program? Stephanie said that was correct and cities that do not participate will not be listed.

Stephanie commented that they had thought about having 40 activities north of Logan, 40 south of Logan and 21 in Logan. Another thought was to have 80 north of Logan, 80 south of Logan and 21 in Logan. There would be enough activities in both ends of the valley for the kids to participate but at the same time, if they wanted too, they could go to the other end of the valley and participate. Kris stated that kids could get badges in other communities when they are on vacation if that community is participating in the program.

Jeff asked Stephanie who would contact the businesses? The city council? The youth council? Stephanie stated that most businesses will sign up for the program on-line. The idea is to put the word out about the program and then get the businesses to look at the website and signup. Kris asked who would be representing Hyrum for the program? Stephanie stated that had not yet been determined as currently she was trying to get a commitment from which communities wanted to participate. The key is to get the website up and running immediately. The goal would be for the program representatives to meet in February. There needs to be at least one representative from each city and can be more if the city wants more people involved. Hyrum is going to advertise the program in the city newsletter. Hyrum has a business conference at the start of each year and the program will be mentioned at that time as well.

Kris reminded the council that Dave Gordon, who asked the city about having a carnival at the last city council meeting, wanted to be part of the program. Maybe he could team up with the police department.

Jeff asked if the businesses get to decide on what activity they will sponsor? Stephanie stated that was correct. They can choose an existing activity to sponsor or come up with their own activity.

Stephanie informed the council that she will need a decision by the start of February if the council wants Smithfield to participate in the program. Brent stated he was in support of participating in the program.

Stephanie mentioned that Hyrum, Wellsville, Mendon, Nibley, Millville, Richmond, Hyde Park and North Logan were all going to participate. Stephanie would be meeting with Providence the following week and she was going to get on Lewiston's agenda to speak with them as well.

Mayor Simmons asked if this was just a one-year program? Stephanie stated it could last up to five summers. Kris asked if there was a \$3,500 per year fee? Stephanie stated the \$3,500 was a one-time fee.

Barbara informed Stephanie that the Smithfield youth council needs to be involved before the start of summer as they usually don't hold meetings in the summer as the kids are very busy with jobs and other activities. Stephanie stated the plan was to introduce the program to the kids in May and not earlier as the kids will want to start the program as soon as they receive the lanyards. The program officially starts on Memorial Day weekend.

Mayor Simmons mentioned that the council would not meet again until the second week of February so a decision should be made. Justin mentioned that the financial commitment is not nearly as big as the time commitment of the representatives involved. Stephanie stated that it does not have to be a city council member as the representative; it could be anyone.

\*\*\*A motion to participate in the "Unplugged Challenge" program that is being established by Hyrum City and Mayor Stephanie Miller with a financial commitment of not more than \$500.00 was made by Kris, seconded by Dennis and the vote was unanimous.\*\*\*

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

No Vote: None

Mayor Simmons informed Stephanie that Kris will be the Smithfield contact for this program.

### **CITY RECORDER REPORT**

Justin informed the council of a couple of items since Jim was out of town to a conference. The Birch Creek well project has started and it will be time to purchase a new pump for the well very soon. Jim had asked with permission of the council to only allow contractors in the valley to bid on the new pump. The reason for wanting to ensure a local supplier was so that if the pump stopped functioning there was local support to get it up and running quickly. There would not be associated travel and mileage costs that are charged by suppliers outside of the valley when responding to repairs either. The two main local suppliers are Glenn's Electric and Mtn Valley Pump & Sales.

The council agreed that the pump supplier should be bid with local companies only for this project.

Justin stated the second item Jim asked to pass along was that he had met with Scott Archibald of Sunrise Engineering and got a quote for a study on the feasibility and cost of a waste water treatment facility that would include the communities of Smithfield, North Logan and Hyde Park. The anticipated cost of the study would be \$30,000 to \$36,000 and the other two communities had agreed to pay their 1/3 cost of the study. The study would look at two possible sites for the main part of the system, four or five different treatment options and the infrastructure to get the effluent to the facility and then from the facility to the river. Both Mayor Cox of Hyde Park and Mayor Berentzen of North Logan were in support of having the study completed and paying the associated cost. The contract would be between Smithfield City and Sunrise Engineering with Jim as the main contact. After the report is completed all three communities would be provided with copies of the study.

Jeff stated this was not an agenda item and could not be voted on. Mayor Simmons stated it was not a decision that even had to be made at this meeting and it can be discussed and voted on at the next council meeting.

The Mayor stated that he thought the system should be looked at from a perspective of the three communities as well as just Smithfield by itself.

Brent commented that representatives of Logan City were in Salt Lake City looking at financing options for the project and is a step ahead in the development of this project.

Mayor Simmons stated that there are some complexities for North Logan but they would be looking at a unifying effort with either Logan or Smithfield.

The Mayor asked the council if they wanted to consider a system that was just for Smithfield alone while the study was being completed for the three communities? Jeff asked if all factors like the cost of the land would be in the study? The Mayor stated that all costs would need to be listed so that an informed decision could be made. Barbara suggested it is looked at from a Smithfield only perspective as well as a three city perspective. The Mayor stated the cost of the study would cost more if Smithfield wanted to know the cost of the project only for Smithfield City if the other two communities were not hooked on. Brent asked if the city would gain anything by being on its own system? One big facility to run all three communities or a smaller facility with only one community would most likely require the same amount of labor to run according to Brent.

Mayor Simmons asked Justin what the cost is per month in Richmond as they installed an MBR wastewater system approximately five years ago? Justin stated the current monthly sewer utility fee is \$46.00 per month per connection. Before the project; the cost was approximately \$23.00 per month. Richmond went to the State of Utah and was given a \$2,000,000 grant and an interest free loan in the amount of \$3,316,000. One of the criteria of the loan was that the state took the medium adjusted gross income of the Richmond residents, also known as the MAGI, and stated one of the conditions of the loan is that the minimum monthly sewer utility fee would be \$40.00 per month and Richmond agreed to that condition. Since that time, Richmond

increased the monthly fee \$1.00 per year to keep up with inflation and maintenance and repair costs.

Dennis stated that he felt the city could do a cost analysis from the three city study and determine if the project seemed feasible for just one city. The only difference in the cost of the system would be the trunk lines from North Logan and Hyde Park getting the waste to Smithfield. The facility might be a little bigger to accommodate the three cities rather than just one city. Dennis suggested funding the three city study and then deciding from that information what seemed reasonable. Dennis did not feel the cost of having an extra study completed for just Smithfield was worth the extra money. Mayor Simmons agreed with Dennis's comments but also stated that local residents will ask why not just Smithfield by itself. Dennis agreed and stated that whatever decision is made on the waste water treatment it needs to be defended.

The Mayor asked Justin to include this item on the February 12<sup>th</sup> council agenda as a discussion and possible vote.

### **COUNCIL MEMBER REPORTS**

Dennis stated he did not have any items to bring before the council.

Barbara informed the council that she had been contacted by someone that was in favor of having a splash pad in the city.

Barbara had received another email with a concern regarding the snow berms that are created along the edge of driveways when the city snowplow drivers push the snow. The resident asked if the city ever sent out backhoes to clean out the driveways. Mayor Simmons stated that he had hired a contractor with a backhoe to clean his driveway once but that was the responsibility of the residents to clean their own driveways. Barbara said that she knows that this is not something the city can feasibly do as there are over 53 miles of roads that have to be cleaned. Justin stated that he had received a few phone calls as well and the concern he was hearing was that people were complaining that the city snowplows pushed snow up into the driveways of the residents after the residents cleaned their driveways. The residents did not like having to clean by the edge of the road again but it is the nature of how it happens and nothing can be changed in that regard. Barbara stated that she personally thought the city snowplow drivers were doing a great job.

Kris mentioned she had attended a Chamber of Commerce meeting and the discussion of having a welcome packet for new move-ins and businesses came up. Kris thought maybe a one page flyer with local doctor, dentist and business information would be good. Is the city willing to fund something like this? Sandy Emile, the director of the chamber, stated there are three things that people want when they move to a community. A phone book and local information are very important. Is this something the city wants to participate in? Is this something the city wants the chamber to handle? Justin stated that currently when people sign up for utility service they are given a fact sheet for the city that is updated on a yearly basis. Kris was not aware that the city was already providing some information. Char provided each council member with the current fact sheet that is distributed. Kris suggested that maybe it could be spruced up and put in a

simple folder and given to new residents and new businesses. Mayor Simmons asked Dennis to get a cost estimate of a nicely done fact sheet and folder. Kris also stated the city needs to have phone books on hand to give out to new residents.

Mayor Simmons asked Kris who would be responsible to give out the phone books and folders? Kris stated the city office staff would hand them out when a person signs up for utility service as they have to come into the city office to sign up for services. Mayor Simmons suggested adding a few pictures to the current fact sheet as well.

Kris stated the new Cache Chamber of Commerce President is Scott Archibald.

Jeff informed the council that the tree committee would be meeting next Wednesday night. The committee is looking for a new member as Jared Gibbons is too busy to keep serving at this time. Jared has done a great job and will be missed. Jeff stated he would put something in the newsletter asking for volunteers to help on the committee. If the council had any suggestions to let him or Phyllis Smith know who was willing to help.

Jeff also mentioned that the Historical Society will need some reorganizing in a month or so.

Brent informed the council that a member of the planning commission's term expired at the end of the month. Bryant McKay's term will expire at the end of January and Brent had spoken with him and he was willing to serve another term. Bryant had agreed to attend some continuing education courses as well as attend meetings regularly. Barbara asked if he was a current member of the planning commission? Brent stated that was correct he was just finishing his first term.

\*\*\*A motion to reappoint Bryant McKay as a commissioner on the Smithfield City Planning Commission was made by Brent, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

Mayor Simmons informed Brent that he has been contacted by someone that is wanting to serve on the commission when an opportunity is available.

Brent also mentioned to the council that he would like to see the city consider getting a compliance officer. There is a portable carport that is attached to a house on one side and a fence on the other side. The front is enclosed with some wood gates trying to hide the structure. The structure is both illegal according to ordinance and fire code. Brent is frustrated that these things are happening in the city and not being addressed. Brent suggested that this person not reside in the city limits as that person will take a lot of grief as people do not like enforcement issues.

Kris commented that the council needs to decide if the city is going to enforce all ordinances to the letter of the law. Does the city want to be that strict? Mayor Simmons commented that why have ordinances if they are not going to be enforced.

Barbara asked if the position would be full-time? Brent stated he did not think so. Brent suggested possibly a retired police officer that understood rules and regulations. Kris commented that it would take away some of the pain the current employees are dealing with when people come in regarding compliance issues.

Brent suggested that this position be considered when the new budget is talked about. Brent would like to see some money set aside for this position.

Barbara asked if door hangers would work to inform people? Mayor Simmons suggested that educating the residents is the preferred step and is the best route to go when possible. Education is always best when possible.

The Mayor stated he thought it should be discussed at the next budget meetings as well and that he did not see the job being a full-time position.

Dennis stated that maybe it could be combined with Hyde Park and North Logan. Mayor Simmons stated that in his conversations with Mayor Berentzen that North Logan is having the same types of issues. Kris stated that it might be hard to combine with other communities when they all have different laws and ordinances. Brent suggested asking the other mayor's their thoughts on this subject and possibly combining.

Mayor Simmons stated that the communities are getting closer and closer together each day and that Smithfield already supplies fire service to Hyde Park. Hyde Park is a great community to work with stated Mayor Simmons.

Brent also expressed frustration with ATV's pushing snow into the city right of way and into neighbors' yards.

## **MAYOR'S REPORT**

Mayor Simmons stated that there are ongoing discussions with the other communities about the sewer system and possibly combining in some other areas as well in the near future.

\*\*\*A motion to adjourn at 7:37 P.M. was made by Kris.\*\*\*

## **SMITHFIELD CITY CORPORATION**

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Darrell G. Simmons, Mayor

**ATTEST:**

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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 22, 2014**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Buttars

1. 6:03 P.M. Consideration of the Consent Agenda  
Approval of Minutes from the January 8, 2014 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Discussion and possible vote on allowing a new residence located outside of the city limits to hook onto the city sewer system.
4. 6:30 P.M. Pre-legislative discussion with local Representative Jack Draxler.
5. 6:45 P.M. Discussion and possible vote on a right-of-way agreement with Rocky Mountain Power for power service for a new Verizon Cell Phone Tower at the Birch Creek Golf Course.
6. 7:00 P.M. Hyrum City Mayor Stephanie Miller to discuss the “Unplugged Challenge” program.
7. 7:15 P.M. Council Member Reports
8. 7:30 P.M. Mayor’s Report

Adjournment

**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 01/20/14, and the Utah Public Meeting Notice website.