

SMITHFIELD CITY COUNCIL

FEBRUARY 26, 2014

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, February 26, 2014. The meeting began at 6:01 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, City Building Inspector Jon Wells, and City Assistant Engineer Clay Bodily were also in attendance.

City Manager James Gass was excused.

The opening remarks were made by Council Member Barnes.

VISITORS: Johnny W. McCoy, Barbara Gutke, Jay Downs, Coltin Larsen, Dorian Johnson and Boy Scout Troop 54.

CONSIDERATION OF CONSENT AGENDA

APPROVAL OF THE MINUTES OF THE FEBRUARY 12, 2014 CITY COUNCIL MEETING

After consideration by the council, the Mayor declared the consent agenda for the February 12, 2014 city council meeting minutes as approved.

RESIDENT INPUT

There was not any resident input.

REPRESENTATIVES OF HYDE PARK CITY AND NORTH LOGAN CITY TO DISCUSS POLICE PROTECTION

Mayor Lloyd Berentzen from North Logan City thanked the council for being able to visit with them for a few minutes. Mayor Cox of Hyde Park City had scheduled the time to meet with the council but had something come up and could not attend. Both Mayors were wanting to attend the meeting together as they have a proposal they would like the city to consider and see if they have an interest in.

Mayor Berentzen informed the council that North Logan City and Hyde Park City have had a working relationship for many years. Mayor Berentzen has lived in North Logan for over 28 years and there has been a relationship between the communities for longer than that. North Logan has offered police protection to Hyde Park City for many years. North Logan City has been the hiring agency and overseen the agency and then subcontracted with Hyde Park to provide police protection services to the community.

The budget is studied by each community on a yearly basis with each community wanting and needing to pay its fair share. Mayor Berentzen stated that after reviewing the relationship with Mayor Cox of Hyde Park that they were looking at making it a more balanced relationship and had been considering an interlocal agreement that would allow ownership in the department by both communities. The process would be to create a new police commission and involve the mayor's as well as a couple of council members. The commission would have its own budget.

North Logan City has had a safety committee for several years but that agreement did not have any teeth in it according to Mayor Berentzen. The proposed interlocal agreement has teeth in it according to Mayor Berentzen.

Both the councils of Hyde Park and North Logan are supportive of the interlocal agreement.

Mayor Berentzen wanted to see if Smithfield City would have an interest in joining into the agreement with Hyde Park and North Logan and so the invitation was being offered.

Mayor Berentzen provided each member of the council with a 16 page draft copy of the draft interlocal agreement between Hyde Park and North Logan. The intent was to be as simple as possible but at the same time cover all of the necessary items. The document discusses how the department will be organized, who will be on the commission, personnel, infrastructure and liability. There is also a formula for the budget and cost but it is quite vague at this time. The main purpose of the document at this time is to show how the commission would work.

Mayor Berentzen explained that he works for the Bear River Health Department and that department is a tri-county department between Cache, Box Elder and Rich counties. The entity can buy and sell property as well as having enforcement capabilities. The tri-county agreement is more efficient but all counties have good representation as well. The draft interlocal agreement mirrors that agreement. Mayor Berentzen also explained that other law enforcement agencies have done this type of agreement as well and some of their ideas have been incorporated as well.

Mayor Berentzen informed the council that the goal of the two cities was to have the program up and running by July 1st as that is the start of the new budget year.

Mayor Berentzen explained that the intent was to make it appeal to all people and was not so much as an efficiency agreement or downsizing in personnel but creating a group that will operate with a higher level of professionalism. There are more opportunities with a bigger department and some potential changes in efficiencies of how the department is managed. Personnel will be allowed to be more specialty trained.

Mayor Berentzen stated that this was a lot to consider in a short amount of time but both the Hyde Park mayor and council were aware as well as the North Logan mayor and council and now the Smithfield mayor and council are aware as well. The intent of the agreement is not to push or hurt any community but at the same time it is a sincere offer from both Hyde Park and North Logan to team up with Smithfield.

Mayor Berentzen suggested to the council that if there is an interest by the council and the mayor that a couple of council members and the mayor could meet with a couple of council members from North Logan and Hyde Park to discuss the agreement and consider the pros and cons of the agreement to see if it is worth pursuing for Smithfield City. Mayor Berentzen expressed that he thinks it is an agreement that is worthwhile in pursuing.

Barbara asked if the draft agreement was available electronically? Mayor Berentzen stated that it was and he would get a copy for the mayor to distribute but to keep in mind this is a draft agreement and there is still some work that needs to be done on it.

Kris asked if all of the personnel from both departments would be retained or if there would be a loss of jobs by either department? Mayor Berentzen commented that was more specific than what he was ready to answer at this time but the target is not to displace any employee. The target would be to hopefully already have enough people employed.

Mayor Berentzen informed the council that their new police department building cost approximately \$1,100,000 and is paid for.

Mayor Berentzen also stated that the credibility of the department could significantly increase with a north end police department. There is the concern about infrastructure as both Smithfield and North Logan each have police department buildings but that would be calculated in the formula as all of the assets of the departments would go to the commission but the percentage in the formula could change when needed. All three communities would have ownership in the infrastructure. If any of the communities wanted to split off and do their own thing at a later time there would be a clause in the agreement allowing for it.

Barbara asked where the commission is one body and not separate that it appeared to her that the commission would have the advantage of the North Logan tax base? Mayor Berentzen stated that would be an advantage.

Barbara asked if the formula is population based? Mayor Berentzen stated that there was a specific formula and that it is not just population based. Mayor Berentzen stated from a tax base perspective it might not be smart for North Logan to join but that in his opinion the interlocal agreement has merit.

Barbara asked what the population of North Logan is? Mayor Simmons stated that Smithfield is just over 10,000. Mayor Berentzen stated that North Logan is just over 10,000 as well.

Kris asked Mayor Berentzen one big thing that the commission could do if the groups were combined. Mayor Berentzen stated that there would be more mobility than a small department. More expertise and specialty training could be done as right now most of the officers are generalists in that they have to do many different jobs. The department would become more sophisticated over time. There is also the economic possibility of saving money in the long run but the long term plan is not to displace any current employee. If they move onto other jobs they might not be replaced but that would be up to the discretion of the commission. The departments

are already budgeted for in all three communities but now there could be significantly more expertise offered.

Mayor Simmons asked how the formula was determined? Was it done just by North Logan or a combination of North Logan and Hyde Park giving suggestions? Mayor Berentzen stated it was the two mayor's and two council members from each community working together to agree on things. North Logan is bigger than Hyde Park but North Logan is not worried about having more bodies on the commission than Hyde Park. All of those issues can be worked out.

Mayor Berentzen explained that the Bear River Health Department board consists of five members from Cache Valley, one member from Rich County and three members from Box Elder County and there has never been an issue with one county having more representatives on the board. When an issue arises the other two counties are there to help and the board works in harmony together.

Barbara asked if the commission would be elected or appointed officials? Mayor Berentzen stated it would be elected officials with the thought being around nine total members. The mayors of the three communities as well as two council members from each community. Possibly the addition of at-large appointments as well. The board could consist of 11 members if the commission felt that was appropriate. The specifics had not been finalized in this regard as it was just a concept at this point. The idea was to see if this type of agreement would be appealing to Smithfield City. If so, then great, if not then okay and Hyde Park and North Logan will just work on the agreement.

Mayor Berentzen wanted the department to continue to grow, move forward and be as cutting edge as the Cache County Sheriff's Office moving forward.

Mayor Simmons asked Chief McCoy how often the departments are currently sharing service? Chief McCoy stated that when either department has a shortage of personnel that the other department backs them up. The Logan City Police Department will cover from 2500 North going south and the Smithfield City Police Department will cover from 2500 North moving north. All agencies work together on investigations. Chief McCoy asked the council to invite the chiefs to be part of the discussions as they are the experts in protection for the community.

Mayor Simmons commented that this topic is something for the council to discuss and consider.

Brent asked the thoughts about having two buildings just a few miles apart? Mayor Berentzen commented that he thought it was a strategic advantage but was unaware of the financials of the Smithfield City police department building but that North Logan's is paid for.

Brent asked if the Smithfield City police department building could be leased to the commission? Mayor Berentzen stated that was correct. The commission will have to decide how to take on the existing buildings, equipment and distributing the cost fairly.

Mayor Berentzen informed the council that with the Bear River Health board; it is owned 62% by Cache County, 3% by Rich County and 35% by Box Elder County. There are two buildings

in Rich County that are utilized but they would be a much higher cost to run if the three counties were not in a joint agreement. Hyde Park probably benefits the most from this agreement as they would receive coverage from both the north and the south and they have a high level of interest in the agreement.

Barbara said that in the past the question had been asked about joining the Cache County Sheriff's Office but it had been rejected. Mayor Berentzen stated that both communities at one time or another had considered joining with or going with the Cache County Sheriff's Department. Both cities at this time had decided they did not want to join with the Cache County Sheriff's Office or the Logan City Police Department. There had not even been a discussion with Logan City about joining with them but it made sense to consider joining with Smithfield City according to Mayor Berentzen.

Mayor Simmons stated it was an interesting proposal but there would not be a motion this evening. A timeline would be discussed to see if Smithfield City does have an interest. Mayor Berentzen stated if there was an interest that the mayor and a couple of council members could be involved in putting the agreement together. At the appropriate time; the police chief's would be involved.

Mayor Simmons commented that the agreement was well put together in the brief time he had been able to review it. Mayor Berentzen said not to get held up on the wording in the draft agreement, at this time, as things could be worked out and changed if the communities join together.

Barbara asked what the name of this new commission would be? Mayor Berentzen stated it would no longer be North Park and the commission could decide on a new name.

Kris expressed concern that changing logos, ordering badges and the startup costs could be high for this project. Mayor Berentzen stated those are legit costs but in his opinion would be minimal in starting the commission. All of those items don't have to be changed at once and can be changed over time. The process could be completed one step at a time. Mayor Simmons stated that the groups in the Salt Lake area transitioned these items over time and not all at once.

Jeff Barnes asked how many officers were employed by North Park? Chief McCoy stated that the Smithfield City Police Department has eight officers and the North Park Police Department has nine. Mayor Berentzen added there are reserve officers on top of that as well for both departments.

Mayor Simmons asked if the North Park Animal Control Officer is full-time? Mayor Berentzen stated he was full-time but spent a portion of his time working for the North Logan City public works department.

DORIAN JOHNSON OF THE VOLUNTEER CENTER OF CACHE VALLEY TO EXPLAIN WHAT THE CENTER CAN OFFER TO THE COMMUNITY

Dorian Johnson came before the council to introduce the Volunteer Center of Cache Valley. Dorian informed the council that the organization is tied to the United Way and in the past has just focused on the Logan area. The center wants to branch out and talk to other communities to see how they can help. The center is helping communities as far north as Preston. As people get spring fever it is a good time to help organize cleanup activities in the city. The Richmond City Council had informed the center they do an annual cleanup just before Black & White Days each year and could use all the help they can get. The center will help to organize the volunteers.

Dorian asked the council how the center can help the city? Dorian also informed the council that the center is not asking for money as it is funded by the United Way. The center is willing to help put together scenarios where they can help to organize volunteers to help on projects.

Mayor Simmons asked for some examples of what the center had done in the past. Dorian stated the program was just starting in this regard and that the local board had members from Kohl's, Old Navy and Pepperidge Farms to name a few places. Campbell Soup is the parent company for Pepperidge Farms and Campbell's will donate to organizations that their employees donate time too. The hope of the center is to get more people involved.

Mayor Simmons asked if volunteers of all ages would be accepted? Dorian stated that was correct. Dorian mentioned the local scout group that was in attendance would be a great group to have involved for volunteer projects.

Dorian explained how he takes his four children to these volunteer projects and after they are completed that he discusses the benefits of volunteering and helping out on the projects. Dorian stated it is good to have everyone involved from elementary age to retired people.

Barbara asked if the volunteer center has projects that need to be completed? Dorian explained that the center works with partners which are usually non-profit organizations. The center will help to get volunteers to help on the projects. Some communities have annual projects they need help on and other organizations have a need on a periodic basis. Barbara stated that the local youth council could help out as well.

Mayor Simmons thanked Dorian for coming before the council to show the opportunities that are available and to let people know they can volunteer to help out. Dorian explained that in Hyde Park he is working directly with the mayor on projects but could work with a council member as well.

Barbara asked Dorian to supply his contact information to the council. Dorian asked Justin to provide the information as he had left this information with Justin when he requested to be on the agenda.

Mayor Simmons stated that the local youth council is very strong and asked Barbara if they had or needed any projects currently? Barbara stated that the youth council is gearing down by the

end of May but would be ready to help next year as the youth council is always looking for projects to participate in.

Mayor Simmons informed Dorian that the council would discuss how they could support the center and possibly use the local boy scouts, city emergency management team and also notify the local high school as well.

Dorian informed the council that most people are willing to volunteer but they wait to be asked before they help out. Everyone has different skills and can help on different projects.

BARBARA GUTKE, AGENT FOR HUNTER MEADOWS DEVELOPMENT, HAS REQUESTED APPROVAL OF THE FINAL PLAT FOR PHASE 14 (5 LOTS) OF HUNTER MEADOWS SUBDIVISION LOCATED AT APPROXIMATELY 680 NORTH 200 EAST. R-1-10

Barbara Gutke came before the council to ask for final approval of Phase 14 of the Hunter Meadows Subdivision. Phase 14 would consist of five building lots. The lots are located on the north side of the LDS church and the road in that area would be finished as part of the project as well. Barbara explained that back when the townhomes in the area were being built that the water and sewer had been run to these lots so the road would not have to be dug up.

Barbara Gutke informed the council that there was still one more phase after this one that was to the west of this property.

Barbara Gutke reminded the council that the city had put some cement blocks at the end of the road to keep people from driving through the dirt but some people had filled the area with trash.

Jeff asked if Barbara Gutke would have to install sidewalk for the five homes? Barbara Gutke stated that she would be installing curb and gutter, sidewalk and finishing the road in that area at her expense.

Mayor Simmons thanked Barbara Gutke for having such a nice development. Justin informed the council that Jim and city attorney, Bruce Jorgensen, had both signed off on the plat and the Planning Commission had approved it as well.

A motion to approve the final plat for Phase 14 of the Hunter Meadows Subdivision at approximately 680 North 200 East, was made by Kris, seconded by Barbara and the vote was unanimous.

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

No Vote: None

Mayor Simmons asked if any of the lots were sold? Barbara Gutke said none of them are currently sold.

Jeff asked if all of the lots on 130 East in that subdivision were sold? Barbara Gutke stated there was still a couple for sale. Clay stated that the aerial was not up to date as there was one more home on the photo that they were looking at. Barbara Gutke stated there were three lots on the west side of the road and one lot on the east side of the road still for sale.

Jeff commented that the homes in that area are very nice and it is a great subdivision. Barbara Kent liked that the area was walk able and had good accessibility. Barbara Gutke stated that the area will be even better after that road is completed.

CONSIDERATION OF EASEMENT REQUEST FROM LOIS CLEAVES TO RELOCATE A PRIVATE IRRIGATION LINE

Clay informed the council that there is an existing irrigation line on approximately 800 East 500 South that goes between a couple of homes. The line is located in the back yards of a couple of homes. The Cleaves would like to move the line onto their property but need to make the connection and go under the sidewalk in the city planter strip area.

Barbara asked if the request was just to access the city planter strip to make the change to the line? Clay stated that was correct.

Jeff asked if there were utilities running through the park strip area? Clay stated the area would need to be blue staked as there are utilities running through that area.

Jeff asked Clay if he was aware of which utilities ran through the grass strip? Clay stated that the old standards showed a natural gas line in that area.

Jeff asked if the city would be liable if the utilities are damaged in that area? Clay commented that the contractor doing the work would be liable. Jeff stated if the city gave the Cleaves or the contractor the authority to do the work then the city would be liable. Clay commented that all cities have easements and an easement like this had been granted several times in the past.

Justin informed the council that the Cleaves property had not been watered in a long time and had turned into weeds. The Cleaves hope was to run an irrigation line so they could start to have the area farmed again in hopes of making the area look better. Brent mentioned he would like to see the area farmed as well.

Justin also mentioned that he had been told that there were a couple of people on the existing irrigation line that were using the irrigation water but did not have the shares to do so. They would be cut off when the line is capped and relocated. Mayor Simmons asked how this was possible? Jon Wells stated that was an irrigation company issue.

Jeff stated that on the picture the council was reviewing a pipe was visibly coming out of the ground. Is there a possibility to tap into that line and then take the new line north from there? Clay said that was a possibility but there would not be a riser at the top of the field then.

Barbara asked if the old irrigation line was run by a fence line or something similar rather than by the actual property boundary? Clay stated that was correct and that when looking at the irrigation line across the road that it lines up between the homes like it should.

Kris asked if the Cleaves or their contractor would be responsible for all of the cost of the project? Clay stated that was correct.

Mayor Simmons asked Clay if he had any concerns on the easement request? Clay stated the area was currently full of weeds and seeing it farmed would better utilize the area. The neighbors to the north appeared to be encroaching onto the Cleaves property in order to try and keep the weeds down as well.

Jeff stated his biggest concern was not breaking a utility line. Clay said that concern was not a concern of the city but a concern of the contractor. All of the right of ways have utilities running through them.

Jeff asked if the family was aware of the need to call Blue Stakes? Clay commented that they were aware of that requirement.

A motion to approve the easement request by Lois Cleaves to relocate a water irrigation line at approximately 800 East 500 South with the ability to access the line in the city right of way was made by Brent.

Jeff stated he would be in favor of the motion if it was determined that the Cleaves actually owned some irrigation water shares. Brent amended the motion.

A motion to approve the easement request by Lois Cleaves to relocate a water irrigation line at approximately 800 East 500 South with the stipulation that the Cleaves show proof of ownership of irrigation shares in the that system was made by Brent, seconded by Dennis and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION NO. 14-02, SEWER SELF-ASSESSMENT

Clay informed the council that the city staff had recently completed a self-assessment of the city's sewer system. The assessment informs the council of where the city is lacking or has sewer related concerns. The council has to be made aware of the assessment and any deficiencies. If the resolution is not approved then the city will not be eligible to apply for state funding. There is nothing controversial in the assessment. The assessment also talks about how the city collects money for the system.

Justin stated that the lines will have to be videoed on a more regular basis. The entire city will need to be videoed every seven years so several sections of town would be done each year. Clay

said that actually the videoing would be part of the planning program that will be presented to the council in a couple of weeks. It will be included in the Sanitary Sewer Management plan. The plan will discuss how often the lines are jetted and videoed. The management plan is separate from the self-assessment. The management plan will be very similar to the storm water plan that was done previously. Lines will need to be jetted once every seven years and the lines will need to be videoed once every 20 years. Most likely all of them will be videoed sooner than every 20 years.

Jeff asked if the plan that we were discussing is the annual preventative maintenance plan? Clay stated that was correct.

Jeff asked Clay who is going to write the planning program? Clay stated he would be writing the plan and using a boiler plate template that other communities have used.

Dennis asked if the city did not pass this resolution if it would have any bearing on the state funds that Logan is applying for? Clay said he was not sure but assumed it would as Smithfield city is sending its waste to Logan.

Mayor Simmons informed the council that he had spoken with Walt Baker today and that the local mayors and Mayor Petersen of Logan were all meeting tomorrow to discuss the sewer issue.

Brent mentioned that Smithfield is way ahead of Logan as all of Smithfield's sewer pipe is PVC and some of Logan's pipe is the old style pipe. Clay mentioned that when the system was installed in 1989 that reinforced pipe was used on Main Street.

Clay expressed to the council if they had any issues or concerns they did not have to pass the resolution. Dennis stated it was quite straight forward and not hard to agree with.

A motion to adopt Resolution 14-02, a Municipal Wastewater Planning Program Resolution, was made by Jeff, seconded by Kris and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON SPECIFYING THE BID PROCESS FOR THE SELECTION OF THE CONTRACTOR FOR THE LIBRARY BUILDING AND RENOVATION PROJECT

Justin informed the council that the library expansion and renovation project was just about ready to go to bid. Justin asked the council how they would like to bid the project? Does the council want to allow all contractors to bid on the project or do selective bidding. There is a section in the city code that would allow for selective bidding.

Justin read Section 3.24.020, Section “E” of the city code and that section states:

E. Use of Competitive Sealed Proposals in Lieu of Bids; Procedure:

1. Determination:

- a. When the procurement officer determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the city, a contract may be entered into by competitive sealed proposals. The city council shall be informed.

Justin reminded the council of the problems with the contractor that built the city office building and in the end that contractor went bankrupt. Justin asked the council how they would like to proceed with the bidding of this project or some guidance of how they would like it done.

Brent stated he liked the idea of using a local contractor as there were several times he came down to get a tour of the city office building as it was being built and there was never a superintendent on site.

Mayor Simmons and Barbara asked what “local” would mean in the bidding process? Within a 30 miles radius? Within Cache Valley? Justin stated that between himself, Jim and Kelly that they were aware of at least six to nine local contractors that could handle this size of a project. Skyline A/E/S would oversee the bidding process and invite the contractors to bid on the project. All of the contractors being considered by Skyline A/E/S are contractors located in Cache Valley.

Barbara stated if she understood correctly the proposal would be just for this group of contractors to bid the project not everyone located within Cache Valley? Justin stated that was correct and a possibility. The council needs to determine if that is how they want the contract to be bid and at that point a group of contractors could be selected. The council could invite as many contractors to bid the project as they wanted but reviewing the local contractors there are not a lot that can handle this size of a project and obtain the appropriate bonding. The contractor would also be asked to hit certain construction deadlines.

Justin mentioned that if the council chooses to do selective bidding that questions could arise from contractors asking why they were not allowed to bid the project. Kris asked how the council would respond to a question like? Mayor Simmons asked how the city or Skyline A/E/S would respond to that question? Mayor Simmons mentioned that bonding would be one of the main bullet points. Jeff stated that all contractors know they have to bond for a project of this size. Justin again mentioned to the council this was just an option for the council to consider. The council can open up the process to all contractors or consider doing selective bidding.

Jeff asked for clarification on what is the difference between competitive sealed proposal and a bid? Justin stated they are basically the same thing.

Justin stated that with selective bidding the process will all come down to the bottom line price as the architectural firm will make sure they are all bidding the exact same items.

Barbara asked to clarify if right now the council was just being asked if they wanted to open the bidding up to all contractors or just bid the project by an invitation to bid? Justin stated that was correct. The council had two options to consider.

Barbara asked if the project could be opened up to all contractors within a certain geographical region? Justin stated he was not sure of that answer.

Kris asked if the bidding process on the city office building was opened up to everyone? Mayor Simmons stated that if you used a 30 mile radius that would include to Brigham City and Preston as well.

Mayor Simmons stated that he thought certain bullet points or criteria could be used to filter the contractors for the project so there were not too many applying.

Barbara stated that the question could come from contractors asking why they were not allowed to bid the project or why were they disqualified from being allowed to bid on the project.

The Mayor stated there has to be a way to narrow the number of contractors down as the council and Skyline A/E/S don't want to have 100 bids to review for this project.

Justin stated that Kelly, Skyline A/E/S, had made some recommendations on the contractors to bid the project but he needed direction of whether the council wanted to allow all contractors to bid the project or not.

Justin stated that his concern and Jim's concern are can the city be selective in the bidding process and according to the city code the council has that option. Barbara stated that was correct as long as the council was informed according to the code. Mayor Simmons stated that it would need to go to a vote. Kris and Jeff both stated that the council just needed to be informed according to the code. Justin asked for a formal vote so that if questions arose later that everyone knew where the council stood in this process for such an expensive project.

Barbara stated she was concerned and she was aware of local contractors that bid on this building and did not get awarded the project but went to Wyoming and completed many projects over there. Barbara was concerned that possibly contractors like that would not be considered for this project as the contractor she was thinking of was not on the preliminary list for this project. Barbara felt like the preliminary list of contractors were all qualified but that there are other contractors out there that could do a good job as well.

Kris stated that she would be uncomfortable answering the question of why a contractor was not allowed to bid on the project.

Jeff asked if once the bids are opened and presented to the council if the council could then make the decision of who to go with on this project? Are we required to take the lowest bid; Jeff asked? Justin stated that it would depend on how the project is bid but that if all companies are bidding comparably that the lowest bidder would win the project. Jon Wells commented that the council would have to have a very strong reason why the lowest bid was not being accepted.

Kris commented that her concern about opening it up to everyone was that the lowest bidder would get awarded the project and they might not do the best job.

Jeff asked why it is required to go with the lowest bid? Jon Wells responded because the funds being used to pay for the building are taxpayer funds.

Mayor Simmons asked if there are qualifications that need to be met to even be allowed to start the bidding process? Jon Wells stated there are qualifications that need to be met. Mayor Simmons commented that the qualifications are quite rock solid and did not feel like the city would be at risk from allowing everyone to bid the project.

Mayor Simmons asked Jon Wells how many local contractors he thought were big enough to bid this project? Jon stated that there are at least two to three times the number on the preliminary list.

Kris asked if other communities did this type of bidding? Yes, stated Mayor Simmons.

Justin stated that the council did not have to do selective bidding for the project and could open it up to everyone but that the architectural firm needed guidance of how to proceed.

Mayor Simmons commented that the council was very gun shy after the problems that were encountered on the city office building but that the council wanted to use a local contractor for this building.

Dennis stated that if he recalled correctly on the bid process for the city office building that the contractor with the lowest bid was awarded the project but that the council was concerned as the contractor had zero track history on a building of this size. The contractor met the requirements to bid the project and showed on paper they could do the project in the timeframe allowed. The contractor failed to perform to the expectations of the bid but the city was stuck with the contractor. Dennis stated if he recalled correctly that there were not a significant amount of bidders for the project and if he recalled correctly it was around 10 bids.

Dennis asked if any of the contractors on the preliminary list had business licenses in Smithfield City? Justin stated he was not aware of any city contractors that could bid the project but would have to double check. Mayor Simmons stated that possibly some subcontractors were from the city but he was not aware of a large general contractor that was in the city. Dennis stated that if there are any city contractors that are large enough to complete this size of building they should be included in the bidding process. Dennis stated he did like the idea of selective bidding.

Barbara asked if there is some stipulation for references or examples of past jobs that have been completed? Jon Wells stated that there was a qualification list that was considered for possibly remodeling the old city office building and it takes a lot of time to review all of the applications and on that project almost all of the potential bidders were from out of town. Doing a qualification list would also delay the project while each contractor is being reviewed to see if they qualify to bid. Jon stated there were around 15-20 proposals for that building and less than 6 of the proposals were from local contractors.

Jeff expressed concern that some of the local reputable contractors might already be busy and not be able to handle the timeframe of this project. Jon agreed with Jeff's statement.

Barbara asked if selective bidding is done; does the council have to accept the bid? Dennis stated if they are the lower bidder the bid would be accepted. Jon stated if the criteria of the bid is met that the low bid would need to be accepted.

Jeff asked if it was possible for the council to see the list of preliminary contractors? Justin stated that names could be added to the list but some of the names mentioned were Darrell Anderson Construction, Ironwood, who is the commercial side of Visionary Homes, Lundahl's, Raymond Construction, Spindler Construction, and Landmark were the ones that he recalled had been mentioned in previous discussions. Mayor Simmons stated that was a good group of contractors and the council could go and see some examples of their work. Justin stated that there are probably other qualified contractors that the city is not aware of as well. Mayor Simmons mentioned Sorensen & Gnehm Construction as a possibility.

Barbara stated she was aware of contractors that lived on her block that could possibly bid on the project but that might get the numbers of bidders up to high for this project. Jon asked for the name of a local contractor residing by her? Barbara clarified that she meant there were employees of local contractors that lived on her block.

Dennis stated there was criticism by local people that when the city office building was built that local subcontractors were not used. Based on the list of proposed names they most likely will be using local subcontractors as they are locally based contractors. Most of the subcontractors used on the new city office building were from the Salt Lake area as they normally work with a Salt Lake contractor.

Dennis stated that there was not an issue adding more names to the list but he did not want to delay the process of getting the project started either.

A motion to approve selecting bidding for the library expansion and renovation project with Skyline A/E/S determining who to invite to bid on the project was made by Dennis, seconded by Brent and the vote was unanimous.

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

No Vote: None

CITY MANAGER REPORT WITH DISCUSSION AND DECISIONS AS NECESSARY

Mayor Simmons informed the council that there was a small change to the verbiage of the agenda. The reports now include discussion and decisions as necessary. The reports are to make reports of what is happening in the city but sometimes minor decisions are made during the reports. Any big or major discussions will still need to be held as a specific line item on the agenda.

Justin informed the council that he would update the council on a couple of items since Jim is out of town.

Justin stated that the bids for the Birch Creek well pump and motor will be submitted by Peterson Brothers, the company doing the well enlargement project, Glenn's Electric and Mountain Valley Pump & Sales. The bid opening will be on March 7th at 2:00 P.M. in the city office. Clay and Justin will be involved in the bid opening and then inform the council of the bids.

Justin, Clay and Glen Jay Thornley of the Historic Society met with USU Professor David Evans and approximately 40 of his landscape design students at the location of the old city office building. The city has asked Professor Evans students to come back with some ideas for a Founder's Memorial at this location. The students were informed that the Heritage Trail, some xeriscaping, and locating a monument by the highway were some of the requirements but that the rest of the design would be from the imagination of the students. Professor Evans informed Justin they would narrow the design down to five or so possibilities and then meet with city representatives and members of the Historical Society to discuss. Eventually, a plan would be brought to the council for review. Justin informed the students that due to budgetary constraints that the preference for the design would be that it could be done in phases over time as money is available. Justin mentioned to the council that Professor Evans hoped to have the five concepts or so ready to review within about three weeks.

COUNCIL MEMBER REPORTS WITH DISCUSSION AND DECISIONS AS NECESSARY

Dennis did not have any additional information to present.

Barbara stated that the Lion's Club annual spaghetti dinner fundraiser would be on Thursday, March 13th and the youth council would be helping out. Everyone is invited and the funds will be used to help the visually impaired. Mayor Simmons mentioned that if there was a flyer that it could be sent through the Parlant System to inform the community. Kris mentioned that she or Justin would post it on Facebook as well.

Barbara informed the council that the youth council leadership conference is on Saturday, April 26th. Applications for those wanting to be on the council next year are going to be accepted and the kids are hoping to have them available electronically. The deadline is the first of May. Jeff asked if it was being announced at Sky View about signing up for the coming year? Barbara said that it was being announced at Sky View and the local middle school as well. Barbara asked Dennis if it was too late to post something in the next city newsletter? Dennis stated it was too late. Barbara said that in the past there had been so much interest that most of the time advertising was not even required. Kris mentioned it should be put on Facebook as well since she had a lot of inquiries about when to sign up.

Kris informed the council that the Shamrock Shuffle fun run will be held on March 15th. The Unplugged Challenge program is being discussed and it is a lot of work.

Jeff informed the council that Scouting For Food would be on March 22nd and that Teresa Bodine would be heading up that project. In the past, an area in the back of the Civic Center had been utilized. Tables had been set up and the food sorted and boxed. From there the food was delivered to the food pantry.

Mayor Simmons asked if the post office was still involved in this project? Jeff stated that they have their own project and are not part of this program.

Jeff mentioned that the Tree Committee has been meeting and that a grant would be applied for next year as to apply this year the application would be rushed and it was better to not rush such a request.

Brent stated that an idea had been brought to the Planning Commission about having small lots with 70 feet of frontage and a total lot size of 0.2 acres. Had any requests been made to the city? Clay stated that Dan Larsen of Kartchner Homes has asked for some input on 8,000 square foot lots to see how the city would look at or accept them. Brent asked if any formal request had been made? Clay said he was not aware of any such request at this time.

Brent asked Justin if arrangements had been made for the League of City and Town meetings in St. George in April? Justin said he was waiting for everyone to respond if they were going or not going and he would make the necessary arrangements and bookings.

Justin asked for time to mention a couple of other items he forgot to mention earlier. On the home page of the city website there is a "Donate" button under Support Your Library. Donations are being accepted to help pay for the cost of the furniture and fixtures inside the new library building. The on-line transactions are handled through PayPal and are secure. Donations paid via check or cash are still being collected in the city office building.

Justin asked the council for their thoughts on the budget hearings in March. Did they want to hold the budget discussion during one of the two regular council meetings or have a third meeting? Justin asked if the council would like to try and have as much business discussion as possible on March 12th and focus on the budget on March 26th? The consensus of the council was to only have two meetings in March with the second council meeting focusing on the budget.

Mayor Simmons informed the council that Fire Chief Jay Downs would be giving his annual report in March and Chief McCoy the annual police department report in April. Chief McCoy stated that was correct and that Jay would be presenting his report on March 26th. Mayor Simmons reminded the council there will only be one council meeting in April as the council meeting on April 9th will be held during the League of City and Towns meetings so that meeting will be cancelled.

MAYOR'S REPORT WITH DISCUSSION AND DECISIONS AS NECESSARY

Mayor Simmons informed the council that he is getting a lot of questions regarding the city sewer service and what is happening with the Logan City system. The mayors are still meeting and discussing the options but all of the mayors, whose city is tied into the Logan City system,

want to have a voice in the system and want to form a sewer district. The mayors do not want to have taxation without representation. Mayor Simmons stated that he had attended a meeting last Friday that lasted for three hours and representatives of Logan City were in attendance.

A letter was signed by all of the mayors except for Logan City and sent to the DWQ informing the DWQ of some concerns of the mayors. Walt Baker who oversees the DWQ had been in touch with some of the mayors to discuss their concerns as he helps to oversee funding options for projects like these as well.

Walt would also be involved in the process for when a community wants approval for a new system.

All of the mayors on the Logan City system are meeting again on Thursday, February 27th at 3:00 P.M. to discuss the sewer system project. Mayor Petersen of Logan is planning on attending as well. Mayor Petersen has not been involved in the previous meetings. Mayor Petersen deserves an opportunity to speak as the proposed project is very big and there are many complexities to the project. The issue will not be settled quickly.

Mayor Simmons stated that the state is involved in the funding of the project. A request is being made for low interest financing from the state.

Mayor Simmons stated that he had been involved in several conference calls today regarding the system and concerns of the outlying communities. Cooler heads will prevail and the system will move forward. The system is much more complex than just flushing a toilet. The project is big and will take a lot of time.

Walt Baker had informed Mayor Simmons to be very careful about proceeding with a three city system that would encompass North Logan, Hyde Park and Smithfield.

Walt had also informed Mayor Simmons there was the possibility of some state funds that could be available for a study regarding the Logan City system and all of its users.

Mayor Simmons informed the council that the golf course is opening tomorrow at 9:00 A.M. and only walking will be allowed. Carts will not be allowed until the greens dry out and are free of snow.

Chief McCoy asked the council if he could have a couple of minutes to come before the council to discuss a couple of items.

Chief McCoy reminded the council of the upcoming blood drive on Friday, February 28th from noon to 5:00 P.M. in the multipurpose room at the Cache County Office building. The drive is administered through the Red Cross and the Red Cross is in dire need of blood.

Mayor Simmons asked if this was open to the public? Chief McCoy said it was open to anyone. Kris stated she would make sure it got posted on Facebook as well.

Chief McCoy asked when a decision would be made on the selling of firearms by the department? Mayor Simmons said it would be a discussion and vote item at the next city council meeting.

Chief McCoy stated that it was the obligation of the council to review the proposal made by Mayor Berentzen. Some of the agencies on the Wasatch Front had combined and it seemed to be fairly successful. Chief McCoy stated that he did not think a reduction in manpower would be possible if the forces combine and that actually by combining it might require more people to be hired. One benefit that had been seen on the Wasatch Front was a jump in salaries and that had made the jobs attractive to officers working in other departments. In 2013, the Logan City Police Department had lost 26 officers to jobs located elsewhere and the Cache County Sheriff's Office had lost 36 officers to jobs located elsewhere. The Logan and Cache County police departments are not able to afford the salaries being offered on the Wasatch Front.

Chief McCoy stated that he would support whatever is best for the community.

Mayor Simmons commented that there is a lot of information to consider and digest and a complex budget formula to review as well.

A motion to adjourn at 8:01 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, **February 26, 2014**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Barnes.

1. 6:03 P.M. Consideration of the Consent Agenda
Approval of meeting Minutes from the February 12, 2014 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Representatives of Hyde Park City and North Logan City to discuss police protection.
4. 6:35 P.M. Dorian Johnson of the Volunteer Center of Cache Valley to explain what the Center can offer to the community.
5. 6:45 P.M. Barbara Gutke, Agent for Hunter Meadows Development, has requested approval of the Final Plat for Phase 14 (5 lots) of Hunter Meadows Subdivision located at approximately 680 North 200 East. Zoned R-1-10.
6. 7:00 P.M. Consideration of Easement Request from Lois Cleaves to relocate private irrigation line.
7. 7:15 P.M. Discussion and possible vote on Resolution No. 14-02, Sewer System Self-Assessment.
8. 7:25 P.M. Discussion and possible vote on specifying the bid process for the selection of the contractor for the library building and renovation project.
9. 7:35 P.M. City Manager report with discussion and decisions as necessary.
10. 7:40 P.M. Council Member reports with discussion and decisions as necessary.
11. 7:55 P.M. Mayor's report with discussion and decisions as necessary.

Adjournment

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

Smithfield City Council Meeting Minutes, February 26, 2014

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 02/24/14, and the Utah Public Meeting Notice website.