

SMITHFIELD CITY COUNCIL

AUGUST 14, 2013

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, August 14, 2013. The meeting began at 6:00 P.M. and Mayor 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 Dennis Watkins.

VISITORS: Randy Auman, David Barnes, Travis Taylor, Ralph Erickson, Ruth Summers, Russ Elwood, Alex Gilchrist, Braden Crockett, Tyler Bingham, Johnny W. McCoy, Glen Jay Thornley, Char Izatt, Michelle Downs, Jay Downs, Michael Harris, Karl E. Lambert and Sonja Buttars.

APPROVAL OF JULY 10, 2013 CITY COUNCIL MEETING MINUTES

After consideration, Mayor Simmons declared the Consent Agenda approved.

RESIDENT INPUT

Alex Gilchrist asked about the process of getting a skateboard park built in the city. Currently, he goes to Logan to use the skateboard park by the Aquatic Center. Alex stated that it takes approximately three hours to ride the local bus service to get to the skateboard park and back home and that only allows for less than a half hour of skating time.

Mayor Simmons informed Alex that the city had considered a splash pad and skateboard park in the past.

Kris Monson informed Alex that right now the recreation funds for the city were being used on the library expansion project but that she would also like to see something else in that area.

Alex stated that there are several vacant lots in town and an area by Lee's store that would work great for a skate park.

Kris asked how the skateboard park is controlled in Logan. Alex stated that there are strict rules and if graffiti is an issue that the park is shut down for "X" amount of time as a penalty. He also stated that no motorized scooters are allowed at the park. The hours of Logan's skate park are from dawn to dusk.

Kris asked if alcohol or cigarettes are allowed. Alex stated that alcohol and cigarettes are not allowed and if a person sees something like that going on at the park they are supposed to call the police department and they will come and deal with it.

Kris informed Alex and his friends who were attending that they had a great knowledge of what they wanted to see and that she appreciated them coming before the council. She asked for their contact information so that hopefully down the road they can work together on a project like this in the city.

Mayor Simmons asked that Kris and Alex work together to come up with some cost estimates of what a skateboard park would cost. He stated that there is land that is available for a skateboard park in the city. Kris stated that she is friends with Russ Akina who runs the Parks and Recreation program in Logan and could get with him in regards to cost estimates.

Alex and his friends stated that they would help with fundraisers as well for a future park.

Ralph Erickson came before the council to discuss a concern he had regarding the primary election that was held on August 13th. Ralph spoke of what he called a disturbing email that was sent by Lori Durrant, of Richmond, who is the coordinator of the local youth football program. Ralph stated that the email made malicious statements about two of the candidates, Dwight Peterson and Jeff Gittins and endorsed two of the candidates, Barbara Kent and Kris Monson, as well. Ralph stated that he was not happy with the email as the statements made in it were not true and he was not sure how the email impacted the election. Ralph stated that he believes there should be a reprimand in this case but was not sure what that should be. Ralph stated that it is not fair that a person living in Richmond should have any say on the election that is occurring in Smithfield and that what Lori did was not right and unfair in his opinion. Ralph also stated that he thinks it is time for the youth football program to be relocated from the tabernacle to another place.

Mayor Simmons stated that he had received an email from Ralph Erickson as well as the email sent by Lori Durrant. He opened the email from Ralph but did not open Lori's email as it was not sent directly to him and he did not feel that it was appropriate to open an email that was not originally meant to go to him. The Mayor also stated that "Letters to the Editor" are along the same line as this email and not for the city to enforce. The Mayor emphasized again that he would not open the email as it was not directly sent to him from the author and he did not have permission to open it or receive it. The Mayor suggested that those with concerns regarding the email should contact the author of the email.

Ralph again stated that he did not think it was right that Lori discredit two of the candidates that she had personally never even talked too.

Barbara Kent stated that she had been in touch with the two candidates mentioned in the email, Dwight Peterson and Jeff Gittins and that Lori Durrant and Jeff Gittins had some interaction in the past. Barbara stated she had talked to Lori and Lori believed the information in the email to be correct and was apologetic to the candidates. Barbara stated that she accepted responsibility

for speaking with Lori about the election. Barbara stated that Lori did not intend to influence the election and Lori did not think the email was politically based and that the tabernacle had been referenced in a previous meeting and in newspapers and she was passing that information along. Barbara stated she was sorry for the personal mistakes or unintended consequences that had occurred in regards to the election.

Barbara then said having personally spoken with Dwight Peterson his direct quote was “Of course before anything can be done on restoration to the tabernacle an acceptable alternative would have to be found for youth sports”. Barbara then stated that is Dwight’s official position and he felt like there was nothing to forgive here and moved on. Barbara stated it was not her intent to hurt anyone in the election process and she wanted to go on the record as having said so and her hope was just to get information regarding the election out to the public.

Barbara said that Jeff Gittins would like to tell his position and part of the story at some point. Barbara also stated that Jeff said the use of the building needs to be a multi-purpose type function and that he is not aware of anything that absolutely has to happen in the next few years.

Barbara stated that Lori wanted to know if there is anything she can do to rectify the situation or make it clear. Lori wanted to clear up any type of misstatement or unclear information to be rectified.

Ralph commented that he knows that Lori did not talk to Dwight before the election and that she did have contact with Jeff about a year ago but not recently to find out what his beliefs were. Ralph then stated that it is bad politics when things like this happen. The injury to the candidates could not be measured in Ralph’s opinion.

Barbara again stated that Lori did not think the email was politics at all based on the tabernacle had been referenced in a previous meeting and she was passing that information along. Lori truly believed that the youth football program was being kicked out of the tabernacle or charged a fee when they don’t have any money to pay it and believed the information in the email to be correct according to Barbara. Lori thought those were the facts of the situation.

Ralph stated that there was irreparable harm to Dwight to be tied to the conversation between Jeff and Lori from the previous year and Barbara agreed. Ralph stated that Lori needs to be told to stay out of Smithfield politics since she is not a resident.

Barbara informed Ralph that Lori is responsible for the youth football program and that currently they are using an area in the tabernacle to store their gear and that she does have an interest in the community.

Ralph told the Mayor that he would like to discuss this issue with him again at a later time and not take any more time on this discussion at this point.

Jeff Barnes stated that the intent of the email was very clear. The email stated that the parents should vote for Barbara and Kris and not vote for Dwight or Jeff. Jeff stated that he had read the

email and did not need her permission to do so as the email stated to pass it along to everyone and that in itself was permission to forward to others and to open it and view it.

PUBLIC HEARING TO RECEIVE INPUT FOR CONSIDERATION OF ORDINANCES 13-06 AND 13-07, "SET SALARIES FOR ELECTED AND STATUTORY OFFICIALS".

Mayor Simmons read Ordinance 13-07 which is to set the wage for the city recorder and city treasurer for the period of July 1, 2013 through June 30, 2014.

Mayor Simmons read Ordinance 13-06 which is to set the wage for the city council and mayor for the period of July 1, 2013 through June 30, 2014.

The Mayor reminded the council that these are annual ordinances that have to be updated on a yearly basis.

The regular council meeting was closed and the public hearing opened at 6:25 P.M.

There was not any comment from those in attendance.

The public hearing was closed and the regular council meeting reopened at 6:26 P.M.

Jeff Barnes asked if the wages for the council and mayor were the same as the previous year. Jim Gass informed the council that the wages did include a 2% increase from the previous year.

A motion to adopt Ordinance 13-06, an ordinance setting the salary of the elected officials in this municipality for the period of July 1, 2013 through June 30, 2014 was made by Dennis, seconded by Brent and the vote was unanimous.

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

No Vote: None

Absent: None

A motion to adopt Ordinance 13-07, an ordinance setting the salary of the statutory officers for the period of July 1, 2013 through June 30, 2014 was made by Dennis, seconded by Brent and the vote was unanimous.

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

No Vote: None

Absent: None

REQUEST BY DON CORBRIDGE FOR APPROVAL OF A CONDITIONAL-USE PERMIT FOR A ONE (1) LOT INTRABLOCK DEVELOPMENT LOCATED AT 151 SOUTH 300 WEST, ZONED R-1-12.

Don Corbridge stated that he had a map showing the utilities, location of the house and the proposed road but did not have copies of it with him. There is an existing barn that is approximately 42 feet by 53 feet and is located 36 feet away from the west property line. There would be a 42 foot access and a 14 foot wide driveway. There would also be a turnaround for fire department access. The water and sewer lines would be run as required as well. The barn would not be removed and it is part of the proposed lot. The house has been designed to face to the east; the same as the current house. The house would face 300 West.

Brent Buttars questioned if the house could face the back of an existing house? Jim Gass responded that it was not allowed. Jim stated that he had not previously received a development plan and there was nothing to approve as nothing had been presented to the council.

Don was reminded that he had been reminded of this requirement by both Jim and Char Izatt and that the document should have been presented to the Planning & Zoning Commission before they could approve the permit and forward to the council for review. Don stated he would have the plan for the next council meeting.

Mayor Simmons requested that Don return to the September 25th council meeting with the appropriate documents and paperwork for review. Jim told Don that he would be glad to help him put together what is required by the city.

Jeff Barnes asked if the existing trees would be removed as it appeared they were split over the two properties. Don informed the council that he had no intention of removing or disturbing any of the trees. Don stated he would not cut them down unless he had too.

JEFF HANSEN OF JSH SURVEYING & DRAFTING, INC; AGENT FOR LAVON PETERSON, HAS REQUESTED APPROVAL OF A THREE (3) LOT MINOR SUBDIVISION LOCATED AT 294 SOUTH 200 EAST, ZONED R-1-10.

Jeff Hansen came before the council to make his request for a three lot minor subdivision. Jeff stated that it was pretty straight forward; one parcel would be divided into three parcels. He also said that the developer would do what is needed and required by the city to comply. The developer understood the requirement of curb and gutter, sidewalk, extra asphalt from the curb to the road as well as the need to pipe the existing irrigation ditch. Jeff Hansen also said that there was going to be a boundary line adjustment between the Peterson's and the King's that own property on the north end of the parcel in question. Jeff Hansen stated that he believed that he had met all of the city requirements for approval.

Brent inquired if the irrigation ditch was still in use? Jim replied that people downstream from this area have existing water rights even though the canal has not been used in quite a while. Jeff Hansen said he was told that there was not even enough water to reach this point in the ditch but

also understood that the ditch could not be removed because of the other users and that Mr. Peterson was aware of this as well.

Jeff Hansen stated that Jerry Peterson would like to build on proposed Lot #1 and that there were no plans at this time for Lot #2. The fence line was basically the boundary within a couple of inches on the back property line.

Brent inquired about the existing barn that is located on proposed Lot #1. Jeff Hansen informed the council that the barn was the reason for the boundary line adjustment as it currently hangs over onto the other property. The boundary line adjustment will give the Peterson's additional space to the west and the King's additional space to the east. Jim said that the King's won't be required to survey their entire parcel as it is not required for a boundary line adjustment.

Brent inquired where the storm water that runs down the new curbing will go? Jim stated it will go into an existing ditch.

Mayor Simmons asked Brent if there were any issues when this proposal came before the Planning & Zoning Commission? Brent said only some minor questions but not any issues.

Jeff Hansen said his biggest concern was with the irrigation system. Also, currently there is a water meter on proposed Lot #2 that feeds the house on proposed Lot #3. He inquired if a new meter would be required on Lot #3 and if the connection on Lot #2 would need to be severed? Jim stated that was correct; Lot #3 would need a new connection and the connection on Lot #2 would need to be capped off at this point.

Kris asked if the irrigation water came from the existing ditch? Jeff Hansen informed her that there is pressurized irrigation on the backside of the lots. Jim informed Jeff Hansen of the need to speak with and get permission from Jeff Gittins and the Smithfield Irrigation Company before any changes could be done or any modifications made to the existing system.

Jeff Barnes asked if there was any secondary water shares with the proposed lots? Jim stated there were shares but that system shares would be needed to go along with the water right shares they already have.

Mayor Simmons stated he believed all the conditions had been met.

Jeff Hansen said that he would be in with construction drawings next week if approved and that he would speak with the irrigation company about the proposed irrigation layout as well.

Jim concurred that all conditions had been met and that the other conditions would happen when time for construction occurs.

A motion to approve the three (3) lot minor at 294 South 200 East as requested by Jeff Hansen, agent for LaVon Peterson, was made by Jeff, seconded by Kris and the vote was unanimous.

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

No Vote: None

Absent: None

Brent stated that he would like the city to finish out the rest of the block with curb and gutter and sidewalk when the improvements were installed by the developer. Jim said he would work with the developer at that time on that request.

DISCUSSION REGARDING THE UTAH COMMUNICATIONS AGENCY NETWORK (UCAN) COMBINING COMMUNICATIONS FOR ALL PUBLIC SAFETY AGENCIES

Randy Auman came before the council to discuss the new radio communication system that has been implemented. He explained that a new group in the Wasatch front area provided the radio system and service for the Olympics in Salt Lake City in 2002. Over the last few years the FCC has been shrinking the frequency that the local system operated on and basically the system would no longer function in January 2013. A committee was formed in 2007 that included some elected officials and they applied for and received a grant of \$2,500,000. Locally it was considered to join the USU system, start a new system or join the UCAN system. The best option was to join the UCAN system. The grant provided for five years of user fees. The five years runs out in July 2015. On that date the user fees will start to be charged and communities will have to pay them. The fees will also help to maintain the infrastructure of the system as well as purchase new radios as needed. A resolution of support was being asked for from each city and then the proposal would go to the Logan City council. The fee would be an additional \$1.00 per month per hookup on the solid waste fee monthly invoice. The proposal to Logan City would be to state that each of the following cities support the increase and Logan would then make their decision. The method of payment was a topic of discussion and either nothing could be done until July 2015 or in anticipation of the fee; \$1.00 per month would be added to each "black beauty" garbage can fee. Even if a residence has two garbage cans the fee would only increase \$1.00 per month. It is considered an odd way to collect for 911 service but the only other options were to collect through a property tax increase, create a special district or through the monthly environmental fee. There is not another system that bills everyone on a monthly basis in the valley. This fee does not go into the 911 service but into a special revenue fund specifically for this purpose. Growth of the system would be approximately 25% of the fee collected. A committee was formed and made this decision. There is better signal everywhere in the valley from Lewiston to Paradise on this system. One question that is a concern is what happens when a radio is ruined? That question is something that details will need to be worked out but it was anticipated that 50% of the cost of the radio would be paid by the monthly fee and the rest by the city were the radio is located. So far, eight communities are in support of the increase and two communities are against it. Providence and Lewiston voted against the proposed increase. Lewiston voted against it because the council feels like it is the federal government stepping in and taking money and charging more fees.

Mayor Simmons asked inquired about the new system and asked if the radios are different? Randy said the megahertz of the system is different and coverage is better especially for Search

& Rescue teams. Another benefit of this system is that everyone is on the same good system. It penetrates better into areas and buildings as well. The radios and frequency can be changed to expand into Box Elder County as well and Rich County is going to this system. The UCAN system would allow a person with this radio to easily communicate with someone in St. George without a problem. Coverage even goes up to the Idaho Falls area if needed. The current system only works in the valley.

Jay Downs stated that Box Elder is not using the 800 megahertz system so some patching had to be done in regards being able to communicate on the current fire in the Portage area. Cache County is currently compatible with Salt Lake and Utah County. If the fee is not paid through the \$1.00 per month increase then the fire departments budget and police budgets for next year will need to be adjusted to pay for the cost. Either way the fee will be paid; just a matter of how it is collected. If paid through the \$1.00 per month proposal it will save each city into the thousands of dollars. It is a fee that has to be paid and a service that has to be offered.

Randy informed the council that the cities that don't pass the proposal will just get billed directly in one lump sum. Also, if the entire county is on the same system it will be easier to apply for grant funding. The proposed fee also provides for a reserve so as updates are needed they can be paid for without an additional increase in the fee.

Jim asked if the fee also covered the maintenance and repair costs of the towers, new equipment and equipment repair? Randy stated that all of this had been paid for the last five years with the grant funding but that the increase would include tower maintenance. It would not include radio replacement cost as the radios are approximately \$2,500 each. There are also five towers that will need periodic maintenance. The system is very reliable during an emergency situation as the five towers operate independently. The radios will also work if the rest of the infrastructure crashes in the event of an emergency.

Karl Lambert inquired of the maintenance costs of the old system versus the new system. Randy replied that the old system is gone as the frequency has been changed making the system inoperable. The only way to make the old system work would be to put in new towers at the cost of approximately \$10,000,000. The banding had been taken from 14 to 7 by the federal government and the old system ceased to operate.

Brent asked how the fee would be applied to the larger containers such as dumpsters. Randy replied that one of the downfalls of the proposed fee schedule is that companies like Wal-Mart with one big dumpster would pay a \$1.00 per month increase and a residence would pay the \$1.00 per month increase. Everyone with a hookup would pay only the \$1.00 per month increase. At some point that issue of charging the bigger users more might be reconsidered but not now. One thought was to charge the big users by the ton but then the administration fees of something like that proposal were too high. The fee would start to be collected in July 2014.

Johnny McCoy stated that simply it comes down to finances and that it is important to go with this proposal. The proposal allows for a bigger pool of funds to draw from. If just the city pool that would be 9 handheld radios, 9 mobile car radios plus the number that the fire department

have as well. Budgets would be highly impacted if the entire cost of the radio was placed on the city not on the entire pool of the system.

Jay stated that the importance of this system to the fire department on a scale of 1 to 10 with 10 being the highest, this program is a 10+. In Randy's opinion it is more like a 12 for the service that is provided. Public safety is a high priority and the need for a consolidated system is great.

Jay reminded the council that cell phones only allow for one on one communication where the radios allow for communication work across an entire network. A lot of information can be sent in an instant through one radio to several pagers and people where cell phones require many different calls all for the same issue. Right now the Millville fire can be monitored from a distance with the radios and calls and questions don't have to be asked regarding the situation and what is needed.

Dennis said he was struggling that this fee was being attached to garbage collection and not to public safety. He is not opposed to the fee and likes the concept of one system for the area but does not like the proposed billing method. He inquired if it could be a separate line item on the monthly utility bill? Randy said that the monthly public safety dispatch fee or 911 service would go from \$2.00 per month to \$3.00 per month. Jim stated that currently the 911 service is billed as a separate line item on the garbage invoice from the county but that the Smithfield City utility bill would not increase the garbage fee but would increase the dispatch fee. Dennis then stated he misunderstood how it was billed and was fine with how it was being invoiced.

Randy asked for a resolution of support for the proposed increase that he could then take back and include in his presentation to Logan City.

The consensus of the city council and mayor was that they think the service is a good idea and agree with the proposed \$1.00 per month increase to the public safety fee.

FIRE CHIEF JAY DOWNS TO DISCUSS THE BIDS FOR THE NEW FIRE TRUCK

Jay Downs discussed the process of receiving bids for a new fire truck. The specifications for the new truck were determined by a team consisting of fire department members: Jeremy Hunt, Mike Weibel, Brandt Pitcher, Bob Pitcher, Brian Potts, Tom Maples and Jay Downs.

The council inquired if the fire department was assisting with the current local fires and if the city would get paid for any of the time served on those fires? Jay stated a truck had been on the Portage fire for three days and that one crew and at least one truck had been on the Millville fire since the start. Funds will be received at a rate of \$144 per hour less expenses so that will net about \$ 60 to \$80 per hour to the city.

Jay explained which companies was asked to bid on the new fire truck as there are not any local companies that produce these kinds of vehicles. Requests for bid were sent to Seagrave Fire Apparatus, Ferrara Fire Apparatus, E-One Fire Apparatus, Ross Equipment and Rosenbauer Fire Apparatus.

Sealed bids were to be received no later than Monday, July 22nd at 3:00 P.M.

Bids were received from only three companies: E-One Fire Apparatus, Ross Equipment and Rosenbauer Fire Apparatus. Ross Equipment submitted two bids; one for a standard truck and one for a truck built to the specific specifications of the bid request. The bids were as follows:

E-One Fire Apparatus	\$372,900
Less prepayment discount	(\$10,000)
Total Cost with Discount	\$362,900

Ross Equipment	\$335,836
Less prepayment of chassis	(\$5,806)
Less prepayment discount	(\$10,000)
Total Cost with Discount	\$319,530

Rosenbauer Fire Apparatus	\$300,094
Less prepayment discount	(\$6,722)
Less 2 nd prepayment discount	(\$3,200)
Total Cost with Discount	\$290,172

Second bid from Ross Equipment for a stock truck not built to bid specifications.

Ross Equipment Bid #2	\$296,984
Less prepayment of chassis	(\$5,434)
Less prepayment discount	(\$6,072)
Total cost with discount	\$285,478

Jay stated that the stock truck was a truck that the dealer had in inventory but that it had a smaller engine, was smaller in dimensional size and did not have accessories like mud flaps that were items included in the dimensions put out in the bid request. After adding in the cost to make these changes. The cost of the stock truck that was in inventory was comparable to the truck that the department wanted to order but still had a smaller motor so it was not something the department wanted to consider purchasing at this time.

Jay inquired if the city wanted to take advantage of the prepayment discount? Dennis inquired how much of the truck cost was being paid for by the county? Jim explained that the county was going to pay \$150,000 over a five year period or \$30,000 per budget year. The city would pay the remaining balance due of approximately \$140,000. The question asked by Jim to the council was if the city wanted to pay for the truck up front or secure a five year loan? The county will be making annual payments. Jay stated that the county had not paid their annual payment yet but would be making one in this budget year.

Dennis inquired about the warranties on the different trucks and Jay replied that they basically all have the same warranty. There is a standard warranty and a paint warranty. Jay also stated that

there are three Rosenbauer engines in the valley and some in Idaho Falls as well. All of the companies submitting bids supplied a list of at least 10 references of places that had their equipment in use. Jay stated that the current engine is a 1990 and that normally fire engines have a 20-25 year life expectancy. Jim informed the council that the 1990 would still stay in service and that the new truck would replace the 1964 engine that is not in service or operable at this time.

Jay told the council that he would clarify with the county when their annual payments would be made. Jim said that he would also get a financing package put together for the council to review as well.

Brent inquired if the new truck would have all the needed accessories or if more items would need to be purchased after the new engine arrived? Jay replied that existing equipment will be put on the new truck as it will be taken off of the other equipment.

Jeff asked if this was a specific line item and was in the current budget? Jim stated that the current budget had a \$300,000 line item specifically for this purchase.

Dennis was confused in regards to the prepayment discount being offered and asked for clarification. Justin responded that the prepayment discount only applied if the entire balance due on the truck was paid when the truck is ordered. The engine would be required to be paid in-full before delivered but if the order is paid in-full up front then a discount is offered. Either way the truck has to be paid-in-full before it can be delivered or picked up.

Jay stated that one item that would be helpful for the new truck is a large diameter hose and he hoped to get grant funding to pay for that purchase.

Justin asked about the time to get the order produced once an agreement has been reached? Jay responded that it would not be ready for approximately one year.

Jay explained why a prepayment discount is offered by the manufacturers as well. They offer the discount as they can pay for the items on the truck up front and don't have to finance the items for the truck. There is such a significant investment in each truck that they have to finance some of the costs of each truck if not paid for at the start of production. The prepayment discount keeps the manufacturer from having to obtain financing.

Dennis inquired about what is needed to proceed at this point? Jim replied that an award of contract is needed and then he would get some financing options to bring to the council for discussion.

A motion to award the purchase of a fire engine per bid specifications from Rosenbauer Fire Apparatus not to exceed a cost of \$290,172 was made by Dennis, seconded by Kris and the vote was unanimous.

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

No Vote: None

Absent: None

STAKER & PARSON COMPANIES REQUEST FOR ANNUAL RENEWAL OF NOISE VARIANCE ALLOWANCE FOR EARLY MORNING BATCHING

Reed Toolson came before the council to request a renewal of the Staker Parson Company noise variance allowance that is made on a yearly basis. The early morning batching in the summer allows the company to meet customer's demands due to heat concerns and also when requests of a need for 300 to 400 yards of cement are needed in a one day period.

Reed stated that the company wants to be a good neighbor to the surrounding area and hopes to minimize noise as much as possible. A sound barrier wall has been installed and overhead roofs, as well, to help keep the noise to a manageable level. Mayor Simmons replied that he had not received any complaints or concerns in the last year. Kris commented that Staker Parson's has made this request for the last several years and that each year they get better and better at what they do. The service to the surrounding neighborhood has got better over time and she appreciated the flyers that were placed at each residence notifying them of when early morning batching would occur. Kris was not aware of any complaints and again stated that she liked to be notified when early batching does occur and that Staker Parson's has been great in this regard.

Jim commented that in the past, the allowance has been for (12) next day pours and (12) 48 hour notification pours for a total of 24. There are still five left from the last renewal. Also, there are very few next day pours that have been recorded; most are given with a two-day notice.

A motion to approve the renewal of the noise variance allowance for Staker & Parson Companies for (12) next day batching allowances and (12) 48 hour batching allowances was made by Brent, seconded by Barbara and the vote was unanimous.

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

No Vote: None

Absent: None

TRAVIS TAYLOR, AGENT FOR SMITHFIELD RIDGES, LLC HAS MADE A REQUEST TO AMEND PHASE 1 OF THE FINAL PLAN FOR THE VILLAS IN THE SMITHFIELD RIDGES PLANNED DEVELOPMENT LOCATED EAST OF 1000 EAST BETWEEN 300 SOUTH AND 600 SOUTH. ZONED R-1-12 (P.U.D) COMBINED SINGLE FAMILY RESIDENTIAL/PLANNED UNIT DEVELOPMENT OVERLAY ZONE

Travis Taylor came before the council as part of the continuing process of modifying the concept plan of "The Villas". The request had been brought to the Planning & Zoning Commission and been approved and forwarded to the council for review. Travis discussed the concern mentioned at the last city council meeting regarding the clubhouse. He discussed having two meetings with

the residents of “The Villas” and that the main issue was with the fees being charged. A transition is in process to phase the developer out of the PUD board and put local area residents of “The Villas” on the board to oversee it. All of the maintenance contracts of the PUD are being reviewed and the developer is offering information but will not be part of the decisions made on maintenance services. One big item of discussion was the open space. The residents of the area were unanimous on not having a swimming pool and having to pay the costs of maintaining a swimming pool. Two different options for the open space were discussed with the hope of hopefully having year round use. One option was to have a small clubhouse, great room, kitchen area, bathroom and extended covered patio. The other option was to create more outdoor living space by building one medium sized pavilion and then a couple of smaller pavilions scattered around the open space area so more areas could be utilized by more families at the same time. The landscaping will also be enhanced with more trees and some wind breaks. There will be another meeting with the owners of “The Villas” to discuss which option they want and to move forward with the open space development.

Travis stated per agreement at the last city council meeting that Cardon Ridge Drive will now become a public road rather than a private road. Jim stated that sidewalk will now be required and there will be changes to the curb and gutter as well to meet certain city specifications.

Travis said another concern of the residents in the development area was traffic flow and speeding issues. To resolve that issue and concern the developer would like to install more traffic signs.

Travis felt like the majority of the PUD members are now satisfied but not necessarily all happy but that he felt that they had worked through some issues and that the final product will be good for everyone involved.

Brent stated that all of the conditions set forth by the Planning & Zoning Commission had been met. There was one resident of the area that complained about a swimming pool not being installed as they had a brochure showing there would be a swimming pool. Travis responded that he had never seen the brochure with the swimming pool until the Planning & Zoning meeting but that in discussions with the PUD members they were unanimous in support of not having a swimming pool. They did like the idea of more trees and a couple of pavilions from what he could tell by the early response to the proposed open space plans.

Brent also remarked there was a concern about smaller homes being built behind some of the current homes. Travis responded that he had met with this homeowner and reviewed the plans and showed an analysis of the homes that would be built in that area and their sizes.

Jeff spoke of a lady that was paying a maintenance fee but still having to do all of the maintenance herself. Travis mentioned that he had met with her today and that one area of concern was where the ice had built up and killed the grass and there was an issue with the fence. He stated that the area would be replaced with sod as they are currently working on three other landscaping projects in the area. He stated her concerns would be resolved.

A motion to approve the request to amend Phase 1 of the final plan for “The Villas” in the Smithfield Ridges Planned Development located east of 1000 East between 300 South and 600 South was made by Jeff, seconded by Kris and the vote was unanimous.

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

No Vote: None

Absent: None

CITY MANAGER REPORT

Jim discussed the landscaping work that was just completed that day at the east entrance to the Civic Center. The public works department did a great job and there is a combination of xeriscaping, grass and trees. He recommended that everyone go and view the area as it turned out very nice. Jeff commented that it looked great and he appreciated the junk cars being moved after a discussion at a council meeting.

Jim discussed the road on 200 South from 100 East to 200 East and that is ready to be paved. That road is the last road that needed to be addressed at this time in regards to major repairs. It is scheduled to be paved on Friday. From 100 East to Main Street on 200 South; a high density mineral bond is going to be applied. It is a cheaper material than slurry seal and can be used on roads that have a good surface. This material will be tried on one city block and monitored to see how it wears over a period of time.

Jim informed the council that the floor in the Youth Center had be refinished and that the job has been completed. There is a gray painted area under the bleachers that the city workers will paint as the bleachers could not be removed as part of this project. The floor was restriped and the sidelines were moved in a foot or so to help accommodate people sitting on the bleachers.

More projects will happen on the building this year as the entrance area will be redone, the rock removed or replaced, the lighting removed from the ramps and the hand rail to be repaired as needed. Lights will be added to the building structure to light up the entire area and not just the entrance ramp.

PRIMARY ELECTION SUMMARY

Justin discussed the primary election that had occurred the previous evening. He stated that he felt the election was a success as over 800 people voted and he felt that was quite good for a primary election. The Civic Center worked as a great polling area. Justin plans on advertising the location better and that the east entrance is best for parking and access. The plan will be for the general election to be in the Youth Center as well but the room to the south of the east entrance will be used so that a line won't be formed outside in the cold weather and snow if there is bad weather at that time. Paper ballots will be used again for the general election and at this time the general election will be for mayor, two council positions and for the decision regarding

the Cache County School Bond issue. Electronic voting machines could be used but that would require an expenditure of over \$1,000 and at this time paper ballots will be used instead.

The “unofficial” results of the primary election were as follows:

Barbara Scholes Kent	438
Kris Monson	373
Kathryn S. Larsen	240
Jeffrey R. Gittins	234
Curtis Wall	166
Dwight Arthur Peterson	114
Joshua Peterson	34

The top four move onto the general election in November. The 13 provisional ballots have been submitted to the county for review and will be included as they are approved and then the final results can be determined.

COUNCIL MEMBER REPORTS

Kris discussed the city 5k and half marathon run and that it went quite well. There were approximately 175 people that participated.

Barbara discussed the youth council and that during the summer when school is out they are not as active but that recently they had their planning and training session. The youth council did win a blue ribbon at the Cache County Fair. The theme was sow it, grow it, show it. Recycled glass was used from a local glass recycling company located in the city.

Dennis talked about the city’s application to the Community Impact Board (CIB) for the financing of the expansion and addition to the library. The CIB met on August 1st and reviewed the request from the city for a loan of \$965,000, to be repaid over 25 years and to include an interest rate of 1.5%. The CIB has given preliminary approval for the request and will make their final decision in October. Dennis reminded everyone that the library expansion and upgrades have been talked about at length at previous meetings and this was the next phase in the process. The council had also had a concept drawn up for review for everyone in the past as well. Jim and Dennis met with Skyline A/E/S Inc. and gave them the instructions to move forward with the design of the building based on the exterior concept provided by a student from USU. Skyline will get a formal proposal together regarding the fees that will be charged for the design of the building. The library board and staff and the city council will meet and come up with the best layout for the new building. There are two parts to this plan; the exterior and the interior. These items will be brought before the public and council for review.

Kris asked that technology be incorporated as much as possible into the new building since all newer generations of kids are more technology based than book based.

Dennis said the interior discussion will be more to do with flow and where to put items. It is a very diverse group and they will be instrumental in all of the interior items in the library.

Dennis talked about moving the project forward as quickly as possible as weather is approaching and it would be nice to have the plans finalized and put out to bid before the ground freezes. He did not put a timeline on the process moving forward as there are certain steps that must occur in the process. The contract proposal from the design firm should be received this week. The library board is set to tentatively meet next Wednesday night. There will be six weeks until the next city council meeting and the hope is to have a majority of this work done by then for the council to review at that city council meeting.

Jim talked about the design time that will be required and the time that will be needed to incorporate the requested changes from the city council and the library board after the initial plan is designed.

Dennis discussed some of the features of the new building. The main entrance will be on the west side in the center of the building. The building will be two story with an elevator. All ADA requirements will be met in the new building. There will be a little over 2,000 square feet of area to utilize on the second floor of the new building. How to utilize the remodeled areas in the Carnegie library will need to be a discussion at some point as well, but overall the entire building and concept is not very complicated.

Dennis also discussed how this project has been in the works for many years and discussed several times and there had been public hearings regarding it in the last year. The project has been very open to the public and will continue to be as the project moves along.

MAYOR'S REPORT

The Mayor thanked everyone that got out and voted in the primary election. He was glad to see the interest in serving the community as seven residents applied for the two open city council seats.

The Mayor discussed his concern for the calls he continues to get regarding blight up Smithfield Canyon. Most of the issues are in the county but most residents of Smithfield think the entire canyon is part of Smithfield City. The Mayor asked for suggestions on how to handle this issue. There are old couches and debris that are quite unsightly.

Glen Jay Thornley expressed that there have been some notices in the newspaper of the work being done up the canyon. A large culvert is being replaced by the Dugway spring. There should be some improvements that are seen quite soon. There needs to be more improvements to the road as it is quite narrow. The biggest area of concern is the private property below the Forest Service boundary. People that own land in that area are renting out camping spaces and the area is getting abused. Glen suggested that the city notify the county of what is taking place and check to see if there were any county ordinances in place to help with this situation as well. It is hard to address blight issues on private property. Jim reminded the council there is a citizen

group that helps to clean up the canyon each spring. Glen spoke about the trailhead being a destination for people and possibly something that can be promoted through the city and county in the future.

Glen asked the Mayor if he could take a moment and make a comment regarding the proposed library building and renovation. He thinks it is a great idea but does not believe the public is aware of how far along the project is at this time. The public needs to be notified better but at the same time he recognized that the more people involved the harder it is to get things done. The citizens need to be aware of the progress and what is happening regarding the library. Glen asked that the library be very modern and have all of the electronic capabilities that are needed for now and down the road. Glen also asked that the opinions of residents and professionals from the university be considered as well. Glen would like to see the building built correctly internally and not just a bunch of shelves with books on them. Mayor Simmons commented that he does not look at the new building as a library but more of a learning center for the community. The new building will be more than just a place to check out a new book.

Dennis discussed the comments that were being made that suggest the public is not aware of the progress of the library. He reminded everyone that this subject has been talked about for several years; held public hearings in its regard and even had an article in the city newsletter specifically about this topic. Dennis expressed that he wants to resolve any frustration that people may have surrounding this project, and reiterated that it in no way is a secret or has been a secret. It has been discussed numerous times over several years. Dennis stated he wants to see everyone in the community be part of the planning.

Dennis then explained that the city has the funds and preliminary approval on a loan to construct the building but not to furnish the building. The funds to pay for the items on the interior of the building will need to be raised through private funding. A rough estimate to furnish the interior of the building is \$50,000. Dennis stated that he thinks that estimate is low and that right now there is \$6,000 in the "Friends of the Smithfield Library" fund to be put towards purchasing the interior furnishings. It will be easier to raise private funding once the building is started and people can see progress is being made. People have heard talk of this project for many years and now it is going to happen and it has never been a secret about the intent to build a new building.

Russ Elwood stated he was concerned about the proposed location of the new library. He believes it to be in the flood zone. The Mayor stated this had come up in previous conversations as well. Jim stated the floodplain is located north of the current building and not to the west. If the new building was located to the north of the existing building there would be issues. Russ stated that many homes he had applied for insurance for in the past were turned down because of floodplain issues and that the city office building had to be relocated because of floodplain issues. Jim stated that new floodplain maps had been done within the last couple of years and Russ was more than welcome to review them.

A motion to adjourn at 8:25 P.M. was made by Kris.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, Recorder

SMITHFIELD CITY RECORDER
96 South Main
Smithfield, Utah 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a scheduled meeting at 96 South Main, Smithfield, Utah on Wednesday, **August 14, 2013**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Watkins

1. 6:03 P.M. Consideration of the Consent Agenda
Approval of Minutes of July 10, 2013 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Public Hearing to receive public input for consideration of Ordinances 13-06 and 13-07, "Set Salaries for Elected and Statutory Officials "
4. 6:20 P.M. Request by Don Corbridge for approval of a Conditional-Use Permit for a one (1) lot Intrablock Development located at 151 South 300 West, Zoned R-1-12.
5. 6:30 P.M. Jeff Hansen of JSH Surveying & Drafting, Inc.; agent for LaVon Peterson, has requested approval of a three (3) lot minor subdivision located at 294 South 200 East, Zoned R-1-10.
6. 6:40 P.M. Representatives of the Utah Communications Agency Network (UCAN) to discuss combining communications for all public safety agencies.
7. 7:00 P.M. Fire Chief Downs to discuss bids received for a new fire truck.
8. 7:10 P.M. Staker Parson Company request for annual renewal of noise variance allowance for early morning batching.
9. 7:20 P.M. Travis Taylor, agent for Smithfield Ridges, LLC, has made a request to amend Phase 1 of the Final Plan for The Villas in the Smithfield Ridges Planned Unit Development located east of 1000 East between 300 South and 600 South. Zoned R-1-12 (PUD) Combined Single Family Residential/Planned Unit Development Overlay Zone.
10. 7:40 P.M. City Manager Report
11. 7:50 P.M. Council Member Reports
12. 8:00 P.M. Mayor's Report

Smithfield City Council Meeting Minutes, August 14, 2013

13. 8:10 P.M. 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 792-7990, at least (3) days before the date of this meeting.

Prepared, posted in the City Office, emailed to each Council Member, Faxed & emailed to the Herald Journal, Smithfield Sun, and forwarded to be posted on the City Web Site on 8-12-13, and the Utah Public Meeting Notice website.

ORDINANCE 13-06

**AN ORDINANCE AMENDING THE SMITHFIELD MUNICIPAL CODE ADOPTED
DECEMBER 21, 1995**

BE IT ORDAINED by the City Council of Smithfield that the following sets the salaries as required by Chapter 2.16.050:

The salary of the elected officials of this municipality shall be paid in the amount and at such time as is below specified:

Mayor	Monthly	\$748.09
Council Members	Monthly	\$453.34

This ordinance shall take effect as of July 1, 2013 upon its adoption and posting.

Adopted by the City Council of Smithfield, Utah this 14th day of August, 2013.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, City Recorder

ORDINANCE 13-07

**AN ORDINANCE AMENDING THE SMITHFIELD MUNICIPAL CODE ADOPTED
DECEMBER 21, 1995**

BE IT ORDAINED by the City Council of Smithfield that the following sets the salaries as required by Chapter 2.16.050:

The salary of the statutory officers of this municipality shall be paid in the amount and at such time as is below specified:

City Treasurer	Bi-Weekly	\$1,601.57
City Recorder	Bi-Weekly	\$2,615.38

This ordinance shall take effect as of July 1, 2013 upon its adoption and posting.

Adopted by the City Council of Smithfield, Utah this 14th day of August, 2013.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, City Recorder