

**SMITHFIELD CITY COUNCIL**

**OCTOBER 23, 2013**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, October 23, 2013. The meeting began at 6:00 P.M. and Mayor Darrell Simmons was in the chair.

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

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

The opening remarks were made by Council Member Monson.

**VISITORS:** Alison Fluckiger, Hannah Fluckiger, Braxdon Gardner, Karen Gardner, Tim Kiester, Kaiya Kiester, Scott Gibbons, Lisa Peterson, Karlee Peterson, Nancy L. Smith, James Sylvester, Kathy Roper, Deon Hunsaker, Teresa Bodine, Lisa Robanske, Brian Simpson, Iris Larned, Mary Kay Hunsaker, Ruth Spendlove, Darrell Spendlove, Alex Buxton (Zions Bank), Glen Jay Thornley, Kristin Howard, Ethan Howard, Joanna Howard, Ginny Howard, Emily Nielson, Clarissa Nielson, Kelly Cannon (The Herald Journal), Ruth Simmons, Eloise Toolson, Julie Marshall, Julie Finlinson, Katie Finlinson, Michelle Thompson, Kanae Turner, Amy Wallace, Travis Taylor, Toni Gibbons, Renee Tuke, Stacey Dority, Jenna Dority, Duane Erickson, Diana Erickson, Patsy Watkins, Karen Bowling, Ben Spendlove, Jon Cheatham, Justice Cheatham, Paul Chapman, Chani Seamons, Nathan Seamons, Brock Atwood, Rylan Rich, Tristan Seamons, Michael Nielsen, Kathryn Larsen, Joe Vande Merwe, Samuel Vande Merwe, Katie Hatch, Jessica Gourdin, Arnold Neilson, Rayslyn Gladfelder, Brian Potts, Beck Potts, Jill Larsen, Jack Stephens, Ruth Stephens, Curtis Roberts, Marilyn Benavides, Melissa Draper, Catherine Sylvester, Ian Sylvester, Wyatt Sylvester, Lindy Sylvester, Kathy Downs, Karen Cripps, Don Cripps, Joel Cripps, Sheila Bentley, Kim Dority, Connie Poulsen LaMont Poulsen, Stephanie Nixon, Char Izatt

**CONSIDERATION OF CONSENT AGENDA**

**APPROVAL OF MINUTES OF THE OCTOBER 9, 2013 CITY COUNCIL MEETING**

After consideration by the council, the Mayor declared the consent agenda for the October 9, 2013 city council meeting minutes as approved.

**RESIDENT INPUT**

There was not any resident input.

**REQUEST FROM TRAVIS TAYLOR, AGENT FOR SMITHFIELD RIDGES, LLC FOR APPROVAL OF PHASE 7 (10 LOTS) OF THE FINAL PLAN FOR SMITHFIELD RIDGES PLANNED UNIT DEVELOPMENT LOCATED AT APPROXIMATELY 600 SOUTH AND CARDON RIDGE DRIVE (1030 EAST). ZONED R-1-12 (PUD)**

**COMBINED SINGLE FAMILY RESIDENTIAL/PLANNED UNIT DEVELOPMENT OVERLAY ZONE.**

Travis Taylor started off by stating that city attorney, Bruce Jorgensen, did not want this item on the agenda as the paperwork for Phase 1 had not been completed. Travis stated that he believed all of the requirements had been met but the final document had not been signed. All of the requirements had been approved to the best of his knowledge. Travis stated that he understood that approval for Phase 7 would be contingent on certain items being completed. Travis stated that at the last Planning and Zoning meeting he had asked to adjust the lots widths as they were all 65 feet. About half of the new lots would be wider and some would be reduced to 61 or 62 feet. The Planning Commission wanted the smallest width to be 65 feet and asked him to adjust the lots as that was their recommendation. By adjusting the smaller lots the effect would be that about 20 feet of the open space would now be part of the development. Travis commented that it is a minor adjustment but still an adjustment and he wanted the council to be aware of the request. There is also the road dedication on 600 South that needs to take place. Travis had visited with the Lowe family and worked through the issues. There are two signors on the deeds; Roger and Jerry Lowe. Jerry is currently out of the country but the family has approved the request. Roger is fine with the proposal but Jerry needs to sign off as well when he returns. Jerry is supposed to be back in the country by the end of the week. There will be an escrow agreement that will hold the three deeds as the development is completed in sections. The deeds will be held in escrow until the city council approves the phases adjacent to the area.

Mayor Simmons commented that this approval had been discussed over several meetings.

Jim stated there were some things that the council needed to consider. The arrangements with the Lowe family needed to be completed and signed off. The city attorney had not seen the final plat or signed off on it. In fact, the city attorney had not reviewed the final plat at this time as the initial review started a couple of months ago. At that time, the city attorney was favorable to the plat. Jim commented he had not seen the final plat or the Phase 1 amendment. This plat had been a real challenge as it involved two H.O.A.'s, a development company and the city. All of the proper dedications needed to take place and it had taken a long time just to get to this point. Bruce Jorgensen, city attorney, had visited with the surveying company as well as Hickman Land Title and at this point to the best of Bruce's knowledge the developer had addressed the issues.

Travis thanked Jim, the city council and Bruce Jorgensen for the working relationship that they have had on this project.

Jeff inquired if the project could be approved at this point? Jim stated that it could be approved contingent on everything that was discussed got completed. Jim did express a concern that he had not seen the final plat. Travis stated that it could be approved contingent upon certain conditions and approval of the city engineer could be one of them. Travis stated he could not finalize the final plat until the council authorized him to do so.

Brent stated that he did not want the final approval to be granted by the city engineer or attorney but by the council. Travis commented that he meant that the city engineer, council and city attorney would all need to sign off on the final plat.

Brent then commented he was confused about the final plat as the lot sizes had not been adjusted as requested. Travis commented that the lot size could not be changed until the council approved the change and at this point it had not been approved.

Jeff asked why it could not be approved with conditions? Jim stated that it could be and that in his conversations with Travis, the widening of the lots was not an issue and only 20 feet of the open area will be effected by the change. The common area or open space will still be larger than two other areas in the city that are like this. Jeff stated that 20 feet was not much in the size of the open space. Jim commented that the open space would still be around 36,000 square feet where the others in town were around 24,000 square feet.

Dennis stated that it was a good decision to widen the lots. Travis commented that other than the lot widening the plan was not much different than previously reviewed by the city.

Jim commented that the approval can be granted with conditions but that everyone must be comfortable with the decision to do so. Dennis commented that could be accomplished with the conditions. Jim stated some of the conditions would need to be that Phase 1 was reviewed and all the required changes were made but at this point Bruce Jorgensen was comfortable with what he had seen. The Phase 1 approval most likely would not happen for the next 10 days or so. Dennis asked what other conditions would be required. Jim stated that the city attorney must approve Phase 7 but that the review cannot take place until the updated plat has been submitted. The title report will need to be reviewed as well as the CCR's of the development. The issue with the Lowe family and the road will need to be signed off as they are donating some land to the city on the south half of 600 South as the current area is only 40 feet wide and that does not allow for a wide enough road. Jim stated he had talked to the Lowe's and verbally they said they were fine with the agreement but to this point nothing had been signed.

Jeff asked if the final plat would reflect the changes in lot width? Travis stated that it would.

Travis also stated that the escrow instructions could be included in the conditions as well as the council will need to authorize the Mayor to sign the escrow agreement. Jim concurred it should be part of the conditions.

\*\*\*A motion to approve Phase 7 of the final plan for the Smithfield Ridges Planned Unit Development located at approximately 600 South and Cardon Ridge Way with the following conditions; (1) approval and signed agreement with the Lowe family regarding the road property on 600 South, (2) approval of the final plat by the city attorney and city engineer, (3) an escrow document/agreement put in place and signed by Mayor Simmons for the execution of the three deeds of property on 600 South was made by Dennis, seconded by Jeff and the vote was unanimous.\*\*\*

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

No Vote: None

## **DISCUSSION ON THE UPDATE TO THE WATER CONSERVATION PLAN AND SETTING DATE FOR A FUTURE PUBLIC HEARING**

Jim informed those in attendance that the State of Utah requires all cities and towns in the state to have a water conservation plan as water is precious and the state is a desert area. Conservation is key and very important. The plan that is required by the state includes describing the water system, how much water is available, the plans for future water use, the quality of the water but overall the emphasis of the plan is how the city intends to conserve water. The first plan was prepared in 2008 and the state requires that it is updated every five years. Communities change and the use of the water changes as the community grows and expands. Jim stated that the 2008 plan was the starting point for the new plan. More information is required in the new plan and the state dictates what is included or not included. The current draft proposal is on the city website. ([www.smithfieldcity.org](http://www.smithfieldcity.org), Government, Studies, Water Conservation Plan 2013 Draft) The plan does provide good information on the water system and outlines some of the goals and strategies of the city. That part of the plan is new. Jim commented that he put together the initial part of this list and was bringing to the council for review as well as the citizens. Jim stated that information could be included, removed and updated as needed for the final plan. More goals can be added if appropriate as the draft document is just a starting point. A date for a future public hearing will need to be set as the citizens will have an opportunity to comment on the plan as well. Jim suggested the council send in their concerns or additions as soon as possible so the document can be viewed by the public.

Mayor Simmons commented that a hard copy would be available at the city office for review as well; for those that do not have internet access. The Mayor commented that he had forgotten how many springs and wells and the size of the transmission system for the water. The Mayor thanked Jim for his effort on the draft plan and encouraged the council and citizens to review the draft as well; as the water system is a key piece of the city. The Mayor commented it is amazing the process of getting the water out of the ground and to each home and what is involved in that process.

Jim stated it was good to question and review how effective the first plan was that was adopted five years ago. After reviewing that plan many of the things that were listed in the first plan had been accomplished and that some of those projects saved quite a bit of water. Now there will be new goals and strategies. It is always good to save more water and keep the city going that direction.

Barbara commented she had spoken with an environmental engineer and how impressed the engineer was with the xeriscaping on 100 North Main and that it was a very water conscience project and that will sometimes inspire the residents to do the same as well when the city is doing it first.

The Mayor asked for a date for the public hearing. Jim stated that the final document must be approved by the end of the year and so the public hearing should be in November and the final document approved in December. The Mayor stated that the public hearing will be at the November 13<sup>th</sup> city council meeting.

**LIBRARY EXPANSION AND RENOVATION PUBLIC HEARING REGARDING THE ISSUANCE AND SALE OF \$965,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2013, AND TO ALLOW PUBLIC INPUT REGARDING ANY POTENTIAL ECONOMIC IMPACT THAT THE PROJECT DESCRIBED HEREIN TO BE FINANCED WITH THE PROCEEDS OF THE SERIES 2013 BONDS MAY HAVE ON THE PRIVATE SECTOR.**

The Mayor asked Jim and Dennis both to review the framework and background of this project before the public hearing started so that those in attendance would understand what had led to this point.

Dennis stated that the current library is inadequate for the needs of the city and that something has needed to be done for years. There are lots of emotions in regards to the current building and over a number of years a plan has been developed to keep the current building but to update and remodel it as well as to add more space. The current proposal is to add onto the facility by adding a new building to the west of the current building. A hallway or portal would connect the two buildings. The new building will be a modern design but will connect to the Carnegie library. The bathrooms in the current building are very small and not ADA compliant. The stairs are an issue both going up and down. Parking has always been an issue; especially for larger events and new parking will be added on the west side of the existing building. The entrance to the building will now be from the west side and the current entrance will be just a reminder of the past. The current stairwell to the basement will be done away with and the area behind the basement entrance can now be utilized. Economics dictate what can and cannot be done. The council was asked how to accomplish and fix this problem without raising taxes. The city RDA will offer some help on this project. If the project is approved the addition and remodel will occur. Dennis stated that the size of the new addition is not as big as anyone would like but it is what the city can afford. Another plus to this project is that the new building can easily be added onto if a future council would choose to do so.

Jim commented that the project hinges on the funding and that this project would consist of two funding sources. Both of the sources would have to be approved and money set aside for the project. Tonight the funding discussion is about the CIB loan which is from the Community Impact Board. A parameters resolution would need to be discussed and the parameters of the bond would need to be set.

Mayor Simmons asked Jim to explain to those in attendance what the CIB is and what it does. Jim explained that the CIB is responsible for deciding how funds are spent that are collected from energy development and exploration taxes. Communities and counties down by Vernal, Helper, Price and Wellington are all areas in high energy exploration counties. They are the most impacted by the exploration as they can experience high growth as well as economic devastation when there is little exploration. In the past, the bulk of the money has gone to counties and cities in these areas and very little to outside communities. There is little to no energy exploration in Cache Valley. The CIB is now in a position they can share with other counties in the state. The city has applied to the CIB for some of that money. The CIB has given approval for a \$965,000 loan; initially the city only requested \$800,000. The \$800,000 was based on what the city felt they could afford to pay based on a payment of \$46,000 to

\$48,000 per year and an interest rate in the range of 2.5% to 3.5%. The city then found out after the initial application of \$800,000 that the CIB was loaning money in the 1.0% to 1.5% range. The city changed the application to \$965,000 with a request for 1.5%. This project could easily have used \$1,500,000 or \$2,000,000 like other local communities but the city has limitations and based on the change in the interest rate the city modified the application from \$800,000 to \$965,000 as the annual commitment or payment would not change. The board was aware of that fact on the application change and required that a public hearing be held so that the citizens are very well aware that the city is considering borrowing \$965,000. The public hearing was advertised in the Herald Journal as well. The annual payment did not change from the original loan application. The discussion tonight is regarding the CIB loan only and the other part of the funding is the funds that the city will contribute to the project which is \$440,000. The CIB is much more favorable to projects when the city spends funds and participates in the projects. The city is committing \$440,000 of which is a separate item and will be addressed in more detail later on. At this point, the funds are a gift from the city RDA fund. The RDA fund is pledging the funds to the city for "Quality of Life" projects. Jim stated a greater, better, more efficient library adds to the quality of life of those residing in Smithfield. The other funding will have to be approved by the city attorney and project bond attorney to make sure all aspects of the funding are reviewed. Both attorneys will review the agreement with the RDA funds as well. Randy Sant is being communicated with as well as he is very knowledgeable about RDA's in the State of Utah as well. The attorneys will review all of the procedures. The CIB and city contribution are still in the process of being reviewed. All of this paperwork must be completed before the project can be underway.

*\*\*\*The regular council meeting was closed and the public hearing opened at 6:45 P.M.\*\*\**

Jim informed the council and audience that Alex Buxton of Zions Bank was also in attendance and could answer any questions in regards to the project financing through the CIB; if needed. The Mayor thanked Alex for attending as well as helping the city on projects in the past as well.

Nancy Smith stated that herself and her father wanted the project to go through. She had lived in the community for over 40 years and goes to the library every week. Nancy stated that her father cannot go to the library as he cannot get up the steps and it is hard for older people to use the steps.

Jeff Barnes commented that the new entrance will be from the west side as well as the parking and that it will be a flat entry and no stairs will be involved but that there will be an elevator.

Karen Bowling stated she has worked at the library for 18 years and seen tremendous growth. There is a need for more programs to be added but there is not any room for expansion. There are about 120 kids in the Story Time program. Parents have to sign up their children for specific dates and times as the seating and space is very limited. There is a line out the door of the library when it is time to sign up as it is first come, first serve with limited seating. Parents with jobs are left scrambling to get their children signed up while they are to work. Currently, there is not any programming for the older children as there is not any room. Karen hopes to add a family story time program when there is more room. Currently, kids up to the age of five have Story Time.

Barbara Kent commented that all of the programs offered are free of charge and that is something that is very nice for the community.

Marilyn Benavides stated she is the director of the library and just finished the annual report for the period of July 1, 2012 through June 30, 2013. The growth of the library is amazing and there were over 55,000 visits from adults and children during that period of time. That is an amazing number and over 3,000 of the visits were for people to access the internet and there are only eleven computers. Missionaries come to send letters to their families at home and Marilyn stated she is very proud of the record of the library. The library should be a community gathering place that offers different activities for adults and children. Several of the patrons are older and too old to climb the stairs and access the library. One person is 95 and wants to come to the library but cannot climb the stairs and comes to the bottom stair and the library workers take books out and give to this person. Marilyn expressed she is very hopeful this resolution would pass as different projects had been discussed over the last 20 years. The hope is that this new library will be a gathering place for the citizens of the community.

The Mayor inquired if there had been a timeline in the past to become ADA compliant? Jim commented that the city had been encouraged to do so since the ADA act was passed but that there had not been a state mandate to this point.

Eloise Toolson stated she has lived in the city for over 65 years and that the library is vital to the life of the city. It adds dignity to the Smithfield residents and enhances all of the resident's lives. Eloise stated she will check out six to eight books at a time and appreciates the library staff and how they go the extra mile. The weather and the access make it hard for older people to access the library and she hopes the loan is passed so that the city can continue to be a wonderful community.

Katie Hatch came before the council as a parent and educator. Katie stated she has two children and one is seven years of age and still wishes that Story Time was available for that age group. There is a need for other programs and more space as well as more family involvement. Katie stated she has been to libraries in many other states and even internationally and she wants to have an incredible children's library. As an educator she is impressed with the plan and gives her stamp of approval for the project.

Stephanie Nixon stated that she has two small children and they go to Story Hour all the time and it is a great benefit to the children. Parking is very difficult on such a busy road. The children want to run to the library as soon as the car stops but parking is on a main highway. Accessibility is a passion of Stephanie's and it impressed her how a family helped to get someone in the library on a walker but at the same time made her ill to think that access was that poor. It takes extreme measures to access the library in the winter when cold and slick. Stephanie wanted to voice her support for the proposal.

Renee Tuke read a quote from Mr. Carnegie that states that a library is a cradle of democracy where rank and financial status do not matter. As senior citizens, they have the right to have their lives enriched by the library. Many of Renee's friends don't have computers to access the internet and are financially challenged and don't have newspapers or magazines. Renee has a

friend with MS and cannot access the library due to the stairs and the library patrons have to come outside to help her. This is not what Smithfield wants for its friends and neighbors. Renee commented her friend has the right to enter the library in dignity. Renee wants her grandchildren to be able to hold books in their hands rather than just look at computer screens. Reading is education. Renee had a child who hated to read and she has since graduated from the university and has learned about life through books and reading. In Renee's opinion, it would be a horrible mistake if something is not done to enrich the lives of all of the citizens.

Julie Marshall stated she supports the proposal and thinks it is very important to have handicap access. The library collection can be expanded as well and other items added. Julie moved here about 20 years ago and has always thought the library needed to expand. Story Time is something that all children really enjoy. They are delighted by it and more children should be able to enjoy it as well. Julie asked for a study area or place for tutoring as she is a volunteer tutor helping with literacy problems. If there is only one table in an open space area in the library that is very intimidating for older people with problems to want to utilize. A small room would be great and an important area at the library. Julie also expressed appreciation for the council not doing a tax increase to fund this project. Julie stated as she understood \$800,000 was being used from the RDA fund of which \$440,000 would be used on the construction of the building. Julie stated if the rest of the funds were being set aside for future loan payments that they need to be set aside and clearly marked so that future councils did not use the funds elsewhere.

Dennis Watkins commented that the funds from the RDA will be put into the hands of the city and the city will determine the best way to utilize the funds. Of the \$800,000 from the RDA; \$440,000 will be used directly for the construction of the new building and remodel of the existing building. The intent of the entire project is to do it in an affordable way.

Mayor Simmons asked Alex Buxton from Zions Bank to explain the loan to those in attendance. Alex stated that if the resolution is adopted and the city chooses to issue the \$965,000 in bonds then the bond purchaser will agree to accept the interest rate of 1.5%. As a banker who is in close contact with current market interest rates, if a 25-year term loan could be secured the market interest rate would be in the 4.5% to 5.5% range so the city is getting a much discounted rate. The first loan payment will not be due until two years after the loan closes. Interest will not start to accrue until one year after the loan closes. Basically, there is one year of interest free funding. Alex commended Jim Gass and Justin Lewis for the presentation they made to the CIB as there are lots of entities seeking funding through the CIB. Obtaining funding through the CIB is never a slam dunk and some proposals are turned down and others altered differently than requested. The presentation was well executed and the city got exactly what it asked for.

Mayor Simmons asked Jim Gass for a timeline of when this loan starts to when the recreation center loan is retired. Jim Gass stated that the recreation center loan will be retired about three and a half years after the first library payment is due.

Barbara Kent wanted clarification that it is a fixed rate loan and Alex Buxton stated that was correct. Alex Buxton stated that the parameters are set in the resolution and the maximum payout would be 28 years due to the timing of the signing of the documents and the one year interest



free and the first payment not being due until the second year. The loan period is for 25 years but takes longer time due to the interest free year and first payment delayed for an additional year. The interest cannot be changed once the loan is signed.

Kristin Howard stated she has had children in Story Time for the last eight years and would love to see more programs and a bigger collection. Kristin also wanted to see ADA access to the library.

Ethan Howard stated he is 10 years old and wanted to say that his favorite books come from the library and he wants other children to be able to enjoy them as well. Ethan is hoping the library will be expanded.

Liz Giles stated she had lived in the city less than a month and had not yet stepped into the library but that she does a book blog and reads three to four books a week. Liz commented that she pays \$165 per year to access the Logan City library. The Smithfield library does not have what she wants to read and she would like to see a more diverse collection. Liz congratulated everyone with their efforts to get the project to this point. Liz's dad is on the historical society in Logan and was glad to hear the city is adding on and not taking down the old building. Liz stated she would be happy to pay Smithfield City \$165 per year rather than have to go to the Logan library and pay the fee.

Melissa Draper wanted Karen Bowling and Marilyn Benavides to know how great they are and the amazing job they do at the library. They are always very helpful. The bathrooms need to be redone and brought up to standard. Financially is this the time to do this project; Melissa stated. If the school bond passes that is an increase in property taxes and the unknown consequences of Obamacare are a concern. Melissa stated that her husband will have to start cutting back on eating lunch in Logan everyday as these expenses increase and she is worried that lots of people will cut their spending. The money to make this payment will be coming from sales tax and if people keep cutting back the amount of sales tax the city receives will be cut back. There will be a big difference in people's lives as the cost of healthcare rises. The city is still obligated to the loan payment even if the sales tax revenue decreases. Melissa expressed concern that sales tax will have to be raised or other taxes increased to make the payment if the sales tax revenue decreases. The city needs to be wary of that possibility and take it into consideration.

Lisa Robanske stated she did not want the Carnegie library being torn down. Lisa also commented that she did not like debt or loans but trusts that those in charge of making this decision have the best interests of Smithfield in mind. After hearing the comments earlier in the meeting she is not worried any longer and supports the plan. Lisa also commented on how horrible the bathroom facilities are in the current building for an adult to use and even worse for a person having to change a baby's diaper. Lisa normally has two children in a stroller and cannot access the library as she is trying to carry each child, the stroller as well the books up the stairs. Lisa stated it would be great to be able to leave them in the stroller as she entered the building. Lisa also wanted to state that her daughter loves the short child drinking fountain and hopes the new building has one as well. Having ADA accessibility will also allow for easier access for young moms as well as the elderly. The programs and resources will be able to be expanded and that is positive. Lisa stated that most likely she will never be able to afford an

iPad or Kindle or to purchase books and that leaves her with the library. Lisa does not have internet service at her house due to finances but the library offers that service and that is tremendous. Lisa supports the expansion project and the financial aspect as stated. Lisa stated she came to the meeting with eyes wide open and all of her concerns have been answered.

Toni Gibbons said she was impressed with the plan and fully supported it. The plan was very conservative and thought out. Toni stated her family is in support of the plan.

Mayor Simmons commented that the future cannot be predicted but that the conditions for building will never be better. Construction costs are down compared to a few years ago and the approved interest rate is very low. Some debt will be retired within a few years. The transition should be seamless.

The Mayor asked Justin Lewis about the information supplied by those that could not attend the public hearing. Justin commented that over the course of the week several people had informed him that they could not attend the public hearing but wanted to voice their opinion. Justin told them that he was not comfortable with just a call phone or word of mouth and asked them to submit responses either in support of or against the proposal and to be included they needed to include the first and last name of the person for the record. All responses would be added to the comments on this issue. At the time of the council meeting there were approximately 75 responses in the form of letters, note and emails. At that time there were only three responses with concerns about the proposal.

*\*\*\*\*The notes, letters and emails referenced in the paragraph will be saved by the city for a period of one year.\*\*\**

Alison Fluckiger stated she had lived in Smithfield for two years and that the library means a lot to her and her kids. They have attended Story Time as well and Miss Karen is amazing and like family to the Fluckiger family. Alison's 11 year old daughter was in attendance to the meeting and was very excited to hear about the possibility of adding programs for older children. Alison stated that she had to go to the Logan library right now as it meets the needs of their family better than the Smithfield library. Alison expressed concern that she had been told by the library staff that they would love to have a larger collection but just don't have the room for it. Alison stated she does not support debt but does support this project and her mom and dad do as well. Alison expressed concern that her mom cannot get into the library due to access issues. Alison wanted the council to know that her family is in support of the proposal.

Andrew Robanske stated that he loves reading books to his children and that the expansion will allow for a larger collection as well as better access for himself and his wife and family. There will be a better variety of books which Andrew is excited for. Andrew commented that he grew up in Logan and Washington State and they have good sized libraries and he can remember attending story time and reading programs when he was younger. Andrew stated he was totally in favor of this project.

Mary Kay Hunsaker stated this project will not just allow access for the elderly but those that have had surgeries like she did on her knee. Mary Kay loves the library but trying to get in and

out on crutches was very hard and nearly impossible when icy. Mary Kay has lived in the community for 21 years and stated that going into the bathrooms was like going back in time as they are so old and outdated. Mary Kay informed the council that she works at North Cache Middle School and that during 8<sup>th</sup> grade the students are required to be part of a history fair where they have to have noted sources. Many children don't have the internet at home and Mary Kay would like to tell them they can go to the public library for internet access. The library needs more computers, videos and books on tape. Books on tape are a lifesaver for her daughter according to Mary Kay. Mary Kay said that interest rates will never be better and that Smithfield City will kick themselves down the road if the project does not move forward now.

Mayor Simmons asked if there was anyone else with comment as the thirty minutes for the public hearing had been exceeded by 15 minutes or so but that the council was thankful for all of the responses.

Brian Simpson stated he had not lived in Smithfield very long and was not sure if he supported the plan. Brian said he liked to use the library and does quite enjoy it but had some questions. Brian asked why the unused space in the tabernacle building could not be used for some of the library programs. Brian expressed that in his opinion there are several public buildings in the area that can be used for studying and tutoring purposes such as the local schools. Brian commented that maybe a subscription could be charged like Logan City does. Brian stated it would be good to expand as there was a finite amount of available collection space but that maybe the council should consider making one area open to the public and the less utilized collection items could be stored elsewhere such as they do at the Library of Congress and that would eliminate the need for an elevator. Brian stated that the bathrooms had not really bothered him but he agreed that they need to be updated and maybe rather than taking out a loan just use the available funds to do projects like the bathroom remodel. Brian did not want to see the current building taken down but would like to see the restrooms updated.

*\*\*\*The public hearing was closed and the regular council meeting reopened at 7:36 P.M.\*\*\**

Mayor Simmons expressed appreciation to everyone for attending. Marilyn and the library staff are a credit to the community. The Mayor thanked Council Member Watkins for his effort in getting the project to this point along with the help of others. The addition and expansion would be a nice thing for the city and add to the quality of life of the citizens. When times are hard; more people will go to the library Mayor Simmons stated.

A member of the audience asked if a vote could be taken of those in attendance to see who was in favor of the project. Mayor Simmons informed her that the council would not take such action but that she could if she chose to do so. An informal vote was taken for those in favor of the proposed library and expansion project as proposed to be funded and the vast majority of those in attendance raised their hands in support. A vote for those against the resolution was not taken and no such request was asked for.

Mayor Simmons stated there was still lots of work to be done moving forward. There is still a lot of donations needed to furnish the building. The efforts need to be conservative but effective.

**CONSIDERATION AND ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF SMITHFIELD, UTAH, AUTHORIZING THE ISSUANCE AND SALE OF \$965,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2013, AND RELATED MATTERS FOR THE LIBRARY RENOVATION AND EXPANSION PROJECT.**

Jeff stated that he wanted passage of the resolution based on the approval of the attorney's. Jim commented that the CIB won't close the loan until all of the requirements have been met and that approval of the attorney's is part of the requirements. The funding from the city must be in place before the loan will be signed for.

\*\*\*A motion to adopt Resolution 13-07, a Resolution of the City Council of Smithfield, Utah, authorizing the issuance and sale of \$965,000 aggregate principal amount of sales tax revenue bonds, Series 2013 and related matters for the library renovation and expansion project was made by Dennis, seconded by Barbara and the vote was unanimous.\*\*\*

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

No Vote: None

Jim commented that the final opinion of the use of the RDA funds will come from approval of the city attorney and bond attorney as well as RDA specialist Randy Sant. They are already in the process of reviewing that aspect of the financing.

**DISCUSSION ON STREET FUNDING**

Jim informed the council that the Utah League of City and Towns is supporting an additional fuel tax on top of what is already being collected. All cities are struggling to keep roads together on the same amount of money each year. The issue will be discussed by the legislature this year. The issue may or may not come to a vote as it is an election year. The proposed tax increase would be approximately \$0.10 per gallon. All of this extra tax money would go to city and towns for road work. Right now the project is very preliminary and more will be known in the spring.

Brent asked if the city would receive these funds as part of the Class C Road Fund allocation? Jim stated that half would come through Class C Road Funds and the other half would be distributed by the county.

Jeff asked if the city had seen any benefit from the tax that was implemented by the county a few years ago? Jim stated that to this point no the city had not but that the city would be submitting a project this year. The proposed project would be on 1000 South and Main Street. This is the intersection that goes to Paragon Tool. Currently, the road is more like a driveway and would be setup to eventually allow for a traffic light there in the future. The infrastructure for the traffic light would be installed now.

Jeff asked about 800 East between Hyde Park and Smithfield as a future project. Jim also mentioned 1000 East in Smithfield where it adjoins to 1200 East in Hyde Park. The cities will need to sit down together and apply for the project together.

Jim commented that the cost to actually build a road is very expensive as it costs around \$100,000 for one city block of new road. There is a big disparity of what needs to be done to the roads versus what is actually getting done to the roads due to a lack of funding.

Jim also mentioned that 250 East 600 South going to the south needs to be improved as well. The Mayor stated that someday it was hopeful that road would connect all the way to Logan.

### **CITY MANAGER REPORT**

Jim informed the council that in November the interest rate on the golf course clubhouse is reset for a five year period. The rate is based on the five year bond amount from the Federal Bank of Seattle. Currently, the interest rate on that loan is 5.03% and it has adjusted twice previously and each time it has gone up. Jim checked on Tuesday, October 22<sup>nd</sup> and on that day the interest rate would have been 1.80% which would offer a significant savings to the golf course fund. The interest rate will be set on October 30<sup>th</sup> and good for five years. The interest savings per year will be around \$10,000. The last adjustment on the loan will occur five years from now. The rate is set on October 30<sup>th</sup> and goes into effect on November 13<sup>th</sup>.

Jim informed the council that the railroad boring job is currently out to bid. There are four areas that will need to be bored and the anticipated cost is around \$60,000. The bids will be opened next week and after they are reviewed the information will be brought back to the council for the council to approve.

Jim asked Kris to explain the situation and problem with the gym floor at the rec center. Kris explained that there had been some cracks in the gym floor and that last week a contractor had been brought in to repair the floor. It was determined that the issue was caused by water coming up through the ground into the floor. Originally it was thought that only sections of the floor would need to be repaired but after being inspected the entire floor has water damage. The entire floor needs to be removed and a waterproof barrier skin installed as well as an entire new floor. This gym is constantly used from 5:00 A.M. to 10:00 P.M. daily Kris stated.

Jeff asked if this was the large gym floor that Sky View plays basketball on? Kris explained that gym floor was okay but that the floor in question was the large rubberized multi-purpose floor. Jim asked the question of where the water is coming from as there is not ground water in that area. Jim mentioned that the roof drains go into sumps and wondered if maybe that was a problem.

Jim stated that this project originally started out at about \$65,000 and now that a waterproof barrier needs to be installed and the entire floor redone the project will cost over \$100,000 more than anticipated. There is about \$130,000 in the capital account but it will leave the project short about \$30,000 to \$35,000 of being funded. That amount will be split on the percentage basis agreed to in the past of Smithfield City paying 35% and the school district 65%. The capital

fund will need to be built back up over time. Everyone has been very diligent over the last dozen or so years to put money into that account on a yearly basis. Kris informed the council that on November 4<sup>th</sup> there is going to be a meeting to discuss how to get funds built back up in that account.

Jim explained that gym is the most used gym in the entire system and that right now the school cannot even schedule physical education classes in there.

Brent asked if there were water issues in the summer when it was so dry this year? Jim explained that the cracks have been noticed for a long time but water had not ever been seen just some stains in the past. Kris explained that the only issue that had been noticed was cracks in the flooring. Jim explained that there was a concern that maybe the floor scrubber was putting water under the floor through the cracks but it has been determined the water is coming up from underneath the floor. Brent expressed concern that the water issue should be resolved before the floor is installed. Jim informed the council that the water problem would be resolved with the waterproof membrane that is going to be installed. Once the waterproof membrane is installed the company installing the floor will warranty the new floor. Initially, a waterproof membrane should have been installed when the floor was built but the area is a dry site. Jim stated that the contractor had been asked if normally a waterproof barrier is installed on all floors and the contractor stated that the only group that installs them on a regular basis is the LDS Church. Jeff stated the church had learned from past experience and that where he works installs the membranes on a regular basis for various projects and they work great.

Jim informed the council that the city will have to pay about an extra \$11,500 to \$11,600 on this project.

Jeff inquired if maybe floor drains and a sump pump should be installed? Jim stated that might be a good option while the floor is off.

Brent stated that it might be good to put some dye in the drains to see if that is where the water is coming from. Jim explained that would take quite a while for the dye to work its way through the soil and back up to the floor area if that was the issue.

Jim informed the council that 22 street name signs had been installed in the last week and that the old green ones are gone. Some other new signs were added as well; there were 12 Yield and 12 Stop Signs.

Jim commented that at the last council meeting a concern about the street lights on Main Street had been raised and that a subcontractor was working on them and should be done soon. Street light maintenance is part of the annual maintenance for the city in October of each year.

Jim stated that a new iron fence at the Civic Center is being fabricated and after it is powder coated it will be installed and the old chain link fence with razor wire will be removed.

Jim commented that the city workers are getting the sprinkling systems blown out for winter and the sumps cleaned of debris. The golf course had a very busy day and had not watered for about two weeks but was watering a few spots on occasion.

Dennis had mentioned a concern regarding street lighting on 600 South at the last council meeting and it is something that needs to be reviewed again Jim stated. Installing new lights on the north side of the road will be tough due to the asphalt and the fence being all the way to the curb and gutter. The closest power location will need to be determined as well. A citizen had brought up this concern as well; recently. The north side is the best location for the lights as the majority of the people park on the north side of the road. Cost estimates will need to be obtained as Rocky Mountain Power no longer assists in these types of projects. Dennis asked if anyone had approached the high school about participating? Jim stated that was a good option.

### **COUNCIL MEMBER REPORTS**

Brent asked if the street light on 600 South 650 East had been repaired? Jim stated he was not aware it was out but would check into it. Brent commented that all of the street line painting looked great. Jim stated that the budget was \$10,000 and \$7,200 had been spent.

Brent asked Jim if the new water conservation plan included fees for connections for those outside of the city limits? Jim stated a request like that had not been made for about 15 years or so and would not be allowed if requested.

Brent asked Jim if the local schools were using city water or culinary water for irrigation purposes? Jim stated that Sky View and Birch Creek are both on irrigation. Sunrise has the ability to use irrigation water and Summit can use either culinary or irrigation water.

Brent asked if the new school was on irrigation water? Jim stated that yes it was.

Jeff informed the council that all of the Tree City USA signs had been installed and thanked Lyle for getting it done. All of the signs look great. The signs are on each end of town as well as on 600 South coming from Hyde Park.

Kris met with the Chamber of Commerce and the Annual Night of Giving will be held on December 7<sup>th</sup> and the cost is \$50.00 per couple which includes dinner. The dinner will be held at the Birch Creek Clubhouse. The event is the first Saturday in December and they are trying to presale tickets if possible. The Turkey Trot is on November 23<sup>rd</sup> and will start at 10:00 A.M. The racers can run either 10K, 5K or one mile and the course will be run in reverse direction this year. Early voting is happening now at the city office building and will continue to do so through November 1<sup>st</sup>. The process takes about two minutes.

Barbara mentioned that the Founder's Day program at the Senior Citizen Center was a nice evening and some residents were honored. The main speaker grew up in the city as well. The youth council provided the music and did a great job. There were lots of positive comments about the evening. The warming rack being installed at the center was much appreciated and the couches are very nice. It was a great upgrade. Barbara suggested that in the future the council

may need to look at getting other people to help run the center as the current organizers cannot oversee it forever. They need some cooking help. The youth council will be involved in the Turkey Trot and the Senior Ball is on November 16<sup>th</sup>. The Senior Ball is coordinated with the Lion's Club and anyone over 70 years of age is invited to attend.

Barbara asked Jim who controls the railroad crossing signs? Jim stated the city has no say in those signs as the railroad puts them up and takes them down. The signs are mostly installed for liability purposes.

Barbara mentioned that she had talked with the resident that had a Stop Sign concern on 250 East 600 South and the cost of flashing signs would be too expensive and lead people in other areas of town to make the same request. Barbara wondered about changing two of the Railroad Signs to Yield Signs. Barbara thanked all of the city workers and volunteers for what they are doing and the time they spend in the city.

Dennis stated that he had nothing further to add and Jim asked if he could mention one item in regards to the library. Char Izatt had informed him that other communities were using PayPal as a means to collect donations and that maybe the city should consider doing so as well. Dennis commented that would be something to consider and that when a color drawing of the library building is completed and the final outline is done that the Friends of the Library will make a brochure and start soliciting funds for the library project. The library board has offered to help send out brochures or flyers when needed. This is not a city fundraiser as The Friends of the Library is a separate non-city entity. Char suggested a separate account be established for those funds and the Mayor commented that one was already in place and had been so for a while.

Kathryn Larsen inquired if maybe having families being able to name bricks on the building would be a good way to get donated funds. The Mayor stated that when the time comes there will be a big brainstorming session on the best way to generate some funding. Kris stated that maybe a walkway with donor's names would be good as well.

Jim reminded the council of the training on October 30<sup>th</sup> at 7:00 P.M. in the city council chambers regarding the local appeal authority. The city will need to get a new person as the current appeal authority. Brian Cannell had been recently appointed as a local judge and currently he is the local appeal authority. This topic is going to be discussed at the next city manager's meeting as several cities were using Mr. Cannell as their appeal authority as well.

## **MAYOR'S REPORT**

The Mayor wanted to update the council and those in attendance about the Parlant System that the city is using. It is a new technology that allows for mass communication with the entire city through voicemail, text message and email. Some local faith based groups as well as some Boy Scout groups were helping to gather the information that is in the database for contacting people.

The Mayor asked Justin to give a brief overview of the system. Justin explained that the city would be able to inform the citizens through one mass message about city wide emergencies, water pipe breaks, chip sealing and other types of events like this. The entire community can be



notified or just a certain block or street when for example chip sealing would be taking place. The intent is to keep people informed but at the same time not overwhelm them with information to the point that they no longer review the messages. The city would like to start the system with a Halloween safety reminder message and then a second message encouraging people to vote on November 5<sup>th</sup>. The main purpose of the system is for emergency response notification.

The Mayor explained that one of the things that he worries about the most is emergency communications within the city when he sees what is happening in other cities big and small. The purpose of the system is to be able to communicate without having to knock on doors.

\*\*\*A motion to adjourn at 8:26 P.M. was made by Kris.\*\*\*

**SMITHFIELD CITY CORPORATION**

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Darrell G. Simmons, Mayor

**ATTEST:**

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Justin B. Lewis, Recorder

**SMITHFIELD CITY CORPORATION**  
**96 South Main**  
**Smithfield, Utah 84335**

**AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah on Wednesday, **October 23, 2013**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Monson

1. 6:03 P.M. Consideration of the Consent Agenda  
Approval of Minutes from the October 9, 2013 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Request from Travis Taylor, agent for Smithfield Ridges, LLC for approval of Phase 7 (10 lots) of the final plan for Smithfield Ridges Planned Unit Development located approximately 600 South and Cardon Ridge Drive (1030 East). Zoned R-1-12 (PUD) Combined Single Family Residential/Planned Unit Development Overlay Zone.
4. 6:30 P.M. Library Expansion and Renovation Public Hearing regarding the issuance and sale of \$965,000 aggregate principal amount of sales tax revenue bonds, Series 2013, and to allow public input regarding any potential economic impact that the project described herein to be financed with the proceeds of the Series 2013 bonds may have on the private sector.
5. 7:00 P.M. Consideration and Adoption of a Resolution of the City Council of Smithfield, Utah, authorizing the issuance and sale of \$965,000 aggregate principal amount of sales tax revenue bonds, Series 2013 and related matters for the library renovation and expansion project.
6. 7:15 P.M. Discussion on the update to the Water Conservation Plan and setting date for a future public hearing.
7. 7:25 P.M. Discussion on street funding.
8. 7:30 P.M. City Manager Report
9. 7:40 P.M. Council Member Reports
10. 7:55 P.M. Mayor's Report
11. 8:05 P.M. Adjournment

Smithfield City Council Meeting Minutes, October 23, 2013

**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 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 10-21-13, and the Utah Public Meeting Notice website.