

SMITHFIELD CITY COUNCIL

DECEMBER 4, 2014

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Thursday, December 4, 2014. The meeting began at 6:03 P.M. and Mayor Darrell G. 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 Barbara Kent.

VISITORS: Preston Winn, Halle Doyle, Jeff Curtis, Ember Bradbury, Liz Wilson, Jeff Nielsen, Marcus Reed, Angie Larsen, Joyce Pitcher, Jon R. Pitcher, Beverly Hatch

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM THE NOVEMBER 12, 2014 CITY COUNCIL MEETING

A motion to approve the city council meeting minutes from the November 12, 2014 city council meeting was made by Jeff, seconded by Brent and the vote was unanimous.

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

No Vote: None

RESIDENT INPUT

There was not any resident input.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 14-11, A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A STREET DEDICATION AGREEMENT BETWEEN SMITHFIELD CITY AND THE THREE CREEKS HOMEOWNER'S ASSOCIATION.

Jim reminded the council this is the agreement for the city to take over ownership of the streets, sidewalk and curb and gutter in the Three Creeks Subdivision up the canyon. The Homeowner's Association of the area had approached the city council several times over the years and at the start of this year the request was granted by the city council. This agreement is the last step in the process for the city to take ownership. The city is already responsible for the water and sewer service lines in the subdivision. Robin Street and Meadowlark Lane are the roads that will be taken over by the city if the agreement is passed. The city will also receive a one-time payment from the Homeowner's Association of \$20,000 but the city will then be responsible for snow removal and all maintenance and repair work including work on the sidewalks. The Utah Department of Transportation (UDOT) will be notified of the change and the city will start to receive Class "C" Road funds for that stretch of road. Every homeowner in the Homeowner's

Association must sign the agreement and have the document notarized. All of the legal work on the project has been paid for by the Homeowner's Association. The common area in the subdivision will still be part of the subdivision and must remain intact and be maintained at a cost to the Homeowner's Association.

Jeff asked if the payment of \$20,000 was just one single payment? Jim stated that was correct. There would be one payment for \$20,000.

Mayor Simmons remarked the city will receive some funding for the roads from UDOT in the future. Jim stated he had estimated the additional Class "C" Road funds paid to the city would be approximately \$2,500 per year.

Mayor Simmons asked how the amount paid is determined? Jim remarked it is based on the length of the road.

Brent stated he was still against the agreement as it sets a precedent for the future.

Brent remarked the agreement does not fit city ordinance and he does not support the agreement.

A motion to approve Resolution 14-11, A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A STREET DEDICATION AGREEMENT BETWEEN SMITHFIELD CITY AND THREE CREEK'S HOMEOWNER'S ASSOCIATION, was made Kris, seconded by Dennis and the Resolution passed with a vote of 4-1.

Yes Vote: Watkins, Kent, Monson, Barnes

No Vote: Buttars

CONSIDERATION AND APPROVAL OF ORDINANCE 14-07. AN ORDINANCE ESTABLISHING THE MEETING TIME AND PLACE FOR CITY COUNCIL, RDA AND PLANNING COMMISSION MEETINGS IN CALENDAR YEAR 2015.

Justin explained this ordinance is an annual ordinance setting the date and time for meetings for the RDA, city council and planning commission on a monthly basis.

Mayor Simmons asked if anyone had issues with the city council meeting staying on Wednesday night? Jeff, Dennis and Kris all requested it stay on Wednesday night.

Brent remarked he wanted the council meeting to start at 7:00 P.M. instead of the current time of 6:00 P.M.

A motion to adopt Ordinance 14-07, AN ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR MEETINGS DURING CALENDAR YEAR 2015, was made by Dennis, seconded by Barbara and the motion passed with a vote of 4-1.

Yes Vote: Watkins, Kent, Monson, Barnes

No Vote: Buttars

SELECTION OF MAYOR PRO TEMPORE FOR CALENDAR YEAR 2015

Mayor Simmons reminded the council the selection of mayor pro tempore is done yearly and is so that a member of the city council is assigned to oversee meetings and other city activities if the mayor is not able to attend or becomes incapacitated.

All five council members voted and Brent Buttars was selected as mayor pro tempore for the calendar year 2015.

Mayor Simmons thanked Dennis for being mayor pro tempore for calendar year 2014.

A motion to approve the selection of Council Member Brent Buttars as Mayor Pro Tempore for calendar year 2015 was made by Barbara, seconded by Jeff and the vote was unanimous.

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

No Vote: None

RECEIVE THE CERTIFICATION OF ANNEXATION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST FROM JESSICA TAMS QUINTON FOR PARCEL NUMBERS 08-045-0035 AND 08-045-0022 AND DIRECT THE PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON DECEMBER 14TH, DECEMBER 21ST AND DECEMBER 28TH, 2014.

Justin informed the council he had reviewed the annexation request by Jessica Tams Quinton and the two parcels in question do not create a peninsula or island. In fact, if annexed the parcel would remove what could be considered by some as a peninsula. Cache County has been notified of the request. If the certification is accepted by the city council; the Cache County council and Cache County School District will be notified of the request. The proposed annexation will be published on December 14th, December 21st and December 28th in the Herald Journal. A public hearing will be held at least 30 days after the last publication in the Herald Journal and then after the public hearing the request can be voted on by the city council.

Justin provided a copy of the annexation checklist as reviewed and signed off on by the planning commission at their regular meeting in November.

Jeff asked if there would be any trails in this area? Brent remarked there is a trail on the brow of the hill to the south of this property. Jim stated that there is a cement trail along Crow Mountain Road to the west of this property that will connect to the trail on the brow of the hill to the south.

A motion to accept the Certification of Annexation for Parcel Numbers 08-045-0035 and 08-045-0022 was made by Jeff, seconded by Dennis and the vote was unanimous.

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

No Vote: None

**INTRODUCTION ON PROPOSED ORDINANCE 14-05 WHICH AMENDS TITLE 17:
SIGNS 17.36.060 PERMITTED SIGNS: PERMITS NOT REQUIRED: 17.36.070:
PROHIBITED SIGNS.**

Jim explained to the council the proposed ordinance was created by the planning commission with the intention of resolving some confusion about signs that may or may not be exempt from the existing city sign ordinance. The biggest issue is special events. Businesses want to advertise special events on Main Street but if they don't have frontage on Main Street they cannot put their signs on a Main Street business property that does not belong to them. The sign must stay on the property owned by the business per current city ordinance. Many businesses still try and advertise illegally throughout the year and it needs to be fixed. Another issue is events not occurring in the city being advertised in the city such as soccer tournaments that are for special leagues but have no tie to the city sponsored events. The proposed ordinance would address that issue as well.

The discussion during the council meeting was an introduction to the proposed ordinance as the planning commission had written and approved the ordinance at a previous planning commission meeting.

The proposed ordinance would prohibit competition from outside events competing against city sponsored events. Right now competitive soccer from outside of the city is advertising against city sponsored leagues. The city would prohibit this from happening in the future if the proposed ordinance is adopted.

Jim informed the council that Deputy Recorder Char Izatt had helped to draft the ordinance and it was well thought out and prepared only a few minor clerical items needed to be changed.

Brent asked if this ordinance or the current ordinance dealt with people trying to sell travel trailers on the side of the city roads? Jim responded the current ordinance does not allow for that to happen.

Justin gave an example of a current situation where the city owned recreation center is advertising an upcoming soccer league and a group from outside the city comes in and puts up a sign right next to the city soccer sign asking people to sign up for that program instead of the city sponsored program. The proposed ordinance would stop that from occurring in the future.

Jeff asked if the placement of signs is regulated in the new ordinance? Jim responded it is already regulated in the current ordinance and would not change.

PUBLIC HEARING TO CONSIDER A CONDITIONAL USE PERMIT APPLICATION FROM DAVID R. LILLYWHITE TO ALLOW A SIX (6) LOT MINOR SUBDIVISION/INTRABLOCK DEVELOPMENT LOCATED AT APPROXIMATELY 135 SOUTH 300 WEST AND 151 SOUTH 300 WEST. ZONED R-1-12.

Jim explained to the council there were two minor subdivisions coming before the city council and neither of them had yet to be signed off on by the city attorney. The city attorney is dealing with some health issues and has not had a chance to completely review and sign off on the projects to this point. In order to keep the projects from stalling while they are reviewed, since there is only one city council meeting in December, they would both be presented to the council for consideration and could be approved with the understanding the city attorney must sign off on them as well.

Jim informed the council that the conditional use permit application from David Lillywhite would normally not be reviewed by the city attorney as intrablock developments don't have to be reviewed by the city attorney but in this case the city attorney would just make sure the vested plat owners were the ones signing off on the appropriate documentation.

The planning commission had reviewed and approved the request by David Lillywhite at a previous meeting.

Jim explained the only concern by the planning commission was a small sliver of land approximately six feet wide that was originally included on Lot 5 of the requested approval. The planning commission asked for the six feet wide strip to be included with Lot 6 instead of Lot 5. David and the surveyor (Jeff Nielsen) of the project had made the requested change and the change is included in the updated plat the council was reviewing.

Lot 6 and Lot 1 both have existing homes on them and both homes would stay in the requested project. Neither would be removed.

Jeff asked if the existing homes face 300 West? Jim state that was correct and the new road that would be created at 140 South would be a private street between the homes.

Brent asked if the new private street would have sidewalk and curb and gutter installed? Jim responded private streets do not require sidewalk and curb and gutter and in this case the road is so narrow and small it would be impossible to include on this street due to the close proximity to the existing homes.

Brent asked for clarification on the frontage of Lots 3 and 4. Jim mentioned the setback line is actually what determines the frontage not the small distorted area the council was reviewing on the plat. Brent responded all of the lots were good sized for this type of project.

Barbara asked if there was a way for the new road to be city owned rather than privately owned? Jim responded it was not possible as the new road would be 30 feet wide and city code requires a minimum of 50 feet wide for city owned roads and the normal request for city owned roads is for them to be 60 feet wide.

Barbara asked if the road would be considered a private road? Jim stated that was correct and each lot owner would have ownership of the road and be responsible for maintenance and snow removal.

****The public hearing opened at 6:43 P.M.***

There was not any resident input.

****The public hearing closed at 6:44 P.M.****

DISCUSSION AND POSSIBLE VOTE ON THE CONDITIONAL USE PERMIT APPLICATION BY DAVID R. LILLYWHITE.

Jeff asked if the property to the north had been subdivided previously? Jim explained the property on the north and south of the proposed permit area had not been subdivided but property further south had been subdivided and had curb and gutter and sidewalk installed from the previous subdividing of the area.

Brent asked if the curb and gutter and sidewalk would extend all the way to 100 South? Jim explained there would be missing sections on the block. The new requested area would have curb and gutter and sidewalk if approved but the areas north and south of the approval do not have sidewalk or curb and gutter. The long term intent would be to work with the remaining property owners and fill in the missing areas over time.

Jeff asked if sidewalk would be installed along the road of the requested approval area? Jim stated that would be correct. Sidewalk and curb and gutter would be installed on 300 West.

Barbara asked if it would required elsewhere? Jim stated none would be required within the development on the private road.

Mayor Simmons asked if not having curb and gutter and sidewalk within the development was allowed per city ordinance? Jim stated that was correct. Sidewalk and curb and gutter would be required on the main city owned road but not the private road that would be built.

Barbara expressed concern for creating a private road as the intent of the city was to avoid having private roads; when possible. Jim stated that intrablock developments are unique in that they all have private roads. Barbara responded the new road is more of a private driveway based on size than a road.

****A motion to approve the conditional use permit request from David R. Lillywhite to allow for a six (6) lot minor subdivision/intrablock development located at approximately 135 South 300 West and 151 South 300 West, was made by Dennis, seconded by Brent and the vote was unanimous.****

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

No Vote: None

Jim introduced Jeff Nielsen of Foresight Surveying as Jeff had surveyed the property for the project and was working with David on the project.

Jeff asked what the item was that was currently located on Lots 4 and 5? Jeff Nielsen stated it was an existing barn and would be removed as part of the project.

IRONWOOD DEVELOPMENT GROUP, LLC, AGENT FOR CINDY ARCHIBALD, HAS REQUESTED CONSIDERATION OF A REQUEST FOR APPROVAL OF THE FINAL PLAT FOR SMITHFIELD HIGHLANDS, A SIX (6) LOT, MINOR SUBDIVISION LOCATED AT APPROXIMATELY CROW MOUNTAIN ROAD (600 EAST) AND UPPER CANYON ROAD. ZONED R-1-12.

Jim explained the request by Ironwood Development is for a minor subdivision of six lots on the east side of Crow Mountain Road. The Summit Ridge subdivision is located to the north of this area and the Ridgeview Subdivision is located across the road to the west.

The area that is currently being considered for annexation owned by Jessica Tams Quinton borders the area of the proposed lots to the east.

The area of the old road at the south end of Crow Mountain Road that was abandoned at the last city council meeting is part of Lot 6 in the proposed subdivision. City Attorney, Bruce Jorgensen, is in the process of reviewing the proposal and the planning commission has approved the request with some corrections.

Kris asked if there is an issue with the slope on Lot 6? Jim concurred there is quite a slope on the south end of Lot 6.

Brent mentioned there will be a new road between Lots 1 and 2 that will provide access to the annexation request area as well.

Jim mentioned there might be some drainage issues on the property to the east and he will work with Ironwood Development and the owner of the proposed annexation area to make sure the drainage issues are resolved. The city would not be responsible for the cost of the drainage issues but the developer to the east of the minor subdivision would be.

Mayor Simmons asked if the approval of the proposal would be conditional? Jim stated it needed to be conditional upon the approval of the city attorney.

Mayor Simmons remarked the city attorney would have been done with his review of the plat if the city council would have met on the 10th as scheduled rather but having to reschedule to December 4th did not allow Bruce enough time to review the project. Jim concurred and stated the city attorney had the plat and title reports and was working on the process of reviewing the request.

Dennis stated he had the same concern as Kris regarding the elevation change on Lot 6. North Salt Lake City had approved the construction of some homes and then there was a slide and the

city was being held responsible. The elevation change is not great but this was just a topic of discussion for future approvals and making sure the city was covered in the approval process on future subdivisions. Jim remarked it was a valid concern and part of the approval process of the Lantern Hills Subdivision to the south of this area required a geological study to be completed. Points are installed and water and moving of the ground are monitored. The approval was done several years ago and a lot of dirt and soil have been removed from the area since the time of approval. When the developer wants to start the project he will need to come back before the council for reapproval since it has been so long and a new geological survey will need to be completed.

Dennis asked if the reason the development had not started for the Lantern Hills Subdivision was economic or something else? Jim remarked he felt it was economic related as the developer has another project east of the Birch Creek golf course he has been working on over the last few years and Jim expected when that project was completed the Lantern Hills project would then start.

Dennis asked if a geological survey would be needed for Lot 6 in the Smithfield Highlands Subdivision? Jim stated one would not be required since the elevation change is only about ten feet.

Jim stated the elevation change would not be a detriment to the building of the home on Lot 6.

Jim asked the council to make sure the geological issues are dealt with on the Lantern Hills Subdivision in the future as he would be retired before the request is made and it needs to be mandatory that another geological survey is completed before the approval is granted.

A motion to approve the request by Ironwood Development Group, LLC, agent for Cindy Archibald, for approval of the final plat for Smithfield Highlands, a six (6) lot, minor subdivision located at approximately Crow Mountain Road (600 East) and Upper Canyon Road conditional upon being reviewed and signed off on by the city attorney, was made by Dennis, seconded by Jeff, and the vote was unanimous.

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

No Vote: None

CITY MANAGER REPORT

Jim updated the council on the status of the chinking project on the historical cabin. Around 85% of the old chinking had been removed with the help of some inmates from the Cache County Jail. All of the chinking had been removed except for on the south side of the cabin. Jeff stated the people from the jail were needing community service hours and were supervised by a member of the sheriff's office and were not hardened criminals.

Jim explained the city staff did not know anything about chinking and after some research had been put in contact with Richard Lamb from Hyde Park. Richard and his wife have a great understanding of log cabins and the chinking process as they sold log cabins for a period of time.

Richard explained to Jim that based on how long the city wanted to keep the cabin in good condition would determine the proper process of how the chinking should be done.

Stain should not be used on the wood for the cabin. The stain needs to be sandblasted off and then resealed but sand is not used in the process; crushed walnut shells are used instead of sand in the blasting process. All of the nails that hold in the chinking between the logs need to be removed as well as part of the process. There are big and little gaps in between the logs since the logs are natural and not cut to fit. Pieces of cedar will be used to fill in the gaps between the logs. The chinking material is then installed after the logs have been blasted with crushed walnut shells and the cedar inserts installed. The project is very tedious but can be done. After the chinking is done a sealer material is applied to the logs. The sealer material needs to be applied every seven years or so as part of basic maintenance on the cabin.

For this winter; some house wrap will be used to seal off and protect the items inside the cabin.

The latex chinking material needs to be applied when the temperature is 50 degrees or warmer.

The estimate to completely redo the exterior of the cabin was estimated to be \$7,000 and is not an item in the current budget. If the project is approved before July 1st the budget will need to be adjusted to include this project.

Barbara asked if the \$7,000 estimate included all of the work that needed to be done or was the estimate for chinking only? Jim stated the estimate included all of the needed work; chinking, new nails, cedar inserts, sealer and walnut shell blasting of the cabin.

Brent asked who would perform the repair work? Jim replied it would be Richard Lamb.

Brent suggested if the budgetary funds were an issue some of the work could be done in June in the current budget year and the remainder of the work completed in July in the new budget year. Jim remarked he was told it could take up to three months to complete the work.

Jim informed the council the landscaping work that needed to be completed as part of the 800 South storm water drain project was being worked on currently. The city crew would work on the project until the weather changed and work can no longer be done.

Jim supplied Dennis with the irrigation water stock certificates as new certificates were being issued as the two canal companies had recently combined and new stock certificates were being issued. Jim asked Dennis to deliver the certificates to Dennis Thornley.

Jim stated the city had approximately 1,000 shares in the two canal companies. Dennis stated there were 836 shares in one irrigation company and 79.42 in the other irrigation company.

Brent asked if any of the irrigation shares had been rented the past summer? Jim stated none of the upper canal shares are rented as the city utilizes all of them for the city sprinkling system, watering at the golf course and other areas. Some of the Smithfield Irrigation Company shares

owned by the city were rented and those renting the shares paid the yearly assessment as the fee for renting them.

Jim informed the council that the buyer of the property on the north side of the city office building, Bruce Leishman, was working with the Utah Department of Transportation (UDOT) and the Cache Metropolitan Planning Organization (CMPO) to see if he could get granted a new access point to access the highway from the property. The request will be reviewed after the traffic study is completed and Bruce Leishman had to pay approximately \$3,800 for the traffic study.

Mayor Simmons informed the council he had a copy of the traffic study as it had been completed and he would share a copy of the study with anyone that wanted to review it.

Jim explained an application to UDOT asking for the request was now required by Bruce. Mayor Simmons stated the cost of the application was \$500 and Bruce had made the request at a meeting the same day as the city council meeting. Jim stated UDOT would require a cross easement agreement between the city and Bruce as part of their consideration for the request. A cross easement agreement will state the city is allowing Bruce and future tenants to access the new building through the city owned parking lot. Mayor Simmons remarked Bruce was spending around \$4,200 just to see if the request would be granted.

Jim stated he would need consent of the council for himself or the Mayor to sign a cross easement agreement with Bruce to give to UDOT for consideration.

Dennis asked if the cross easement agreement needed to state the location of the easement on the parcel? Jim stated the agreement would not be that specific and he expected that if UDOT were to grant the request it would only be for a right turn onto the highway; left turns would not be allowed.

Dennis stated the purpose of the access onto the highway was so the new building could have a drive through window for the sandwich shop or eatery.

Mayor Simmons asked if 50 East from Center Street to 100 South would extend through the block at some point? Jim stated it would be possible but a home would have to be acquired and removed on Center Street and some other obstacles would need to be overcome as well.

Jim asked the council for consent to purchase gift cards for the employees for Christmas. In the past, the city had given a \$125 gift card to full-time permanent employees, \$75 to part-time permanent employees and \$35 to part-time employees. The gift cards were part of the budget and a new allocation would not be required.

The council consented to approve the gift card purchases as stated.

Jim informed the council the library is currently closed until Monday, December 15th as items are moved from the old library building into the new library building. After all of the items have been moved the old library building will then be renovated. The library staff, public works

employees and some inmates from the local jail needing community service hours are all helping with the transition from building to building of all the supplies, furniture and books.

The elevator for the new building is scheduled to arrive on Tuesday, December 9th and will take approximately one week to install and be inspected. The elevator will not be in service the first week or two the new library is open to the public but the second floor can be accessed by stairs.

The landscape pavers are being installed on the south end of the building between the old and new building.

The bench top has been installed on the retaining wall on the south end of the new building.

All of the exterior lighting is done with the exception of some of the sidewalk lights.

Jim gave a detailed itemization of the expenses in the project that were not included in the original bid cost. Rocky Mountain Power had charged \$7,000 to change the service between the buildings. The city had taken on the responsibility of repairing the sprinkler system around the library as it was an unknown when the project started of what would be required to make it work again and the cost was approximately \$16,000 for materials and the city staff had done all of the labor. The closing costs for the bond documents was \$36,000 and was budgeted for the last budget year but the expense had not been received until the current budget year and needs to be adjusted accordingly in the current budget. Right now the project is approximately \$40,000 over budget on a total project cost of \$1,400,000. There will be additional costs as well as some projects need to be added or changed in the remodel of the old building. Landmark Companies has been excellent to work with and help to keep costs down on the project.

Jim stated there were around \$54,000 in donations for the furnishings of the new library. Dennis stated the total amount of donations collected to date was around \$63,000 over the last two budget years.

Jim informed the council after paying for some of the new furnishings and the shelving from the North Logan library that was purchased at a discount there is still about \$20,000 left in the furnishings account for additional furnishing items.

Kris stated when driving from the north the gray electrical boxes mounted on the new building look tacky and some bushes or trees need to be placed in front of them to cover them up.

Jim mentioned the Capital Improvement Fund will help cover the cost of the overage on the project and there was the \$36,000 from last year already in there to help from the cost of the bond document issuance that was not actually paid until the current budget year.

Barbara asked if Rocky Mountain Power was willing to discount the cost of the service change over? Justin remarked the original bid by Rocky Mountain Power was around \$12,000 and had been reduced to \$7,000.

Jim mentioned a new fiber optic line was being run from the elementary school to the library to provide internet service to the library and the school allows the internet service free of charge to the library building.

Jeff asked for an update on the plan of removing all of the books from the old library building? Jim stated all of the items in the old library building will be moved either to the new library building or into the basement of the city office building.

Jeff asked if the existing library shelving was the same color as the library shelving purchased from the North Logan library? Jim stated the North Logan library shelving is black and the existing library shelving is cream in color. The North Logan library shelving will be on the upper floor in the new building and the existing shelving will be on the main floor in the new building so they will not clash or not match as they won't be placed side by side.

Jim informed the council that internet service had been established in the Civic Center. Cody Law is now working full-time with Brett Daniels and the Recreation Center Department and internet service was needed in order for him to do his job more quickly and efficiently. WiFi service was now available in the Civic Center free of charge for the patrons using the building.

Jim explained the internet signal was being sent from the city office building to an antenna on top of the new library building and then to an antenna that had been installed on the Civic Center roof. After the initial cost of the antenna installation there would not be a monthly charge for internet service at the Civic Center since it was broadcast in conjunction with the city office internet service. Having an antenna on the library building would allow for signal to be broadcast to the Youth Center in the future if WiFi was wanted in the Youth Center. An antenna would be required and signal would then be available in the Youth Center.

COUNCIL MEMBER REPORTS

Dennis provided the council with the newsletter schedule for 2015.

Barbara informed the council the youth council was meeting at the same time as the city council and doing their yearly cheese and crackers and caroling activity.

Barbara asked Jim to have some mouse traps set at the Senior Citizen Center.

Barbara informed the council there is a food bank that helps local people once per month and they operate out of the Civic Center. The manager of the food bank wanted to include an advertisement in the upcoming newsletter so people are aware of the service if they need assistance.

Justin remarked that Officer Nick Hidalgo and his family were holding a free hot chocolate service on Friday, December 5th at the city office building from 4:30 P.M. to 6:30 P.M. where if a person donated \$0.50 or brought a can of food they would get a free cup of hot chocolate. All of the food and money collected would be given to the food pantry in Logan to help out with the high volume of products needed during the holiday season.

Kris informed the council the live nativity had almost 200 people attend. Barbara stated she had attended the live nativity and then went into the Youth Center and looked at all of the nativities that were displayed and it was very impressive and well thought out. Kris concurred the nativity scenes in the Youth Center were fabulous and there was a constant line of people wanting to see them. Barbara mentioned there were 101 different nativity scenes from around the world.

Barbara also mentioned with the library parking lot now open that parking was not an issue.

Kris reminded the council the Annual Night of Giving is on Saturday, December 6th and tickets can be purchased at Lee's Marketplace or by calling Stacey Dority and the cost is \$25 per ticket. The event will be held at Sky View High School.

Jeff suggested for the live nativity next year that some portable bleachers are brought in as it was standing room only this year and shorter people and children could not see what was going on. Jim remarked he thought that was a good idea and would be easy to do. Kris agreed as it had grown considerably since last year where only a couple of dozen people attended.

Jeff thanked the historical society for the fantastic job they had done with the nativity scenes in the Youth Center. As soon as the live nativity was done there was a very long line of people wanting to see the nativity scenes. The piano was played by the youth council mayor and others and the nativities were able to be viewed on both Monday and Tuesday night. Barbara stated in the future the Youth Council could help, if needed, with the nativity scenes and the live nativity for their December service project.

Jeff asked Jim if the Tree City USA application had been submitted? Jim remarked he had filled out the application and got it submitted before the deadline.

Jeff informed the council there were going to be some changes to the Tree Committee and they would be a line item on a future city council meeting agenda.

Brent asked when the city employee Christmas party was being held? Jim responded it will be on Monday, December 22nd at noon at the Birch Creek golf course clubhouse.

Brent informed the council he will be reviewing dog and kennel issues with the planning commission and then bring some proposed changes to the council for review.

Brent felt it is appropriate to have a fixed dog run and not just an enclosed yard with a fence if a person has two or more dogs. There are also issues with people just letting dogs roam free and it needs to be established that the dog owner is in the yard when the dogs are let out.

Jeff asked for "kennel" to be defined more clearly, as well, as there was confusion by people in what having a kennel really meant. Justin concurred.

Kris remarked she did not agree with having to have a fixed dog run if a person has a yard that is entirely fenced off. Brent disagreed and felt it is not appropriate to have dogs right against the neighbors fence barking and in most cases it is the fault of the dog's owner not the dog.

Jeff expressed concern that even though written complaints are not coming to the city people are still complaining and having issues as it has been apparent by the citizen's comments at the recent dog kennel request meetings. Jeff stated he felt a person coming before the council or planning commission and making a statement at an official city meeting is an official complaint. Brent remarked state law does not agree and a formal written letter is required. Jeff stated the concern made by the residents is still an issue if they come before the council and planning commission and speak. Brent agreed but reminded Jeff the State of Utah law does not agree and a formal document is required.

Brent informed the council that the rules of the Logan City cemetery are changing and there will no longer be a difference between a resident and non-resident. Everyone will pay the same fee. Brent was not asking the council to change Smithfield's cemetery fees but just informing the council of a recent change being implemented by Logan City.

MAYOR'S REPORT

Mayor Simmons stated he felt good about the information that was being delivered on the city Facebook page as well as through the Parlant citywide communication system. Justin remarked he thought meaningful and useful information was being sent through the system. The intent was to provide information to keep the community up to date but not overwhelm people to the point they feel like they are getting too many emails or text messages and consider the information like spam and delete the emails rather than read them.

Justin informed the council he had sent out a citywide message via email on Tuesday, December 3rd regarding dog license renewals and there had already been two dozen people or so come into the city office to renew the licenses and the majority of them said they had come in because of the email reminder. The system is working and it would be nice to have every utility account setup on the system.

Mayor Simmons commented he would like to see the Parlant app specifically made for the city on more smart phones and asked for input from the council and employees on the best way to get the information out on the app and encourage people to install it on their smart phones. Jim remarked he felt the majority of people were not aware of the app and what it can do and how messages can be sent to the city through the app.

Mayor Simmons mentioned he would like to see high school age kids installing the app as well on their devices. Mainly for emergency purposes when communication needs to be broadcast quickly. Mayor Simmons stated he would like to know how many of the current youth council members have the app installed.

Mayor Simmons announced that Jim will be retiring next year and it is time to start the process of finding his replacement. Jim stated his last day of full-time employment would be March 31, 2015.

Mayor Simmons commented the search for a new city manager will need to begin and the council needs to meet and discuss how they want to proceed with advertising for the job and the job description that will go along with the job.

Mayor Simmons asked Jim how many years he had worked for the city? Jim responded he has worked for Smithfield City for 32 years.

Mayor Simmons explained that Jim's job will not be quickly learned and that Jim is willing to consult the city on a part-time basis after he retires. The search will begin soon, resumes will be gathered and interviews will be scheduled. The process will need to start at the first of the year.

Jim is willing to stay and help the new hire start the process of the new budget for the next budget year as well. Jim mentioned he would show the new hire how the city has done the budget process in the past and the new hire will most likely have a few changes he or she would like to implement in how the process is done.

Jim explained that he has done two different jobs over the years; city engineer and city manager. There are not very many people with experience in both fields and the first step of the process will be to determine the job description of the new hire.

Mayor Simmons asked Jim to schedule a workshop session in January to come up with a plan of the process that will occur to hire the new city manager.

Jeff asked for an update on the long term plan for the chief of police of the local department. Mayor Simmons responded that Travis Allen is acting as the interim police chief and doing a nice job. The plan will be to have a discussion after the start of the year on the long term plan the council would like to see for the police chief position.

Mayor Simmons asked Jim to give an update on the recent sewer discussions between the seven cities. Jim stated the primary concern of the six contract cities is to make sure they are fairly represented in the new agreement and facility that will be constructed. In the past; none of the contract cities have felt they were fairly represented.

The mayors and city managers met on Wednesday, December 3rd to discuss considering hiring a negotiator for the contract communities since there are so many different cities and people involved. All of the contract cities have a different opinion of what they want to see in the agreement but they all need to be united in what they want in the agreement. The mayors and city managers reviewed the qualifications of four individuals and one rose above the rest and that person is now being contacted to see if he is willing to help the contract cities on the project. The person that is being contacted is a lawyer who works with large sewer districts in the Salt Lake City area. The individual comes highly recommended and if hired would act as the mouth piece for the six contract cities in negotiations with Logan City and the Utah Department of Water Quality (DWQ). The attorney would also help guide the contract cities into the best possible agreement for all of them.

Brent asked if the attorney would represent all of the contract cities or just the three cities north of Logan? Jim stated the attorney would represent all six of the outlying communities as everyone is frustrated with the situation and no progress is being made even though many different options have been considered.

Mayor Simmons reminded the council all of the contract cities have options. The three communities on the south end could contract with Hyrum City and Smithfield City could build its own facility or combine with North Logan and Hyde Park on a facility.

Jim stated the intent of all of the involved parties is to keep an open dialogue and remain civil. The contract cities have not had any conversations with Logan City since early summer as the DWQ has been working with Logan City on what they want to see in the agreement and now the DWQ is coming to the contract cities to see what they want in the agreement. To this point; the DWQ has been acting as an arbitrator in the matter but no results have been produced to this point.

Jim hoped to have a more detailed explanation at the next council meeting as the attorney will have been contacted by then and a few meetings held and hopefully a plan of how to proceed formalized.

Mayor Simmons informed the council the deadline for the contract cities and Logan City to have an agreement in place had been extended from November 2014 to April 2015.

Mayor Simmons reminded everyone that something has to be done. There must be a plan that works for all of the contract cities and Logan City. Cutler Dam must be cleaned up and a decision has to be made on how to lessen the impact on Cutler Dam and meet state requirements but it will come at a great expense to all of the cities involved.

Mayor Simmons cautioned there will be a significant impact to the monthly fee for each hookup in Smithfield City as the monthly sewer rate has not been raised for several years and the total cost of this project would be over one hundred million dollars.

Jim cautioned the council to look at the situation from Logan City's perspective as well. Logan has always been the biggest city and had the most flow into the system. They have done a great job in the past but now the rules and treatment are changing and the contract cities want to have a say in the process and in the past they have not. Mayor Simmons stated the contract cities want to have representation since they are paying a monthly fee on the treatment of the sewage.

Brent asked when is the deadline to have the new facility and treatment plan in place? Is the deadline 2017? Jim stated the deadline is 2018 but the plan needs to be determined quickly as it will take a couple of years for construction of the project to be built and up and running.

Mayor Simmons mentioned there is low interest funding available right now and is a big factor as well. Jim commented that Logan City had obtained a seventy million dollar loan from the State of Utah and there are certain conditions on the loan. One of the conditions is that the contract cities are happy with the agreement and payment terms have been established as well

with the contract cities and Logan City informed the DWQ that was correct when in fact it was not correct as there is not an agreement with any of the six contract cities.

Mayor Simmons said there are very smart people involved in the process of selecting the best option for the city and Jim is one of them and he has over 30 years of experience.

A motion to adjourn at 8:02 P.M. was made by Kris.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, City 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 **Thursday, December 4, 2014**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Kent.

1. 6:03 P.M. Approval of the city council meeting minutes from the November 12, 2014 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Discussion and possible vote on Resolution 14-11, a Resolution authorizing the execution and delivery of a street dedication agreement between Smithfield City and the Three Creeks Homeowner's Association.
4. 6:30 P.M. Public Hearing to consider a Conditional Use Permit application from David R. Lillywhite to allow a six (6) lot minor subdivision/intrablock development located at approximately 135 South 300 West and 151 South 300 West. Zoned R-1-12
5. 6:45 P.M. Discussion and possible vote on the Conditional Use Permit application by David R. Lillywhite.
6. 6:50 P.M. Consideration and approval of Ordinance No. 14-07. An Ordinance establishing the meeting time and place for city council and planning commission meetings in calendar year 2015.
7. 7:00 P.M. Selection of Mayor Pro Tempore for calendar year 2015.
8. 7:10 P.M. Receive the Certification of Annexation Petition from the City Recorder for the Annexation Request from, Jessica Tams Quinton, for Parcel Numbers 08-045-0035 and 08-045-0022 and Direct the Publication of Such Petition in the Herald Journal on December 14, December 21 and December 28, 2014.
9. 7:25 P.M. Introduction on proposed Ordinance #14-05 which amends Title 17: Signs: 17.36.060 Permitted Signs: Permits not Required: 17.36.070: Prohibited Signs.
10. 7:40 P.M. Ironwood Development Group, LLC, agent for Cindy Archibald, has

requested consideration of a request for approval of the Final Plat for Smithfield Highlands, a six (6) lot, minor subdivision located at approximately Crow Mountain Road (600 East) & Upper Canyon Road. Zoned R-1-12

11. 7:55 P.M. City Manager Report
12. 8:10 P.M. Council Member Reports
13. 8:30 P.M. Mayor's Report

Adjournment

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

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

Prepared, posted in the City Office and library, emailed to each Council Member, emailed to the Herald Journal, Smithfield Sun, and forwarded to be posted on the City Web Site on 12/01/14, and the Utah Public Meeting Notice website.