

MINUTES
SMITHFIELD CITY COUNCIL MEETING
February 22, 2012

The Smithfield City Council met in a regular scheduled meeting at 96 South Main, Smithfield, Utah, on Wednesday, **February 22, 2012**. The following were present constituting a quorum.

Mayor	Darrell G. Simmons
Council Members	Jeffrey Barnes Brent Buttars Barbara Kent Kris Monson Dennis Watkins
City Recorder	O. Dean Clegg
Excused	James P. Gass, City Manager

Mayor Simmons called the meeting to order at 6:00 p.m.
Councilmember Barbara Kent offered a prayer and led the Pledge of Allegiance

Visitors: Reed L. Toolson, Bryan M Boyack, James D. Burt, Dallin J. Burt, David Barnes, Jamie Anderson, Brenda Smith, Aaron Smith, Katheryn Vernon, Rik Vernon, James Marshall, Deon Hunsaker, Donna Garza, Michele Apponsah, Kathleen Capels, Terrance York, Clay Bodily, Char Izatt, and Jean Douglass

Agenda:

Welcome and Opening Ceremonies

Excuse City Manager James P. Gass

1. Consideration of Consent Agenda
Minutes of February 8, 2012 City Council Meeting
2. Residents Input
3. Presentation to Rik Vernon, Retiring Chairman of Planning Commission
4. Bryan Boyack, from Parsons Company Requests a Variance to the Noise Ordinance
5. Set Dates for Opening of Recycle Area for Public Use (April 20 and 21, May 5, 19)
6. Consideration of Request from Michele Apponsah for Development at 400 North 400 West
7. Mayor and Council Reports
8. Adjournment

Consideration of Consent Agenda,
Minutes of February 8, 2012 City Council Meeting

Mayor Simmons declared the consent agenda approved.

Residents Input

Continuation of Minutes of City Council Meeting held February 22, 2012

Smithfield resident James Marshall approached the council and said when he saw that Rik Vernon would be here he could not let the opportunity pass to be here and thank Mr. Vernon for the job he has done. He has been on the planning commission and he knows that some evenings you go home feeling okay, some like you got something done. When he as on the planning commission they wanted to use the gravel out of the pit above Lowers. The contractor wanted to build Lamplighter Subdivision. We told the contractor he needed to put in a bicycle path. What we see today is we have a gravel pit and no subdivision. What happened?

Councilmember Kris Monson said it will be a really high trail.

City Recorder Dean Clegg reported the contractor will take all that down level with the piece of property Terry Johnson owns to the south. Eventually that will be flat. The subdivision is still planning to go in there. We just need people who want to build houses. Mr. Marshall thanked everyone.

Presentation to Rik Vernon Retiring Chairman of Planning Commission

Mayor Simmons said Rik Vernon has put so much time into our community. We are here to recognize Mr. Vernon who is retiring as Chairman of the Planning Commission. Mayor Simmons present Mr. Vernon with a plaque recognizing the years of service. Mayor Simmons added that Mr. Vernon was appointed to the planning commission on February 1, 1997. He replaced Boyd Taylor to the commission. In 2001 Mr. Vernon was elected as vice chair. In 2004 he was re-elected as vice chair and in 2006 he was appointed chairman of the planning commission. Mr. Vernon took his position seriously and hardly ever missed a meeting. He came in every day prior to the meeting to discuss items on the agenda. He felt his training was important.

Mayor Simmons said, "On behalf of Smithfield City and the City Council, we thank you for 15 years service." Mr. Vernon said he felt it was a privilege and a pleasure to work on the planning commission.

Bryan Boyack, from Parsons Company Requests a Variance to the Noise Ordinance

Bryan Boyack of Parsons Company, was in attendance to request a variance of the noise ordinance. Mr. Boyack is new to the operation of how things are done here. He is currently the Batch Manager for Parsons. He is at this meeting at the request of the company to renew the noise ordinance that they have had in the past. He said they have had 12 next-day variances, and 12/ 48-hour variances, so a total of 24 variances. They would like to not have to renew until they have used all those issued last year. Last year they only used nine of the variances. They are now doing a big job at Gossner's. They are in competition with other contractors. They need to accommodate other customers. They appreciate the citizens of the community and their patience with Parsons. They want to be good neighbors and tread lightly. This is the 60th year of Parsons being in business in Smithfield. We love this community. We have a desire to be good neighbors and still operate. We would like to continue with this.

Mayor Simmons asked council members if they had any concerns.

Continuation of Minutes of City Council Meeting held February 22, 2012

Councilmember Brent Buttars asked if Parsons had received any complaints from neighbors. The answer was “No.”

Councilmember Kris Monson added if there has been a problem it has been taken care of quickly. She feels they are great neighbors.

Mr. Boyack said they put a wall up, and they think that helps. Their intention is to get the trucks loaded, and get them out the back of their operation in the mornings. They have a desire to be proactive and not wait until there is a problem to try to solve it.

Councilmember Barbara Kent asked if there are legal reasons requiring Parson’s to come back every year.

City Recorder Dean Clegg said City Manager Jim Gass has allowed them use the variances approved on the request before issuing more. Then they are required to ask for a renewal.

Mr. Boyack said they need to accommodate their customers.

Councilmember Jeffrey Barnes asked what time they usually start in the mornings.

Mr. Boyack answered, “Without the variance ordinance they can start at 6:00 a.m.” He added they appreciate Smithfield City working with them.

Mayor Simmons asked if there is an actual noise variance we need to vote on.

Mr. Clegg requested this application be treated the same as was done in 2010.

Motion: Councilmember Brent Buttars made a motion to approve the request from Parsons to approve a variance to the Noise Ordinance which would allow for 12 next day early pours and 12 forty eight hour early pours and renewed when the requests have been used. The motion was seconded by Councilmember Dennis Watkins. A roll call vote was taken with the following votes cast:

Yea: Councilmembers Barnes, Buttars, Kent, Monson, and Watkins
Nay: None
Motion Passes

Set Dates for Opening of Recycle Area for Public Use (April 20 and 21, May 5 and 19)

City Recorder Dean Clegg said Health Days are on May 12. We would like to get permission to do this three weekends a year. Cache County Service Area are the ones that direct the service. This is only for material that can be burned. We have to control when it is available and what material is taken there.

The question was asked why can’t the City open it more often. He asked each member of the council to please discuss this item with City Manager Gass at their convenience.

Continuation of Minutes of City Council Meeting held February 22, 2012

Suggested dates for the recycle area west of town to be opened for public use are:

Friday and Saturday, April 20 & 21, 2012, Saturday, May 5, 2012, Saturday, May 19, 2012

Council Members gave a favorable consensus to this request.

Mr. Clegg will put an announcement in the March city newsletter.

Consideration of Request from Michele Apponsah for Development at 400 North and 400 West

Mrs. Apponsah wants a decision from the council on her request to build two homes and straighten the intersection on 400 North and 400 West. She has previously been to various meetings with her request. She wants to know if she dedicates the road, is the city going to do the work. In the absence of City Manager Jim Gass, City employee Clay Bodily tried to answer her questions.

Councilmember Brent Buttars said this is to be a city road (400 North going west).

Mr. Bodily said if she wants to go get bids to have it done to go ahead , however, we are not asking you to get bids. She was hoping to not put any money out.

Mr. Bodily said the city would like to straighten out the intersection to limit future expansion.

City Recorder Dean Clegg said if she puts in two building lots, facing 400 North, they could block any future development of the Olague land. He added that Mr. Gass has given estimates on what the city would do along there. On a bill of \$56,440, the city could pay \$26,870 and Mrs. Apponash would pay \$29,565 and be compensated \$14,000 for the road right-of-way leaving her a balance of \$15,565.

The city's costs will be partially covered with labor.

City Recorder Clegg suggested Mrs. Apponsah go see what it would cost her to have a sewer line and water line installed and come back and see City Manager Gass on Monday. Mrs. Apponsah has hired an attorney and he has already been in and talked with Mr. Gass.

Another sister, Donna Garza, already lives there.

City Manager Jim Gass is talking about making the line bigger from the Hillyards. The city would have to build a bigger line. Mr. Bodily said we are figuring on using the street for fire protection.

Mrs. Apponsah said the latest e-mail from Mr. Gass to the Sity Council set her back by two months.

Mayor Simmons said, "In all fairness to Mrs. Apponash, we need to have Mr. Gass here."

City Recorder Dean Clegg said, "You now have an idea of what Mr. Gass is looking at. You need to visit with him"

Continuation of Minutes of City Council Meeting held February 22, 2012

Mrs. Apponsah was told she needs to wait until Mr. Gass comes back next week, and then come in and talk with him.

Mr. Clegg suggested she write a proposal to the city.

She answered that her attorney has already done that. She will be at the next city council meeting on March 14, 2012. She can meet with Mr. Gass before that.

Councilmember Brent Buttars told Mrs. Apponsah if it would make her feel better, she should go get some prices. She will do that.

Mayor and Council Reports

Councilmember Watkins' Report:

Councilmember Dennis Watkins presented a proposal to the council to construct a new addition to the current library building --this is an idea that will allow us to be doing something. Is this a good idea, or are there some flaws? (Councilmember Watkins gave each councilmember a copy of the proposal – which was to add on to the current library to the south.) (See Exhibit A)

Councilmember Kris Monson likes the idea of it being built on the south side and likes the idea of how it would be justified. She feels the Chamber of Commerce would be willing to help with fundraising. She asked if the Carnegie Foundation gets involved any more. We need to research this. If the community would get together, we could make something happen.

Councilmember Barbara Kent likes the place on the side.

Councilmember Dennis Watkins said we have had a discussion about the old tabernacle. That building is in dire need of major work. We need to send out a letter to all members of the community. He thinks this building is not doable. Are you willing to pay for keeping the building up? We could take the tennis court and turn it into a parking lot. We could then build a tennis court where the youth center stands.

Councilmember Barbara Kent added that there is parking by the old city office building.

Councilmember Watkins went through the basement of the current library. There is lots of wasted space there. With a new structure built there will have to be a ramp. His plan is very simple.

Councilmember Kris Monson said the key is to find a spot to put a library. We have argued this for years. She doesn't think we should wait any longer for a new library.

Councilmember Barbara Kent likes the idea.

Councilmember Jeffrey Barnes reminded the group that when this plan was presented by USU Students he was in favor of adding on to the library where it currently stands.

Mayor Simmons said he thinks this is a good idea – stay with it.

Continuation of Minutes of City Council Meeting held February 22, 2012

Councilmember Brent Buttars doesn't want to attach to the old library, let's not put any money into the old library. To refurbish our old building costs far more than it would take to build a new building. This would be the same.

Councilmember Watkins asked about building on the north. City Manager Jim Gass preferred the north. As you come out the north side of the old library that area is low there. If you put the library here the pine trees would have to go. This really works on the south. One tree on the south would have to go. It would take us out of the flood plain.

Councilmember Brent Buttars said at Lee's Market in North Ogden they made the creek into a walking area.

Councilmember Watkins answered, "How about we not do that, raze the building, the city gives the land to the RDA. They raze the building and make it level. Ralph Roylance of Smithfield Implement would be interested in buying. We keep the land in a position that will make us some money, enhances local business, the RDA takes care of all this, and the city did not spend a dime. The RDA is given the land with the old building on it. We spend the \$40,000 to tear the building down. The RDA could sell the land to Smithfield Implement.

Councilmember Buttars said we could put a glass building between the two buildings. (Old & new library)

Councilmember Watkins said if we show we have a plan in focus, we can then go to the people for help.

Councilmember Buttars added we need to pull out old files. We need to stick to our goals. He feels okay for Councilmember Watkins to go forward.

Councilmember Watkins and City Recorder Clegg need to meet before the next RDA meeting to prepare the agenda.

Councilmember Kris Monson said we need to start to educate people to know what we are doing right now. She thinks it would be a good idea if we leak out bits of information on Facebook. We could use "Survey Monkey".

Councilmember Kent's Report:

Councilmember Barbara Kent reminded the council that the Lion Club's spaghetti dinner is tomorrow night – (February 23, 5:00 – 7:30 p.m.) At the Lions Lodge. The Youth Council will be helping to serve the meal.

The Senior Citizen budget shows \$1,500 allotted in 2011-2012 for couches. Former Council Member Oliverson suggested that he had fixed the ones that were there.

City Recorder Clegg said if there is money in the budget to buy new couches, we should do it.

Does the upkeep of the building come out of that budget? "No, it comes out of the General Fund".

Continuation of Minutes of City Council Meeting held February 22, 2012

Mrs. Kent asked if we qualify for RAPZ money on that building?

City Recorder Dean Clegg suggested the lighting in the main hall needs to be addressed.

Former Councilmember Michael Oliverson left information that the building needs to be cleaned. We have hired Alpine Cleaning for that purpose before.

Mr. Clegg ask Mrs. Kent to come in and talk to City Manager Gass about the cleaning.

Councilmember Monson's Report:

Councilmember Kris Monson said the Smithfield Chamber of Commerce held a meeting last week. They wondered what we are going to do with the old city office building. The answer was "Tear it Down". She learned a lot at the chamber meeting.

Councilmember Barbara Kent has had a resident suggest an idea of using the old city office as a museum. There has been lots salvaged from that building already. Is there anything left there that can be recycled?

Councilmember Barnes Report:

Councilmember Jeffrey Barnes reported that the Tree Committee met last week. On Saturday, March 17, someone from USU Extension Service will be at the home of Jerry Thain to demonstrate pruning of fruit trees at 9:00 a.m. On Saturday, March 24, they will meet at the city office at 9:00 a.m. they will go somewhere to be announced and do ornamental and landscape pruning. They are planning to have a booth on Health Days and also something on Arbor Day.

Councilmember Buttars said "Schools plant a tree – do we need to overlap?"

Councilmember Kris Monson said the city planted a tree, the school had a poster contest in conjunction with the tree planting. They liked the poster contest.

Mayor Simmons said he thinks we should encourage a videotaping of those type of events.

Mayor Simmons' Report:

Mayor Simmons met earlier in the day with Randy Box who would like to handle the food service at the Birch Creek Golf Course. He ran the food service at Logan River until they demolished their clubhouse two years ago. We are negotiating with a caterer. We want good quality. We have not made any decisions yet. This could be a real benefit to our city.

Mayor Simmons reported that he had received three phone calls on Saturday complimenting the Civic Center. They love the place; the floor, the bleachers, and the lighting are all super. People are very complimentary on the Civic Center.

Continuation of Minutes of City Council Meeting held February 22, 2012

How about city officials signing sympathy cards? Mayor Simmons recommends the council signs sympathy cards and send to families of people who have passed away. All council members agreed.

One officer resigned from the police force today. It was Matt Landfair. He has another job.

Councilmember Brent Buttars asked the Mayor if City Manager Gass has heard anything back from the county on the storage units located on 250 East, south of the City Limits. Mayor Simmons answered, "No". "We need to research Idaho law and make a presentation as a consolidated group of Cities from the county. This type of county approval needs to stop. City Manager Gass is working on it.

City Recorder Dean Clegg reported the people representing the Valley Channel came in to see him.

Mayor Simmons said when we entered into that agreement with Brooks Hansen we put a kibosh on the Valley Channel broadcasting from our community to the north border. Comcast wants to put out by zip code. If you want to be broadcast, you can do it. It has gone back to Brooks Hansen.

City Recorder Clegg suggests that you put anything on Brooks' channel, put it on the Valley Channel too. Contact Earl Rouse at the Valley Channel.

If you get calls, send them to the Mayor. He is working hard to try to settle this issue. This is only on cable tv.

Adjournment:

Motion: Councilmember Kris Monson made a motion to adjourn. All were in agreement. Adjourned at 7:52 p.m.

Approved and signed this 14th day of March, 2012.

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

O. Dean Clegg, Recorder

Continuation of Minutes of City Council Meeting held February 22, 2012

Exhibit A

Proposal To Construct New Addition To Current Library Building.

In 2000, the city looked at the construction of a city complex. The library was to be built as part of the new city building. The proposal was to build 9860 square feet just for the library. When the decision was made to build the City Office in another location, without the library, the original plan was dropped.

In 2008, when the current City building was planned, space was considered for the construction of a building for the library east of the current city building. A price was set for the purchase of the land from the RDA, when the new library building would be built.

With the current state of the economy, the chances of building this building on this location at the desired size, would require the city to finance \$1,283,000.00. This would be an annual payment of approximately \$85,294.00 (this number is based on a 3% fixed interest rate for 20 years). I think that this amount is forever out of reach financially.

We need to consider adding on to the existing Library Building. The current size of the library is 68 feet long by 30 feet wide. This is a total of 2040 square feet per floor, outside measurement only. The inside useable space is around 1730 square feet per floor. If we were to build to the south side of the existing building we could create a building of around 3000 square feet per floor. With the new space as well as the old building, this would give the library 8080 total square feet. With this new addition, we would be adding three times the amount of space that is now being used. The design could include plans for future additional space that would be created by adding on to the west of the new structure.

How would the city be able to finance this new construction? As discussed in the last RDA meeting, the RDA would pay \$ 25,000.00 annually to the city for salaries and rent, this money deposited into the capital fund would allow the City to pay for the new construction. How much can we build with this amount of money? If we borrow money at 3% fixed rate for 20 years, we can borrow up to \$370,000.00 with an annual payment of \$24,597.00 per year.

What can we build for \$ 370,000.00? If we get construction at \$120.00 per square foot, as was done with the Police Station, we can build a 75-foot by 40-foot building. This would be a basic building with probably an unfinished basement. Because we would be constructing a building connected to the existing library we would need a design that would be a modern version of the existing design. We would need additional money to remodel the original library building, add parking, provide furnishings and look to the future to finish the basement. Where would that money come from?

About three years ago Mayor Simmons created the Friends of the Smithfield Library. This group would be challenged to collect the needed additional funds. Right now this group is made up of Mayor Simmons, Dennis Watkins and maybe, if we are lucky, our wives? We need to expand this group to include the current Smithfield Library board. With this expanded group, plus others that

Continuation of Minutes of City Council Meeting held February 22, 2012

should be invited to join, their main purpose would be to raise money to meet the unfunded needs of this plan. The amount the Friends would need to raise would be known as the design process shows the changes needed to the original building. The long-term needs of the Library would also be part of their money raising goals.

What is the timetable we could follow? If the council were in agreement with the concepts presented here tonight, I would next meet with the Library Board on March 21st to get their approval. If they are in agreement with this plan, we plan on making the formal resolution to seek for library funding and building design. The March 28th Council meeting would be the earliest date for the resolution. At that point the City Manager could start the process to seek approval for a loan as well as an architect. If all went, well we could see a new building in a year and one half.

This is not the grand plan that was proposed in 2000, but is a great improvement on what we now have. It is possible to do, and remember that all of this would be accomplished without any tax increases.