

**MINUTES**  
**SMITHFIELD CITY COUNCIL MEETING**  
September 26, 2012

The Smithfield City Council met in a regular scheduled meeting at 96 South Main, Smithfield, Utah, on Wednesday, **September 26, 2012**. The following were present constituting a quorum.

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

Mayor Pro Temp Dennis Watkins called the meeting to order at 6:00 p.m. Mayor Simmons was excused due to being out of town.

City Manager James Gass offered a prayer and led the Pledge of Allegiance.

**Visitors:** Dennis Thornley, Sherman Lewis, Carolyn Lewis, Travis Taylor, Michael Harris, Chris Slater, Jay Henrie, Vincent Hansen, Ralph Erickson, Ben Johnston, Don Patterson, Johnny W. McCoy, Nick Hidalgo, and Jean Douglass

**Agenda:**

Welcome and Opening Ceremonies

1. Consideration of Consent Agenda  
Minutes of August 8, 2012 City Council Meeting  
Eagle Scout Reports from Justin Ross and Kasen Barwick
2. Residents Input
3. Consideration of Request from Nick Hidalgo for Tuition Reimbursement for Upper Level Classes
4. **PublicHearing**, not to begin prior to 6:30 p.m. to Receive Public Input for Consideration of **Ordinance 12-06**, "A Request from Vincent Lee Hansen, Mary Elaine Hansen Beckstead, Laura Gaye Cook, Morris Wendell Hansen, and JoAnn Udy Hansen for Annexation of Property Located at Approximately East of Hillside Drive and South of Birch Canyon. Containing 160 Acres +-"
5. Consideration of a Request from Travis Taylor, Agent for J. Thomas Homes, LLC for Approval for Phase 5 (13 Lots) of the Final Plan for Smithfield Ridges Planned Unit Development, Located at Approximately 420 South and 1100 East. Zoned R-1-12(PUD) (Combined Single Family Residential/Planned Unit Development Overlay Zone)
6. Consideration of Request from Ben Johnston, for Approval of Final Plat of Monte Vista Subdivision 600 South 100 West
7. City Manager Items  
Budget Update

## Continuation of Minutes of City Council Meeting held September 26, 2012

### 8. Mayor and Council Reports

Watkins: Consideration for Decision on Cost for the Library Design Work  
Barnes: Community Covenant Presentation

### 9. Adjournment

### Consideration of Consent Agenda, Minutes of August 8, 2012 City Council Meeting

Mayor Pro Temp Dennis Watkins declared the consent agenda approved.

Councilmember Jeff Barnes informed the council we had two recent Eagle Scouts who did city service for their Eagle Projects. These young men are Justin Ross and Kasen Barwick. Justin Ross was in attendance to report on his Eagle project. He put tables and benches together for city parks. The old tables and benches were falling apart. They were replaced and are now at Mack Park. There were five tables and three benches assembled. There were about 15 people helping with the project. Justin is 17 years old.

Kasen Barwick was not present as he was marching with the Sky View Band in the Sky View Homecoming Parade.

Councilmember Barbara Kent said Mr. Ross is also a member of the Smithfield Youth Council.

**Resident Input:** None

### Consideration of Request from Nick Hidalgo for Tuition Reimbursement for Upper Level Classes

Office Nick Hidalgo has requested reimbursement for upper level classes pertaining to his job as a police officer for Smithfield City. He hopes to take three classes. He has 97 credits so he only has 23 credits left to earn his degree..

Councilmember Kris Monson asked Officer Hidalgo how the last classes went. Mr. Hidalgo said they went very well. He got A's and B's for grades.

Councilmember Jeff Barnes asked if this is a budget item.

City Manager Jim Gass said, "It is, we budgeted \$1,900 for this purpose and we have used about half of it." Mr. Gass added that we have \$995 left in the budget. Nick comes in about every twelve weeks for help to pay for six credit hours. It is for two classes this time. He is asking for \$1,800 after he passes the classes. It would be about 12 weeks out.

Councilmember Barbara Kent asked if this money is in the budget. Councilmember Jeff Barnes said he is willing to approve \$900 more to cover the request.

City Manager Jim Gass added that we have \$1,000 now.

Councilmember Kent asked if we wanted to approve it now, give him the go ahead, and give him the next money in December. He is currently taking the class.

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**Motion:** Councilmember Jeff Barnes made a motion to approve \$1,800 for two classes for Mr. Hidalgo. The motion was seconded by Councilmember Barbara Kent. A roll call vote was taken and the following votes noted:

Yea: Councilmembers Buttars, Barnes, Monson, Kent, and Watkins

Nay: None

Motion Passes

**Public Hearing, not to begin prior to 6:30 p.m. to Receive Public Input for Consideration of Ordinance 12-06, 'A Request from Vincent Lee Hansen, Mary Elaine Hansen Beckstead, Laura Gay Cook, Morris Weldell Hansen, and JoAnn U. Hansen for Annexation of Property Located at Approximately East of Hillside Drive and South of Birch Canyon. Containing 160 Acres +-'**

Mayor Pro Temp Dennis Watkins opened the public hearing at 6:34 p.m.

Jay Henrie of Henrie Engineering said Vincent and his brother Wendell are in attendance. First of all, Mr. Henrie complimented the mayor and council members on our beautiful city. He said "You get a good feeling here." He has worked with Mr. Clegg and Mr. Gass putting this application together. This property is one of the prettiest pieces of property he has ever been on. The property has been in the Hansen name for several generations. They want to put in something the city will be proud of. They would like to move toward a planned unit development. You don't see much commercial development up there. Single family development would be his recommendation to the Hansens right now. Once the annexation is approved, they will work toward a rezone. They would come into the city with a concept plan. Some of the property is fairly steep. There is a good section within the 30 per cent slope zone. There will be water issues; it also provides opportunities. It is a half mile by a half mile.

Councilmember Kris Monson reminded Mr. Henrie that the master plan is asking that nothing be built above the power poles. The Bonneville Trail goes close to the power poles.

City Manager Jim Gass said the city would have to recognize the responsibility of Birch Canyon Road and Birch Creek during high water. There is also the possibility of a fire up there. If there were a fire within the city limits, we could have the responsibility to help fight that fire.

Councilmember Jeff Barnes said they have also purchased lots for a subdivision on the road. Mr. Henrie answered, "Yes, Mr. Hansen has purchased seven lots there."

Smithfield resident Dennis Thornley said he is concerned about water pressure the upper part from the Dry Canyon Reservoir.

City Manager Jim Gass said it is too high, there couldn't be any pressure. We have to be able to provide 20 lbs. of water pressure up there, we couldn't do it. They would have to work around Hyde Park water line up there.

Mr. Thornley asked, "Does Smithfield City have enough water to put homes up there?"

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City Manager Gass answered, "We have enough water for homes to "buildout". It would depend on how soon this would have to be developed. As we approach 2050 we would have to get more water to meet our demands."

Smithfield resident Dennis Thornley said we have been forced to go to irrigation wells a lot. He added that water has been a major factor in growth. There is a limited amount of water.

Councilmember Kris Monson said if we annex the property we have some say, if the county annexes the property, we have no say.

Councilmember Barbara Kent said, "As it comes, it would be agricultural, then they would have to rezone it. There are not water shares on this property."

Mayor Pro Temp Dennis Watkins said, "You need to look at water issues when you annex."

Smithfield resident Don Patterson lives on the intersection on Summit Drive and Hillside. He has concerns about water. Water pressure is an issue. Mr. Patterson moved here from Michigan a few years ago. His water comes from Smithfield Canyon, this water comes from Dry Canyon.

Mayor Pro Temp Dennis Watkins closed the public hearing at 6:53 p.m.

Councilmember Brent Buttars said some of that area, if we can't provide water for it, we shouldn't try to figure out a way to pump it up there. Also, there is no reason for us to take on this steep property.

Councilmember Barbara Kent asked if we could annex part of this, or do we have to consider the whole 160 acres.

City Manager Jim Gass said the public hearing has been for the overall piece. If you reduce it, you would have to come up with a new legal description.

Mayor Pro Temp Dennis Watkins asked if that would have to be brought back for another meeting. City Recorder Dean Clegg said, "Yes, it would. The annexation petition would need to describe the property differently."

Councilmember Kris Monson asked if the county could provide water up there.

City Manager Jim Gass answered, "No, they probably couldn't drill a well." Mr. Gass doesn't know how they would get water up on top. Otherwise, we would have to put a tank up above that. It would be a huge expense to the city.

City Recorder Dean Clegg said the question tonight is do we want to annex this property into the city? Please look at the annexation application by itself. Do you want to annex this property or not? If you only want to annex part of the property we need to work with Mr. Henrie on it.

Councilmember Barbara Kent is in favor of the city annexing and having control over what happens to the property, but she is worried about some of the things that the county is now responsible for.

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Councilmember Brent Buttars said elevation changes lower than the proposed area make it hard for a road to be up there.

Mayor Pro Temp Dennis Watkins said when the Fire Chief was here a couple months ago, he was worried about a fire coming up that mountain. He was concerned about the north boundaries and preparing a road to get to it.

Councilmember Barbara Kent said on some of the State land one of the problems about controlling fires is that we aren't able to put in fire breaks.

Councilmember Jeff Barnes asked if the elevation is equal to the subdivision south of it. Is the family interested in pursuing that portion?

City Manager Gass answered they are interested in all of it.

Mayor Pro Temp Watkins asked, "Is that what you would accept?"

Councilmember Barnes answered, "Yes."

City Recorder Dean Clegg said some of the property is on a slope that is too steep to develop.

City Manager Gass said the trick would be maintaining roads that do not exceed 10 per cent.

Councilmember Jeff Barnes said if we annexed that piece of property, we wouldn't have to build on every inch of it.

City Manager Jim Gass answered they could not build on a piece of land that is more than 30% slope.

Councilmember Kris Monson would rather have them come back with the part they could develop and annex it, and talk about the water and not deal with the other right now. She is worried about the cost to the city.

Councilmember Brent Buttars said if we can't provide water, it is not developable?

Councilmember Barbara Kent asked if the family has feelings about putting some of the area in the city and some in the county.

Vincent Hansen said they would consider just having the part that is developable. One of the thoughts they have is developing a park up by the creek that runs through it. They would consider coming back with a plan maybe that they could provide water to and leaving the rest in the county.

Councilmember Barbara Kent said if we kept part in the county and some in the city, it would be better for the city.

Vincent Hansen said this would be to the disadvantage to Smithfield if it is not in the city. It will be developed.

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Councilmember Kent is in favor of having control of the developable part.

Mr. Hansen. "Again, it is going to be developed."

Councilmember Jeff Barnes asked why the power poles are arranged like they are. How many power lines are up there?

Vincent Hansen said there is just one row, he thinks there are three or four poles.

Councilmember Kris Monson said she would like to have them come back with a plan stating what can be developed.

Councilmember Brent Buttars seconded that idea.

Councilmember Jeff Barnes said all the land would be annexed into the city, the development could be some or all that land.

Mayor Pro Temp Dennis Watkins said if we annex it, it becomes our responsibility to either control the whole thing or reject it.

Councilmember Monson said we need to have them come back and show us what portion of the land they want to develop. She is very concerned about the water.

**Motion:** Councilmember Kris Monson made a motion to have the responsibility for the Hansen family to come back with a plan of what could be developed. The motion was seconded by Councilmember Brent Buttars. A roll call vote was taken and the following votes recorded:

Yea: Councilmembers Buttars, Barnes, Monson, Kent, and Watkins

Nay: None

Motion Passes

City Recorder Dean Clegg added when you want to get this ready, please let him know and he will put it on the agenda.

**Consideration of a Request from Travis Taylor, Agent for J. Thomas Homes, LLC, for approval for Phase 5 (13 Lots) of the Final Plan for Smithfield Ridges Planned Unit Development, located at Approximately 420 South 1100 East. Zoned R-1-12(PUD) (Combined Single Family Residential/Planned Unit Development Overlay Zone)**

Travis Taylor asked for continuation next to Phase 3 north and 5 lots brought in Phase 4 to the east of Phase 3, also a 5 lot. There will be another one straight east. He will bring it in the spring.

Councilmember Kris Monson asked how big these lots are. Mr. Taylor answered they are approximately 12,000 square feet. We have to pay cash as we develop, there are no more loans.

City Manager Jim Gass said the planning commission passed this.

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City Recorder Dean Clegg said when they are naming streets, please go by north, west, east, and south. We need co-ordinates so we can work with the police and fire departments.

**Motion:** Councilmember Kris Monson made a motion to approve the request from Travis Taylor, Agent for J. Thomas Homes, LLC, for approval for Phasee (13 Lots) of the final plan for Smithfield Ridges Planned Unit Development, located at approximately 420 South 1100 East. Zoned R-1-12(PUD) (Combined Single Family Residential/Planned Unit Development Overlay Zone). The motion was seconded by Councilmember Barbara Kent. A roll call vote was taken with the following results:

Yea: Councilmembers Buttars, Barnes, Monson, Kent, and Watkins

Nay: None

Motion Passes

### **Consideration of Request from Ben Johnston, for approval of Final Plat of Monte Vista Subdivision 600 South 100 West**

Ben Johnston was here to discuss this item. This is the old Del Monte property. He is here for consideration to approve this request for Jef Hoggan. There are 19 lots located there. A and D Landscaping wants to develop their current lot. Heritage Glass has some of their business located there. Mr. Hoggan wants to remove the old buildings to the north. The desire is to remove the old corn plant and the maintenance building.

City Manager Jim Gass said they are going to have to rebuild the crossings on 600 South.

City Councilmember Brent Buttars asked where parking would be for employees there. Mr. Johnston answered that parking is on the north side.

Mayor Pro Temp asked if it was re-zoned "manufacturing".

Councilmember Jeff Barnes asked if they knew what types of businesses would come in here.

Mr. Johnston answered that it is kind of the same type as Bob Saxton has on his property. The planning commission has given their approval.

Councilmember Barnes asked what lays immediately to the west. Mr. Johnston answered that it is vacant farm ground.

**Motion:** Councilmember Dennis Watkins made the motion to approve the request from Ben Johnston for approval of the final plat of Monte Vista Subdivision 600 South and 100 West. The motion was seconded by Councilmember Jeff Barnes. A roll call vote was taken and the following votes counted.

Yea: Councilmembers Buttars, Barnes, Monson, Kent, and Watkins

Nay: None

Motion Passes

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### City Manager Items

#### **Budget Update**

City Manager Gass would like to report every couple of months. First, the sales tax is up in July, August, and September from last year. Our budget for our sales tax is less than what we brought in last year. We are up about \$21,000.

Property Tax - We are down a little bit; it is not a big concern. Some people pay their property tax monthly, some people wait until November to pay their property tax.

Energy tax is trending up. It is up \$10,000 from what we budgeted last year.

Fee in Lieu raises when you license vehicles. It is not up much.

Building permits is down right now about \$8,000. We will get building permits in big blocks. Mr. Gass thinks we will come close to what we did last year.

C Roads – Money that we get from gasoline tax – we receive money on the number of gallons sold. We are working with the state trying to find some ways to generate funding.

Zoning – Much better than last year.

Cemetery Lots – There is no good explanation as to why the City sells more lots one year compared to another.

Court Fines – Up \$5,000 – Most of the money that we collect we give back to the state.

Summary – July and August are both up. Overall, we are up about \$30,000. We budgeted last year 2.6 million dollars and brought in 2.7 million. This is where we want to be. Budgets look very good.

Employee costs are on line or below. The police are showing very little overtime. City court has spent about 25 per cent of the budget. Police equipment, supplies, and vehicles – we have old vehicles. We have had to do some work on them. On tires, hopefully we are in pretty good shape.

There is increased value on the fire station that resulted in the additional cost of insurance. Gas and oil are up a little bit. The animal control truck had to have some repairs and new tires. We need to watch this.

The C-Roads budgeted \$20,000 – we have already spent over half of that.

Sewer Amount of sewer we are sending to Logan – Aqua Engineering is tuning up and will calibrate Smithfield, Hyde Park, and Logan meters to make sure meters are working right. We buy on Logan's meter reading. There is a discrepancy here. We will get to the bottom of it. Sewer costs represent a vast majority of the cost of diesel fuel that the city has purchased. This should even out by the end of the year. Budgets are looking good at this point.

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With the Police Department, they are being required to go paperless when they issues citations. There is a \$5400 cost to do this. We are dragging our feet to try to hold off until next year.

In the past we have talked about our need to replace the 1964 LaFrance fire truck. Right now we are working with the county about the possibility of them helping us buy a new truck. It looks like the county is willing to come forth with \$150,000. It would be put towards a new fire truck. If we bypass it this time, our turn for financial help will not come around again for six years. We got really lucky last time, and found a demo fire truck and saved a lot of money on it.

Councilmember Jeff Barnes asked Mr. Gass if the truck in the cemetery is without brakes. Mr. Gass answered that truck is a flatbed, and it does have brakes.

### **Mayor and Council Reports**

**Watkins:** Consideration for decision on cost for the Library Design Work  
**Barnes:** Community Covenant Presentation

### **Councilmember Watkins' Report:**

**Motion:** Councilmember Watkins made a motion to approve Skyline Architecture to do a cost analysis for the Library Design Work at a cost of \$25,000. The motion was seconded by Councilmember Kris Monson.

Councilmember Brent Buttars asked if this is a design analysis of the old building. The answer is "Yes".

A roll call vote was taken with the following results:

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

This money is not in the budget, when we do the budget adjustment it will be in the budget. Councilmember Jeff Barnes would like a new building. It is a "Yes".

### **Councilmember Kent's Report:**

The Smithfield Youth Council has been sworn in. They won first place for the community booth at the Cache County Fair.

The Senior Ball is coming up on November 10. They have been requested to help with it. There was also a request for the youth council to help with Founders Day. That is the same day as city council meeting. Ralph Erickson from the Historical Society is planning to meet from 6:30 to 8:00 p.m. on that day.

### **Councilmember Monson's Report:**

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Councilmember Monson presented a great idea to the Chamber of Commerce regarding the month that we do not send out the newsletter, the chamber will send out something on one of the businesses in the city. (Whatever they want to do.)

The Rec Center is looking at doing something for Christmas this year. If you have any ideas, please give Councilmember Monson a call. They don't know if they want to do the Christmas tree lighting this year. An idea is to maybe have a live nativity right here in town. If anyone can do it, or provide property please let her know.

Another idea is to have an outdoor market for Christmas for children for maybe two hours. They are thinking about this.

### **Councilmember Barnes' Report:**

Councilmember Barnes information on the upcoming Community Covenant. He has been to a couple of presentations where city council members signed the covenant. Smithfield City will be signing the Community Covenant on November 9 at Sky View High School in conjunction with the Veteran's Day Assembly. Adjutant General Bryan Tarbet (Ret.) will be here. He will be speaking. Lt. Simmons and Mayor Simmons could speak. If all council members are there, we could have a signing ceremony. Please put this on your calendars.

Chief McCoy said each year there is a parking issue on 250 East during the Veteran Day Assembly. He wondered if the city would please release parking restrictions that day.

Councilmember Jeff Barnes said the FFA handles parking that day. They reserve parking for military on that day. Would it be possible to cover the "No Parking" signs that day?

The consensus was to cover the "No Parking" signs with garbage bags.

### **Councilmember Buttars' Report:**

Councilmember Buttars said Michael Paskett has finished his term on the Planning and Zoning Commission. He has requested that he be removed from that position. He is leaving the valley for a while.

PUDs that had the most people involved back and forth you have to make sure PUDs are up to date on PUDs and also on "owner organizations."

Some old city street signs are bad. They need to be replaced. City Manager Gass said we are making a list. We will pull the old posts out and have them replaced.

The cemetery sign needs to be finished. City Manager Gass said it will be done before next week. It will be black with a brown flake. The sign will cost \$1,700. The engraving will be light gray.

### **Other:**

Water from the Logan, Hyde Park, Smithfield Canal will be turned out of the canal on October 1.

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Councilmember Barbara Kent added that the road on 400 West is really great. Thanks to the city for work done there.

City Manager Gass added that the road by the First Ward church is being paved.

Councilmember Barbara Kent said there is a real concern with children walking along the side of the road on 800 West and 100 North going to Birch Creek elementary School. Parents are very concerned about the way students are being routed there. She wondered if we could pave a path so the kids can come from 800 West without crossing the football field at Forrester Acres.

City Manager Gass said we cannot pave there. When the city feels we need more property, perhaps we could approach the Pitcher family for more land.

We need a sign keeping people out of the maintenance area. The biggest concern is children walking through there and getting hurt. Then the city would be in trouble.

Mrs. Kent wondered if we approached the Pitcher family now, maybe we could buy a little piece of that property. We need kids to cross on the 600 West crossing. There are concerns about getting kids to school.

Chief McCoy said children are walking in the emergency lane. Prior to the flashing light the speed limit is 45 mph. If we can't provide some type of alternative, we need to get a sidewalk. The 100 North roadway belongs to the State. More will need to be done to further this discussion.

City Manager Gass will send letters to residents of Second South, from 100 East to 300 East, telling them road improvements will not be done until next summer.

**Adjournment**

**Motion:** Councilmember Kris Monson made a motion to adjourn. All were in agreement. Adjourned at 8:28 p.m.

Approved and signed this 24<sup>th</sup> day of October 2012.

SMITHFIELD CITY CORPORATION

/s/ Darrell G. Simmons

ATTEST:

Darrell G. Simmons, Mayor

/s/ O. Dean Clegg

O. Dean Clegg, Recorder