

**SMITHFIELD CITY COUNCIL**

**FEBRUARY 9, 2022**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, February 9, 2022. The meeting began at 6:30 P.M. and Mayor Kris Monson was in the chair. The opening remarks were made by Jon Wells.

The following council members were in attendance: Curtis Wall, Sue Hyer, Deon Hunsaker, Jon Wells and Wade Campbell.

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, Rec Director Brett Daniels and City Recorder Justin Lewis were also in attendance.

VISITORS: John Hauptman, Jeff Gittins, Bob Holbrook, Scott Gibbons, Sally Karren, Marilyn Benavides, April Godderidge, Merrilee Wells, Karen Bowling, Seth Tait, Nathan Whittaker, Marty Spicer, Alyssa Burdett, Marsha Campbell, Ted Stokes, Caralee Stokes, Ruth Swaner, Julie Kangas, Dan Sundstrom

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JANUARY 26, 2022.**

Deon stated since he was not in attendance at the meeting he would abstain from the vote.

\*\*\*A motion to approve the January 26, 2022 city council meeting minutes was made by Wade, seconded by Sue and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hyer, Wells, Campbell

No Vote: None

Abstain: Hunsaker

**TRAINING WITH REPRESENTATIVES OF LEGAL COUNSEL OF THE CITY.**

Seth Tait of Olson & Hoggan PC did some land-use training with the council.

Seth represents approximately thirteen local communities including Smithfield City.

Seth provided an overview of the main things the council needs to understand from a legislative and administrative perspective.

Paul Larsen is the Appeal Authority for the city. The Appeal Authority replaced what used to be called the Board of Adjustments.

**RESIDENT INPUT**

**MARTY SPICER:** I have been a resident of the city for 25 years. I follow history. The city was named in honor of John Smith. The city is known as the “city on a hill”. The city is a city on a hill which cannot be hid. I think the principal behind this is to let your light shine. I think

transparency is important. I support the council. Nonprofit and other groups are great for the city. I look forward to seeing this city shine.

**TED STOKES:** I am the son of Caralee Stokes. I have a recommendation. I think applicants have made false statements in the past which have allowed items to be approved. I think applicants need to tell the truth. Applications should be bound by perjury. Legal action should be taken if someone is not truthful. Most land-use decisions can be overturned if the applicant was not truthful or committed fraud. I think the city code should be amended to require an applicant to be sworn under oath. That is my suggestion for you. I will ask your legal counsel, Seth Tait, his thoughts on this as well.

<b>ACCEPTANCE OF A DONATION FROM THE SMITHFIELD LION'S CLUB TO THE LIBRARY.</b>
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Deon stated he is a member of the local and district Lion's Club.

Deon attended a leadership seminar in Iowa. During the seminar, a service project was completed on some children's books. Braille was added to the books.

A copy of the constitution was completed in braille.

Deon stated the Smithfield Lion's Club would like to donate a copy of the constitution completed in braille to the library. The only request is to not check the book out to anyone other than a local school which is using it for a special class.

People are more than welcome to come in and view the book but cannot check it out where there is not another copy.

Deon presented the book to Librarian Marilyn Benavides.

<b>DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY THE GIRL SCOUTS OF UTAH FOR A FEE WAIVER TO RENT CITY BUILDINGS FOR THEIR MEETINGS.</b>
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Marsha Campbell and Alyssa Burdett came before the council to discuss the local Girl Scouts of Utah.

Marsha oversees the Girls Scouts in Hyrum.

There are eleven girl scout troops in Cache Valley.

Marsha reviewed a PowerPoint presentation on the Girl Scout program.

The girls move up through the ranks based on a leadership ladder.

The program does not receive any state or national funding.

Selling cookies is the main source of income for the program.

If the local troop buys cookies and does not sell them then they lose money. They must sell what they purchase.

Funds raised are used to pay for camps, camp gear, and all services and activities.

A place is needed for the girls to be able to meet in at the north end of Cache Valley. Due to COVID-19 the troops can no longer meet in people's homes.

Hyrum City has allowed the program to utilize the Hyrum Civic Center the last two years. There are 45 members in the Hyrum Troop.

If the city will grant use of a building an insurance certificate covering the activities of the troops will be provided.

Wade asked how many girls are in the local troop? Marsha replied around ten. A daisy campaign will be launched in Smithfield, Hyde Park and North Logan encouraging more girls to participate.

Sue asked how often the girls meet? Alyssa replied every Thursday from 7:00 to 8:00 P.M.

Mayor Monson asked which building they would use in the city? Craig replied they would work with Brett Daniels to reserve a building. It would most likely be at the Civic Center or Senior Center. Curtis mentioned the Boy Scouts use a classroom in the Civic Center. Deon mentioned the Cub Scouts meet at the Lion's Lodge.

Curtis mentioned he supported the Boy Scouts when they had the same request and he would support the Girl Scouts as well.

Mayor Monson asked if the Girl Scouts have an Eagle Scout award similar to the Boy Scout program? Marsha replied there is a Gold Award which is very similar.

Curtis asked if the Girl Scouts do flag ceremonies like the Boy Scouts? Marsha replied they do. Curtis asked Marsha to have the local Girl Scouts do a flag ceremony at the start of a city council meeting in the future.

\*\*\*A motion approve the fee waiver request by the Girl Scouts of Utah to allow the use of a city building free of charge was made by Curtis, seconded by Deon and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hyer, Hunsaker, Wells, Campbell  
No Vote: None

**DISCUSSION WITH REC CENTER DIRECTOR BRETT DANIELS ON 2022 RAPZ TAX APPLICATION.**

Brett stated the RAPZ Tax program was created in 2002.

The tax is 1/10 of 1.00% on sales tax.

The original program was for ten years and was renewed in 2012.

This is the last year under the current program so it will need to be renewed again by a vote of the people.

Brett served on the original RAPZ Tax board.

In the last twenty years, the city has received over \$2,000,000 in RAPZ Tax funding through project and population-based allocations.

Many of the projects have been completed at the Civic Center, Central Park and Forrester Acres.

Many projects are submitted each year and there is not enough funding for all projects so many are denied.

The intent of the program is to increase the local tax base.

The Rec Center would like to submit an application this year for projects to renovate the softball fields at Forrester Acres. Light fixtures and lamps would be replaced with new LED lamps. The existing poles would stay in place. Some wiring work would be redone. Several fences would be replaced. The homerun fence on one of the diamonds is falling over. There are safety issues with some of the fencing. Some infield material would be replaced as well to make the infield safer and easier to take care of.

Last year there were 94 adult softball teams who participated in city programs. Approximately 80% of the teams were from out of town. There are approximately 12 to 13 players per team. That equates to approximately 14,000 visits in a twelve-week period just by the players. If each player brings at least one person with them that is almost 30,000 visits. If each person spends \$5 for food, gas or other items that is \$150,000 spent in the city just through the softball program. This does not include tournaments or youth leagues.

Brett stated at this time this project is the most beneficial to his program.

Brett is willing to support any project the council chooses to submit.

Deon stated he was confused when it came to RAPZ Tax and maintenance projects. Can RAPZ Tax be used on maintenance projects? Brett replied it could be but he was not aware of any maintenance only projects which have been approved.

Curtis asked if Sky View High School uses any of the field at Forrester Acres? Brett replied they do not.

Curtis asked if this project would replace the dugouts on the east softball diamond as there are some safety issues there. Brett replied this application would not include that project.

Curtis asked if new fence protectors would be placed on the top of the fences which are replaced? Brett replied they would be as the old ones get brittle and they are needed for safety purposes.

Curtis asked if the lights at the softball diamonds can be controlled remotely? Brett replied they cannot. Only the Blue Sox diamond and Pickle Ball courts can be controlled remotely.

Brett stated the project would cost about \$155,000. The city would contribute \$15,000 in cash and \$15,000 in labor.

The committee looks very favorably on projects which are completed quickly. In the last 20 years, all city projects have been completed in the year they were approved.

The committee allows two years for projects to be completed after approval.

Curtis asked if there is RAPZ Tax funding left over at the end of the year? Brett replied there is not as there are more projects submitted than funds available.

Curtis asked how much funding is available each year for projects? Brett replied he was not sure but if he had to guess he would say probably just less than \$4,000,000.

Curtis asked if a chemical was used on the grass at the Blue Sox diamond? Craig replied it was used there and at the cemetery. The product helps keep the grass greener with less water.

Curtis asked if the product could be used on the softball fields? Craig replied it can be but would need to be budgeted for. Right now it is not included in the budget.

Curtis mentioned the Blue Sox diamond was in pretty good shape during a drought year because of this product. Craig mentioned last year was the first year the product had been tried on trial basis. It was proven less water was needed to keep the fields green.

The consensus of the council was to submit a RAPZ Tax application for the Rec Center.

<b>DISCUSSION AND POSSIBLE APPROVAL OF SHARON LUTHI AS A COMMISSIONER ON THE SMITHFIELD CITY PLANNING COMMISSION.</b>
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Mayor Monson mentioned Sharon would serve an alternate on the planning commission. Sharon would still attend all meetings and only sit on the bench and vote in the absence of a commissioner.

Curtis stated he had problems with this request. Sharon and her husband were very vocal in the past about the neighborhood nonprofit housing program not being a good program.

Curtis stated he would vote no to this request as he had concern that Sharon would have an agenda while on the planning commission.

\*\*\*A motion to approve Sharon Luthi as a Commissioner on the Smithfield City Planning Commission was made by Wade, seconded by Sue and the motion was DENIED by a vote of 3-2.\*\*\*

Yes Vote: Campbell, Hyer

No Vote: Wall, Hunsaker, Wells

<b>DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-03, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE OF THE CITY.</b>
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Craig reviewed proposed changes to the prevailing fee schedule.

	Current	Proposed
Contractor Deposit	\$3,000	\$6,000
Fire Hydrant Permit	400	1,200
Water Dedication	2,000	3,000
Rec Center + Swimming (Youth)	180	200
Rec Center + Swimming (Senior)	160	180
Rec Center (Non-Resident Senior)	180	200

Due to rising construction costs the deposit would be increased. This helps to pay for sidewalk and other parts of the project. If the project is completed with no issues the entire amount is refunded.

Currently, for \$400 a year a construction company can use as much water as they want out of a fire hydrant. In the future, water meter use will most likely be metered and the consumer will pay the regular per 1,000 gallons charge or a minimum fee. Typically the water is used on roads to keep the dust down during construction projects. Right now there are four fire hydrants dedicated for this purpose.

A couple of items were missed on the last rec center update and this would correct the missing updates.

The Ambulance Supplies Fee Schedule would be removed in its entirety. In its place would be a new Procedures and Supplies fee schedule. The current schedule requires a line-by-line billing and the new schedule will include grouped items.

In the past, cleanup for accidents and other calls has not been invoiced. A new Fire Apparatus and Labor Charges section would be added. This would allow cleanup charges to be billed to

insurance companies. If the person does not have insurance and cannot pay the bill it will be reviewed on a case-by-case basis and possibly written off.

A new section for Public Works Equipment would be added. There are two areas; equipment hourly rate and equipment hourly rate plus operator. The main purpose behind this fee is in the event of a natural disaster the city could possibly be reimbursed by FEMA (Federal Emergency Management Agency). The only way to be reimbursed is to have a fee schedule in place already. In rare circumstances the city will rent equipment to another municipality. The city will not rent equipment to private individuals or businesses.

\*\*\*A motion to adopt Resolution 22-03, a Resolution updating the Prevailing Fee Schedule of the City was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hyer, Hunsaker, Wells, Campbell

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-04, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, AS AMENDED. THE PARCEL BEING CONSIDERED FOR ANNEXATION IS LOCATED AT APPROXIMATELY 510 EAST 600 NORTH. PARCEL NUMBER 08-044-0041. THE PARCEL TOTALS APPROXIMATELY 16.54 ACRES OF WHICH 7.46 ACRES IS ALREADY LOCATED WITHIN THE CITY LIMITS.**

Justin explained this is step 1 of 3 in the process. A portion of the parcel is already located within the city limits. A certification process, public hearing and vote of the council on the request would happen at future meetings.

This parcel is bordered on all four sides by the city. It is the only island like this within the city limits. When the surrounding parcels were annexed a couple of years ago this property owner did not have an interest at that time. The request was allowed because the parcel does not border a road or have any buildings on it.

Once the Resolution is adopted the city and county will start the review process.

\*\*\*A motion to adopt Resolution 22-04, a Resolution accepting a Petition for Annexation for Cache County Parcel Number 08-044-0041 was made by Wade, seconded by Curtis and the vote was unanimous.

Yes Vote: Wall, Hyer, Hunsaker, Wells, Campbell

No Vote: None

**DISCUSSION AND POSSIBLE REVOTE ON ORDINANCE 22-02, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBER 08-044-0083. THE PARCEL IS LOCATED AT APPROXIMATELY 680 NORTH 280 EAST. THE PARCEL TOTALS APPROXIMATELY 6.69 ACRES.**

Craig mentioned this request was voted on last month. Two council members were absent and the vote was 2-1 in favor of approval. A question was asked did the request pass with only two “yes” votes? After a quick review of the state code the council was told the request passed because a majority of those in attendance voted for the request. After review with legal counsel the information provided to the city council was incorrect. A quorum of the council is three council members. On action items requiring a vote it takes three “yes” votes for an item to be approved. A vote of 2-1 does not have enough “yes” votes so the request would be denied. Any action item of the city council takes at least three “yes” votes to be approved no matter how many council members are in attendance.

Legal counsel of the city recommended the item be put on the next agenda and voted on again to clear up the confusion on if the item was actually approved or denied.

\*\*\*A motion to adopt Ordinance 22-02, an Ordinance annexing Cache County Parcel Number 08-044-0083 was made by Curtis, seconded by Jon and the motion passed by a vote of 4-1.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: Hyer

**DISCUSSION AND UPDATE ON ANNUAL DAY OF SERVICE IN THE COMMUNITY.**

Mayor Monson informed the council Barbara Kent has agreed to oversee the day of service. The event will be held on Saturday, April 30<sup>th</sup> which is two weeks before Health Days.

In the past Comcast has participated in this project as part of the Comcast Cares program. Shirts and food were provided. The city is not working with Comcast as they are not doing the program right now because of COVID-19.

The focus this year for each resident will be to cleanup their yard and help their neighbors cleanup their yards.

Barbara is going to form a small committee to help get information out to the residents at a later date.

**DISCUSSION ON THE SENIOR CENTER BUILDING.**

Jon and Curtis discussed some current problems with the senior center building.

Logs on the north end of the building have deteriorated about halfway about the building and need to be replaced.



Logs on the south end by the fireplace are in very poor condition as well and need to be replaced.

The building needs to be repaired or updated to keep in operation.

The senior program is held in the building on Tuesday of each week. Around 65 seniors attend on a weekly basis. The building can only hold about 72-75 people when a meal is served. No advertising about the program is done because it is almost at capacity now.

If the city could find funding there is room for a new building on some vacant land owned by the city on the east side of the Civic Center. There are already city services, water and sewer, to the parcel as well as an existing large parking lot.

The senior center will most likely not be usable within two years if repairs are not made.

Along with log issues there are also fascia issues as well.

Curtis found a person who resides in Shelley, Idaho who does repairs on these types of buildings. A business in that area still produces the logs and can cut them to the length and dimension needed for this project.

A CDBG (Community Block Development Grant) Grant could be applied for to help pay for this project because the building is heavily utilized by the seniors. An income survey is not needed because the seniors are considered to be on a fixed income.

A similar project was completed in Box Elder County two years ago with CDBG funding.

Sharon Johnson is willing to help write a grant proposal for the project.

Curtis suggested replacing the carpet as part of any interior remodel project.

Jon mentioned there are structural issues with the deteriorating logs which could lead to safety issues long term.

Mayor Monson mentioned one issue not addressed by renovating the existing building is the need for more space as the program expands. Curtis replied the only way to correct that issue is to build a new building. Jon mentioned the price obtained by the school district is higher than what the city needs as the city does not need an elaborate building.

Curtis mentioned the mobile classrooms cost approximately \$400,000 which equates to about \$275 per square foot and they are a bare bones building.

Jon mentioned he spoke with Jeff Jackson of Visionary Homes. A steel building could be built for around \$200 per square foot. It would not be as aesthetically pleasing as the log cabin but it would be bigger and allow the program to grow.

Craig stated the CDBG grant would pay towards the construction of a new building. There are other grant opportunities which could be applied for to help pay for a new building.

Jon asked how often the senior center is used? Brent Daniels replied it is used by the seniors weekly and is rented another two or three times per week.

Curtis mentioned the kitchen and bathroom in the existing building could be updated as well.

Sally Karren informed the council she has been on the senior committee for three years. The committee is a group of volunteers who help prepare the food on a weekly basis. If more people come to the luncheon more help will be needed. At some point the program will grow large enough people will need to be paid to prepare the food. The budget will need to be increased as well if the program is expanded. The building needs to be repaired immediately as nothing has been done to it for years. All of the interior flooring needs to be replaced as part of any renovation project.

Ruth Swaner mentioned she is the chairperson of the senior committee. About 70 people per week are served a meal and enjoy a program. There are about ten committee members who help on a weekly basis. The exterior of the building needs to be repaired. The flooring needs to be redone. There is history with the building. Meals are prepared on Monday and served on Tuesday. The seniors love getting together for the camaraderie. It helps their mental state.

Ruth mentioned the exterior of the building needs help in regard to the landscaping. The grass needs to be mowed more often. The bushes need to be trimmed. The building is something the city needs to be proud of. In order for the program to grow a new building will be needed long term. A new refrigerator is needed now.

Deon mentioned there is no reason to put money into the existing building if it will not work in the future.

Mayor Monson asked for cost estimates to be obtained to build a new building and repair the existing building. Curtis mentioned until the council decides what kind of new building they want to see it cannot be put out to bid. There are many options to consider. Jon stated a metal building is the cheapest option but is the least aesthetically pleasing option.

<b>CITY MANAGER REPORT</b>
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Craig showed the council possible renderings of the new wellhouse. The three options are as follows:

1. 8-inch structural block with a gable roof.
2. 4-inch structural block with a flat roof
3. Brick veneer with a flat roof.

Options 2 and 3 would have a look similar to the library.

Option 1 would have a similar look to the well house at the golf course.

Public Works reviewed the renderings and their preference is Option 3. Where the building is located relatively closely to the highway and two other city owned buildings it needs to be aesthetically pleasing.

Curtis asked how far the well house building would be away from the youth center? Craig replied just to the north where the existing playground is located.

Wade suggested going with a brick similar in color to the youth center, not the library, where the wellhouse and youth center will be side by side.

Mayor Monson asked the size of the building? Craig replied it still has not been determined.

Wade stated his preference is brick veneer with the color being the same as the youth center.

Mayor Monson stated her preference was brick the same color as the library.

Curtis replied he would like to see costs of the three options before he stated which one he would support.

Curtis asked if the wellhouse at the golf course was approximately 12 feet by 12 feet? Jon replied he would estimate it is at least 12 feet by 20 feet. Craig replied the building will be similar in size but will also have an area to the side for an exterior generator.

Curtis asked what the city building is located at 300 South 1000 East? Craig replied that is a booster station.

Craig mentioned himself, Mayor Monson and Wade all participated in a promotional board for the police department on Thursday, February 3<sup>rd</sup>. One thing which was learned is the employees are not very aware of the decisions made by the council outside of their department. Moving forward Craig is going to create a synopsis of each council meeting and send it out to the employees to keep them informed about what is going on. Curtis stated this is a great idea as the employees are asked questions about what is going on just like the council and mayor are.

Craig mentioned as part of the creation of the new budget all expenses and revenue sources are reviewed. There are many water projects coming up and the cost of the projects is increasing because of inflation. The water base rate and tiered rate needs to be reviewed. The last change was in 2018. The city preaches water conservation but based on the current rate structure doesn't actually want the residents to conserve because then the budget is not met. It is a double-edged sword.

From Fiscal Year 2019 to Fiscal Year 2020 water utility revenue only increased about \$13,000.

From Fiscal Year 2020 to Fiscal Year 2021 water utility revenue only increased about \$40,000.

The new water tank and infrastructure project is projected to cost around \$8,000,000. The project will have to be bonded for.

The current revenue stream is not keeping up with inflation and higher expenses. It is time to review the rate structure.

With the current rate structure and projected drought conditions this could result in less water consumption because the city will ask the residents to cut back. In turn this will mean the budget cannot be met.

Jon mentioned in past years the city has bragged about having the lowest water rates which is now hurting the city fiscally.

Craig mentioned it is hard to compare each cities water rates as their maintenance and repair costs and possible loan payments are different from city to city. The River Heights base rate is approximately double that of Smithfield.

Justin mentioned the base rate in Richmond is \$61.00 and includes 10,000 gallons of water.

Wade mentioned he would like to see historical data for the last five years. The rate schedule should be reviewed to determine if a change is needed.

Craig mentioned approximately \$34,000,000 was needed for projects per the last review five years ago. Costs will have increased substantially since then. At that time, the city could save approximately \$1,000,000 per year based on revenue and expenses. Now the city will save \$500,000 or less per year. Each year the amount set aside for future projects is less.

The original estimate on the wellhouse project was \$1,200,000. It is now anticipated the project will cost closer to \$2,000,000.

*\*\*\*Wade made a motion to adjourn at 8:50 P.M.\*\*\**

## **SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

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

**AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, February 9, 2022**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jon Wells

1. Approval of the city council meeting minutes from January 26, 2022.
2. Training with representatives of the legal counsel of the city.
3. Resident Input
4. Acceptance of a donation from the Smithfield Lion's Club to the Library.
5. Discussion and possible vote on the request by the Girls Scouts of Utah for a fee waiver to rent city buildings for their meetings.
6. Discussion with Rec Center Director Brett Daniels on 2022 RAPZ Tax application.
7. Discussion and possible approval of Sharon Luthi as a Commissioner on the Smithfield City Planning Commission.
8. Discussion and possible vote on Resolution 22-03, a Resolution updating the Prevailing Fee Schedule of the City.
9. Discussion and possible vote on Resolution 22-04, A Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2-403 and 10-2-405, Utah Code Annotated, as amended. The parcel being considered for annexation is located at approximately 510 East 600 North. Parcel Number 08-044-0041. The parcel totals approximately 16.54 acres of which 7.46 acres is already located within the city limits.
10. Discussion and possible revote on Ordinance 22-02, an Ordinance annexing Cache County Parcel Number 08-044-0083. The parcel is located at approximately 680 North 280 East. The parcel totals approximately 6.69 Acres.
11. Discussion and update on annual day of service in the community.
12. Discussion on the Senior Center building.
13. City Manager Report

## Adjournment

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

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

Quote of the month:

*Straightforwardness without civility is like a surgeon's knife, effective by unpleasant. Candor with courtesy is helpful and admirable. - Yukteswar Giri*