

**SMITHFIELD CITY COUNCIL**

**JUNE 22, 2022**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, June 22, 2022. The meeting began at 6:34 P.M. and Mayor Kristi Monson was in the chair. The opening remarks were made by Mayor Monson.

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, Golf Professional Eric Kleven, Golf Superintendent Chad Daniels, Public Works Director Doug Petersen, City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

VISITORS: Rigo Chaparro, Elayne Bair, John Bair, Barbara Kent, Bob Holbrook, Shawn Kirkley, Elizabeth Kirkley, Gordon Younker, Ken Chalmers, Jeff Barnes, Larry Bradley, Dixee Neugebauer, Scott Nelson, Sheryl Goodey, Bryant McKay, Josh Wright, Brian Potts, Mike Monson

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM MAY 11, 2022.**

\*\*\*A motion to approve the May 11, 2022 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

No Vote: None

**RESIDENT INPUT**

GORDON YOUNKER: I work with The Family Place. We have a building at 502 South Main. We were supposed to be on the agenda tonight. You received a letter earlier today via email. I will give some insight on what we are trying to accomplish. The hole has been dug. The construction has been held up because of a lack of cement. Now the project is being held up because of the uncertainty of the fence around the playground. A six-foot white vinyl privacy fence was installed around three years ago. Our understanding is not clear on what is wrong. We were told we could not put the six-foot fence back up only a four-foot-high fence would be allowed. I have now been told our request has to be heard by the planning commission. I want to review some of the points in the letter. It seems you think we are trying to do something different than what others are doing. This is a city sponsored project. We came before you around eighteen months ago. The plans were developed at that time and are included with the letter. I want to remind you this is a city sponsored project. The city is the sponsor as required by the grant. We are talking about children. The request is to reinstall the six-foot fence to protect the safety and privacy of the children as best we can. We hope the council can see the purpose in this. The fence was only temporarily removed for the installation of the playground. Our plans say there will be curbing under the fence. The fence is shown in the same location on the plans as it has been for the last three years. The intent all along was to put curbing under the fence. If we

removed the fence in phases we would not be here tonight. We are trying to be efficient. Our request seems reasonable. We thought the city was onboard with the playground equipment being installed. If that has changed you will have to help us find a new path forward. We need a six-foot-high fence for the safety and privacy of the children. The path forward is not clear to me. You have made it very difficult on us by delaying this project. The contractors are waiting to go. We are hesitant to install the playground without approval of the six-foot-high fence.

ELIZABETH KIRKLEY: Why does the council packet not include all of the items on the agenda? There is nothing in the packet about the current fiscal year budget. The public should be able to see it. It is hard to provide input without seeing it. What is your decision on the newsletter?

KEN CHALMERS: The noise ordinance only restricts engine brakes for 1,000 feet. There are engine brakes going off all day and night on the highway. I am not sure why the 1,000-foot rule is in place. I don't know if this is a UDOT (Utah Department of Transportation) thing. I want it switched to all of Smithfield.

<b>RECOGNITION OF BARBARA KENT FOR HER SERVICE AS THE DIRECTOR OF THE ANNUAL DAY OF SERVICE.</b>
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Mayor Monson thanked Barbara Kent for overseeing the annual Day of Service, which was held on Saturday, April 30<sup>th</sup>.

Barbara helped to organize and oversee the event.

Barbara mentioned the Day of Service in 2023 will be held on the last Saturday of April.

Barbara thanked the youth council, Lions Club, fire department and all of the other groups which participated. There was a high level of participation from the community.

Mayor Monson presented Barbara with a small gift of appreciation for her service to the community.

<b>DISCUSSION AND POSSIBLE APPROVAL OF JACK GREENE AND JEFF BARNES AS MEMBERS OF THE TREE COMMITTEE.</b>
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Mayor Monson mentioned Jack Greene has volunteered to be on the Tree Committee and serve as the chairman.

Jeff Barnes has volunteered to serve on the committee as well.

Deon asked if there were two board member vacancies as he thought there was only one? Mayor Monson replied some of the existing board members are being replaced.

\*\*\*A motion to appoint Jack Greene and Jeff Barnes as members of the Smithfield City Tree Committee was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-10, AN ORDINANCE REZONING A PORTION OF CACHE COUNTY PARCEL NUMBER 08-044-0041 FROM A-10 (AGRICULTURAL 10-ACRE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET). THE PARCEL IS APPROXIMATELY 16.54 ACRES OF WHICH 7.46 ACRES IS ALREADY ZONED R-1-12. THE PARCEL IS LOCATED AT APPROXIMATELY 510 EAST 600 NORTH AND THE ACREAGE BEING REQUESTED TO BE REZONED IS APPROXIMATELY 9.08 ACRES.**

Clay mentioned this is the Tuveson parcel which was recently annexed into the city. An island was done away with when this parcel was annexed. The request is to rezone the parcel from agricultural to R-1-12 (Single Family Residential 12,000 Square Feet) which is the zoning of the neighboring parcels to the east.

Mayor Monson mentioned many residents who reside in this area are breathing a sigh of relief this parcel is not being requested to be rezoned to high density housing.

\*\*\*A motion to adopt Ordinance 22-10, an Ordinance rezoning Parcel Number 08-044-0041 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet) was made by Wade, seconded by Sue and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-09, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 08-044-0068 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED AT APPROXIMATELY 460 NORTH MAIN AND IS APPROXIMATELY 1.06 ACRES.**

Rigo Chaparro mentioned the request is to rezone the parcel to multi-family. It is an awkward shaped parcel for residential units. A four-plex would fit on the property easier.

Rigo stated the planning commission supported the request and now it is before the city council for consideration.

Jon asked if there is access to the parcel off of the highway (Main Street)? Ken Chalmers mentioned when the highway was widened it was covered as part of that project. There is a covered driveway there and access to the parcel.

Mayor Monson asked how many units would be placed on the parcel? Rigo replied city code allows for ten units per acre. Until engineering is completed it is unknown but it is estimated five to ten units could fit on the parcel.

\*\*\*A motion to adopt Ordinance 22-09, an Ordinance rezoning Parcel Number 08-044-0068 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential) was made by Curtis, seconded by Jon and the motion passed by a vote of 3-2.

Yes Vote: Wall, Hunsaker, Wells

No Vote: Hyer, Campbell

**DISCUSSION AND POSSIBLE VOTE ON RECEIVING THE CERTIFICATION OF ANNEXATION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY HERITAGE LAND DEVELOPMENT FOR PARCEL NUMBERS 08-043-0015, 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 AND 08-043-0041. THE PARCELS ARE LOCATED AT APPROXIMATELY 600 NORTH 400 WEST. THE PARCELS TOTAL APPROXIMATELY 28.8 ACRES. THE PUBLIC HEARING ON THE ANNEXATION REQUEST WILL BE HELD ON WEDNESDAY, JULY 13, 2022 NO SOONER THAN 6:45 P.M.**

Justin mentioned the city staff and county staff both reviewed the survey. There were not any questions, comments, or changes made. An island or peninsula is not being created. This is Step 2 of 3 in the process. The public hearing on the request will be held at the July 13<sup>th</sup> city council meeting.

\*\*\*A motion to accept the Certification of Annexation for Parcel Numbers 08-043-0015, 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0041 was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

No Vote: None

**PUBLIC HEARING ON RESOLUTION 22-07, A RESOLUTION AMENDING THE FISCAL YEAR 2022 BUDGET WHICH IS THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2022.**

Craig reviewed some of the larger proposed adjustments to the Fiscal Year 2022 Budget.

General Fund Revenue: Sales Tax \$476,180, Fee in Lieu \$52,150, Telecom Tax decrease of \$25,638, Mass Transit Tax \$85,000, Local Road Tax \$55,158, Licenses and Permits \$14,018 which includes business licenses and building permits, Intergovernmental \$172,312 with the largest item in that area being an increase to ambulance revenue of \$99,500 and Class "C" Road Funds of \$106,903, decreases were made to the county fire contract, FEMA grant and Safer grant, Subdivision fees are decreasing \$20,954, Public Safety Fee \$98,800, grave digging \$20,000, grave plot purchases \$31,356, justice court fines \$12,637, miscellaneous revenue

\$5,900 with the majority coming from interest revenue, CLEF grant \$4,590, museum grant \$49,482, ARPA book grant \$10,474, Rec Center \$226,930 and the golf course \$264,910.

Curtis asked what is creating the increase in sales tax revenue? Craig replied online sales. Over half of the top twenty-five entities are online sales. Lee's Marketplace revenue is increasing as well.

Curtis asked with Lee's Marketplace building a new building in Richmond will that effect the city's sales tax revenue? Craig replied it most likely will but the amount is unknown at this time.

Large expense increases included Police Department fuel \$13,000, Fire Department fuel \$17,000, Douglass Mercantile roof project \$50,000, CLG matching grant \$4,700, library department \$31,428 with over half being for grants, cemetery decrease of \$11,661, and a transfer to the General Capital Improvement Fund of \$1,098,800.

The cemetery decrease is because the grounds were switched from culinary water to irrigation water so the utility expense line item is substantially less than in the past.

The General Capital Improvement Fund pays for equipment and capital projects.

Water Enterprise Fund revenue is increasing \$18,892. Residential water sales are decreasing \$100,000 because of a wet spring and not as much water being consumed as on other years. Water dedication payments are increasing \$100,436.

Craig mentioned some equipment ordered in the current fiscal year still has not arrived and if it arrives after July 1<sup>st</sup> it will need to be included in the new budget.

*\*\*\*The public hearing was opened at 7:05 P.M.\*\*\**

There were not any comments or questions.

*\*\*\*The public hearing was closed at 7:06 P.M.\*\*\**

<b>DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-07.</b>
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Curtis asked what the hours of the splash pad are? Craig replied 12:00 P.M. to 5:00 P.M., seven days per week.

Curtis asked if water usage is tracked at the splash pad? Craig replied it is metered and the general fund pays the water fund for the water.

*\*\*\*A motion to adopt Resolution 22-07, a Resolution amending the Fiscal Year 2022 budget was made by Wade, seconded by Sue and the vote was unanimous.\*\*\**

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

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-08, A RESOLUTION ADOPTING THE FISCAL YEAR 2023 BUDGET WHICH IS THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2023.**

Craig mentioned there are very few changes since the last review of the proposed budget.

The mental health requirement for the fire and police departments was estimated to cost \$30,000. An Employee Assistance Program (EAP) has been put in place for under \$10,000. The company specializes in public safety mental health. This program will allow access for all employees not just public safety.

Curtis asked for the financial statements sent to the city council for review to be sent on a bi-weekly basis rather than a weekly basis. Wade concurred.

Jon asked for clarification of the grant coordinator included in the Historical Society budget for \$12,000. Mayor Monson mentioned she found someone the city could hire to oversee grants, programs and offer guidance on managing the museum. It won't happen in the new fiscal year and the item can be removed because the museum is not ready to be opened. Jon stated he was not sure this item is needed as the Historical Society has done well with grants in the past. Mayor Monson concurred and mentioned this person would help seek additional grants.

Jon mentioned maybe this person could help the city applying for grants in other areas as well. Mayor Monson replied this person's specialty is history.

Curtis asked when the city is short on employees and wages have been budgeted for these positions where does the excess funds go? Craig replied depending on what fund the employee is funded out of would make a difference. If the employee is funded in an enterprise fund the amount would stay in the enterprise fund. If the employee is funded in the general fund most likely the funds would be transferred to the general capital improvement fund or left as part of the fund balance.

Curtis asked if these funds can be captured and set aside for future use? Craig replied they are by either being part of the fund balance or in the general capital improvement fund. The funds are not restricted or encumbered because they are not spent.

Curtis asked if the city was still short on public works employees? Craig replied the city is looking for one employee in both the public works and police departments.

Craig replied very seldom are wage line items not spent. Employees are paid out for compensation time and personal time off (PTO) when they leave employment with the city.

Jon asked if compensation time and PTO are calculated in the budget? Craig replied they are.

Curtis mentioned he just made a large online purchase which included sales tax being paid. When will the city receive the sales tax revenue? Craig replied there is a two-month lag from when a person pays the sales tax to when the city receives it.

Craig mentioned he receives a monthly report of what companies have remitted sales tax to the city. Jon mentioned internet sales have been very good to the sales tax revenue portion of the budget.

Jon asked what equipment still has not arrived. Craig replied a rough mower for the golf course, some vehicles for the fire department and a truck for the police department. Jon replied supply chain issues will continue to be a problem.

Curtis asked for an update on the cemetery road project. Craig replied five interior roads will be redone in the new fiscal year. The exterior roads will have to be included in a future budget. The bid on the interior roads is approximately \$275,000 and is included in the new budget.

Wade thanked the department heads and their staffs for doing a great job for the city. The city council and mayor are aware of the hard work to keep the city going. The council does as best as it can to adjust wages and benefits when possible.

\*\*\*A motion to adopt Resolution 22-08, a Resolution adopting the Fiscal Year 2023 Budget was made by Wade, seconded by Curtis and the vote is unanimous.\*\*\*

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

Jon thanked the department heads for being in attendance to answer questions and offer comments.

<b>DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-09, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE OF THE CITY.</b>
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Craig mentioned proposed changes are to fees charged at the golf course. The intent is to match some of the fees charged at the Logan River Golf Course.

Eric Kleven reviewed the proposed changes:

	<u>Current</u>	<u>Proposed</u>
<b>Regular</b>		
Green Fees – 9 Holes (Mon – Thur)	\$16.00	\$18.00
Green Fees – 9 Holes (Fri – Sun, Holidays)	18.00	19.00
Green Fees – 18 Holes (Mon – Thur)	32.00	34.00
Green Fees – 18 Holes (Fri – Sun, Holidays)	36.00	38.00
<b>Senior</b>		
Green Fees – 9 Holes (Mon – Thur)	\$14.00	\$15.00
Green Fees – 9 Holes (Fri – Sun)	16.00	17.00
Green Fees – 9 Holes (Holidays)	18.00	19.00
Green Fees – 18 Holes (Mon – Thur)	28.00	30.00
Green Fees – 18 Holes (Fri – Sun)	32.00	34.00

Green Fees – 18 Holes (Holidays)	36.00	38.00
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**Golf Cart Rental**

18 Holes	\$32.00	\$36.00
9 Holes	16.00	18.00

Mayor Monson asked what the age limit is defined as for a regular player? Eric replied from 18 to 59. Seniors are 60 and above and juniors are 17 and younger.

Mayor Monson asked if the Sky View High School golf teams pay to play? Eric replied each player purchases a punch pass at a cost of \$300.

Curtis asked how many people are in the men's association? Eric replied it is about 500 and is the largest in the state. Curtis mentioned the association has seen a lot of growth as not long ago it was around 300 members.

Curtis asked the size of the women's association? Eric replied around thirty-six.

Jon asked if there is a senior league? Eric replied they are part of the men's association.

Eric mentioned the tee times are sold out on a daily basis. Curtis asked why? Eric replied because the population of the valley is growing, golf is becoming more popular and no new golf courses are being built locally.

\*\*\*A motion to adopt Resolution 22-09, a Resolution updating the Prevailing Fee Schedule of the City was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

**PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 22-12, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 8 "HEALTH AND SAFETY" BY ADDING IN ITS ENTIRETY SECTION 8.04.060 "ANNUAL FIRE RESTRICTION ORDER".**

Fire Chief Jay Downs reminded the city council for at least the last eight to nine years they have adopted firework restrictions. Timing of approving the restrictions has become a problem because the state has informed the department the restrictions need to be in place in May of each year. Locally, in April and May, it is typically wet that time of year and hard to make a determination of what might happen in July. After talking to other fire departments it has been recommended an Ordinance be adopted. The proposed boundaries are the same as in the past but can be amended by the council when needed. If a fire starts in the city and goes into the mountains the city can be held financially responsible. A fire-retardant load dropped by an airplane during a wildfire typically costs \$50,000 to \$75,000 per load. The intent of the



Ordinance is to be proactive and have something in place. The fire department won't have to make a fire restriction request on a yearly basis.

Jon asked if a firework restriction map would be provided? Chief Downs replied a map will be posted and the area of the limits defined. The restriction only applies within the city limits not in the county. The State of Utah Forrester handles restrictions in the unincorporated areas of the state.

Curtis asked how this Ordinance will be enforced. Will fireworks be taken away from people who don't comply? Chief Downs replied it should be easier to deal with now that it is an Ordinance. Police Chief Travis Allen stated it would make it easier for his department to enforce.

Mayor Monson suggested if the Ordinance is adopted the information is put out to the residents as quickly as possible where July 4<sup>th</sup> is coming soon.

\*\*\**The public hearing was opened at 7:43 P.M.*\*\*\*

There were not any comments or questions.

\*\*\**The public hearing was closed at 7:43 P.M.*\*\*\*

<b>DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-12.</b>
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\*\*\*A motion to adopt Ordinance 22-12, an Ordinance amending the Smithfield City Municipal Code Title 8 "Health and Safety" by adding in its entirety Section 8.04.061 "Annual Fire Restriction Order" was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

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

<b>DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-08, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 "ZONING REGULATIONS", BY AMENDING CHAPTER 17.56 "R-1 SINGLE-FAMILY RESIDENTIAL ZONE", SECTIONS 17.56.030 "AREA, WIDTH AND YARD REGULATIONS" AND 17.56.050 "MODIFYING REGULATIONS".</b>
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Clay mentioned the planning commission reviewed the front setbacks for residential building lots. They felt this Ordinance would allow for more room in the backyard of a home if the front yard setback were made smaller. The Ordinance would allow people to have more options in regard to setbacks.

Mayor Monson mentioned a bigger backyard would be possible with this Ordinance. Clay stated that is correct. The backyard could be bigger and the front yard smaller.

Sue mentioned this will not save water as some people have stated because simply moving the home forward does not create less yard space overall in the yard. The same amount of yard will be watered.

Curtis asked why this Ordinance was created? What is the reasoning behind the Ordinance? Clay replied he was not aware of a specific situation other than the planning commission created the Ordinance.

Mayor Monson mentioned it appears driveways will now be shorter resulting in possible parking issues. Clay replied the planning commission dealt with that concern by having the garage have a setback of twenty-five feet where the home can go down to twenty feet.

Curtis asked where a setback is measured from? Clay replied the property line.

Clay mentioned in a PUD (Planned Unit Development) and MPC (Master Planned Community) Zone the front setback is twenty feet.

Mayor Monson asked why the front setback is a concern to the planning commission? Clay replied he did not know that answer other than they felt it would allow more room in the backyard. Jon replied a couple of the other zones have a twenty-foot front setback as well. Xeriscaping is easier in a front yard than a backyard where children play so by having a smaller front yard this would allow for more room for the children in the backyard of a home.

Curtis stated he still would like to know the exact reasoning behind why this Ordinance was created.

\*\*\*A motion to adopt Ordinance 22-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.56 “R-1 Single Family Residential Zone”, Sections 17.56.030 “Area, Width and Yard Regulations” and 17.56.50 “Modifying Regulations” was made by Deon, seconded by Wade and the motion passed by a vote of 4-1.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: Hyer

<b>CONTINUED DISCUSSION ON THE CREATION OF AN ARTS COUNCIL.</b>
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Mayor Monson mentioned a blast had been put out to the city asking for volunteers. Two residents responded stating they are willing to help. The goal is to create a committee of volunteers who will help provide additional opportunities in the city for people to participate in.

Curtis asked if the volunteers are creating the program or what the process will be? Mayor Monson replied she would like the committee to come up with the ideas of what they want to see which might include a farmers market or arts in the parks event.

Mayor Monson will assist the committee but wants the committee to come up with the ideas of the programs they would like to put on.

Mayor Monson informed the council Rec Center Director Brett Daniels does not have time to be involved in this committee but supports what the committee will do.

Curtis asked if the \$1,500 included in the budget for this project is to help gather ideas? Mayor Monson replied the funds could possibly be used for advertising but the initial intent is to have all of the programs done for free by volunteers. The intent is for the community to be able to come together for some different events.

Jon asked the mayor how many people she would like on the committee? Mayor Monson replied she was hoping to have five. Jon asked if they would all be volunteers? Mayor Monson replied that is correct.

Jon mentioned the Tree Committee was created by ordinance does this group need to be created the same way? Craig replied that is up to the council to determine the structure of the committee.

Curtis stated he still had concerns as there are too many gray areas for him. There are only two volunteers when five are needed. Exactly what is going to be done is unknown. Mayor Monson stated she was asking for the support of the council to create a committee for them to come up with some ideas. Curtis replied he wanted a plan in black and white before he could fully support the request.

Curtis asked how this group would advertise what they are doing? Mayor Monson replied on Facebook, Instagram and through the email system of the city.

Curtis asked if only two people responded to the last request for help on the committee? Mayor Monson replied that was correct.

Curtis stated he would support the request but five members are needed on the committee for it to start.

Curtis mentioned the Rec Center and Nicole Zollinger and the Smithfield Chamber of Commerce are too busy to help with this committee so other residents will need to be contacted to help.

Curtis mentioned his concern is he believes at least 70% of the city doesn't read the emails sent out by the city or follow the city's social media posts. Mayor Monson replied word of mouth will help spread the word as well.

Curtis mentioned this would be a great item to include in an upcoming newsletter.

Jon stated he would support an arts council committee as it could be a benefit to the city.

Wade stated he would support the idea behind an arts council but did not want a lot of money being spent on it. Mayor Monson replied her goal is to find community events that will bring people together at no cost.

Deon stated he supported the creation of an arts council but had a couple of concerns. Having a concert at the park on the highway is very noisy and not a great place to host an event. The city does not have great outdoor options for venues for events like this. The city has many buildings which can be utilized but hosting events outside could be a problem. Spending money on this committee was another concern.

Sue stated she supported the creation of the committee as it will be great for the city.

The consensus of the city was to allow the mayor to create an Arts Council.

<b>DISCUSSION ON A NEW CITY LOGO.</b>
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Mayor Monson presented two new logos to the city council for consideration.

Jon asked who created the logos? Mayor Monson replied graphic design artist Michelle Monson.

Mayor Monson mentioned they are just a starting point and they can be modified in anyway and the colors changed if the council likes the design.

Wade stated there will never be a consensus on a new logo. The fields, cut hay, trees and Flat Top Mountain are nice but are not where the city is at currently. Mayor Monson concurred.

Wade stated the round logo proposal was okay but he did not like the rectangle proposal.

Jon stated he was unsure of both proposed logos but did not like the rectangular proposal.

Curtis stated he did not support either proposed logo. Curtis felt the proposed logos were too simple.

Curtis mentioned the Rec Center, golf course and fire department all have their own logos. Where will the new logo go? On police cars? Public works vehicles? Business cards? Craig replied the intent would be to replace the logo on business cards, letterhead, etc. over a period of time as new items are ordered. The police department does not have the logo on their vehicles.

Curtis asked where the current logo is mainly used? Craig replied at the city office and public works.

Mayor Monson mentioned one of the problems with the current logo is it is hard to embroider because it is so complex. Craig concurred.

Sue mentioned she liked the rectangular proposal.

Curtis asked if the rectangular proposal was supposed to represent Flat Top Mountain and trees? Mayor Monson replied that is correct.

Curtis asked if the new logo will be used citywide or just in the areas it is currently used? Mayor Monson replied it would only be used in the current areas it is used. The intent is to have a new logo which represents where the city currently is.

Mayor Monson mentioned the reason a black and white version of each logo was created was for the ease of copying onto items. The intent is to have a color logo and use the black and white logo for copying or transferring onto other item purposes.

Deon stated his preference is to keep the current logo over the two proposed logos.

Deon suggested having a citywide competition with residents submitting proposals for a new logo. Maybe a small prize could be given to the winner. Jon replied he supported that idea and would prefer residents submit proposals for consideration.

Curtis stated in reviewing other local city logos the year the city was established was included in the logo.

Wade mentioned most other local cities include some of their history in their logo.

Wade mentioned he was not a fan of either proposal but if he had to choose one over the other, he would go with the round option.

Wade agreed with Deon and Jon that the city should ask the residents to help design a new logo.

Jon stated where the majority of the council did not like the proposed logos. Other ideas should be considered and they should come from the residents. Mayor Monson mentioned the city could request new concepts be submitted for a month and then they could be reviewed. Wade replied this is a good way to get the residents of the city engaged in a topic.

Jon mentioned if a newsletter is sent out the current logo could be included and then some verbiage about the city is looking to update its logo and is asking for resident input on the new logo. Justin mentioned the city has email addresses for approximately seventy percent of the accounts in the city. The city also posts on Facebook and Instagram so the word can be easily spread.

The consensus of the council was to send out a notification asking the residents to submit new logo concepts through the end of July for consideration.

<b>DISCUSSION AND POSSIBLE VOTE ON AMENDMENTS TO THE EMPLOYEE PERSONNEL MANUAL.</b>
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Craig reviewed proposed changes to the following areas in the personnel manual:

Drug and Alcohol Testing  
Public Works Department and Parks Division On-Call Policy  
Medical Insurance  
Dress and Hygiene Standards  
Outside Employment

Jon asked who safety sensitive employees are? Craig replied the fire and police departments.

Wade asked if current employees are exempt from the outside employment changes? Craig replied it has always been mandatory employees notify the city of outside employment. The proposed change would be required of all employees. Currently, there are not issues in this regard but the verbiage would be made clearer so employees know what they are required to report to the city in this regard.

\*\*\*A motion to adopt amendments to the Smithfield City Employee Personnel Manual was made by Wade, seconded by Sue and the vote was unanimous.\*\*\*

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

No Vote: None

<b>CONTINUED DISCUSSION AND UPDATE ON GARBAGE SERVICE.</b>
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Mayor Monson informed the council she virtually attended a meeting of the local mayors on Monday, June 13<sup>th</sup> regarding the proposed valley wide garbage agreement. It is a nineteen-member consortium. The working group is making progress on a proposal but it is slow.

Deon asked if the unincorporated areas of the county are included in this group as well? Mayor Monson replied they are included.

Mayor Monson mentioned the city has three options for garbage service. One being staying with the nineteen-member consortium. Two, doing the service on its own. Three, teaming up with another local community or communities to offer the service.

Right now the focus of the consortium is the transfer of garbage not the actual garbage cans or the service of the cans.

The county sent the city a letter notifying them the previous agreement will be cancelled in June 2023.

Mayor Monson mentioned one of the concerns all along has been what about the smaller communities. What happens to them if the larger communities go on their own? Mayor Monson stated it is a tough decision but each entity needs to do what is best for their own community.

Deon mentioned he was on the landfill site committee which was tasked with finding a location for the new landfill. Ultimately, the Clarkston site was selected. It was a hard decision because nobody wanted the landfill in their community. Fifteen possible site locations were considered.

Deon was the chairman of the committee for two years.

Deon stated one of his biggest concerns is he does not want to see Smithfield subsidizing other local cities or towns. Being part of the consortium could make that happen.

Deon mentioned he did not think the residents want the city to be part of a group they have no control over.

Deon stated his preference was to work with a small group of geographically close cities such as Hyde Park, North Logan or Richmond. The north end of the valley does not need a transfer station and should not have to pay the cost of one that is needed to service the residents in the south end of the valley.

Jon stated it will be hard to get all nineteen entities on the same page in the same agreement. Whether the city goes into business itself or hires a private contractor time is needed to order equipment, hire employees and build new buildings.

Jon did not support subsidizing other cities as part of a consortium.

Wade stated he did not support subsidizing other communities as well. Being part of a large group will most likely result in some sort of shared cost and Wade did not support that concept. Wade stated he supported the city doing the service itself or possibly combining with another local entity if the price was right.

Wade asked Craig if the city has land to build buildings on and offer this service? Craig replied the city has some land and it could be reviewed to see if this service could function on that property.

Sue stated she supported the most cost-effective option.

Wade stated the city needs to look at all options and determine which one is the best and most cost effective.

Curtis suggested combining with other local communities might be an option to help entice a private contractor to come to the valley and offer the service. Craig mentioned the consortium learned from three private contractors they have no intention of coming into the valley unless they can obtain service from all nineteen entities. A long-term contract would be required as land would need to be purchased and facilities built.

Craig mentioned the two cities south of Smithfield support the consortium agreement and he did not see them having an interest in joining with Smithfield only.

Jon asked what options should be considered? Craig replied he would like to see a rate study completed so the council would know the cost of the options. Zions Public Finance could do a study for the city and provide cost estimates. Mayor Monson stated the residents need to know the costs before an option is considered and selected.

Craig mentioned the consortium has no interest in varied pricing from community to community. They want a standard price per can and would charge the same amount to everyone. Jon replied he did not support that fee schedule as some cities would be subsidizing other cities. Each city should pay their own cost.

Craig mentioned every local entity is included in the consortium except for Logan City. At this time, the consortium is not considering privatized garbage service they would offer the service themselves.

Craig informed the council Logan City is willing to sell the landfill for fifty million dollars.

Craig said he did some research and found out a transfer station was recently built at a cost of forty million dollars.

The consortium would have to invest ninety million dollars for the landfill and transfer station and that does not include equipment, garbage cans or employee costs.

Jon asked how fast a rate study can be completed? Craig replied it will take several months as it is a complex study.

Mayor Monson stated the city is still part of the consortium but felt a rate study should be completed so the residents know the options the council considered.

The consensus of the city council was to have a rate study completed for garbage service in the city.

<b>CITY MANAGER REPORT</b>
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Craig mentioned the manholes for the 600 West sewer project should arrive in the next week or two. The creek crossing portion of the project is scheduled for the week of July 4<sup>th</sup>.

The wellhouse project is currently out to bid for the new well. The intent is to award the project in July.

Curtis asked for an update on the 250 East 600 South roundabout project. Craig replied right now it is in the design phase. The construction portion of the project should happen in the summer of 2023.

The council reviewed the Fraud Risk Assessment form as required on a yearly basis for the upcoming audit.

The council reviewed the Ethical Behavior Pledge form as required on a yearly basis.



<b>COUNCIL MEMBER REPORTS</b>
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Wade mentioned the library board had not recently met because they are on their summer schedule.

Wade mentioned ambulance service is doing better than projected from a budgetary perspective with an approximate revenue increase of \$99,000.

Jon mentioned the seniors are on their summer schedule where they meet every other week rather than every week. The budget was increased a little bit in the new fiscal year to help offset the rising cost of food. Around 70 people are fed on a weekly basis.

The Historical Preservation Commission met on Monday, June 6<sup>th</sup> and Jon was voted in as the new president.

Jon asked Craig to review the city code and let him know if this was allowed where he is a council member.

The committee reviewed projects which the RAPZ Tax funds could be utilized on. After discussion, the committee would like to use the funds for soffit, fascia, rain gutters, doors and windows.

Mayor Monson asked where the final costs came in on the roof project for the Douglass Mercantile building? Jon replied the city ended up paying about one thousand dollars of the cost because the grant paid the rest of the cost. The state was pleased the project was completed before the end of the fiscal year.

Craig asked for clarification on what projects were applied for on the RAPZ Tax application as he thought the application was for renovation of the restroom area and interior of the building. Jon replied he did not fill out the application or submit it so he would have to review it to make sure the committee stays in compliance.

Craig stated the application was for \$150,000 and \$30,000 was awarded. The projects which can be completed are only the ones applied for and listed in the application.

Deon mentioned as activities at Forrester Acres continue to grow parking will continue to become a worse problem. Right now, there are major parking problems when the Blue Sox baseball team plays.

Sue mentioned Preston Watts Collision and Glass is flipping the strip on 100 South Main from grass to xeriscaping. Mayor Monson mentioned some fruit trees are being planted as part of the project. A mural is being painted on the building showing some flowers and Birch Canyon as part of the project.

Curtis mentioned the twenty-year life of the RAPZ Tax program is coming to an end. Craig mentioned the staff is aware but has not yet been provided any documentation on the renewal of the program.

Curtis asked if the city has any responsibility in the LDS temple project? Craig replied the city does not. Everything is the responsibility of the contractor and property owner.

Curtis mentioned the Rec Center is struggling to find enough scorekeepers and referees for their programs.

## **MAYOR'S REPORT**

Mayor Monson mentioned she would like to discuss the property tax rate for the city.

Mayor Monson mentioned after reviewing financial information she did not feel it was appropriate to hold the property tax rate the same this year. An increase to the culinary water rate has already been approved, an increase to the sewer utility rate is coming soon and it is unknown what will happen with the garbage utility rate.

Craig mentioned it is already known the treatment portion of the sewer utility fee will be increasing. A rate study is needed to determine if the collection portion of the sewer utility fee needs to be increased.

Mayor Monson stated she did not support holding the property tax rate this year with significant increases coming in these other areas which must be approved.

Jon asked if the sewer utility rate will go up when the new Logan City sewer plant comes online? Craig stated that is correct. The original proposal showed a fifty percent increase was needed. The city has already implemented a thirty-five percent increase. The city has been waiting for the final numbers from the latest rate study so the last increase could be implemented. The collection system of the city is aging and needs to be upgraded. There is not enough revenue coming into the sewer fund to pay for large capital project expenses.

Jon asked if impact fees will be reviewed as part of the sewer rate study? Craig replied that is correct.

Mayor Monson asked the last time an impact fee study was done? Justin replied the collection system impact fee was adjusted two years ago.

Craig mentioned after review with the staff and mayor the staff felt it was appropriate not to hold the property tax rate this year and review again next year due to the increases coming in other areas.

Craig mentioned the staff has to know what to tell the county for advertising purposes as they will start to prepare the notices and mail items. Justin explained he was contacted by the county and the state allows the cities to decide what they want to do from June 8<sup>th</sup> through June 22<sup>nd</sup>.

Deadlines have to be met in regard to advertising and that is why there is a sense of urgency to decide how the council wants to proceed.

Curtis asked Mayor Monson when she made the decision, she no longer wanted to hold the Truth in Taxation hearing? Mayor Monson replied on Monday, June 20<sup>th</sup> because she had been on vacation previous to that for several days. Curtis replied he did not like being caught off guard with a request like this and the mayor should have reached out to each council member individually over the last two days to gather their thoughts. Mayor Monson replied she was not aware of the June 22<sup>nd</sup> deadline or she would have reached out to the council sooner.

Jon asked what the associated mailing cost would be for the hearing information? Justin replied he was not sure but he would estimate a couple of thousand dollars. The city works with the county on the mailings for this type of hearing.

Mayor Monson mentioned she talked to a couple of mayors who are going to ask for a ten percent increase rather than holding the rate. Justin mentioned Lewiston has held the rate the same for about the last decade. This year they are not going to because of the large changes in valuations. The majority of the valley is not holding the rate this year.

Wade stated he could not make a decision as no information had been presented to him to make an informed choice.

*\*\*\*The council took a short recess at 9:07 P.M.\*\*\**

*\*\*\*The council meeting was reconvened at 9:21 P.M.\*\*\**

Justin supplied the council with the following information:

In 2020, the average property tax value in the county increased 8%.  
In 2021, the average property tax value in the county increased 18%.  
In 2022, the average property tax value in the county increased 30%.

The council members and mayors property valuations were increasing the following amounts: 19%, 23%, 78%, 22%, 16% and 28%.

The amount of property tax revenue collected in 2021 was \$1,266,355.

If the certified tax rate is adopted in 2022, the city will receive \$1,342,584 in property tax revenue or an increase of \$76,229 over the previous year.

If the tax rate from 2021 is held the same this year, the city will receive \$1,686,896 in property tax revenue or an increase of \$420,541 over the previous year. This equates to an average increase of 25.61% or \$77.86 per household per year.

Justin did a random sampling of thirteen properties in the city and the city only property tax increase would be the following if the rate from 2021 is held above the certified tax rate: \$73.96,

\$59.26, \$126.97, \$55.27, \$106.29, \$48.82, \$243.11, \$139.04, \$151.61, \$96.52, \$120.35, \$110.93 and a commercial business at \$1,476.98. Deon wanted to clarify this is the city only portion and does not include possible increases from the school district, county or other entities.

Wade mentioned he would support the increase if it were what is needed for police, fire and public works to maintain their departments.

Jon stated the public works department is still short one employee.

Wade mentioned the cost of gasoline and diesel has increased substantially. The taxes on an individual basis are irrelevant. Ambulances and fire trucks in the department are worn out and need to be replaced. Services need to be maintained and it comes at a cost.

Wade stated he regretted not holding the property tax rate in 2021 the same as it was in 2020.

Craig mentioned there are many areas of need. The state auditor does not like fees and is making a focus to try and get rid of them or reduce them. The impact of this is unknown on the public safety utility fee the city currently charges. There are many equipment and building needs. The library needs a new roof now. There are old city owned buildings all over the city which need attention. The federal government is considering suspending the gas tax. If the state suspends the local gas tax it will cripple the roads department of the city.

To redo the five interior roads in the cemetery will cost approximately \$275,000. To redo the exterior cemetery roads will cost approximately \$350,000.

An increase to the garbage rate is most likely coming.

An increase to the sewer utility rate is coming.

Mayor Monson asked the council if they want to hold the same property tax rate as last year or use the auditor's certified tax rate.

Wade stated even though it is very uncomfortable he wants to hold the same tax rate as last year. Nothing the city purchases is getting cheaper even if a recession is coming. Some sort of increase is reasonable even if it is not the full amount.

Curtis stated the council worked hard to get the rate where it is at and he would prefer to hold the Truth in Taxation hearing.

Wade stated it is not his concern what other cities are doing. The council needs to do what is best for Smithfield and that number is most likely somewhere between \$1,342,584 and 1,686,896. It is uncomfortable but is it the right thing to do.

Jon stated the council was elected to do what is right for the city. The city will receive an increase of \$76,229 if nothing is changed. The city might not need the \$420,541 and can go somewhere in the middle. The hearing should be held to get input from the residents.

Deon stated the rate cannot be determined or voted on until the Truth in Taxation hearing is held.

Sue stated she did not support holding the 2021 rate this year.

Curtis stated he supported holding the hearing.

Curtis mentioned he had a real estate agent look at his house and the value given was \$150,000 higher than the number the county associated with the property.

Mayor Monson mentioned the council will proceed in holding the Truth in Taxation hearing in August.

Craig mentioned the staff will prepare some documentation for the council to review as part of this discussion.

*\*\*\*Wade made a motion to adjourn at 9:35 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, June 22, 2022**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Mayor Monson

1. Approval of the city council meeting minutes from May 11, 2022.
2. Resident Input
3. Recognition of Barbara Kent for her service as the Director of the Annual Day of Service.
4. Discussion and possible approval of Jack Greene and Jeff Barnes as members of the Tree Committee.
5. Discussion and possible vote on Ordinance 22-10, an Ordinance rezoning a portion of Cache County Parcel Number 08-044-0041 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is approximately 16.54 acres of which 7.46 acres is already zoned R-1-12. The parcel is located at approximately 510 East 600 North and the acreage being requested to be rezoned is approximately 9.08 acres.
6. Discussion and possible vote on Ordinance 22-09, an Ordinance rezoning Cache County Parcel Number 08-044-0068 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at approximately 460 North Main and is approximately 1.06 acres.
7. Discussion and possible vote on receiving the Certification of Annexation from the City Recorder for the Annexation request by Heritage Land Development for Parcel Numbers 08-043-0015, 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0041. The parcels are located at approximately 600 North 400 West. The parcels total approximately 28.8 acres. The Public Hearing on the annexation request will be held on Wednesday, July 13, 2022 no sooner than 6:45 P.M.
8. **WITHDRAWN** Discussion and possible vote on the waiver request of Smithfield City Municipal Code 17.12.080 “Wall, Fence or Hedge”, by The Family Place, to allow for a six-foot privacy fence around playground equipment at 502 South Main.
9. Public Hearing on Resolution 22-07, a Resolution amending the Fiscal Year 2022 Budget which is the period of July 1, 2021 through June 30, 2022.

10. Discussion and possible vote on Resolution 22-07.
11. Discussion and possible vote on Resolution 22-08, a Resolution adopting the Fiscal Year 2023 Budget which is the period of July 1, 2022 through June 30, 2023.
12. Public Hearing for the purpose of discussing Ordinance 22-12, an Ordinance amending the Smithfield City Municipal Code Title 8 “Health and Safety” by adding in its entirety Section 8.04.060 “Annual Fire Restriction Order”.
13. Discussion and possible vote on Ordinance 22-12.
14. Discussion and possible vote on Ordinance 22-08, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, by amending Chapter 17.56 “R-1 Single-Family Residential Zone”, Sections 17.56.030 “Area, Width and Yard Regulations” and 17.56.050 “Modifying Regulations”.
15. Continued discussion on the creation of an Arts Council.
16. Discussion on a new city logo.
17. Discussion and possible vote on amendments to the Employee Personnel Manual.
18. Discussion and possible vote on Resolution 22-09, a Resolution updating the Prevailing Fee Schedule of the City.
19. Continued discussion and update on garbage service.
20. City Manager Report
21. Council Member Reports

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.