SMITHFIELD CITY COUNCIL DECEMBER 9, 2020

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, December 9, 2020. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Deon Hunsaker.

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

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

VISITORS: Michelle Anderson, Kip Panter, Bronson Bair, Katie Ann Bair, Bob Holbrook, Gordon Younker, Brooke Freidenberger, Casey Hillyard, Kristen Black, Rick Black, Don Patterson, Jeff Jackson, Bryce Goodin, Stuart Reis, Nathan Whittaker, Russell Smart, Lynn Godderidge

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM NOVEMBER 4, 2020.

> ***A motion to approve the November 4, 2020 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.***

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

RESIDENT INPUT

CASEY HILLYARD: I am here to represent my family and several others. Please keep the master plan zoning in place. Keep the acreage at least five acre lots. Listen to those of us who have spoken and are here tonight regarding Ordinance 20-35. Understand why we want it to remain agricultural and not R-1-10.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-33, AN ORDINANCE REZONING PARCEL NUMBERS 08-118-0010 AND 08-118-0014 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET), CC (COMMUNITY COMMERCIAL) AND A-3 (AGRICULTURAL 3-ACRE) TO CC (COMMUNITY COMMERCIAL). THE PARCELS ARE LOCATED AT APPROXIMATELY 600 SOUTH 50 EAST.

Mayor Barnes stated the rezone request includes the home on the corner of 600 South Main as well as the vacant land to the east of the home up to 100 East. The planning commission reviewed the request and recommended it be approved.

Mayor Barnes mentioned the original rezone request, from several months ago, was denied by the planning commission and a new rezone request has been submitted. Jon mentioned the original request was to have CC (Community Commercial) zoning with a Mixed-Use Overlay Zone over the top of it. The planning commission denied that request.

Jon mentioned the CC(MU) (Community Commercial Mixed-Use Overlay) Zone municipal code had been amended since the rezone request was denied.

Jon mentioned the current request is for CC (Community Commercial) only for these parcels.

Mayor Barnes asked if there was a boundary line adjustment between the parcels after the last rezone request was denied? Jon replied that is correct.

> ***A motion to adopt Ordinance 20-33, an Ordinance rezoning Parcel Numbers 08-118-0010 and 08-118-0014 from R-1-10 (Single Family Residential 10,000 Square Feet), CC (Community Commercial) and A-3 (Agricultural 3-Acre) to CC (Community Commercial) was made by Jamie, seconded by Wade and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-34, AN ORDINANCE REZONING PARCEL NUMBER 08-118-0011 FROM A-3 (AGRICULTURAL 3-ACRE) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED AT APPROXIMATELY 650 SOUTH 100 EAST.

Mayor Barnes mentioned this request is for a two acre parcel west of the Stonehaven development located at 650 South 100 East. The request is to rezone the parcel to RM (Multiple Family Residential).

Mayor Barnes mentioned the parcel being considered for rezone is approximately two acres.

Mayor Barnes asked what the previous rezone request for this parcel was? Jon replied it was for CC(MU) (Community Commercial Mixed-Use Overlay) and was denied by the planning commission.

> ***A motion to adopt Ordinance 20-34, an Ordinance rezoning Parcel Number 08-118-0011 from A-3 (Agricultural 3-Acre) to RM (Multiple Family Residential) was made by Wade, seconded by Curtis and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-35, AN ORDINANCE REZONING PARCEL NUMBERS 08-039-0015, 08-089-0004 AND 08-089-0003 FROM A-10 (AGRICULTURAL 10-ACRE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET). THE PARCELS ARE LOCATED WEST OF APPROXIMATELY 350 NORTH 800 WEST AND TOTAL APPROXIMATELY 29.04 ACRES.

Mayor Barnes mentioned the staff, city council and planning commission received a lot of input from those residing in this area.

The Mayor and Jon attended the planning commission meeting when the public hearing was held.

The developer spoke about his vision for the area during the planning commission meeting.

The General Plan and future zoning map were reviewed during the planning commission meeting.

The planning commission voted to deny the rezone request by a vote of 6-1.

Jamie asked Jon to sum up the planning commission meeting discussion on this topic. Jon replied the planning commission commissioners felt the zoning request was too dense. The commissioners felt it was appropriate to follow the General Plan and future land-use map which shows the land staying agricultural. The developer spoke about what needs to be done to make the project financially viable. Many of the people in attendance at the current city council meeting spoke during the public hearing as well as sent emails to the city council asking for the request to be denied. The planning commission felt R-1-10 zoning was too dense for the parcels.

Jon stated he was not sure the commissioners would request a zoning request of less than one-acre.

Jeff Jackson stated he listened to the commissioners and understood their concerns.

Jeff stated no matter how the council votes the real issues of the area need to be resolved. One real issue is affordability.

Jeff mentioned he did a synopsis of what would need to be charged for 10,000 square foot lots, ½ acre lots and one acre lots for these parcels. A one acre lot would be unaffordable because it would cost over $200,000. Having one acre lots does not accomplish what the city wants. Typically the first ¼ acre is manicured and maintained and the other ¾ acre becomes a weed patch in most cases.

Jeff stated he would consider the MPC (Master Planned Community) Zone but it requires a base zone before it can be considered. A rezone is required before other tools can be requested such as a PUD (Planned Unit Development).

Jeff mentioned clustering and open space on the edge of the parcels is a possibility.

Jeff stated the council has previously asked for an adult community in the city.

Jeff mentioned the General Plan is a guiding document. The document is over two years old. The world has changed since the document was adopted.

Jeff informed the council right now there are approximately 100 units in Cache Valley for sale. Approximately 25 of those units cost over $1,000,000. There are only around 50 homes right now which are affordably priced.

Jeff stated growth needs to be planned for not pushed away.

Jeff mentioned people talk about preserving farmland. The worst way to preserve farmland is by having one acre lots.

Jeff mentioned a new sewer master plan was completed by a paid consultant and the master lift station shows it will be located on 1200 West. Why is a future lift station planned on 1200 West if the city is not going to allow growth west of 800 West? Why would a lift station costing over $2,000,000 be installed four blocks west of the last allowable development? Whoever completed the sewer master plan did not anticipate the area staying agricultural.

Jeff said his goal is to provide an affordable product. There were approximately 90 units in this area which sold in 18 months. There is a need for the product.

Jeff mentioned he is excited to see the MPC Ordinance adopted so there is another available option.

Jeff stated just because a parcel is zoned R-1-10 does not mean all of the parcels will be that size some of them could be ½ acre or even an acre.

Jeff asked the council for direction and flexibility in developing the parcels.

Curtis mentioned Sunrise Engineering completed the sewer master plan. Craig reminded the council they previously adopted the sewer master plan during a regular council meeting.

Jon mentioned Sunrise Engineering based the approximate location of the proposed lift station in an area which would serve more area of the community. The further west the lift station is installed the more area it can serve. Mayor Barnes concurred and said the thinking was this area of town would be developed long term. Craig mentioned the long term projections show growth being north and west of this area. A lift station in that area would service all of that area long term.

Deon mentioned when he was growing up most people moved away after high school. Now people are staying closer to home and need a place to live. Right now there is not anywhere to live.

Deon mentioned the General Plan was adopted three years ago by a vote of 7-0 of the planning commission and 4-1 by the city council.

Deon stated he voted against the General Plan as he did not feel it did enough to address long term growth.

Deon stated five acre lots do not preserve farmland. Large lots do the exact opposite. Large lots make development spread out even more.

Deon stated he was not a fan of 10,000 square foot lots where there were so many of that size just across the road to the east.

Deon stated he would prefer something such as the MPC Ordinance be considered for these parcels. The area could include senior housing and other types of housing which are allowed in that zone.

Deon mentioned lot sizes will not get larger in the future they will actually get smaller.

Deon stated the Utah League of Cities and Towns is projecting the population of Cache Valley to double by 2050.

Deon mentioned the only way for the city to grow is out unless existing buildings are demolished in town and built upward.

Deon stated he keeps hearing people say there is demand for large lots but where he works for a title company he sees what people are purchasing and they are purchasing smaller lots.

Jamie asked where is the right area in the city to grow? The General Plan took time and is a guiding tool. The General Plan should not be thrown out the window.

Jamie stated he was not in favor of this rezone request as there are other options and opportunities for growth elsewhere in the city at this time. The General Plan was created with resident input.

Jamie mentioned eventually growth will occur west of 800 West but right now there are other options and places for the city to grow.

Wade stated he agreed with Deon's comments where there are two options for growth. The city can grow in and up or out and flat.

Wade mentioned eventually growth west of 800 West will need to be dealt with and it can be addressed in the next revision of the General Plan. Typically the General Plan is updated every five to ten years.

Wade stated people need to be involved in the process. Typically very few if any people attend city council and planning commission meetings. Input is needed on where growth should be allowed. Right now there are areas in the north end of the city as well as east side which can be developed. The focus should be there and not west of 800 West. Serious discussions regarding roads and other infrastructure are needed before development is done west of 800 West.

> ***A motion to DENY Ordinance 20-35, an Ordinance rezoning Parcel Numbers 08-039-0015, 08-089-0004 and 08-089-0003 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet) was made by Wade, seconded by Jamie and the motion to DENY passed by a vote of 4-1.***

Yes Vote: Wall, Anderson, Wells, Campbell
No Vote: Hunsaker

Jamie thanked those in attendance and who had written emails and letters expressing their concerns and thoughts.

Jamie stated the area will not continue to stay the same as it currently is for future decades so people need to be involved in the process of what they want to see when the parcels are eventually developed.

Curtis mentioned himself and Jamie were on the General Plan committee. An open house was held and nobody attended. People need to be involved before the project is ready to be built in their backyard. The General Plan cost over $70,000 and is a very involved document. A lot of time and resources were used in the creation of the General Plan.

Casey Hillyard asked where he can find agendas and other city postings? Justin replied all agendas are posted at the library, city website, on the Utah Public Notice Website and sent out through the communication system of the city.

Wade suggested those with concerns be involved with the county as well. The county is currently in the process of doing surveys people can participate in.

Jeff stated he is not going away and will continue to look for ways to develop this property.

Jeff asked if it would be possible to have the request for a PUD or MPC be considered at the same time as the underlying zone. There is fear, in some cases, when layouts are not seen during the process.

Jamie asked Jeff if he is talking about creating a layout just for this parcel or others as well? Jeff replied he would like to create a layout for this parcel along with the 50 acres he owns northeast of these parcels.

Jamie informed Jeff a large rezone request came before the council in November and he voted against it because it was so much land in one rezone request. Once a rezone is approved the city has no control of what is built on the land. Jeff replied the PUD ordinance of the city does not allow changes. The layout is approved by the council and cannot be changed unless the council approves a new plan or update. Jamie stated he did not want to be bound by a single request on a 100 acre parcel.

Jeff asked Jamie what he wanted to see done? Jamie replied he wants to see other areas of the city developed before these parcels are developed.

Jon stated a PUD Overlay can be requested at the same time as a rezone request.

Jon said the council cannot ask a developer to spend funds on a proposal but if there is a proposal they can share it with the public, planning commission and city council.

Mayor Barnes mentioned Neighborhood Housing Solutions received approval for a PUD Overlay with an R-1-10 base. The request for a PUD Overlay with a Multi-Family base zone was denied.

Mayor Barnes mentioned long term this parcel will be developed and the goal of the council is to make it appealing to everyone.

DISCUSSION AND POSSIBLE VOTE ON RECEIVING THE CERTIFICATION OF ANNEXATION PETITION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY NATE WHITTAKER FOR PARCEL NUMBERS 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 AND 08-124-0002 AND DIRECT THE PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON DECEMBER 26TH, JANUARY 2ND AND 9TH. THE PARCELS ARE LOCATED AT APPROXIMATELY 300 SOUTH 1400 EAST. THE PARCELS TOTAL APPROXIMATELY 37.50 ACRES.

Justin stated this is Step 2 in the process. The county and city staff reviewed the survey. No corrections or changes were required. The next step in the process is to advertise the public hearing and vote of the council for the January 13, 2021 city council meeting.

> ***A motion to accept the Certification of Annexation for Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 and 08-124-0002 was made by Wade, seconded by Curtis and the motion passed by a vote of 4-1.***

Yes Vote: Wall, Hunsaker, Wells, Campbell
No Vote: Anderson

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-37, AN ORDINANCE ESTABLISHING A TIME AND PLACE FOR HOLDING REGULAR MEETINGS DURING CALENDAR YEAR 2021.

Mayor Barnes mentioned for calendar year 2021 every month will have at least once city council meeting and some months will have two.

The city council will meet on the second Wednesday of each month with the meeting starting at 6:30 P.M.

The planning commission will meet on the third Wednesday of each month with the meeting starting at 6:30 P.M.

The RDA (Redevelopment District Agency) will meet on the second Wednesday of each month when needed and the meeting will be held after the regular city council meeting.

****A motion to adopt Ordinance 20-37, an Ordinance Establishing a Time and Place for Holding Regular Meetings during Calendar Year 2021 was made by Curtis, seconded by Wade and the vote was unanimous.***

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

SELECTION OF MAYOR PRO TEMPORE

Mayor Barnes mentioned each year a Mayor Pro Tempore is selected. The Mayor Pro Tempore conducts city council meetings and fills in for the mayor if he cannot attend meetings where the mayor needs to be in attendance.

The council voted and selected Council Member Jamie Anderson to be the Mayor Pro Tempore for calendar year 2021.

PUBLIC HEARING, NO SOONER THAN 7:30 P.M., TO CONSIDER POTENTIAL PROJECTS FOR WHICH FUNDING MAY BE APPLIED FOR UNDER THE CDBG SMALL CITIES PROGRAM FOR PROGRAM YEAR 2021. SUGGESTIONS FOR POTENTIAL PROJECTS WILL BE SOLICITED, BOTH VERBALLY AND IN WRITING, FROM ALL INTERESTED PARTIES.

Mayor Barnes read the following statement:

"Smithfield City will now open its 1st Public Hearing for the 2021 Community Development Block Grant Small Cities program. The purpose of this hearing is to gain citizen input regarding community needs and potential CDBG projects.

Approximately $750,000 is expected to be available in the Bear River Region for CDBG projects, $600,000 of which will be available through competitive grants for projects that meet U. S. Department of Housing and Urban Development national objectives to benefit low and moderate income individuals. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual in the City Office and interested parties can review it at any time. Projects may include local infrastructure projects such as water system improvements, construction of a fire station, or purchase of playground equipment; or projects that improve the availability and quality of housing for low and moderate income individuals and families such as purchasing land for subsidized housing, or rehabilitation of homes and apartments. Smithfield City will list eligible activities in the City Capital Improvement List, which is also available for public review upon request.

We would like to ask that representatives of the public and non-profit organizations that are in attendance specifically for this hearing please sign the attendance roll, including your name, address, and telephone number. If you have questions or comments, we would like to invite you to share them. Please identify yourself by name before you speak. The recorder will include your name in the minutes and we would like to specifically respond to your questions and suggestions during the hearing. We will now accept public comment."

****The public hearing opened at 7:33 P.M.****

Gordon Younker stated he works with The Family Place. The Family Place serves the local community. There is a need for a playground at the local facility.

Gordon asked the city to sponsor the application which will be submitted by The Family Place for funding.

Only eligible applicants can apply.

Mayor Barnes mentioned the city previously sponsored applications for The Family Place.

Mayor Barnes mentioned a previous application was submitted and approved helping to remodel the building formerly owned by IHC (Intermountain Healthcare) and now owned by The Family Place.

Mayor Barnes asked how much the remodel project cost? Gordon replied around $160,000 if he remembered correctly.

Mayor Barnes asked if there is $150,000 available for projects next year? Gordon replied within the local region there is $600,000 which can be approved and allocated for projects.

Mayor Barnes asked what the $150,000 is being spent on. Gordon replied it goes to BRAG (Bear River Association of Governments) for administration costs as well as for some of their programs.

Mayor Barnes asked if BRAG is guaranteed $150,000 in funding? Gordon replied that is correct.

Mayor Barnes asked if the local area is Rich, Box Elder and Cache Counties? Gordon replied that is correct.

Jon asked Gordon what project they intend to apply for? Gordon replied The Family Place will work with Great Western Playgrounds to purchase some Gametime playground equipment for the local facility.

Gordon mentioned there are some donors willing to help with the purchase. The grant will be used to match their donations.

Mayor Barnes asked if the CDBG grant is a matching grant? Curtis replied it does not have to be. Jon mentioned more points are earned in the application review process if matching funds are included. Gordon stated in order to be competitive in the application process matching funds or some type of financial contribution by the applicant is best.

Curtis suggested to the council they see the playground at The Family Place building located at approximately 1500 North 200 West in Logan.

Gordon mentioned the area the playground will go in is small. The donors have asked for three concept plans to be created. The cost is unknown at this time.

Mayor Barnes asked if the design phase is currently happening? Gordon replied it is.

The area the playground will go is approximately 30 feet by 30 feet. Right now the area is grass and surrounded by a white vinyl fence.

Mayor Barnes asked if the application is due in January? Gordon replied that is correct.

Mayor Barnes mentioned anyone applying for these funds needs a city to sponsor the application.

****The public hearing closed at 7:42 P.M.****

PUBLIC HEARING ON RESOLUTION 20-15, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY SPECIFICALLY THE MONTHLY SEWER UTILITY RATE.

Mayor Barnes mentioned a rate analysis had been completed by Public Sector Economics.

Project costs were included in the analysis. The city has two options to pay for the needed projects. The city can bond and pay interest or increase the utility rate now and pay cash for the projects as they happen.

The current monthly sewer utility rate is $33.

The proposed sewer utility rate is $40 per month or an increase of $7.00 per month.

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

Don Patterson asked why the sewer rate increase is needed?

Don also asked where he can obtain copies of proposed Ordinance and Resolutions in the future so he can review them in advance of the meeting. Justin replied he would be happy to email or print off a copy for anyone anytime they want to review something.

Don mentioned he receives agendas for city meetings and would like to be able to review Ordinances and Resolutions online in the future.

Craig mentioned an impact fee study was completed. Impact fees can only be used for certain projects. The council elected to charge the maximum amount allowed for impact fees. After the projects are completed there is still required operation and maintenance of the system. User fees are used to offset the difference in what impact fees do not pay for.

Don mentioned he read somewhere that the rate decreases as the city grows. The tax rate would reduce as the city grows. Jamie replied that is correct. The property tax rate will decrease if the rate is not held the same or increased as the city grows.

Don asked if the city has been holding the property tax rate the same? Jamie replied even if the property tax rate is held the same a public hearing is still required. The public hearing is held in August of each year. This year, 2020, the property tax rate was held the same as in 2019. Curtis mentioned the budgeting process has not started for the next fiscal year so it is an unknown at this time if the council will consider holding the rate the same again in 2021.

Jon mentioned a study was done on the sewer system of the city. Some of the infrastructure is now 35 years or so old. The infrastructure is starting to deteriorate and in some cases no longer has the needed capacity. Some existing sewer lines need to be replaced. The study reviewed the entire sewer system of the city. Some piping is almost at maximum capacity. Before long some piping will be at capacity.

Don mentioned a lift station is a good plan on the west side of town long term.

Jon mentioned several deficiencies were identified and once the projects are completed those areas should be good for 35 to 50 years.

Wade asked if the main trunk line is at about 80% of capacity? Craig replied that is correct.

Wade mentioned replacing the trunk line alone will cost millions of dollars.

Mayor Barnes mentioned there are six specific projects which need to be completed in the next six years. Funds are needed to pay for those projects.

Projects for the next 20 years are expected to cost approximately $12,200,000.

Mayor Barnes mentioned the proposed increase is based on the numbers presented by the experts in the rate study and sewer master plan.

Mayor Barnes mentioned long term a pump station is planned for at approximately 1000 West 6200 North which is west of the city limits.

Visionary Homes has installed a private lift station which they currently maintain and operate. Sewage from homes flows to the west and then is pumped back to the east to the main trunk line.

Jon asked if the monthly sewer utility rate will increase when the new Logan City Sewer Plant is completed? Craig replied that is correct. A 35% increase was previously adopted and in place. A second increase will happen after the plant is completed and the exact cost of the project is known. It is anticipated the increase will be at least 25% of the current treatment fee charged. Logan City handles sewer treatment for the city. The city handles the collection side of the system. Logan City is paid by Smithfield City to process and treat the raw sewage.

Wade stated he did not like to nickel and dime the residents of the city with continued increases. The two options are to increase the rate now or pay interest later.

Wade did not support paying interest at a later date and felt the cost of the projects will increase over time and a future rate increase would be more than the proposed increase now.

Wade stated he supported the Resolution because it is being responsible and planning for the future. The city is preparing to pay for projects which must be completed.

Stuart Reis asked if the amount of the increase will be saved and set aside for future projects? Wade replied that is correct.

Wade mentioned the cost of the new trunk line is estimated to be $2,179,152 and it is needed within the next six years. The total of the six projects needed within six years is $5,897,152.

Stuart asked if the increased revenue will specifically pay for these six projects? Wade replied that is correct.

Jamie mentioned the sewer fund is an enterprise fund and the funds cannot be spent in other funds such as the general fund. Wade concurred and mentioned the revenue generated from the rate increase will be used specifically to pay for the proposed projects.

****The public hearing was closed at 7:57 P.M.****

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 20-15.

> ***A motion to adopt Resolution 20-15, a Resolution amending the monthly sewer utility rate in the Prevailing Fee Schedule of the city was made by Curtis, seconded by Wade and the motion passed by a vote of 4-1.***

Yes Vote: Wall, Hunsaker, Wells, Campbell
No Vote: Anderson

Jamie asked how many ERU's (Equivalent Residential Unit) are in the city? Craig replied there are approximately 684 commercial ERU's and 3,981 residential connections.

Jamie stated there are approximately 4,600 ERU's billed per month? Craig replied that is correct.

Craig mentioned commercial users pay per ERU. One business might be paying 10 ERU's per month. Each business is evaluated individually.

Jamie state he voted no because of the amount of the increase.

Jamie asked how much money is in the sewer fund? Craig replied approximately $3,900,000. This amount was included in the rate analysis when it was calculated.

Jon asked if the amount of impact fees on hand was included in the $3,900,000? Craig replied they are not. The city has approximately $200,000 on hand in sewer impact fees.

Craig mentioned the sewer impact fee was quite low in the past and the new rates go into effect in January 2021.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 20-19, A RESOLUTION ADOPTING THE ANNUAL MODERATE-INCOME HOUSING FINDINGS REPORT.

Craig mentioned this report has been required for the last three years.

This year a new form is being used.

There are 82 cities in the state which must complete this report.

The legislature wants to know what the city is doing in regards to low to moderate income housing.

There are two elements to the plan. The medium density housing plan is part of the existing General Plan. The plan lists the goals of the city.

Local housing stock is considered in the analysis.

The city must have available housing which falls within 80%, 50% and 30% of the county's adjusted median family income level. These percentages equate to $56,369, $35,231 and $21,138.

The projection portion of the report shows what was available in 2016 as well as 2020 using HUD (Housing and Urban Development) numbers. The city is short in all three categories in 2020.

The state has several suggestions in how to make things more affordable such as waiving building permit fees as well as impact fees.

The plan must be updated again in 2022.

Craig mentioned the struggle for the city is the city is not in the housing business and cannot tell builders what to build.

There are 40 total federal housing units in the city.

Jon mentioned he was not aware of anyone who builds these types of housing units.

Craig mentioned Neighborhood Housing Solutions is good for the city as they help fill this need in regards to homes. The main area the city lacks in is rental units. Greenbriar Housing is the only units in the city which fall in this category of housing.

Mayor Barnes asked if Greenbriar Housing is federally subsidized? Craig replied that is correct.

Jamie asked if all of the Greenbriar units are subsidized? Craig replied that is correct.

Jon asked if accessory apartments are included in the report? Craig replied they are included.

Mayor Barnes asked if this report is submitted to the state? Craig replied that is correct.

Jamie asked if the state offers comments on the report after they review it? Craig replied the city does not receive a response from the state. The legislature makes changes yearly after reviewing all of the submitted reports.

Craig mentioned some cities in the state do not allow apartments or multi-family housing so the legislature has now got involved and this report has become mandatory for cities of a certain size.

Jamie mentioned Hyde Park does not allow multi-family housing. Jon asked if Hyde Park is required to submit a report? Craig replied they are not required because they do not meet the threshold required for the report.

Jamie mentioned with the cost of housing increasing and there being a housing shortage the requirements of the report cannot be met by the city at this time. Craig mentioned the only way to achieve the low rent numbers is by offering subsidies. The city is not in a position to offer a housing subsidy. Some large cities have housing authorities which deal with this issue.

Jon mentioned CDBG (Community Development Block Grant) funds could be used for these types of projects but there is only $600,000 available locally. Most likely not even the land could be purchased if all of the funds were allocated to one project.

Mayor Barnes thanked Zoning Administrator Brian Boudrero for compiling this report for the city.

> ***A motion to adopt Resolution 20-19, a Resolution adopting the Annual Moderate-Income Housing Findings Report was made by Wade, seconded by Jon and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 20-18, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE OF THE CITY.

Craig reviewed proposed changes to the prevailing fee schedule.

Administrative Appeals and Variance Requests would increase from $300 to $400 plus $50 per hour after five hours.

The research fee for GRAMA (Government Records and Management Act) requests would increase from $17.53 per hour to $19.27 per hour.

Curtis asked if the city receives many GRAMA requests? Craig replied the city office and police department receive GRAMA requests on a regular basis.

Jon asked if variance requests are rare? Craig replied that is correct.

> ***A motion to adopt Resolution 20-18, a Resolution amending the Prevailing Fee Schedule of the city was made by Wade, seconded by Curtis and the motion passed by a vote of 4-1.***

Yes Vote: Wall, Hunsaker, Wells, Campbell
No Vote: Anderson

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 20-20, 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 PARCELS BEING CONSIDERED FOR ANNEXATION ARE LOCATED AT APPROXIMATELY 1000 SOUTH MAIN STREET. PARCEL NUMBERS 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 AND 08-117-0013. THE PARCELS TOTAL APPROXIMATELY 42.81 ACRES.

Mayor Barnes mentioned this is an important annexation for the city. The county recently approved the city’s COG (Community of Governments) application in the amount of approximately $1,000,000. The project would install a new signal light at 1000 South Main. The new road going east must be in the city as part of this project.

Justin explained the annexation request includes the Gossner property as well as the Elder property on the west side of the highway. A small portion of the parcels owned by the Green Gorilla Carwash, Tout Properties and the city are also included. The vast majority of the parcels for the Green Gorilla Carwash, the city and Tout Properties are already in the city. The total annexation request is just shy of 43 acres.

Jon asked about the parcel owned by the Smithfield Irrigation Company on the west side of the highway. Justin stated this small parcel is already located within the city limits.

> ***A motion to adopt Resolution 20-20, a Resolution accepting a Petition for Annexation for Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-066-0033, 08-117-0025 and 08-117-0013, the parcels are located at approximately 1000 South Main and total approximately 42.81 acres was made by Jamie, seconded by Wade and the vote was unanimous.***

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

Wade asked when the signal light project at 1000 South Main will begin? Craig replied the hope is in the spring or summer of 2021.

Jamie asked if the super street at 800 South Main will be completed at that time as well? Craig replied the city will meet with UDOT (Utah Department of Transportation) regarding the super street. When the project will be completed, as right now, is an unknown.

OPEN AND PUBLIC MEETINGS TRAINING

Justin mentioned as part of the annual audit process there is some training which is required when all of the council and mayor are in attendance at a council meeting. These are mainly a refresher for the council as we start a new calendar year.

A quorum of the council is three council members.

A quorum is not two council members and the mayor.

The mayor only votes in the event of a tie and the absence of one council member. If a council member abstains from a vote and the vote is tied the mayor does not vote. The council member must be absent and the vote 2-2 for the mayor to have a vote.

All meetings of the council are to have an audio recording and written meeting minutes.

All meetings of the council must be advertised and are currently advertised at the city office building, library, city website, through the city communication system and the Utah Public Notice Website.

The same rules apply to the planning commission.

Any council member with a conflict of interest needs to announce the conflict before an item is discussed and give a reason for the conflict. The council member is allowed to participate in the discussion and vote if they choose to do so or they can abstain from the discussion and vote. Any vote of the council requires a yes or no from each council member and the vote of each council member must be specifically listed in the meeting minutes.

Any vote to approve or amend the budget requires a public hearing beforehand.

Most land-use items requiring a vote must also have a public hearing beforehand.

Administrative items do not require a public hearing.

The city council is required to meet at least once per month.

Resolutions do not require a public hearing unless it is specifically required.

Jon asked if a council member attends a city council meeting virtually such as through Zoom if they can still vote? Justin replied they can as the city adopted municipal code which allows for this to happen.

CITY MANAGER REPORT

Craig informed the council that new Senator Chris Wilson will sponsor the bill to dissolve the Smithfield City Justice Court. It is anticipated the justice court will close on April 1st.

Jon asked if court will continue to be held locally until it is closed? Craig replied that is correct.

Craig informed the council the city received a letter from the state. The letter stated energy tax had been collected from an entity located outside of the city limits and the tax had been remitted to the city. The state refunded the entity approximately $50,000 which covered a period of three years. The city is now required to pay back the tax to the state even though the error was made by the state not the city. The city has two options to pay back the funds. One, write a check for the entire amount due now. Two, allow the state to keep the energy tax which would be remitted to the city each month and apply it to the balance due until the amount due is paid back.

The staff requested the documents showing the city was overpaid be provided to the city for review. Most of the documents are considered protected records and were not provided to the city by the state.

The city will lose about $20,000 per year in revenue moving forward now the error has been corrected.

Jon asked how long these error had been going on? Craig replied the audit was for a period of three years.

Jon asked what happens if the city does not pay back the entire amount owed now? Craig replied the state will withhold the monthly allocation owed to the city from other entities until the balance owed is paid.

Mayor Barnes asked Craig if he talked to Jim Clayton about this issue? Craig replied he talked to Jim many times. Jon asked who Jim is? Craig replied Jim works in the auditing department for the state.

Jamie stated his preference is to allow the state to withhold the monthly allocation until the amount is paid back.

The consensus of the council was to allow the state to withhold the monthly allocation until the amount due is paid back.

The city will start operating ambulance service on January 1st.

CARES Act funds were used to purchase a significant amount of funding for the EMS department.

The budget will be amended in January.

The county is giving the city two used ambulances.

The city is working with other local cities, towns and the county for an operating agreement for the north end of the valley for ambulance service.

Chief Downs mentioned the department has received their Medicare license.

Mayor Barnes mentioned a meeting was held with mayors from the north end of the valley to explain what was going on with ambulance service where CCEMS (Cache County Emergency Medical Services) will close on December 31st.

COUNCIL MEMBER REPORTS

Wade mentioned the library board did not meet in November.

Wade mentioned the North Cache Library Consortium received some hotspots to use at each of the four libraries in the consortium. They are being checked out and used regularly. The program is being paid for by the state for the first year.

Wade stated he was skeptical the ladder truck was needed for the fire department when it was purchased. The ladder truck was used at a recent home fire where there was over $200,000 worth of damage. The ladder truck is a good asset for the city and in this case helped to remove the roof off of the home to put out the fire.

Wade mentioned he recently had a family event which required the fire department to help his family. Wade is appreciative of the department and the service they offer the city and surrounding area.

Wade stated over $300,000 in CARES Act funds had been utilized by the fire department to purchase new equipment.

Wade liked the direction the fire department is going and is happy how things are progressing with the department.

Mayor Barnes mentioned the city recently purchase a used ambulance from Rich County and it has about 50,000 miles on it.

Mayor Barnes informed the council that Cache County Corporation is giving the city two older ambulances as well as approximately $50,000 for equipment purchases for the ambulances.

Jon mentioned the two new planning commission members are doing well and were involved in the last planning commission meeting.

Jon thanked the three planning commission members who were in attendance at the council meeting. They are concerned and care about the city and want to be involved.

The Historical Society is trying to figure out the next step in what they want to do with the Douglass Mercantile Building. The building is vacant. Vacant buildings do not age well and deteriorate quickly. The long term goal is to make the building a museum. All of the items in the log cabin will eventually be moved into the building so they can be displayed.

Mayor Barnes mentioned the Rocky Mountain Power Foundation donated $3,000 towards the replacement of the windows and doors in the Douglass Mercantile Building.

Deon mentioned the Lion's Club is hosting a blood drive on December 21st.

The Lion's Club donated a tree to the annual Night of Giving hosted by the Smithfield Chamber of Commerce. The tree was purchased and then donated to a family who recently lost everything in a house fire.

The Lion's Club annual dinner will be held on Thursday, December 10th. A drive through meal will be offered. No sit down dinner will be held. There are a few members with various health ailments who cannot attend and their meals will be delivered.

The Lion's Club is in need of new members. The majority of the existing members are older.

Mayor Barnes mentioned the theme of the donated tree was Lions, Tigers and Bears. Deon mentioned most of the bears on the tree were Boyd's bears. They were donated by Mary Kay Hunsaker's family.

Jamie mentioned the trail committee is hoping to work out an agreement with the Lloyd Facer family to create an access point to Birch Canyon.

Jamie asked Craig or the mayor if they were willing to reach out to the Facer family? Craig stated he would contact Lloyd.

Craig asked what options need to be considered? Brooke Freidenberger mentioned the hope is to obtain about ten feet of access. Jamie mentioned access is needed leading from the end of Summit Drive down and across the creek.

Jamie mentioned the golf course is closed for the year.

Curtis mentioned the new restroom facility for Forrester Acres has been delivered and set in place. The bathroom will not be used this winter. Craig mentioned the plumbing still needs to be hooked up and the concrete apron poured. These items will be completed in the spring.

Curtis mentioned the city and the school district have a joint use maintenance agreement for the Rec Center. The agreement has not been updated for about twenty years. The agreement is in the process of being updated with input from the city, high school and school district.

Curtis mentioned Rec Center Director Brett Daniels and Principal Mike Monson have a great working relationship.

Curtis informed the council the Night of Giving was a great success even though the online auction had technical issues. Many people donated and made the event a success. The final tally on the financials is not yet done. The council will be informed when the final numbers are announced.

Mayor Barnes, Deon and Curtis attended the Night of Giving.

Mayor Barnes thanked the volunteers and those involved who have donated countless hours and always go the extra mile to make the event a success.

Curtis mentioned this year there were many items which were purchased and then donated back so they could be resold again to earn additional revenue.

MAYOR'S REPORT

Mayor Barnes did not have any additional items to report or discuss.

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

SMITHFIELD CITY CORPORATION

____
Jeffrey H. Barnes, Mayor

ATTEST:

____
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, December 9, 2020**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Deon Hunsaker

1. Approval of the city council meeting minutes from November 4, 2020.

2. Resident Input

3. Discussion and possible vote on Ordinance 20-33, an Ordinance rezoning Parcel Numbers 08-118-0010 and 08-118-0014 from R-1-10 (Single Family Residential 10,000 Square Feet), CC (Community Commercial) and A-3 (Agricultural 3-Acre) to CC (Community Commercial). The parcels are located at approximately 600 South 50 East.

4. Discussion and possible vote on Ordinance 20-34, an Ordinance rezoning Parcel Number 08-118-0011 from A-3 (Agricultural 3-Acre) to RM (Multiple Family Residential). The parcel is located at approximately 650 South 100 East.

5. Discussion and possible vote on Ordinance 20-35, an Ordinance rezoning Parcel Numbers 08-039-0015, 08-089-0004 and 08-089-0003 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located west of approximately 350 North 800 West and total approximately 29.04 acres.

6. Discussion and possible vote on receiving the Certification of Annexation Petition from the City Recorder for the Annexation request by Nate Whittaker for Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 and 08-124-0002 and direct the publication of such petition in The Herald Journal on December 26th, January 2nd and 9th. The parcels are located at approximately 300 South 1400 East. The parcels total approximately 37.50 Acres.

7. Discussion and possible vote on Ordinance 20-37, an Ordinance establishing a time and place for holding regular meetings during calendar year 2021.

8. Selection of mayor pro tempore

9. Public Hearing, no sooner than 7:30 P.M., to consider potential projects for which funding may be applied for under the CDBG Small Cities Program for Program Year 2021. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties.

10. Public Hearing on Resolution 20-15, a Resolution amending the Prevailing Fee Schedule of the city specifically the monthly sewer utility rate.

11. Discussion and possible vote on Resolution 20-15.

12. Discussion and possible vote on Resolution 20-19, a Resolution adopting the Annual Moderate-Income Housing Findings Report.

13. Open and public meetings training

14. Discussion and possible vote on Resolution 20-18, a Resolution updating the Prevailing Fee Schedule of the City.

15. Discussion and possible vote on Resolution 20-20, 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 parcels being considered for annexation are located at approximately 1000 South Main Street. Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013. The parcels total approximately 42.81 acres.

16. City Manager Report

17. Council Member Reports

18. Mayor's Report

Adjournment

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

In accordance with the Americans with Disabilities Act, individuals 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.