

SMITHFIELD CITY COUNCIL

AUGUST 25, 2021

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, August 25, 2021. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Wade Campbell.

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

Curtis Wall was excused.

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

VISITORS: Marsha Stokes, John Hauptman, Travis Taylor, Scott Archibald, Kris Monson, Dillon Hall, Aaron Rudie, Camren Rudie, Dan Larsen

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JULY 14, 2021.

A motion to approve the July 14, 2021 city council meeting minutes was made by Wade, seconded by Jamie and the vote was unanimous.

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

RESIDENT INPUT

JOHN HAUPTMAN: I live in Smithfield and have a formal request. The pay for the police officers needs to be raised. In the Salt Lake City area they are paying over \$27.00 per hour. I think you should consider looking into an increase. I think a fair wage is \$22.50 to start. Increasing the wages will help to hire new employees and retain current employees.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY GREGORY STABLES LLC FOR APPROVAL OF THE FINAL PLAT FOR THE GREGORY STABLES SUBDIVISION, PHASE 1, A (5) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 370 NORTH 300 WEST.

Wade asked where the name Gregory Stables comes from? Scott Archibald replied that is his grandfather and he owned this property. It is also known as the "Brickyard".

Jon asked if the Stables family owned the parcel when it was being mined? Scott replied they did. Gregory Stables and Jack Ford owned a company called Ford and Gregory. When the two split the business, Ford kept the shop where Lloyd Facer Trucking is currently located and Gregory Stables kept the land to the east.

Mayor Barnes asked if Lots 1 and 2 will have access off of 400 North? Scott replied that is correct.

Mayor Barnes asked if Lot 5 will include a retention pond? Scott replied that is correct. The retention pond will collect storm water for Phase 1 as well as future phases.

Scott mentioned the infrastructure will start to be installed on 370 North as well as part of this phase.

Wade asked if the buyer of Lot 5 will have a clear understanding there is a pond on their parcel and they cannot get rid of it? Scott replied there will be an understanding. It is clearly shown on the plat as well. The building lot is wider to accommodate for the retention pond.

Wade asked Clay if he had any concerns? Clay replied it needs to be noted a public utility easement needs to be included for the retention pond.

Mayor Barnes asked if the sidewalk would align with the existing sidewalk to the south? Scott replied it will align. It tapers so it can be connected.

A motion to adopt the Final Plat for the Gregory Stables Subdivision, Phase 1, a (5) lot/unit subdivision located at approximately 370 North 300 West with the condition a public utility easement be included on the Final Plat for the retention pond was made by Wade, seconded by Jamie and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

Mayor Barnes asked Scott when the project will start? Scott replied he hoped in the next week or two.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY SMITHFIELD RIDGES, LLC FOR APPROVAL OF THE FINAL PLAT FOR SMITHFIELD RIDGES PHASE 11, A (4) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 420 SOUTH 1140 EAST.

Jamie asked if this is the project which has been worked on for several years? Travis Taylor replied that is correct.

Travis mentioned Phase 11 was previously approved by the city council but the final plat had not been recorded in time and expired. City code required the final plat to come back before the city council where the original approval had expired.

Travis mentioned Phases 12 and 13, which are later agenda items in this meeting, expire soon so an extension is being requested to get them recorded. Clay mentioned they expire on Thursday, August 26th.

Travis stated the bonds and fees on Phases 6, 11, 12 and 13 were paid to the city on Tuesday, August 24th.

Travis stated all of the phases will be recorded soon. The construction of Phases 12 and 13 will start first.

A motion to adopt the Final Plat for Smithfield Ridges, Phase 11, a (4) lot/unit subdivision located at approximately 420 South 1140 East was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY SMITHFIELD RIDGES, LLC FOR APPROVAL OF AN EXTENSION ON THE FINAL PLAT FOR SMITHFIELD RIDGES PHASE 12, A (9) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 1140 EAST 600 SOUTH.

Mayor Barnes asked this will align with other roads to the north and south? Travis replied it will.

Jon mentioned Phase 13 is located just north of this phase.

Jon asked Travis how long of an extension is needed? Travis replied the municipal code allows for a six-month extension.

A motion to approve the extension request on the Final Plat for Smithfield Ridges, Phase 12, a (9) lot/unit subdivision located at approximately 1140 East 600 South was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY SMITHFIELD RIDGES, LLC FOR APPROVAL OF AN EXTENSION ON THE FINAL PLAT FOR SMITHFIELD RIDGES PHASE 13, AN (8) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 1140 EAST 600 SOUTH.

Mayor Barnes asked where this phase is in relation to the other phases? Wade replied to the north of Phase 12.

A motion to approve the extension request for the Final Plat for Smithfield Ridges, Phase 13, an (8) lot/unit subdivision located at approximately 1140 East 600 South was made by Jon, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

Mayor Barnes asked Travis if he will be developing land east of these parcels? Travis replied his company has first right of refusal to purchase the property. Currently there are not any negotiations to purchase the property.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-27, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBERS 08-118-0011 AND 08-118-0014 FROM RM (MULTIPLE FAMILY RESIDENTIAL) TO RM PUD (MULTIPLE FAMILY RESIDENTIAL PLANNED UNIT DEVELOPMENT OVERLAY ZONE). THE PARCELS ARE LOCATED AT APPROXIMATELY 80 EAST 600 SOUTH. THE PARCELS TOTAL APPROXIMATELY 3.80 ACRES.

Mayor Barnes mentioned the request has been reviewed by the STRC (Subdivision Technical Review Committee) and the planning commission.

Jon mentioned the original proposal called for a private road for the development but it has been changed to a public road with the correct amount of width for a city owned and maintained street.

Marshae Stokes mentioned the planning commission wanted the road changed and the direction the east units faced changed. All of the units now face the interior road. The driveways have been extended for more parking. Some setbacks were modified to ensure code compliance.

Mayor Barnes asked if each unit has a double car garage? Marshae replied that is correct.

Jamie asked what the new road will be? Clay replied the new road will be 80 East. The existing road to the east is 100 East.

Jamie expressed concern this development will add more traffic to an already bad problem of trying to access the highway from 600 South when turning left. Clay replied the new road has to be at least 150 feet from the highway and this road is well past that distance.

Jamie asked who owns the small sliver of land in the northeast corner of this development? Jon replied the developer to the east. They put a sign on the parcel and landscaped it. Mayor Barnes replied it will be left as-is.

Jon mentioned the reason 100 East has a jog in it is so it aligns with 100 East on the north side of 600 South.

Justin mentioned it is approximately 456 feet from the highway to the edge of the new road (80 East).

Jamie again expressed concern for adding more traffic to an already congested area for traffic. Mayor Barnes replied 100 East does go south to 800 South so there is another exit point other than 600 South.

Jamie asked if the large grassy area around the buildings is open space? Marshae replied it is common open space. Clay mentioned open space is required as part of a PUD (Planned Unit Development).

Marshae mentioned open space totals approximately 41.5% of the total project area. The code requires at least 40%.

Wade asked if there are 41 new units proposed? Marshae replied there are 40.

Wade expressed concern about parking. Even a birthday party will add several vehicles needing parking space in this area. Marshae replied the road was widened and driveways lengthened in order to add more parking spaces. The planning commission had the same concern and asked for those changes to be made.

Wade mentioned parking is an issue in the development east of this area. Mayor Barnes mentioned those are private roads. Jon concurred and also stated the driveways are shorter as well in that development.

A motion to adopt Ordinance 21-27, an Ordinance rezoning Cache County Parcel Numbers 08-118-0011 and 08-118-0014 from RM (Multiple Family Residential) to RM PUD (Multiple Family Residential Planned Unit Development Overlay Zone), the parcels are located at approximately 80 East 600 South, the parcels total approximately 3.80 Acres, was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-25, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBERS 08-043-0022, 08-043-0021, 08-043-0025, 08-043-0031, 08-043-0013, 08-043-0012, 08-043-0010, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-043-0016, 08-043-0013 AND 08-043-0014 FROM A-10 (AGRICULTURAL 10-ACRE) AND R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO MPC (MASTER PLANNED COMMUNITY). THE PARCELS TOTAL APPROXIMATELY 89.79 ACRES. THE PARCELS ARE LOCATED AT APPROXIMATELY 100 WEST TO 300 WEST FROM 450 NORTH TO 800 NORTH.

Mayor Barnes mentioned this would be the first MPC (Master Planned Community) in the city.

Mayor Barnes mentioned the proposal had been extensively reviewed by the STRC (Subdivision Technical Review Committee) and the planning commission.

Dan Larsen mentioned all of the requests by the planning commission and staff have been incorporated into the plan.

There is approximately 19 acres of open space and parks.

The plan includes a clubhouse and swimming pool. A barbeque area as well as sports courts for basketball and pickleball are included as well. Additional parking has been added in this area.

An additional ½ parking space has been added for each townhome so there are 2 ½ parking stalls per townhome included in the plan.

Additional driveway length was added to the units on the west side of the development for more parking.

The building lots sizes on the south end of the project are similar in size to the existing homes located just outside of this development. Smaller building lots will be in the middle where the multi-family housing is located. Single family homes will be on the north end of the development.

Dan mentioned he met with some of the surrounding homeowners to let them know what is being proposed in this area. Jamie asked Dan when he met with them? Dan replied approximately 2 ½ months ago a Zoom meeting was held where about 20 people attended to listen and ask questions.

Jamie thanked Dan for letting the property owners in the area know what is being proposed. Dan mentioned a request by some of the property owners along the east side could not be accommodated. They wanted to purchase the land behind their homes and the irrigation canal. This land had to be incorporated into the open space area of the proposal.

Jamie asked Dan to push the new units as far away from the powerlines, which cross the property, as possible.

Jamie expressed there are only two points to get in and out of the subdivision. Dan replied there are three access points: Oak Street, 200 West and 300 West.

Jamie asked if the roads are smaller throughout the development? Clay replied they include the standard right-of way. As proposed, 200 West, would be 66 feet wide.

Dan mentioned connectivity is a challenge. There are the two access points to the south and one in the northeast. There is not an access point from the west across the railroad tracks. The powerlines are a concern. An 80-foot buffer is included where only a 40-foot buffer is required.

Jamie asked how the project will be phased? Dan replied the roads for 200 West, 300 West and all the way up to Oak Street will be done at the start. Initial construction will start on the south end of the project and work north. The clubhouse and other amenities will be included in an early phase of the project.

Jamie asked if any multi-family housing would be done in the beginning? Dan replied there would not be any multi-family at the start. All of the initial development will be single family homes.

Dan mentioned Phase 1 will include around 73 single family homes.

Mayor Barnes asked what was changed along the railroad tracks from the original proposal? Dan replied duplexes were changed to fourplexes. Duplexes cost the same amount as single-family homes so they were changed to fourplexes.

Jamie asked if a water model had been completed on the project? Clay replied it was completed and based on the new well coming online.

Jamie mentioned once this project is approved another new water source will be needed.

Dan mentioned at the request of the city the waterline running along the west side of the project will be upsized.

Deon mentioned there is an existing dirt road at the north end of the property which crosses the railroad track. Dan replied that specific road is further north than this subdivision extends. Long term if more development is done north of this project that right might be able to be tied into.

Deon stated he did not agree with the staff where they support a road from Oak Street going west and dead ending at this time at the railroad track. The dirt road to the north needs to be developed long term as 800 North is a better option for connectivity long term. Dan replied he understood the concern and agreed with Deon's comments. The issue is Dan's company does not own the property for the future road which would be 800 North; therefore, they cannot develop it as part of this project.

Deon asked if the canal company has been contacted regarding this proposal? Dan replied he won't approach the canal company until he knows what the city will or will not approve. The intent would be to leave the canal open and have a 15-foot access for the canal company which could also serve as a trail.

Deon asked Dan if he understands the canal company easement? Dan replied he is aware of the easement.

Clay mentioned the canal company has been supplied a copy of the preliminary plat for review.

Jon mentioned himself and Deon are on the canal board. If a bridge will be required to gain access to Oak Street the canal company should be contacted immediately. Dan replied he knows

they want a concrete box culvert installed but he will visit with them about any other requirements they might have.

Jon mentioned this is a new zone for the city.

Jon stated the proposed layout does not fit what he thinks the intent of the ordinance is.

Jon felt the proposal is three different subdivisions: single family to the south, multi-family in the middle and single family on the north. The intent is to have more of a community feel with a mixture of the multi-family housing inner mingled within the single-family housing.

Jon felt a mixture of the different types of units is what the intent of the ordinance is. Jamie replied he agreed with Jon's comments but as written Dan's proposal meets the current city code. Jon agreed the code has been met but the intent of what was envisioned has not.

Jon mentioned in his mind he saw a mix of housing units which would create a more cohesive community. The multi-family units would be more disbursed not all in the same area. Dan stated it is hard to mix townhomes in with single family homes on the same block.

Dan asked Jon exactly what he wanted to see? Jon replied he would like to see a better job of clustering. Dan replied he could randomly put some multi-family units in with the single-family homes if that is what the council wants to see.

Jon stated the ordinance has been met as proposed but the units should be better mixed up and put in different places. Jamie stated the intent was to have diversity where the single-family homeowners would mingle with the multi-family occupants.

Craig asked the council if any of them had toured the Vineyards development in Providence? None of them have.

Craig suggested the council and mayor visit the area as it is easily seen how the multi-family units tower over the surrounding homes when they are intermingled.

Jon stated he wished the multi-family units were better mingled throughout the development but the proposal meets the city code as written. Jamie stated those purchasing lots for single family homes will not want multi-family units all around them.

Dan mentioned Kartchner Homes has a similar type of development in Hyrum. All of the inhabitants of the area go to church together and mingle there. They also mingle together in the parks and clubhouse area. Everyone still gets together even if the units are laid out as proposed.

Dan mentioned it is hard to force people to know each other as neighbors no matter what type of unit is built side by side. Just because you are neighbors with someone doesn't mean you will get to know them.

Mayor Barnes mentioned the single family lots are more sellable as proposed than if multi-family units are mixed in with them. People will not want to purchase the single-family lots if multi-family units are being built next door.

Mayor Barnes stated he felt the intent of the MPC zone has been met as proposed.

Wade mentioned everyone has a different vision of what they would like to see in this type of development. There is no right or wrong answer in what someone envisions this type of development to be.

Wade suggested to Dan they let the buyers know when the clubhouse and other amenities will be built. There needs to be a clear expectation of when this will occur.

Wade mentioned the proposal meets the code as written but it is not what he envisioned or what other council members envisioned. The code might need to be amended before other developments are considered of the same type.

Craig mentioned any changes to the preliminary plan will require the change to be made before the council can adopt the preliminary plat. The item will need to be tabled if changes are required. Dan replied minor changes to the preliminary plat can be made without the item being tabled. Craig replied this ordinance, as written, would require the item to be tabled and come back before the council with the updated plan.

Jon mentioned if the rezone request is granted the council is accepting the preliminary plat as proposed. Clay stated that is correct.

Jamie stated he would support the request as drafted because it meets the current code of the city. Jon concurred.

Jon mentioned the planning commission needs to review the purpose of the MPC zone in the code to make sure the intent is being met.

A motion to adopt Ordinance 21-25, an Ordinance rezoning Cache County Parcel Numbers 08-043-0022, 08-043-0021, 08-043-0025, 08-043-0031, 08-043-0013, 08-043-0012, 08-043-0010, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-043-0016, 08-043-0013 and 08-043-0014 from A-10 (Agricultural 10-Acre) and R-1-10 (Single Family Residential 10,000 Square Feet) to MPC (Master Planned Community), the parcels total approximately 89.79 acres, the parcels are located at approximately 100 West to 300 West from 450 North to 800 North was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

Mayor Barnes mentioned Neighborhood Housing Solutions will be proposing an MPC soon so if changes are needed to the code, they need to be made soon. Jon asked if an official request has already been submitted? Clay replied their engineering staff is working on the proposal but nothing has been officially submitted at this time.

DISCUSSION AND POSSIBLE VOTE ON AMENDMENTS TO THE SMITHFIELD CITY PERSONNEL MANUAL.
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Craig mentioned an update to the per diem schedule in the Personnel Manual is being requested. The rates which would be followed in the future would be those posted on the GSA (U. S. General Services Administration) website.

The wildland fire crews are responding to fires in different states. Because of how the city is reimbursed for wildland fires the GSA schedule must be followed to be reimbursed.

If adopted, when an employee is going to training in the future or on a wildland fire, they will go to the GSA website to lookup their per diem amounts.

Craig stated he did some random sampling and some areas pay more than the city pays and some areas pay less than the city currently pays. The city is right about in the middle at this time.

Jamie asked if the wildland fire team is going to California, they will look up California on the GSA website? Craig replied they would look up the closest city in the state where they will be.

Jamie asked if the proposed change includes lodging? Craig replied it does not. The change only includes breakfast, lunch, dinner and incidentals.

Jamie asked if the employee does not spend as much as listed in the table, they get to keep the extra amount; correct? Craig replied that is correct. An employee can spend more or less than listed on the website but will be paid the exact amount on the website.

Craig mentioned when the city submits reimbursement for the wildland fires, they must use the GSA rates on the reimbursement request.

Jamie asked if the GSA rate is a government set rate? Craig replied that is correct.

A motion to adopt a new per diem rate schedule in the Personnel Manual of the City based upon current GSA rates was made by Jamie, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 21-29, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 9 “PUBLIC PEACE AND WELFARE” BY ADDING IN ITS ENTIRETY CHAPTER 9.25 “SPECIAL EVENTS”, SECTIONS 9.25.010 “PURPOSE”, 9.25.020 “DEFINITIONS”, 9.25.030 “PERMIT REQUIRED, EXCEPTIONS”, 9.25.040 “APPLICATION PROCEDURE, DEADLINES, SUBMITTAL REQUIREMENTS, FEES”, 9.25.050 “APPLICATION REVIEW PROCESS”, 9.25.060 “SPECIAL EVENT PERMIT ISSUANCE OR DENIAL”, 9.25.070 “SUPPLEMENTAL REGULATIONS”, 9.25.080 “VIOLATION” AND 9.25.090 “LIABILITY CLAUSE”.

****The public hearing opened at 7:40 P.M.****

There were not any comments or questions.

****The public hearing closed at 7:40 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-29.

Craig explained the current municipal code of the city does not include anything in regard to special events in the right-of-way of the city.

Rec Director Brett Daniels, Chief Downs, Chief Allen, Zoning Administrator Brian Boudrero and Craig drafted the proposed ordinance.

The ordinance is based on what some other cities have adopted.

The insurance broker for the city as well as legal counsel for the city reviewed and signed off on the ordinance as proposed.

The ordinance will designate places for protests. Specific guidelines must be followed.

Jamie asked where a protest would be allowed? Craig replied a protest could happen in the city right-of-way if a permit is obtained.

Jamie mentioned normally protests are started by putting out information on Twitter, Facebook and other places. There is no chance this ordinance will be followed by those people. Craig replied in actuality most protests are planned well in advance of the event. This ordinance explains the process which needs to be followed in order to block off a city road.

This ordinance applies not only to protests but celebrations as well. Neighborhood Housing Solutions is blocking off a city street as part of their celebration of building 500 new homes locally. By the city being notified of these types of events the fire department, police department and public works department are notified and communicate with each other to avoid these areas during the event.

Jamie stated the ordinance is confusing in 9.25.010 “Purpose” where it says the event could be a nuisance. Craig replied nuisance is defined in the city code.

Jon asked what about a funeral procession? Craig replied it is exempt.

Jamie stated he understands something needs to be put in place but he struggled with how the ordinance is written overall.

Deon asked how this applies to a wedding which is being filmed? Craig replied there is not an issue as long as the event is not being held in a right-of-way. Jon replied there is not an issue unless the event is being held on a road.

Craig mentioned events happenings in parks or a city building are not part of a right-of-way and not part of this ordinance.

Deon asked what if a wedding is held at the senior center and the bride and groom are driven away in a horse and buggy. Is a permit required? Craig replied that is a form of transportation so nothing is required. The only time a permit is required is if a road is being closed.

Jamie asked if the intent is to get something in place which can be amended as needed? Craig replied that is correct. Right now the city has nothing in place. The ordinance might be used a lot or it might not be used at all.

Jon asked what happens if someone does not comply? Craig replied it is listed in 9.25.080 “Violation”. A Class “B” misdemeanor could be issued.

Jon stated he would support the ordinance where it was reviewed and approved by the insurance provider of the city as well as legal counsel of the city.

A motion to adopt Ordinance 21-29, an Ordinance amending the Smithfield City Municipal Code Title 9 “Public Peace and Welfare” by adding in its entirety Chapter 9.25 “Special Events”, Sections 9.25.010 “Purpose”, 9.25.020 “Definitions”, 9.25.030 “Permit Required, Exceptions”, 9.25.040 “Application Procedure, Deadlines, Submittal Requirements, Fees”, 9.25.050 “Application Review Process”, 9.25.060 “Special Event Permit Issuance or Denial”, 9.25.070 “Supplemental Regulations”, 9.25.080 “Violation” and 9.25.090 “Liability Clause” was made by Jon, seconded by Wade and the motion passed by a vote of 3-1.

Yes Vote: Anderson, Wells, Campbell

No Vote: Hunsaker

Absent: Wall

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-15, A RESOLUTION
UPDATING THE PREVAILING FEE SCHEDULE OF THE CITY.**

Craig mentioned there are two proposed changes and they are as follows:

Temporary Business License (30 days or less):	\$15.00
Special Event Permit:	\$100.00

Craig mentioned Logan City and Cache County had been contacted to find out what they charge in this regard.

Jon asked if the cost of the staff is covered in the temporary business license fee? Craig replied it is where it is a streamlined process which does not take much time.

Deon asked if Health Days booth vendors will have to pay for a temporary business license? Craig replied they will not where they are vendors at a special event. This license applies to a company such as a mobile snow cone or specialty drink business which will only be in the city for a few days and then moves on.

Deon asked if a business license is needed for booth rentals during Health Days? Craig replied one is not needed.

Jamie asked if charging a special event fee will keep people away? Craig replied he did not think so where it is a reasonable fee.

Mayor Barnes asked if the city currently has a temporary business license fee? Craig replied the city does not and has been charging the full license fee in the past.

Deon asked if this applies do firework vendors? Craig replied it does not because they might only be open a few days but they have their booths and canopies setup more than 30 days. Special inspections and approvals are needed for a firework booth.

A motion to adopt Resolution 21-15, a Resolution updating the Prevailing Fee Schedule of the City was made by Jamie, seconded by Wade and the vote was unanimous.

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

CANVASS THE ELECTION RESULTS OF THE AUGUST 10, 2021 PRIMARY ELECTION.
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Justin reviewed the results of the August 10th Primary Election.

City Council – 4 Year Term

Jamie Anderson***	573
Wade C. Campbell***	762
Bart Caley	343
Sue Hyer***	799
Andrew Lillywhite***	620

***Elected

Total Registered Voters	7,170
Total Ballots Counted	1,721
Total Ballots Not Counted	85
Voting Percentage	25.19%

The voting percentage for ballots counted was 24.00%.

The 85 ballots which were not counted were not counted for the following reasons. Three of the ballots were returned unsigned. Eleven ballots had invalid or unidentifiable signatures. Seventy-one ballots were postmarked too late. Ballots had to be postmarked no later than Monday, August 9th.

Jamie Anderson, Wade C. Campbell, Sue Hyer and Andrew Lillywhite were elected to be on the Tuesday, November 2nd General Election ballot. Two will be elected at that time.

Justin was disappointed voter turnout was only 25%. This year voting was easier than ever because ballots were mailed to each person. All they had to do was fill them out and mail them or put them in the drop box at the city office.

Justin mentioned several people said they did not vote because it was a waste of time voting in a Primary Election where the candidate field was only narrowed from five to four.

Information regarding the General Election will be posted on the website of the city and updated periodically.

Jamie asked what the process is if a candidate wants to withdraw at this point? Justin replied he would need to contact the state and find out if any changes have been made to the state code in this regard.

Jon asked if the ballots for the General Election have been printed yet? Justin replied they have not been printed.

Jon suggested emphasizing in an upcoming newsletter that 71 of the ballots were rejected because they were mailed too late.

Justin mentioned this was the first time the city has worked with the county on a vote-by-mail election and things overall went well. The county will help the city with the upcoming General Election as well.

Justin stated he did not have any concerns or issues about the Primary Election or the results and was comfortable certifying the election results as presented.

A motion to certify the results of the August 10, 2021 Primary Election was made by Wade, seconded by Jon and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

CITY MANAGER REPORT

Craig mentioned the tour of the culinary water system by the council and mayor on Wednesday, September 8th will start at the city office building. Some public works employees will be in attendance for the tour.

Whittaker Construction should start the natural gas line lowering project anytime at 1000 South Main. Once they start it will take 12 days to complete the project. After the gas line is lowered the city utilities can then be installed across the highway.

The golf course netting project at the driving range is now complete.

Jamie asked if the poles were inspected as part of the project? Craig mentioned the poles were reviewed and some were replaced.

Long term the east/west netting will need to be replaced as well.

Several residents have complained about speeding on 600 West in the area of 200 North. Chief Allen did a speed study in the area. The results of the study are as follows:

Area: 600 West from 100 North – 300 North.

Date	Time	Location	Vehicle Marked/ Unmarked	Less than 25MPH	26 - 30MPH	31 - 35MPH	36+MPH
08/04/21	14:00 – 16:00	260 N 600 W	Unmarked	Not counted	22	5	2
08/19/21	09:10 – 10:10	300 N 600 W	Marked	Not counted	16	3	0
08/23/21	10:15 – 11:15	230 N 600 W	Unmarked	40	17	8	0
08/23/21	15:10 – 16:10	300 N 600 W	Marked	64	41	3	0

Only two vehicles were observed going over 36 miles per hour. One was going 37 miles per hour and the other 44 miles per hour. The vehicle going 37 miles per hour should have at least received a warning and the vehicle going 44 miles per hour should have been cited.

Most people are observing the speed limit. High speeds are not the norm as people have stated.

Those speeding were residents of the area not construction vehicles as stated by those residing in the area.

Chief Allen felt the crosswalk at 200 North 600 West should be painted but the intersection does not warrant a four-way stop.

The majority of the traffic in the area is when kids are dropped off at school and when children are picked up after school. There is not very much traffic in the area outside of those times.

Jamie asked for this information to be shared with the residents who expressed their concerns to the council the last couple of months. Chief Allen cautioned this is just a random sample. There will be people who speed on all roads of the city at different times. Jamie replied he understood but wanted residents of the area to know the council and staff are looking into their concerns.

Chief Allen mentioned John Hauptman has concerns about speeding in his area of town on 700 East.

Jamie asked if the city has a trailer which will tell people how fast they are driving? Chief Allen replied the city has one which is about 20 years old. Chief Allen did not know if it still functioned properly.

Jamie asked if speed trailers help? Wade replied sometimes they are not a deterrent as people will actually speed up. Chief Allen replied he did not think they were a deterrent. Jon mentioned there is one in North Logan heading into Hyde Park.

Jon suggested repainting the crosswalk at 200 North 600 West. Craig replied it will be repainted as soon as paint is available.

COUNCIL MEMBER REPORTS

Deon mentioned that he and Paul James, who is a city council member in Hyrum, made a friendly wager on who would win the baseball championship series between the Smithfield Blue Sox and Hyrum. Hyrum won Game 1 in Hyrum. Smithfield won Game 2 in Smithfield. Smithfield won Game 3 in Hyrum. Since Paul was the loser of the wager, he had to wear a Blue Sox hat to a Hyrum City council meeting.

Deon informed the council he had some questions on rollback tax when a parcel comes out of the greenbelt designation. Who receives the tax? Deon visited with the assessor and treasurer's office at the county. Nobody seemed to know. After some review and discussion it was determined the entities receive the amount based on the current year levy.

For example, when the Golden Forest property is taken out of greenbelt status the city will receive some of the property revenue which is paid as part of the rollback tax.

Deon mentioned the city would not receive a lot of revenue from the rollback tax but would receive some. Mayor Barnes stated the city should receive a lot because development is going on undeveloped agricultural fields. Jon mentioned the school district will receive the majority of the property tax paid.

Jon asked if there is a specific breakdown of the payments which the city receives? Craig replied there is not but the information could be obtained from the county.

Deon informed the council he will not be able to attend the Wednesday, September 8th city council meeting because he will be in Iowa attending a Lion's Club convention.

The Lion's Club and Smithfield Chamber of Commerce will be hosting two Meet the Candidates Nights in October. One will be on a Wednesday night and the other on a Thursday night.

Mayor Barnes asked why two meetings are being held when only one is needed? Deon replied because the majority of the people he talked to requested two. Wade replied he was fine with one or two. Jamie replied he did not respond to the request so he was fine either way as well. Wade mentioned Kris Monson did not have a preference either.

Justin mentioned the newsletter has been designed and will be printed on Thursday, August 26th if it has not already been printed so any changes need to be made immediately.

Mayor Barnes stated the October 6th Meet the Candidates Night was enough. A second meeting is not needed.

Jon mentioned the recent rainstorms have helped the water situation. People have been able to conserve even more by not watering as much because of the rain.

Mayor Barnes asked if the water tanks are reading higher because of the rain? Clay replied they are able to fill as needed.

Jon thanked Craig for putting together a tour for the council and mayor of the culinary water system of the city before the September 8th city council meeting.

Jon mentioned the windows for the west side of the Douglass Mercantile building should arrive and be installed in September.

Mayor Barnes mentioned a new waterline had been installed for the Douglass Mercantile building. The public works department installed the new service. Jon mentioned the cost of the work will be used as part of the city expense on the matching grant which has been applied for.

Wade mentioned Curtis attended the library board meeting in his behalf.

Wade informed the council the new ambulance will arrive on September 5th.

One of the old ambulances will be stationed in Richmond and a backup in Trenton.

The wildland fire crew is staying busy. The two crews have responded to several fires.

The current fire engine is a 2003. Replacement options will be discussed at a future city council meeting.

Wade expressed concern the fire department could lose employees because of wage issues. An extensive amount of time and money has been put into training these employees and we don't want them leaving for other local departments. Wages need to be reviewed to make sure they are comparable with surrounding agencies.

A grant in the amount of approximately \$102,000 will be received. When it is received new equipment will be purchased and training paid for with the funds. Chief Downs mentioned it is called the Safer Grant and it does not require any matching funds.

In 2022, the fire department and library will both have their 100-year anniversary. The fire department was operated by volunteers until at least the late 1990's or later.

Craig mentioned the library staff has talked about restricting access to the building. This is not allowed because it is a public building. People that are wet from the splash pad, bare foot or possibly homeless cannot be turned away from a public building.

Wade mentioned some residents have concern about how the library is being operated. The board is working with the staff to make improvements.

Mayor Barnes asked for a plan no later than January for how the library and fire department will celebrate their 100-year anniversary.

Jamie stated at a candidate forum which was held before the Primary Election people asked where they can find information about agenda items. How can the city advertise these items better? Can a link be included for people to easily find items? Craig asked what type of items people want to see? Jamie replied items such as proposed Ordinances. Residents want to be able to review these items before the public hearing. Deon mentioned on the Hyrum City website there is a link by the agenda which includes information on each item on the agenda.

Jon asked if these types of items can be included on the post for the Utah Public Notice website? Justin replied attachments can be included with the upload.

Justin informed the council he would look into some options of where to post this type of information so it can be easily found and reviewed.

MAYOR'S REPORT

Mayor Barnes asked who the moderator is for the Meet the Candidates Nights? Deon replied nobody has been chosen but he thought about asking Chad Downs.

Mayor Barnes asked what the format of the meetings will be? Deon replied each candidate will give some opening remarks. There will be a question and answer period which the moderator will oversee. The candidates will then be able to meet with people on an individual basis.

Mayor Barnes stated he supported only having one meeting and not two. Jamie stated maybe one meeting could be for the council member candidates and the other meeting for the mayoral candidates.

Mayor Barnes mentioned Neighborhood Housing Solutions is having a program on Crow Mountain Road tomorrow, Thursday, August 26th at 9:00 A.M. An open house is being held from 4:30 P.M. to 7:00 P.M. where the newest group of homes can be toured.

The grand opening and ribbon cutting for the Green Gorilla Carwash will be on Saturday, August 28th at noon.

Cache County Executive David Zook will be attending the Wednesday, September 8th city council meeting to answer any questions the council has.

Last Friday, a school bus collided with a semi-truck at 100 North Main. Thankfully nobody was seriously hurt. The accident made the front page of *The Herald Journal*.

The council took a temporary recess at 8:51 P.M.

The council meeting was reconvened at 8:59 P.M.

EXECUTIVE SESSION TO DISCUSS REASONABLY IMMINENT LITIGATION AND THE CHARACTER, PROFESSIONAL COMPETENCE, OR PHYSICAL OR MENTAL HEALTH OF AN INDIVIDUAL. UTAH CODE ANNOTATED 52-4-205 (1) (A) AND (C).

A motion to close the regular council meeting and open the executive session was made by Jon, seconded by Wade and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

The executive session opened at 9:00 P.M.

Those in attendance: Mayor Jeffrey H. Barnes, Council Members Jamie Anderson, Deon Hunsaker, Jon Wells, Wade Campbell, Police Chief Travis Allen, City Manager Craig Giles and City Recorder Justin Lewis

A motion to close the executive session and reopen the regular council meeting was made by Wade, seconded by Jon and the vote was unanimous.

Yes Vote: Anderson, Hunsaker, Wells, Campbell

No Vote: None

Absent: Wall

The executive session closed at 10:05 P.M.

Wade made a motion to adjourn at 10:06 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, August 25, 2021**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Wade Campbell

1. Approval of the city council meeting minutes from July 14, 2021.
2. Resident Input
3. Discussion and possible vote on the request by Gregory Stables LLC for approval of the Final Plat for the Gregory Stables Subdivision, Phase 1, a (5) lot/unit subdivision located at approximately 370 North 300 West.
4. Discussion and possible vote on the request by Smithfield Ridges, LLC for approval of the Final Plat for Smithfield Ridges Phase 11, a (4) lot/unit subdivision located at approximately 420 South 1140 East.
5. Discussion and possible vote on the request by Smithfield Ridges, LLC for approval of an extension on the Final Plat for Smithfield Ridges Phase 12, a (9) lot/unit subdivision located at approximately 1140 East 600 South.
6. Discussion and possible vote on the request by Smithfield Ridges, LLC for approval of an extension on the Final Plat for Smithfield Ridges Phase 13, an (8) lot/unit subdivision located at approximately 1140 East 600 South.
7. Discussion and possible vote on Ordinance 21-27, an Ordinance rezoning Cache County Parcel Numbers 08-118-0011 and 08-118-0014 from RM (Multiple Family Residential) to RM PUD (Multiple Family Residential Planned Unit Development Overlay Zone). The parcels are located at approximately 80 East 600 South. The parcels total approximately 3.80 Acres.
8. Discussion and possible vote on Ordinance 21-25, an Ordinance rezoning Cache County Parcel Numbers 08-043-0022, 08-043-0021, 08-043-0025, 08-043-0031, 08-043-0013, 08-043-0012, 08-043-0010, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-043-0016, 08-043-0013 and 08-043-0014 from A-10 (Agricultural 10-Acre) and R-1-10 (Single Family Residential 10,000 Square Feet) to MPC (Master Planned Community). The parcels total approximately 89.79 acres. The parcels are located at approximately 100 West to 300 West from 450 North to 800 North.

9. Discussion and possible vote on amendments to the Smithfield City Personnel Manual.
10. Public Hearing for the purpose of discussing Ordinance 21-29, an Ordinance amending the Smithfield City Municipal Code Title 9 “Public Peace and Welfare” by adding in its entirety Chapter 9.25 “Special Events”, Sections 9.25.010 “Purpose”, 9.25.020 “Definitions”, 9.25.030 “Permit Required, Exceptions”, 9.25.040 “Application Procedure, Deadlines, Submittal Requirements, Fees”, 9.25.050 “Application Review Process”, 9.25.060 “Special Event Permit Issuance or Denial”, 9.25.070 “Supplemental Regulations”, 9.25.080 “Violation” and 9.25.090 “Liability Clause”.
11. Discussion and possible vote on Ordinance 21-29.
12. Discussion and possible vote on Resolution 21-15, a Resolution updating the Prevailing Fee Schedule of the City.
13. Canvass the election results of the August 10, 2021 Primary Election.
14. City Manager Report
15. Council Member Reports
16. Mayor’s Report
17. Executive Session to discuss reasonably imminent litigation and the character, professional competence, or physical or mental health of an individual. Utah Code Annotated 52-4-205 (1) (a) and (c).

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.