

SMITHFIELD CITY COUNCIL

MARCH 10, 2021

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, March 10, 2021. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jon Wells.

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

Wade Campbell arrived during the meeting.

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

VISITORS: Michelle Anderson, Darek Kimball, Merrilee Wells, Joe Christensen, JJ Christensen, Dan Larsen, Shynse Larsen, Tiffany Vega, Jesse Vega, Bob Holbrook, Glade Smith, Scott Archibald, Paul Scrowther, Guy Jardine, Josh Jensen, R. Smart, Jeron Jensen

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM FEBRUARY 10, 2021.

A motion to approve the February 10, 2021 city council meeting minutes was made by Jamie, seconded by Jon and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells

No Vote: None

Absent: Campbell

DISCUSSION AND POSSIBLE VOTE ON RECEIVING THE CERTIFICATION OF ANNEXATION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY NATHAN WHITTAKER FOR PARCEL NUMBERS 08-121-0007, 08-121-0006, 08-121-0008 AND 08-124-0011 AND DIRECT THE PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON MARCH 27TH, APRIL 3RD AND 10TH. THE PARCELS ARE LOCATED AT APPROXIMATELY 300 SOUTH 1450 EAST. THE PARCELS TOTAL APPROXIMATELY 17.27 ACRES.

Justin mentioned there were no issues or problems with the survey.

This is Step 2 of 3 in the process.

Once the certification is approved the advertising process will start.

The public hearing and vote of the city council on the request will be at the Wednesday, April 14th council meeting.

***A motion to receive the Certification of Annexation for Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011 was made by Curtis, seconded by Jon and the motion passed by a vote of 3-1.

Yes Vote: Wall, Hunsaker, Wells

No Vote: Anderson

Absent: Campbell

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-07, AN ORDINANCE REZONING PARCEL NUMBER 08-080-0008 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED AT APPROXIMATELY 400 NORTH FROM 200 TO 300 WEST AND TOTALS 5.00 ACRES.

Mayor Barnes mentioned this parcel was previously a brickyard where material was dug out of the ground. There is a substantial bank on the east side of the property. The road is much higher on the east side than the parcel base.

Mayor Barnes informed the council the planning commission reviewed the request and recommended denying the request.

Jon asked Scott Archibald what the plan is for the east side of the property where the steep bank is located? Scott replied the intent would be to install a cul-de-sac which accesses the property from the west. About 2/3 of the way into the property, from the west, the grade significantly changes.

Jon asked if there are plans to stabilize the bank on the east side of the property? Scott replied they would only if needed. There is about a 25-foot elevation change from the road to the bottom of the parcel. The slope down the bank is about 20%. The bank is not a sheer cliff. If needed some fill can be added to the bank to make the slope more gradual.

Jon asked how many units would be built on the parcel? Scott replied the intent would be to build ten buildings with five units per building.

Jon asked if two access points are needed to meet fire code with that many units? Chief Downs replied that is correct.

Scott mentioned a road could be completed going north and connecting straight across from the existing road to the north (250 West 400 North).

Mayor Barnes mentioned the planning commission reviewed the master plan. The planning commission felt this parcel was better suited for a PUD (Planned Unit Development Overlay Zone) than for multi-family housing.

Mayor Barnes stated with a PUD Overlay that would allow for twin homes to be built on the parcel. A twin home would be similar to a duplex.

Jamie asked if the units would be sold or rented? Scott replied they would be owner occupied so they would be townhomes.

Jamie stated there are examples throughout the city where multi-family housing was allowed in areas not calling for that type of zoning.

Jamie did not have the same concerns the planning commission did regarding the request.

Deon asked if curb, gutter and sidewalk would be required on 200 West? Clay replied it would be required if the parcel is developed.

Deon stated he was concerned about the curb and gutter because of the drop off from the road to the bottom of the parcel.

Scott mentioned curb, gutter and sidewalk would be required on the east, west and north sides of the property as well as on the interior development of the parcels inside the main parcel.

Scott stated development is hard on this parcel because the only access point, for the most part, is from the west.

Deon stated he can see this parcel from his home. Deon hoped the eastern portion of this parcel would be multi-family housing but the west part would-be single-family homes.

Scott stated unless city ordinances are changed access from the east would not be allowed because of the steepness of the slope.

Mayor Barnes asked Scott which concept plan he preferred of the two presented? Scott replied the one with the cul-de-sac further to the north.

Mayor Barnes asked where the open space would be. Scott replied in the back and front of the units. It would be possible to face the north units towards 400 North which would give them a bigger front yard.

Mayor Barnes mentioned the concept plan was not required as part of the rezone request. Scott chose to submit one with the request.

Jamie stated it needs to be determined how fire department access will impact this development. Scott mentioned a second access to the north would be required which would most likely result in the loss of one of the proposed buildings.

Jamie mentioned with the amount of curb, gutter and sidewalk needed for the project, as well as required road improvements, the developer needs to build as many units as possible to help pay for the required infrastructure.

Mayor Barnes asked for clarification if there would be curb, gutter and sidewalk on the exterior of the development? Scott replied city codes requires it. The exterior sides (east, west, north)

total about 1,250 linear feet of curb, gutter and sidewalk. Some fill might be needed on the east side to build the bank up for the sidewalk and curb and gutter.

Mayor Barnes asked Scott if he had considered building single family homes on the west end of the parcel? Scott replied it is not appealing to have single family homes looking across the road at an excavation company. Scott did not have an issue with the business operating there. Scott mentioned there is noise and other factors most single-family homeowner's want to stay away from.

A motion to adopt Ordinance 21-07 was made by Jamie. There was not a second on the motion. The motion died and was not voted on. The request is considered DENIED.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-04, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 "SUBDIVISION REGULATIONS", SECTION 16.04.050 "GENERAL RESPONSIBILITIES", SECTION 16.04.070 "REQUIRED CERTIFICATES, PERMITS AND REVIEWS", SECTION 16.04.080 "FEES", SECTION 16.06.010 "GENERAL PURPOSE", SECTION 16.07.020 "CONCEPT PLAN", SECTION 16.07.030 "PRELIMINARY PLAN", SECTION 16.05.040 "SUBDIVISION TECHNICAL REVIEW COMMITTEE (STRC)" AND TITLE 17 "ZONING REGULATIONS", SECTION 17.84.030 "SUBDIVISION REQUIREMENTS", SECTION 17.88.090 "APPROVAL PROCESS", SECTION 17.88.100 "APPROVAL OF CONCEPTUAL PLAN REVIEW AND PUD OVERLAY ZONE" AND SECTION 17.88.130 "FINAL PUD PLAN APPROVAL".

Clay mentioned the proposed Ordinance would get rid of the requirement of a developer having to submit a concept plan.

Mayor Barnes asked if a step in the development process is being removed? Clay replied the STRC (Subdivision Technical Review Committee) replaced the idea of needing a concept plan. The planning commission no longer reviews concept plans. They only review preliminary and final plans. The city council reviews final plans.

A motion to adopt Ordinance 21-04, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Section 16.04.050 "General Responsibilities", Section 16.04.070 "Required Certificates, Permits and Reviews", Section 16.04.080 "Fees", Section 16.06.010 "General Purpose", Section 16.07.020 "Concept Plan", Section 16.07.030 "Preliminary Plan", Section 16.05.040 "Subdivision Technical Review Committee (STRC)" and Title 17 "Zoning Regulations", Section 17.84.030 "Subdivision Requirements", Section 17.88.090 "Approval Process", Section 17.88.100 "Approval of Conceptual Plan Review and PUD Overlay Zone" and Section 17.88.130 "Final PUD Plan Approval" was made by Curtis, seconded by Jamie and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells

No Vote: None

Absent: Campbell

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-07, A RESOLUTION INFORMING THE STATE OF UTAH WATER QUALITY BOARD OF ACTIONS TAKEN CONCERNING THE MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR 2020.

Clay mentioned this report has to be updated periodically and sent to the state.

The numbers used in the report are the numbers that Sunrise Engineering used when they redid the Sewer Master Plan last year.

Mayor Barnes mentioned the report is due by April 15th.

The current monthly residential sewer charge is \$40.00 per month.

There are sixty miles of pipe in the system including the trunk line which runs to Logan.

There are currently 4,165 hookups on the system.

In 2020, 134 new hookups were added.

It is anticipated the number of new hookups in 2021 will be higher than 2020.

A motion to adopt Resolution 21-07, a Resolution informing the State of Utah Water Quality Board of actions taken concerning the Municipal Wastewater Planning Program Report for 2020 was made by Jon, seconded by Jamie and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells

No Vote: None

Absent: Campbell

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 21-10, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBERS 08-043-0025, 08-043-0010, 08-043-0013, 08-043-0012, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-041-0016, 08-041-0014 AND 08-41-0013. THE PARCELS ARE LOCATED AT APPROXIMATELY 200 WEST 600 NORTH. THE PARCELS TOTAL APPROXIMATELY 79.85 ACRES.

Mayor Barnes mentioned this is the third and final step in the annexation process.

****The public hearing opened at 7:06 P.M.****

There were not any comments or questions.

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

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-10.

Mayor Barnes mentioned there are three access points to these parcels. They are 200 West, 300 West and Oak Street. Traffic will enter and exit the parcels from the east and south.

Mayor Barnes asked if a lift station will be needed for the sewer system on these parcels? Clay stated he would let the developer respond to the question because they recently did a sewer review of the area. Dan Larsen stated their evaluation of the parcels show the slope is enough to gravity flow to the existing sewer line on 400 North. Any development north of the proposed annexation would require a sewage lift station.

Mayor Barnes asked for clarification on if any of the parcels in the proposed annexation would need to have a sewage lift station installed. Dan replied none of the parcels in the annexation request would need a sewage lift station installed.

Mayor Barnes asked what happens if it is determined a sewage lift station is needed? Dan replied then his company would install one. They have installed two large lift stations previously. One of them was a regional lift station in the Rexburg, Idaho area.

Mayor Barnes mentioned if the parcels are annexed into the city the zoning would be A-10 (Agricultural 10-Acre) by default.

Mayor Barnes asked if the irrigation canal would be piped or stay an open canal? Dan replied he had an initial conversation with the irrigation company but nothing was finalized. The canal might be piped, might be left open and piped in places or could be left completely open.

Jamie mentioned the General Plan calls for a city park in this part of town.

Jamie stated he would like to see trails incorporated into this development as well.

Dan stated there are several challenges with these parcels. Power lines run through the parcels. The railroad has a very large right-of-way on the west side of these parcels. The irrigation canal meanders along the east side of the parcels.

Curtis asked if the railroad right-of-way is 66 feet? Dan replied from 400 North going north for one mile it is 200 feet. The railroad has a right-of-way 66 feet past the existing fence line on the west side of the parcels.

Jon asked if the railroad would sell any of that land? Dan replied they will not.

Mayor Barnes mentioned there is not a city park in that part of town. Curtis mentioned there is a small park in the Allsop Subdivision to the east. Jon replied that is the location of the Kid's Corner park.

Dan stated until the zoning is determined for the parcels a preliminary plan cannot be created and presented. The intention is to rezone the parcels and form an HOA (Homeowner's Association) which would include a clubhouse, swimming pool and a park.

Dan mentioned they did this type of project in Hyrum and built a two-acre park there.

Dan stated they could easily include trails along the irrigation canal.

Dan mentioned a running loop might be possible if they incorporated it along the power line easement.

Jon mentioned if the council wants a park or other considerations this is the time to make the stipulation. Dan replied he was not opposed to a park but usually the developer and city negotiate on things like that. The city mandates the parcels come in zoned as A-10 which does not allow for any negotiating.

Dan stated it is unfair to require the developer to deed land to the city for a park at this time. Mayor Barnes replied as soon as any annexation is approved a developer immediately asks for a rezone. These parcels will be no different. They will not stay A-10. Now is the time the council has the ability to make requests.

Dan stated the current concept plan would include 17 acres of open space based on their preliminary projections.

Mayor Barnes asked if the preliminary plan includes a clubhouse, swimming pool and open space like in Hyrum? Dan replied it does.

Jon replied the issue with a park in an HOA is that the public does not feel they can use the park. The feel of the park is that it is private and not all residents can utilize it. Dan replied maybe a joint venture can be done on the park where the developer installs the park and then the city takes ownership of the park and maintains it long term.

Mayor Barnes asked if 800 North could be connected long term? Clay replied there are obstacles in the way from making it straight line such as the Dominion Energy Pump Station and some power lines on the parcel owned by Duane Williams and Matt Hyde.

Clay mentioned if the MPC (Master Planned Community) Ordinance is adopted that would be an option for the developer to consider. The planning commission and council would then be involved in the layout and creation of the development.

Jamie asked Dan to please consider adding trails and parks to the development where possible.

Jon asked Dan if he already had access to 200 West, 300 West and Oak Street? Dan replied he does.

A motion to adopt Ordinance 21-10, an Ordinance annexing Cache County Parcel Numbers 08-043-0025, 08-043-0010, 08-043-0013, 08-043-0012, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-041-0016, 08-041-0014 and 08-41-0013 with special consideration being given to creating parks and trails as development occurs was made by Curtis, seconded by Jamie and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells

No Vote: None

Absent: Campbell

PUBLIC HEARING ON ORDINANCE 21-08, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 13 “PUBLIC SERVICES”, CHAPTER 13.04 “WATER SERVICE SYSTEM”, ADDING IN ITS ENTIRETY SECTION 13.04.225 “SOURCE PROTECTION ZONES FOR GROUNDWATER WELLS”, SECTION 13.04.226 “PROHIBITED ACTIVITIES” AND SECTION 13.04.227 “ENFORCEMENT, VIOLATION, PENALTY”.

Clay mentioned the city is in the process of drilling a new culinary water well.

Everyone in Zone 2 of the area surrounding the well needed to sign a land-use agreement regarding the new well.

The agreement is a protection zone for the new well.

Most of the landowners signed the agreement with no problem.

One of the landowners would not sign the agreement.

The state recommended the Ordinance be put in place to resolve the issue.

Curtis asked what the concern was by the landowner who would not sign the agreement? Clay replied Marty Spicer would not sign the agreement because he is in the process of selling his properties in the area and felt this might encumber something he was trying to do.

Mayor Barnes mentioned Darek Kimball from J-U-B Engineers was in attendance to answer any questions the council has on the Ordinance.

The public hearing was opened at 7:26 P.M.

There were not any comments or questions.

The public hearing was closed at 7:26 P.M.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-08.

Jamie asked if those currently in the area not meeting the requirements are grandfathered in? Some people would be in violation if the Ordinance is adopted. Currently, people have livestock along Summit Creek. Clay replied there are specific requirements for feedlots and manure pits. The Zones regulate what can be close to a city well. This applies to the Birch Creek well as well as the well at Forrester Acres.

Clay stated he was not aware of anyone who would need to be grandfathered in because of existing issues.

The feedlots in Zones 3 and 4 have already been reported to the state. They are not in violation because they are outside of the area of influence.

Mayor Barnes asked what had been reported to the state on the existing feedlots. Clay replied the Division of Source Protection and the Division of Drinking Water reviewed the existing feedlots in town already.

Darek Kimball, from J-U-B Engineers, mentioned the well permitting process is currently underway. Potential contamination sources have to be identified. It has to be determined if the sources are large or small and can they be mitigated. A strategy is in place to mitigate the existing issues. Activities are allowed as long as people mitigate for them.

Darek mentioned he was surprised the city did not have this Ordinance in place already. Smithfield is one of the few cities in the state without this Ordinance in place. Activities are restricted within 100 feet of the well. The city already owns the land within that Zone so there is not a problem.

The city needs to be aware what is happening within 250 feet of the well.

Pesticides typically are not a problem because they are too expensive to dump on the ground.

Jamie asked if this Ordinance was based on what other cities have adopted? Clay replied that is correct. The Division of Drinking Water provided the main verbiage in the proposed Ordinance.

Jamie asked if someone is not in compliance is a cease and desist issued or does the person have time to correct the problem? Clay replied they have to stop what they are doing immediately. They are allowed to appeal the issue. Contaminants cannot be let into the ground while the applicant is going through the appeal process.

Mayor Barnes asked for the Zones to be explained. Darek replied Zone 1 is the area within 100 feet of the well. Zone 2 is within 250 days of travel. This means how far will groundwater travel within 250 days. Septic tanks are not allowed in Zone 2. The city is working with the state on some concerns they have regarding the city piping in Zone 2.

Mayor Barnes asked what the issues are with the existing piping? Clay replied some of the piping is about thirty years old. The material of the pipe is different than what is used today. There are some cracks in a few sections of pipe which need to be grouted.

Zone 3 is a three-year zone of travel.

Zone 4 is a fifteen-year zone of travel.

The Zones of each well are different. They are not just a circle. Each Zone around a well is based on the topography of the land underground. Each well would have a different Zone model.

A motion to adopt Ordinance 21-08, an Ordinance amending the Smithfield City Municipal Code Title 13 “Public Services”, Chapter 13.04 “Water Service System”, adding in its entirety Section 13.04.225 “Source Protection Zones For Groundwater Wells”, Section 13.04.226 “Prohibited Activities” and Section 13.04.227 “Enforcement, Violation, Penalty” was made by Jamie, seconded by Curtis and the vote was unanimous.

Yes Vote: Wall, Anderson, Hunsaker, Wells

No Vote: None

Absent: Campbell

Council Member Campbell arrived at the meeting at 7:38 P.M.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-08, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY.

Mayor Barnes mentioned the proposed changes to the fee schedule are for supplies used on the ambulances and in regard to ambulances billings.

Jamie asked if the markup is the same CCEMS (Cache County Emergency Medical Services) was charging or something different? Chief Downs replied CCEMS charged a 200% markup. The proposed fees are a 300% markup. Most agencies charge a 400% markup.

Wade asked if the charges are comparable to what South Jordan is charging? Brian Potts replied the fees are comparable to South Jordan and West Jordan.

Brian mentioned Medicare and Medicaid do not pay for disposable supplies.

Mayor Barnes asked if an inventory is taken after each call? Brian replied each item that is used is documented on each call report.

Jamie asked Brian if this creates a bigger workload than in the past? Brian replied that is correct.

Chief Downs stated what was done on each call has to be established for Medicare and Medicaid.

Mayor Barnes mentioned these are new charges which will be added to the fee schedule as previous charges were billed through CCEMS.

Curtis asked if the supplies have a shelf life? Are items thrown away because of spoilage? Chief Downs replied only a small inventory is kept on hand, so it is current.

Curtis asked for clarification on the following charges:

Paramedic Transport	\$1,750.00
AEMT Transport	\$1,196.00
Mileage	\$36.10 per mile

Brian replied those three charges are regulated and established by the state. Those charges can only be changed when the state amends the fees. Typically, the state adjusts these fees in July of each year but they can adjust at other times if needed.

A motion to adopt Resolution 21-08, a Resolution amending the Prevailing Fee Schedule of the City was made by Wade, seconded by Curtis and the vote was unanimous.

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

No Vote: None

DISCUSSION REGARDING RAPZ TAX PROJECT APPLICATIONS.

Mayor Barnes mentioned at the February 10th city council meeting it was discussed the Historical Society would like to apply for some RAPZ Tax funding for the Douglass Mercantile Building in 2022. The intent would be to obtain funding to remodel the building so it could be turned into a museum. The restrooms and other areas need to be updated and renovated. A major renovation is needed to make the building usable.

Curtis mentioned the RAPZ Tax program has existed for about 18 years.

Curtis asked Cache County Executive David Zook for a report of all historical building renovation projects which have been approved.

Curtis said he was aware of a \$6,000 project approval for a historical building in Wellsville.

Curtis informed the council Rec Center Director Brett Daniels helped form the RAPZ Tax program. Brett was a board member for several years as well.

The city has benefitted from the program for the last 18 years.

Curtis expressed concern that a small project might be approved where the city should be applying for large projects such as a city park.

Curtis did not want a little project approval when a big project approval is possible.

Curtis stated he wants to know and the council should know what projects are being applied for and the amount of funding being applied for.

Curtis stated he did not have a problem with the Historical Society applying for a project but historically building renovation projects are not awarded very much funding.

Mayor Barnes stated he wanted to know how many renovation projects had been applied for. Not just how many were approved.

Jamie stated he would like to see projects applied for in regard to trails and items for the golf course as well.

Jamie mentioned he felt it would be appropriate for the council to review a list of proposed projects in the fourth quarter of each year so they could be prioritized.

Curtis stated the city has been very fortunate in the past to receive a significant amount of RAPZ Tax funding.

Jamie mentioned in the past the main focus of the projects has been parks and recreation related.

Mayor Barnes reminded the council he previously did a newsletter writeup on RAPZ Tax informing the residents of some of the projects which have been completed.

Curtis mentioned Brett Daniels should have input on any application which is submitted.

Mayor Barnes mentioned more than one project can be applied for each year.

Curtis asked that in the future the city council be involved in determining which projects are applied for on a yearly basis.

CITY MANAGER REPORT

Craig informed the council the new well drilling project has been put out to bid. The city is working with the state on some source protection concerns.

The staff talked with representatives of UDOT (Utah Department of Transportation). Right now the city is waiting for the construction permit to be received. Once it is received the 1000 South Main signal light project will be put out to bid.

UDOT is working to see if they can reallocate the funds from 2024 to this year so the signal light can be installed.

Senator Chris Wilson is working with UDOT to get the funds reallocated.

The hope is the project can be worked on in late summer and into the fall.

A contract has been signed with Dominion Energy for them to lower the high-pressure natural gas line at 1000 South Main. The project is scheduled to be completed in August.

The next city council meeting, March 24th, will be the initial discussion on the new budget which is the period of July 1, 2021 through June 30, 2022. All of the department heads will be in attendance at the meeting to review their departments and answer questions.

Due to changes in state code; the election will now be Vote by Mail and will not be done in person. It is mandatory the election is held via Vote by Mail.

Craig and Justin met with Cache County Clerk Jess Bradfield. The county will help to administer the election where they have the equipment. The city does not have any of the required machines and it would be cost prohibitive to purchase them.

The cost of the election will increase from about \$6,000 to \$30,000 if a primary election and general election are held. It is about \$15,000 for the primary election, if needed. It will be \$15,000 for the general election. The city staff is still involved with overseeing the election but the county helps with ballot processing and ballot mailing and distribution.

The skate park has been fenced off. There is still snow on the skate park. The grass is being torn up by people trying to access the skate park while the grass is muddy. The skate park is still snow covered.

Jamie asked the staff to have Senator Chris Wilson come before the council at a future council meeting as he has some questions and would like an update on the last legislative session.

Jamie has some questions he would like to ask Senator Wilson about what the state is doing to preserve the rights of local cities.

Curtis mentioned every time he contacted Senator Wilson during the legislative session that Senator Wilson responded to his concern. Jon stated he had the same experience as well.

Wade replied he reached out to Representative Mike Petersen several times and he was disappointed Representative Petersen never contacted him.

Jamie asked what the plan is to deal with traffic in the northwest part of town and specifically Saddleback Road.

Mayor Barnes asked Jamie how often he tours that area of town? Jamie replied as often as is needed to review concerns of residents of the area.

Mayor Barnes stated 600 West and 800 West are good ways to exit the area. It is not possible to change the 300 North roadway. Jamie stated traffic flow on 300 North can be changed but the road cannot be widened.

Jamie mentioned residents of the area want to attend a city council meeting and offer their input on the issue.

Jon mentioned now is a good time to have this discussion as 80 acres was just annexed into the city just east of this area.

Jamie stated he talked with residents of the county residing just outside of this area and they have concerns as well.

Craig mentioned the city has a comprehensive Transportation Plan in place that identifies what is needed in the city and specifically in this area. What exactly does the council want to discuss? Jamie replied Saddleback Road and 300 North need to be discussed. There is more traffic in the area than ever before and it is going to continue to increase. People have traffic issues and concerns in that area. The council is concerned as well.

Craig mentioned 600 West and 800 West are the corridors for the area. The 300 North road is not a corridor. Choke points have been identified. The staff needs to know what to provide the city council so they can discuss their concerns.

Jamie stated the Transportation Master Plan needs to be reviewed to see if the trends are what was expected when the plan was written and adopted.

Wade stated 300 North could possibly be changed to only have one-way traffic.

Jon stated the main concern is 300 North. There is only 33 feet of right-of-way in the area.

Jon suggested doing a traffic count to help understand what can be done to mitigate concerns of those residing in the area.

Clay stated 300 North is a choke point and nothing is going to change or can be changed because there is only a 33-foot right-of-way.

Jon stated making 300 North a one-way road is a possibility but it would be hard to train people to handle that big of a change.

Deon stated the northwest corner of town is just one of his traffic flow concerns.

Deon stated putting in 100 East which flows south through Hyde Park should be a priority. In Smithfield, 250 East goes south but stops once it gets to Hyde Park.

Deon expressed concern that 400 North is not going to align properly as it is developed. Clay replied the only way to make the road go straight is to condemn some property in the area.

Clay mentioned he was told by a couple of council members they had no interest in condemning property so the road is laid out a different way. Jon mentioned there are two property owners in

the area who do not want to sell property to the city for a new road. There are obstacles when trying to connect 400 North going west of 400 West.

Mayor Barnes mentioned there will be a new road north of 400 North which will connect 400 West and 800 West long term. It is an unknown at this time where the road would be installed and whose property it would cross.

Curtis mentioned making 300 North a one-way street is an option but not a good option.

Mayor Barnes mentioned he tours the area all the time and the only time he sees an abundance of traffic in the area is when kids are going to school and when they are leaving school. Outside of those two time periods there are not traffic flow issues in the area.

COUNCIL MEMBER REPORTS

Curtis mentioned Health Days has been moved into June this year. The only item which will not be held in June is the annual Smithfield Chamber of Commerce golf tournament. Where the proceeds from the tournament go to the local elementary schools it is better to keep in May so the proceeds can be distributed when schools are in session.

Justin mentioned Health Days would be held June 1st through the 5th.

Curtis asked if the fireworks for the 2020 Health Days event were used? Craig replied they were purchased last year but not used because Health Days was cancelled.

Curtis stated no other local communities were holding their annual celebrations that week. The weather will be nicer than in May. The school auditorium was easier to book because school is not in session. This year a new event will be held; it is a bike race.

Jon asked if the dates had been changed for this year only? Curtis replied he hoped the event would stay in June moving forward.

Jon mentioned he would like to have a discussion on the dates if it is being considered to move the event long term into June. Curtis replied he had no problem making the discussion a future agenda item.

Justin asked if it would be okay to have the item on an agenda after this year's celebration? Then pluses and minuses of holding the event in June would be known and could be considered. Jon stated he supported the item being an agenda after this year's event is held.

Curtis mentioned the Cache Mosquito Abatement District (CMAD) season is getting ready to start as the snow melts and mosquitoes come out.

CMAD is currently in the process of building a new building in Hyde Park. They rent the space they currently occupy.

Jamie mentioned he met with Eric Kleven and Chad Daniels to discuss needs at the golf course. The biggest current project is redoing the pump station. Without water the golf course would be ruined.

There is an issue with storm water running through the golf course. Specifically in the Skunk Hollow area. A pipe might need to be installed to help the area drain quicker.

Jamie asked for an update on the snack bar at the clubhouse. Craig replied The Beehive Grill will not be coming back this year. A new vendor is taking over. The new vendor will offer a barbeque type menu. There will be made to order items as well as items which can be taken on the go. This has been missing in the past and a good new option moving forward.

One issue is the previous vendor will be taking a lot of equipment he owns with him since he is vacating the building. Right now there is an issue finding new equipment to purchase because of COVID-19. There is the possibility of purchasing the equipment from the old vendor. The estimated cost would be approximately \$30,000. If the equipment is purchased and the new vendor does not have to supply equipment they are willing to pay a higher monthly rent.

Jamie asked what the amount of the change in rent would be? Craig mentioned the rent for the season would be \$8,000 but it could go to \$10,000 to \$12,000 if the equipment is included.

Curtis mentioned Max Gyllenskog works for the Bear River Health Department. Max previously told Curtis that Marty Spicer had the nicest kitchen setup in Cache Valley. Maybe Marty would sell some of his equipment where Jim's Grill has been closed for a couple of years.

Craig mentioned the equipment needed at the café is a very specific size to fit in such a small area.

Craig mentioned the café needs to be operational by Thursday, April 1st no matter where the equipment is purchased from.

Jamie mentioned he was not able to attend the monthly county trails meeting.

The county trails coordinator, Carly Lansche, submitted a RAPZ Tax application this year for a project in Birch Canyon.

Jamie mentioned he was asked to write a letter of support for the project but chose not to do so. Craig mentioned it makes no sense to support a project competing against the city's project.

Jamie stated he did not write the letter because the project is outside of the city limits. The application was for \$50,000.

Jamie mentioned he felt his focus needs to be on supporting trails in the city, not out of the city.

Mayor Barnes mentioned he was not aware until recently the COG (Community of Governments) provides the county trails department funding on a yearly basis.

Mayor Barnes stated he supported Jamie not submitting a letter of support for the project.

Deon mentioned he received an email regarding a food drive being held on Saturday, March 20th at the Civic Center. Craig mentioned he was not aware the building was being used for this project.

Jon asked if this project was sponsored by the local scouts? Mayor Barnes replied it is not a local scout project.

Deon stated the email stated the LDS Church and others were partnering together on the food drive.

Clay stated there is a food drive going on in Logan on the same date. This is not just a local activity.

Mayor Barnes asked Deon to reach out to the event organizer to see if they had contacted the city and what they need from the city on that date.

Deon mentioned the Lion's Club will hold their annual spaghetti dinner on Saturday, April 8th. The event will be a drive through event. Tickets can be purchased in advance of the dinner or the night of the dinner. Cartons of spaghetti can be purchased.

Jon mentioned the planning commission did not review the MPC (Master Planned Community) Ordinance at their February 17th meeting. One of the commissioners who was instrumental in the creation of the Ordinance was not in attendance. Chairman Scott Gibbons asked for the item to be delayed a month so Jasilyn Heaps could be in attendance to review the Ordinance.

The Historical Society would like to apply for RAPZ Tax funding in 2022. Steve Cornell, who works for the State of Utah, has supplied the Historical Society with some concept and floor plan designs for the Douglass Mercantile Building. No construction drawings have been created. Cost estimates are needed before an application can be submitted. Cost estimates will be acquired this year so an application can be submitted next year.

The Historical Society applied for a CLG (Certified Local Governments) Grant this year. Last year the city received a grant in the amount of \$10,000. The funds were used for a stabilization project on the Douglass Mercantile Building as well as a study on the Youth Center.

The \$3,000 grant received from Rocky Mountain Power will be used to help replace windows and doors.

Due to COVID-19 the amount of funding this year for the CLG Grant will most likely be no more than \$7,000.

Mayor Barnes asked for an update on the culinary waterline running to the Douglass Mercantile Building. Jon replied a new water service line needs to be run to the building. The public works department of the city can complete the waterline installation.

Wade mentioned the library board will be meeting on Wednesday, March 17th.

Wade met with Chief Downs and Brian Potts at the fire department to review the budget and get an update on ambulance service.

The Smithfield department was supposed to get about 20% of the ambulance transfers in the valley. So far, the department has received about 23% of the transfers. More revenue has been received than was projected.

The rebranding of the department is complete.

The budget was reviewed. Specifically the effect on the department if the minimum wage is raised to \$15.00 per hour. Basically wages for part-time and seasonal employees would have to be evaluated in all departments throughout the city.

The department is considering adding another wildland truck to the fleet. With another truck more revenue could be generated for the department.

MAYOR'S REPORT

Mayor Barnes mentioned he was proud of the effort made by the city council and staff to start the ambulance program. It was a wise choice. So far everything has been positive. More revenue is being generated than expected.

Mayor Barnes talked to Senator Chris Wilson about the closing of the justice court. The request was approved by the legislature. The only remaining step is for Governor Spencer Cox to sign off on the request. The justice court will close on April 1st.

The Tree Committee met on March 11th. The state is not holding the annual Arbor Day poster contest because of COVID-19. The committee decided to hold a local poster contest. The committee will judge the posters and award prizes to the winners. The committee will have a booth during the annual Health Days celebration as well.

Mayor Barnes asked what special event is happening with the police department this year? Chief Allen replied it is the 20th anniversary of the department being formed.

Mayor Barnes mentioned he attended a city council meeting when the police department was being considered to be formed. Mayor Barnes spoke in favor of creating the police department. The mayor at that time was Kent Ward. There were many residents against the proposal.

The city was contacted regarding some trespassing and other issues at 188 East 400 South. The home on this lot burned down many years ago. A member of the police department met with the property owner. The area is going to be cleaned up and posted "No Trespassing" moving forward. The property owner is hopeful to sell the property to CAPSA so the lot can be utilized in the future.

A letter was submitted to the city asking for the speed limit on 300 South to be increased. The complaint is that 300 South is 25 miles per hour and 600 South is 35 miles per hour.

Mayor Barnes asked what would need to be done to adjust the speed limit on that road? Craig replied a traffic study would need to be completed.

Wade mentioned the Fire Department will celebrate their 100-year anniversary next year.

Jon asked if where the speed limit changes to 55 miles per hour going south out of the city will be moved once the new signal light is installed at 1000 South Main? Craig replied UDOT (Utah Department of Transportation) has not said if that is something that will be done. Speeds are based on speed studies. Clay said most likely the speed limit will be evaluated once the signal light is installed.

Curtis mentioned the council had not made a decision on whether or not to purchase the equipment needed for the Birch Creek Café so it could be operational by April 1st. Craig said his understanding is the staff is not to proceed with the purchase until Marty Spicer is contacted regarding the possibility of purchasing some equipment from him.

Curtis stated he was okay with the request to proceed now.

Craig mentioned the proposed contract with the new vendor would start on April 1st. They want to be open on that date.

Curtis stated he would still like to visit with Marty but the café needs the equipment now so they can open up by April 1st. Mayor Barnes stated he supported moving forward now with the request to purchase the equipment.

Wade asked where the funds would come from to purchase the equipment? Craig replied the golf course is having an amazing year from a revenue perspective so the budget would be adjusted to include the purchase.

Wade asked if the purchase would be for items such as the grill, refrigerator, etc.? Craig stated that is correct.

The consensus of the council was to purchase the equipment now so the café could be open by April 1st.

Craig mentioned Brett Daniels informed him that Just Serve, who is affiliated with the LDS Church, is using the back area of the Civic Center for a drop off location for the food drive. The building is not being utilized, just the parking lot.

The council meeting was temporarily adjourned for a short recess at 8:41 P.M.

The council meeting was reconvened at 8:48 P.M.

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

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

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

No Vote: None

The executive session opened at 8:48 P.M.

Those in attendance: Mayor Barnes, Curtis Wall, Jamie Anderson, Deon Hunsaker, Jon Wells, Wade Campbell, Craig Giles and Justin Lewis

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

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

No Vote: None

The executive session closed at 9:14 P.M.

COUNCIL MEMBER REPORTS

Curtis mentioned "Resident Input" was not included on the agenda in the last couple of CITY council meetings.

Jamie stated he preferred to have it as an agenda item.

Curtis stated the residents need an opportunity to say what they need to say.

Craig mentioned questions can be asked by residents but the council cannot answer them or have an open dialogue on their concerns.

Wade stated he only had one negative experience during Resident Input.

Curtis stated people have a right to express their opinion.

Jon stated he was fine including it on the agenda.

Mayor Barnes stated "Resident Input" will be included on future city council meeting agendas.

Jon made a motion to adjourn at 9:19 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, March 10, 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 February 10, 2021.
2. Discussion and possible vote on receiving the Certification of Annexation from the City Recorder for the Annexation request by Nathan Whittaker for Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011 and direct the publication of such petition in The Herald Journal on March 27th, April 3rd and 10th. The parcels are located at approximately 300 South 1450 East. The parcels total approximately 17.27 acres.
3. Discussion and possible vote on Ordinance 21-07, an Ordinance rezoning Parcel Number 08-080-0008 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at approximately 400 North from 200 to 300 West and totals 5.00 acres.
4. Discussion and possible vote on Ordinance 21-04, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Section 16.04.050 "General Responsibilities", Section 16.04.070 "Required Certificates, Permits and Reviews", Section 16.04.080 "Fees", Section 16.06.010 "General Purpose", Section 16.07.020 "Concept Plan", Section 16.07.030 "Preliminary Plan", Section 16.05.040 "Subdivision

Technical Review Committee (STRC) and Title 17 “Zoning Regulations”, Section 17.84.030 “Subdivision Requirements”, Section 17.88.090 “Approval Process”, Section 17.88.100 “Approval of Conceptual Plan Review and PUD Overlay Zone” and Section 17.88.130 “Final PUD Plan Approval”.

5. Discussion and possible vote on Resolution 21-07, a Resolution informing the State of Utah Water Quality Board of actions taken concerning the municipal wastewater planning program report for 2020.
6. Public Hearing for the purpose of discussing Ordinance 21-10, an Ordinance annexing Cache County Parcel Numbers 08-043-0025, 08-043-0010, 08-043-0013, 08-043-0012, 08-043-0011, 08-043-0007, 08-043-0006, 08-043-0002, 08-043-0003, 08-041-0016, 08-041-0014 and 08-41-0013. The parcels are located at approximately 200 West 600 North. The parcels total approximately 79.85 acres.
7. Discussion and possible vote on Ordinance 21-10.
8. Public Hearing on Ordinance 21-08, an Ordinance amending the Smithfield City Municipal Code Title 13 “Public Services”, Chapter 13.04 “Water Service System”, adding in its entirety Section 13.04.225 “Source Protection Zones For Groundwater Wells”, Section 13.04.226 “Prohibited Activities” and Section 13.04.227 “Enforcement, Violation, Penalty”.
9. Discussion and possible vote on Ordinance 21-08.
10. Discussion and possible vote on Resolution 21-08, a Resolution amending the Prevailing Fee Schedule of the City.
11. Discussion regarding RAPZ Tax project applications.
12. City Manager Report
13. Council Member Reports
14. Mayor’s Report
15. Executive Session to discuss the character, professional competence or physical or mental health of an individual. Utah Code Annotated 52-4-205 (1) (a).

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.