

SMITHFIELD CITY COUNCIL

FEBRUARY 10, 2021

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, February 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 Mayor Barnes.

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

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, Guy Perkins, Josh Jensen, Bob Holbrook, Brooke Freidenberger, Cristi J. Richardson, Bryce Goodin, Jeff Jackson, Russell Smart, Brent Lawyer, Brian Potts, Julie Rudie, Casey Clark

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JANUARY 27, 2021.

A motion to approve the January 27, 2021 city council meeting minutes was made by Wade, seconded by Jamie and the vote was unanimous.

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

RECOGNITION OF SUMMIT CREEK SINCLAIR

Mayor Barnes thanked Cristi Richardson for the fun they bring to the city by allowing people to decorate the Sinclair dinosaur in front of their building.

Mayor Barnes presented Cristi with a Plaque of Appreciation from the city for the service and business they bring to the city.

DISCUSSION AND POSSIBLE VOTE ON THE PROPERTY RECONVEYANCE OF PARCEL NUMBER 08-211-0000, PER UTAH CODE ANNOTATED 10-9A-508, FROM SMITHFIELD CITY CORPORATION TO NEIGHBORHOOD NONPROFIT HOUSING CORPORATION. THE PARCEL IS LOCATED AT APPROXIMATELY 680 NORTH 540 EAST. THE PARCEL IS 0.32 ACRES.

Mayor Barnes mentioned the parcel is currently a storm water retention pond.

Clay informed the council the retention pond will be vacated because storm water is now being directly elsewhere because of new development in the area.

Per state code, if the parcel is vacated it must go back to the original owner who is Neighborhood Nonprofit Housing Corporation.

Mayor Barnes asked if the city was previously deeded the parcel? Clay replied that is correct.

Mayor Barnes mentioned if the request is approved ownership will go back to Neighborhood Nonprofit Housing Corporation. Clay replied that is correct.

Curtis asked if that was the intent from the beginning as it was known this area would develop over time? Clay replied that is correct.

Jon asked if utilities have been run to this parcel? Clay replied they have not. Utilities will be run to the parcel when the surrounding area is developed.

Deon stated the request is not a reconveyance. The request is to deed the property back to the original owner. A reconveyance is a release of a trust deed.

Mayor Barnes asked if there is debt or mortgage associated with the parcel? Clay replied there is not.

Mayor Barnes asked if the request is to deed the property back to the original owner? Justin replied that is correct.

A motion to approve deeding Cache County Parcel Number 08-211-0000 from Smithfield City Corporation to Neighborhood Nonprofit Housing Corporation was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON THE PIONEERING AGREEMENT FOR KEY-LIX, LLC FOR INFRASTRUCTURE IMPROVEMENTS AT APPROXIMATELY 400 WEST 600 SOUTH.

Jon mentioned Kelly Winn paid for infrastructure improvements on 400 West as well as 600 South.

Mayor Barnes mentioned a new waterline and fire hydrant were installed. Chief Downs required the waterline to be looped as part of the Key-Lix project to build a new building on their property.

The pioneering agreement would be in effect for 15 years if someone in the surrounding area wants to hook onto the waterline.

Wade disclosed he is a customer of Key-Lix but did not feel it was a conflict of interest to be involved in this discussion.

Curtis asked how it is determined how much someone would pay if they hook onto the waterline? Clay replied it depends on the impact to the system as well as when. More is paid in

the first five years than in the last ten years. Each year after five years the amount someone would pay would decrease.

Jon mentioned the city council is required to approve the pioneering agreement because the infrastructure is owned by the city after the project is completed. Key-Lix would be getting paid back for infrastructure the city owns.

A motion to approve the pioneering agreement for Key-Lix for infrastructure improvements at approximately 400 West 600 South was made by Curtis, seconded by Jon and the vote was unanimous.

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

DISCUSSION AND POSSIBLE VOTE ON RECEIVING THE CERTIFICATION OF ANNEXATION FROM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY KARTCHNER, INC. FOR 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 AND DIRECT THE PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON FEBRUARY 20TH AND 27TH AND MARCH 6TH. THE PARCELS ARE LOCATED AT APPROXIMATELY 200 WEST 600 NORTH. THE PARCELS TOTAL APPROXIMATELY 79.85 ACRES.

Justin mentioned this is Step 2 of 3 in the annexation process. There are a couple of clerical items which need to be corrected on the survey. They will be corrected before the public hearing and vote of the council. The public hearing and vote of the council will be held on Wednesday, March 10th.

Jon asked if the railroad tracks are included in the request? Justin replied they are.

Deon asked what happens where the three parcels to the north will have some of the land in the city and some out of the city if the annexation request is approved? Justin replied that information will be noted on the Ordinance the council reviews in March. A note regarding some of the southern parcels already being partly in the city will be included as well.

Mayor Barnes mentioned this request is for land west of the Allsop Subdivision to the railroad tracks to the west.

Jon asked if there will be sewer drainage issues when these parcels are developed? Clay replied that is correct. Some type of lift station will most likely be required.

Jon stated the flow of the sewage needs to be considered when discussing the annexation request at the March council meeting.

Deon mentioned roads need to be reviewed in this area. The northern boundary of the annexation request is a dirt road. This road would be ideal to be a collector road for the future as it could tie

into 800 North to the east. Roads need to be included in this area when the General Plan is updated.

Clay mentioned there are issues with a Dominion Energy substation west of where 800 North connects onto the highway. There are also power line issues in the area as well when trying to connect the roads.

Jon mentioned on the south end of the parcels being considered for annexation there is access from 200 West and 300 West.

Clay mentioned any request or concern regarding roads can be included in the annexation approval as that is the time for requests to be included.

Deon mentioned a portion of 300 West was vacated by the city many years ago. There could still be access from there if an agreement could be reached with the property owner.

A motion to receive the Certification of Annexation for 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 was made by Wade, seconded by Jamie and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-05, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY.

Mayor Barnes mentioned changes to the fee schedule were being for the golf course.

Craig informed the council the following fee changes had been requested:

Golf Cart Fees:

Golf Cart Rental would be \$32.00 for 18 holes or \$16.00 each if two people shared a golf cart.

Golf Cart Rental would be \$26.00 for 18 holes if rented by a single rider.

Golf Cart Rental would be \$16.00 for 9 holes or \$8.00 each if two people shared a golf cart.

Golf Cart Rental would be \$13.00 for 9 holes if rented by a single rider.

Shot Gun Rental fee would be eliminated.

Range Ball Fees:

Small Bucket	\$5.00
Medium Bucket	\$7.50
Large Bucket	\$9.00
Small Bucket – 10 Punch Pass	\$40.00
Medium Bucket – 10 Punch Pass	\$65.00
Large Bucket – 10 Punch Pass	\$80.00

Due to COVID-19 more requests are being made for single rider cart rentals. The more carts on the course the more damage is done to the course.

Jamie mentioned he reviewed the proposed fees with Golf Professional Eric Kleven. During 2020, there were many requests where there would be four golfers and rather than rent two carts they would rent four carts. More fuel is consumed and more damage is done to the golf course when more carts are on the course.

Wade asked why the shotgun cart rental fee is being removed? Craig replied because the fee is included in the price of the tournament fee.

A motion to adopt Resolution 21-05, a Resolution amending the Prevailing Fee Schedule of the City was made by Curtis, seconded by Wade and the motion passed by a vote of 4-1.

Yes Vote: Wall, Anderson, Wells, Campbell

No Vote: Hunsaker

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-06, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-403 AND 10-2-405, UTAH CODE ANNOTATED, AS AMENDED. THE PARCELS BEING CONSIDERED FOR ANNEXATION ARE LOCATED AT APPROXIMATELY 1450 EAST 300 SOUTH. CACHE COUNTY PARCEL NUMBERS 08-121-0007, 08-121-0006, 08-121-0008 AND 08-124-0011. THE PARCELS TOTAL APPROXIMATELY 17.27 ACRES.

Justin mentioned on January 13th the city council denied an annexation request similar to this request. The previous request included Parcel Number 08-124-0002 as well as the four parcels in the current request.

Parcel Number 08-124-0002 was removed from the new request. The new request is for four parcels with three owners.

Curtis asked if the request is denied if a refund is issued for the annexation fee paid to the city? Justin replied if the process works its way through from Step 1 through Step 3 a refund is not given if a request is denied. Legal counsel has recommended refunding the application fee if an annexation request is denied at Step 1.

Jamie stated he did not support development of the parcels in this area so he would not support this request.

Jon stated the city has used the power lines as a line in the sand in the past and not allowed development east of them.

Jon mentioned the parcels in the current request are west of the power lines.

Jon stated his issue with the previous request was the parcel east of the power lines. Jon did not support annexing or developing that specific parcel.

Jon mentioned the four parcels under current consideration do not show an open space designation on the future land-use map. They show as developable parcels.

Mayor Barnes mentioned the parcels directly to the north and west of these parcels are already in the city.

A motion to approve Resolution 21-06, a Resolution accepting a Petition for Annexation for Cache County Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011 was made by Wade, seconded by Deon and the motion passed by a vote of 3-2.

Yes Vote: Hunsaker, Wells, Campbell

No Vote: Wall, Anderson

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-03, AN ORDINANCE REZONING PARCEL NUMBERS 08-042-0007, 08-042-0022 AND 08-042-0023 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO R-1-10 (PUD) (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET PLANNED UNIT DEVELOPMENT OVERLAY ZONE). THE PARCELS ARE LOCATED NORTHEAST OF 800 WEST SADDLEBACK ROAD AND TOTAL APPROXIMATELY 50.75 ACRES.

Mayor Barnes mentioned the planning commission reviewed the request. They approved the request with four conditions being added.

The four conditions are as follows:

1. Six (6) additional parking stalls to be added near the swimming pool and pickle ball courts.

2. Bonus density totaling 30% bonus density based on 4% for Open Space, 10% for Recreational Space, 10% for Off-street Parking, 1% for Building Materials (brick and/or stone), and 5% for Trails.
3. Widening 550 West to be a sixty (60) foot right-of-way so that a sidewalk can be added to the east side of the street.
4. Side yard setbacks on corners to be twelve (12) feet rather than the required twenty (20) feet.

Clay reminded the council the preliminary plat for this project does not come before the council so all of these items needs to be addressed during this discussion. Only the final plat comes before the city council.

Jamie mentioned for a concept plan the submittal is very detailed.

Mayor Barnes mentioned the original proposal shows 550 West, which extends south to Saddleback Road, only having sidewalk on the west side of the road. The planning commission wants this particular road to have a sidewalk on both sides of the road.

Some roads do not have sidewalks on both sides of the road since there are trails incorporated into the plan as opposed to sidewalk.

Brooke Freidenberger mentioned there is not a trail on the backside of the homes on the east side of 550 West and is one of the reasons the planning commission wanted a sidewalk there.

Clay mentioned the streets are planned to be 50 feet wide where this is proposed as a PUD (Planned Unit Development).

Mayor Barnes mentioned the planning commission wants one of the conditions to be that 550 West is widened to 60 feet rather than 50 feet as proposed.

Jeff Jackson mentioned eight building lots were removed from the original concept plan so the road could be widened to sixty feet wide.

Wade stated 800 West and Saddleback Road are inferior roads where they are basically just a chip seal road.

Wade expressed concern that developments are being approved and roads are not being improved in this area.

Wade stated his major concern is he knows the developer does not have to improve the road outside of the area he is developing so what is the city going to do in these other areas.

Clay mentioned 800 West and other roads can be improved but the council needs to approve funding for the projects. Saddleback Road is no longer a problem as it has been improved. The issue is 300 North. The roadway at 300 North cannot be widened.

Wade replied if developments are going to continue to be approved in this area then the roads need to be fixed.

Julie Rudie asked who is responsible to maintain the roads? Mayor Barnes replied the city takes ownership of the roads in a development once they are built. The city pushes the snow and is responsible for the maintenance and repair of roads after they are built.

Wade stated if this project is approved, the council needs to pursue a real traffic plan to develop a way to get in and out of this area because right now the available options do not work.

Jamie stated 300 North will always be a problem because the road cannot be widened. Traffic flow needs to be diverted to other roads in the area.

Mayor Barnes mentioned 600 West is an option as well.

Wade mentioned there are only two roads for the proposed two hundred new homes plus the existing homes with each house having at least two cars to get in and out of the area.

Casey Clark said he was aware of an annexation request of about 80 acres near 400 West 600 North. The existing lots in that area of town are two acres or larger. Is there a plan to have large lots in this part of town? Wade replied the General Plan calls for smaller lot sizes in that area of town. The property owners control if they sell their land or develop it. Casey replied only a developer can pay the cost wanted by the landowner for the property because it is so expensive.

Craig mentioned 800 West is part of the Transportation Plan and has been a known issue for a long time. Wade agreed but stated the city needs to act and get the road improved.

Wade stated the city council needs to address the 800 West road issue now.

Wade asked the approximate cost to improve the road? Craig replied the original estimate to improve 800 West from 100 North to 400 North was approximately \$3,000,000.

Wade asked what the total budget of the city is? Craig replied approximately \$16,000,000. Wade replied that one project would be a huge amount of the current budget.

Wade mentioned costs have increased since the Transportation Master Plan was completed as well.

Jon asked if there is a sixty-six foot right-of-way on 800 West? Clay replied that is what the county has stated but the actual land descriptions are different than that.

Jon mentioned if there is not enough land in the right-of-way for the road then land would have to be purchased and the cost of the project would increase even more.

Jeff mentioned the road has been or will be improved from Birch Creek Elementary north as part of his development.

Jon mentioned the issue at hand is from Birch Creek Elementary south to 100 North.

Clay mentioned as part of the proposed development the curve on 800 West will have to be straightened out. The developer will have to give up some land to flatten the curvature of the road.

Wade asked why the roads are curved in the proposed development? Jeff replied it was designed based on the topography of the land starting at 800 West. As the roads go east of 800 West they have less of a curve.

Clay mentioned setbacks need to be discussed because the application for this development was submitted before the city code was recently amended.

Mayor Barnes mentioned this development would be built in phases not all at once. Wade replied the entire development will be completed quicker than people think.

Curtis asked what needs to be included in the approval if the council wants to approve the rezone request? Clay replied the four items the planning commission wanted included need to be addressed to see if the council wants to include them as well.

Mayor Barnes mentioned one planning commission request is to have six additional parking stalls installed by the pickle ball courts. Jon replied there is a lot of on-street parking proposed and he did not see a dedicated parking lot. Jeff replied he felt the parallel parking was enough but was willing to install six extra parking stalls by the swimming pool/pickle ball court area.

Jon asked if the pickle ball courts would be open to the public? Jeff replied they would be.

Wade asked if the swimming pool would be open to the public? Jeff replied it would not be open to the public.

Jamie stated he supported all of the recommendations made by the planning commission.

Mayor Barnes asked the council if they supported the bonus densities as listed? The consensus of the council was the bonus densities were appropriate.

Mayor Barnes asked the council if they supported widening 550 West to sixty feet and requiring a sidewalk on both sides of the road? Jeff mentioned the proposed revised plan includes 550 West being sixty feet wide and a sidewalk on both sides of the road.

Mayor Barnes asked how wide 600 West is? Jeff replied 66 feet.

Mayor Barnes asked the council if they were okay with the corner side yard setbacks being 12 feet and not 20 feet? Clay reminded the council when the application was submitted the city code at that time called for 12 foot setbacks. The code has been changed since then to 20 foot setbacks. If the council wants to abide by the previous 12 foot setbacks they will need to approve it. Jon replied he would support setbacks of 15 feet not 12 feet. Twelve feet is too close to the

road. Curtis replied he was okay with 12 feet. Jamie replied he was okay with 12 feet as long as site distance was not blocked.

Jon asked what the rear and side yard setbacks would be? Clay replied 20 feet in the rear and a combined 15 feet on the sides is required to meet current city code.

All of the council supported side yard setbacks of 12 feet but Jon. Jon wanted at least 15 feet side yard setbacks on corner lots.

A motion to adopt Ordinance 21-03, an Ordinance rezoning Cache County Parcel Numbers 08-042-0007, 08-042-0022 and 08-042-0023 from R-1-10 (Single Family Residential 10,000 Square Feet) to R-1-10 (PUD) (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone) with the following conditions: 1. Six (6) additional parking stalls will be installed by the swimming pool/pickle ball court area, 2. Bonus density approval of 30% for the following: 4% for open space, 10% for recreational space, 10% for off-street parking, 1% for building materials, and 5% for trails, 3. 550 West to have a sixty (60) foot right-of-way and sidewalk installed on both sides of the road, 4. side yard setbacks on corner lots would be allowed to be twelve feet was made by Curtis, seconded by Wade and the vote was unanimous.

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

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 21-05, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBERS 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 AND 08-117-0013. THE PARCELS ARE LOCATED AT APPROXIMATELY 1000 SOUTH MAIN. THE PARCELS TOTAL APPROXIMATELY 42.81 ACRES.

Mayor Barnes mentioned this annexation request is for the property owned by the Gossner family, Rosewood Property LLC and the city. The land is located on both sides of the highway at 1000 South Main. The request fits in the annexation map previously approved by the city council and included in the General Plan.

Justin mentioned this is Step 3 of 3 in the process. If the Ordinance is approved the parcels are annexed into the city.

****The public hearing was opened at 7:52 P.M.****

There were not any comments or questions.

****The public hearing was closed at 7:52 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-05.

A motion to adopt Ordinance 21-05, an Ordinance annexing Cache County Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013 located at approximately 1000 South Main, totaling approximately 42.18 acres was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 21-06, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 13 “PUBLIC SERVICES”, SECTION 13.04.390 “SUPPLY OF WATER SERVICES TO PERSON OUTSIDE THE MUNICIPAL LIMITS”, SECTION 13.04.400 “PETITION FOR SERVICE”, SECTION 13.04.410 “EXTENSIONS MAY BE MASTERMETERED”, SECTION 13.04.420 “COST OF EXTENSIONS WITHIN MUNICIPAL LIMITS”, SECTION 13.16.470 “PETITION FOR SERVICE OUTSIDE CITY” AND SECTION 13.16.480 “EXTENSIONS MAY BE MASTERMETERED”.

Mayor Barnes mentioned the staff and himself have recently been inundated with requests by people living outside of the city limits and realtors who want city water service to their parcels.

A parcel up Smithfield Canyon owned by the Littledike family is for sale. A realtor called and asked for twelve new culinary water connections. Inquiries have been made about other parcels outside of the city. Mainly on the east side of town. People want to live in the county so they don't have to pay city property tax but they want the benefit of having a city service.

Mayor Barnes mentioned he could only recall one time while he has been serving on the city council or as mayor when a connection outside of the city limits was granted. Wade asked if that request was by Todd Davis? Justin replied that is correct.

Jon mentioned there are several homes outside of the city limits on city water. This Ordinance would not affect them.

Mayor Barnes mentioned the city has a waterline running to the Noble Erickson home quite a ways north of town.

Curtis mentioned the city needs to protect its water. Wade and Jamie concurred.

Mayor Barnes mentioned those hooked onto the city culinary water system and located outside of the city limits do not bring a benefit to the city other than paying the monthly water utility fee. No other fees or charges are collected from those parcels.

The public hearing was opened at 7:57 P.M.

Brent Lawyer asked if this Ordinance would apply to parcels located outside of the city but within the annexation boundary of the city? Mayor Barnes replied this would apply to any parcel located outside of the city limits.

Brent asked where the requests for services are coming from? Mayor Barnes replied the most current request is for hookups on a parcel quite a distance up Smithfield Canyon from the city limits.

Brent asked if requests for services are heard on an individual basis right now? Mayor Barnes replied that is correct.

Brent asked why put in a blanket prohibition? Why not review each request individually?

Brent mentioned those outside the city could pay higher fees. Mayor Barnes replied the state law was changed and the city has to charge everyone the same amount whether they are a resident or non-resident.

Brent stated he felt this Ordinance was a knee jerk reaction to some recent requests.

Brent felt each request should be individually evaluated.

Brent recently purchased the Snell property located at approximately 300 South 1500 East and will close on the purchase within the next month. This parcel is located just outside of the city limits.

Brent felt it would be better to have some connections outside of the city limits until the parcels are annexed rather than individual wells being drilled everywhere.

Wade asked if a home is on a well and annexed into the city does the home have to come onto the city water system? Craig replied that would be decided by the city council during the annexation process.

****The public hearing was closed at 8:01 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-06.

Jamie expressed concern about reviewing requests individually. It could lead to legal problems by approving some requests and denying others. Curtis and Wade concurred.

Jamie mentioned the city is in the process of drilling a new production well. Water from the new well should be used for development in the city not outside of the city.

Mayor Barnes asked Justin what Richmond City's policy is. Justin replied Richmond City does not allow connections outside of the city limits. The feeling of the city council is water and sewer services are a perk of living in the city and should not be offered to those outside of the city.

Jon asked what about if an existing service is split? Justin replied it is not allowed. A swimming pool cannot be added or meter size increased if the Ordinance is adopted.

Craig mentioned the city code does not allow a resident or nonresident to split an existing service.

Brent Lawyer asked if the fees charged for the services cover the costs of the system or if they are subsidized? Craig replied the water and sewer funds are Enterprise Funds so they operate independently of the General Fund.

Mayor Barnes mentioned not allowing new connections to the sewer system for those living outside of the city is included in the Ordinance as well.

Brent stated those residing in the county are on septic tanks. By allowing those homes onto the sewer system of the city it would prevent ground water contamination.

Mayor Barnes mentioned on 800 West there are eight or more homes in the Duane Williams Subdivision, two new homes in front of the Schuman home and a new home requested by Jeff West. All of these homes are on wells and septic tanks.

Clay mentioned septic tanks are reviewed and approved by the local health department.

Craig mentioned a septic tank would not be allowed in a zone of influence by a city water source.

A motion to adopt Ordinance 21-06, an Ordinance amending the Smithfield City Municipal Code Title 13 “Public Services”, Section 13.04.390 “Supply of water Services to Person Outside the Municipal Limits”, Section 13.04.400 “Petition for Service”, Section 13.04.410 “Extensions may be Mastermetered”, Section 13.04.420 “Cost of Extensions within Municipal Limits”, Section 13.16.470 “Petition for Service Outside City” and Section 13.16.480 “Extensions may be Mastermetered” was made by Jamie, seconded by Curtis and the vote was unanimous.

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

No Vote: None

PUBLIC HEARING ON RESOLUTION 21-04, A RESOLUTION AMENDING THE FISCAL YEAR 2021 BUDGET WHICH IS THE PERIOD OF JULY 1, 2020 THROUGH JUNE 30, 2021.

****The public hearing was opened at 8:12 P.M.****

Mayor Barnes mentioned this a midyear budget adjustment which is done on a yearly basis.

There were not any other comments or questions.

****The public hearing was closed at 8:12 P.M.****

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-04.
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Craig reviewed some of the proposed changes to the budget.

Interest revenue in all funds is decreasing. Due to the pandemic the interest rate earned by the city has decreased substantially.

Some rec center revenue items are down such as passes, \$20,000, building rentals, \$8,000 and miscellaneous programs, \$15,000. Pickle ball revenue is up \$20,000.

The golf course has had a banner year and revenue is increasing \$273,591. Mainly from green fees, pro shop sales and golf cart rentals.

The largest increase to General Fund revenue is for CARES Act funding in the amount of \$1,012,945. Significant IT upgrades have been made with this funding as well as equipment purchases for the ambulance program.

Wildland fire revenue would increase \$191,594.

RAPZ Tax revenue would increase \$124,323. These funds were used to pay for the new restroom facility at the pickle ball courts.

Class "C" Road Fund revenue and expense would increase \$100,000. The pandemic has not reduced this tax as much as expected.

Local Road Tax revenue would increase \$80,000 as would the expense.

Subdivision and Zoning Fee revenue would increase \$62,000.

Wildland fire expenses and expenses for ambulance service would be added to expense categories in the Fire Department budget.

Cemetery expenses would increase \$79,763 due to increases and decreases. The capital improvement line item would increase \$80,000 to pay 50% of the cost of a new pump station at the golf course. The golf course budget would be increased \$80,000 as well on this line item. A new pump station is needed for the golf course as well as to water the cemetery grounds. Water from golf course is pumped to the cemetery.

The current pump station has failed. The current pump station was installed in 1978.

Jamie asked what the warranty period will be on the next pump station? Craig replied that is an unknown at this time. Bids are still being obtained and warranty information will be found out as well when bids are received.

Water Fund revenue would increase \$278,500. Mainly from water dedication fees and impact fees collected.

Sewer Fund revenue would increase \$442,400 with the largest increase being for the impact fees collected for the Logan City system.

Storm Water Fund revenue would increase \$14,700 mainly from impact fees collected.

Expenses in the Storm Water Fund are increasing to pay for design work which is needed for the 1000 South Main pipe crossing project.

Wade asked if the enterprise funds are saving funds? Craig replied they are. Funds are being saved for big projects such as the new well. The new well will be paid for with cash and a bond/loan will not be needed. Funds have been saved the last couple of years to pay cash for the project. Funds are being saved in the sewer fund, storm water fund and general fund as well.

Jon asked when the new storage tank project would start. Craig replied the design of the new tank will start after the new well project is completed. The original plan was for a two million gallon tank but it will most likely be increased to three million gallons in size.

Jon asked if there will be a sewer rate increase when the new Logan City sewer plant is completed? Craig replied initial estimates were the rate would need to be increased 50% for that project. The sewer rate was increased 35% previously. When the new plant is complete a new rate study will be completed. It is anticipated an increase of around 20% will be implemented at that time.

Jon asked if the senior center budget was being reduced because nothing was happening with the program currently? Craig replied the budget was reduced by about 50% where nothing happened with the program for July through December.

Jon asked what the plan is for Health Days? Craig replied a normal year is being planned for. The celebration will be scaled back based on the current state guidelines at that time.

Jon asked if the court fund was being reduced because the court is closing. Craig replied that is correct. The court will close on April 1st. Payments to the prosecutor and state will no longer be required. Final adjustments to the court will be made in June.

A motion to adopt Resolution 21-04, a Resolution amending the Fiscal Year 2021 Budget which is the period of July 1, 2020 through June 30, 2021 was made by Jamie, seconded by Wade and the vote was unanimous.

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

CITY MANAGER REPORT

Craig mentioned himself and Clay met with UDOT (Utah Department of Transportation) to discuss the 1000 South Main signal light project.

UDOT has budgeted for this project in their 2024 budget.

The city will move forward with their portion of the project in 2021.

UDOT is seeing if they can change their budget year for the project so it can be done the same time as the city project.

The raised median portion of the project would not be done until 2024.

The plans for the project have been submitted. Some comments were received. The changes will be made and the project put out to bid. The hope is to start construction on the project in July or August 2021.

Jon asked for an update on the Summit Creek bridge repair on the highway. Craig replied there is a hole in the bridge. UDOT is in the design phase of the project right now. The entire bridge will be replaced. Most likely it will be longer and wider. They will install cement boxes or a bridge structure. UDOT would like to start the project in late fall or early winter 2021. When the project is worked on some of the lanes of traffic will be closed. UDOT is working on determining when the lowest water flow time of the year is in the river as well as where the water can be diverted when the project is being completed.

COUNCIL MEMBER REPORTS

Wade mentioned the library has some programs going on right now. One of them is the blind date with a book program. A drawing will occur for some gift cards at the end of the program. Participation this year is down because of the pandemic.

The library staff is having issues with skateboarders skating on the steps and curb and gutter at the library. When asked to leave or stop skateboarding the youth have been mouthy with the library staff.

The new hotspots are not being used as much as anticipated.

Wade asked if video cameras are being installed at the library? Craig replied the long term goal is to have all city buildings under video surveillance.

Wade mentioned he talked with a Logan City firefighter and got his thoughts on what has been happening with the local department. The firefighter stated he is happy to see what is happening in Smithfield and it was the right thing to do.

Mayor Barnes mentioned right now some rebranding is happening with the Fire and EMS departments.

Deon mentioned the Lion's Club hopes to meet in the next couple of weeks. The Lion's Club has not met for a long time due to the pandemic. Most of the members are older and have been advised to not go to gatherings such as this.

Jamie mentioned he was not able to attend a recent county trails meeting so he asked Brooke Freidenberger to give a report on the meeting.

Brooke mentioned right now there are two surveys at www.imaginecache.com. They are in regards to the countywide General Plan. The surveys close on Sunday, February 14th. Participation has not been great so they are hoping to spread the word so more people will participate.

A trails bonanza will be held on April 17th at the new Cache County Fairgrounds building.

A trails ambassador program is going to be started as well.

Curtis mentioned the first Health Days meeting will be on Monday, February 15th at 5:00 P.M. Right now Health Days is being planned for a regular celebration.

The Cache Mosquito Abatement District is working on their new \$1,300,000 building in Hyde Park. The district meets once per month.

Jon mentioned all but one of the planning commission members attended the workshop on January 27th to discuss culinary water. The commissioners are good to attend meetings and willing to learn and be involved.

The Historical Society wants the main focus of their efforts to be on working on the Douglass Mercantile building. The intent is to make the building functional as a museum.

Steve Cornell, who works for the State of Utah, has done some concept drawings of what could happen with the building. Funding is needed before any improvements can be made.

Jon mentioned himself and the mayor met with Craig and Brett Daniels. The Historical Society would like to apply for RAPZ Tax funding for the Douglass Mercantile building in 2022 and asked the rec center to not submit any applications next year for RAPZ Tax funding. The intent is to apply for RAPZ Tax funding to remodel the building.

A CLG grant application for \$10,000 will be submitted as well. This is a matching grant but can include in-kind labor as well. Water service is needed to the building and the public works department of the city can do the work.

The intent is to apply for CDBG (Community Block Development Grant) funding next year as well.

Jeff Gittins posted some information on the Douglass Mercantile building on a Facebook page and there were over 240 likes or responses to the post. People have an interest in the building and what is happening there.

MAYOR'S REPORT

Mayor Barnes mentioned the RAPZ Tax application deadline is March 5th. This year's application will be for a new restroom facility at Forrester Acres. If approved and installed two older restroom facilities will be closed. The new restroom would be installed at the south end of the Blue Sox diamond area. The entire area would be serviced by the new restroom. The current restrooms are old and dilapidated. The new restroom would be similar to the one installed at the splash pad. It would be pre-built and included four separate rooms. The amount of the application will be in the \$120,000 to \$130,000 range.

The consensus of the council was to apply for a new restroom facility at Forrester Acres for this year's RAPZ Tax application submittal.

Mayor Barnes mentioned he had been contacted twice by Governor Spencer Cox's office. One time was to talk about some bills the legislature is considering. The city is opposed to them.

The second time was to confirm the city really wants to close the justice court. Representative Chris Wilson sponsored the bill to close the justice court. The request has been approved and is waiting for the signature of the governor.

The justice court will close on April 1st. Judge Moore will be paid out the balance of what he is owed for his term.

Curtis asked how much the payout is? Craig replied the judge will be paid like normal through the end of this fiscal year. The new budget will include the final amount owed to the judge. The judge will be paid one lump sum payment in July to payoff what is owed.

Mayor Barnes mentioned the Tree Committee held a meeting on Thursday, February 4th.

The state is not holding the annual Arbor Day poster contest this year because of the pandemic.

The committee will ask the three local elementary schools if they want to participate in a poster contest this year. The committee would judge the posters and award some prizes.

Mayor Barnes mentioned the Smithfield Chamber of Commerce made a donation to the city to help pay on some of the utility accounts which were past due. Justin mentioned he would have to look at the exact numbers but approximately twenty accounts had \$100 applied to each account.

Mayor Barnes was contacted by the chairman of the safety committee at Sunrise Elementary. There have concerns about the kids coming and going from school where they are not bused to

school. The area is a disaster in regards to traffic and parking twice a day for about 30 minutes each time when school gets in and out.

Brooke Friedenberger mentioned Birch Creek Elementary is the same way.

Julie Rudie mentioned all elementary schools have the same problem in regards to parking and traffic.

Mayor Barnes mentioned there is a concern about the crosswalk at 300 South 700 East. It is a three-way stop. There is a concern about the intersection not being properly sanded or salted so it is icy. A request was also made to have some of the stop signs removed. Specifically those stopping traffic from going east and west.

Curtis thanked Craig for sending the council and mayor information on bills the city should contact local legislators about.

Curtis contacted local representatives Mike Petersen and Chris Wilson. They both responded to his concerns.

Mayor Barnes mentioned he was listening to Governor Spencer Cox speak. Governor Cox mentioned he would most likely veto more bills than Governor Herbert. At the same time he also mentioned even if he vetoes a bill he can still be friends and work with those who support the bill.

****Curtis made a motion to adjourn at 8:52 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, February 10, 2021**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Mayor Barnes

1. Approval of the city council meeting minutes from January 27, 2021.
2. Discussion and possible vote on the property reconveyance of Parcel Number 08-211-0000, per Utah Code Annotated 10-9a-508, from Smithfield City Corporation to Neighborhood Nonprofit Housing Corporation. The parcel is located at approximately 680 North 540 East. The parcel is 0.32 Acres.
3. Discussion and possible vote on the pioneering agreement for Key-Lix, LLC for infrastructure improvements at approximately 400 West 800 South.
4. Discussion and possible vote on receiving the Certification of Annexation from the City Recorder for the Annexation request by Kartchner, Inc. for 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 and direct the publication of such petition in The Herald Journal on February 20th and 27th and March 6th. The parcels are located at approximately 200 West 600 North. The parcels total approximately 79.85 acres.
5. Discussion and possible vote on Resolution 21-05, a Resolution amending the Prevailing Fee Schedule of the City.
6. Discussion and possible vote on Resolution 21-06, A Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2-403 and 10-2-405, Utah Code Annotated, as amended. The parcels being considered for annexation are located at approximately 1450 East 300 South. Cache County Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008 and 08-124-0011. The parcels total approximately 17.27 acres.
7. Discussion and possible vote on Ordinance 21-03, an Ordinance rezoning Parcel Numbers 08-042-0007, 08-042-0022 and 08-042-0023 from R-1-10 (Single Family Residential 10,000 Square Feet) to R-1-10 (PUD) (Single Family Residential 10,000 Square Feet Planned Unit Development Overlay Zone). The parcels are located northeast of 800 West Saddleback Road and total approximately 50.75 Acres.

8. Public Hearing for the purpose of discussing Ordinance 21-05, an Ordinance annexing Cache County Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013. The parcels are located at approximately 1000 South Main. The parcels total approximately 42.81 acres.
9. Discussion and possible vote on Ordinance 21-05.
10. Public Hearing for the purpose of discussing Ordinance 21-06, an Ordinance amending the Smithfield City Municipal Code Title 13 “Public Services”, Section 13.04.390 “Supply of water Services to Person Outside the Municipal Limits”, Section 13.04.400 “Petition for Service”, Section 13.04.410 “Extensions may be Mastermetered”, Section 13.04.420 “Cost of Extensions within Municipal Limits”, Section 13.16.470 “Petition for Service Outside City” and Section 13.16.480 “Extensions may be Mastermetered”.
11. Discussion and possible vote on Ordinance 21-06.
12. Public Hearing on Resolution 21-04, a Resolution amending the Fiscal Year 2021 Budget which is the period of July 1, 2020 through June 30, 2021.
13. Discussion and possible vote on Resolution 21-04.
14. City Manager Report
15. Council Member Reports
16. Mayor’s Report

Adjournment

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

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