

SMITHFIELD CITY COUNCIL

JANUARY 13, 2021

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 13, 2021. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jamie Anderson.

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

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

VISITORS: Jon Eccles, Michelle Anderson, Lex Holman Family, Josh Jensen, Ben Elwood, Bob Holbrook, Scott Gibbons, Lon Hyer, Aaron Jensen, Steven Liechty, Bryant McKay, Brice Sadler, Brent Lawyer, Nathan Whittaker, Jeffrey Johnson, Russell Smart, Thomas Burningham, Allie Leezer, Brooke Freidenberger, Guy Jardine, Todd Davis, Rich Johns, Matthew Sheen, Jeff Jackson

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM DECEMBER 9, 2020.

A motion to approve the December 9, 2020 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.

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

No Vote: None

RECOGNITION OF LEXA HOLMAN

Mayor Barnes mentioned the Tree Committee works with the local elementary schools on the annual Arbor Day poster contest.

Children from kindergarten through sixth grade can participate.

Each grade is judged independently.

Winners are selected from three regions in the state. Smithfield is part of the north region.

In 2020, Sunrise and Birch Creek Elementary each had multiple regional winners.

Each year has a new theme the poster is based on.

Lexa Holman's poster was selected to go to the state competition where she was selected the winner of the entire state for sixth grade.

Mayor Barnes presented Lexa with a plaque recognizing her accomplishment.

ACCEPTANCE OF A GRANT OF \$3,000 FROM THE ROCKY MOUNTAIN POWER FOUNDATION TO HELP PAY FOR NEW WINDOWS AND DOORS IN THE DOUGLASS MERCANTILE BUILDING.

Steve Liechty thanked the city for being a good partner with Rocky Mountain Power.

In 2020, the majority of donations from the Rocky Mountain Power Foundation were given to food banks and entities needing help because of the COVID-19 virus.

A grant in the amount of \$3,000 was approved to help pay for the replacement of windows and doors in the Douglass Mercantile Building.

Grant applications can be submitted on a yearly basis.

Steve presented Mayor Barnes with a check in the amount of \$3,000 from the Rocky Mountain Power Foundation.

RESIDENT INPUT

Richard Johns stated he was in favor of the rezone request by James and Ben Elwood.

Jeffrey Johnson stated he was opposed to the rezone request by James and Ben Elwood. The Master Plan should be adhered too. Zoning ordinances are in place for a reason. If zoning ordinances are not enforced they should not be in place.

Lon Hyer spoke regarding the Ben Elwood rezone request. The intent is to not have ¼ acre lots in this area. The intent is to have two one-acre lots. Because of the frontage requirement it is not allowed. A new road will have to be installed. Lon did not support ¼ acre lots in this area. Lon moved to this area because of the bigger lot sizes. Zoning in the area is one-acre lots and Lon hopes to not see ½ lots in the area in the future.

Bryant McKay spoke regarding the Ben Elwood rezone request. Many residents of the area are concerned.

Bryant asked when the General Plan will be updated again? Jon replied the plan won't be updated for at least three years.

Bryant stated he moved to the area because the parcels were one acre in size or larger. West of this area the lots must be at least two acres in size. Residents of the area want open space in the area.

Bryant suggested a revision to the future zoning map of the city.

Bryant stated he was strictly opposed to the rezone request by Ben Elwood.

Dean Martineau spoke in behalf of himself and his wife, Marla. The boundaries of the city have seriously grown over the last few years. The request by the Elwood family is low impact to the area. Building one home on the property is the best use of the property. The neighborhood and community will be improved if this request is approved. The Martineau's supported the rezone request by Ben Elwood.

Matthew Sheen opposed the rezone request by Ben Elwood. If the Elwood rezone request is approved it will result in more requests of the same type being made in the area. Matthew moved to the city 26 years ago and was told at that time the area would not change. Matthew loves the area where he lives and the amount of acreage each parcel has. Matthew did not support a cul-de-sac being created for the new home to be built.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY BLUE OX DEVELOPMENT FOR APPROVAL OF THE FINAL PLAT FOR THE COVE PHASE 1, A (16) LOT/UNIT SUBDIVISION LOCATED AT APPROXIMATELY 30 SOUTH 1200 EAST. ZONED R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET).

Aaron Jensen stated his company owns the Elk Ridge Subdivision south of this proposed subdivision.

Wade asked Clay if all of his concerns had been resolved? Clay stated he did not have any concerns.

Mayor Barnes asked if there will be additional phases in the future? Aaron replied there will be to the north of this phase.

Mayor Barnes asked if temporary turnarounds would have to be done as part of this project? Aaron replied he hoped the infrastructure for Phases 1 and 2 could be done at the same time to avoid having to install a temporary turnaround.

Mayor Barnes asked if the high voltage power lines are located east of this phase? Aaron replied that is correct.

A motion to approve the Final Plat for The Cove, Phase 1, a (16) lot/unit subdivision located at approximately 30 South 1200 East was made by Wade, seconded by Curtis and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-39, AN ORDINANCE REZONING PARCEL NUMBERS 08-119-0016 AND 08-119-0008 FROM A-10 (AGRICULTURAL 10-ACRE) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCELS ARE LOCATED AT APPROXIMATELY 350 EAST 800 SOUTH AND TOTAL APPROXIMATELY 12.01 ACRES.

Jon asked Brice Sadler to explain why a request is being made for multi-family rather than R-1-10 (Single Family Residential 10,000 Square Feet). Brice replied he would like to build a 55 and older community on the property. Right now there is large demand for that type of product in the valley. In order to build that type of housing unit in Smithfield the RM zoning classification is required. Smithfield does not have a specific zoning classification for a 55 and older community.

Jon asked what the units will look like. Will they have attached or detached garages? Will they be duplexes or individual homes? Brice replied at this point he had not done any engineering on the project because until the zoning is set there are too many unknowns. There is the option of doing single homes or twin homes.

Mayor Barnes asked if single family homes are allowed in a multi-family zone? Jon replied they are.

Mayor Barnes asked Brice if his intention is to develop the property mainly for senior housing? Brice replied that is correct.

Mayor Barnes asked if the units will be a single floor with no basement? Brice replied most seniors like having a basement because it gives a place for their family to stay when they visit. Some of the units would include basements while others would be slab on grade only.

In a previous development Brice did, all of the units with basements sold first.

Mayor Barnes mentioned the parcels were recently annexed into the city and by default come in with an A-10 (Agricultural 10-Acre) zoning classification.

Jamie stated he did not have any concerns with the request.

Mayor Barnes asked what the intention is with the vacant parcel to the west of these two parcels? Brice replied the family does not want to sell the property at this time so the land will stay as farmland.

Mayor Barnes asked if the parcels will be accessed off of 800 South? Brice replied that is correct.

Mayor Barnes asked if the road, 800 South, is improved in this area? Brice replied the road has almost been redone completely along the frontage of the parcels bordering 800 South.

A motion to adopt Ordinance 20-39, an Ordinance rezoning Parcel Numbers 08-119-0016 and 08-119-0008 from A-10 (Agricultural 10-Acre) to RM (Multiple Family Residential) was made by Jamie, seconded by Curtis and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-38, AN ORDINANCE REZONING PARCEL NUMBER 08-123-0001 FROM A-10 (AGRICULTURAL 10-ACRE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET). THE PARCEL IS LOCATED AT APPROXIMATELY 1080 EAST 600 SOUTH AND IS APPROXIMATELY 29.81 ACRES.

Mayor Barnes mentioned the parcel was recently annexed into the city limits. About $\frac{3}{4}$ of the parcel is currently farmed. The remainder of the parcel is not farmed because of the slope in the southeast corner of the parcel.

Brice Sadler mentioned some test holes were recently dug. They contain rock and pit run which is what is needed for the project.

Brice mentioned the intention for the subdivision is to have large sized lots. One of the lots is almost $1\frac{1}{2}$ acres and several lots on the east side will be approximately $\frac{3}{4}$ of an acre.

Wade asked what the maximum slope allowed is? Brice replied the slope will be reduced to below ten percent. There is the possibility a flat area will be dug out on the east side for the homes to sit on.

Mayor Barnes asked if space is being left for a future 1000 East road which will cross this parcel in the southwest corner? Brice mentioned the road will be included. If possible Brice would like to work a deal with the city and future property owners where the land can be landscaped until it is time for the road to be installed.

Mayor Barnes asked if the subdivision will be done in phases? Brice replied that is correct.

Deon asked if the majority of the lots are over 12,000 square feet? Brice replied a couple are at 12,000 square feet and 14,000 square feet and the rest are larger.

Mayor Barnes asked what the maximum length of a dead end street can be? Clay replied no more than 550 feet.

Jon mentioned in the future land-use map of the city the non-cultivated area of this parcel has an open space designation. The thought when the General Plan was created was the non-cultivated areas would not be developed.

Jon suggested requesting an R-1-12 zone with a PUD (Planned Unit Development) Overlay so the same number of building lots could be obtained but the non-cultivated area could be left as open space.

Curtis asked if there are any irrigation water shares with the property? Brice replied there are not.

Curtis asked if all of the homes will have to irrigate their yards with culinary water? Brice replied that is correct.

Curtis asked if there is an irrigation ditch east of this parcel? Brice replied there is not.

Mayor Barnes mentioned the city does not allow split zoning on a parcel so it is not possible to have the parcel have an open space designation along with an R-1-12 designation.

Curtis asked Todd Davis if he has a well at his new home? Todd replied he does.

Curtis asked Todd if he intends to irrigate his land with the well water? Todd replied he does. Todd mentioned he has water rights which make it possible to use the water for that purpose.

Curtis asked if a water model had been completed on the parcel? Clay replied the water model is not done until a subdivision has been requested. All of the criteria in the water model must be met or the subdivision will not be allowed.

Mayor Barnes mentioned the only request before the council at this time is the rezone.

A motion to adopt Ordinance 20-38, an Ordinance rezoning Parcel Number 08-123-0001 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet) was made by Curtis, seconded by Jamie and the motion passed by a vote of 4-1.

Yes Vote: Wall, Anderson, Hunsaker, Campbell

No Vote: Wells

Curtis mentioned he is curious to follow the development of this parcel as the council and staff are continually told there is not a need for larger lot sizes. Brice replied many people have shown an interest in purchasing a lot if the development is approved.

Curtis mentioned the council is holding a workshop on Wednesday, January 27th where water modeling and culinary water will be discussed. Jon mentioned it is a public meeting and anyone can attend.

Mayor Barnes mentioned water is always a concern and is constantly reviewed. The city is growing in all directions and water is needed.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-36, AN ORDINANCE REZONING PARCEL NUMBER 08-083-0046 FROM RA-1 (RESIDENTIAL AGRICULTURAL 1-ACRE) TO R-1-20 (SINGLE FAMILY RESIDENTIAL 20,000 SQUARE FEET). THE PARCEL IS LOCATED AT 585 WEST 200 SOUTH AND IS 2.00 ACRES.

Mayor Barnes mentioned one of the items of concern which was discussed at the planning commission meeting is does this request fit the area.

Ben Elwood mentioned his original request was for R-1-10 (Single Family Residential 10,000 Square Feet). The goal is to split the existing two-acre lot into two one-acre lots. The goal is to build a new home behind the existing home. Because of frontage requirements and where a flag lot or intrablock subdivision is not allowed in this area the only option is to request R-1-20.

Ben mentioned a couple of parcels just to the east of this parcel are currently zoned R-1-20.

Ben mentioned he understood the concerns of the neighbors as they are all on one-acre or two-acre lots.

James Elwood mentioned he owns homes at 585 West and 625 West.

James purchased the land 43 years ago. The intent has always been for James children to be able to build on the parcels.

The city has a sewer main line which runs along the western boundary of the parcel. An easement has been put in place.

Mayor Barnes asked the width of the easement. James replied twenty feet.

Mayor Barnes asked if the sewer line is a main line? Clay replied it is.

Mayor Barnes asked if this section of pipe was identified as needing to be replaced? Clay replied it is not.

James mentioned the sewer pipe is about 14 feet deep. The easement runs along the western boundary of the parcel and encompasses about 1/8 of the parcel.

Bryant McKay mentioned he thought the sewer line was further to the west as it runs along the western boundary of his parcel and he is located west of the Elwood parcel. Clay mentioned it makes a 90 degree turn and comes along the Elwood property as stated.

Mayor Barnes asked Bryant where the sewer pipe is on his property? Bryant replied it runs along the west side of his pasture.

Jamie mentioned where the parcel to the west of the requested parcel is also owned by the Elwood family is the intent to allow other children to build there as well long term? James

replied that parcel falls in the two-acre designation in the General Plan. Right now there is not any intent of building more than one home on the parcels. Things always change and possibly long term a new request will be made.

Mayor Barnes asked if the Buchanan Dairy is located west of this parcel? James replied that is correct. The dairy has now been split into a few parcels.

Jamie stated he felt the request falls within what city code allows and he would support the request.

Jon mentioned the council has tried to follow the future land-use map closely. This area calls for medium to low density. This would allow for one or two dwelling units per acre. The parcel to the west of this parcel has the low density designation which means one dwelling unit for one or two acres.

Jon felt the R-1-20 request fit the intent of the General Plan for this parcel.

Wade mentioned he toured the area. There is a need to balance the culture of the area as well as abide by current zoning ordinances. No matter the outcome some residents will be happy and some will be sad.

Wade stated he agreed with Jamie and Jon's comments. The current General Plan supports the request.

Wade stated he supports personal property rights and if ordinances can be followed the request should be granted.

A motion to adopt Ordinance 20-36, an Ordinance rezoning Parcel Number 08-083-0046 from RA-1 (Residential Agricultural 1-Acre) to R-1-20 (Single Family Residential 20,000 Square Feet) was made by Curtis, seconded by Jaime and the vote was unanimous.

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

No Vote: None

PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 21-01, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBERS 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 AND 08-124-0002. THE PARCELS ARE LOCATED AT APPROXIMATELY 300 SOUTH 1400 EAST. THE PARCELS TOTAL APPROXIMATELY 37.50 ACRES.

The public hearing was opened at 7:29 P.M.

Brent Lawyer stated he owns the parcel directly north of these parcels and supports the annexation request.

Nathan Whittaker and Guy Jardine, two of the property owners requesting annexation, were in attendance at the meeting.

Steven Parkinson and Steven Laker are the other parcel owners and were not able to attend.

Nathan stated the request is consistent with the General Plan and future annexation map. The request includes five parcels and would not create an island or peninsula so the request can be approved. Voting to approve the request would be consistent with the annexation plan of the city.

Todd Davis stated he owns land just north of these parcels.

Todd asked the council to be consistent and deny the annexation request. Todd mentioned he asked a previous council which included all current council members but Jon and the request was denied.

Todd asked the council to be consistent with previous denials and to deny this request as well.

****The public hearing was closed at 7:34 P.M.****

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 21-01.

Mayor Barnes mentioned the power lines cross some of the parcels being considered for annexation.

Jon mentioned years ago a mayor and previous council made the decision not to allow development east of the power lines. The General Plan shows the area with an “open space” designation most likely because the land is not agricultural land. The idea was this area of the city would not be developed.

Jon mentioned the parcels in question are included in the future annexation map of the city but there is not a guarantee the parcels will be annexed into the city.

Jon stated he did not favor development of this property based on the future land-use map of the city.

Jon stated he supported previous councils and mayors who did not want to see development east of the power lines.

Jamie stated he voted “no” on the two previous steps in annexation process because this is not where he wants development to occur in the city.

Jamie mentioned he was not comfortable annexing a parcel into the city, collecting property tax on the parcel and not allowing the parcel to be developed.

Mayor Barnes asked if it is possible to annex the parcels into the city and now allow them to be developed? Craig replied that is correct. After a parcel is annexed it would have to be rezoned and go through the development process before anything could be built on the parcel.

Jon mentioned the city is somewhat obligated to provide culinary water to the parcels if they are annexed. If they stay in the county the city has no responsibility in this regard.

Deon mentioned he reviewed the future land-use map of the city. Deon does not understand why open space is included on the edge of the city especially where the parcels are so close to the Forest Service land which is all open space.

Deon stated as part of his job he checks foundations on new homes. In other cities in the valley development is being allowed on slopes much steeper than in Smithfield.

Deon mentioned he voted against the last General Plan revision because of items he did not agree with such as open space being included.

Jon mentioned there are two schools of thought. One is that by allowing development to the west which allows for existing farmland to be developed. The land on the bench is poor farmland and if developed might keep some existing farmland on the west side of town as farmland.

Jon stated water pressure on the east side of town is poor in certain places. A new water tank was installed in this area to help with pressure problems but not all areas of town were helped.

Jon mentioned at the next General Plan revision the council can decide if they want to continue not allowing development east of the power lines or if it is something they want to consider in the future.

Nathan Whittaker asked if it is written in the city code there will not be development east of the power lines or if it is based off of tradition? Jon replied it was not written down that he was aware of. Jamie mentioned it is not tradition as there are reasons to not allow development in this area. One reason being wildfire concerns. The council and mayor are not comfortable allowing homes to be built in an area which could have a problem with wildfires.

Nathan asked the council if they had walked this area as it is wide open. Jamie replied he has been to the area many times and is well aware of the lay of the land.

Nathan mentioned there are not really any slope issues with his parcel like there might be with surrounding parcels.

Jamie mentioned in the summer of 2020 there was a wildland fire relatively close to this area. Nathan replied there is quite a buffer of grass from his parcel to the areas which contain sagebrush and shrubbery.

Nathan mentioned North Logan allows development above the power lines and he feels he can resolve any concerns regarding the power lines.

Mayor Barnes mentioned he previously served as a council member before coming mayor. Previous councils and mayors did not want to see development in the foothills east of the city.

Jon mentioned the power lines have been used as a convenient arbitrary line in the past and now when development is discussed in the area.

Nathan mentioned he has other opportunities to do things on the parcel if the request is not approved.

Wade mentioned whether it is called tradition or not there is a reason. One of the biggest reasons being wildland fire concerns.

Wade asked how much Hyde Park had to pay as part of their recent wildfire east of town? Chief Downs replied if they were not part of a wildland fire program their portion of the cost would have been \$80,000.

Wade mentioned the power lines have been used in the past as it is an easy reference point. On the wildfire map the area in question for annexation is listed as moderate to high risk.

Wade stated he supported the previous precedent of not allowing development east of the power lines.

A motion to DENY Ordinance 21-01, an Ordinance annexing Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 and 08-124-0002 was made by Curtis, seconded by Wade and the motion to DENY passed by a vote of 4-1.

Yes Vote: Wall, Anderson, Wells, Campbell

No Vote: Hunsaker

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 21-01, 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 200 WEST 600 NORTH. 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 TOTAL APPROXIMATELY 79.85 ACRES.

Mayor Barnes mentioned the parcels are included in the future annexation plan and show the area as being zoned medium density.

Justin mentioned this is the first step in the annexation process. As an item of clarification the north boundary line of the annexation request is an existing dirt road.

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

A motion to adopt Resolution 21-01, a Resolution accepting a Petition for Annexation 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 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 ORDINANCE 20-40, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, SECTION 17.88.060 “APPLICATION OF PUD TO UNDERLYING ZONE”.

Clay mentioned the city used to have a standard for a 45 foot road. The standard no longer exists so it is being corrected in the code in this section. Also, 20 foot setbacks would be established on corner lots in a PUD (Planned Unit Development). The total of the setbacks would have to be at least 40 feet.

A motion to adopt Ordinance 20-40, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Section 17.88.060 “Application of PUD to Underlying Zone” 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 RESOLUTION 21-02, A RESOLUTION ADOPTING THE 2020 BEAR RIVER REGION, UTAH PRE-DISASTER MITIGATION PLAN.

Mayor Barnes mentioned the plan had been presented to him and recommended the city approve.

Justin mentioned BRAG (Bear River Association of Governments) had created the plan. If the plan is adopted by the city and a natural disaster occurs the city can apply for FEMA (Federal Emergency Management Agency) funding. If the Resolution is not adopted the city cannot apply for FEMA funding.

Craig mentioned BRAG had been working on the plan for about 18 months. The plan is good for three years.

Jon asked if this is a federal mandate in order to receive FEMA funding? Craig replied that is correct.

A motion to adopt Resolution 21-02, a Resolution adopting the 2020 Bear River Region, Utah Pre-Disaster Mitigation Plan 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 FORM THE CITY RECORDER FOR THE ANNEXATION REQUEST BY SMITHFIELD CITY FOR PARCEL NUMBERS 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 AND 08-117-0013 AND DIRECT THE PUBLICATION OF SUCH PETITION IN THE HERALD JOURNAL ON JANUARY 23RD AND 30TH AND FEBRUARY 6TH. THE PARCELS ARE LOCATED AT APPROXIMATELY 1000 SOUTH MAIN STREET. THE PARCELS TOTAL APPROXIMATELY 42.81 ACRES.

Mayor Barnes mentioned this annexation request is needed so the 1000 South Main street light project can be completed. The intent is for the project to start this spring. The land needs to be in the city in order for the project to be completed.

Justin mentioned this is Step 2 in the process. There were some clerical errors on the survey which have been corrected. The next step in the process is to start the advertising of the request. The public hearing and vote of the council will be at the February 10th city council meeting.

A motion to receive the Certification of Annexation Petition for Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013 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 RESOLUTION 21-03, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY.

Mayor Barnes mentioned there is a \$1.00 per month increase to garbage service to pay for the new green waste fees being charged by Logan City. Craig mentioned the increase is a mandatory green waste fee which was adopted by the Cache County Council. This fee has to do with green waste bins and not green waste garbage cans. The 90-gallon can will go from \$15.15 to \$16.15 per month and the 60-gallon can will go from \$12.90 to \$13.90 per month.

The other proposed fee change is to the fees charged for building rentals. Most rentals would be increased by \$5.00 per use. The increase is based on demand and what other local entities are charging.

Mayor Barnes asked who pays the new \$1.00 per month garbage increase fee? Craig replied anyone with a utility account.

Jamie asked what happens if the city doesn't support the new green waste fee. Craig replied the city will be charged the new rate whether the council adopts the Resolution or not. It is a mandatory fee adopted the county council.

Jamie mentioned his frustration was the city did not have a say on whether or not they wanted to be involved in the program.

Mayor Barnes asked if the increase is charged to everyone in the valley? Craig replied residents of Logan City will see a \$0.50 per month increase and everyone else in the valley will see a \$1.00 per month increase.

A motion to adopt Resolution 21-03, a Resolution amending the Prevailing Fee Schedule of the City was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-15, AN ORDINANCE ADDING IN ITS ENTIRETY TO THE CURRENT SMITHFIELD CITY MUNICIPAL CODE TITLE 17 "ZONING REGULATIONS", CHAPTER 17.81 "MASTER PLANNED COMMUNITY (MPC) ZONE", SECTIONS 17.81.010 "PURPOSE", 17.81.020 "ALLOWED USES", 17.81.030 "DEFINITIONS", 17.81.040 "REZONE REQUIRED", 17.81.050 "DEVELOPMENT STANDARDS", 17.81.060 "OPEN SPACE", 17.81.070 "STREETS, CIRCULATION & PARKING", 17.81.080 "WALKING/BIKING TRAILS", 17.81.090 "LANDSCAPING", 17.81.100 "DENSITY BONUSES", 17.81.110 "APPROVAL PROCESS", 17.81.120 "FAILURE TO PROGRESS", 17.81.130 "DEVELOPMENT AGREEMENT", AND 17.81.140 "MODIFICATION OF APPROVED PLAN".

Mayor Barnes mentioned the planning commission has been working on the proposed Ordinance for about eighteen months.

The Ordinance would add an entirely new zone to the zoning map called the MPC Zone (Master Planned Community).

Jamie stated his only concern about the Ordinance is he does not want to see private roads.

Jamie does not support private roads in the city as they create too many issues long term.

Mayor Barnes asked Jamie for his proposed changes. Jamie replied to remove any part of the Ordinance which includes the ability to have private roads. Craig mentioned he did not think the MPC Zone would be used by a developer as it is most likely not feasible to build an area with roads built to city standard widths.

Craig mentioned in an MPC Zone narrower roads are allowed but they must be private. Narrow roads are hard to maintain and plow. Narrow roads allow the developer to get a higher density of homes in the development.

Jamie mentioned he does not want private roads to be approved in the future and wants all new roads to be built to current city standards. Curtis mentioned the Ordinance will most likely not be used if full size roads are required.

Jon mentioned private roads have been built in the past in the city and they are not up to city standards. In one particular subdivision with a private road they convinced the city council years later to take over the road and maintain and plow it. Jamie stated a one-time fee was paid and the city took over ownership of the road.

Jon stated the city now struggles to maintain and plow the road because it is not built to city standards.

Clay mentioned Highland Estates and the Three Creeks Subdivision each included private roads.

Jon asked if roads must be a minimum of 60 feet wide? Clay stated that is correct.

Mayor Barnes asked if there is an issue with roads which are 50 feet wide? Jon replied the standards of the city will need to be changed. Once the change is made developers will only request that width because of the amount of money they save on infrastructure costs. Jamie stated he did not support private roads no matter the size or width. Curtis mentioned he supported the city standards as currently written in regards to road width.

Mayor Barnes mentioned the city does not want narrower roads and the city certainly doesn't want to maintain or plow them.

Wade stated he had the same concerns regarding smaller roads. When pushing snow short roads and cul-de-sacs are problematic. Issues are created when roads are private versus public as people don't know who to call when there is a problem. Fire trucks might have an issue on narrower roads as well.

Wade expressed concern for the amount of required off-street parking listed on Page 6 as 0.25 per unit. Wade felt 0.50 per unit was more equitable.

Wade also expressed concerned as the Ordinance is currently written he felt too much multi-family housing is allowed. For example, on a parcel 60 acres in size, as the Ordinance is written 33 acres could be multi-family.

Wade asked Jeff Jackson the size of the parcel he was doing a master planned community development on in Providence? Jeff replied twenty acres.

Wade asked if a maximum project size should be included?

Wade stated he did not support small city owned roads.

Wade asked what the current city standard is for a city owned street. Jon replied sixty feet is the narrowest requirement.

Mayor Barnes asked why a maximum size should be included? Wade replied because of the amount of multi-family which would be allowed. Wade expressed concern for potential culinary water and sewer issues on such a large size project.

Mayor Barnes mentioned the original minimum project size started at five acres but the planning commission changed to fifteen acres with no maximum project size.

Scott Gibbons mentioned the parking requirement of 0.25 per unit for off-street parking was discussed at length. The number of stalls all depends on the number of units in the development. Wade replied he is concerned that in hindsight everyone will probably say I wish we had more parking and then nothing can be done at that point. Jon mentioned 0.50 per unit is better but might not be enough if there are a lot of townhomes in the development.

Deon asked if additional parking will be required and created like in the Summit Creek development? They added additional parking stalls in that development.

Deon mentioned in a 55 or older community garages could be attached or non-attached.

Deon stated the parking requirement needs to be at least 0.25 per unit for off-street parking.

Jon asked Jeff if he had ever built a one-car garage in a development? Jeff replied he has never built a one-car garage on any project he has completed.

Curtis mentioned the planning commission went back and forth between 0.25 and 0.50. This was a concern of theirs as well. Scott mentioned the planning commission was trying to find the right balance. What other cities allow was reviewed and 0.25 per unit was quite common.

Scott asked Jeff what the requirement is in Providence? Jeff replied 0.25 per unit.

Curtis stated he did not want to make changes to an Ordinance fifteen minutes after it has been reviewed by the council when the planning commission has been working on it for eighteen months. Wade replied he has been concerned about this part of the Ordinance for over a year. A requirement of 1.0 per unit or 0.75 per unit might be too much but 0.50 per unit is more than fair and equitable.

Brooke Freidenberger stated she voted against the Ordinance as she did not think it was complete and ready to move to the council for consideration.

Jamie asked how long the culinary water discussion would be at the January 27th workshop meeting? Mayor Barnes replied he would guess around one hour.

Jamie suggested where the planning commission is attending the workshop on the 27th the Ordinance could be reviewed and discussed with both bodies as well. Mayor Barnes concurred.

A motion to Table Ordinance 19-15, an Ordinance adding in its entirety to the current Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Sections 17.81.010 “Purpose”, 17.81.020 “Allowed Uses”, 17.81.030 “Definitions”, 17.81.040 “Rezone Required”, 17.81.050 “Development Standards”, 17.81.060 “Open Space”, 17.81.070 “Streets, Circulation & Parking”, 17.81.080 “Walking/Biking Trails”, 17.81.090 “Landscaping”, 17.81.100 “Density Bonuses”, 17.81.110 “Approval Process”, 17.81.120 “Failure to Progress”, 17.81.130 “Development Agreement”, and 17.81.140 “Modification of Approved Plan” was made by Jon, seconded by Jamie and the vote was unanimous.

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

No Vote: None

Mayor Barnes mentioned some people have asked why an MPC Zone is needed when the city already allows PUD’s (Planned Unit Development). A PUD only allows for one type of structure where the MPC would allow for a mixed-use of single family homes, senior housing and multi-family housing all in the same area. Scott mentioned an MPC Zone gives the city more input on the design and look of the final product as well.

CITY MANAGER REPORT

Craig provided the council with documentation from the Regional Wastewater Treatment Rate Committee. The amount of impact fees collected from June 2020 through the end of December 2020 was included in the report.

The new sewer plant in Logan is anticipated to cost \$136,000,000.

Construction of the new sewer plant should be done by July 2022 and the plant should be operational by October 2022.

Craig informed the council himself and Mayor Barnes had been invited to attend a meeting with representatives from North Logan and Hyde Park. Hyde Park and North Logan are wondering about the possibility of doing a three-city sewer system. In 2014, a small three-city plan was done. It was not financially feasible at that time to consider a three-city sewer system. Representatives from North Logan and Hyde Park want to revisit the item again now. In order to see the feasibility of a new sewer plant for the three cities each city would have to spend about \$22,000 on the study. The study will state if it is possible to do a three-city sewer system from a financial aspect.

Craig reminded the council the city has already sent hundreds of thousands of dollars to Logan City in wastewater treatment impact fees. The sewer utility rate was increased 35% previously with the increase going to Logan City to help pay for the new plant.

In 2014, it was anticipated a new sewer plant for the three cities would cost about \$24,000,000. The current cost will be much higher. A new three-city system would have to be 100% financed as well. The annual payment would be approximately \$2,000,000 plus operation and maintenance costs on top of that.

Craig stated himself and the mayor recommend staying with Logan City and not spending funds on a new study.

Curtis asked why Hyde Park and North Logan want to consider this option? Mayor Barnes replied because there are rumors that Nibley and Providence are going to take their sewage to Hyrum and leave the Logan system. The fear is if they leave Logan then Logan will bill Hyde Park, North Logan and Smithfield more to make up for the loss from the other two cities.

Mayor Barnes mentioned Millville is going to connect to the Hyrum sewer system. They will be required to install two sewage lift stations. The Hyrum sewer facility does not have the capacity to accommodate taking sewage from Nibley and Providence. The plant is not large enough.

Mayor Barnes stated another big concern is if the State of Utah would actually grant a new discharge permit for the three cities to dump into the Bear River.

Jon asked if the state would allow a new discharge permit? Craig replied it is an unknown at this time. There would be many hurdles which would have to be overcome. Mayor Barnes mentioned the state prefers when several cities work together with one discharge point. They do not like several cities each with their own discharge point.

Curtis and Jamie both stated they would prefer to stay with Logan City.

Jamie asked the lifespan of the new Logan City plant? Craig replied at least thirty years.

Jon mentioned the city has already invested significant funding in the Logan City system. Jamie concurred.

Jamie mentioned he was not comfortable taking on so much debt as would be required for a new three-city system. Craig mentioned the debt would be \$24,000,000 at a minimum.

Wade mentioned he did not like debt and would prefer to stay on the Logan City system.

Craig mentioned the city office will be closed on Monday, January 18th in observance of Martin Luther King Day.

COUNCIL MEMBER REPORTS

Curtis mentioned the city is planning for a regular Health Days celebration this year including the parade. The celebration will be the first full week of May.

Jamie mentioned he did not have anything to mention in regards to the golf course where it is closed.

Brooke Freidenberger mentioned an ambassador trail program is being considered. It would be something such as Adopt-a-Trail. A booth will be placed at certain trails, in the summer, with the intent of educating hikers on trail etiquette and CPR. A survey is being created as well and will be sent out in the future.

Jamie mentioned the city pays a portion of Cache County Trail Coordinator Carly Lansche's wage as part of the city budget.

Brooke mentioned a bicycle trail along the edge of the highway is being considered from Smithfield to Richmond.

Deon mentioned the seniors are still not meeting because of COVID-19.

The Lion's Club has not met recently either.

Jon mentioned the \$3,000 donation from the Rocky Mountain Power Foundation will be used to replace the windows on the front (west) of the Douglass Mercantile Building. The anticipated cost is \$1,000 per window.

Preston Watts Auto Body is in the process of installing a new flagpole. The flagpole will be in the alleyway between the Preston Watts Auto Body building and the Douglass Mercantile building. The flagpole is approximately 50 feet tall. A light will be installed on the Preston Watts Auto Body building to shine on the flag.

Jon thanked Brooke Freidenberger, Scott Gibbons and Bob Holbrook for attending the council meeting.

Wade mentioned the next library board meeting will be on Wednesday, January 20th.

Wade mentioned the new ambulance service went into effect on January 1st. CCEMS (Cache County Emergency Medical Services) is no longer in existence. New logos have been installed on the equipment. Chief Downs and Craig are working on budgetary plans for the future.

Wade has spent quite a bit of time at the fire station learning the process as well as interacting with all of the employees which include full-time, part-time and volunteers.

Wade mentioned the city has purchased one new ambulance.

Mayor Barnes mentioned some tough decisions were made by the council when they found out CCEMS was going to cease to exist on January 1st.

Mayor Barnes stated he felt the council made the right decision to go on their own and establish their own ambulance service operation. The move was bold but in the best interest of the city.

Wade mentioned some city officials in the south end of the valley are not happy with the decision made but Smithfield. Most of them are misinformed on what really transpired over the last year in regards to ambulance service.

Wade mentioned many of the northern cities have bought into the service which Smithfield is providing. Mayor Barnes replied to the best of his knowledge all of the northern cities were working with Smithfield on ambulance service.

Wade asked how many employees are in the department? Chief Downs replied eight full-time employees, four part-time employees and many volunteers.

Mayor Barnes asked how long the ambulance license is good for? Chief Downs replied for four years.

Mayor Barnes mentioned it was good the council had Chief Downs start the license application process in January 2020 as it took almost a year to obtain the proper licensing.

MAYOR'S REPORT

Mayor Barnes did not have any additional items to report.

****Curtis made a motion to adjourn at 9:05 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, January 13, 2021**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jamie Anderson

1. Approval of the city council meeting minutes from December 9, 2020.
2. Acceptance of a grant of \$3,000 from the Rocky Mountain Power Foundation to help pay for new windows and doors in the Douglass Mercantile Building.
3. Resident Input
4. Discussion and possible vote on the request by Blue Ox Development for approval of the Final Plat for The Cove Phase 1, a (16) lot/unit subdivision located at approximately 30 South 1200 East. Zoned R-1-12 (Single Family Residential 12,000 Square Feet).
5. Discussion and possible vote on Ordinance 20-39, an Ordinance rezoning Parcel Numbers 08-119-0016 and 08-119-0008 from A-10 (Agricultural 10-Acre) to RM (Multiple Family Residential). The parcels are located at approximately 350 East 800 South and total approximately 12.01 acres.
6. Discussion and possible vote on Ordinance 20-38, an Ordinance rezoning Parcel Number 08-123-0001 from A-10 (Agricultural 10-Acre) to R-1-12 (Single Family Residential 12,000 Square Feet). The parcel is located at approximately 1080 East 600 South and is approximately 29.81 acres.
7. Discussion and possible vote on Ordinance 20-36, an Ordinance rezoning Parcel Number 08-083-0046 from RA-1 (Residential Agricultural 1-Acre) to R-1-20 (Single Family Residential 20,000 Square Feet). The parcel is located at 625 West 200 South and is 2.00 Acres.
8. Public Hearing for the purpose of discussing Ordinance 21-01, an Ordinance annexing Cache County Parcel Numbers 08-121-0007, 08-121-0006, 08-121-0008, 08-124-0011 and 08-124-0002. The parcels are located at approximately 300 South 1400 East. The parcels total approximately 37.50 Acres.
9. Discussion and possible vote on Ordinance 21-01.

10. Discussion and possible vote on Resolution 21-01, 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 200 West 600 North. 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 total approximately 79.85 acres.
11. Discussion and possible vote on Ordinance 20-40, and Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Section 17.88.060 “Application of PUD to Underlying Zone”.
12. Discussion and possible vote on Resolution 21-02, a Resolution adopting the 2020 Bear River Region, Utah Pre-Disaster Mitigation Plan.
13. Discussion and possible vote on receiving the Certification of Annexation form the City Recorder for the Annexation request by Smithfield City for Parcel Numbers 04-006-0003, 04-006-0032, 08-117-0036, 04-006-0001, 04-006-0033, 08-117-0025 and 08-117-0013 and direct the publication of such petition in The Herald Journal on January 23rd and 30th and February 6th. The parcels are located at approximately 1000 South Main Street. The parcels total approximately 42.81 acres.
14. Discussion and possible vote on Resolution 21-03, a Resolution amending the Prevailing Fee Schedule of the City.
15. Discussion and possible vote on Ordinance 19-15, an Ordinance adding in its entirety to the current Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Sections 17.81.010 “Purpose”, 17.81.020 “Allowed Uses”, 17.81.030 “Definitions”, 17.81.040 “Rezone Required”, 17.81.050 “Development Standards”, 17.81.060 “Open Space”, 17.81.070 “Streets, Circulation & Parking”, 17.81.080 “Walking/Biking Trails”, 17.81.090 “Landscaping”, 17.81.100 “Density Bonuses”, 17.81.110 “Approval Process”, 17.81.120 “Failure to Progress”, 17.81.130 “Development Agreement”, and 17.81.140 “Modification of Approved Plan”.
16. City Manager Report
17. Council Member Reports
18. Mayor’s Report

Adjournment

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

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