SMITHFIELD CITY CORPORATION
96 South Main
Smithfield, UT 84335

AGENDA

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, August 9, 2023.** The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Deon Hunsaker

1. Approval of the city council meeting minutes from July 12, 2023.

2. Public Hearing to discuss the proposed increase in property tax revenue for the city. The Smithfield City tax on a $483,000 residence would increase from $305.23 to $359.16, which is $53.93 per year. The Smithfield City tax on a $483,000 business would increase from $554.97 to $653.02, which is $98.05 per year. If approved the city would increase its property tax revenue by 17.71% above last year's property tax budgeted revenue excluding eligible new growth.

3. Discussion and possible vote on Resolution 23-12, a Resolution setting the property tax rate.

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.

SMITHFIELD CITY COUNCIL JULY 12, 2023

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, July 12, 2023. The meeting began at 6:30 P.M. and Mayor Kristi Monson was in the chair. The welcome/pledge of allegiance and thought/prayer was by Sue Hyer.

The following council members were in attendance: Curtis Wall, Deon Hunsaker, Sue Hyer, and Wade Campbell.

Council Member Jon Wells was excused.

City Manager Craig Giles, Interim Fire Chief Jeff Peterson, City Engineer Clay Bodily, Planning Manager Brian Boudrero, Police Chief Travis Allen, and City Recorder Justin Lewis were also in attendance.

VISITORS: Scott Gibbons, Chris Harrild, Chris Olsen, Jennie Orme, Todd Orme, Stuart Reis, Zane Hyer, Wendy El Bakri, Kenneth Bell, Katie Bell, Robert Hansen, Dante Chaparro, Jenn Staker, Tayli Nelson, Lindsey Black, Jacob Henry, Mike Monson, Braxton Bennett

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JUNE 14, 2023.

> ***A motion to approve the June 14, 2023 City Council Meeting minutes was made by Wade, seconded by Sue and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE APPROVAL OF THE PIONEERING AGREEMENT REQUEST BY BIRCH CREEK BUSINESS PARK, LLC FOR INFRASTRUCTURE WORK IN THE AREA OF 450 WEST 600 SOUTH.

Clay explained in the past there was a section in the city code where developers could apply for a pioneering agreement when they installed infrastructure along a neighboring parcel. The council recently removed the ability to apply for a pioneering agreement from the city code.

This request is in the area of 600 South 400 West where a pioneering agreement is already in place with Winn Feed. If approved this would be the second agreement in this area.

Braxton Bennett stated he is building a building at 450 West 600 south. A waterline must be installed. Several neighboring parcels will benefit from the waterline being installed. The request is to put a pioneering agreement in place so if the neighboring parcels tie into the waterline in the future they will pay their share of the cost.

Curtis mentioned a couple of these types of agreements were put in place in the past in places such as 250 East by a church. Clay concurred.

Curtis asked why the code was changed? Clay replied because the developer has to install the infrastructure for their project from the current end of the existing infrastructure to their project.

Curtis asked how much the pioneering agreement is for? Braxton replied it is based on an equal cost share formula.

Curtis asked how many neighboring property owners would be effected? Braxton replied he was not sure.

Clay mentioned in the past, in some cases, the city has paid to upsize a waterline in certain areas. The city standards require the developer to install the infrastructure along the entire frontage of their property.

Curtis asked why this request is being considered now where the code was amended? Clay replied because the applicant submitted his request before the code was changed.

Mayor Monson asked Clay if he thought the code should have been amended to what it currently is. Clay replied his opinion was the council did the right thing by amending the code to not allow pioneering agreements in the future.

Mayor Monson stated the recommendation of the staff is to deny the request where the current code no longer allows these types of agreements to be put in place.

Deon asked Braxton if he contacted any of the neighbors about sharing the cost now? Braxton replied he talked to some of them but was not able to contact all of them. None of them have an interest in developing at this time or paying a portion of the cost.

Deon asked what the timeline is on the agreement? Clay replied it is for fifteen years. Years one through five are a shared cost and then from years six through fifteen the percentage decreases.

Mayor Monson asked Clay if part of the reason the code was changed was so this did not have to be tracked for the next fifteen years? Clay replied that was part of it but also the old code was not clear on figuring out the amount each party would pay.

> ***A motion to DENY the pioneering agreement request by Birch Creek Business Park, LLC was made by Wade, seconded by Sue and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE APPROVAL OF THE PIONEERING AGREEMENT REQUEST BY NEIGHBORHOOD NONPROFIT HOUSING CORPORATION FOR A SEWER LINE INSTALLED FROM APPROXIMATELY 660 N 510 E TO 250 E 680 N.

Chris Harrild explained a sewer line is being run west through their project and connecting at 680 North. A portion of the cost could be paid by other developers in the area if they tie into the sewer line long term and this agreement is approved. Right now there is only one property owner who could tie into the sewer line once it is installed. Neighborhood Nonprofit Housing Corporation is a nonprofit entity who builds self-built homes. This agreement is beneficial to the corporation and the mission of the corporation.

Chris asked the council to explain the purpose as defined in the code which was amended? Clay replied the old code allowed the council to approve or deny a pioneering agreement where the developer could recoup a portion of their cost. Chris stated he did not agree with Clay's interpretation of the code. Clay replied he was glad to see the code amended because determining the cost share amount could be confusing. Was it based on the number of units? Length of the pipe? Volume of the pipe? Craig replied the request before the council is not a debate about how the previous code used to read. The request before the council is to approve or deny the pioneering agreement. Chris stated this request is different than the request which was just denied.

Chris mentioned he wanted clarification on the old municipal code. Mayor Monson replied the request before the council is to approve or deny the pioneering agreement.

> ***A motion to DENY the pioneering agreement request by Neighborhood Nonprofit Housing Corporation was made by Wade, seconded by Sue and the vote was unanimous.***

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

Chris informed the council he would like a written reason for the finding to deny the request and the record of the recommendation by the staff to deny the request. A GRAMA request will be filed to obtain this information.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 23-21, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 08-048-0012 FROM R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET) TO MPC (MASTER PLANNED COMMUNITY). THE PARCEL IS LOCATED EAST OF 200 SOUTH 1000 EAST AND IS APPROXIMATELY 34.36 ACRES. THE REQUEST WAS SUBMITTED BY DAN SUNDSTROM.

At the request of the applicant, this item was withdrawn/postponed and will be considered at a future city council meeting.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-10, A RESOLUTION INFORMING THE STATE OF UTAH WATER QUALITY BOARD OF ACTIONS TAKEN CONCERNING THE MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR 2022.

Clay mentioned this is a yearly report which he must submit to the state. The council must be notified about the report and review it. Some of the included items are the spending and collecting of funds. No new debt has been incurred. Utility cost rates are understood. Before the report can be submitted to the state the council must review and approve the Resolution.

> ***A motion to adopt Resolution 23-10, a Resolution informing the State of Utah Water Quality Board of actions taken concerning the Municipal Wastewater Planning Program Report for 2022 was made by Wade, seconded by Curtis and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE VOTE ON AMENDMENTS TO THE EMPLOYEE PERSONNEL MANUAL.

Craig reviewed two proposed changes to the personnel manual.

"Fire Duty" will be replaced in its entirety with "Fire Department Staffing". This new policy includes verbiage about the call-back policy as well as staffing levels at the fire department.

"Overtime Compensation" is also being reworded so it is more clear and up to date.

Wade stated he was comfortable with the proposed changes as they help move the departments forward.

Curtis asked how often the fire department staffing level goes below six? Chief Peterson replied anytime there is a call of service. The department is currently staffed with a maximum of six employees. If the call will take less than thirty minutes calling in additional help is not needed.

> ***A motion adopt changes to the Employee Personnel Manual was made by Sue, seconded by Wade and the vote was unanimous.***

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

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 23-10, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 "ZONING REGULATIONS", CHAPTER 17.81 "MASTER PLANNED COMMUNITY (MPC) ZONE", SECTIONS 17.81.050 "DEVELOPMENT STANDARDS", 17.81.090 "LANDSCAPING" AND 17.81.100 "DENSITY BONUSES".

Mayor Monson stated she supported the change from a maximum of six dwelling units per lot to five dwelling units per lot.

Brian reviewed the proposed changes to the code.

In 17.81.050, Development Standards, types of housing units were added. The side setbacks for multi-family units were expanded. In parking, the word "dwelling" was added so it would state "per dwelling unit".

In 17.81.090, Landscaping, it would require the preliminary landscaping plan to be created by a landscape designer or landscape architect.

In 17.81.100, Density Bonuses, "off-site infrastructure improvements" would be removed and additional open space, trails/bicycle circulation, and recreational facilities Max Percent Bonus was increased by five percent.

In 17.81.030, Definitions, definitions for cluster housing, five-plex, four-plex, tri-plex and twin home were added.

Curtis asked if a graduate student from Utah State University would be considered qualified to do a landscape plan if the new code is adopted? Brian replied they would be allowed to create the plan. The person does not have to be licensed. They need to be trained in landscapes.

Curtis mentioned a large builder most likely has an architect on staff. What about a small builder who doesn't? Brian replied a local nursery could help the builder create the landscape design plan in a case like that. The landscape architect requirement is only for the MPC Zone and not the other zones in the city.

Wade asked if anything can be written into the code to make sure the units are owner occupied? Brian replied it can be monitored the first time a unit is purchased but the city cannot do anything if the buyer lives there, moves out and rents the unit long term.

Deon asked if the number of housing types was being increased from two to three? Brian replied that is correct and there are more housing options to choose from as well if the ordinance is adopted.

> ***A motion to adopt Ordinance 23-10, an Ordinance amending the Smithfield City Municipal Code Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Sections 17.81.050 "Development Standards", 17.81.090 "Landscaping" and 17.81.100 "Density Bonuses" was made by Curtis, seconded by Wade and the motion passed by a vote of 3-1.***

Yes Vote: Wall, Hyer, Campbell
No Vote: Hunsaker
Absent: Wells

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-11, A RESOLUTION AMENDING THE PREVAILING FEE SCHEDULE OF THE CITY.

Craig reviewed two sections with proposed changes to the fee schedule.

Adding a $100 fee for garbage, recycling, and green waste can replacement due to damage by the utility customer and adding $100 for garbage, recycling, and green waste can upgrade for when a utility customer requests a new can when there is little to no damage with the existing can(s).

The following changes would be made to the Ambulance Fee Schedule:

	Current	Proposed
Paramedic Transport	$1,930.00	Per State Rate
AEMT Transportation	$1,320.00	Per State Rate
Mileage	$39.00	Per State Rate
Stand By Fee	$125 per hour	Per State Rate

Wade asked what happens when a garbage can wears out because of normal wear and tear? Craig replied it would be replaced at no cost. The residents won't pay for cans damaged by the carrier either. Residents will only pay if they noticeably damage the can.

Wade asked if all of the new garbage cans are 90-gallon? Craig replied all new cans are 90-gallon.

Curtis mentioned Logan City previously changed out the old cans when they were bad or damaged. Did that service stop on July 1st? Craig replied Logan City stopped changing out and delivering garbage cans on June 15th. Curtis replied he was aware of a resident who got a different can after June 15th. Craig replied the Logan City staff told the Smithfield City staff they would no longer deliver any new cans or replacement cans after June 15th.

Curtis asked if it would be reasonable to ask Logan City to deliver new cans for an additional month as they have a lot of cans at their facility? Craig replied the city could ask but it would not be any benefit to the city. Logan City would charge the city for every can delivered.

Curtis asked if the cans are tracked by serial number? Craig replied that is correct. The city has a list of addresses and the serial numbers of the cans associated with that address.

Curtis asked for clarification on the "Per State Rate". Craig replied the existing rate will be replaced with the rate set by the state as they change it from time to time. Curtis asked why not update this amount when the state changes the rate? Chief Peterson replied it could be done that way but it would automatically update if it is based on the state rate and would not have to come to the council for approval every time it changes. Craig mentioned there is a lag between when the rate changes and when the city council meets so the city would lose revenue by having the amount come to the council to be continuously updated.

Craig mentioned the rate is set by the state and the city cannot charge more than this rate. Chief Peterson mentioned the current increase is approximately 2.5%. Curtis asked if that is the standard amount? Chief Peterson replied sometimes it is more and sometimes it is less. There is not a set amount.

Curtis mentioned he was in Rexburg, Idaho were a friend was transported via ambulance because of a medical issue. Information on the cost of the ambulance service was given to the family before they transported Curtis's friend to the closest medical facility. Chief Peterson mentioned he had never heard of this happening locally because items such as supplies would need to be added to the final bill. Curtis replied those items are added later on. The information provided, stated here is the approximate rate to the closest medical facility.

Wade mentioned doing something like "Per State Rate" is not new in the fee schedule as items such as based on the current IRS rate is common in the fee schedule.

Curtis asked if the current rate information can be looked up by anyone who wants to know? Chief Peterson replied it is public knowledge so it would be available.

> ***A motion to adopt Resolution 23-11, a Resolution amending the Prevailing Fee Schedule of the City was made by Curtis, seconded by Wade and the vote was unanimous.***

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

CITY MANAGER REPORT

Craig mentioned the council previously discussed the possibility of streaming council meetings and planning commission meetings long term. The council room has been setup in this regard. A quote has been obtained from CivicPlus to use their services for streaming and data storage. The second option is to use something like YouTube which is a free platform but does not offer the same options and services as the paid service. The recommendation of the staff is if the council wants to provide this service to the residents the city should contract with CivicPlus. CivicPlus already hosts the city website and several other software packages the city utilizes. One nice option that CivicPlus offers is the meetings are time stamped meaning if a person wants to only watch a certain item on the agenda they can click on a bookmark and go right to that spot in the video and not have to surf through the footage to find that item. If the council wants to proceed the goal of the staff would be to start streaming council meetings in January 2024 and planning commission meetings in July 2024.

Curtis asked who does the streaming service for Logan City? Craig replied he did not know. Wade replied he thought the county used YouTube.

Wade felt it would be better to try the service as a free option to see if the residents are interested in this type of service before paying for the service.

Wade stated he was only interested in offering the service if it was free.

Mayor Monson said more people will be involved with the city if they can watch meetings from home.

Curtis replied he agreed with Wade's comment about only offering the service if it is free to the city. Until it is known how many residents have an interest, money should not be spent on offering the service.

Curtis asked if there will still be meeting minutes, etc. if streaming is offered? Craig replied everything that is currently being done will still be done this would just be an additional service provided to the residents.

Mayor Monson mentioned she has an older member of her family who resides in Logan and watches all of their meetings online. People will watch the broadcasts if they are available. Wade concurred.

Craig informed the council the paving project on 100 West from 100 North to Center Street will be completed on Friday, July 14th.

In regard to the Central Park well project. There are some electrical components which will not arrive until August. The intent is to have the well online by the end of September.

Curtis asked what the plan is to replace the broken sign at the cemetery? Mayor Monson mentioned a resident contacted her about the sign. They were talking to a company in Tremonton about some possible options but right now the cost and specifics are not known.

Mayor Monson mentioned there is not any funding in the new budget for the replacement of the sign.

Curtis stated options other than granite should be considered. There are cheaper options than granite.

Curtis suggested considering stainless steel. The existing base could be utilized. A machine shop could machine the wording as needed and cut it to the correct size.

Wade mentioned maybe this could be a project for the students at Sky View High School. Curtis mentioned the sign size would most likely be an issue for the machines at the school. Wade stated Bridgerland Area Technical College has a machining service as well. Curtis mentioned Paragon Tool and other local shops have the correct size of machine for this type of project.

Curtis reiterated there are better options than granite mainly because of the cost.

COUNCIL MEMBER AND MAYOR REPORTS

Curtis did not have any additional items to report.

Deon did not have any additional items to report.

Sue did not have any additional items to report.

Wade mentioned there are eight applicants for the librarian position.

The library now has new standard hours of operation.

Several items have been put on hold until the new library director is hired so that person can be involved in the process. Some of these items are grant opportunities as well as a three-year plan.

The library board is considering doing a fundraiser for the library. They are considering doing a farmer's market with a donation booth.

The board wants the new director to help set the direction of the library for the future.

A policy manual has been handed out to the board members to review.

The fire department has been very busy and it is hopeful there will not be any firework issues with the upcoming July 24th holiday.

Mayor Monson mentioned the fire department received a thank you letter for their call for service at an accident in Cache Junction. The department is working smoothly and running well.

Mayor Monson informed the council Mayor Paul Erickson from Richmond City contacted her about the possibility of filling the vacant Cache Valley Transit District (CVTD) seat with a Richmond resident whose daughter utilizes the service on a daily basis. The board was recently changed and a member of each city is no longer on the board. Smithfield, Richmond and Lewiston will have one board member representing all three cities.

Mayor Erickson asked Mayor Monson if the Richmond resident could serve for two years and then transition to a Smithfield resident for two years.

Curtis asked what happened with Tom Arnold who has been representing the city on the CVTD board? Craig replied when the current board is disbanded all board members terms will be removed.

Curtis mentioned the city representative reported to the council on occasion in the past. What would happen in this case? Mayor Monson replied the representative can come before the council anyone they want that person to give a report.

Curtis mentioned the CVTD board meets on a monthly basis. Curtis served on the board for two years. The information from the CVTD board should be shared with the council.

Mayor Monson asked Curtis if Tom shared any information with the council? Curtis replied in the past he would get an occasional email with an update. The representative previous to him came before the council and gave a yearly report. Mayor Monson felt it would be appropriate to have the representative come before the council yearly to report the happenings of the district.

Wade stated he did not have any concerns with a Richmond resident filling the position but felt it would be fair for all three cities if the representative changed every two years.

The consensus of the council was the CVTD representative should change to a new city every two years.

Curtis asked if CVTD had been contacted about changing routes as the population grows? Craig replied the county has been working on a new countywide transportation master plan and the city has been involved in the process. Curtis asked if this happened recently? Craig replied that the plan was recently worked on.

Craig informed the council the city works with CVTD as needed and when they have requests or when the city has requests of the district.

****Curtis made a motion to adjourn at 7:32 P.M.****

SMITHFIELD CITY CORPORATION

____
Kristi Monson, 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, July 12, 2023**. The meeting will begin at 6:30 P.M.

Welcome/pledge of allegiance and thought/prayer by Sue Hyer

1. Approval of the city council meeting minutes from June 14, 2023.

2. Discussion and possible approval of the pioneering agreement request by Birch Creek Business Park, LLC for infrastructure work in the area of 450 West 600 South.

3. Discussion and possible approval of the pioneering agreement request by Neighborhood Nonprofit Housing Corporation for a sewer line installed from approximately 660 N 510 E to 250 E 680 N.

4. Discussion and possible vote on Ordinance 23-21, an Ordinance rezoning Cache County Parcel Number 08-048-0012 from R-1-12 (Single Family Residential 12,000 Square Feet) to MPC (Master Planned Community). The parcel is located east of 200 South 1000 East and is approximately 34.36 acres. The request was submitted by Dan Sundstrom.

5. Discussion and possible vote on Resolution 23-10, a Resolution informing the State of Utah Water Quality Board of actions taken concerning the municipal wastewater planning program report for 2022.

6. Discussion and possible vote on amendments to the Employee Personnel Manual.

7. Discussion and possible vote on Ordinance 23-10, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone”, Sections 17.81.050 “Development Standards”, 17.81.090 “Landscaping” and 17.81.100 “Density Bonuses”.

8. Discussion and possible vote on Resolution 23-11, a Resolution amending the Prevailing Fee Schedule of the City.

9. City Manager Report

10. Council Member and Mayor Reports

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.

RESOLUTION 23-12

A RESOLUTION SETTING THE REAL AND PERSONAL PROPERTY TAX RATE

Be it resolved by the City of Smithfield, Utah.

There is hereby levied a tax rate on all real property within the municipality not otherwise exempted by law as follows:

General Fund	0.001352
Total certified tax rate	0.001352

Approved and signed this 9th day of August, 2023.

SMITHFIELD CITY CORPORATION

____
Kristi Monson, Mayor

ATTEST:

____
Justin B. Lewis, City Recorder