



**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 8, 2023**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Curtis Wall

1. Approval of the city council meeting minutes from January 11, 2023.
2. Youth Council Report
3. Discussion with representatives of CAPSA on April being Sexual Assault Awareness month.
4. Discussion and possible approval of Lazaro Soto as a commissioner on the Smithfield City Planning Commission.
5. Discussion and possible vote on Ordinance 23-01, an Ordinance rezoning Cache County Parcel Number 08-105-0058 from GC (General Commercial) to M-1 (Manufacturing). The parcel is located at approximately 560 South 200 West and is approximately 4.92 Acres. The request was submitted by Brett Brunson.
6. Discussion and possible vote on Resolution 23-02, a Resolution updating the Prevailing Fee Schedule of the City.
7. Public Hearing for the purpose of discussing Ordinance 23-04, an Ordinance amending the Smithfield City General Plan by adopting Moderate-Income Housing Strategies.
8. Discussion and possible vote on Ordinance 23-04.
9. Discussion and possible vote on Ordinance 23-02, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.04 "General Provisions", Section 16.04.060 "Compliance Required" and Chapter 16.06 "Minor Subdivision", Section 16.06.050 "Approval of Minor Subdivision".
10. Discussion and possible vote on Ordinance 23-03, an Ordinance amending the

Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.04 "General Provisions", Section 16.04.030 "Definitions".

11. Selection of Mayor Pro Tempore.
12. City Manager Report
13. Council Member and Mayor Reports
14. Executive Session, Utah Code Annotated 52-4-205.

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**

**JANUARY 11, 2023**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 11, 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, Jon Wells and Wade Campbell.

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, Planning Manager Brian Boudrero and City Recorder Justin Lewis were also in attendance.

VISITORS: Craig Neilson, Jeffry R. Gittins, Lynda Gittins, Lucy Harris, Bob Holbrook, Michael Harris, Bryant McKay, Janice Anderson, James Anderson, Shawn Kirkley, Elizabeth Kirkley, John Olsen, Mike Monson, Jeff Barnes, Bob Buckley, Sharon Johnson, Jeffrey Johnson, Wade Lindley, Anna Hamilton, Stuart Reis, Dallas Nicoll, Kelli McDonald

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM DECEMBER 14, 2022.**

\*\*\*A motion to approve the December 14, 2022 city council meeting minutes was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

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

No Vote: None

**YOUTH COUNCIL REPORT**

Anna Hamilton reported the youth council helped with Sub for Santa in December.

The youth council will be helping with a triathlon at the rec center.

Some members of the youth council are going to attend the annual Day at the Legislature on Wednesday, January 18th.

**DISCUSSION AND POSSIBLE APPROVAL OF RAY CHEATHAM, JEFF GITTINS, MIKE HARRIS, SHARON JOHNSON AND CRAIG NEILSON AS MEMBERS OF THE HISTORICAL PRESERVATION COMMISSION.**

Jon asked Jeff Gittins to introduce those being asked to serve on the Historical Preservation Commission as well as those who are serving on the Historical Society.

Jeff Gittins introduced Kelli McDonald, James and Janice Anderson, John Olsen, Sharon Johnson, Mike Harris and Craig Neilson.

Russell Smart, Ray Cheatham and Mike Oliverson were not able to attend the council meeting.

Within the last two weeks the Historical Preservation Commission has received approximately \$4,500 in donations.

A CLG (Certified Local Government) Grant will be submitted for up to \$20,000. This is a 50/50 matching grant.

Geary Electric is going to donate their services to help repair the electrical in the Douglass Mercantile Building.

\*\*\*A motion to appoint Ray Cheatham, Jeff Gittins, Mike Harris, Sharon Johnson and Craig Neilson as members of the Historical Preservation Commission was made by Jon, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

Current Historical Preservation Commissioner Members are:

Ray Cheatham, Jeffry R. Gittins, Michael Harris, Sharon Johnson, Craig Neilson, Donya Harvey and Eric Bingham

Current Historical Society Members are:

James Anderson, Janice Anderson, Sharon Johnson, Kelli McDonald, John Olsen, Ray Cheatham, Maralee Pressgrove, Mike Oliverson and Russell Smart

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-30, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 08-109-0002 FROM A-5 (AGRICULTURAL 5-ACRE) TO M-1 (MANUFACTURING). THE PARCEL IS LOCATED AT APPROXIMATELY 650 SOUTH 400 WEST AND IS APPROXIMATELY 5.15 ACRES. THE REQUEST WAS SUBMITTED BY TRUELINE CONTRACTORS, LLC.**

Jon asked Dallas Nicoll if the intent is to build a building on the parcel and store the excavation equipment the company owns there? Dallas replied that is correct.

\*\*\*A motion to adopt Ordinance 22-30, an Ordinance rezoning Cache County Parcel Number 08-109-0002 from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing) for a parcel located at approximately 650 South 400 West was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE APPROVAL OF ADDING AN ADDITIONAL 600 FEET OF SEWER PIPE SOUTH OF 100 SOUTH TO THE 600 WEST SEWER UPGRADE PROJECT.**

Craig informed the council at the completion of the 600 West sewer project there is 336 feet of pipe remaining.

The request to is approve a change order which would install the remaining pipe south of where the project ended. The new pipe would go south for approximately two manholes. The city already owns the pipe. If the project is approved, the manhole will be ordered and should arrive in three to four weeks. The project could start in late February.

Jon asked where the project would be located? Craig replied on 100 South directly south of where the project ended in the area of 600 West.

Mayor Monson asked how deep the pipe is in that area? Craig replied approximately 20 feet.

Deon asked if the existing sewer pipe would be replaced? Craig replied that is correct.

Wade asked the timeline for the project where the agricultural field which will be dug up and is used for farming purposes. Craig replied the project should be done sometime in March. Wade replied the project needs to be done before May or farming season. Craig mentioned the field that is dug up will be reseeded as part of the project.

Jon asked if the manhole cover will be located below grade for farming purposes? Craig replied that is correct.

Wade asked if there are any irrigation lines in the area which will be a problem? Craig replied he was not sure but was not aware of any.

\*\*\*A motion to approve the change order for the 600 West sewer upgrade project to include the installation of an additional three hundred thirty six feet (336') of sewer pipe was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE APPROVAL OF A LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC.**

Craig mentioned the staff has been working with New Cingular Wireless on potential cell phone tower location sites. The proposed site, on city property, is their first choice. The request is to establish a lease agreement between both parties. Legal counsel needs to review the agreement if the city council wants to enter into the agreement. The agreement would be for a period of five years with an additional five years allowed if both parties agree. If the agreement is approved New Cingular Wireless will need to go before the planning commission for site approval.

Curtis asked how many cell towers are currently on city property? Craig replied one. It is located at the golf course. Jon mentioned the golf course tower is managed by Verizon Wireless.

Wade asked if the monthly rent will be \$1,650? Craig replied that is correct.

Jon asked if the road accessing the site will need to be improved? Craig replied New Cingular will be required to improve the road to the cell tower site. Wade asked if improving the road is included in the contract? Craig replied it will be one of the conditions the planning commission needs to include in the site approval.

\*\*\*A motion to approve the lease agreement between New Cingular Wireless PCS, LLC and Smithfield City was made by Sue, seconded by Wade and the vote was unanimous.\*\*\*

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

No Vote: None

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| <b>DISCUSSION AND POSSIBLE APPROVAL OF MODERATE-INCOME HOUSING STRATEGIES.</b> |
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Brian Boudrero mentioned the state has provided the cities with some strategies to consider in regard to moderate-income housing. The city is required to implement three of these strategies. Larger cities have to implement five of the strategies. The proposal is to implement strategies: "A", "E" and "L" of the list below.

### **Strategies**

Municipalities and counties must include at least three strategies - municipalities with a "fixed guideway transit station" (train or BRT station) must have at least four strategies. The menu of strategies includes the following:

- A. Rezone for densities necessary to facilitate the production of moderate-income housing**
- B. Demonstrate investment in the rehabilitation or expansion of infrastructure that facilitates the construction of moderate-income housing
- C. Demonstrate investment in the rehabilitation of existing uninhabitable housing stock into moderate income housing
- D. Identify and utilize general fund subsidies or other sources of revenue to waive construction related fees that are otherwise generally imposed by the county/municipality for the construction or rehabilitation of moderate-income housing
- E. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones**
- F. Zone or rezone for higher density or moderate-income residential

- development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers
- G. Amend land use regulations to allow for higher density or new moderate income residential development in commercial or mixed-use zones near major transit investment corridors
  - H. Amend land use regulations to eliminate or reduce parking requirements for residential development where a resident is less likely to rely on the resident's own vehicle, such as residential development near major transit investment corridors or senior living facilities
  - I. Amend land use regulations to allow for single room occupancy developments
  - J. Implement zoning incentives for moderate income units in new developments
  - K. Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund
  - L. **Reduce, waive, or eliminate impact fees related to moderate income housing**
  - M. Demonstrate creation of, or participation in, a community land trust program for moderate income housing
  - N. Implement a mortgage assistance program for employees of the county/municipality, an employer that provides contracted services for the county/to the municipality, or any other public employer that operates within the county/municipality
  - O. Apply for or partner with an entity that applies for state or federal funds or tax incentives to promote the construction of moderate income housing, an entity that applies for programs offered by the Utah Housing Corporation within that agency's funding capacity, an entity that applies for affordable housing programs administered by the Department of Workforce Services, an entity that applies for affordable housing programs administered by an association of governments established by an interlocal agreement under Title 11, Chapter 13, Interlocal Cooperation Act, an entity that applies for services provided by a public housing authority to preserve and create moderate income housing, or any other entity that applies for programs or services that promote the construction or preservation of moderate income housing
  - P. Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing
  - O. Create a housing and transit reinvestment zone pursuant to Title 63N, Chapter 3, Part 6, Housing and Transit Reinvestment Zone Act

- R. Eliminate impact fees for any accessory dwelling unit that is not on internal accessory dwelling unit as defined in Section 10-9a-530
- S. Create a program to transfer development rights for moderate income housing
- T. Ratify a joint acquisition agreement with another local political subdivision for the purpose of combining resources to acquire property for moderate income housing
- U. Develop a moderate-income housing project for residents who are disabled or 55 years old or older
- V. Develop and adopt a station area plan in accordance with Section 10-9a-403.1
- W. Create or allow for, and reduce regulations related to, multifamily residential dwellings compatible in scale and form with detached single-family residential dwellings and located in walkable communities within residential or mixed-use zones
- X. Demonstrate implementation of any other program or strategy to address the housing needs of residents of the county/municipality who earn less than 80% of the area median income, including the dedication of a local funding source to moderate income housing or the adoption of a land use ordinance that requires 10% or more of new residential development in a residential zone be dedicated to moderate income housing.

Jon asked what it means in “E” to reduce regulations in regard to accessory dwelling units? Brian replied the city would already be in compliance. The city has allowed internal accessory dwelling units for a long time. The council recently adopted a detached accessory dwelling unit ordinance allowing those types of units as well.

Mayor Monson asked what the size difference in the cities is for those who have to implement five strategies versus those who have to implement three? Brian replied he was not sure of the population size difference. Brian knew that cities which have a track station in them are required to have five strategies. Curtis replied he was not aware of any city in Cache Valley which is required to implement five strategies. Brian mentioned transportation is a bigger factor than population. Jon mentioned population is a factor as it triggers the requirements for three strategies to be implemented. Some smaller cities won’t have to implement any strategies. Craig replied the population threshold to implement three strategies is 5,000 or more.

\*\*\*A motion to adopt Moderate-Income Housing Strategies “A”, “E” and “L” was made by Wade, seconded by Sue and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION WITH POLICE CHIEF TRAVIS ALLEN ON CRIME RATES AND STATISTICS IN THE CITY.**

Police Chief Travis Allen reviewed a report for the calls of service for the police department for calendar year 2022. There were 4,077 calls for service which was up eleven percent over 2021. There were 1,055 citations issued and 316 warnings issued. There were 198 arrests.

Chief Allen reviewed the following report:

**Crime Clock Report**

On average, one key indicator crime is committed every 6.10 days

| Crime                 | Frequency   |
|-----------------------|-------------|
| Assault               | 1.87 Months |
| Controlled Substances | 1.74 Months |
| Larceny               | 14.36 Days  |
| Rape                  | 2.91 Months |
| Sex Assault           | 1.45 Months |
| Vehicle Theft         | 2.01 Months |

TOTAL CRIMES: 120

**CAD Calls Received Report**

On Average, one call is received every 2.17 hours

| Incident             | Frequency   |
|----------------------|-------------|
| Traffic Crashes      | 1.65 Days   |
| Alarms               | 2.97 Days   |
| Animal Incidents     | 15.84 Hours |
| Assaults             | 19.21 Days  |
| Assists              | 7.22 Hours  |
| Burglary             | 15.20 Days  |
| Drugs/Paraphernalia  | 30.41 Days  |
| Child Abuse          | 5.36 Days   |
| Custodial Incidents  | 3.50 Days   |
| Disputes             | 4.62 Days   |
| Fraud                | 15.86 Days  |
| Juvenile Problem     | 2.43 Days   |
| Rape/Sex Offense     | 30.41 Days  |
| Suspicious Incidents | 13.21 Hours |
| Alcohol Offense      | 13.03 Days  |
| Theft                | 7.93 Days   |
| Public Welfare       | 2.31 Days   |
| 911 Hang-up          | 10.73 Days  |

Robbery

182 Days

|                                     |
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| <b>Year-To-Date CAD Call Detail</b> |
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| <u>CALL NATURE</u>         | <u>2 YEAR % CHANGE</u> |
|----------------------------|------------------------|
| Accident Hit and Run       | 73% Increase           |
| Animal Bites               | 21% Increase           |
| Assaults                   | 300% Increase          |
| Burglary                   | 90% Increase           |
| Child Abuse                | 143% Increase          |
| Criminal Mischief          | 15% Increase           |
| Custodial Interference     | 75% Increase           |
| Family Dispute             | 122% Increase          |
| Found Child                | 600% Increase          |
| Fraud                      | 6% Increase            |
| Intoxicated persons        | 43% Increase           |
| Juvenile Problem           | 19% Increase           |
| Missing Persons            | 400% Increase          |
| Ordinance Violation        | 780% Increase          |
| Overdose                   | 22% Increase           |
| Probation/Parole Violation | 400% Increase          |
| Property Damage            | 81% Increase           |
| Protective Order Violation | 38% Increase           |
| Psych/Suicide Attempt      | 6% Increase            |
| Retail Theft               | 13% Increase           |
| Sex Offense                | 14% Increase           |
| Stalking Incidents         | 25% Increase           |
| Suspicious Drugs           | 67% Increase           |
| Thefts                     | 31% Increase           |
| Theft, Automobile          | 300% Increase          |
| Threat to commit Suicide   | 107% Increase          |
| Threats                    | 27% Increase           |
| Accident w/Damage          | 19% Increase           |
| Accident w/Injury          | 19% Increase           |
| Trespassing                | 28% Increase           |
| Vehicle Burglary           | 30% Increase           |
| Welfare Check              | 13% Increase           |

Mayor Monson asked if the increases were because of growth? Chief Allen replied the more people there are the more calls for service there will be.

Some categories saw a decrease such as abandoned vehicles, active gunmen, allergic reactions, citizen disputes, intrusion alarms, keeping the peace and panic alarms.

Curtis stated Smithfield is not the only city seeing an increase. Every department throughout the country is seeing an increase in calls. Chief Allen mentioned the severity of the calls is increasing as well.

Curtis asked if having a local law enforcement agency helps reduce call volume? Chief Allen replied having a police presence always helps.

In regard to ordinance enforcement and animal control. Animal bite calls increased 21%, ordinance violations increased 780% and parking related issues increased 32%.

Mayor Monson asked if these numbers are up because more policing is being done? Craig replied these calls are all complaint driven. Chief Allen replied the city takes a reactive approach in these types of cases and does not address them until a complaint has been issued.

Jon asked how the morale of the officers is as taking some of these types of calls is hard? Chief Allen replied burnout will always be a concern as there are easier jobs out there for the same or higher pay.

Jon mentioned the city needs to keep the officers. It is hard when the call volume is increasing as well as the severity of the crimes.

Craig mentioned the city has less than the number of officers recommended per capita. This means the officers are responding to more calls than officers in other departments. The city is very short staffed for intense crimes.

Chief Allen mentioned a DUI (driving under the influence) offense used to take about two hours to complete. With the additional reporting and other requirements it can take up to eight hours for just one incident now.

Craig mentioned there are only two officers working per shift so if an officer is dealing with an intense call that only leaves one officer for the entire city.

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| <b>DISCUSSION ON POSSIBLE INTERIOR AND EXTERIOR IMPROVEMENTS TO THE SENIOR CENTER.</b> |
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Jon mentioned he spoke with the seniors who attend the weekly senior luncheon about their biggest concerns with the building. The main concern is the carpet. It is easily stained and hard to keep clean. The second concern is the couches are looking worn and shabby. Replacing the carpet with a different type of flooring is their main concern.

Curtis mentioned he talked to Rec Director Brett Daniels who oversees the renting and use of the building. Brett's top priority is replacing the carpet with engineered flooring. The last bid received to do this was around three years ago and the approximate cost was \$15,000.

There was a concern about tile being slick during the winter months with rain and snow. There are slip resistant options which make this concern not really be a problem.

The carpet is cleaned in the senior center two or three times per year but it gets dirty rather quickly.

The refrigerator is used by the senior program so those who rent the building cannot utilize the refrigerator.

The two cooking stoves are fairly new. There are not any issues with them.

Curtis mentioned the existing carpet is carpet squares and can easily be removed. The new flooring does not have to be glued to the ground so it should be rather easy to install.

Adding a fob system to the building has offered a great benefit in accessing the building for the staff and residents.

Curtis asked what the seniors pay per meal each week? Jon replied the seniors are requested to pay \$3.00 per meal each week. A discussion was held to increase the price to \$5.00 per meal. The seniors did not support the price increase as they said it is too much. The meal program is subsidized by the city. The expense is significantly more than the revenue brought in. Mayor Monson mentioned the food is prepared by volunteers to help save money.

Curtis stated the seniors should be asked to pay more per meal as they utilize the building more than anyone else.

Curtis mentioned he attended CDBG (Community Block Development Grant) meetings each year where available funding is discussed. The city could submit an application to help remodel the senior center as the project would qualify. There had been a discussion by the council about building a new building by the Civic Center but the cost would have been over one million dollars. Due to the cost this option is not being considered. Box Elder County received CDBG funding to remodel their senior center. There is typically around \$900,000 per year available in the program in this area. The exterior of the building is in significant disrepair. The logs have really deteriorated and need to be replaced.

Mayor Monson asked the council how they would like to proceed with this project? Curtis replied the city will need to apply for grants to receive funding to remodel the building.

Curtis mentioned rather than replace the logs it might be possible to put siding over the logs.

Mayor Monson asked the council if any of them would be willing to submit a grant during the next application period. Curtis replied he would work with Sharon Johnson on an application.

The consensus of the council was to apply for CDBG Funding in the next application cycle.

Curtis mentioned some bids need to be received now regarding replacing the flooring.

Jon mentioned another exterior issue is that feral cats are being fed at the building. Jon asked Chief Allen to have the animal control officer remove any item in regard to the sheltering or feeding of feral cats.

Wade asked the cost to rent the senior center? Craig replied the cost varies from \$20 to \$100.

Craig mentioned the total revenue for all building rentals in the city per year is around \$30,000. Not much funding is being received from rental payments.

Curtis stated he would obtain some flooring bids for the council to review.

Mayor Monson mentioned a plan needs to be made even if it requires moving the senior program to a different building long term as the current building is in severe disrepair.

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| <p><b>PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING RESOLUTION 23-01, A RESOLUTION AMENDING THE FISCAL YEAR 2023 BUDGET WHICH IS THE PERIOD OF JULY 1, 2022 THROUGH JUNE 30, 2023.</b></p> |
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Craig reviewed some of the larger proposed midyear budget adjustments:

Administration - \$93,487 for The Family Place playground grant. Expense and revenue are the same amount.

Historical – Remove the \$12,000 grant coordinator position which was denied by the council earlier in the year. Add in \$9,400 for the CLG (Certified Local Government) grant.

Library – Add \$1,155 to programs which came from donations to the library. Added an ARPA book grant for \$3,915.

Police – Adding \$13,358 to cover the cost of an engine replacement in one of the patrol trucks. Adding \$41,622 for the purchase of a new Ford F150 which is being paid for with surplus sale funds. Adding \$3,500 for a JAG assistance grant.

Public Works – Adding \$3,993 for a safety grant.

Parks – Adding \$6,252 for a grant the Tree Committee received. Adding \$48,051 for a RAPZ Tax project which has been completed and has been reimbursed.

Decreasing zoning and subdivision fees as well as building permit revenue by \$40,000. Building in the city has significantly decreased recently with interest rates rising substantially.

The biggest change in the proposed adjustments is moving garbage and recycling (solid waste) to its new own Solid Waste Enterprise Fund.

Interest revenue in all funds is being increased. As rates have risen so has the amount the city receives on its reserve.

Adding \$139,656 in fleet sales from the sale of vehicles and other surplus items.

Adding \$3,600 in donations to the Historical Preservation Commission.

The fire department is reducing Fee revenue by \$15,000 and increasing wildland fire revenue by \$252,470. The fire department also received a donation of \$6,800 to pay for some uniform related items.

Fire – Increase for wildland fire wages (\$76,491), uniforms (\$6,800), travel and training (\$3,000), interior building maintenance (\$50,000), fuel (\$5,000), SCBA maintenance (\$5,000), wildland fire expenses (\$8,771), minor equipment (\$17,000), major equipment (\$142,010), battery exhaust fan (\$6,000) and LDH hose (\$5,000).

Golf – Increase of \$30,000 for the irrigation system design.

Rec Center Revenue – Increases for junior bobcat basketball, tumbling and pickle ball.

Rec Center Expenses – Increases for pickle ball, tumbling, dance and a camera system for the Central Park restroom facility.

Park Impact Fee Revenue – Increase for interest of \$6,200 and impact fees of \$62,930.

Water Impact Fee Revenue – Increase for interest of \$9,000 and impact fees of \$222,218.

Sewer Impact Fee Revenue – Increase for impact fees of \$58,018 and impact fees collected on behalf of Logan City in the amount of \$141,114.

Storm Water Impact Fee Revenue – Increase for interest of \$4,000 and impact fees of \$41,807.

#### Water Enterprise Fund

Revenue – Increases for interest, sundry and water dedication payments

Expense – Increases for the Birch Creek Well repair, professional services, capital improvements and the new Central Park Wellhouse project

#### Sewer Enterprise Fund

Revenue – Increases for interest, sundry and monthly utility fee due to the rate increase

Expense – Increases to professional services and the 600 West sewer project

#### Solid Waste Enterprise Fund

Remove revenue and expense from the General Fund and move into the newly created Solid Waste Enterprise Fund

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

BOB BUCKLEY: At night, when driving north from Logan to Smithfield the carwash sign at the Green Gorilla carwash is so bright it is almost blinding people as they drive by. It would be nice to have the brightness turned down.

MAYOR: I agree and am already working on it as I have the same concern.

*\*\*\*The public hearing was closed at 7:30 P.M.\*\*\**

#### **DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 23-01.**

*\*\*\*A motion to adopt Resolution 23-01, a Resolution amending the Fiscal Year 2023 Budget which is the period of July 1, 2022 through June 30, 2023 was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\**

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

No Vote: None

#### **CITY MANAGER REPORT**

Craig updated the council on some projects going on in the city.

The footings for the Central Park Wellhouse have been poured. The electrical and plumbing work should start within the next couple of weeks. The pipe will be received in February and connected to the system in February or March. The project has a completion date of June 1<sup>st</sup>.

The roof or roof cap is leaking at the library and causing significant damage inside the building. The staff is trying to do a temporary fix until the repair can be completed properly at a later date.

Curtis asked for an update on the UDOT (Utah Department of Transportation) project of replacing the culvert/bridge on the highway which crosses Summit Creek at approximately 50 North Main. Craig replied the construction timeline was for January 1<sup>st</sup> through April 30<sup>th</sup>. Once the work starts, next week, half of the highway will be closed on a daily basis. The culvert will be replaced in two sections so half the highway will be closed at a time.

Wade asked how traffic will be managed as people will go to 100 East and 100 West trying to get around the slow traffic on the highway. Craig replied the police department will monitor the area as they are aware of this concern.

#### **COUNCIL MEMBER AND MAYOR REPORTS**

Deon did not have any additional items to report or discuss.

Curtis mentioned he is working on the qualifications for the city to be a “Healthy Utah Community”. Brett Daniels and Richard Varela from the Rec Center are helping with the project.

Curtis informed the council a proposal for a future ambassador program will be coming to the council for consideration at a future city council meeting.

Sue did not have any additional items to report or discuss.

Jon thanked the council for approving the members of the Historical Preservation Commission. They will be working to submit a CLG (Certified Local Government) grant application.

Wade informed the council the library board is working on updating the policies of the library. A new mission statement is being created as well. A new preschool program has been added.

Several fire department related projects are being reviewed and worked on. Information will be presented to the council at a future date.

Mayor Monson mentioned a set of Brand Guidelines are on the Cloud for the council to review in regard to the new city logo.

Mayor Monson mentioned the meeting the council held with Representative Mike Peterson was very helpful. Representative Petersen is already working to incorporate some of the ideas from the discussion into state code.

Senator Chris Wilson will be attending the Wednesday, April 12<sup>th</sup> city council meeting from 5:30 P.M. to 6:30 P.M. to provide a legislative update and answer questions. Jon suggested sending questions to Senator Wilson at least a month prior to the meeting so he has time to prepare answers to the questions.

Mayor Monson informed the council there is only \$3,500 left in the Travel and Training budget for the rest of the fiscal year. The fall Utah League of Cities and Towns conference was very expensive. In order to not go over budget if anyone wants to attend the spring conference, in Saint George, the city will pay the registration fee but the council member and mayor will have to pay for their hotel at their own cost if they want to attend.

Mayor Monson suggested each council member consider attending specialized training seminars. For example, if a council member is over the water department, they would attend specific water training rather than the general training the league provides.

Mayor Monson mentioned the city council and mayor had not received a cost of living wage increase in over eight years. Years ago, the council and mayor received the same cost of living increase as the employees. In order to change the wage of the council and mayor it requires a public hearing and vote of the city council.

Mayor Monson proposed a cost-of-living adjustment be included in the new budget. The percentage the employees receive would be the same amount the council and mayor receive.

Mayor Monson stated the low wage could impact those who run for office as the wage is so low people cannot afford to run for office.

Curtis stated he did not support an increase and would rather see the funding go to other projects such as a new floor at the senior center.

Curtis mentioned he does not serve because of the money he serves because he wants to serve. Most residents don't even know the mayor or council get paid.

Curtis asked Justin how much the council is paid? Justin replied approximately \$5,900 per year.

Curtis stated representatives of the Utah League of Cities and Towns need to be told their conference is too expensive. If a city the size of Smithfield cannot afford to send the council and mayor smaller cities certainly won't be able to either.

Curtis mentioned the Cache County Council recently approved a wage increase and he did not think it was appropriate. Mayor Monson mentioned the increase was approximately 50%.

Curtis stated he would not support a wage increase for the city council or mayor at this time as the funds are better spent on other projects.

|                                                                                                                      |
|----------------------------------------------------------------------------------------------------------------------|
| <b>EXECUTIVE SESSION TO DISCUSS PENDING OR REASONABLY IMMINENT LITIGATION. UTAH CODE ANNOTATED 52-4-205 (1) (C).</b> |
|----------------------------------------------------------------------------------------------------------------------|

\*\*\*A motion to close the regular council meeting and open the public hearing was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

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

*The executive session opened at 7:51 P.M.*

Those in attendance: Mayor Monson, Curtis Wall, Deon Hunsaker, Sue Hyer, Jon Wells, Wade Campbell, Craig Giles and Justin Lewis.

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

*The executive session closed at 8:11 P.M.*

\*\*\*Jon made a motion to adjourn at 8:11 P.M.\*\*\*

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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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 11, 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 December 14, 2022.
2. Youth Council Report
3. **WITHDRAWN** Discussion and possible approval of Lucy Harris as a commissioner on the Smithfield City Planning Commission. **WITHDRAWN**
4. Discussion and possible approval of Ray Cheatham, Jeff Gittins, Mike Harris, Sharon Johnson and Craig Neilson as members of the Historical Preservation Commission.
5. Discussion and possible vote on Ordinance 22-30, an Ordinance rezoning Cache County Parcel Number 08-109-0002 from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing). The parcel is located at approximately 650 South 400 West and is approximately 5.15 acres. The request was submitted by Trueline Contractors, LLC.
6. Discussion and possible approval of adding an additional 600 feet of sewer pipe south of 100 South to the 600 West Sewer Upgrade Project.
7. Discussion and possible approval of a lease agreement with New Cingular Wireless PCS, LLC.
8. Discussion and possible approval of Moderate-Income Housing Strategies.
9. Discussion with Police Chief Travis Allen on crime rates and statistics in the city.

10. Discussion on possible interior and exterior improvements to the Senior Center.
11. Public Hearing for the purpose of discussing Resolution 23-01, a Resolution amending the Fiscal Year 2023 Budget which is the period of July 1, 2022 through June 30, 2023.
12. Discussion and possible vote on Resolution 23-01.
13. City Manager Report
14. Council Member and Mayor Reports
15. Executive Session to discuss pending or reasonably imminent litigation. Utah Code Annotated 52-4-205 (1) (c).

Adjournment

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

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

**ORDINANCE NO 23-01**

**AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.**

BE IT ORDAINED by the City Council of Smithfield City, Utah as follows:

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from GC (General Commercial) to M-1 (Manufacturing).

Approximate Property Location: 560 South 200 West

**Cache County Parcel Number: 08-105-0058**

BEG 1.45 CHS N & 10 CHS E OF SW COR OF NE/4 SEC 33 T 13N R 1E & TH N 5.04 CHS TH E 9.76 CHS TH S ALG W LN OF ST 5.07 CHS TH W ALG N LN OF ST 9.76 CHS TO BEG CONT 4.92 AC SUBJ TO BNDRY LN AGREEMENT W/PARCEL 0027 SOUTH LINE ENT 1170138

APPROVED by the Smithfield City Council this 8th day of February, 2023.

**SMITHFIELD CITY CORPORATION**

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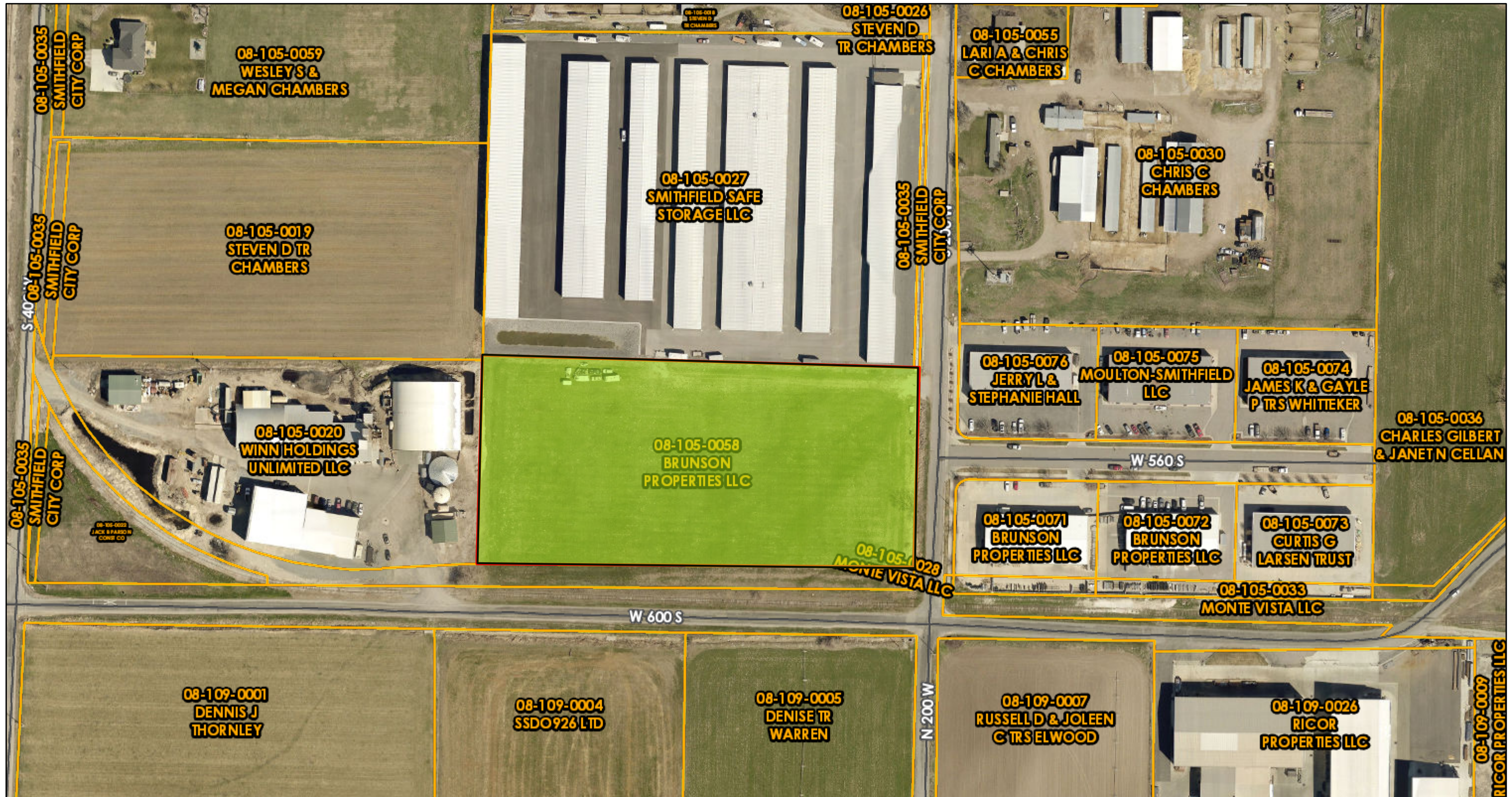
Kristi Monson, Mayor

**ATTEST:**

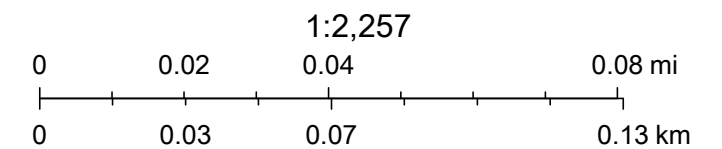
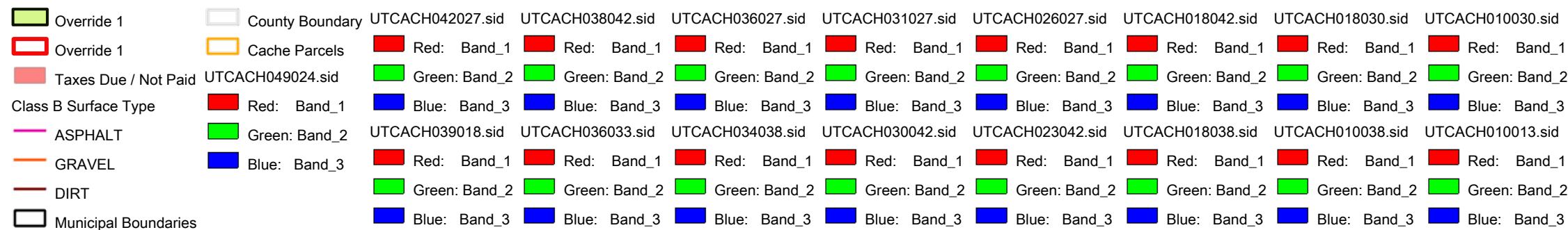
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Justin B. Lewis, City Recorder

# Parcel Map

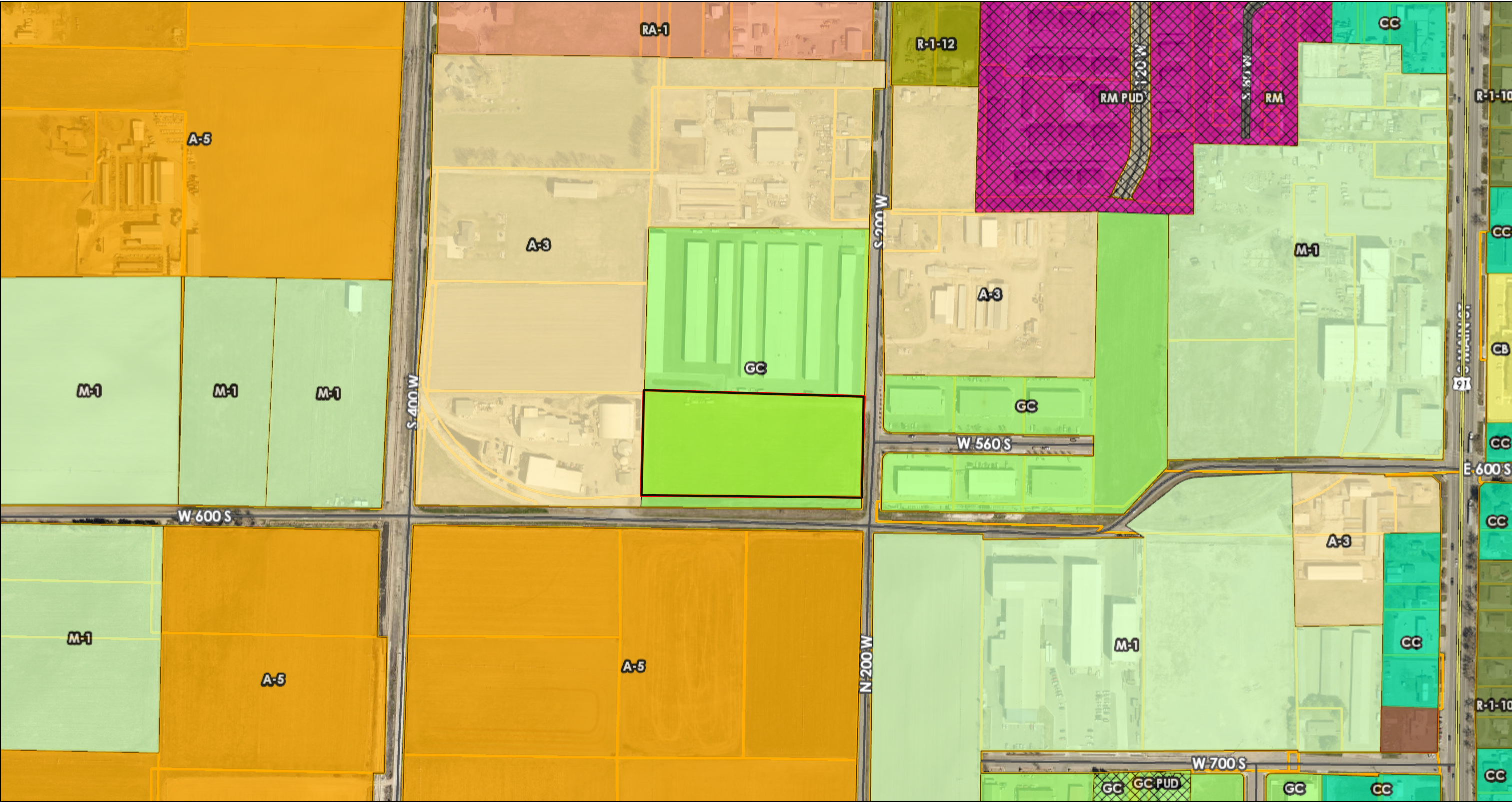


1/3/2023, 5:11:07 PM



Maxar, Microsoft

Parcel Map



1/3/2023, 5:12:28 PM

Override 1

Override 1

Taxes Due / Not Paid

Wellsville Zoning

NEIGHBORHOOD COMMERCIAL - NC

COMMUNITY COMMERCIAL - C1 - C2

GENERAL COMMERCIAL - GC

HIGHWAY COMMERCIAL - CH

MANUFACTURING

RESIDENTIAL AGRICULTURE - 5 ACRE

RESIDENTIAL - 1 ACRE

RESIDENTIAL - 1/2 ACRE

RESIDENTIAL - 12,000 SF

RESIDENTIAL - MULTIFAMILY

RECREATIONAL PLANNED DEVELOPMENT

RESIDENTIAL CRITICAL AREA

FOREST RECREATION - 40 ACRE

Trenton Zoning

AGRICULTURAL

COMMERCIAL C1

COMMERCIAL C2

PARK

RESIDENTIAL

Smithfield Zoning

PUD OVERLAY

MIXED USE OVERLAY

AGRICULTURAL - A-3

AGRICULTURAL - A-5

AGRICULTURAL - A-10

CENTRAL BUSINESS DISTRICT - CB

COMMERCIAL PROFESSIONAL

COMMUNITY COMMERCIAL - CC

GENERAL COMMERCIAL - GC

INSTITUTIONAL - I-1

MANUFACTURING - M1

MULTIPLE FAMILY RESIDENTIAL - RM

RESIDENTIAL AGRICULTURAL - RA-1

RESIDENTIAL AGRICULTURAL - RA-2

1:4,514

0 0.04 0.08 0.16 mi

0 0.05 0.1 0.2 km

Maxar

Authorized Use: Cache County Development Services Office  
Authorized Use: GIS Division/ Development Services  
Page 22 of 29

**RESOLUTION 23-02**

**SMITHFIELD CITY'S PREVAILING FEE SCHEDULE**

**WHEREAS**, Smithfield City, being an incorporated City, desires to provide a combined and complete schedule of fees charged by the City; and,

**WHEREAS**, Smithfield City has referenced several assessed fees throughout the Municipal Code as being identified on the most current prevailing fee schedule; and,

**WHEREAS**, these fees are changed from time to time; and,

**WHEREAS**, in the process of daily administration of the City, it is deemed to be more efficient to consolidate all assessed fees on one schedule,

**NOW, THEREFORE**, be it resolved;

That the Smithfield City Prevailing Fee Schedule be adopted setting forth the fees to be charged from February 9, 2023 until a future update by the city council (See attached schedule).

Approved and signed this 8th day of February, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

**ORDINANCE 23-04**

**AN ORDINANCE AMENDING THE SMITHFIELD CITY GENERAL PLAN BY  
ADOPTING MODERATE-INCOME HOUSING STRATEGIES.**

WHEREAS, Section 10-9a-401 of the Utah Code authorizes the city council to adopt a comprehensive, long range General Plan; and

WHEREAS, the city council in March 2017 adopted a General Plan which was in need of revision; and

WHEREAS, the city council finds and determines the health, safety, and welfare of the city and its inhabitants will be preserved, protected, and enhanced if the proposed Moderate-Income Housing Strategies are adopted;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF SMITHFIELD CITY, UTAH AS FOLLOWS:

The Smithfield City Council has reviewed and adopts the following Moderate-Income Housing Strategies.

1. Rezone for densities necessary to facilitate the production of moderate-income housing. (Strategy A)
2. Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones. (Strategy E)
3. Reduce, waive, or eliminate impact fees related to moderate income housing. (Strategy L)

This Ordinance shall become effective upon its posting as required by law.

Approved and signed on this 8th day of February, 2023.

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

## ORDINANCE NO. 23-02

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

**AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 “SUBDIVISION REGULATIONS”, CHAPTER 16.04 “GENERAL PROVISIONS”, SECTION 16.04.060 “COMPLIANCE REQUIRED”, AND CHAPTER 16.06 “MINOR SUBDIVISION”, SECTION 16.06.050 “APPROVAL OF MINOR SUBDIVISION”.**

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in **yellow** shall be added.

|                                                |
|------------------------------------------------|
| <b>16.06.050 APPROVAL OF MINOR SUBDIVISION</b> |
|------------------------------------------------|

~~A. The final plat or record survey shall be submitted to the planning department at least ten (10) days prior to a regularly scheduled meeting of the planning commission. No public hearing shall be required.~~

A. A final plat or record of survey shall be submitted to the STRC (Subdivision Technical Review Committee) for review. Upon receiving approval from the STRC, the final plat or record of survey shall be submitted to the planning department at least fourteen (14) days prior to a regularly scheduled meeting of the planning commission. No public hearing shall be required.

B. Following the review of the proposed minor subdivision, the planning commission shall recommend to the city council either approval, modification, or rejection of the final plat or record survey.

C. After receiving a recommendation from the planning commission, the developer shall present the final plat or record survey to the city council for consideration. ~~Prior to reviewing the final plat or record survey and the recommendation of the planning commission, the city council shall present the final plat or record survey to the STRC for review and approval. Upon receiving an approval from the STRC the city council shall review the final plat or record survey and consider the recommendation of the planning commission, city engineer, and other such departments deemed appropriate. If the final plat or record survey conforms to city's ordinances and this title,~~ the city council shall approve the final plat or record survey.

#### **16.04.060 COMPLIANCE REQUIRED**

- A. It shall be unlawful for any person to subdivide any tract or parcel of land which is located wholly or in part in the city except in compliance with this title. No final plat of any subdivision shall be recorded until it has been submitted and approved as herein. A plat shall not be approved if such plat is in conflict with any provision of the master street plan, land use ordinance, this title, or any other state law or city ordinance.
- B. Land shall not be transferred, sold, or offered for sale, nor shall a building permit be issued for a structure thereon, until a final plat or drawing of a subdivision shall have been recorded in accordance with this title and any applicable provisions of state law, and until the improvements required in connection with the subdivision have been completed as provided herein. Building permits shall not be issued without written approval of all public agencies involved. No building depending on public water, sewer, energy facilities, and street or fire protection shall be permitted to be occupied until such facilities are fully provided and operational.
- C. All lots, plots or tracts of land located within a subdivision shall be subject to this title whether the tract is owned by the subdivider or a subsequent purchaser, transferee, devisee, or contract purchaser of the land or any other person.
- D. Except as otherwise provided, it shall be unlawful for any person to receive a Certificate of Occupancy for a lot within a subdivision until water, sewer, storm drainage and all other required underground utilities within the subdivision are installed, inspected and approved by the city, all curb and gutter is installed, and all streets in the subdivision are paved.
- E. A building permit may be issued for a lot within a subdivision prior to installation of all water, sewer and required utilities and rough grading of all streets within the subdivision upon a finding of all of the following conditions by the building official:
  - 1. The lot fronts onto an already existing hard surfaced street;
  - 2. The main lines for utilities which will service the lot are located within the already existing and improved street;
  - 3. There is adequate fire flow protection and existing fire hydrants and fire protection devices for the lot as required by the International fire code, as adopted by the city, and other relevant city ordinances;
  - 4. There is adequate access to the lot for emergency utility vehicles;
  - 5. The issuance of the building permit will not threaten public health, safety and welfare;
  - 6. Issuance of the permit will not result in the waiver of any other requirements or performance guarantees for the subdivision.
- F. It shall be the responsibility of the subdivider to allow no human occupancy until all necessary utilities are installed and basic improvements are adequate to render the subdivision habitable which improvements shall include paved streets. It shall be unlawful for any subdivider to sell any portion of an approved subdivision until the prospective buyer or builder has been advised that occupancy will not be permitted until all required improvements are completed.
- G. Multiple-family residential projects having more than one hundred (100) dwelling units shall be equipped throughout with two (2) separate and approved fire apparatus access roads. Developments of one (1) or two (2) family dwellings where the number of dwelling units

exceeds thirty (30) shall be provided with two (2) separate and approved fire apparatus access roads.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 8th day of February, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder

## ORDINANCE NO. 23-03

WHEREAS, the City Council of Smithfield City, Cache County, Utah, passed and adopted the Smithfield Municipal Code on November 11, 2015; and

WHEREAS, the City Council has determined there is a need to update, repeal, amend and/or modify certain provisions contained in the referenced Municipal Code;

NOW, THEREFORE, the City Council of Smithfield City, Utah hereby adopts, passes and publishes the following:

### **AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 “SUBDIVISION REGULATIONS”, CHAPTER 16.04 “GENERAL PROVISIONS”, SECTION 16.04.030 “DEFINITIONS”.**

BE IT ORDAINED BY THE CITY COUNCIL OF SMITHFIELD CITY, CACHE COUNTY, UTAH, AS FOLLOWS:

1. The following sections shall be amended as indicated. Those portions which are ~~struck out~~ shall be deleted and those that are highlighted in yellow shall be added.

|                              |
|------------------------------|
| <b>16.04.030 DEFINITIONS</b> |
|------------------------------|

**HARD SURFACE STREET:** A street that will support a three (3) axle 80,000 pound (lb) vehicle and will not absorb water, making it less stable and reduce bearing capacity. The two options for a hard surface street are asphalt, which is 2 1/2 inches thick or concrete with a minimum thickness of four (4) inches.

2. Should any section, clause, or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, in whole or in part, the same shall not affect the validity of the Ordinance as whole, or any other part thereof.
3. All ordinances, and the chapter, clauses, sections, or parts thereof in conflict with provisions of this ordinance are hereby repealed, but only insofar as is specifically provided for herein.
4. This ordinance shall become effective after the required public hearings and upon its posting as required by law.

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal Code above referred to.

Approved and signed this 8th day of February, 2023

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Justin B. Lewis, City Recorder