



SMITHFIELD CITY COUNCIL

December 5, 2023

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Tuesday, December 5, 2023. The meeting began at 6:30 P.M. Mayor Kristi Monson was in the chair. The opening remarks were made by Wade Campbell.

Council Members in Attendance: Wade Campbell, Sue Hyer, Curtis Wall, Jon Wells

Council Members Excused: Deon Hunsaker

City Staff: City Manager Justin Lewis, Fire Chief Jeff Peterson, Police Chief Travis Allen, City Engineer Clay Bodily, Planning Manager Brian Boudrero, Librarian Shawn Bliss, Golf Professional Eric Kleven, Golf Superintendent Chad Daniels

Visitors: Merrilee Wells, Jeff Barnes, Todd Orme, Chris Olsen, Jon Hauptman, Jim Marshall, Jenn Staker, Susan Wall, Caralee Stokes, Ted Stokes, Sharon Johnson, Andrew Lillywhite

Approval of City Council meeting minutes from November 8, 2023.

*****A motion to approve the November 8, 2023 City Council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Resident Input

There were not any comments or questions.

Approval of Jodie Mack as City Treasurer effective February 23, 2024.

Jodie Mack will transition to the position of City Treasurer effective February 23, 2024. Jodie will be replacing Jane Price who is retiring on February 22nd. Jane will be honored at the February Council meeting. Alivia Harris will be taking over as Utility Billing Clerk.

*****A motion to approve Jodie Mack as Smithfield City Treasurer effective February 23, 2024 was made by Wade, seconded by Curtis and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Approval of Dana Lazcanotegui as City Recorder effective January 2, 2024.

Dana Lazcanotegui has been selected as the new City Recorder. She introduced herself to the Council. She will begin on January 2, 2023.

*****A motion to approve Dana Lazcanotegui as Smithfield City Recorder effective January 2, 2024 was made by Wade, seconded by Sue and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Discussion and possible vote on the request by Andrew Lillywhite for approval of the Final Plat for the Roger Cantwell Subdivision, a (2) lot/unit subdivision located at 490 West 300 North. Zoned RA-1 (Residential Agricultural 1-Acre).

Andrew Lillywhite is requesting to split the property owned by Roger Cantwell at 490 West 300 North into two parcels. Mr. Cantwell has an existing home on Lot 1 and Mr. Lillywhite would build a new home on the new lot. Both lots would be over one acre in size.

Wade said he would like to see subdivisions approved before digging up roads and other infrastructure is installed.

Mr. Lillywhite requested an exemption for the requirement of road widening and adding curb, gutter, and sidewalk improvements on 300 North portion of the project. The new lot will only come off of 500 West. If the exemption cannot be approved, he requested the improvements be graduated with the road first. This is an outside corner, where no one will drive, and a fire hydrant, so there will be no street parking. There is a cul-de-sac on 300 North and they have a gravel area to help with road sluffing, which would be a good alternative in this case. Adding a sidewalk would be a sidewalk going nowhere as it would not connect to another section of sidewalk. He grew up on the west side of town and thinks it is a good idea to let water go back into the ground in order to have cleaner water. He said the Council can consider and possibly grant these types of requests for exemption. Clay advised that the ordinance allowing the waiving of requirements was removed from the municipal code so that is not an option. Mr. Lillywhite said there is a provision where subdivision requirements can be waived; he provided the municipal code when the application was submitted. He understands it is not an option under the regular code; however, the Council can grant it under certain circumstances. He also said the proportionality of impacts should be considered as there will be no impact to 300 North and no additional traffic will be created from this proposal.

Mayor Monson said these types of requests have come before the Council recently and have been denied so as not to set a precedent she did not support the request.

Justin stated an applicant has the right to request it; however, the Council has the right to deny it. The municipal code does not allow it, if the Council wants this changed, the municipal code should be amended.

*****A motion to approve the request by Andrew Lillywhite for approval of the Final Plat for the Roger Cantwell Subdivision, a (2) lot/unit subdivision located at 490 West 300 North was made by Wade, seconded by Curtis and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

The council did not grant any of the exemption requests by Mr. Lillywhite and all infrastructure must be installed.

Canvass the election results of the November 21, 2023 General Election.
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Justin reviewed the 2023 general election results as well as supplied some voting information from previous election cycles.

Voter turnout in the 2019 general election was 13.61%.

Voter turnout in the 2021 general election was 38.05%.

Voter turnout in the 2023 general election was 36.95%.

Valley wide turnout for the 2023 general election was 35.73%.

The candidates elected to start serving are Todd Orme, Ted F. Stokes and Jenn Staker.

The results are as follows:

City Council – 4 Year Term

Jay D. Downs - 1,219

Todd Orme*** - 1,504

Jon Wells - 722

Jeffrey H. Barnes - 762

Ted F. Stokes*** - 1,520

Jenn Staker*** - 1,461

*****Elected**

Total Registered Voters: 7,516

Total Ballots Received: 2,777

Total Ballots Counted: 2,676

Total Ballots Not Counted: 101 (38 postmarked late, 63 could not have signatures)

verified)

Voting Percentage: 36.95%

*****A motion to certify the election results of the November 21, 2023 General Election was made by Wade, seconded by Curtis and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Discussion and possible vote on Resolution 23-17, a Resolution updating the Prevailing Fee Schedule of the City.

Golf Professional Eric Kleven presented a proposal for a \$1.00 increase for a 9-hole pass. The golf course has been extremely busy. They are looking at software to implement mandatory pre-pay and adjusting the frequency of rounds due to demand which is currently eight minutes apart. They are considering changing it to nine minutes. Credit card fees have increased significantly as more people pay with a credit or debit card now than ever before. The entire irrigation system needs to be improved.

Curtis asked if there has been any research into finding better credit card fees. Eric said the current credit card processor also oversees the software for scheduling. The monthly fee is close to 4.00%. Justin noted that credit cards are being used more. Eric concurred. Approximately 80% of fees at the golf course are paid by credit or debit card.

Mayor Monson asked about the pre-pay system. Eric said this would help schedule tee times. Weekends and holidays are very busy. Other golf courses in Cache Valley have increased their rates for 2024.

Eric pointed out that the current clubhouse will be 20 years old in April 2024 and will need improvements. Recently two A/C units had to be replaced. This proposal will help with wage increases, credit card fee charges, and the rising cost of maintaining the course.

*****A motion to adopt Resolution 23-17, a Resolution updating the Prevailing Fee Schedule of the City was made by Wade, seconded by Sue and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Public Hearing, no sooner than 6:45 P.M., to consider potential projects for which funding may be applied for under the CDBG Small Cities Program for Program Year 2024. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties.

Mayor Monson read the following statement:

The purpose of this public hearing is to provide citizens with pertinent information about the Community Development Block Grant program and to allow for discussion of possible applications for the 2024 funding cycle. The grant money must be spent on projects benefiting primarily low- and moderate-income persons. The Bear River Association of Governments, of which Smithfield City is a member, is expecting to receive approximately \$900,000 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time. Examples of eligible activities include construction of public works and facilities such as water and sewer lines and fire stations. Other examples of eligible activities also include acquisition of real property and provision of public services such as food banks or homeless shelters. In the past Smithfield City has received funding from this program with the last approved project being a project with The Family Place. We handed out our capital investment plan as part of the regional “Consolidated Plan”. This list shows which projects the city has identified as being needed in the community. Will anyone with questions, comments or suggestions during the hearing please identify themselves by name before they speak. The recorder will include your names in the minutes, we would like to specifically respond to your questions and suggestions during this hearing. I am now opening the public hearing at 7:01 P.M.

7:01 P.M. Public Hearing Opened

Justin Lewis, the City Manager for Smithfield Utah, said Smithfield City intends to apply for a program under the CDBG 2024 funding cycle which fits the criteria mentioned by Mayor Monson.

7:02 P.M. Public Hearing Closed

Discussion and possible vote on Ordinance 23-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”.

Brian explained that this Ordinance will add the use of “esthetician/microblading” to the Use Allowance Matrix. It will be added as a conditional-use to the Community Commercial and Mixed-Use zones and as a permitted use to the Central Business District, General Commercial, and Gateway zones. The Planning Commission reviewed this request and has recommended approval.

Brian confirmed for Curtis that they would be required to meet all health department requirements.

Sue suggested including “semi-permanent makeup” in the description.

Jon said Community Commercial is considered a “lower intense commercial zone” and asked why it is not proposed as a permitted use rather than a conditional-use. Brian said the reason was that within this zone, residential attachments are allowed and the thought was to be careful about what commercial uses can be used. Conditional-uses can have conditions, mitigating impact, placed on the approval.

*****A motion to adopt Ordinance 23-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix, including the added description of semi-permanent makeup was made by Sue, seconded by Wade and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Discussion and possible vote on Ordinance 23-33, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.92 “Accessory Dwelling Unit”, Section 17.92.020 “Conditions”.

Brian explained that this Ordinance will add an exception to the accessory apartment code that describes the requirements for a legitimate absence such as a sabbatical, church mission, or assignment of the homeowner with an accessory apartment. Owners with an accessory apartment who have a genuine reason for a temporary absence of three years or less can get approval for that absence. Written documentation must be submitted for the temporary vacancy with the information for a delegated contact for the property in their absence.

*****A motion to adopt Ordinance 23-33, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.92 “Accessory Dwelling Unit”, Section 17.92.020 “Conditions” was made by Wade, seconded by Jon and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Discussion and possible vote on Resolution 23-15, a Resolution appointing Wade Campbell as a Trustee on the Cache Mosquito Abatement District effective January 1, 2024.

Councilmember Jon Wells has been serving as a representative on the Cache Mosquito Abatement District, with his term ending at the end of December, Wade Campbell has agreed to serve moving forward. Resolution 23-15 will officially appoint him as a Trustee representing the city.

*****A motion to approve Resolution 23-15, a Resolution appointing Wade Campbell as a Trustee on the Cache Mosquito Abatement District effective January 1, 2024 was made by Jon, seconded by Sue and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Discussion and possible vote on Ordinance 23-31, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.05 “Concept Plan”, Sections 16.050.010 “Purpose”, 16.05.020 “Application and Fees”, 16.05.030 “Concept Plan Submittal”, 16.05.040 “Subdivision Technical Review Committee”, Chapter 16.12 “Final Plats”, Sections 16.12.010 “Purpose”, 16.12.020 “Filing Deadline, Application, and Fees”, 16.12.030 “Preparation and Required Information”, 16.12.040 “Review by the City Engineer”, 16.12.050 “Planning Commission Action”, 16.12.070 “Review by the City Council”, 16.12.080 “Recording of the Final Plat”, 16.12.090 “Expiration of Final Approval”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, 16.04.050 “General Responsibilities”, Chapter 16.07 “Major Subdivisions”, Sections 16.07.010 “Purpose”, 16.07.030 “Preliminary Plat”, 16.07.040 “Final Plat”, 16.07.050 “Improvements”, Chapter 16.06 “Minor Subdivisions”, Sections 16.06.040 “Procedure”, 16.06.050 “Approval of the Minor Subdivision”, 16.06.060 “Disapproval by the City Council”, 16.06.070 “Required Improvements”, 16.06.080 “Recording of Plat or Filing of Record Survey”, Chapter 16.09 “Preliminary Plats”, Sections 16.09.010 “Purpose”, 16.09.020 “Application and Fees”, 16.09.030 “Preliminary Plat Required Information”, and 16.09.040 “Approval of Preliminary Plat”.

Mayor Monson explained that this is a requirement for every City in the State to incorporate by February 2024. Every City is trying to figure out how to incorporate. She said this is only a first draft to get it going, it can be changed over time like all other sections of the municipal code.

Brian reviewed the new subdivision review changes required by the State of Utah, for single-family, twin home and town-home subdivisions. Revisions and modifications have been made to the existing code, to implement the required review process. The proposed review process will eliminate the need for a concept

plan in addition to the requirement for the STRC (subdivision technical review committee) meeting.

- The changes required in this ordinance are entirely administrative and must be implemented by February 1, 2024. They only reflect modifications in the review of subdivisions that do not need to be rezoned.
- Cities must appoint an "Administrative Land-Use Authority," for review and approval of preliminary and final subdivision plats. This Ordinance is proposing that the following positions be chosen for said authority: City Engineer, Planning Manager, City Manager, Public Works Director, and an appointed member of the Fire Department.
- No definitive changes to the required standards of preliminary and final plats have been prescribed. Only the process of review has been altered efficiency.
- Cities must create and publish application forms, requirements, fees, checklists, documentation, and details for plan submittal both preliminary and final plats. All the required information will be posted on the city website.
- Cities must adopt and implement a new "review cycle" process. This includes complete application submittal, complete review, and response to developer and developer reply. Each subdivision application (preliminary and final) can only go through this review cycle four times before approval or denial.
- The city must identify specific changes to the documents found in the code and the applicant must comply with each requirement, failure to comply negates the review process. The City will have 15 business days to review preliminary plats and 20 business days for final plats. If reviews are not responded to, the city has an additional 20 business days to review.
- Failure by a city to correct an issue in the application means it waives its rights to require the developer to correct the issue unless it is federal or state law or is a specific public health safety. If the applicant makes any material or substantial changes to the application above the issued requirements and if the city desires, the four-cycle process begins again.
- As long as the city meets the timely review of all submittals and notifies the applicant of any deficiencies in the documentation, the city is not required to approve a plat, that doesn't meet the municipal code. All applications, plats, and fees will start over after four review cycles.

Brian confirmed for Wade that this is to help streamline the process. This is only the first initial draft and can be changed. The staff needs to have something to begin working with and then changes can be made. This can be reviewed and discussed at the next few council meetings to come up with something the Council is comfortable with. Brian reminded the Council that this is only for administrative subdivisions, any project requesting anything not in the Code, or zone change requests, will go through the same process (Planning Commission and City Council) for review and/or approval or denial. Although minor subdivisions have never required public comment, the staff is working

on a way for citizens to be able to view the projects, ask questions, and submit comments. It will likely be posted on the City's website. The City Council would not be involved in the process because they have already made decisions and approved the City Code in the past.

Brian pointed out that the Planning Commission was not set up as the "Land-Use Authority" because it would require several meetings a month during regular business hours to comply with the deadlines. A member, or members, of the Commission, can serve on the Land-Use Authority if the Council deems it appropriate.

Brian confirmed for Jon that the only legislative body is the City Council. The Planning Commission can forward recommendations to the City Council on legislative issues, but the Council is the body to approve or deny those requests. Jon thinks members of the Planning Commission should be involved in this process. Decisions should consider how the proposal fits in with the bigger picture of City development (e.g., continuation of grid system roads). In his opinion, taking fewer eyes away from this process could end up with problems. He does not like the way the State is trying to streamline the process. Justin said the Planning Commission can be included, but the staff would like to know how the Council would like to see this done (e.g., how many members, and how they are selected) and is seeking guidance from the Council. Jon asked if there could be specific dates for applications to be submitted, which might make meeting dates more constant.

Brian reviewed the "review cycle" definition. An application can have up to four cycles before it will have to start over.

Wade asked if the application fee could be increased to offset the cost for people to be involved. Brian said that can be done. He reminded the Council that this has to be implemented before February 2024. The Council can continue to review and finalize the details even if this Ordinance is adopted.

Jon said there are certain zones where a concept plan is required to be submitted with the application of a zone change request such as an MPC (Master Planned Community) or PUD (Planned Unit Development). Brian pointed out that those would not be considered administrative subdivisions and would not go through this process. They would be handled by the Planning Commission and City Council as they are currently. Jon wondered if a similar requirement could be included in this process. Brian said the City Attorney may need to review this.

Brian confirmed for Sue that the Land-Use Authority would replace the Subdivision Technical Review Committee (STRC).

Brian noted State Code 10-9a-604.1a-b *"A municipality shall review and approve or deny a final subdivision plat application in accordance with the provisions of this section and municipal ordinances, which: (a) may permit concurrent processing of the final subdivision plat application with the preliminary subdivision plat application; and (b) may not require planning commission or city council approval."*

Wade received a comment from an email: *“Section 9 of State Code 10-9a-604.1 clearly delineates that the Land Use Authority is not the only permissible body that is permitted to approve final subdivision plat applications. Section 9 makes it clear that Planning Commissions and City Councils may be permitted to make final decisions where compliance with the Code is paramount.”* Brian said it says “may not” which is where clarification may need to be made. Brian also pointed out that the required timeframe for reviews would need to be considered. Wade would like more clarification because City Councilmembers are elected by the people, who often want them to make decisions. Justin said some research can be done on this issue and more discussion can be had at the next meeting.

Jon read State Code 10-9a-604.1 state code 10.9a 604.1:

(a) As used in this section, an "administrative land use authority" means an individual, board, or commission, appointed or employed by a municipality, including municipal staff or a municipal planning commission. (b) "Administrative land use authority" does not include a municipal legislative body or a member of a municipal legislative body. He said the Planning Commission can be involved; Justin will get more clarification.

The city council decided to appoint the following individuals (City Code 16.04.050-J) as the “Administrative Land-Use Authority” for approval of preliminary and final subdivision plats. This committee will consist of the City Engineer, Planning Manager, Public Works Representative, Fire Department Representative, City Manager, and three (3) members of the Planning Commission selected by the Planning Commission Chairperson.

*****A motion to adopt Ordinance 23-31, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.05 “Concept Plan”, Sections 16.050.010 “Purpose”, 16.05.020 “Application and Fees”, 16.05.030 “Concept Plan Submittal”, 16.05.040 “Subdivision Technical Review Committee”, Chapter 16.12 “Final Plats”, Sections 16.12.010 “Purpose”, 16.12.020 “Filing Deadline, Application, and Fees”, 16.12.030 “Preparation and Required Information”, 16.12.040 “Review by the City Engineer”, 16.12.050 “Planning Commission Action”, 16.12.070 “Review by the City Council”, 16.12.080 “Recording of the Final Plat”, 16.12.090 “Expiration of Final Approval”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, 16.04.050 “General Responsibilities”, Chapter 16.07 “Major Subdivisions”, Sections 16.07.010 “Purpose”, 16.07.030 “Preliminary Plat”, 16.07.040 “Final Plat”, 16.07.050 “Improvements”, Chapter 16.06 “Minor Subdivisions”, Sections 16.06.040 “Procedure”, 16.06.050 “Approval of the Minor Subdivision”, 16.06.060 “Disapproval by the City Council”, 16.06.070 “Required Improvements”, 16.06.080 “Recording of Plat or Filing of Record Survey”, Chapter 16.09 “Preliminary Plats”, Sections 16.09.010 “Purpose”, 16.09.020 “Application and Fees”, 16.09.030 “Preliminary Plat Required Information”, and 16.09.040 “Approval of Preliminary Plat” amending Section 16.04.050 “General Responsibilities” to include “three (3) members of the Planning Commission selected by the Planning Commission Chairperson was made by Jon, seconded by Wade and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Public Hearing for the purpose of discussing Resolution 23-16, a Resolution amending the Fiscal Year 2024 Budget which is the period of July 1, 2023 through June 30, 2024.

Justin outlined the mid-year adjustments in the Fiscal Year 2024 Budget:

GENERAL FUND

Revenue \$1,966,342

EXPENSES:

Administrative \$281,434

Election \$0

Court \$10,000

Historical Society \$30,000

Planning \$212

Youth Council \$0

Library \$17,733

Fire Dept \$201,631

Police \$71,378

Public Works \$472

Cemetery \$11,432

Class "C" Roads \$0

Parks \$39,429

Streets \$577,382

Central Dispatch \$7,272

Park Impact \$84,780

Recreation \$5,975

Celebrations \$0

Senior Center \$2,600

Youth Center \$0

Civic Center \$0

Golf \$19,818

Capital Improvement \$604,794

Total \$1,966,342

GENERAL CAPITAL IMPROVEMENT FUND

Revenue \$621,794

Expense \$351,500

WATER ENTERPRISE FUND

Revenue \$620,038

Expense \$1,162,806

SEWER ENTERPRISE FUND

Revenue \$306,206

Expense \$463,261

STORM WATER ENTERPRISE FUND

Revenue \$65,433

Expense \$113,540

SOLID WASTE ENTERPRISE FUND

Revenue \$0

Expense \$266,125

Justin outlined the proposed mid-year adjustments. In the General Fund, property tax is increasing because the rate was not known when the budget was initially set. The City is doing very well on interest revenue. A \$90,000 transportation grant was recently received. Funds will be transferred to help with improvements at the cemetery as discussed at the last Council meeting for redoing the roads. Wildland Revenue will add \$168,000. He outlined the expenses, including adding funds to the building maintenance fund because the elevator requires a weight test this year. The test is required every five years. The library will be addressing roof issues, door access system replacement, and computer replacement. The Police Department will be adding a non-benefitted position at 28 hours per week. A \$15,000 tree grant will be added. Engineering expenses are being earmarked to begin work on the 100-year waterline replacement project. The two variable frequency well drives ordered 18 months ago have finally been received. Garbage cans were purchased from Logan City at a substantial discount. Four pieces of equipment that have been ordered and have been delayed in delivery are all included in the General Capital Improvement Fund.

8:18 P.M. Public Hearing Opened

There were not any comments or questions.

8:19 P.M. Public Hearing Closed

Discussion and possible vote on Resolution 23-16.

Curtis asked about the new backflow prevention requirement, which will require a new employee, and how the program will be enforced. Justin said he would update

the Council on this topic in the City Manager Report. Funding has been included in this fiscal year and is not part of this adjustment.

*****A motion to adopt Resolution 23-16, a Resolution amending the Fiscal Year 2024 Budget which is the period of July 1, 2023 through June 30, 2024 was made by Wade, seconded by Curtis and the vote was unanimous.*****

Yes Vote: Campbell, Hyer, Wall, Wells

No Vote: None

Absent: Hunsaker

Public Hearing for the purpose of discussing Ordinance 23-35, an Ordinance vacating any unplatted public street interest located in Phases 5 or 6 of the Fox Meadows Subdivision.

Justin explained this Ordinance is vacating of City land where Saddleback Road was previously located. This land is located in Phases 5 and 6 of the Fox Meadows Subdivision. The new road was built north of the old road. Smithfield, Cache County, and Visionary Homes legal counsels have all worked on this project. This Ordinance will appease the Cache County Recorder and Attorney's offices, correct the deficiency, and correct the issue. Once this is adopted, all of these issues in this area should be resolved.

8:23 P.M. Public Hearing Opened

There were not any comments or questions.

8:24 P.M. Public Hearing Closed

Discussion and possible vote on Ordinance 23-35.

*****A motion to adopt Ordinance 23-35, an Ordinance vacating any unplatted public street interest located in Phases 5 or 6 of the Fox Meadows Subdivision was made by Wade, seconded by Jon and the vote was unanimous.*****

Yes Vote: Campbell, Hunsaker, Wall, Wells

No Vote: None

Absent: Hunsaker

City Manager Report

Justin explained the new state-mandated backflow prevention program. Information is being sent out to all residents. A backflow prevention assembly is used to protect potable water supplies from contamination or pollution due to backflow. Smithfield City is required to implement a cross-connection control program starting on January 1,

2024. Over the next couple of months, more information will be sent out to the residents regarding this program and what they need to do.

Clay stated this has been required on commercial and industrial properties for quite a while and is now being required on residential property. This requirement helps protect the health of the citizens. In our culinary water supply system, water is normally maintained at a significant pressure to enable water to flow from the tap, shower, or other fixture; however, water pressure may fail or be reduced when a water main bursts, pipes freeze, or there is unexpectedly high demand on the water system such as when several fire hydrants are opened at once. Reduced pressure in the mainline may allow contaminated water from the soil, from storage, or from other sources within your business or residence to be drawn into the system, contaminating the drinking water.

Wade asked about installation and costs. Clay said the back flow preventer has to be installed before a sprinkler system is put in so if there is a loss of pressure it cannot backflow back into the system. This applies to culinary water only. Costs can vary depending on how close to the surface the system is. There are approved backflow preventors which can be installed.

Curtis said nothing is required for a home without a sprinkling system. A system on irrigation only with no option for culinary use will require nothing under this program. A system using any form of culinary water will require a backflow preventer to be installed. The preventer will need to be tested annually. Clay said information on testing companies will be sent out to the residents at a later date.

Justin said there is an employee who will oversee this program. Information will continue to be disseminated. It will be a big task for the City and residents. The City will be doing a lot of public information and education.

Justin said there is a great need for a shut-off to the 100-year old waterline in Smithfield Canyon. The rate studies on water, sewer, and stormwater are complete and will be provided in the first quarter of 2024. The Central Park pavilion is being improved. There are more water leaks around the City due to old pipes.

Justin thanked Curtis, Deon, and Jon for their service on the City Council and wished them well in their future endeavors.

Council Member and Mayor Reports

Wade said the library is working on computer replacement. The Fire Department CERT (Community Emergency Response Team) program is going well with good participation.

Jon said he hopes the CDBG (Community Development Block Grant) grant will help restore the Senior Citizen Center. The Historical Society event at Central Park was very successful.

Sue said the Youth Council has been busy. They helped with the Turkey Trot and Night of Giving.

Curtis said the Night of Giving earned approximately \$38,000. He thanked the residents and businesses for their help and support of this annual event.

Mayor Monson presented Curtis and Jon with a gift of appreciation for their years of service on the Council.

Curtis thanked his wife for supporting his time serving on the Council, which has been one of the best experiences of his life. He thanked the staff and has many great experiences he will always cherish. He has been very grateful for the opportunity to serve.

Jon expressed is grateful for the opportunity to serve on the Council for the last four years and is very grateful to live in Smithfield. He thanked the staff who have been very helpful.

**** Wade made a motion to adjourn at 8:57 P.M. ****

SMITHFIELD CITY CORPORATION

Kristi Monson, Mayor

ATTEST:

Dana Lazcanotegui, 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 **Tuesday, December 5, 2023**. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Wade Campbell

1. Approval of the city council meeting minutes from November 8, 2023.
2. Resident Input
3. Approval of Jodie Mack as City Treasurer effective February 23, 2024.
4. Approval of Dana Lazcanotegui as City Recorder effective January 2, 2024.
5. Discussion and possible vote on the request by Andrew Lillywhite for approval of the Final Plat for the Roger Cantwell Subdivision, a (2) lot/unit subdivision located at 490 West 300 North. Zoned RA-1 (Residential Agricultural 1-Acre).
6. Canvass the election results of the November 21, 2023 General Election.
7. Discussion and possible vote on Resolution 23-17, a Resolution updating the Prevailing Fee Schedule of the City.
8. Public Hearing, no sooner than 6:45 P.M., to consider potential projects for which funding may be applied for under the CDBG Small Cities Program for Program Year 2024. Suggestions for potential projects will be solicited, both verbally and in writing, from all interested parties.
9. Discussion and possible vote on Ordinance 23-30, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.120 “Use Matrix Table”, Section 17.120.010 “Use Allowance Matrix”.
10. Discussion and possible vote on Ordinance 23-33, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”; amending Chapter 17.92 “Accessory Dwelling Unit”, Section 17.92.020 “Conditions”.
11. Discussion and possible vote on Resolution 23-15, a Resolution appointing Wade Campbell as a Trustee on the Cache Mosquito Abatement District effective January 1, 2024.
12. Discussion and possible vote on Ordinance 23-31, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”, Chapter 16.05 “Concept Plan”, Sections 16.050.010 “Purpose”, 16.05.020 “Application and Fees”, 16.05.030 “Concept Plan Submittal”, 16.05.040 “Subdivision Technical Review Committee”, Chapter 16.12 “Final Plats”, Sections 16.12.010 “Purpose”, 16.12.020 “Filing Deadline, Application, and Fees”, 16.12.030 “Preparation and Required Information”, 16.12.040 “Review by the City Engineer”, 16.12.050 “Planning Commission Action”, 16.12.070 “Review by the City Council”, 16.12.080 “Recording

of the Final Plat”, 16.12.090 “Expiration of Final Approval”, Chapter 16.04 “General Provisions”, Sections 16.04.030 “Definitions”, 16.04.050 “General Responsibilities”, Chapter 16.07 “Major Subdivisions”, Sections 16.07.010 “Purpose”, 16.07.030 “Preliminary Plat”, 16.07.040 “Final Plat”, 16.07.050 “Improvements”, Chapter 16.06 “Minor Subdivisions”, Sections 16.06.040 “Procedure”, 16.06.050 “Approval of the Minor Subdivision”, 16.06.060 “Disapproval by the City Council”, 16.06.070 “Required Improvements”, 16.06.080 “Recording of Plat or Filing of Record Survey”, Chapter 16.09 “Preliminary Plats”, Sections 16.09.010 “Purpose”, 16.09.020 “Application and Fees”, 16.09.030 “Preliminary Plat Required Information”, and 16.09.040 “Approval of Preliminary Plat”.

13. Public Hearing for the purpose of discussing Resolution 23-16, a Resolution amending the Fiscal Year 2024 Budget which is the period of July 1, 2023 through June 30, 2024.
14. Discussion and possible vote on Resolution 23-16.
15. Public Hearing for the purpose of discussing Ordinance 23-35, an Ordinance vacating any unplatted public street interest located in Phases 5 or 6 of the Fox Meadows Subdivision.
16. Discussion and possible vote on Ordinance 23-35.
17. City Manager Report
18. Council Member and Mayor Reports
19. Closing remarks by Council Members Wall, Hunsaker and Wells.

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.