



SMITHFIELD CITY COUNCIL MINUTES October 9, 2024

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, October 9, 2024. The meeting began at 6:30 P.M. Mayor Kristi Monson was in the chair. The opening remarks were made by Ted Stokes.

Council Members in Attendance: Wade Campbell, Sue Hyer, Todd Orme, Jenn Staker, Ted Stokes

City Staff: Justin Lewis (City Manager), Dana Lazcanotegui (City Recorder), Clay Bodily (City Engineer), Interim Fire Chief Jeremy Hunt, Chief Travis Allen (Police Department), Brian Boudrero (Planning Manager), Shawn Bliss (Library Director), Karen Bowling (Assistant Library Director)

Visitors: Bob Holbrook, Caralee Stokes, Austin Leishman, Brian Potts, Jennie Orme, TJ Hilton, Diana Cannell, Alyna Ohling, Chris Olsen, Jim Marshall, Mike Monson, Raquel Muir, Avery Staker, Stacey Dority, Seth Mayberry, Ashley Grigg, Taya Hervey

Mayor Monsen discussed the dignity index from ULCT (Utah League of Cities and Towns) based on the principles of respect, collaboration, and outcomes (dignityindex.us). Dignity Index cards were available for those in attendance to take. Treating each other with dignity and respect is critical to collectively tackle the challenging issues facing our communities. She had an opportunity to meet with a member from another entity today and it was nice to meet and discuss issues and work together. She challenged everyone to treat others with dignity, kindness, and respect, especially in light of the upcoming elections.

Approval of City Council Meeting Minutes from Sept. 11 & Sept. 17, 2024

***** Motion made by Councilmember Campbell to approve the September 11th and September 17th, 2024 meeting minutes. Motion seconded by Councilmember Hyer. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None

Resident Input

Caralee Stokes does not favor Ordinance 24-21 and does not think Smithfield needs more rentals because of the already high percentage of them. She encouraged the Council to do the right thing. She would also like to see a change in the rule to allow members of the City Council to attend the Planning Commission meetings if they would

like to. Hearing things in person is often better than reading from the minutes.

Youth Council Report

Ashley Grigg and Taya Hervey, representing the Youth Council, reported that they helped with the charity 5k run over the summer, recently hosted the opening social to welcome new members, and will be helping with the upcoming Trick-Or-Treat Street event on October 18th and the Senior Luncheon on November 9th. Mayor Monson thanked them for their service.

Audit presentation for Fiscal Year 2024, which is the period of July 1, 2023 through June 30, 2024 by representatives from Allred Jackson

Diana Cannell, representing Allred Jackson, presented the annual audit. She started by thanking Mr. Lewis and the staff for all their work preparing and retrieving the information needed to perform the audit. She pointed out a few highlights, including Page 17, which addresses the increase in fixed assets. With this increase, the amount of Depreciation Expense will also increase over the next few years (not a cash transaction, but it is required to be budgeted). Page 23 lists all the funds. Total assets increased by ten million (11% increase over last year). Liabilities only increased by \$739,000, mainly escrow accounts for building projects and deferred outflows with property taxes. Page 29 breaks out revenues and expenses; revenue increased by \$2.2 million (a large part of this is based on interest income). Page 37 lists the enterprise funds; water, sewer, stormwater, and solid waste, with revenues increasing by \$442,000. The bottom-line net income in all accounts is net positive, which is good because these funds must be self-sustaining. Governmental general funds do not always have an associated revenue stream with the expenses and can be supplemented by taxes.

Councilmember Stokes has received complaints about the tiered water system. He asked if the \$1.3 revenue listed is appropriate for a city of this size. Mrs. Cannell said this is a good question that depends on what is needed in the future. For example, costly water improvements can be built up over time, which can reduce the need to borrow or use bonds when required. These financial statements do not show the physical cost of improvements being put in but still show a cash outflow of \$1.5 million this year (listed as purchase of capital assets on page 37). Councilmember Stokes said he is trying to understand this issue better because he is considering a proposal to change it and wants to ensure that the City is fiscally healthy. Mrs. Cannell said that when that process is being reviewed, a 10–15-year plan and what things might be necessary should be considered.

Mrs. Cannell advised keeping in mind when doing budgets that self-contained funds (water, sewer, stormwater, solid waste) cannot intermingle with general funds. The general fund is different. She also complimented that there were No Findings again this year. There are a lot of items that have to be tested for state compliance.

Councilmember Stokes asked about additional public notice. Many residents would like notice of projects within a certain distance from a property they own. Mrs. Cannell said that is not something that has to be tested, but the City is meeting what is required.

Mayor Monson thanked Mr. Lewis for all the hard work; Ms. Cannell noted how incredibly responsive and prepared his staff is.

Discussion with representatives from CAPSA regarding October being Domestic Violence Awareness Month (DVAM).

Alyna Ohling, from CAPSA (Citizens Against Physical & Sexual Abuse), whose role is public engagement with civic leadership and fundraising. CAPSA prioritizes confidentiality. She shared a general story and outlined how the process works. CAPSA currently owns 21 homes that can be used to shelter individuals until long-term housing can be found. Attorneys provide pro-bono services. Health Advocates respond to hospitals to help survivors. Every person involved in a domestic violence incident has an individual story that is unique and may require different resources. "You Matter" is the message to let survivors know they deserve help and healing. Smithfield City had 91 people access CAPSA services last year (2023), six (6) lethality assessment plans (LAP) were received (this is a plan from law enforcement assessing the risk), 335 therapy sessions were provided, and 1,170 case management sessions. People in the community know CAPSA exists, which is the goal. The hope is that more survivors can be connected with CAPSA when needed. Countywide, 2,649 people were served, and 8,500 crisis calls were received in 2023. An annual report was provided to the Council. Services are expanding into Franklin County. Councilmember Stokes asked how confidentiality works with the prosecution. Ms. Ohling said that can be challenging, but options can be considered. They work closely with law enforcement. Councilmember Orme asked about the average length that CAPSA stays involved; Ms. Ohling said that can be difficult to quantify because every case is unique. Mayor Monson is impressed with all the resources available and asks how people can donate. Ms. Ohling said they could call CAPSA for more information on ways to help. Each year, they provide Christmas to approximately 380 people.

Approval of Jeremy Hunt as the Interim Fire Chief

Mayor Monson thanked the firefighters in attendance for all their service. She thanked

the firefighters in attendance and thanked them for their service. Mr. Hunt has been asked to serve as the Interim Fire Chief; the City appreciates his knowledge, experience, service, and professionalism.

***** Motion made by Councilmember Campbell to approve the appointment of Jeremy Hunt to serve as the Interim Fire Chief. Motion seconded by Councilmember Staker. Vote 5-0. *****

**Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None**

Discussion and possible vote on Ordinance 24-21, an ordinance rezoning Cache County Parcel Numbers

08-222-0026	08-222-0027	08-222-0028	08-222-0029	08-222-0030
08-222-0031	08-222-0032	08-222-0033	08-222-0034	08-222-0035
08-222-0036	08-222-0037	08-222-0038	08-222-0039	08-222-0040
08-222-0041	08-222-0042	08-222-0043	08-222-0044	08-222-0045
08-222-0046	08-222-0047	08-222-0048	08-222-0049	08-222-0050
08-222-0051	08-222-0052	08-222-0053	08-222-0054	08-222-0055
08-222-0056	08-222-0057	08-222-0058	08-222-0059	08-222-0070
08-222-0071	08-222-0072	08-222-0073	08-222-0074	08-222-0075
08-222-0076	08-222-0077	08-222-0078	08-222-0079	08-222-0080
08-222-0081	08-222-0082	08-222-0083	08-222-0084	08-222-0085
08-222-0086	08-222-0087	08-222-0088	08-222-0089	08-222-0090
08-222-0091	08-222-0092	08-222-0093	08-222-0094	08-222-9001

from RM PUD (Multiple-Family Residential Planned Unit Development Overlay Zone) to RM (Multiple-Family Residential). The parcels are located at approximately 380 East 800 South.

Jake Thompson is requesting a rezone from RM (PUD) (Residential) to an RM (Multiple-Family Residential) zone. The parcels are bordered by the county on the south and east and have both RM (multi-family) and RM (PUD) zones to the west. The request will remove the PUD (Planned Unit Overlay) from the zone. Mr. Boudrero provided an overview of the request. This affects the southernmost portion of the Sky View Meadows Subdivision, which was approved approximately three (3) years ago. Four buildings have been built, and three are underway in this subdivision/project.

Mr. Thompson explained that the goal is to make the lots more affordable by removing the PUD Overlay and returning to the base zone. Councilmember Staker asked about affordability. Mr. Thompson said these townhomes are typically 1,900 square feet, 2-car garage, 3 bedroom and 2.5 bath for approximately \$330,000 to purchase or \$1,600 per month to rent. He confirmed for Councilmember Orme that removing the overlay would allow for rentals. The approved roads will not change. This change will allow for smaller

lots and buildings. The larger lots/units have not been selling because they are more expensive. Councilmember Staker asked how many of the finished units are currently occupied. Mr. Boudrero said one new zoning clearance has been issued and all of the existing building which have been built are occupied.

Councilmember Stokes asked Mr. Thompson why he thought there was not as much of a market for a mid-size townhome. Mr. Thompson said it is affordability. He and his family lived in a townhome for many years before they could afford a home. Building material costs and the overall cost of living have increased considerably over the past few years.

Councilmember Orme asked about having two different HOAs (Homeowner Associations). Mr. Thompson said they would share the already approved amenities. The only change would be the size of the lots/units. The open space and all the requirements of the base zone would be met. Mr. Boudrero explained the multi-family zone has a very specific requirement for open space; the difference between that and the PUD is the option for adjusting that number based on what the developer is willing to give. Councilmember Orme is concerned about having two HOAs sharing the open space. Mr. Thompson answered for Council Member Staker that the HOA fee would be included in the rental cost; having more units makes it more affordable. Councilmember Orme asked about the evidentiary information to indicate an increased demand for these rental units; Mr. Thompson said it is based on mortgage/interest rates and the fact that rentals can be cheaper. Councilmember Staker said information from bankers and developers is different. Bankers indicate that even though it might not be affordable now, most people want land and homes; she is concerned that if things get better with the economy, there will be many empty units and no areas where new homes can be built. Mr. Thompson said there is always a transitional category between life cycles where rentals will be needed. Councilmember Orme asked about current rental properties in Smithfield; Mr. Boudrero said it is approximately 12-15%, and the Cache Valley standard is 10-12%. Councilmember Orme asked what the percentage increase would be if these were approved; Mr. Boudrero did not have that calculated.

Mr. Boudrero explained to Commissioner Stokes that the change with this request would be the removal of the PUD Overlay. A PUD allows sales of individual units and changes the ability to adjust open space amounts and bonus density. He also pointed out that purchased units could be rented. Mr. Thompson is being upfront by indicating that rentals would be allowed; units could not be purchased in an RM zone.

Councilmember Stokes provided a similar HOA experience (with two different HOAs) when he lived in Arizona; he asked who would have the majority voice. Mr. Thompson explained that all amenities would be shared, but each HOA would have separate

fees/maintenance. Specific details can be included in the CCRs (Covenants, Code and Restrictions).

Councilmember Stokes is concerned because, during his research last year, he used the aerial view of the parcel map of Smithfield, counted every high-density home built then, and concluded that 55-65% of those were being rented. For many years, the Planning Commission and City Council have been told by developers that higher density was being built so that more young families could become homeowners when, in reality, it was creating more rental properties. Mr. Thompson agreed that investors could purchase units and rent them. Councilmember Stokes said thousands of high-density units have already been approved in the City. He believes that some developers knew all along that investors would purchase the properties for rental units. He thinks some members of the Council are concerned that people will not have an opportunity to buy and build homes. Mr. Thompson said the bottom line with this request is to create more affordable housing. Councilmember Stokes asked if there is any mechanism in the application that could be put in that would require units to be sold. Mr. Boudrero said the only way to do that would be to rezone to another PUD. MPC (Master Planned Community) and PUD Overlays are proposed; they are tied to a rezone. In this case, it can be rezoned back to RM, or they can rezone and ask for a PUD and still achieve slightly higher density. Councilmember Stokes has no problem with the proposal but worries that they will all become rentals. Mr. Boudrero said the best way to handle that would be to propose a rezone to another PUD for this portion. Councilmember Stokes asked if the rezone fee could be waived if Mr. Thompson were interested in moving in this direction; Mr. Lewis said the Council could do that. He also pointed out that Mr. Thompson, or any other developer, could not deviate from an approved PUD plan. He could come in with another plan to be approved.

Councilmember Stokes noted that he does business with Mr. Thompson's brother but has no conflict of interest with this proposal.

***** Motion made by Councilmember Stokes to DENY Ordinance 24-21, an Ordinance rezoning the above Cache County Parcel Numbers from RM PUD (Multiple-Family Residential Planned Unit Development Overlay Zone) to RM (Multiple-Family Residential). The parcels are located at approximately 380 East 800 South. Councilmember Campbell seconded the motion. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes
No Vote: None

Public Hearing for the purpose of discussing Ordinance 24-22, an Ordinance amending municipal impact fees by modifying the Culinary Water Impact Fee.

Mr. Lewis explained that impact study fees are required every five years. A professional corporation does the study; in this case, Zions Public Finance was hired. This began approximately two years ago; however, the City wanted to wait and make some decisions about a new water tank and spring line, which would be factored into the proceeding. He provided updates for the projects listed in Table 7 (Page 8 of the analysis report):

Project 1: New 3 MG Tank – in the engineering stage.

Project 2: Upsize for fire flow 200 W. 560 S. – will be completed in future fiscal year.

Project 3: Upsize piping for fire flow 500 N. between Main & 80 W. – will be in future fiscal year

Project 4: Upsize fire flow 800 W. between 100 S. – will be in a future fiscal year

Project 5: Upsize fire flow end of 470 N. near 200 W. – completed.

Project 6: Upsize fire flow 200 E between 300-400 N. – completed.

Project 7: Spring Line upsize – in the engineering stage.

Project 8: Central Park Well – completed.

Projects are included because new growth will have to pay for their percentage. For example, the replacement of the canyon spring line is considered maintenance and repair if it was replaced exactly as is; however, because the size is being increased, the extra capacity can be paid for with impact funds. As proposed, the water impact fee will be decreased. Currently, there are two culinary water impact fees; one is everywhere but the northeast corner of the City and is \$3,427 for a ¾-inch connection; in the northeast corner, it is \$3,591 for a ¾-inch connection. The new fee will be across the entire City (no separate zones) and is proposed at \$2,884. This is the maximum amount that the Council can approve. Anything less would subsidize new growth, so the proposal is for the maximum amount but is an overall decrease of the fee. The study goes through 2030 with a slight increase implemented on January 1st of each year. If approved as presented, the fee of \$2,884 will be in effect until January 1, 2025, and will then be increased to \$2,919. Because the fee is being decreased, it could go into effect immediately rather than the traditional 90 days after adoption. The fee is based on the size of the water meter which is installed.

7:51 p.m. Public Hearing Opened

No comments or questions.

7:52 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 24-22.

Mr. Lewis explained to Councilmember Orme that the credit is so that new growth does not get double-hit. The standard for a study is every five years. If growth continues, studies can be commissioned sooner; however, no changes can be made until a new study is completed and adopted by the city council.

Mayor Monson asked about building permits and impact fees. Mr. Lewis said Cache County handles building permits. Smithfield has a culinary water fee, sewer (treatment and collection) fee, stormwater fee, and parks fee; most rates are lower than those of other cities in the valley because of varying infrastructure needs.

Mr. Lewis confirmed for Councilmember Campbell that properties would pay impact fees when annexed into the City if they hook onto the city infrastructure.

Mr. Lewis answered for Councilmember Stokes that a ¾-inch size is the most common sized water meter.

Councilmember Stokes asked if there would be any reason to incentivize or subsidize anything; Mr. Lewis said if the City decided to subsidize, a very clear explanation to current residents would be required for that decision. Another option could be if a business appealed, the Council could approve a waiver on a case-by-case basis. Councilmember Stokes said incentivizing 1/4-acre lots has been one of his thoughts to create a way for them to be more affordable without it being a detriment to the City. Mr. Lewis said this ordinance can always be amended; however, a new study would be required if an increase is proposed.

***** Motion made by Councilmember Campbell to approve Ordinance 24-22, an Ordinance amending municipal impact fees by modifying the Culinary Water Impact Fee. Councilmember Orme seconded the motion. Vote 5-0. *****

Yes Vote: Campbell, Hyer, Orme, Staker, Stokes

No Vote: None

City Manager Report

Mr. Lewis said the Cache Summit will be November 13, 2024, from 8:00 a.m. to 2:00 p.m. The Council and Planning Commission are welcome to attend. The general election will be held November 5, 2024, and is being handled by the Cache County Clerk's Office. A link to voter registration can be added to the website as recommended by Councilmember Stokes. He thanked all the staff for all their hard work in helping the City be in a good financial place as indicated by the audit results.

Open & Public Meetings Training

Open and Public Meetings Information

A quorum of the Council is three (3) council members. A quorum is not two council members and the Mayor. The Mayor only votes in the event of a tie and the absence of one council member. All council meetings are to have an audio recording and written meeting minutes. All council meetings must be advertised, and they are currently advertised at the city office building, library, city website, and the Utah Public Notice Website. The same rules apply to the planning commission. Any council member with a conflict of interest must announce the conflict before an item is discussed and give a reason for the conflict. The council member is allowed to participate in the discussion and vote if they choose, or they can abstain from the discussion and vote. Any council vote requires a yes or no from each council member, and the vote of each council member must be listed explicitly in the meeting minutes. Three (3) yes votes are required to pass an item. A vote of 2-1, in the absence of two others, does not pass the item. Any vote to approve or amend the budget requires a public hearing beforehand. Most land-use items requiring a vote must also have a public hearing beforehand. Administrative items do not require a public hearing. The city council is required to meet at least once per month. Resolutions do not require a public hearing unless it is specifically required. Closed meetings require a specific reason to be held. All closed meetings are recorded except for when discussing an employee. A judge has the right to listen to a closed meeting if he/she is reviewing a case in this regard. The reason for the closed meeting must be listed on the agenda.

Council Member & Mayor Reports

Councilmember Orme said the Tree Committee has been reviewing policy documentation. Fall tree care capability is being discussed. The Historic Preservation Commission approved some concrete work on the east side of the Douglass Mercantile Building as well as a new access ramp on the west side of the building. The committee appreciates Mr. Lewis's involvement in helping with budgeting.

Councilmember Staker said the Health Days Pageant will be held on March 15, 2025, in the Sky View High School auditorium. The Arts Council has some exciting things coming up.

Councilmember Stokes said he has been advised that the 7.5-mile section of the

Bonneville Shoreline Trail from Logan to Hyde Park has some problems, including poor signage, offshoots that are hard to understand, and some areas of grading that do not

seem to make it family accessible. He will discuss this more at next week's meeting in the hope of creating a higher quality and more useful trail. Mayor Monson said each city has a part in its trail design, and she wants to make our portion very nice.

Councilmember Campbell said the Cache Mosquito Abatement District (CMAD) will hold its first tax hearing increase since 2007 on November 21, 2024, at 6:00 p.m. in the Bear River Health Department Conference Room in North Logan. The West Nile virus has been found in several locations throughout Cache Valley this year. One human case has been found. There is validity in controlling the mosquito environment. He has mixed feelings about the increase but does concede that CMAD works on a lean budget. The Library Board approved the reviewed background check policy proposed in June. Policy updates were also discussed. There is a member who had to resign, so the Board is looking for a replacement for the Council to consider; he recommended sending them to the Mayor to get on the agenda for approval.

Mayor Monson and Mr. Lewis met with a member of the School District to discuss a safer school crossing at 100 West 100 South; she said it is nice to work better with the District. The Superintendent has assigned a person from the District to work with the City as a liaison. She mentioned House Bill 84 "School Safety Amendments" are being proposed, requiring armed security in every school.

*** The meeting adjourned at 8:23 p.m. ***

Minutes prepared by Debbie Zilles

Approved and signed this 13th day of November 2024.

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 **Wednesday, October 9, 2024**. The meeting will begin at 6:30 PM.

Welcome/Pledge of Allegiance and thought/prayer by Ted Stokes

1. Approval of the city council meeting minutes from September 11, 2024, and September 17, 2024
2. Resident Input
3. Youth Council Report
4. Audit presentation for Fiscal Year 2024, which is the period of July 1, 2023, through June 30, 2024, by representatives of Allred Jackson.
5. Discussion with representatives of CAPSA regarding October being Domestic Violence Awareness Month (DVAM).
6. Approval of Jeremy Hunt as Interim Fire Chief.
7. Discussion and possible vote on Ordinance 24-21, an Ordinance rezoning Cache County Parcel Numbers:

08-222-0026	08-222-0027	08-222-0028	08-222-0029	08-222-0030
08-222-0031	08-222-0032	08-222-0033	08-222-0034	08-222-0035
08-222-0036	08-222-0037	08-222-0038	08-222-0039	08-222-0040
08-222-0041	08-222-0042	08-222-0043	08-222-0044	08-222-0045
08-222-0046	08-222-0047	08-222-0048	08-222-0049	08-222-0050
08-222-0051	08-222-0052	08-222-0053	08-222-0054	08-222-0055
08-222-0056	08-222-0057	08-222-0058	08-222-0059	08-222-0070
08-222-0071	08-222-0072	08-222-0073	08-222-0074	08-222-0075
08-222-0076	08-222-0077	08-222-0078	08-222-0079	08-222-0080
08-222-0081	08-222-0082	08-222-0083	08-222-0084	08-222-0085
08-222-0086	08-222-0087	08-222-0088	08-222-0089	08-222-0090
08-222-0091	08-222-0092	08-222-0093	08-222-0094	08-222-9001

from RM PUD (Multiple-Family Residential Planned Unit Development Overlay Zone) to RM (Multiple-Family Residential). The parcels are located at approximately 380 East 800 South.

8. Public Hearing for the purpose of discussing Ordinance 24-22, an Ordinance amending municipal impact fees by modifying the Culinary Water Impact Fee.
9. Discussion and possible vote on Ordinance 24-22.
10. City Manager Report

Open and Public Meetings Training

11. 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) 792-7997, at least three (3) days before the date of the meeting.