SMITHFIELD CITY COUNCIL MINUTES
March 12, 2025

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, March 12, 2025 at 6:30 p.m. Mayor Monson was in the chair.

Opening remarks by Ted Stokes

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

Council Members Excused: Jenn Staker

City Staff: Justin Lewis (City Manager), Dana Lazcanotegui (City Recorder), Brian Boudrero (Planning Manager), Shawn Bliss (Library Director), Karen Bowling (Assistant Library Director), Chad Daniels (Golf Superintendent), Eric Kleven (Golf Professional)

Visitors: Emily Hansen, Amber Gigg, Joan Francis, Seneca Francis, Dave Forrester, Jennie Orme, Evalee Wadsworth, Brooke Evans, Cydney McNeece, Mike Monson, Jeff Barnes, Zane Hyer, Caralee Stoker, Jeff Simmons, Kristie Walker, Laurilee Tarbet, Bryan Low, Alberto Garcia, Kevin McKay, Brad Thatcher, Klydi Heywood, Lane Henderson, Rheana Henry, David Russak

Approval of City Council Meeting Minutes from February 12, 2025

*****Motion made by Councilmember Campbell to approve the February 12, 2025, meeting minutes. Councilmember Orme seconded the motion. The motion was approved 4-0.*****

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

Resident Input

Joan Francis thinks the ordinance allowing for pigs is positive. She has raised pigs on property outside of the City. This will allow people the opportunity to raise food and help the FFA and 4-H students.

Dawna Hummel recently heard news of Cache County Corporation approving a gravel pit up Smithfield Canyon. Although this is a County project, she wants Smithfield to take a second look since the gravel trucks must travel through City neighborhoods.

Seneca Francis also spoke in favor of the proposed pig ordinance. Even though the City is growing, she appreciates the Council being agriculturally minded.

David Russak recommended approving the ordinance allowing pigs. He has a greenhouse and chickens and is trying to be more independent.

Rheanna Henry is in favor of the pig ordinance. She has a small family and is trying to teach their children to be self-sufficient and take responsibility for their animals.

Youth Council

Emily Hansen, Brooke Evans, and Evalee Wadsworth recently reported having a service project where blankets were tied for the Children's Justice Center (CJC). They also got a facility tour and learned more about the services provided. The Executive Committee members visited the Utah State Capitol to meet Senator Chris Wilson and Representative Michael Petersen. They had the opportunity to attend a leadership conference with the theme "Grow Where You Are Planted," which focused on how to be a resilient leader. The upcoming service project will be helping with the Easter Egg Hunt filling the plastic eggs. They gave the Council a thank-you card for allowing them to attend the Leadership Conference.

Discussion and possible approval of Brad Thatcher as a member of the Planning Commission

Brad Thatcher moved to the City eight years ago, after college. He grew up in Richmond. Smithfield is a great place to raise his family. He is excited to serve in the community, to help orchestrate natural and organic growth, and to help share the vision of what is best for the City.

*****Councilmember Campbell made a motion to <u>approve</u> the appointment of Brad Thatcher as a member of the Planning Commission. Councilmember Hyer seconded the motion. The motion was approved 4-0*****

<u>Yes Vote</u>: Campbell, Hyer, Orme, Stokes
<u>No Vote</u>: None
<u>Absent</u>: Staker

Discussion and possible approval of Klydi Heywood as a member of the Planning Commission

Klydi Heywood is grateful for the opportunity to serve. She is a homeowner, mother, and local business owner. She also has some rental properties. She does business with real estate dealings with builders, renters, and lenders so that she will bring a unique perspective on growth. She has a background in political science and non-profit organizations. She is excited to serve, learn, and grow. She will provide an analytical and data-driven approach to discussions.

*****Councilmember Campbell made a motion to <u>approve</u> the appointment of Klydi Heywood as a member of the Planning Commission. Councilmember Stokes seconded the motion. The motion was approved 4-0.*****

<u>Yes Vote</u>: Campbell, Hyer, Orme, Stokes
<u>No Vote</u>: None
<u>Absent</u>: Staker

Discussion and possible approval of Lane Henderson as a member of the Planning Commission.

Lane Henderson moved from California to Smithfield four years ago due to work relocation. He wants to get involved in the community to help shape the City's long-term future.

*****Motion made by Councilmember Campbell to approve the appointment of Lane Henderson as a member of the Planning Commission. Councilmember Orme seconded the motion. The motion was approved 4-0.*****

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

Council Member Stokes explained how the process for selecting Planning Commission members has changed. The City sent out a vacancy notice asking applicants to apply for the first time this has been done. Fifteen people applied, which is a great response. The applicants were vetted and interviewed, and the Mayor nominated three. Each member of the Council had the opportunity to reach and speak with the nominated individuals. He is grateful for the great process. Three strong people are willing to serve. Mayor Monson also appreciates the new way of doing things. She is thankful for those willing to serve.

Discussion and possible approval of the Non-Exclusive Public ROW License Agreement with Google Fiber Utah, LLC.

Mr. Lewis explained that Google Fiber contacted the City about a year ago and began asking some questions. They are currently working in Logan, North Logan, and Hyde Park and want to expand into Smithfield. A legal agreement has been put together and reviewed by legal counsel of both parties. Mr. Alberto Garcia and Mr. Jeff McKay will meet with Public Works to discuss the installation details if approved. They will make a 1-inch cut between the curb, gutter, and asphalt to install their product.

Alberto Garcia, the Government and Community Affairs Manager, and Jeff McKay, the Technical Operations Manager, thanked the Council for their time.

Councilmember Orme noticed no specific boundaries in the documentation and asked if this would be available throughout the City. Mr. Garcia said the engineering process would begin once the agreement was signed. The goal is to provide service to 100% of residents. There may be some areas they cannot reach due to geographic obstruction but they will collaborate with the City to overcome any obstacles. The City will be consistently appraised of the process. The product is one gigabyte (GB), which would cost $70 per month and can be increased to up to 8 GB. They also have small business products. They will ensure the City's infrastructure is protected. He appreciates working with Mr. Lewis and Mr. Bodily.

Mr. Garcia said they could begin construction by the third quarter of this year; however, so much pre-work has been done that it may be sooner. He answered for Councilmember Hyer that the completion timeline is proposed to be 12-16 months.

Councilmember Campbell pointed out that this is not a city-required utility, and residents can choose whether to have the service. Mr. Garcia agreed and noted that this is a non-exclusive agreement.

Councilmember Stokes asked how the installation would be done. Mr. McKay explained there would be a 12-inch trench to put the product in, and then 8 inches of cover. It will not disrupt the integrity of the road because it will be sealed. Councilmember Stokes asked if they would take care of any future problems. Mr. Garcia said they would; restoration is part of the agreement. Although they do not anticipate any problems, taking care of them will be incumbent on them.

Mr. McKay explained to Councilmember Stokes that a vault would be put in between homes, and if a resident signed up, they would run the drop from the vault to the house. There is no installation or equipment fee. They will work with the resident on the best approach; typically, there is a small trench similar to a Comcast drop to bring the fiber into the home.

Mr. Lewis said there will be an assigned employee working with them. After the discussions, the City feels comfortable with the process. Google Fiber has met all the infrastructure installation requests, and there is no cost to the City. They are willing to cross the highway so the west side will have the option, and they are eager to install conduits to new subdivisions up front.

*****Motion made by Councilmember Campbell to approve the Non-Exclusive Public ROW License Agreement with Google Fiber Utah, LLC. Councilmember Hyer seconded the motion. The motion was approved 4-0.*****

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

Discussion and possible vote on Resolution 2025-03, a Resolution amending the Dispatch Services Fee.

Kristi Walker, the 911 Center Director, introduced Logan City Police Chief Jeff Simmons, Laurilee Tarbet, the Dispatch Operations Supervisor, and Bryan Low, the Systems Administrator. Ms. Walker explained that the 911 Center dispatches for the entire county for non-emergency, 911, and animal control calls. In 2002, a $2.00 monthly fee was added to a resident's utility bill. In 2013, a separate fee of $1.00 was added for the radio fund. No adjustments have been made to either fee since then. The center is funded for 20 full-time positions. There are currently 14 full-time employees and one trainee. One reason is that the pay is not competitive with surrounding areas, and it is hard to recruit qualified candidates. Box Elder County is offering $27.50 for the hourly starting wage, Rich County is offering $26.00, and Franklin County is starting at $25.00. The center currently has $22.05 as the starting wage. This past November, the starting wage was $20.85. The decision was made to change from 21 to 20 positions and use the extra funds to give the current dispatchers a raise to keep them from relocating. In 2011, there were 39,000 calls handled. In 2024, 58,000 calls were taken. The county continues to grow while staffing stays the same. She explained that the Center is self-sustaining through an Enterprise Fund. Revenue is received from different fees; one is through the current $3.00 fee on the utility bill, and the other is from the 911 fee from cell phones. Dispatch handles agencies such as UHP (Utah Highway Patrol) and USU (Utah State University), who pay for services. Grant funds are constantly being researched, but those funds cannot be used for wages because they are not guaranteed funding. The proposal asks for a 10% increase beginning July 1, 2025 which is a $0.30 increase per month and a 3.00% increase for the next four consecutive years. The overall increase after the five years would be $0.71 per household.

Councilmember Campbell is appreciative of the service provided. He has a family member who works in a dispatch center in Salt Lake and would like to move back to Cache County, but the wages are not worth it, so he understands it is a real problem.

Ms. Walker said training and certifications are done in-house during the 16-week training. Finding qualified applicants who want to make this a career is difficult. Dispatchers must be able to multi-task and be trained in CPR and EMD. They need to be able to extrapolate important information from a caller and relay it to the field responder. It can be a very stressful environment and has to be filled 24/7.

Councilmember Orme ran a 24/7 technical assistant company for years, and he appreciates the difference between people who want to make it a career versus just a job.

Mayor Monson mentioned that Apple watches can also contact 911. She appreciates that Dispatch will call to ensure everything is okay, even if it is an accidental call.

Councilmember Campbell asked if the center would ever be a standalone entity. It is currently housed in the Logan City Police Department. Ms. Walker said that it could be a possibility in the future, but for now, she would like to have the time to figure out what the best system for the center and citizens would be.

Logan Police Chief Simmons expressed appreciation for the dispatchers. He said the positions require multi-tasking at a high level, and because of this, the attrition rate is high. Three trainees were hired the last time, and only one is still there. At some point, the center may be its own entity due to its unique funding mechanism. H.B. 454, which did not pass this year, does address modifications to public safety fees. He sent an email out earlier explaining what the reserve funds will be used for. He also pointed out that Logan City is not getting any money; this is an enterprise account.

Councilmember Orme said that, short of the legislature making a change, this would take care of the need for the next five years. Chief Simmons said it would and would allow time to consider future needs.

Proposed Changes:
Add Section 3 (E) titled “NON-APPROPRIATION.”

Section 3 (E) shall read:

A. This Agreement recognizes that the parties are governmental entities that rely upon the appropriation of funds by their respective governing bodies to satisfy obligations. As such, if the City of Smithfield determines that it does not have funds to meet its obligations under this Agreement, it shall have the right to terminate the Contract without penalty on the last day of the fiscal period for which funds were legally available.

*****Councilmember Campbell motioned to <u>approve</u> Resolution 2025-03, a Resolution amending the Dispatch Services Fee. Councilmember Orme seconded by motion. The motion was approved 4-0. *****

<u>Yes Vote</u>: Campbell, Hyer, Orme, Stokes
<u>No Vote</u>: None
<u>Absent</u>: Staker

Discussion and possible vote on Ordinance 2025-05, an Ordinance amending the Smithfield City Construction & Design Standards, Part I "Design Standards", Chapter 5.0 "Culinary Water System Design", Section 5.1 "General".

Mr. Lewis said that Public Works is requesting an additional brand of fire hydrant to be installed. This will not change any requirements or connections, and no financial gain exists for anyone at the City.

The following changes (in bold) were proposed:

5.1 <u>GENERAL</u>

H. Fire hydrants shall be installed in all subdivisions in locations designated by the fire department and city engineer. Fire Hydrants shall be spaced such that no structure requiring fire protection is more than 600 feet from a fire hydrant. Fire hydrants shall be of the dry barrel design with a minimum **five (5)** ft bury. The gate valve for the service line shall be connected to the main line with a flanged fitting. Hydrants shall be Clow, **Mueller,** or Waterous with **three** (3) outlets.

*****Councilmember Campbell made a motion to <u>adopt</u> Ordinance 2025-05, an Ordinance amending the Smithfield City Construction & Design Standards, Part I "Design Standards", Chapter 5.0 "Culinary Water System Design", Section 5.1 "General". Councilmember Hyer seconded the motion. The motion was approved 4-0.*****

<u>Yes Vote</u>: Campbell, Hyer, Orme, Stokes
<u>No Vote</u>: None
<u>Absent</u>: Staker

Initial presentation on the Fiscal Year 2026 Budget, which is the period of July 1, 2025, through June 30, 2026.

Mr. Lewis explained this was an introduction to the Fiscal Year 2026 budget discussion. For the next three months, each department head will be able to provide a presentation to the Council. He highlighted some of the items:

The proposed budget includes a 7.00% wage increase, allocated as a 4.00% cost of living adjustment (COLA). The remaining 3.00% is assigned to each department head to distribute as a merit increase where applicable. Councilmember Campbell asked how the discretionary percentage was distributed last year. Mr. Lewis said some have not used it yet as they wanted to use it toward seasonal/part-time hires this spring for employee that return from last year. The funds were staggered due to varying department needs/timing.

The proposed budget does not include any change to employee health insurance coverage. The premium for the next year is being worked on with the broker and will be finalized before the new budget is adopted.

In addition to the current number in each department, no new full-time employees are being requested in the new budget. One current employee is being considered to go from part-time status to full-time status in the police department, but no new employees would be hired.

This proposal does not include the three large infrastructure projects previously discussed, including the 3-million-gallon water tank. The plans should be completed by the end of July, with bids going out in August and a starting date in the fall of 2025. The project will likely take 12 months to complete. The project is anticipated to cost $5-6 million. This will be added to the budget when the final costs are received.

Engineering is ongoing to replace the 102-year-old spring culinary waterline in the canyon which is 4.6 miles long. The intent is to finalize the engineering plans with the Forest Service and Cache County in 2025, with the project being bid and construction starting in 2026.

The other project, included in this budget, is the stormwater project on 1000 South going from west of the highway to 1200 West and dumping into a new stormwater pond. The estimated cost is over three million, and the City will pay cash for this project.

The city will host a municipal election with a primary election in August, if needed, and the general election in November. A mayor and two council members will be elected. A contract will be signed for this service between the county and the city. The line item will be adjusted when the contract is finalized and the bid amount is received.

No proposed utility rate increases are included/proposed for water, sewer, storm water, and solid waste/garbage.

Three RAPZ Tax applications were submitted. The applications requested funding for the youth theatre, continued renovation of the Douglass Mercantile Building located at

102 South Main, and significant improvements to the two softball fields at Forrester Acres. The applications should be approved or denied sometime in May.

Mr. Lewis said that Chad Daniels has been with the City for 41 years and will be retiring in April. He thanked him for all he has done for the City, especially the golf course.

Discussion with department heads of the Library and the Birch Creek Golf Course on the Fiscal Year 2025 Budget.

Library:

Shawn Bliss and Karen Bowling appreciated the opportunity to present to the Council. They reported that the carpet replacement in the children's library is being done. They continue to strive to improve services and have received positive community feedback. Program attendance continues to grow significantly.

This is the budget they are requesting:

Replacing the remaining carpet, approximately 50%, on the lower floor - $12,148 (The first half was replaced in the Fiscal Year 2025).

The landscape pavers on the south side of the building, between the new building and the old building, will be replaced with cement. There is significant settling and drainage problems, as slope issues with the water collecting against the building and creating moisture-related issues - $5,336

The Council thanked the staff for all their hard work; exciting things are happening.

Birch Creek Golf Course:

Chad Daniels and Eric Kleven presented an overview of the golf course.

Estimated Revenue for FY2026:

- Green fees ~ $1,000,000.
- Cart rentals ~$400,000
- Clubhouse Rental & Driving Range Fees ~$100,000+
- Snack Shop ~$20,000
- Cafe' Rental (by Off-Premise Catering) $3,500
- Pro Shop Sales ~ $450,000
- Advertising ~$1,200

Credit card expenses are anticipated to be ~$65,000. The fee is approximately 4%.

The clubhouse is 21 years old. The a/c has been replaced, with two more this spring. Mr. Kleven outlined some maintenance items.

Birch Creek has a Ladies Association, Couples League, Junior Golf, and the largest Men's Association in the state.

There are 80+ golf carts in the fleet which helps with running large tournaments.

Some of the needs include repairing and upgrading several cart paths on various holes, Mr. Daniels outlined the specifics, and improving the irrigation system as previously discussed the last several years.

The major budget requests include:

- Toro greens mower with reels - $52,207
- Toro greens mower w/out reels - $40,297
- Verticut reels for greens mover - $13,540
- Marshall Cart - $6,480
- 9 golf carts - $58,320 (replace old carts)

Councilmember Stokes has previously talked about creating affordable options for predominantly low-income youth. He would like to find an opportunity to provide discounted rates for those eligible youth. Mr. Kleven agreed with this idea. Golf is commonly known as a “rich man's sport,” and he would like to find ways to introduce the game to youth. Mayor Monson asked Councilmember Stokes and Mr. Kleven to meet and discuss some options. Mr. Daniels thinks this would be a great way to help keep youth out of trouble.

Mr. Daniels thanked the staff and Council for the kind words of sentiment; he is grateful for all his opportunities. The staff was able to do maintenance on the course due to the mild winter. He outlined the process for seeding the fairways, the golf cart paths that need to be replaced, and the need for future funds to be used for the irrigation system. He specifically outlined one path over the boundary line to Parcel Numb 08-120-0002, which is owned by the Saxton family. This will be repaired and moved.

Discussion and possible vote on Resolution 2025-02, a resolution amending the Prevailing Fee Schedule of the City.

Eric Kleven outlined the proposed changes:

	Current	Proposed
Green Fees		
Regular – 9 Holes		
Monday-Thursday	$18.00	$19.00
Fri, Sat, Sun, Holiday	$20.00	$21.00
Regular – 18 Holes		
Monday-Thursday	$36.00	$38.00
Fri, Sat, Sun, Holiday	$40.00	$42.00
Senior – 9 Holes		
Monday-Thursday	$16.00	$17.00
Fri, Sat, Sun	$18.00	$19.00
Holiday	$20.00	$21.00
Senior – 18 Holes		
Monday-Thursday	$32.00	$34.00
Fri, Sat, Sun	$36.00	$38.00

Holiday	$40.00	$42.00

Range Balls

Small Bucket	$5.00	$6.00
Medium Bucket	$7.50	$9.00
Large Bucket	$10.00	$12.00
Sm. Bucket – 10 punch pass	$40.00	$50.00
Med. Bucket – 10 punch pass	$65.00	$80.00

*****Councilmember Campbell made a motion to approve Resolution 2025-02, a resolution amending the Prevailing Fee Schedule of the City. The motion was seconded by Councilmember Orme. The motion was approved 4-0.*****

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

Public Hearing for the purpose of discussing Ordinance 2025-04, an Ordinance amending municipal impact fees by modifying the Parks and Trails Impact Fee.

Mr. Lewis explained that the City commissioned an impact study by Zions Public Finance approximately one year ago. The City then had a unique opportunity to purchase land for a future park. It is approximately 11 acres by Crow Mountain Road. It was determined that the impact fees for new construction be adjusted. This will not affect any current resident. The proposal, after the rate study came back, was to change:

All single-family residential units	$4,251 per dwelling unit
All multi-family residential units	$3,478 per dwelling unit

This is the maximum amount that can be charged and cannot exceed that amount. If adopted, it will go into effect July 1, 2025. This will be for future growth and expansion.

8:18 p.m. Public Hearing Opened

Jeff Barnes asked how much the increase would be? Mr. Lewis said that currently, the fee is just under $1,100 per dwelling unit on single-family residential units.

8:19 p.m. Public Hearing Closed

Discussion and possible vote on Ordinance 2025-04.

Councilmember Stokes likes impact fees because growth has, for some time, given a bitter feeling to long-time residents. This will lessen the impact on current residents as the City grows.

Councilmember Orme asked if there was any correlation between the impact fee and the ability of the developer to use it for a profit. Mr. Lewis said that typically, the developer pays the City directly, and how that is included in their fees is outside the City's purview. The cost is usually bundled into the developer's pricing.

*****Motion made by Councilmember Campbell to <u>adopt</u> Ordinance 2025-04, an Ordinance amending municipal impact fees by modifying the Parks and Trails Impact Fee. Councilmember Hyer seconded the motion. The motion was approved 4-0.*****

<u>Yes Vote</u>: Campbell, Hyer, Stokes, Orme
<u>No Vote</u>: None
<u>Absent</u>: Staker

Discussion and possible vote on Ordinance 2025-03, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Chapter 16.12 "Final Plats", Section 16.12.030 "Preparation and Required Information", Title 17 "Zoning Regulations", Chapter 17.81 "Master Planned Community (MPC) Zone", Sections 17.81.130 "Development Agreement" and 17.81.140 "Modification of Approved Plan".

Mr. Boudrero explained that the existing municipal code lists all the stamps/signatures needed on a final plat. When the state had cities create the Administrative Land-Use Authority, it only required a City Manager and Planner signature. That was added to the needed list, which made things confusing. After discussion, it was decided to split the list into two based on what is required.

The State of Utah passed a regulation that cities cannot force a development agreement for specific types of subdivisions (ex. MF, MPC, and PUD). This agreement would lay out when amenities and improvements must be put in. The City felt it best to take the essential requirements to the final recorded plat.

Councilmember Orme asked if there was any risk to the City by using the verbiage "the right but not the duty". Mr. Boudrero said there would not be; it still lays the groundwork for the HOA (Homeowner's Association) and CCRs (Covenants, Codes Restrictions) to cover costs appropriated with those documents. This seems like the best way for the City to require what is necessary.

Mayor Monson said this seems like a more transparent process and is a good idea.

Councilmember Hyer asked about the timeline for amenities. Mr. Boudrero, this change requires amenities to be installed at 50% completion so it is not all left to the end of the project.

Councilmember asked about roads. Mr. Boudrero said that roads are required to be put in before construction. Golden Forest MPC is a good example as they put in the pool and courts as one of their phases.

Councilmember Stokes referenced the last sentences of the previous paragraph "…**the city shall be entitled to assess and collect the necessary HOA fees and recover any associated costs..."** and asked if "entitled to assess any necessary fees and and/or HOA fees". He worries that Smithfield will be limited in accessing the HOA process to assess fees. Mr. Lewis said that is a good idea and can be added to the motion.

The following is proposed (wording in **bold** being added):

16.12.030 PREPARATION AND REQUIRED INFORMATION
B. Description and Delineations: The final plat shall show:
7. The dedication to the city of all streets and highways included in the proposed subdivision, **with the exception of approved private roads and alleys;**

C. Standard Forms For The Final Plat: ~~The final plat shall include~~:
~~1. A registered land surveyor's certificate of survey in the form required by state law;~~
~~2. The owner's certificate of dedication;~~
~~3. A notary public's acknowledgment;~~
~~4. The City Planning Manager's certificate of approval;~~
~~5. The City Engineer's certificate of approval;~~
~~6. The City Attorney's certificate of approval;~~
~~7. A space for the Cache County Recorder's use;~~
~~8. The Planning Commission approval [if required by SMC 16.04.050 (I)];~~
~~9. The City Council approval [if required by SMC 16.040.050 (I)]~~
~~10. City Manager's certificate of approval~~

1. Final Plats for Commercial, Industrial, Manufacturing, Condominium, Mixed-Use, Multi-Family and Intrablock Developments must include the following:
- **a. A registered land surveyor's certificate of survey in the form required by state law.**
- **b. The owner's certificate of dedication.**
- **c. A notary public's acknowledgment.**
- **d. The City Engineer's certificate of approval.**
- **e. The City Attorney's certificate of approval.**
- **f. A space for the Cache County Recorder's use.**
- **g. The Planning Commission certificate of approval.**
- **h. The City Council certificate of approval.**

2. Final Plats for Single-family, Two-family and Townhome Subdivisions must include the following:
- **a. A registered land surveyor's certificate of survey in the form required by state law.**
- **b. The owner's certificate of dedication.**
- **c. A notary public's acknowledgment.**
- **d. The City Planning Manager's certificate of approval.**
- **e. The City Engineer's certificate of approval.**
- **f. The City Attorney's certificate of approval.**
- **g. A space for the Cache County Recorder's use.**
- **h. The City Manager's certificate of approval.**

17.81.130 DEVELOPMENT AGREEMENT **COMPLIANCE**
~~A. As part of the final MPC approval, the City and developer shall prepare and execute a development agreement which, among other things, shall outline the following:~~

~~1. By what manner any private roads, open space, or other non-public common areas within the MPC shall be owned, managed, maintained and retain the beneficial use to all owners and occupants of the MPC.~~

~~1. In the case of private ownership of the open space, said spaces shall be protected against building development by conveying to Smithfield City an open space easement over such areas.~~

~~2. How the developer intends to provide financial security for the completion of the project.~~

~~3. A projected timeline of the associated phasing, including the infrastructure, facilities and amenities.~~

~~B. Penalties for non-performance on either the City or the developer's part.~~

~~C. Any other conditions of the project which the City Council shall deem appropriate to ensure successful execution of the MPC.~~

~~D. The development agreement shall be given preliminary approval as part of the preliminary plan approval and shall be given final approval as part of the final MPC approval.~~

~~E. In order to ensure the continuity and viability of the development agreement, said agreement shall be recorded against the property at the time the final MPC approval is granted.~~

~~F. No MPC may begin construction until such time as the development agreement has been approved and recorded.~~

Amenities shall be installed and usable by residents at the same rate as housing development occurs, i.e., fifty percent (50%) area developed equates to fifty percent (50%) usable amenities.

Smithfield City shall have the right, but not the duty, to require, and if necessary, perform or cause to be performed, at the expense of the owner of the open space and other private area(s), including clubhouse, pool and other recreation facilities, (HOA, hereafter), all landscaping, snow removal, and other upkeep and maintenance services, as applicable, within the open space area(s), if the HOA fails adequately to perform such tasks. The city may take these actions when asked to assume responsibility for such upkeep and maintenance tasks by the HOA. The city council may also take such actions when it determines the need based on a pattern of neglect and lack of maintenance and after meeting the procedures outlined in the Covenants, Conditions, and Restrictions (CC&Rs), recorded concurrently with this final plat. If Smithfield City exercises this right, the city shall be entitled to assess and collect the necessary HOA fees and recover any associated costs and attorney fees. This notation shall not be amended or deleted without Smithfield City's approval.

Smithfield City. 17.81.140 MODIFICATION OF APPROVED PLAN
Any modifications shall follow the current ~~Utah Code Annotated~~. **SMC 17.81.040**

*****Motion made by Councilmember Stokes to <u>adopt</u> Ordinance 2025-06, an Ordinance providing for the imposition of owner occupancy covenants as part of the rezoning process by adding in its entirety in Title 17 "Zoning Regulations", Chapter 17.130 "Restrictions For Owner Occupancy", Sections 17.130.010 "Purpose", 17.130.020 "Definitions", 17.130.130 "Authority to Require Owner Occupancy Covenants", 17.130.040 "Owner Occupancy**

Covenants", and 17.130.050 "Penalties". With an amendment to the language to second to last sentence of the last paragraph to include "…necessary fees or HOA fees…" The motion was seconded by Councilmember Campbell approved 4-0.***

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

Initial discussion on Ordinance 2025-06, an Ordinance providing for the imposition of owner occupancy covenants as part of the rezoning process by adding in its entirety in Title 17 "Zoning Regulations", Chapter 17.130 "Restrictions For Owner Occupancy", Sections 17.130.010 "Purpose", 17.130.020 "Definitions", 17.130.130 "Authority to Require Owner Occupancy Covenants", 17.130.040 "Owner Occupancy Covenants", and 17.130.050 "Penalties".

Councilmember Stokes has wanted for quite some time to create some "anti-inflation" statute that might make it more affordable for people to own homes. This would be an optional zone where builders could elect to enforce an owner-occupancy requirement, a critical element. He has worked with several individuals to help draft this. Councilmember Orme was very influential in putting together the essential exemptions. He also thanked the staff and the City attorney. He pointed out that this is an optional ordinance.

Mr. Lewis noted that this is the initial discussion/presentation of the ordinance. It will go to the Planning Commission for the public hearing and review and then return to the City Council for a decision. He thanked Councilmember Stokes for coming up with something new. This would be implemented when a rezone is requested and the council and developer agree to the requirement.

Councilmember Campbell likes and supports this.

Mayor Monson said cities have to have three items to provide to the state for the Moderate-Income Housing Plan. This is a creative option and should be included as one of the solutions to meet that plan.

Mr. Boudrero said there is a part in the State Code that we can add to the exemption list for internal accessory apartments for owner-occupant homes.

Mr. Lewis said this could be added to the plan as Item F.

Initial discussion on Ordinance 2025-07, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.12 “Supplementary And Qualifying Regulations”, adding Section 17.12.235 “Keeping Pigs”, amending Chapter 17.04 “General Provisions”, Section 17.04.070 “Definitions”, Chapter 17.14 “Animal Rights Regulations For R-1 Zones”, Sections 17.14.030 “Number Of Animals Permitted”, 17.14.080 “Prohibited Animals”, and Chapter 17.48 “Agricultural Zone”, Section 17.48.050 “Farm Animals”.

Councilmember Campbell said there is quite a bit of interest in this idea as noted during Resident Input at the beginning of the meeting. The land size seems appropriate. He reminded members that this will be for family sustenance, not production. He noted that pigs are generally social animals. The overall ordinance is broader than he initially thought, but it can be tweaked over time if needed.

Mayor Monson asked if something should be added to address the upkeep/smell. Councilmember Campbell said dogs could have the same problem; nothing is listed in that Code. If that becomes a problem, the ordinance can be revisited and amended. There will be a permit fee, but that has not been determined. Mr. Lewis said that it would be up to the Council to decide.

Mr. Lewis said the soonest this could come before the Planning Commission would be April, and then it would come back to the Council, so it’s at least a few months away from adoption. He would like the permit to be affordable so the cost is not onerous to families.

Councilmember Hyer asked about enforcement. Mr. Lewis said it would be handled similarly to other complaints. When an issue is raised, the Code Enforcement Officer would investigate.

Councilmember Orme asked about different breeds; Councilmember Campbell said most students want to raise a “market” animal, not just a “big” animal. From his feedback from residents, he does not feel this will be a problem. Most people interested in this are experienced.

Commissioner Stokes said education can be included and suggested charging $10 per pig. Mr. Lewis noted that a fee schedule can be adopted when the ordinance is adopted.

The proposal includes the addition of:

17.12.235 Keeping Pigs
A. Subject to the requirements of an approved application and any other applicable provision of this code, two (2) pigs, regardless of age, may be kept in any residential (R) zone above 10,890 square feet (1/4 acre). A third pig is allowed on lots 32,670 square feet or larger (3/4 acre). An amount not exceeding four (4) pigs will be allowed on lots 43,560 square feet (1 acre) or larger. Under no circumstance will more than four (4) pigs be allowed.

B. Pigs shall be confined within a secure or fenced outdoor area.

C. Pigs shall not be kept on a residential lot or parcel unless the person holding a pig first obtains a permit issued by the city planning department. A pig permit must be renewed every three years and can be rescinded at any time for non-compliance.

D. The permittee shall acknowledge the rules outlined in this section and shall, as a condition of permit issuance, agree in writing to comply with such rules. E. It shall be unlawful for any person to keep any pig in a residential zone in a manner contrary to the provisions of this section.

17.14.070 Definitions
Changes in bold:
FARM ANIMALS LIMITED: The keeping of not more than two (2) horses, two (2) cows, two (2) Ordinance 2025-07 Page 2 of 3 llamas, four (4) sheep, four (4) goats, twenty (20) rabbits, forty (40) chickens, forty (40) pheasants, ten (10) turkeys, ten (10) ducks, ten (10) geese, three (3) ostriches, four (4) emus, and forty (40) pigeons, **and** one (1) **~~provided the keeping of pigs on any lot is prohibited and tha~~**t **N**ot more than three (3) of the above listed species of animals or fowl are permitted at any one time.

SWINE: Includes pigs, hogs, and boars. **~~and are not permitted in any zone.~~**

17.14.030 Number of Animals Permitted
Add the wording; For Pigs see SMC 17.12.235 “Keeping Pigs”.

17.14.080 Prohibited Animals
Delete *A. Hogs or pigs* and adjust numbering accordingly.

Discussion and possible vote on Resolution 2025-04, a Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2- 403 and 10-2-405, Utah Code Annotated, as amended. The parcels being considered for annexation are located at approximately 800 East Upper Canyon Road and are approximately 7.2 acres total. Parcel Numbers 08-045-0009, 08-045-0012 and 08-049-0005.

Mr. Lewis said an annexation request for five (5) acres on Upper Canyon Road has been received. An annexation request is a three (3) step process. If the City Council accepts the request, it is sent to the School District and County for review. It will then come back to the City for a public hearing and vote. The County requires the City to take the road as part of the annexation. In this particular case, Smithfield City has two (2) parcels on the south side of the road, and the goal is to bring those into the City boundaries as well. There are no imminent plans; this is a good time to get them into the City.

If the Council accepts the Resolution, the annexation process will begin.

Councilmember Orme asked how much land Smithfield City owns that is not currently annexed into the City. Mr. Lewis said there is not much, but he can do some research. A little up the canyon as well as a storm drain pond on 1200 West 1000 South and some out by the Staker Parson pit north of 800 North.

*****Motion made by Councilmember Campbell to approve Resolution 2025-04, a Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2- 403 and 10-2-405, Utah Code Annotated, as amended. The parcels being considered for annexation are located at approximately 800 East Upper Canyon Road and are approximately 7.2 acres. Parcel Numbers 08-045-0009, 08-045-0012 and 08-049-0005. Councilmember Stokes seconded the motion. The motion was approved 4-0.*****

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

City Manager Report

Mr. Lewis provided a report on the following:
- ✓ Water leak on Lower Canyon Road will be repaired Monday morning.
- ✓ Green waste services will begin Monday, March 17th.
- ✓ Saturday, April 26th will be the Day of Service – the Mayor will follow-up.
- ✓ He asked the Council to consider the need to plan for long-term maintenance and upkeep of the older buildings, specifically the Senior Center. No plan is in place, but this needs to be considered.

Council Member & Mayor Reports

Wade Campbell
- ✓ The library has suitable activities and participation.
- ✓ Health Days organization is being organized.
- ✓ Cache Mosquito Abatement District – regular meeting, nothing new.

Todd Orme
- ✓ Tree Committee is finalizing revisions to the municipal code and hoping to present to the Council in April.
- ✓ Arbor Day – preparation and posters are going well.
- ✓ Historic Society – will get with Jeff Gittins on the status of improvements.

Ted Stokes
- ✓ Trails – finalizing the Bonneville Shoreline Trail grant. After concerns were voiced, the path was moved further away from the gun range up Dry Canyon.
- ✓ Smithfield Chamber of Commerce – focusing on the Easter Egg Hunt.

Mayor Monson
- ✓ Art repair in the Library is in progress. Art is being reframed. She thanked Kathy Downs, who has cared for the art for many years.
- ✓ Health Days Pageant is finished, well done, and proud.
- ✓ Thanked Justin Lewis for doing such a great job. She continually receives favorable comments. She appreciates all the work done for the city.

*** The meeting adjourned at 9:07 p.m. ***

SMITHFIELD CITY CORPORATION

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Kristi Monson, Mayor

ATTEST:

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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, March 12, 2025. 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 March 12, 2025
2. Resident Input
3. Youth Council Report
4. Discussion and possible approval of Brad Thatcher as a member of the Planning Commission.
5. Discussion and possible approval of Klydi Heywood as a member of the Planning Commission.
6. Discussion and possible approval of Lane Henderson as a member of the Planning Commission.
7. Discussion and possible approval of the Non-Exclusive Public ROW License Agreement with Google Fiber Utah, LLC.
8. Discussion and possible vote on Resolution 2025-03, a Resolution amending the Dispatch Services Fee.
9. Discussion and possible vote on Ordinance 2025-05, an Ordinance amending the Smithfield City Construction & Design Standards, Part I “Design Standards”, Chapter 5.0 “Culinary Water System Design”, Section 5.1 General”.
10. Initial presentation on the Fiscal Year 2026 Budget which is the period of July 1, 2025 through June 30, 2026.
11. Discussion with department heads of the Library and the Birch Creek Golf Course on the Fiscal Year 2026 Budget.
12. Discussion and possible vote on Resolution 2025-02, a Resolution amending the Prevailing Fee Schedule of the City.
13. Public Hearing for the purpose of discussing Ordinance 2025-04, an Ordinance amending municipal impact fees by modifying the Parks and Trails Impact Fee.
14. Discussion and possible vote on Ordinance 2025-04.
15. Discussion and possible vote on Ordinance 2025-03, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivision Regulations”,

Chapter 16.12 “Final Plats”, Section 16.12.030 “Preparation and Required Information”, Title 17 “Zoning Regulations”, Chapter 17.81 “Master Planned Community (MPC) Zone” Sections 17.81.130 “Development Agreement” and 17.81.140 “Modification of Approved Plan”.

16. Initial discussion on Ordinance 2025-06, an Ordinance providing for the imposition of owner occupancy covenants as part of the rezoning process by adding in its entirety in Title 17 “Zoning Regulations”, Chapter 17.130 “Restrictions For Owner Occupancy”, Sections 17.130.010 “Purpose”, 17.130.020 “Definitions”, 17.130.130 “Authority to Require Owner Occupancy Covenants”,17.130.040 “Owner Occupancy Covenants”, and 17.130.050 “Penalties”.

17. Initial discussion on Ordinance 2025-07, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, adding Section 17.12.235 “Keeping Pigs”, amending Chapter 17.04 “General Provisions”, Section 17.04.070 “Definitions”, Chapter 17.14 “Animal Rights Regulations For R-1 Zones”, Sections 17.14.030 “Number of Animals Permitted”, 17.14.080 “Prohibited Animals”, and Chapter 17.48 “Agriculture Zone”, Section 17.48.050 “Farm Animals”.

18. Discussion and possible vote on Resolution 2025-04, a Resolution accepting a Petition for Annexation on certain real property under provisions of Sections 10-2-403 and 10-2-405, Utah Code Annotated, as amended. The parcels being considered for annexation are located at approximately 800 East Upper Canyon Road and are approximately 7.2 acres. Parcel Numbers 08-045-0009, 08-045-0012 and 08-049-0005.

19. City Manager Report

20. 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 unique accommodation for this meeting should contact the City Recorder at (435) 792-7997 at least three (3) days before the date of the meeting.