

<b>SMITHFIELD CITY COUNCIL</b>
--------------------------------

<b>AUGUST 24, 2022</b>
------------------------

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, August 24, 2022. The meeting began at 6:30 P.M. and Mayor Kristi Monson was in the chair. The opening remarks were made by Sue Hyer.

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

City Manager Craig Giles, Police Chief Travis Allen, Fire Chief Jay Downs, City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

VISITORS: Bob Holbrook, Lynn Godderidge, Louis Jerome, Robert Laursen, Lucy Harris, Kizzi Bird, Ileen Bird, Alan Bird, Vincent Milligan, Connie Gittins, Michael Hansen, Layne Hansen, Paul Scrowther, Stuart Reis, Jon Harrop, Shawn Kirkley, Elizabeth Kirkley, Jeff Barnes, Warren Roundy, Merissa Cunningham, Mary Feldman, Karen Milligan, Mike Monson

<b>APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM JULY 27, 2022.</b>
---

\*\*\*A motion to approve the July 27, 2022 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

<b>RESIDENT INPUT</b>
-----------------------

Lucy Harris read the following letter:

“Madam Mayor and City Council Members:

I wanted to start by thanking the mayor and council members for the swift action taken to resolve the Sunrise Park maintenance issues. Local families have once again returned to enjoy our beautiful park.

Clearly, you are committed to the welfare of our city and we deeply appreciate that.

I have asked members of my neighborhood about the absence of the newsletter and nearly 100% said they really miss it. We feel the newsletter is crucial to apprise residents of current issues that our city faces and the action being taken to resolve them.

I’m more than happy to provide water conservation tips, such as apps to regulate sprinklers relating to weather or wind or more efficient sprinkler heads.

Lastly, nearly every resident's concern remains adding new rooftops to our city while drought conditions persist. We would appreciate any pressure you can put on the city planners in this regard.

Thank you for your time."

ELIZABETH KIRKLEY: Myself and my husband met with Mayor Monson. I have printed out the talking points of our conversation for you to review. Regarding tonight's agenda there are some things I don't understand. On Items 3 and 4 is anything being done to make sure we have enough water? How is this taken into account? In the online packet, Item 5 it says see attached schedule but the schedule is not included. It should be included in the packet. The next item is a Resolution on the prevailing fee schedule. It is very confusing what the prevailing fee schedule is.

KIZZI BIRD: I live at 94 North 100 East. I have a concern about the Laursen rezone request. The parcel is only about one acre. Mr. Laursen wants to put at least one four-plex behind his home. This parcel borders my parcel as well as my in-laws parcel. I have a bunch of little kids at my house at all times. There will be more traffic going in and out of the lane by his house if this is approved. The sidewalk in front of this parcel is already well used. There are driveway issues at the old Armory building and Smithfield Implement west of this parcel. People don't pay attention. This will have an effect on the wildlife in the area. The Campbell family to the east has livestock. There are deer and pheasants in the area. I have had to tell people to get out of the fenced area the Campbell's own. It is not safe to put more people in this area.

LOUIS JEROME: I live on 100 East across the road from the Laursen property. I have some pictures for you to review. A development on Center Street was recently approved. There are two new units being built behind an existing home. There are several examples in the city of where this type of rezone request has already happened. Housing is an issue in the city. There is not enough housing. The Bird family divided their parcel into three lots previously. Wade Campbell has over ten horses, three cows and a couple of colts on his property. This is more animals than the code allows. Mr. Laursen is doing this correctly and by the book. Wade Campbell's issues are from 100 North not from the Laursen property. A proper fence on all sides of the Campbell property would help. There is a daycare on 100 North 100 East. There are already many things going on in this area. The only thing different with this request is Wade's property touches this property and he is a city council member. That is the only reason you have to not approve this.

ROBERT LAURSEN: You are allowing my rezone request in other residential areas. This neighborhood already has a bunch of commercial business there. Wade Campbell is running a business from his property. There is a daycare by my parcel. The planning commission was concerned about building height. A home by my house was converted into a rental property. Current city code allows commercial vehicles in residential areas. Why are all of these uses allowed in single-family areas? You have approved all of these other rezone requests. If you choose to deny my request, I want a letter in writing why you chose to deny the request.

VINCENT MILLIGAN: I own property adjacent to the Laursen property. I live at 50 North 100 East.

Vincent read an email prepared by his daughter and sent to the city council strongly opposing the Laursen rezone request.

#### **SMITHFIELD BLUE SOX BASEBALL UPDATE**

Deon mentioned for the last three years the Smithfield Blue Sox and Hyrum Hornets have played for the local baseball championship of their league. The Blue Sox won in 2020 and 2021. The Hyrum Hornets won this year.

As part of a friendly gesture between Hyrum City Council Member Paul James and Deon, the council member of the losing team had to wear the winning team's hat at their next city council meeting and have a photo taken.

Deon thanked the residents for their continued support of the Blue Sox and the Lion's Club.

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-14, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBERS 08-042-0009, 08-042-0010, 08-042-0021 AND 08-079-0006 FROM A-10 (AGRICULTURAL 10-ACRE) AND RA-2 (RESIDENTIAL AGRICULTURAL 2-ACRE) TO R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET). THE PARCELS ARE LOCATED AT APPROXIMATELY 440 NORTH 600 WEST AND TOTAL APPROXIMATELY 6.21 ACRES.**

Deon asked where Saddleback Road is being removed and a new road created during future development will the city need to abandon the property where the road is currently located? Clay replied as the area is developed some land will be abandoned where a new road has been built north of Saddleback Road. The land for 600 West has already been deeded to the city.

Jon Wells mentioned eventually 400 North at 400 West will eventually continue west towards 600 West but the roads will not line up.

Curtis asked where a dairy has been located on these parcels for several decades is any type of environmental work required when the dairy is removed? Jon Harrop replied an environmental assessment was previously completed on this area.

Curtis asked if the city is notified of any findings from the environmental study? Clay replied the study can be obtained and sent to the city council for review. Jon Harrop mentioned the area will be cleaned up as required.

Wade asked when the dairy will be closed? Jon Harrop replied by the end of the year at the latest.

\*\*\*A motion to adopt Ordinance 22-14, an Ordinance rezoning Cache County Parcel Numbers 08-042-0009, 08-042-0010, 08-042-0021 and 08-079-0006 from A-10 (Agricultural 10-Acre) and RA-2 (Residential Agricultural 2-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet) was made by Wade, seconded by Curtis and the vote was unanimous.\*\*\*

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

No Vote: None

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-13, AN ORDINANCE REZONING CACHE COUNTY PARCEL NUMBER 08-070-0016 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED AT 72 NORTH 100 EAST AND IS APPROXIMATELY 1.00 ACRES.**

Wade stated where he owns property bordering this parcel, he would excuse himself from the discussion and vote.

Wade stated he would leave the city council meeting during this agenda item.

\*\*\**Council Member Campbell left the city council meeting at 6:57 P.M.*\*\*\*

Mayor Monson mentioned the planning commission reviewed the request and recommended it be denied. The request is now before the city council for consideration.

Curtis stated Robert asked for a written letter if the request is denied. This is not something which is done. The minutes of the meeting will reflect the conversation which took place. A handwritten letter will not be drafted or sent.

Curtis mentioned he has talked to several people about this request. Phone calls and emails have been received. Information from the planning commission meeting has been received and reviewed. All of the planning commission members but one recommended to deny the rezone request.

Curtis mentioned a new road and traffic were his biggest concerns.

Curtis stated he would follow the recommendation of the planning commission and vote no on the request. It is possible to put a single-family home behind the existing home and can be considered.

Curtis mentioned the comments about livestock on a neighboring parcel is not part of this request and would not be considered.

Jon mentioned the parcel is quite large and being watered with irrigation water. A parcel of this size is too large to irrigate with culinary water. The average home, before any outdoor water use, will average about 8,000 to 10,000 gallons of water consumption per month. If an additional

eight or nine building units are added to this parcel this is a considerable amount of culinary water now being consumed on this parcel. The parcel would go from needing around 10,000 gallons of culinary water a month to possibly over 100,000 gallons of culinary water a month being required. This could possibly put a strain on the culinary water system.

Jon stated he would vote no to this request.

Deon thanked Wade for excusing himself from the discussion and vote as it takes courage to do that. Curtis concurred.

Deon stated he is not opposed to intra-block development but did not think multi-family intra-block development was appropriate for this neighborhood.

\*\*\*A motion to DENY Ordinance 22-13, an Ordinance rezoning Cache County Parcel Number 08-070-0016 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential) was made by Curtis, seconded by Deon and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Hyer, Wells

No Vote: None

Absent: Campbell

\*\*\*Council Member Campbell rejoined the city council meeting at 7:05 P.M.\*\*\*

<b>PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING RESOLUTION 22-10, A RESOLUTION ESTABLISHING THE MONTHLY SOLID WASTE SERVICE UTILITY RATE.</b>
---

Mayor Monson mentioned Logan City informed all of the local cities and towns they would stop offering garbage service after July 1, 2023.

The local cities, towns and the county formed a 19-member consortium to review the issue.

Smithfield City determined it was best to go on their own and left the consortium.

A Request for Proposal was sent out a few weeks ago requesting bids on solid waste disposal services.

Four bids were received for the service. Two of the bids are viable options.

The two viable options are currently in the review process.

The city will own its own garbage cans. The proposed rate increase is so money can be saved to help pay cash for the cans next year when Logan City stops offering the service.

Curtis asked if this was two different discussions happening at the same time? A review of the utility fee as well as the Request for Proposal? Craig replied the discussion on the Request for Proposal is only to help establish why the city needs to purchase the garbage cans.

Curtis asked Craig if the city has a price on garbage cans? Craig replied the Request for Proposal states the city will own and manage the garbage cans. A new garbage can is approximately \$80. The intent is to negotiate with Logan City and hope to pay 50% or less for each of the existing garbage cans in the city.

There are over 8,000 garbage cans in the city if you include garbage, recycling and green waste.

Deon asked if it would take a year to save the money to buy the cans? Craig replied it is an unknown because the cost to purchase the cans from Logan City is not known at this time. By doing an increase now it will allow the city to start to save money for the garbage can purchase.

Deon asked if the proposed increase would go away after the garbage cans are paid for? Craig replied a rate study is being completed on garbage service overall. There is a chance the rate could still increase down the road.

Jon asked how replacement can costs will be handled. Craig replied new can costs will be factored into the monthly utility rate.

Craig mentioned the monthly fee includes garbage cans, the landfill fee, pickup fees and costs associated with operating a solid waste fund.

Mayor Monson mentioned employees will have to be hired to oversee the garbage cans.

Jon asked if the proposed increase is for the black garbage cans only? Craig replied that is correct. There would not be any changes to the green waste or recycling fees at this time.

Jon asked if the intent is to purchase all of the garbage cans initially needed from Logan City? Craig replied that is correct. It is estimated around \$200,000 will be needed to purchase all of the cans. If the council elects to get rid of recycling or green waste service the number of cans purchased would decrease.

Curtis mentioned all of the garbage cans have a serial number on them. Will Logan City provide Smithfield City information on each can? Craig replied they would.

Mayor Monson mentioned Smithfield is not working with Lewiston and Richmond whom both exited the consortium as well. The Request for Proposal was for Smithfield City only.

*\*\*\*The public hearing opened at 7:13 P.M.\*\*\**

Karen Milligan asked what happens when a lid or garbage can is damaged? How does the homeowner deal with this? Mayor Monson replied replacement costs are included in the monthly utility fee.

Karen asked how the city deals with someone who sells their home and someone new moves in? Craig replied utility service is stopped for the seller and started for the buyer. Curtis mentioned the garbage cans stay with the house when someone moves.

Curtis asked if the green waste bins at Forrester Acres will go away? Craig replied they will no longer be available after July 2023.

Elizabeth Kirkley mentioned she understood the need to collect funds up front to pay for the cans. The residents won't be happy paying the current fee as well as an increase for the new fee. The residents need to be educated on this increase through the newsletter.

\*\*\**The public hearing closed at 7:17 P.M.*\*\*\*

<b>DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-10.</b>
--

Jon asked if a note can be added to the utility bill about the proposed increase? Craig replied it can be.

Jon stated it didn't necessarily need to be a newsletter submittal but some type of announcement is appropriate letting the residents know about the increase.

Wade mentioned information like this is good for a newsletter. It can be costly but it provides the residents with information.

Wade mentioned he has been working to get residents added to the communication system of the city. Those who are currently not included.

Mayor Monson stated adding a newsletter insert or information to the utility bill is appropriate in this case.

Curtis asked if there will only be one size garbage can moving forward? Craig replied long term there will only be 90-gallon garbage cans.

Jon asked if there will still be separate pricing for sixty-gallon and ninety-gallon cans once the new carrier takes over? Craig replied that is correct.

Jon asked if long term a sixty-gallon can breaks and a ninety-gallon can replaces it will the property owner then pay the ninety-gallon price? Craig replied that is correct.

Sue asked when a new carrier would take over? Craig replied the Logan City contract ends on June 30, 2023. A new carrier will take over on July 1, 2023.

Wade mentioned the residents needs to be educated on this topic. The city council is trying to be forward thinking. It was hard to raise the culinary water rate.

Mayor Monson mentioned the reason a property tax rate increase was not done this year was because the city council knew increases to the water and sewer utility rate as well as the garbage utility rate would be happening in this fiscal year. Costs are rising across the board. Cost increases are hard on everyone.

\*\*\*A motion to adopt Resolution 22-10, a Resolution establishing the monthly solid waste service utility rate was made by Jon, seconded by Curtis and the motion passed by a vote of 4-1.\*\*\*

Yes Vote: Wall, Hyer, Wells, Campbell

No Vote: Hunsaker

Deon stated he voted against the proposal since it is an unknown if the rate will decrease once the garbage cans are paid for.

**CONTINUED DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 22-11, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.92 “ACCESSORY APARTMENT”, SECTIONS 17.92.010 “PURPOSE OF CHAPTER”, 17.92.020 “CONDITIONS” AND ADDING IN ITS ENTIRETY 17.92.040 “DEFINITIONS”.**

Mayor Monson reminded the council that last month they tabled this Ordinance so some changes could be made. The verbiage has been updated. The Ordinance is now back before the council for consideration.

Sue mentioned internal accessory dwelling units have been allowed for a long time. Townhomes and apartments are already allowed and have been for a long time. This Ordinance is not necessary.

Wade mentioned he reviewed the Ordinance again after the last council meeting. The Ordinance might be a benefit a few years down the road.

Wade stated he did not support the Ordinance at this time as it is not a good fit for the city.

Jon stated he would support the Ordinance because the planning commission voted in favor of adopting the Ordinance after studying the topic for a long time.

\*\*\*A motion to adopt Ordinance 22-11, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.92 “Accessory Apartment”, Sections 17.92.010 “Purpose of Chapter”, 17.92.020 “Conditions” and adding in its entirety 17.92.040 “Definitions” was made by Curtis, seconded by Wade and the motion passed by a vote of 3-2.\*\*\*

Yes Vote: Wall, Hunsaker, Wells

No Vote: Hyer, Campbell

**DISCUSSION AND UPDATE ON SOLID WASTE COLLECTION SERVICES.**

Craig informed the council there were four bids received on the Request for Proposal. Two of the vendors met the requirements of the proposal. A committee has been created. The committee will review the five criteria in the proposal and rank each one.

The intent is to have a recommendation on a carrier for the city council to consider at the September 14<sup>th</sup> city council meeting.

Zions Bank is working to finalize a rate study if the city were to do the service itself.

The intent is to present all of this information to the city council the same evening.

It is anticipated the monthly recycling fee will increase approximately 400%.

The cost of green waste service is expected to at least double in cost.

Mayor Monson mentioned green waste is expensive because of the weight.

Wade asked what will happen with recycling? Craig replied the city council will have to decide whether to keep recycling service or not. If recycling service stays it will have to be mandatory like it currently is. Either everyone has recycling service or nobody has it.

Jon asked who negotiates with Logan City on the landfill fee? Craig replied it is up to the city. The proposal is just for the dumping of the cans only. The city would own all of the garbage cans and be responsible to pay the tipping fee to the landfill. By owning the garbage cans the city can change carriers, if needed, without a disruption in service. By paying the tipping fee the city can save funds because the carrier is not marking up the cost the landfill charges. Logan City is going to create a rate committee to set the landfill fee. The city will be a board member.

Jon asked if the city would have an automatic seat on the committee? Craig replied that is correct.

Jon asked what is happening with recycling. Craig replied the city would have to pay the recycling company \$50 per ton delivered to their facility.

**DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 22-11, A RESOLUTION UPDATING THE PREVAILING FEE SCHEDULE OF THE CITY.**

Craig mentioned the state auditor is tracking and reviewing planning department revenue and expenses. The staff reviewed all of the fees charged by the city. The majority of the proposed changes are to planning department related items. New labor amounts, expenses and other items have been included as well as factoring in inflation.

All Beer License related fees would increase \$80 to \$150.

The background check fee would increase \$25.

Single event alcohol licenses would increase \$100.

A first-time business license application would increase \$15.

Home occupation transfer fees would increase \$15.

All burial fees would increase \$100.

The fees charged to the local high school golf teams, Sky View and Green Canyon, utilizing the golf course would increase and a couple of new fees would be added in this regard.

Annexations and disconnects would increase \$100 because the county now charges approximately \$100 when an annexation or disconnect is recorded.

The rezone fee would increase \$100.

Conditional-use permits would increase \$15 to \$125.

Some permit fees would increase and a couple of new fees would be added.

Site plan reviews and sign permits would increase.

The intra-block development fee would increase \$300.

Some office copy fees would be removed as the city does not print color copies for residents.

A printed copy of the construction and design standards would be available for \$100 if someone chooses not to look at the free version on the website.

Fax charges would be removed as the city no longer utilizes a fax machine.

The research fee would be changed to \$18 per hour.

Memorial benches and trees would be increased to match recent supplier cost increases.

The sewer hookup fee would increase \$60.

Utility deposits would increase from \$110 to \$200. The current fee of \$110 does not cover one month of utility fees.

EMS fees would increase to the amount approved by the State of Utah.

Deon asked if intra-block developments would still include the per lot fee as well? Craig replied the per lot fee is still included. The base fee is what is increasing.

Jon asked if culinary water taken from fire hydrants is metered? Craig replied it currently is not. The staff is in the process of making changes so the water will be metered in the future.

Craig mentioned a fire hydrant meter is being purchased and a rate structure will be created in this regard.

\*\*\*A motion to adopt Resolution 22-11, a Resolution updating the Prevailing Fee Schedule of the City was made by Wade, seconded by Sue and the vote was unanimous.\*\*\*

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

No Vote: None

<b>CITY MANAGER REPORT</b>
----------------------------

Craig provided an update on the 600 West sewer line project.

Right now the contractor is working in the park strip area on the north end of Forrester Acres by the pickle ball courts.

There have been trench problems with the project. The trench is wider than expected because the walls keep collapsing.

Two trees in the park strip area by Forrester Acres will be removed as part of this project. The sewer line and a manhole have to be installed in this area.

The intent is to cross 100 North at the start of the week of August 29<sup>th</sup>. This part of the project will take two to three days. The road, 100 North, will be closed during the day while this project is done. The road will be opened back up at night.

Once the road is crossed, 600 West from 100 North to 210 North, it will be closed until the project is completed.

The contractor is able to install about 70 to 100 feet of pipe per day.

Based on the current schedule this portion of the project should be completed by October 1<sup>st</sup>.

The school and residents of the area have been notified of this project.

Curtis asked for an update on the cemetery road project. Craig stated the contractor intends to start the project on Monday, September 5<sup>th</sup> which is Labor Day. The project will take one to two weeks to complete. Some of the existing roads will be completely removed. Road base will be put down as well as new asphalt. The cemetery grounds will be closed during this project. The local mortuaries have been notified of this project and the dates the cemetery will be closed.

Curtis asked what the stakes are in the undeveloped portion on the east side of the cemetery grounds? Craig replied they are four markers that are reference points for the future expansion of the cemetery grounds.

Curtis asked if people will be able to walk the grounds during this project? Craig replied the grounds will be completely closed while this project is completed. There will be a lot of trucks coming and going during this project so people will not be allowed on the grounds for liability and safety reasons.

#### **COUNCIL MEMBER REPORTS**

Wade mentioned this is the 100-year anniversary and celebration of the library. A flyer is being created. The celebration is going to be announced on the radio and through other means. The hope is to have good attendance at the celebration. The Historical Society is doing a presentation during the celebration. Some local artwork is going to be displayed. There will be decorations and cake. The celebration will be on Saturday, September 17<sup>th</sup> from 2:00 to 4:00 P.M. Please attend and support the library board and employees.

On August 27<sup>th</sup> there is going to be a presentation by a local author. Pizza will be served.

This year over 80,000 items have been circulated and there have been over 100,000 hits to the OverDrive system.

Jon mentioned the Historical Society is finishing up a CLG Grant for the Douglass Mercantile building. The paperwork must be submitted to the state no later than the middle of September.

Sue mentioned the Youth Council is up and running in conjunction with the new school year. The new leadership group will have their swearing in ceremony on Thursday, September 1<sup>st</sup> at 8:30 P.M.

Deon mentioned he attended a CMPO (Cache Metropolitan Planning Organization) meeting on behalf of the mayor because she could not attend. The CMPO includes cities in the valley from Smithfield to Hyrum.

The Wolf Pack Way project from Green Canyon High School to Hyde Park should start later this year. All of the right of ways are not in place yet. At least one property owner is not in support of allowing a right of way.

The communities included in the projects have to pay a certain amount towards the project cost. In the future, labor done by the city staff can count towards the amount owed by the city.

Over 99.1% of the State of Utah is considered in severe drought. The state has been in a drought for 22 years.

Watering during the middle of the day and cutting the grass short is not a good idea anytime but it is worse during a drought.

Utah is the second driest state in the country.

Curtis mentioned he has asked the staff to forward some information he received on affordable housing in Cache Valley. It is about 35 pages to review.

Deon mentioned he had seen a copy of the presentation and about 85% of the local growth is from local people not people moving in without local ties.

Curtis mentioned he has been serving on the CMAD (Cache Mosquito Abatement District) board for about 2 ½ years. Due to a change in his personal life Curtis will no longer be able to serve on the CMAD board. The board meets once per month on a Thursday night.

CMAD is considering using drones for marsh abatement in the future.

The meetings in the summer last around one hour and in the winter months around a half hour.

The meetings are held at the CMAD building in Hyde Park.

The city representative can be a council member or resident of the community.

Curtis stated the last meeting he will be attending on behalf of the city is the August board meeting.

Mayor Monson mentioned she had been asked by residents why is the city “Utah Health’s City”? Mayor Monson challenged the council and residents to come up with ways to show the city as being a health city.

Mayor Monson informed the council sixteen people had submitted 52 logo designs.

There were many good options which were of high quality and very professional.

The Arts Council reviewed all of the logos, without graphic designer names included, and narrowed down the list.

A survey was then sent out to the residents to pick the winning logo. Over 2,000 votes were received.

A local artist created the new logo and made it so it is very easy to embroider.

Curtis asked if the members of the Arts Council had been approved by the council as he did not recall doing that. Mayor Monson replied this is an unofficial board so they were not presented to the council for formal approval.

Mayor Monson asked the council if they want to meet the Arts Council? Jon replied he wants to meet anyone who has the ability to spend money on behalf of the city.

Curtis asked if there was a cost to the logo? Mayor Monson replied the winning graphic artist was not paid.

Curtis stated the members of the Arts Council need to be approved by the city council. Craig asked if the members of all other auxiliaries will be approved by the city council as well because they haven't been in the past. Curtis asked Craig which groups he is referring to? Craig replied the youth council, senior center program as well as the Historical Society. Curtis mentioned those groups all have specific line items in the budget to monitor. Craig replied the Arts Council has a specific line item in the budget as well.

Jon asked Curtis if he wanted to approve all auxiliary board members moving forward? Curtis replied he did not.

Curtis said he remembered questioning the \$1,500 in the new budget but did not recall it being adopted. Mayor Monson replied it was included in the new budget.

Jon asked if the city council wanted to vote on creating an Arts Council? Craig replied the youth council and senior program have been operating for decades unofficially. The Tree Committee, Library Board and Historical Preservation Commission were all created by ordinance. If the Arts Council is going to be singled out to be created then all of the others should be officially created as well.

Mayor Monson reminded the council if all of those auxiliaries are created, they will have to have official agendas, meeting minutes and the meetings will need to be recorded. Jon concurred.

Craig mentioned an Arts Council was never created but a line item was included in the Fiscal Year 2023 budget in the amount of \$1,500 for Arts Council projects.

Mayor Monson asked Curtis why he does not support an Arts Council? Curtis replied he was not against an Arts Council but he did not think it had been created the correct way.

Mayor Monson mentioned the city asked the residents for volunteers for this program. A few volunteers responded they were willing to help. Curtis replied he did not think that it was handled properly doing it that way.

Curtis stated his biggest concern is what is the Arts Council going to do? The intent of all of the other auxiliaries is known. Mayor Monson replied the intent was to let them come up with some projects or programs for the residents to be involved in.

Justin mentioned if any of the mentioned auxiliaries are going to be created an Ordinance will need to be drafted, public hearing held and then a vote of the council. Once the boards are official staff members will then need to be involved in the meetings to help create and post agendas, distribute agendas, attend meetings to take minutes, etc. Just like other official bodies in the city.

Curtis asked who volunteered to be on the Arts Council? Mayor Monson replied Chairman Jonathan Young, Alyssa Hoffman, Kelly Bateman, Trenton Bateman, Celestyn Lendor and Mike Monson.

Mayor Monson mentioned the Arts Council helped to review all of the logo submittals and narrow down the list so the residents could then vote to select the winning logo.

Curtis asked how people knew to apply for the Arts Council? Mayor Monson replied it was posted on social media as well as sent out through the city communication system asking for volunteers.

Mayor Monson mentioned she would ask the members of the Arts Council to attend the September 14<sup>th</sup> city council meeting to introduce themselves and inform the council of the items they are looking into for the city.

*\*\*\*Wade made a motion to adjourn at 8:18 P.M.\*\*\**

## **SMITHFIELD CITY CORPORATION**

---

Kristi Monson, Mayor

### **ATTEST:**

---

Justin B. Lewis, City Recorder

## **SMITHFIELD CITY CORPORATION**

**96 South Main  
Smithfield, UT 84335**

### **AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on **Wednesday, August 24, 2022**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Sue Hyer

1. Approval of the city council meeting minutes from July 27, 2022.

2. Resident Input
3. Discussion and possible vote on Ordinance 22-14, an Ordinance rezoning Cache County Parcel Numbers 08-042-0009, 08-042-0010, 08-042-0021 and 08-079-0006 from A-10 (Agricultural 10-Acre) and RA-2 (Residential Agricultural 2-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located at approximately 440 North 600 West and total approximately 6.21 acres.
4. Discussion and possible vote on Ordinance 22-13, an Ordinance rezoning Cache County Parcel Number 08-070-0016 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 72 North 100 East and is approximately 1.00 acres.
5. Discussion and possible vote on Resolution 22-11, a Resolution updating the Prevailing Fee Schedule of the City.
6. Public Hearing for the purpose of discussing Resolution 22-10, a Resolution establishing the monthly solid waste service utility rate.
7. Discussion and possible vote on Resolution 22-10.
8. Continued discussion and possible vote on Ordinance 22-11, an Ordinance amending the Smithfield City Municipal Code Title 17 “Zoning Regulations”, Chapter 17.92 “Accessory Apartment”, Sections 17.92.010 “Purpose of Chapter”, 17.92.020 “Conditions” and adding in its entirety 17.92.040 “Definitions”.
9. Discussion and update on solid waste collection services.
10. City Manager Report
11. Council Member Reports

Adjournment

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

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

**ORDINANCE NO 22-16**

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

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

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing).

Approximate Property Location: 550 West 600 South

**Cache County Parcel Number: 08-108-0003**

BEG 10.76 CHS W OF SE COR NW/4 SEC 33 T 13N R 1E, N 1 CH W 10 CHS S 2.5 CHS E 10 CHS N 1.5 CHS TO BEG CONT 2.5 AC C792

**Cache County Parcel Number: 08-108-0004**

BEG 1.5 CHS S OF PT 10.76 CHS W OF NE COR SW/4 SEC 33 T 13N R 1E, S 2.5 CHS W 10 CHS N 1.5 CHS E 10 CHS TO BEG CONT 2.5 AC C792A

**Cache County Parcel Number: 08-108-0006**

BEG 4 CHS S OF A PT 10.76 CHS W FROM NE COR OF SW/4 SEC 33 T 13N R 1E S 5 CHS W 10 CHS N 5 CHS E 10 CHS TO BEG CONT 5 AC C795

Approximately 10.00 acres total

APPROVED by the Smithfield City Council this 14th day of September, 2022.

**SMITHFIELD CITY CORPORATION**

---

Kristi Monson, Mayor

**ATTEST:**

---

Justin B. Lewis, City Recorder

[illegible]

 Override 1  
 GRAVEL  
 Class B Surface Type  
 ASPHALT  
 County Boundary  
 Cache Parcels  
 Municipal Boundaries

The map displays various land use designations across Trenton, New Jersey. The legend is organized into several categories:

- Override 1:** Represented by a green box.
- Wellsville Zoning:** Includes NEIGHBORHOOD COMMERCIAL - NC (red), COMMUNITY COMMERCIAL - C1 - C2 (red), GENERAL COMMERCIAL - GC (pink), HIGHWAY COMMERCIAL - CH (pink), MANUFACTURING (magenta), and RESIDENTIAL AGRICULTURE - 5 ACRE (dark green).
- Trenton Zoning:** Includes RESIDENTIAL - 1 ACRE (light green), RESIDENTIAL - 1/2 ACRE (teal), RESIDENTIAL - 12,000 SF (yellow), RESIDENTIAL - MULTIFAMILY (orange), RECREATIONAL PLANNED DEVELOPMENT (blue), RESIDENTIAL CRITICAL AREA (light blue), FOREST RECREATION - 40 ACRE (blue), AGRICULTURAL (green), COMMERCIAL C1 (red), COMMERCIAL C2 (red), PARK (light green), RESIDENTIAL (orange), Smithfield Zoning (light blue), and PUD OVERLAY (cross-hatched).
- Mixed Use Overlay:** Includes AGRICULTURAL - A-3 (yellow), AGRICULTURAL - A-5 (orange), AGRICULTURAL - A-10 (pink), CENTRAL BUSINESS DISTRICT - CB (blue), COMMERCIAL PROFESSIONAL (yellow), and COMMUNITY COMMERCIAL - CC (teal).
- General:** Includes GENERAL COMMERCIAL - GC (light green), INSTITUTIONAL - I-1 (purple), MANUFACTURING - M1 (light green), MULTIPLE FAMILY RESIDENTIAL - RM (magenta), RESIDENTIAL AGRICULTURAL - RA-1 (orange), RESIDENTIAL AGRICULTURAL - RA-2 (brown), and RESIDENTIAL R-1-10 (dark green).

A scale bar at the top right indicates distances in miles (0, 0.04, 0.08, 0.16) and kilometers (0, 0.05, 0.1, 0.2).

Authorized Use: Cache County Development Services Office  
Authorized Use: GIS Division/ Development Services

**ORDINANCE NO 22-17**

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

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

That certain map or maps entitled "Zoning map of Smithfield City, Utah" is hereby amended and the following described property is hereby rezoned from A-5 (Agricultural 5-Acre) to M-1 (Manufacturing).

Approximate Property Location: 560 West 600 South

**Cache County Parcel Number: 08-104-0026**

BEG 38.43 CHS S 20 CHS E OF NW COR NE/4 SEC 33 T 13N R 1E E 10 CHS N 10 CHS W 10 CHS S 10 CHS TO BEG 10 AC C772

Approximately 10.00 Acres

APPROVED by the Smithfield City Council this 14th day of September, 2022.

**SMITHFIELD CITY CORPORATION**

---

Kristi Monson, Mayor

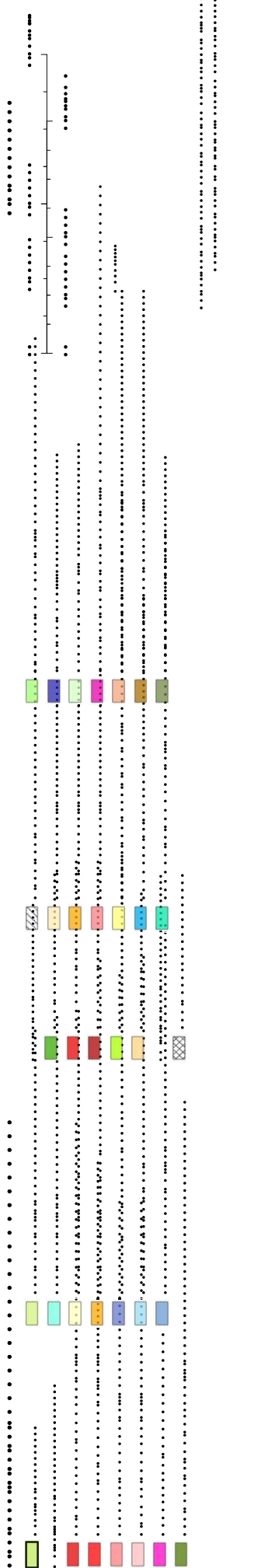
**ATTEST:**

---

Justin B. Lewis, City Recorder



.....



## ORDINANCE NO. 22-18

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

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

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

**AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 17 “ZONING REGULATIONS”, CHAPTER 17.92 “ACCESSORY APARTMENT”, SECTION 17.92.030 “APPLICATION PROCEDURES”, CHAPTER 17.12 “SUPPLEMENTARY AND QUALIFYING REGULATIONS”, SECTION 17.12.180 “YARD REGULATIONS”, CHAPTER 17.56 “R-1 SINGLE-FAMILY RESIDENTIAL ZONE”, SECTION 17.56.030 “AREA, WIDTH AND YARD REGULATIONS”, AND CHAPTER 17.120 “USE MATRIX TABLE”, SECTION 17.120.010 “USE ALLOWANCE MATRIX”.**

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

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

<b>17.92.030 APPLICATION PROCEDURES</b>
---

- A. Application for a permit for an accessory apartment shall be made to the zoning administrator in accordance with the conditional use permit procedures given in this title **and, if required,** shall include:
  - ~~1. A notarized letter accompanying the application from the owner(s) stating that the owner will occupy one of the dwelling units on the premises, except for bona fide temporary absences;~~
  - ~~2. A site plan.~~ **1. A new construction zoning clearance.**
  - ~~3.~~ **2.** A fee as set forth by the most recent prevailing fee schedule adopted by resolution of the city council to cover the costs of processing the application and code inspection.
- B. Within fourteen (14) days of the receipt of an application, the zoning administrator shall review and render a decision on the application. If the application fails to meet all of the conditions listed in SMC 17.92.020 of this chapter.
- C. The purchasers of a home that ~~has a conditional use~~ **have a** permit for an accessory apartment who want to continue renting their apartment must demonstrate that all conditions of the existing ~~conditional use~~ permit have been met.
- ~~D. Where appropriate, the zoning administrator may take steps to expedite approval or to give conditional approval prior to sale in order to protect continued residence by existing~~

tenants.

#### 17.12.180 YARD REGULATIONS

- A. ~~The minimum depth of front yard for main residential buildings and for private garages (which have a minimum side yard of 10 feet) shall be thirty feet (30'), or the average of the existing buildings where fifty percent (50%) or more of the frontage between two (2) street intersections is developed, but in no case less than twenty feet (20').~~ Reference individual zones for specific setbacks.
- B. On corner lots, the least of the two (2) front yards shall be a minimum of twenty feet (20') and the combination of the two together shall total a minimum of ~~fifty feet (50')~~ forty feet (40').

#### 17.56.030 AREA, WIDTH AND YARD REGULATIONS

Area, width and yard regulations in the residential zones are as follows:

District	Corner Side (In Feet)
R-1-10	20
R-1-12	20
R-1-20	20

#### 17.120.010 USE ALLOWANCE MATRIX

The following uses shall be designated as AC, "administrative conditional"; C, "conditional"; or P, "permitted"; (dash -), "not allowed".

See SMC 17.91.060 of this title for uses in the airport limitation overlay zones.

TABLE 17-1 USE ALLOWANCE MATRIX

Zoning Districts	CB	CC	GC	Gateway Overlay	Mixed-Use Overlay
<b>Residential/domestic:</b>					
Accessory, residential unit	C	C	€	€	C

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

THIS ORDINANCE shall be attached as an amendment to the Smithfield Municipal

Code above referred to.

Approved and signed this 14th day of September, 2022

**SMITHFIELD CITY CORPORATION**

---

Kristi Monson, Mayor

**ATTEST:**

---

Justin B. Lewis, City Recorder



# Smithfield City STRC Meeting

## Planning Staff Report

September 6<sup>th</sup>, 2022

### Ordinance 22-18 Summary

In the accessory apartment code (SMC 17.92.030) we are modifying some of the wording to clarify that a 'new construction zoning clearance' isn't needed in all cases and that if they purchase a home that has an existing accessory apartment, they need to demonstrate that they will uphold the conditions for an accessory apartment. We are also removing the requirement to notarize the application and signature.

The standard yard regulation code (SMC 17.12.180) does not match the updates that have been recently made to setbacks. Each individual zone has specific setback requirements, and a generalized setback is erroneous and confusing.

In the R-1 Single Family Residential code (SMC 17.56.030), a column was added to the setback table that includes a dimension for side yards on corner lots, that clarifies the setback requirement.

The use allowance matrix (SMC17.120.010) incorrectly listed that residential accessory units were allowed in the General Commercial Zone and the Gateway Overlay Zone. The actual code for these two zones does not allow for residential units, so the redundancy was removed.

In the Planning Commission meeting on August 17<sup>th</sup>, no public comments were made, and the ordinance was unanimously approved.

If you have further questions, please let me know.