

SMITHFIELD CITY COUNCIL

JANUARY 8, 2020

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, January 8, 2020. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jamie Anderson.

The following council members were in attendance: Curtis Wall, Jamie Anderson, Deon Hunsaker, 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: Merrilee Wells, Daniel Wells, Luam Wells, Michelle Anderson, Russell S., Sarah Young, Emily Nielson, Matt Hyde, Todd Downs, David W. Tolman, Scott Downs, Hollie Downs, Lori Keller, Bennett Keller, David Forrester, Theresa Forrester, Mary Kay Hunsaker, James Hunsaker, Hayden Downs, Kenadee Hunsaker, Sally Karren, Joey Maxfield, Christina Maxfield

RECOGNITION OF JACKIE HANCOCK FOR YEARS OF DEDICATED SERVICE ON THE PLANNING COMMISSION.

Mayor Barnes thanked Jackie Hancock for her years of dedicated service on the Planning Commission.

Jackie served on the Planning Commission from June 2011 through December 2019.

Jackie is leaving the Planning Commission to do other service related work in Cache Valley.

Curtis mentioned he worked with Jackie for six years. Jackie always attended training meetings and regular meetings. Jackie is a leader with good judgment who made hard decisions for the city.

SWEARING IN OF COUNCIL MEMBERS DEON HUNSAKER, CURTIS WALL AND JON WELLS.

Justin administered the Oath of Office to Council Members Deon Hunsaker, Curtis Wall and Jon Wells for their four year terms as Smithfield City Council Members.

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM DECEMBER 11, 2019

A motion to approve the December 11, 2019 city council meeting minutes was made by Wade, seconded by Curtis and the vote was unanimous.

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

RESIDENT INPUT

EMILY NIELSON: I am a long time resident. I have lived in the city for over 20 years. I would like to get more information on how things work. I struggle to know when things are happening and the process. The website needs to be more clear on the order of how things happen. I appreciate the emails I receive with the council agenda. I missed the public hearing about the ordinance I am here to discuss. I am wanting to know what meetings I need to attend. I think the process needs to be defined better.

JAMIE: Which ordinance are you here for?

EMILY: The animal ordinance. I have concerns. I did not realize the planning commission was different than the council. I don't understand the process.

WADE: Do you receive the planning commission agenda by email as well?

EMILY: Yes. I understand the agenda is concise but I wish links were included to review the ordinance. The ordinances are not in a clear and obvious place. They need to be in the same spot as the agenda so it would give us time to research the issue and see if we have any concerns.

SARAH YOUNG: I am here about the animal ordinance. I am not sure if the planning commission considered some things. Some of the changes are reducing what is allowed. What is the purpose of this ordinance? The amount of chickens allowed is being reduced. Allowing two dogs and two cats seems weird. Why are the changes being made? Are there problems with chickens, dogs and cats? Why the reduction? What is happening in the city to make these changes? I own 1/3 of an acre. Right now I am allowed ten chickens. The new ordinance would only allow eight chickens. I keep chickens for the eggs. I have five members in my family. By cutting back the number of chickens allowed I won't have enough for my family. Please consider our concerns.

SCOTT DOWNS: I am here to discuss the horse arena agenda item. I have talked to some council members. If Forrester Acres is a city park then why is it locked when other parks are not locked? The green waste bins are an issue and I understand that. I question even having the green waste bins down there. Why are the horse people being penalized? Ballard Forrester made a deal with the city in 1976 for the area to be used for softball and equestrian use. There has not been a problem since 1976. The gate has been open year round. I am not asking the area to be plowed. I am not asking the city to do anything. There are no monetary funds needed for this project. If there is two feet of snow on the ground I will still use the area. I look at the skate park. If they want to use it they shovel the snow off. I know there is a concern about doughnuts being done in the parking lot. We are not going to control kids anywhere. Go to the rec center and see where they have hit light poles. Doughnuts are done year round. There are video cameras in the area to monitor the green waste bins. Let's monitor other things during the winter. I know there is a camera facing west and one to the north. I am sure the staff reviews the cameras. There is a sign there stating people will be cited. Why is the gate locked? Nothing else is locked in regards to the city parks. Are you going to lock up the pickle ball courts? I see the lights from Forrester Acres at night. I hear the announcing stand. There are still lights on and people there at 10:30 or 11:00 P.M. When the games are done there is a traffic problem in the area. I want you to address to me how shutting off access to the horse arena is fair.

DAVID TOLMAN: I live down by Forrester Acres. There is a lot of traffic at night even when the gates are locked. There are people at Forrester Acres night and day even with the gate closed. I wonder why it is closed. Why close off a city park? I am here for the animal ordinance. Why throw out the current ordinance entirely and start over? It makes no sense. Fix the current problems. I don't see why you need to throw out the current ordinance and start over. Work on other things in the city but not this.

DISCUSSION AND POSSIBLE VOTE ON THE FINAL PLAT FOR SMITHFIELD MEADOWS, A SEVEN (7) LOT SUBDIVISION LOCATED AT 75 WEST 400 NORTH.

This item was withdrawn at the request of the applicant.

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-02, AN ORDINANCE REZONING PARCEL NUMBER 08-044-0006 FROM A-10 (AGRICULTURAL – 10 ACRE) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED AT APPROXIMATELY 755 NORTH MAIN AND IS 4.64 ACRES.

Mayor Barnes mentioned Matt Hyde did not have to submit a concept plan for the parcel but he did for the council to review as they consider this request.

Matt Hyde mentioned he included a concept plan so the council could see what he is trying to accomplish on the parcel.

Matt has owned the parcel for three years.

Matt tried to rezone the parcel to commercial in the past but it was denied because the city council wanted to know exactly what type of business would go on the parcel.

Future land use maps show commercial being located north of this area.

The parcel has not sold being advertised as commercial even though it is much cheaper than other highway frontage.

Matt contacted several businesses about purchasing the parcel and they all told him they would only consider parcels south of 600 South in the city.

There is not any irrigation water on the parcel; therefore, it is a poor parcel to farm.

The parcel would be good for multi-family use as it would provide a buffer between the homes on Oak Street and future commercial business to the north.

The parcel is not a typical multi-family parcel because of some unique features.

There are power lines on the north and south sides of the parcel which require a 50 foot easement. No structure can be built under the power lines.

UDOT (Utah Department of Transportation) will only allow one entrance/exit. Having only one entrance/exit limits the number of units which can go on the parcel.

City code does not allow a dead end street to be longer than 500 feet so that limits what can be done on the parcel as well.

The proposal, if the rezone is granted, will be to put townhouses on the parcel. Because fewer units are allowed because of some of these other restrictions there will be a lot of green and open space on the parcel.

Matt stated he is a resident of the city and does not want apartments all over the city but this parcel is a good area for apartments because the number of units can be limited because of the parcel layout.

Matt is willing to donate land on the northeast corner of the parcel for a new "Welcome to Smithfield" sign to be installed. The existing sign south of this parcel is over 30 years old and was installed as part of an Eagle Scout project.

The initial plan would be to put units on the north and south side of the new road. There would be over 60 feet of backyard between the new units and the homes on Oak Street. A few units would be placed at the end of the road and there would be over 90 feet of green space between the back of the units and the property line.

Matt stated the only other use of the land would be for agricultural purposes which the residents will not want as that would be something such as a fur farm, auction or feed lot.

Trees cannot be placed under the power lines. Trees will be installed on the east and west side of the parcel if the project is approved.

Jon asked if there is any irrigation water to the parcel? Matt replied not that he was aware of. Matt mentioned the parcel was previously attempted to be dry farmed.

Jon mentioned the proposal includes a lot of green space. If all the green space has to be watered with culinary water it will be burdensome to the system. There is an irrigation canal to the west of the parcel.

Jon asked Matt to attempt to get irrigation water on the parcel to water the green space areas. Matt agreed and mentioned it would be cheaper if irrigation water is used.

Mayor Barnes mentioned no matter how the parcel is developed there are obstacles to overcome such as the power lines, Dominion Energy substation on the east side of the parcel as well as a road being no longer than 500 feet long.

Curtis mentioned when Rigo Chaparro requested the parcel be rezoned to multi-family he wanted to tie an access into Oak Street and the council did not like that idea. Matt is not considering doing that and UDOT will only allow one access point.

Mayor Barnes mentioned the parcel would not be profitable if it is developed to put homes only on it on 10,000 square foot lots. Matt agreed and stated people do not want to build homes along the highway.

Mayor Barnes mentioned the proposal looks nice and would be a good utilization of the parcel.

Deon suggested Matt contact the state to see if there are any water rights associated with the parcel.

Jon asked Matt to contact Dave Erickson or Gary Hansen as they work with the North Bench Ditch Company who services this area.

The canal to the west is owned by the Cache Highline Water Association.

Shares will need to be obtained before irrigation water can be brought to the parcel.

Deon mentioned there is a well on the parcel but it appears to be associated with the home to the north.

Deon asked if the sewer line in this area of town is adequate in size? Clay replied it is as it is an eight inch line.

Deon asked where the sewer is located? Clay replied on the highway and there is a manhole on the edge of the parcel as well. Matt mentioned the manhole is by the Dominion Energy substation on the highway.

Deon stated he felt 800 North, which is on the north end of this parcel, be extended long term all the way to the Bear River.

Deon was not sure if UDOT would allow 800 North to be installed if this new road is installed just south of 800 North. Matt replied in discussion with UDOT it is required that access be allowed to 800 North in the future if the road is installed. If 800 North is installed access to the new road will have to be terminated and the new entrance/exit point will become 800 North. An easement will be put in place so that 800 North can connect to this development long term.

Mayor Barnes mentioned he and the staff reviewed the request as well and it is an unknown if, and or when 800 North might be installed as currently the parcel where the road would go is not in the city limits.

A motion to adopt Ordinance 20-02, an Ordinance rezoning Parcel Number 08-044-0006 from A-10 (Agricultural – 10 Acre) to RM (Multiple Family Residential), a parcel located at approximately 755 North Main and 4.64 Acres in size was made by Curtis, seconded by Wade and the vote was unanimous.

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

No Vote: None

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-01, AN ORDINANCE REZONING PARCEL NUMBER 08-070-0067 FROM R-1-10 (SINGLE FAMILY RESIDENTIAL 10,000 SQUARE FEET) TO RM (MULTIPLE FAMILY RESIDENTIAL). THE PARCEL IS LOCATED 248 EAST CENTER AND IS 1.00 ACRES.

Lori Keller, Sally Karren's daughter, stated her folk's home is currently vacant.

There is a right-of-way on the west side of the parcel.

The family has been cleaning up the area for the last three years.

There is room for a building lot in the back of the parcel.

Sally Karren mentioned the area is only collecting cats and mice at this time. This issue would be resolved if a new structure is built there.

Jamie asked if the intent is to subdivide into two parcels? Lori replied that is correct and each parcel would be about a half-acre.

Jamie asked if the intent is to put apartments on the new parcel. Lori replied they had not yet decided but would like to put a four-plex building there if possible.

Mayor Barnes asked if the intent with the existing home is to make it into a duplex? Lori replied that is correct as they would like to rent the basement and the top floor separate.

Sally stated the barn behind the home would be removed if a new structure is built in the area.

Lori mentioned she talked to Shari and there is enough room for one four-plex and a road with a hammerhead turnaround.

Mayor Barnes mentioned the new road/driveway would be private.

Lori mentioned there are apartment buildings which border this parcel.

Jon asked if an inner-block subdivision with one or two homes had been considered? Is the intent to keep the new units and rent them or sale them? Lori replied with the recent passing of her father, in the last month, they need to review finances so they are not sure right now. The rezone process had started before he passed away so the family has continued the process to see what will be allowed.

Jamie felt the property was better utilized with an inner-block subdivision as opposed to apartments. Once apartments are approved in the middle of a block people will request them rather than inner-block subdivisions. The integrity of the neighborhood can be protected and the space can be utilized if an inner-block subdivision is allowed.

Jamie mentioned if an inner-block subdivision is considered the zoning will not need to change from R-1-10. Lori replied they were not as interested in putting a home there as they are in putting a four-plex building there.

Curtis mentioned the discussion during the public hearing at the planning commission was to allow for two four-plex buildings to be built. There was not a discussion about building homes there. A couple of residents of the area spoke during the public hearing and mentioned they would lose their view of the neighborhood but the area would be cleaned up.

Mayor Barnes mentioned two four-plex buildings would add eight new units to the parcel.

Mayor Barnes asked Lori if the intent was to keep the four-plex buildings and rent them or sell the units? Lori replied she was not sure but she and her husband had done property management for 25 years so they are not foreign to owning and renting rental units.

Jamie expressed concern about allowing this rezone to occur and everyone else making the same request in the future.

Sally asked Jamie if his concern was just for this area or the entire city? Jamie replied throughout the city. Right now there are many homes which are inner-block developments but very few apartments are inner-block.

Mayor Barnes felt this area would be good for an inner-block subdivision as opposed to multi-family.

Lori mentioned the reason for the multi-family request is so the family has more options of what can be done with the land as they consider options for the future.

Bennett Keller stated they want to do what is best for Sally financially. They do not know at this time exactly what that is whether it is single family homes or apartments.

Bennett stated the intent is to add more than one single family home.

Jon stated he was not sure if there is enough room for two four-plex buildings on the parcel. Lori replied she was told there was enough room for one four-plex or two homes.

Curtis mentioned all zoning options should be considered before the request is granted.

Curtis asked Lori if the intent is to start the project right away? Lori replied they are not in a hurry to start but all of the investors they talked to will only invest if the parcel is zoned multi-family and not residential.

Bennett mentioned their options are limited if the area is zoned residential but there are many options if the area is zoned multi-family.

Lori mentioned she understood the buildings, plat, etc. will need to be approved at a later date.

Jon mentioned he has been involved in zoning for many years and there are two thoughts of where to put multi-family housing. One option is to put all of the units in the same area of town. The other option is to spread them all over town so they don't stick out as much. Smithfield has some of both. There are big clusters in the north and south end of town and smaller developments throughout the city.

Bennett asked if all of the improvements have to be done before the parcel can be subdivided? Jon replied the development plan is approved first and then the utilities are installed at that point. The final plat is not signed until all of the utilities are installed or a security deposit is placed in escrow.

Mayor Barnes mentioned curb, gutter and sidewalk will be some of the required improvements along the frontage of the parcel. Jamie concurred. The improvements are the same whether apartments or homes are built.

A motion to deny the approval of Ordinance 20-01 was made by Jamie. There was not a second on the motion so it died.

A motion to adopt Ordinance 20-01, an Ordinance rezoning Parcel Number 08-070-0067 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential), a parcel located at 248 East Center which is 1.00 Acres, was made by Jon, seconded by Curtis and the motion passed by a vote of 3-2.

Yes Vote: Wall, Wells, Campbell

No Vote: Anderson, Hunsaker

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-18, AN ORDINANCE DELETING IN ITS ENTIRETY THE CURRENT SMITHFIELD CITY MUNICIPAL CODE SECTION 17.12.230 "KEEPING CHICKENS (DOMESTIC FOWL)", SECTION 17.48.050 "FARM ANIMALS" AND TITLE 17.14 "ANIMAL RIGHTS REGULATIONS FOR R-1 ZONES" AND ADDING IN ITS ENTIRETY A NEW TITLE 17.14 "ANIMAL LAND USE" INCLUDING SECTIONS 17.14.010 "PURPOSE", 17.14.020 "DEFINITIONS", 17.14.030 "NUMBER OF ANIMALS PERMITTED", 17.14.040 "YOUNG ANIMAL ALLOWANCE", 17.14.050 "REQUIRED SETBACKS FOR ANIMAL LAND USES", 17.14.060 "TRESPASS BY FOWL OR ANIMALS", 17.14.070 "PROHIBITED ANIMALS", 17.14.080 "CONTINUANCE OF NONCONFORMING ANIMAL RIGHTS", 17.14.090 "APPEALS" AND 17.14.100 "VIOLATION".

Mayor Barnes mentioned animal ordinances in the city had been modified many times over the years. The proposed ordinance would replace in its entirety an existing section of the code.

Jon stated there is a conflict in two areas of the code in regards to defining household pets.

Jon stated he had concern the proposed ordinance requires a half acre or more for a dog kennel license where the current code only requires 10,000 square feet.

Jamie stated he did not see in the proposed ordinance where it deals with someone who has 30 cats like a resident in town currently does.

Mayor Barnes mentioned the number of allowed dogs is not changing. A resident can have two without a kennel license but three or more requires a kennel license. The maximum number allowed is four.

Jon felt there will be conflicts if the new ordinance is adopted as it is more restrictive than the current ordinance.

Mayor Barnes asked if catteries are still allowed? Curtis replied by conditional use permit.

Curtis mentioned City Planner Shari Phippen and the planning commission took on this ordinance. Now the city has an animal control officer on staff the code needs to be such he can enforce what the city wants to deal with. The number of chickens can easily be changed to allow ten rather than eight. The proposed ordinance was put together by looking at Nibley and Providence's ordinances. The existing ordinance is confusing and hard to enforce.

Craig mentioned the proposed ordinance is in regards to farm animals as dogs and cats are addressed in a different section of the code.

Curtis stated the current code is long and vague and the intent of the new ordinance is to put something in place the animal control officer can reference and enforce.

Mayor Barnes asked what the number of chickens allowed is based on? Craig replied on parcel size.

Sarah Young stated her parcel is 14,500 square feet and currently ten chickens are allowed. Based on the new point system which is being created she would be allowed 42 points which allows for eight chickens. The current ordinance would allow 14 chickens on a half-acre parcel and the new ordinance would allow 12. Across the board the number of allowed animals is decreasing.

Jon stated not all animal numbers are being reduced. For example, his parcel currently allows for five cows where the new ordinance would allow for seven cows.

Jon asked if the proposed ordinance would be for all types of zones? Craig stated that is correct.

Craig mentioned the idea behind the proposed ordinance is to simplify the code. Right now permits are required to have animals on a parcel. The proposed ordinance does not require a permit. A chart is being created with a formula which tells a person based on their parcel size how many animals they are allowed. No permit would be needed as the number of allowable animals would be stated in the code. If an issue arises the animal control officer will deal with it at that point.

Jon felt getting rid of the permit process was a good idea.

Mayor Barnes mentioned the animal control officer also deals with code enforcement. Examples of code enforcement issues are parking violations and people pushing their snow out into the road. Animals are dealt with as complaints are made.

Mayor Barnes asked what needs to change to allow for ten chickens and not eight? Wade replied by simply reducing the point value placed on chickens.

Wade also mentioned the reference to dogs could be removed from this ordinance where it is included in other sections of the city code.

Jamie asked if the end goal is to get rid of the permit process and make the code simpler to understand? Craig stated that is correct.

Wade felt the points list could easily be changed to accommodate what is currently allowed.

Jon mentioned Ostrich needs to be removed from the points table as later in the code it states Ostriches are not allowed. Mayor Barnes agreed they should not be allowed.

Jon mentioned the current ordinance allows twice as many young animals as adult animals and he is concerned the proposed ordinance does not have a cap on young animals. Curtis replied young animals are allowed for six months so they can be born and raised long enough to move them on elsewhere by the time they are six months old.

Curtis mentioned almost every other city uses a point system for simplicity. The points assigned to each animal can easily be changed.

Wade mentioned the proposed ordinance is good in that it will allow for 4-H projects and people will know exactly what they can have without having to approach the city.

Sarah Young felt 2.5 was a good point's number for chickens.

Jon mentioned the current ordinance does not allow roosters in a residential zone and the proposed ordinance does not as well which is a good thing.

Curtis suggested tabling the ordinance so changes could be made to the points table and other areas as needed.

Mayor Barnes asked the council to submit their proposed changes to Craig so they could be included in the ordinance and the council will reconsider the ordinance again at the January 22nd council meeting.

A motion to table Ordinance 19-18 so adjustments to the point table and other areas could be made was made by Curtis, seconded by Wade and the vote was unanimous.

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

No Vote: None

Mayor Barnes asked any residents with concerns on the proposed ordinance to contact a council member or himself so their proposed changes could be considered as well.

DISCUSSION AND POSSIBLE VOTE ON KEEPING A FUTURE SIGNAL LIGHT AT 1000 SOUTH MAIN.

Mayor Barnes mentioned there is a corridor agreement in place between Smithfield, Hyde Park, North Logan and UDOT (Utah Department of Transportation) on where signal lights will be placed on the highway in the future. The agreement has been in place for about 20 years.

The corridor agreement calls for a signal light to be placed at 1000 South Main in Smithfield.

The council had considered last year requesting a signal light to be installed at 800 South Main.

There is already a signal light in place at 600 South Main.

The concern with placing a signal light at 800 South is traffic will back up in front of Lee's Marketplace for both people turning left and right.

Many residents have made requests for a signal light to be placed at 800 South.

Representatives of the city, UDOT and J-U-B Engineers met and discussed signal lights on the highway and the corridor agreement. At the conclusion of the meeting everyone still feels the signal light should be installed at 1000 South.

In order for a light to be placed at 800 south the corridor agreement would need to be modified.

UDOT will not proceed in any way until they know for sure which location the council supports for a new signal light.

Wade and Jamie both supported a new signal light at 1000 South.

Jamie expressed concern even after a signal light is installed at 1000 South with traffic coming in and out of Lee's Marketplace. Craig replied 800 South could be made a super street at that time. This would mean traffic would not be able to turn left at 800 South any longer.

Jon asked how long the super street barrier would be? Craig replied he was not sure but expected it would be 100 to 200 feet long going both north and south.

Craig stated the issue with a signal light at 800 South is traffic will back up from the light and there will never be a break for people to turn left into Lee's or right exiting Lee's. With a signal light at 1000 South a break in traffic would be created so people entering and exiting Lee's Marketplace would have an easier time.

Jamie asked who pays for the super street barriers? Craig replied UDOT pays for all costs associated with their roads.

Jamie stated his preference was to have a signal light installed at 1000 South as well as 800 South turned into a super street. Craig mentioned the super street barriers could not be installed until the signal light at 1000 South is installed.

Curtis stated he supported a signal light at 1000 South.

****A motion to support leaving the existing corridor agreement in place with a new signal light to be placed at 1000 South Main was made by Curtis, seconded by Wade and the vote was unanimous.***

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

No Vote: None

Deon suggested reviewing the Transportation Master Plan in the future as 250 East can no longer continue through Hyde Park. In Smithfield, 250 East going north is a problem as well. North Logan, Hyde Park and Smithfield should all consider using 100 East as a new bypass route. The road could start at Green Canyon High School and go all the way north through Smithfield.

Hyde Park has allowed development on 250 East which makes it impossible to continue south.

Todd Downs stated another issue is people driving 50 miles per hour on 800 West. Jon stated the city is well aware of the speed people drive outside of the city.

Todd asked where the city boundary is in that area? Jon replied at 1000 South the city boundary stops at 200 West and the property is all in the county after that point.

Deon asked if the Gossner family had been approached about selling some land at 1000 South? Mayor Barnes replied he had not contacted them yet as he was waiting for the council to make a final decision on whether the new signal light would be at 800 South or 1000 South.

DISCUSSION ON ACCESS TO THE HORSE ARENA AT FORRESTER ACRES DURING THE WINTER MONTHS.

Mayor Barnes mentioned the council initially discussed this at last month's council meeting.

Residents spoke during the Resident Input portion of this meeting requesting the area be open year round.

Mayor Barnes asked if the area is currently closed and locked? Craig stated that is correct.

Jon mentioned he attended the December council meeting, heard the discussion and feels the area should be unlocked.

Wade mentioned he talked to many residents about this issue. Wade felt the gate should be unlocked and the area not maintained in the winter months.

Wade stated the parcel was purchased on February 9, 1970 and during either Mayor Chambers or Mayor Webb's terms the area was briefly closed but other than that time the area has always been open.

Mayor Barnes asked if it would okay to remove the lock but keep the gate closed? Todd Downs stated he was okay with that. Craig replied the preference of the staff is to unlock the gate and leave it open all the time. Wade concurred as the gate could be damaged in the winter. Curtis agreed the gate should be left open as employees at the rec center he spoke with support doing that as well.

The consensus of the council was to remove the lock, open the gate and not maintain/push snow in the area during the winter months.

Jon asked if the video cameras could be redirected in the area during the winter months? Craig replied they cannot as they are small and only capture a specific area such as the green waste bins.

Mayor Barnes mentioned there were many violations at the green waste bins and people were prosecuted for not complying.

Wade mentioned he spent hours talking to people about this subject. There are a lot of people who care about this area including the Forrester family.

David Forrester informed the council his grandfather sold the property to the city. The intent was for the area to be used for equestrian use. The area was used for cutter racing for a long time. The agreement between the city and the Forrester family is the area would be used for horse activities long term. The original long term plan did not come to fruition. The Forrester family is happy the area is still being used for horses.

David mentioned the big dream, decades ago, was for the area to have horse stalls, rodeo grounds and a pavilion. There was not any funding so the projects could not be completed. During Mayor Chad Downs term the horse facility area was changed to the current layout. The Forrester family supported the changes. RAPZ tax funding was used for the project. The project was good for local horse people. A ribbon cutting was held by the city and the Forrester family was involved.

OPEN AND PUBLIC MEETINGS TRAINING.

Justin explained as part of the annual audit there is a state compliance item regarding open and public meetings training. This is just a short reminder of some of the things the council can and cannot do.

A quorum of the council is three council members.

A quorum is not two council members and the mayor.

The mayor only votes in the event of a tie and the absence of one council member.

All meetings of the council are to have an audio recording and written meeting minutes.

All meetings of the council must be advertised and are currently advertised at the city office building, library, city website, *The Herald Journal* and the Utah Public Notice Website.

The same rules apply to the planning commission.

Any council member with a conflict of interest needs to announce the conflict before an item is discussed and give a reason for the conflict. The council member is allowed to participate in the discussion and vote if they choose to do so or they can abstain from the discussion and vote.

Any vote of the council requires a yes or no from each council member and the vote of each council member must be specifically listed in the meeting minutes.

Any vote to approve or amend the budget requires a public hearing beforehand. Budget public hearings are done at council meetings.

Any land use item requiring a vote must also have a public hearing beforehand. Typically land use public hearings are held at the planning commission level.

Administrative items do not require a public hearing.

The city council is required to meet at least once per month.

Resolutions do not require a public hearing unless it is a special request such as submitting a CDBG (Community Block Development Grant) application.

Mayor Barnes asked Justin to clarify when he would vote as mayor. Justin replied only in the absence of a council member and if the vote is 2-2. If the vote is 4-0 or 3-1 the mayor does not vote.

SELECTION OF MAYOR PRO TEMPORE

Mayor Barnes mentioned a Mayor Pro Tempore is selected each calendar year to conduct meetings when he is unavailable.

The council selected Jamie as Mayor Pro Tempore for calendar year 2020.

CITY MANAGER REPORT

Craig informed the council there will be some land use training at the county on Tuesday, February 11th for about an hour to an hour and a half. The county is doing the training. The training session will not be broadcast. An RSVP is required to attend.

The annual spring conference of the Utah League of Cities and Towns will be held April 22nd through 24th in Saint George. Whoever is attending needs to let the staff know soon that way a hotel room can be reserved.

Currently an audit is being done on the Personnel Manual of the city. The last audit was about two years ago.

Some recommended changes will be brought before the council at a future council meeting.

One item which will be reviewed is PTO (Personal Time Off). PTO includes vacation time as well as sick leave. The city currently offers about half of what other cities offer. The department heads will review the policy and any proposed changes will be brought before the council for consideration.

Craig, Chief Downs and Mayor Barnes attended a meeting in Logan where representatives from the state informed those in attendance what is required to obtain an ambulance license.

The city needs to decide how they are going to proceed since CCEMS (Cache County Emergency Medical Services) is going away on January 1, 2021.

Logan City is in the process of obtaining their ambulance license.

If there are not any protests it takes about four to five months to obtain an ambulance license.

Chief Downs will do a presentation at the January 22nd council meeting regarding ambulance service for the city.

Jamie asked if the city was involved with the local Ham radio group? Chief Downs replied there used to be someone who came to the fire station to check on the Ham radio but they have not done so for a while. Chief Downs will check into it.

Jon asked if the city owns a Ham radio? Chief Downs replied there is one at the Fire Station.

Jon asked who is certified to operate it? Chief Downs replied he is.

Mayor Barnes asked how often people check the Ham radio? Chief Downs replied he was not sure but would check into it.

COUNCIL MEMBER REPORTS

Curtis mentioned the rec center is very busy. There is a need for referees.

Kelly Luthi's term on the planning commission is expiring and he does not have an interest in serving another term. A new alternate will need to be selected.

Curtis and Deon attended a luncheon held by the Smithfield Chamber of Commerce where the Night of Giving was reviewed.

The chamber is currently planning the Easter egg hunt which will be held on April 11th. The Easter egg hunt is held at Sky View High School. The youth council will help the chamber stuff the eggs.

Wayne Moore is the new president of the chamber. Eric Kleven served as president the past three years.

The chamber is currently working on putting together their annual golf tournament which is held during Health Days.

Jamie mentioned the golf course is closed because of the weather.

The library board did not meet in November or December but has a meeting scheduled on Wednesday, January 15th.

The ambassador program will start soon.

Kris Monson is working on getting a trailhead to access Birch Canyon. The focus of the trails committee will be for trails in the city not trails in the county.

A Trail of the Month will be posted in future city newsletters.

Deon mentioned the irrigation canal board has not met the last two months due to a lack of business. They have a concern about the proposed Smithfield Meadows Subdivision at about 400 North 100 West.

Jon did not have any additional items to report.

Wade did not have any additional items to report.

MAYOR'S REPORT COUNCIL MEMBER ASSIGNMENTS
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Mayor Barnes mentioned the Tree City USA application had been submitted.

Sixteen new tables and 80 new chairs were purchased for the Civic Center.

After discussion the following council member assignments were agreed upon:

Mayor – Tree Committee, Cemetery & Police Department

Curtis – Parks & Recreation, Health Days, Economic Development & Smithfield Chamber of Commerce Representative

Jamie – Golf Course, Trails & Youth Council

Deon – Ambassador Program, Lion’s Club & Senior Citizen Program

Jon – Historical Society, Planning Commission & Irrigation Water Board Representative

Wade – Library & Fire Department

Mayor Barnes asked the council to take their assignments seriously and attend the various meetings each group holds. If a council member cannot attend ask another council member to attend in their behalf.

Mayor Barnes thanked the council for their willingness to take on new assignments and responsibilities.

****Jamie made a motion to adjourn at 8:54 P.M.****

SMITHFIELD CITY CORPORATION

Jeffrey H. Barnes, 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, January 8, 2020**. The meeting will begin at 6:30 P.M.

0. Swearing in of Council Members Deon Hunsaker, Curtis Wall and Jon Wells.

Welcome and Opening Ceremonies by Jamie Anderson

1. Approval of the city council meeting minutes from December 11, 2019.

2. Recognition of Jackie Hancock for years of dedicated service on the planning commission.
3. Resident Input
4. Discussion and possible vote on the Final Plat for Smithfield Meadows, a seven (7) lot subdivision located at 75 West 400 North.
5. Discussion and possible vote on Ordinance 20-02, an Ordinance rezoning Parcel Number 08-044-0006 from A-10 (Agricultural – 10 Acre) to RM (Multiple Family Residential). The parcel is located at approximately 755 North Main and is 4.64 Acres.
6. Discussion and possible vote on Ordinance 20-01, an Ordinance rezoning Parcel Number 08-070-0067 from R-1-10 (Single Family Residential 10,000 Square Feet) to RM (Multiple Family Residential). The parcel is located at 248 East Center and is 1.00 Acres.
7. Discussion and possible vote on Ordinance 19-18, an Ordinance deleting in its entirety the current Smithfield City Municipal Code Section 17.12.230 “Keeping Chickens (Domestic Fowl)”, Section 17.48.050 “Farm Animals” and Title 17.14 “Animal Rights Regulations for R-1 Zones” and adding in its entirety a new Title 17.14 “Animal Land Use” including Sections 17.14.010 “Purpose”, 17.14.020 “Definitions”, 17.14.030 “Number of Animals Permitted”, 17.14.040 “Young Animal Allowance”, 17.14.050 “Required Setbacks for Animal Land Uses”, 17.14.060 “Trespass by Fowl or Animals”, 17.14.070 “Prohibited Animals”, 17.14.080 “Continuance of Nonconforming Animal Rights”, 17.14.090 “Appeals” and 17.14.100 “Violation”.
8. Discussion and possible vote on keeping a future signal light at 1000 South Main.
9. Discussion on access to the horse arena at Forrester Acres during the winter months.
10. Open and Public Meetings Training
11. Selection of Mayor Pro Tempore
12. City Manager Report
13. Council Member Reports
14. Mayor’s Report
 Council Member Assignments

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.