

**SMITHFIELD CITY COUNCIL**

**FEBRUARY 26, 2020**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, February 26, 2020. The meeting began at 6:30 P.M. and Mayor Jeffrey H. Barnes was in the chair. The opening remarks were made by Jon Wells.

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

Jamie Anderson was excused.

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

**VISITORS:** Rachael Bott, Tyler Bott, Travis Taylor, Bryce Goodin

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM FEBRUARY 12, 2020.**

\*\*\*A motion to approve the February 12, 2020 city council meeting minutes was made by Wade, seconded by Jon and the vote was unanimous.\*\*\*

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

**RESIDENT INPUT**

There was not any comments.

**DISCUSSION WITH RACHAEL BOTT REGARDING THE POSSIBILITY OF THE GIRL SCOUTS OF AMERICA USING THE CIVIC CENTER FOR THEIR MONTHLY MEETINGS.**

Mayor Barnes mentioned the city council granted the use of a classroom at the Civic Center one day per week from 7:00 – 8:30 P.M. for Boy Scouts of America Troop 123 to utilize. The council granted use of the classroom free of charge. The Girl Scouts of America are making the same request.

Mayor Barnes asked Rachael Bott when her troop meets? Rachael replied twice per month. On the first Thursday night of each month and the third Saturday. The Saturday events are for outside projects.

Mayor Barnes asked what time the Thursday meeting is held? Rachael replied from 5:30 – 7:00 P.M.

Mayor Barnes asked if that is right before the Boy Scouts meet? Rachael replied that is correct.

Rachael mentioned she was working with Bob Holbrook, the Boy Scout Leader, to schedule around their meetings so there would not be a conflict.

Wade mentioned where the request is the same as made by the boys he supported the request.

Rachael mentioned she was told the Girl Scouts would be charged a fee unless the council agreed to waive it.

Craig mentioned the request is for use of a single classroom not the entire building.

Jon asked if there was a need to use the Civic Center on a Saturday if the weather was bad and the activity could not be held outside? Rachael replied it would be a good option if the council would allow it.

Rachael mentioned her troop of Girl Scouts is a new troop of kindergartens and first graders. There are seven girls in the troop right now.

Curtis asked if Rachael will be issued a key fob so she can access the building? Craig replied that is correct.

Rachael mentioned the troop has limited resources where it is just starting up. There is the possibility the troop could join with another troop to expand to a larger size but she did not see that happening anytime soon.

The consensus of the city council was to allow the Girls Scouts of America and leader Rachael Bott to use the Civic Center for their monthly meetings free of charge.

Rachael thanked the council for their support.

Rachael mentioned by not having to pay to rent the room the funds can now be spent on programs for the girls. Right now it takes selling about 1,000 boxes of Girl Scout Cookies to pay for activities for four to five months.

Curtis asked if the girls do flag ceremonies? Rachael replied they do.

The girls can also earn badges.

Curtis asked Rachael if the girls would be interested in doing a flag ceremony at the start of a city council meeting? Rachael replied she thought the girls would enjoy that.

Rachael mentioned there are many different badges the girls can earn. They are similar to the Boy Scouts and one of the badges is in engineering.

Mayor Barnes thanked Rachael and her husband, Tyler, for their willingness to oversee the troop.

**DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY WESTATE COMPANIES FOR APPROVAL OF THE FINAL PLAT FOR SMITHFIELD RIDGES PHASES 12 & 13. PHASE 12 IS NINE LOTS/UNITS AND PHASE 13 IS EIGHT LOTS/UNITS. THE PARCELS ARE LOCATED AT APPROXIMATELY 600 SOUTH 1140 EAST.**

Travis Taylor mentioned after Phase 12 and 13 are complete the only remaining phase will be Phase 6.

Jon asked if the plan is to install all of the infrastructure at the same time for both phases? Travis replied the salesman he spoke with said that is the current plan.

Jon mentioned if the infrastructure is not completed together it will require a temporary turnaround to be created.

Mayor Barnes asked which phase adjoins 600 South? Travis replied Phase 12. Going east of this area the grade is too steep.

Clay mentioned the planning commission reviewed and approved both plats.

Mayor Barnes asked if there were any concerns regarding the plats? Clay replied he and the city attorney reviewed the plats and made some changes to the construction drawings. Everything has been corrected and is now up to city standard.

Mayor Barnes asked Travis if Westates owns the land to the east of this parcel? Travis replied they do not. The current property owner is the same owner whom they purchased the land from for this project.

\*\*\*A motion to approve the Final Plat for Smithfield Ridges Phase 12, nine lots/units, and Phase 13, eight lots/units, located at approximately 600 South 1140 East was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: None

Absent: Anderson

**PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 20-07, AN ORDINANCE DELETING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 1 “GENERAL PROVISIONS”, SECTION 1.12.040 “PLANNING COMMISSION REVIEW”.**

\*\*\*The public hearing was opened at 6:48 P.M.\*\*\*

There were not any comments or questions.

\*\*\**The public hearing was closed at 6:48 P.M.*\*\*\*

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-07.**

Wade asked why this Ordinance has been proposed? Craig replied typically planning commissions are not involved in the annexation process. This was an unnecessary step in the process. It is not a requirement of the state.

Justin mentioned the planning commission would still be involved in all rezone requests and other subdivision requests like they currently are.

Jon mentioned previous planning commissioners wondered why they were involved in the annexation process as well.

Jon supported the proposed Ordinance.

\*\*\*A motion to adopt Ordinance 20-07, an Ordinance deleting the Smithfield City Municipal Code Title 1 “General Provisions”, Section 1.12.040 “Planning Commission Review” was made by Curtis, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: None

Absent: Anderson

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-06, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 16 “SUBDIVISIONS REGULATIONS”, SECTION 16.04.060 “COMPLIANCE REQUIRED”.**

Craig mentioned two years ago the state changed some rules. This Ordinance is so the city can come into compliance with state code. The state made the change to not require all infrastructure to be installed before a project is complete. Now the infrastructure just needs to be completed before a Certificate of Occupancy is issued.

Jon asked if city code made sure there is adequate access on construction projects for fire department equipment to respond? Chief Downs replied the rules are in the fire code. A compacted road is required. These areas will now have to be closely monitored in the fall and spring of each year when it is wet and muddy.

Jon asked if the fire department is already monitoring these areas? Chief Downs replied they have not been because asphalt was required in the past.

Mayor Barnes mentioned in the past asphalt was put down before any project started and that is not the case if the developer wants to wait now.

Jon expressed concern this will be a bigger burden on the fire department. Chief Downs mentioned the fire department will work with the developer and if they don't comply worst case scenario a cease and desist order will be issued.

Mayor Barnes mentioned the roads are being built on the new Lifestyle Homes project just north of 400 North Main. Chief Downs mentioned he had been in contact with the developer several times about the project.

\*\*\*A motion to adopt Ordinance 20-06, an Ordinance amending the Smithfield City Municipal Code Title 16 "Subdivision Regulations", Section 16.04.060 "Compliance Required" was made by Jon, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: None

Absent: Anderson

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-03, AN ORDINANCE AMENDING THE CONSTRUCTION & DESIGN STANDARDS, PART I, "DESIGN STANDARDS", SECTION 5.1 "GENERAL", 6.1 "GENERAL", AND REPLACING/UPDATING THE FOLLOWING DRAWINGS IN PART III "AMENDMENTS TO THE "MANUAL OF STANDARD PLANS"", PART 2 "ROADWAY", "249-N ROADWAY SECTIONS 60 FOOT – LOCAL", "249-N ROADWAY SECTIONS 66 FOOT – LOCAL", "249-N ROADWAY SECTIONS 70 FOOT – LOCAL", "249-N ROADWAY SECTIONS 80 FOOT – COLLECTOR" AND PART 7 "COMMUNICATIONS, LIGHTING, TRAFFIC CONTROL, POWER", "STREET LIGHTING" DRAWING "743 ROCKY MOUNTAIN POWER LUMINAIR DISCONNECT (1 OF 4) – NEW".**

Clay mentioned a portion of this Ordinance is to meet some requirements of the Utah Division of Drinking Water. A water model and permit is required for each new subdivision in the city. If the wording in the proposed Ordinance is adopted into the construction standards each subdivision will not have to go to the state for approval.

The only change to the four road drawings is changing the amount of required pit run from eight inches to twelve inches. Due to the condition of the sub-soil not being known a road would be better with twelve inches of pit run.

The proposed change to the street light drawing adds a required and needs to be part of the disconnect.

Mayor Barnes asked if all new street lights must face down? Clay replied that is correct as it is part of the dark sky ordinance. The city has a standard light head which is used for the dark sky ordinance.

Mayor Barnes asked if the only change to the four road drawings was changing the amount of required pit run from eight inches to twelve inches? Clay replied that is correct.

Mayor Barnes asked if the only change to the street light drawing was the addition of a ground? Clay stated that is correct.

Clay mentioned it is proposed to delete the section of code where it states a ditch or canal must be fenced on both sides or piped.

Mayor Barnes asked if the code currently requires ditches and canals to be piped or fenced off when a new development is put in? Clay stated that is correct.

Jon stated in 6.1 "General" if Item Number 1 is removed then Item Number 2 needs to be removed as well as they both have to do with the Smithfield Irrigation Company.

Jon stated his biggest concern is removing Item Number 3 which states "Existing irrigation ditches or canals, of significant flow, must either be piped or fenced on both sides when adjacent to or contained within property to be developed".

Jon stated fencing along a canal is bad.

Jon mentioned he was not comfortable getting rid of the requirement for a canal or ditch to be piped.

Jon mentioned developers have gotten around this section of the code by deeding the property to the city such as on the east side of town along the Cache Highline Canal.

Jon stated he had some new proposed wording he would suggest for this section.

Curtis asked who is responsible to pipe the canal? Jon replied the developer is.

Jon mentioned piping a canal is a way to protect the canal.

Clay stated 6.1 "General" could be removed from the Ordinance and the rest of the Ordinance adopted.

Mayor Barnes mentioned an irrigation canal runs through North Creek Meadows. Why would the city want it piped? Mayor Barnes did not think it should be piped.

Mayor Barnes mentioned the city has not required the canal to be piped in the past. Wade replied the city has not required a canal to be piped but it has required the canal to be protected. Jon replied the canal is critical to the city. Mayor Barnes replied there should not be a section in the code where it is required to pipe a canal.

Jon mentioned the easy way around the issue is to deed the property to the city.

Mayor Barnes asked if the property along the canal in North Creek Meadows was deeded to the city? Bryce Goodin replied that was correct. Jon stated once the property was deeded to the city then this section of the code was not required to be enforced as part of the project.

Jon mentioned the city now owns the maintenance easement of about fifteen feet. The city now has the option to put a trail through the area without private property issues.

The county would like to see a canal through the entire area but most private property owners do not support that request. If the city owns the land then the request can be granted.

Curtis asked who put the trail in by the Sunset Park area? Jon replied the city paid for the trail.

Jon informed the council the city made a mistake along the west side of the canal between 300 South and 600 South in the Sunset Park area. The property line to the building lots went to the center of the canal. Because of this the irrigation company could not access the canal. The city made an error on the plat in this regard. When the east side of the canal was developed the city required an easement to be put in place so the canal could be maintained.

Craig mentioned the property in this particular area is still in the developer's name not in the name of the city.

Jon asked if 6.1 "General" was removed from the Ordinance how would that effect the other proposed changes in the section? Justin replied the other items were just clerical changes so there was not an issue removing this section from the Ordinance.

Deon stated 6.1 "General" is very confusing as currently written. The Smithfield Irrigation Company is referenced but the Cache Highline Canal Company is not. The area the city operates in the irrigation system is mentioned but the proposed ordinance is confusing in it shows this is being eliminated.

\*\*\*A motion to adopt Ordinance 20-03, an Ordinance amending the Construction & Design Standards Part I "Design Standards", Section 5.1 "General", 6.1 "General" and replacing/updating the following drawings in Part III "Amendments to the "Manual of Standard Plans"", Part 2 "Roadway", "249-N Roadway Sections 60 Foot – Local", "249-N Roadway Sections 66 foot", "249-N Roadway Sections 70 Foot – Trail", "249-N Roadway Sections 80 Foot – Collector", and Part 7 "Communications, Lighting, Traffic Control, Power", "Street Lighting" Drawing "743 Rocky Mountain Power Luminair Disconnect (1 of 4) – New", amending the Ordinance to not include proposed changes to 6.1 "General" was made by Curtis, seconded by Jon and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: None

Absent: Anderson

Curtis asked how many street lights are in the city but not owned by the city? Clay replied he would have to look that number up as he did not know offhand.

Curtis asked if all the new street lights, which are installed in new developments, are maintained by the city? Clay replied that is correct.

Curtis asked if Rocky Mountain Power would change out the light bulbs they own and manage to LED light bulbs? Clay replied where they are not city owned the city cannot require Rocky Mountain Power to change the bulbs. Craig replied where the city pays for the power for the street lights there is no incentive for Rocky Mountain Power to change out the light bulbs.

Mayor Barnes mentioned when a Rocky Mountain Power street light is out the outage can be reported online.

**PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING ORDINANCE 20-08, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBER 08-119-0020. THE PARCEL TOTALS APPROXIMATELY 8.96 ACRES. THE PARCEL IS LOCATED AT APPROXIMATELY 350 EAST 600 SOUTH.**

*\*\*\*The public hearing was opened at 7:20 P.M.\*\*\**

There were not any comments or questions.

*\*\*\*The public hearing was closed at 7:21 P.M.\*\*\**

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 20-08.**

Justin mentioned this is the final step for the city in the annexation process. If the council approves the request the documents are then sent to the county for approval and signing. Then to the state for the final step in the process.

The parcel would be annexed in as A-10 (Agricultural 10-Acre).

Jon mentioned it appears there is secondary water available on the parcel.

Curtis asked if anything else was being considered for the parcel other than the annexation request? Justin replied the request is for annexation only. The developer will have to make a separate request to have the parcel rezoned.

Jon asked if a trail and park need to be discussed as those were areas of concern for Jamie. Curtis replied Jamie's concern about a park and trail was if the entire parcel was annexed into the city. Right now the city has a trail which stops just north of the east boundary of the Godderidge property. Where this parcel is quite a ways west of the trail Curtis felt the discussion and request for a trail and park was a moot point.

The general plan of the city has a bubble in this area for a future park. The bubble is just a reminder that as expansion in this part of the city occurs the city should consider a park somewhere in this part of town.

Curtis mentioned the city should consider if a park is even needed or wanted in this area of town as parks are expensive to maintain. The bonus of having a park in this area is secondary water is available.

Deon mentioned Sky View High School is located north of this parcel. There are many different types of recreational opportunities there. A vacant parcel east of the canal on the south side of 600 South is owned by the school district. If a school is eventually built there most likely it will have some playground equipment.

Deon was not sure if this part of town was in need of a park in the future based on existing facilities in the area.

Craig mentioned the bubble on the map was an area which was arbitrarily picked as part of the General Plan process. A park could be put anywhere in this part of town. A park does not have to go on this specific parcel. The parcel being considered for annexation is not big enough for a park. A larger area is needed for a park to be built.

Curtis mentioned long term it would be better to have a park south of this parcel or farther east of the canal.

Deon stated he did not anticipate much further development in this area of town because the current property owners do not have an interest in selling their land for development purposes at this time. Mayor Barnes did not agree and mentioned nobody thought this parcel would be sold anytime soon either.

Curtis mentioned this parcel is small when considering what is needed for a park. Mayor Barnes mentioned the parcel is just shy of nine acres.

Curtis mentioned people living in this area will not use the high school fields. The band uses the grass area for practice as do several other sports such as flag football. There is not any playground equipment in the area. The closest park is Sunset Park several blocks to the east.

Jon mentioned Kid's Corner Park was built on a ¼ acre building lot and many children use it.

Deon mentioned there is already a small park on 420 South and Sunset Park is close by as well.

Jon mentioned a small park similar in size to the Kid's Corner Park could be built in this area. Curtis agreed and mentioned a small park would be utilized in the area.

\*\*\*A motion to adopt Ordinance 20-08, an Ordinance annexing Cache County Parcel Number 08-119-0020, located at approximately 350 East 600 South, 8.96 Acres in size, into the city limits was made by Jon, seconded by Wade and the vote was unanimous.\*\*\*

Yes Vote: Wall, Hunsaker, Wells, Campbell

No Vote: None

Absent: Anderson

**DISCUSSION ON CEMETERY RULES AND REGULATIONS.**

Mayor Barnes asked at the rate the city is currently selling burial plots if they will all be sold within five to six years. Craig stated that is correct.

Jon asked if the undeveloped area to the east is included in the plots available for purchase? Craig replied that area is not included.

Mayor Barnes mentioned there are many things for the council to consider.

Right now a person/household can purchase four burial plots. The limit could be reduced to two.

The rules could also be changed so a person has to die before a burial plot can be purchased. If that was the case two plots would be allowed to be purchased at that time for a husband and wife.

Another option to consider is whether non-residents should be allowed to continue to purchase burial plots. The number of non-residents plots sold yearly is minimal.

Another item for consideration would be the stacking of burials meaning the plots would be two vaults deep not just one as currently done. Stacked burials are where two people are buried in one burial plot.

Justin mentioned nothing is being voted on as this is just an initial discussion to see if the council wants to consider making any changes.

Wade mentioned people want to be buried as close to other family members as possible.

Curtis mentioned there are about 597 burial plots which can be purchased according to the staff.

Curtis asked if the number of available plots includes those which were reclaimed a couple of years ago? Craig stated that was correct. Justin replied there were around 256 which were reclaimed if he recalled correctly.

Curtis mentioned the city is doing around 100 burials per year.

Curtis mentioned his in-laws and himself and his wife would be buried locally.

Curtis stated he felt the fees charged at the cemetery were too low. Other cities are charging significantly more.

Curtis mentioned significant funding is needed to repair the roads in the cemetery as well as pay for the expansion of the cemetery grounds to the east.

Craig mentioned the current budget includes cemetery revenue in the amount of \$55,000. The maintenance and care of the cemetery grounds is budgeted at \$164,000. Right now the cemetery is being subsidized \$109,000 per year by the general fund.

All of the roads in the cemetery need to be redone. The estimate to repair the roads is \$390,000.

A local firm has been hired by the city to help design expanding the grounds to the east. The estimate is there will be 200 to 300 burial plots in the expansion area. The estimated cost of the expansion is \$525,000 plus design costs.

Over \$900,000 in funding is needed to repair roads and pay for the expansion of the cemetery grounds.

All revenue and expense is in the general fund of the city in regards to the cemetery.

Curtis suggested not having any roads in the new area. The area is not large and people can easily walk to anywhere in the area. Craig replied the design concept will have less roads than the current grounds.

Craig mentioned roads are good for access for the staff digging the burials as well as the vault and headstone companies. If there are not any roads access can be limited and the grass and landscaping ruined when driven across.

Mayor Barnes mentioned one suggestion was to remove all of the trees down the middle of grounds and put grave plots there. Mayor Barnes did not support this idea.

Jon asked if burials can be done on the north end between the road and the landscaping by the sidewalk? Craig replied that area could be considered.

Curtis asked how many cremations are done per year? Do these people typically purchase a burial plot? Justin replied the city does a few cremation burials per year. Typically the urn is placed on top of an existing vault or in the spot where a full burial will be done at some point.

Mayor Barnes mentioned the new section could make it mandatory only in-ground headstones are allowed so maintenance costs would be less.

Curtis mentioned the rules state tree roots will not be cut for burial purposes. Mayor Barnes mentioned if there are empty burial plots in areas where tree roots would be cut the person needs to be moved to a different plot so the tree is not hurt.

Jon asked the council their thoughts on putting two vaults in one burial plot? Wade asked if the staff has the equipment to do this? Craig replied it could be done.

Jon stated he was aware of several cemeteries which did this and it would allow for many more burials in the existing grounds because not as many spaces would be needed.

Jon asked if a request to have two vaults in one plot had been made before? Justin replied on occasion but currently it is not allowed.

Jon mentioned his wife's parents are buried this way in Springville. Mayor Barnes replied his parents are buried this way in Salt Lake City.

Justin asked what the process is when stacked burials are done? Jon mentioned it is something which has to be decided up front. The first person buried is the lower of the two vaults. The lower vault will require a flat lid.

Deon mentioned there is a typo in the section of the rules talking about decorations.

Curtis mentioned he had seen some benches on the grounds. Justin replied they are not allowed but there are a couple which were installed several years ago.

Curtis mentioned right now the cemetery is operating at a yearly loss of \$115,000 or so. The fees need to be reviewed and raised for residents if needed. Non-resident fees were increased just a few months ago.

Craig mentioned the burial fee will need to change if stacked burials are allowed because there will be more time involved in digging down deeper on the first burial which is further in the ground.

Curtis suggested contacting other cities to see how they handle stacked burials and what they charge for burial fees in this case.

Craig mentioned right now resident grave plot purchases are \$450 and non-residents pay \$1,200.

Jon asked what the burial fee is? Craig replied weekday burial fees are \$400 for a resident and \$850 for a nonresident. Weekend burial fees are \$600 for a resident and \$1,150 for a non-resident. Infant burials are \$200 for a resident and \$400 for a nonresident. Cremation burials are \$300 for a resident and \$800 for a nonresident.

Curtis asked what the cost is to switch watering the cemetery grounds from culinary water to irrigation water? Craig replied the cost is about \$40,000 and is proposed to be included in the new budget.

Deon mentioned several other local cemeteries are part of a cemetery district. Richmond, Hyde Park, Paradise/Avon are all part of cemetery districts. Cemetery districts collect property tax which is specifically used for cemetery expenses.

Deon stated maybe the city could consider implementing a dedicated property tax fee to pay for cemetery expenses.

Craig asked Deon if he was suggesting creating a cemetery district? Deon stated that was correct.

Craig asked what area would be included in a proposed district? Deon replied all of the area not in a current district from Hyde Park to Richmond.

Justin mentioned the Richmond Cemetery Maintenance District is totally separate from the city. There is a board which is not the city council and the mayor. The land is owned by the district not the city. The entity is totally separate from the city. The city council and mayor would not have any control of the cemetery if it is part of a district.

Mayor Barnes replied the residents of the city will not want to be part of a cemetery district.

Jon mentioned where it is a taxing entity the voters would have to approve the creation of a district. It could not just be created.

Mayor Barnes mentioned the staff is working with J-U-B Engineers on the design of the expansion. Jon asked when the design would be completed? Craig replied the design portion of the project is being included in the new budget.

Craig mentioned the council, mayor and staff need to start formulating a plan of how to pay for the roads to be redone and the grounds expanded as the projects are very expensive.

Jon asked what the definition of a resident is for cemetery purposes? Justin replied anyone currently residing in the city, someone who pays property tax to the city and anyone living in a rest home who resided in the city before they were moved into the rest home.

Curtis stated burial fees for residents need to be reviewed. More funds are needed to finance projects in the cemetery.

Mayor Barnes mentioned a lot of burials are done on Saturday and they pay the higher burial fee. Justin replied that is correct. Most families travel on Friday, have the burial on Saturday and then travel home on Sunday. The majority of burials are on Friday or Saturday.

Curtis asked the staff to call other local cemeteries to see what they are charging for resident fees.

Curtis asked if there are a lot of single plots for sale? Justin replied there are many single plots where all the spots around them are full.

Craig stated he was concerned about stacking of vaults in established areas because of the sides of the surrounding plots caving in where they are being dug significantly deeper.

Curtis mentioned the cemetery is the gem of the city. Costs need to be recouped so the grounds can continue to look nice.

## **CITY MANAGER REPORT**

Craig mentioned the staff is closely following HB265 (House Bill 265) as it works its way through the current legislative session. A fiscal note was recently added to the bill. The cost to the state for Fiscal Year 2021 would be \$662,990. After year one, the cost would be \$200,000 annually to comply with the bill.

The city would be forced to hire one full-time and possibly one part-time employee in order to meet the requirements of this bill.

The estimated initial cost to the city would be \$80,000 to \$100,000 and after year one would be at least \$50,000 to \$70,000 annually.

Right now the bill is still at the committee level.

Another bill the staff is closely following is HB273 (House Bill 273) which is in regards to the Ombudsman office. The fiscal note just added to this bill states it could cost an entity substantial funds. There is not a maximum amount of what would be allowed. The number is unlimited.

The Utah League of Cities and Towns is opposing both bills.

A third bill the staff is tracking is HB374 (House Bill 374). This bill would allow developers to skip site plan reviews as well as hire their own building inspector. No fees would be collected by the city if this bill is adopted.

The common theme of this legislative session is less governance and less revenue to the city.

Right now there are over 300 bills up for consideration.

## **COUNCIL MEMBER REPORTS**

Wade mentioned the fire department is doing fit testing and wildland testing for the upcoming season.

The library board met last week but Wade had a conflict and could not attend the board meeting.

Jon mentioned Justin is working with the planning commissioners to get them online access to their packets and the information they need for planning commission meetings.

The next planning commission meeting will be on March 18<sup>th</sup> and there are already several agenda items.

The MPC (Master Planned Community) ordinance and animal ordinance will be worked on when the commission has time. Right now the agendas are quite full of other types of requests.

The Historical Society would like to include \$5,000 in the new budget as part of the match required for the matching grant they received. They have \$5,000 in the current budget and would like to have \$5,000 in the new budget to maximize the grant funding.

A local engineering firm who specializes in steeples and is based out of Logan could do the study on the Youth Center.

Deon asked if it is legal to put a steeple on a city building? Deon mentioned he was told the city would be sued. Craig replied the city will be sued if a steeple is erected on the building.

Jon mentioned from a zoning perspective steeples are exempt.

Craig replied the issue is a steeple is a religious symbol being put on a city building.

Curtis mentioned he would like an opinion from legal counsel before funding is spent on a study. Mayor Barnes mentioned the city has already received a legal opinion in this regard.

Curtis asked for a copy of the written legal opinion on if a steeple would be allowed.

Mayor Barnes mentioned it could be called a tower instead of a steeple, if needed. Deon replied either way the city will still be sued. Mayor Barnes replied the city will not be sued. Deon replied if it looks like a steeple the city will be sued.

Jon mentioned the intent is to have the steeple match what the old steeple looked like in the past.

Curtis mentioned he wanted to see a legal briefing on the issue before he would consider approving the project.

Mayor Barnes mentioned the steeple could be designed in a way it does not look like a steeple.

Deon mentioned the Lion's Club Lodge had been broken into. The banner was torn and started to be burned. Syrup was thrown all over several items.

The building was broken into sometime between last Tuesday and Sunday.

Mayor Barnes asked how the person(s) got in? Deon replied he did not know.

Mayor Barnes asked if there is a deadbolt on the door? Deon replied he did not think so.

Deon mentioned he told the Lion's Club leaders over a year ago to replace the door but they did not want to spend the funds.

Mayor Barnes mentioned the Forest Service restrooms up Smithfield Canyon were recently vandalized.

Curtis mentioned the rec center is busy working on the upcoming Health Days celebration. Brett is in the process of securing the permit so the parade can be held on Main Street (highway).

This year a kid's mountain bike race is being added.

Some new activities are being added at the equestrian park as well.

If the pickle ball courts are complete by Health Days a tournament will be held.

Curtis asked if the Forrester Acres expansion project is currently being worked on? Mayor Barnes replied it is.

Curtis asked if the project will be complete for Health Days? Mayor Barnes replied the weather needs to be significantly warmer before the cement work can be finished.

Curtis mentioned the mayor or one of the council members attending the Utah League of Cities and Towns meetings in April needs to visit with the marketing person from Comcast to see if the city can still be involved in Comcast Cares.

Curtis was not sure if the Comcast Cares program was still being done but the city should ask them and find out.

Jon mentioned this year is the 125th year celebration of the Smithfield Blue Sox.

The Historical Society is working with Paul Hansen and his family to put up a display in the Youth Center about the history of the Blue Sox during the Health Days celebration.

The Hansen family has a lot of memorabilia which could be displayed and make this event possible.

<b>MAYOR'S REPORT</b>
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Mayor Barnes mentioned the Tree Committee met with the three local elementary schools about the Arbor Day poster contest. At least one of the schools is going to participate.

*\*\*\*Wade made a motion to adjourn at 8:24 P.M.\*\*\**

**SMITHFIELD CITY CORPORATION**

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Jeffrey H. Barnes, Mayor

**ATTEST:**

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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, February 26, 2020**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jon Wells

1. Approval of the city council meeting minutes from February 12, 2020.
2. Resident Input
3. Discussion with Rachael Bott regarding the possibility of the Girl Scouts of America using the Civic Center for their monthly meetings.
4. Discussion and possible vote on the request by Westates Companies for approval of the Final Plat for Smithfield Ridges Phases 12 & 13. Phase 12 is nine lots/units and Phase 13 is eight lots/units. The parcels are located at approximately 600 South 1140 East.
5. Public Hearing for the purpose of discussing Ordinance 20-07, an Ordinance deleting the Smithfield City Municipal Code Title 1 “General Provisions”, Section 1.12.040 “Planning Commission Review”.
6. Discussion and possible vote on Ordinance 20-07.
7. Public Hearing for the purpose of discussing Ordinance 20-08, an Ordinance annexing Cache County Parcel Number 08-119-0020. The parcel totals approximately 8.96 acres. The parcel is located at approximately 350 East 600 South.
8. Discussion and possible vote on Ordinance 20-08.
9. Discussion and possible vote on Ordinance 20-06, an Ordinance amending the Smithfield City Municipal Code Title 16 “Subdivisions Regulations”, Section 16.04.060 “Compliance Required”.
10. Discussion and possible vote on Ordinance 20-03, an Ordinance amending the Construction & Design Standards, Part I, “Design Standards”, Section 5.1 “General”, 6.1 “General” and replacing/updating the following drawings in Part III “Amendments to the “Manual of Standard Plans””, Part 2 “Roadway”, “249-N Roadway Sections 60 Foot – Local”, “249-N Roadway Sections 66 Foot – Local”, “249-N Roadway Sections 70 Foot – Local”, “249-N Roadway Sections 80 Foot – Collector” and Part 7 “Communications,

Lighting, Traffic Control, Power”, “Street Lighting” Drawing “743 Rocky Mountain Power Luminair Disconnect (1 of 4) – New”.

11. Discussion on cemetery rules and regulations.
12. City Manager Report
13. Council Member Reports
14. Mayor’s Report

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.