

SMITHFIELD CITY COUNCIL

MARCH 13, 2019

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, March 13, 2019. 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: Deon Hunsaker, Jamie Anderson, Bart Caley and Curtis Wall.

Wade Campbell arrived during the meeting.

Police Chief Travis Allen, City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

City Manager Craig Giles was excused.

VISITORS: Jeffry R. Gittins, Craig Neilson, Bruce Leishman, Jeff Bates, Andrew Harris

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM FEBRUARY 27, 2019.

A motion to approve the city council meeting minutes from February 27, 2019 was made by Curtis, seconded by Bart and the vote was unanimous.

Yes Vote: Hunsaker, Anderson, Caley, Wall

No Vote: None

Absent: Campbell

RESIDENT INPUT

Jeff Gittins informed the council the Historical Society will be posting a special historical picture on their Facebook page and website approximately once a week.

Jeff showed the council a picture of Smithfield Implement where draft horses were in front of the building. There were not any electrical poles and the highway was dirt.

Mayor Barnes asked if the pictures were being displayed anywhere for the residents to see them? Jeff replied they are stored in the museum but it is kept locked up.

Mayor Barnes suggested displaying a historical photo in the city office building and changing it with a different one occasionally.

Jeff informed the council the Historical Society is in the process of sorting old pictures. Over three evenings have been spent sorting pictures. The pictures are being grouped by era, date, category, site, buildings, pioneers and families to name a few categories. So far six boxes of pictures have been sorted.

The Historical Society should receive the archival boxes for the pictures soon.

Jeff is working with Mr. Pumphrey from Utah State University on the next step in the process which will be to digitize the pictures.

Jeff mentioned Chris Lott had done extensive research on yellow brick homes in the city. The information he gathered was available on the Historical Society Facebook page (See the post from May 8, 2017). The city used to have a brickyard and many of the local yellow brick homes were built with bricks from that brickyard.

Mayor Barnes asked Jeff if there are pictures of the homes in the city built with yellow bricks? Jeff replied there are several pictures as well as addresses of the homes.

Chris did all of the research on his own time and at his own expense.

Jeff mentioned some of the homes built with the yellow bricks have been painted a different color and not easy to identify.

Mayor Barnes suggested if a historical photo is displayed in the city office it include a short description of the photo so younger generations and people not familiar with the city will know what they are looking at and the history of the photo.

Jeff mentioned at the last historical society meeting Barbara Gutke who is around the age of 95 and Dorothy Griffith who is 101 were recognized and are aware of what the Historical Society is working on.

Bart asked what the pole was in the historical photo if it was not a power pole? Jeff replied it was a trolley line.

ACCEPTANCE OF A DONATION OF THREE HISTORICAL DOCUMENTS FROM CRAIG NEILSON.

Mayor Barnes mentioned he was contacted by Craig Neilson who is a resident of the city. Craig would like to donate three framed pictures to the city so they can be displayed. The pictures are the Constitution of the United States, the Bill of Rights and the Declaration of Independence.

Craig mentioned he has deep roots in the city and his descendants came to the United States on the Mayflower.

Craig mentioned his wife came to the United States from the Philippines in 1983. At that time marshal law ruled the Philippines. Going outside between midnight and 4:00 A.M. was not permitted. Residents of the country had to be careful about what they said about the government of the Philippines as they could get in serious trouble if they opposed the government.

Craig and his wife framed the three replica documents and asked to donate them to the city so they can be displayed.

The Declaration of Independence was signed on July 4, 1776.

The Constitution of the United States was signed on September 17, 1787.

The original Bill of Right included 12 amendments. Two of the states did not agree on two of them so on September 25, 1789 the amendments were reduced to ten. Seventeen additional amendments have been adopted since the original ten were adopted. The Right to Bear Arms was originally the fourth amendment but when changes were made it became the second amendment.

The council and mayor thanked Craig and his wife for their donation to the city.

Craig mentioned there was a light on top of the trolley pole at Smithfield Implement. If a telephone operator was notified of an emergency the light was turned on and that was the signal for the marshal or police department to respond to an emergency.

REAPPROVAL OF ORDINANCE 18-18, AN ORDINANCE ANNEXING CACHE COUNTY PARCEL NUMBERS 08-044-0033, 08-044-0034, 08-044-0037, 08-044-0039, 08-044-0040 AND 08-044-0084. THE PARCELS TOTAL APPROXIMATELY 68.50 ACRES. THE PARCELS ARE LOCATED EAST OF THE HUNTER MEADOWS SUBDIVISION (680 NORTH 300 EAST), SOUTH OF 800 NORTH 400 EAST AND WEST OF THE RIDGEVIEW ESTATES SUBDIVISION (540 EAST 620 NORTH), SMITHFIELD.

Justin reminded the council this Ordinance was previously adopted on November 14, 2018. After the council adopted the ordinance the survey and ordinance were sent to the county for review. The county required some changes to the survey. The original surveyor no longer worked for the surveying company who did the survey. A new surveyor for the company had to review and made the corrections to the survey.

The parcel numbers being considered for annexation are the same.

The State of Utah requires the ordinance to be approved within 30 days of submittal to the state. The ordinance was approved several months ago, November 14, 2018, so it needs to be reapproved with a current date so it can be submitted to the state.

The public hearing and vote of the council originally occurred on November 14, 2018 so another public hearing is not required.

The county and city staff have both signed off on the new survey.

Bart stated the conditions from the original approval needed to be included with the reapproval of the Ordinance.

***A motion to adopt Ordinance 18-18, an Ordinance annexing Cache County Parcel Numbers 08-044-0033, 08-044-0034, 08-044-0037, 08-044-0039, 08-044-0040 and 08-044-0084. The parcels total approximately 68.50 acres. The parcels are located east of the Hunter Meadows Subdivision (680 North 300 East), south of 800 North 400 East and

west of the Ridgeview Estates Subdivision (540 East 620 North), Smithfield with the following conditions: (1) Land will be dedicated for the extension of 680 North Main Street to Crow Mountain Road, (2) Land within the annexation request area will be donated to the city for a neighborhood park which is 2.0 acres to 7.9 acres in size was made by Bart, seconded by Jamie and the vote was unanimous.***

Yes Vote: Hunsaker, Anderson, Caley, Wall

No Vote: None

Absent: Campbell

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 19-04, A RESOLUTION ACCEPTING A PETITION FOR ANNEXATION ON CERTAIN REAL PROPERTY UNDER PROVISIONS OF SECTIONS 10-2-406 AND 10-2-405, UTAH CODE ANNOTATED, 1995, AS AMENDED. THE PARCEL BEING CONSIDERED FOR ANNEXATION IS LOCATED SOUTH OF 830 SOUTH AND WEST OF 200 WEST. THERE IS ONE (1) PARCEL TOTALING 9.88 ACRES.

Mayor Barnes informed the council the parcel located north of Jay Pitcher's home on 1000 South 200 West is being proposed to be annexed into the city. The parcel number is 08-109-0016. Currently the parcel is an agricultural field. An irrigation water line runs along the edge of the property. The parcel is zoned A-10 (Agricultural 10-Acre) and would have to be rezoned in the future to allow for a business to be located on the parcel.

Deon asked why the request is on the planning commission agenda for March 20th? Justin replied all annexation requests are reviewed by the planning commission to discuss potential trails and any other question or concern the planning commission might have.

Justin mentioned this Resolution is the first step in the annexation process. Once the Resolution is approved the request is sent to the county and school district for review. The request will come back before the city council for a public hearing and vote at a later date after the required advertising is done. Most likely the advertising will be done in May and the public hearing and vote will happen at a regular council meeting in June.

Mayor Barnes mentioned a company currently located in Logan wants to build a building on the parcel. The business wants to have access to city water and sewer so they want to annex the parcel into the city. The improvements to the parcel will be paid for by the developer. The parcel is not located in the RDA (Redevelopment Agency Area) so no RDA funds can be requested for the project.

Wade arrived at the meeting at 6:57 P.M.

Deon mentioned 200 West which is located along the eastern edge of this parcel will be developed which will offer an alternate route through the city.

Justin mentioned by default the parcel would come into the city zoned A-10 (Agricultural 10-Acre) and then the parcel owner would request a zoning change.

A motion to approve Resolution 19-04, a Resolution accepting a Petition for Annexation for Parcel Number 08-109-0016 which is 9.88 Acres and located south of 830 South and west of 200 West was made by Jamie, seconded by Deon and the vote was unanimous.

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

No Vote: None

Curtis mentioned the owners of the Roolee Boutique want to build a building on the parcel and relocate their business to the parcel being considered.

Mayor Barnes mentioned the parcel is not currently located in the city and the business would like city amenities so they want to annex into the city.

Deon asked if there is an existing sewer line along 200 West? Clay replied that is correct.

Mayor Barnes asked where the closest water line is located? Clay replied the water line will be run from the parcel owned by Paragon Tool which is located at 125 West 1000 South.

Mayor Barnes mentioned the home owned by Jay Pitcher on 1000 South is located outside of the city boundary but is attached to the city sewer system because of a previous agreement.

DISCUSSION AND POSSIBLE VOTE ON RESOLUTION 19-02, A RESOLUTION AMENDING THE SMITHFIELD CITY CONSTRUCTION STANDARDS & DESIGNS: PART 1 “DESIGN STANDARDS”; CHAPTER 1.0 “GENERAL IMPROVEMENT REQUIREMENTS”; SECTION 1.12 “GUARANTEE OF WORK”; CHAPTER 2.0 “STREET DESIGNS”; SECTION 2.1 “GENERAL”; PARAGRAPH “D” “STREET WIDTHS”, NUMBER 4. “TURNING AREA”, PARAGRAPH “B”, PART 7 “COMMUNICATIONS, LIGHTING, TRAFFIC CONTROL, POWER”; SECTION “STREET LIGHTING”.

Clay stated there are a couple of housekeeping changes in this resolution.

The current design standards state a 15% or \$10,000 warranty deposit is required for subdivision improvements. State code allows for a maximum of 10% so the standard would be changed to state the percentage is based on what is allowed per state code.

Turnarounds are required for dead-end streets. A hard surface has been allowed in the past. The change would be to require an asphalt surface to be installed.

Curtis mentioned there are several streets in the southeast portion of the city with these types of turnarounds and most of them are gravel and not asphalt. Clay stated that is correct and the issue is the snow plow trucks and garbage trucks are getting stuck in the gravel.

Jamie asked for a specific location of where this is an issue. Clay replied there are three dead-end streets at approximately 120 South 1000 East. Curtis replied all three of these streets have gravel turnarounds.

Clay mentioned there is also one such turnaround on Elm Street that has been this way for over twelve years and most likely three to four decades.

Jamie asked if this helps to protect the city if a road is never further developed? Clay stated that is correct. Also, if the turnaround is put into asphalt it can be used as part of the future development and does not have to be removed.

Mayor Barnes asked if the only change to this section of code was adding the words “asphalt paved”? Clay stated that is correct.

Clay mentioned the street lights used by the city have changed so the current type of street light needs to be included in the standards. Pictures of what is required as well as specifications are included in the standards.

Jamie felt the proposed changes were quite straightforward.

Deon stated he was confused by the changes in the Section 2.1 General. In the first part of the paragraph it states “shall be required” and at the end of the paragraph it says “may require”.

So is the turnaround in question temporary or permanent Deon asked. Clay replied there are other improvements for a turnaround which may be required such as drainage if the turnaround is located on a hillside.

Deon asked how the city will know if a subdivision is going to have subsequent development? Clay replied some roads are planned for future development/expansion but it is an unknown if or when a parcel might be developed.

Clay stated this section of the standards only references temporary turnarounds as long term expansion requires an asphalt service.

Clay gave the example that if Phase 1 was being worked on and Phase 2 which adjoined the parcel was going to be next in line for development then asphalt is mandatory.

Deon stated this section of the standards is ambiguous and not clear. Bart asked Deon for suggested changes to the code. Deon replied until he reviewed the entire section of code and not just this paragraph he could not make a recommendation.

Jamie asked Clay to have the staff review Section 2.1 (4) (b) to make sure it reads clear and matches what needs to be accomplished within the standards.

A motion to adopt Resolution 19-02, a Resolution amending the Smithfield City Construction Standards & Designs: Part 1 “Design Standards”; Chapter 1.0 “General Improvement Requirements”; Section 1.12 “Guarantee of Work”; Chapter 2.0 “Street Designs”; Section 2.1 “General”; Paragraph “D” “Street Widths”, Number 4, “Turning Area”, Paragraph “B”, Part 7 “Communications, Lighting, Traffic Control, Power”; Section “Street Lighting” was made by Curtis, seconded by Wade and the motion passed by a vote of 4-1.

Yes Vote: Anderson, Caley, Campbell, Wall

No Vote: Hunsaker

DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 19-01, AN ORDINANCE AMENDING THE SMITHFIELD CITY MUNICIPAL CODE TITLE 5 “BUSINESS LICENSES AND REGULATIONS”; SECTION: 5.04.060 “APPLICATION FOR A LICENSE”; TITLE 16 “SUBDIVISION REGULATIONS”, SECTIONS 16.07.030 “PRELIMINARY PLAT”; 16.07.040 “FINAL PLAT”; 16.22.020 “WARRANTY PERIOD AND WARRANTY DEPOSIT”; AND TITLE 17 “ZONING REGULATIONS”; SECTIONS 17.04.070 “DEFINITIONS”; 17.89.110 “SCREENING”.

Clay stated the city will no longer ask for a social security number when an applicant is applying for a business license but will instead ask for a driver’s license number which is considered a valid form of identification.

Clay stated rather than require multiple hard copies of the preliminary plat on a subdivision the new code would require an electronic version and two hard copies of different sizes of the printed version. Currently, the code requires five hard copies.

Another change would be to change the submittal date from 15 days before the planning commission meeting to 20 days before the planning commission meeting.

Jamie asked why 20 days is needed and not 15? Curtis replied in some cases 15 is too close to advertising deadline requirements.

Mayor Barnes asked if 20 days is enough? Curtis replied it is.

Curtis also mentioned a proposed change is to define what a “Bed and Breakfast Inn” is in the city. Mayor Barnes replied the proposed definition is appropriate.

Jamie asked if a “Bed and Breakfast Inn” would also include an Airbnb? Curtis replied that is correct.

Jamie asked if the entire wording and classification for a “Boarding House” was being removed? Curtis replied that is correct.

Clay mentioned another change is to the screening requirements for large refuse containers. The new criteria would be a letter from the Logan Environmental Department must be included

showing the location of the large refuse containers. The garbage trucks have to have access to certain areas to be able to get in and out of an area.

Bart mentioned he did not like that Logan City could dictate where refuse containers are housed in Smithfield City. Clay mentioned the Logan City Environmental Departments wants to be involved in large developments to help determine if dumpsters are best or if the smaller black garbage cans are appropriate. Access, overhangs on the buildings and other factors are taken into account.

Jamie asked if the burden to get the letter from the Logan Environmental Department is on the developer? Curtis replied that is correct.

A motion to adopt Ordinance 19-01, an Ordinance amending the Smithfield City Municipal Code Title 5 “Business Licenses and Regulations”, Section 5.04.060 “Application For A License”; Title 16 “Subdivision Regulations”, Sections: 16.07.030 “Preliminary Plat”; 16.07.040 “Final Plat”; 16.22.020 “Warranty Period and Warranty Deposit”; and Title 17 “Zoning Regulations”; Sections 17.04.070 “Definitions”; 17.89.110 “Screening” was made by Jamie, seconded by Wade and the vote was unanimous.

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

No Vote: None

COUNCIL MEMBER REPORTS

Curtis mentioned basketball season is still going strong at the rec center.

The planning commission is doing well and working on a couple of new proposals.

Interviews for the Ambassador Program have been completed.

Curtis suggested having the Ambassadors come before the council to introduce themselves since they will be representing the city during several parades throughout the year. Mayor Barnes agreed and stated he would make the arrangements for them to come to a future council meeting.

Curtis mentioned the ball diamonds and soccer fields are starting to dry out for the spring rec season.

People were seen shoveling snow out of the skate park so they could start to utilize it.

Wade mentioned he enjoyed his time helping with the interviews for the Ambassador program.

Bart mentioned some of the upcoming Smithfield Chamber of Commerce Events are:

April 20th is the Easter egg hunt at Mack Park. Businesses can participate, booth spaces are available and prizes are still needed.

The Health Days golf tournament will be held on May 8th. Registration is now open. Last year the event filled up so those wanting to participate should sign up soon.

The next chamber meeting will be on Thursday, April 11th at The Family Place.

A couple of RFI's (Request for Information) had been made from businesses wanting to locate in Cache Valley.

Bart asked if a building can be 50 feet tall in the city? Clay replied the maximum height is 35 feet unless special approval is granted by the city council. Jamie replied the airport overlay zone also restricts the height on buildings in certain areas. Clay suggested reviewing the airport overlay zone anytime someone has a question on building height. Jamie stated if he recalled correctly specialized lighting is required on objects and buildings over a certain height in the airport overlay zone.

Deon mentioned the local snowpack is at 117% of normal for this time of year.

The Cache Highline Canal Company will have their annual board meeting on Monday, April 1st. A decision of when to turn the water in the canal for the year will be made at that time.

Jamie mentioned he visited with Ambassador Program Director Cathy Brooksby and she would like to get some additional scholarship funds for the program.

The golf course opening social was on March 13th with the intent being to increase membership in the Men's Association. Even with snowy conditions the event was still well attended.

The library staff is in the process of reviewing their current budget and proposed new budget.

The first meeting of the trails committee was held on Thursday, March 7th. Approximately 20 to 25 people were in attendance and another eight to ten expressed interest in helping but were not able to attend the meeting.

Committees are being setup to review city trails, county trails and canyon trails. One specific trail which will be reviewed extensively is the Birch Canyon Trail. The Forest Service says this trail has been illegally built.

Cache County Trails Coordinator Dayton Crites is putting together some information packets for those helping on the trails committee.

The intent is for the trails committee to meet on a monthly basis moving forward.

Mayor Barnes mentioned he attended the trails committee meeting and it was well attended. There are many people who want to be involved and help.

Jamie mentioned Dayton is working with other local cities to form trails committees like Smithfield has done to help work on trails throughout the valley.

Bart asked if the Birch Canyon trail can stay open if it is maintained? Jamie replied the Forest Service has several rules in place one of which is a trail needs to be located within 100 feet of a road. The biggest concern/issue is there are multiple stream crossings. Damage can be done to the area when people cross back and forth across the streams. The bridges which have been installed have not been built to Forest Service standards. The stream can be uncrossable at certain times of the year especially in runoff time during the spring.

Jamie mentioned there is a valley wide trails meeting on the second Tuesday of each month. Dayton oversees the meeting and on occasion someone from the Forest Service attends as well as a representative of BRAG (Bear River Association of Governments).

The Forest Service has guidelines and rules which must be abided by in order for the Birch Canyon trail to be opened and stay open long term.

Jamie stated most of those in attendance at the trails meeting have a high level of interest in the Birch Canyon trail. The Forest Service must approve all projects on their land because if projects are done without their approval the trail will be shut down.

Curtis asked if one of the criteria will be having a trailhead for the Birch Canyon trail? Jamie replied that is correct. Mack Park is too far away to be the trailhead as one is needed at the base of the canyon. The intent would be to see if a landowner in the area is willing to sell or donate approximately 2,000 square feet for a trailhead which would allow for ten vehicles. Dayton informed Jamie he would work to obtain the funding for the land purchase if there is a cost involved.

Curtis mentioned maybe something could be worked out with Lloyd Facer as he has a gravel pit in the area which might work as a trailhead. Jamie mentioned there is an access point at the end of Summit Drive between parcels owned by Jesse Vega and Robert Hill which could be used as an access point. The issue would be working out an agreement for people to be able to park at the end of Summit Drive as right now the road just ends as a dead end.

MAYOR'S REPORT

Mayor Barnes mentioned the annual Scouting for Food Drive is on Saturday, March 16th. The food will be collected and boxed up at the Civic Center starting at 9:00 A.M.

Curtis asked if the food bags had been delivered? Jamie replied he had just received his.

Mayor Barnes mentioned the first meeting of the Historical Preservation Commission is on Thursday, March 14th at 7:00 P.M. at the Senior Citizen Center.

Mayor Barnes informed the council Clay presented him with an easement agreement which needs to be signed between the city and the Meikle Family. The easement is to allow for an irrigation pump to be installed on the Upper Canal to feed irrigation water to Sunset Park which is a city owned and maintained park. The pump would be located on the south side of 600 South.

Jamie asked how the park is currently being watered? Clay replied the park is currently watered with culinary water and the intent is to switch to irrigation water so a pump would be installed.

The irrigation company had to authorize special approval for the pump to be located on the east side of the canal.

Mayor Barnes asked why the pump is not being installed on the north side of 600 South by the park? Clay replied it would have to be installed on the west side of the canal which would require getting power and a water line across the canal to the east side. There is already a power supply on the south side of 600 South as well as a water line which will be hooked onto.

Jamie asked if there is a cost for the easement? Clay replied the easement is free but the city will pay all costs associated with the project such as installing the pump, running the electrical and unhooking the current culinary water supply and hooking up the irrigation water supply line.

Jamie asked if a cost benefit analysis has been done on the project? Clay replied over time the city will save money by using irrigation water on the park and a significant amount of culinary water will also be conserved.

Jamie asked if there is an expiration date on the easement agreement? Clay replied there is not.

****Curtis made a motion to adjourn at 7:47 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, March 13, 2019**. The meeting will begin at 6:30 P.M.

Welcome and Opening Ceremonies by Jamie Anderson

1. Approval of the city council meeting minutes from February 27, 2019
2. Resident Input
3. Acceptance of a donation of three historical documents from Craig Neilsen.
4. Reapproval of Ordinance 18-18, an Ordinance annexing Cache County Parcel Numbers 08-044-0033, 08-044-0034, 08-044-0037, 08-044-0039, 08-044-0040 and 08-044-0084. The parcels total approximately 68.50 acres. The parcels are located east of the Hunter Meadows Subdivision (680 North 300 East), south of 800 North 400 East and west of the Ridgeview Estates Subdivision (540 East 620 North), Smithfield.
5. Discussion and possible vote on Resolution 19-04, a Resolution accepting a petition for annexation on certain real property under provisions of Sections 10-2-406 and 10-2-405, Utah Code annotated, 1995, as amended. The parcel being considered for annexation is located south of 830 South and west of 200 West. There is one (1) parcel totaling 9.88 Acres.
6. Discussion and possible vote on Resolution 19-02, a Resolution amending the Smithfield City Construction Standards & Designs: Part 1 “Design Standards”; Chapter 1.0 “General Improvement Requirements”; Section 1.12 “Guarantee of Work”; Chapter 2.0 “Street Designs”; Section 2.1 “General”; Paragraph “D” “Street Widths”, Number 4. “Turning Area”, Paragraph “B”; Part 7 “Communications, Lighting, Traffic Control, Power”; Section “Street Lighting”.
7. Discussion and possible vote on Ordinance 19-01, an Ordinance amending the Smithfield City Municipal Code Title 5 “Business Licenses and Regulations”, Section: 5.04.060 “Application For A License”; Title 16 “Subdivision Regulations”, Sections: 16.07.030 “Preliminary Plat”; 16.07.040 “Final Plat”; 16.22.020 “Warranty Period and Warranty Deposit”; and Title 17 “Zoning Regulations”; Sections 17.04.070 “Definitions”; 17.89.110 “Screening”.
8. Council Member Reports
9. 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.