



## SMITHFIELD CITY COUNCIL MINUTES May 8, 2024

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, May 8, 2024. The meeting began at 6:30 P.M. Mayor Kristi Monson was in the chair. Opening remarks by Ted Stokes.

**Council Members in Attendance:** Wade Campbell, Sue Hyer, Todd Orme, Jenn Staker, and Ted Stokes

**City Staff:** Justin Lewis, City Manager; Dana Lazcanotegui, City Recorder; Clay Bodily, City Engineer; Brian Boudrero, Planning Manager; Police Chief Travis Allen, Fire Chief Jeff Peterson, McKenzie Nelson, Planning Administrative Assistant

**Visitors:** Marshae Stokes, Tami Midzinski, Sarah Lewis, LeeAnn Powell, Jennie Orme, Jeff Barnes, Danny and Holly Hansen, Brian Yocom, Bob Holbrook, Dustin & Rachel Smith, Kyle Thatcher, Michael Heaps, Mike Monson, Stuart Reis, Chris Olsen, Joe Beck, Raquel Muir, Leslie Flaherty

### Approval of City Council meeting minutes from April 10, 2024

\*\*\* Motion made by Councilmember Campbell to approve the April 10, 2024, meeting minutes. Motion seconded by Councilmember Staker. Vote 5-0. \*\*\*

**Yes Vote:** Campbell, Hyer, Orme, Staker, Stokes

**No Vote:** None

### Introduction of the 2024 Health Days Ambassador Royalty

Councilmember Staker introduced the 2024 Health Ambassador Royalty: Carley Stewart, Bry Ward, Eva Jones, Olivia Rigby, and Quezette Guadarrama. She thanked them for all the great things they have accomplished and for representing Smithfield City.

### Youth Council Report

Hope Bingham reported that the Youth Council assisted with the Health Days Fun Run held last Saturday. This coming Saturday the Youth Council will be assisting with the Health Days parade. She also said that being part of the Youth Council has been one of the most wholesome things she has been part of as it provides an opportunity to give back to the community.

## Resident Input

A resident, who requested to remain anonymous, referred to Utah Code 52.4.203 4(e)(iii) which states “*within three business days after holding an open meeting, post on the state website an audio recording of the open meeting, or a link to the recording.*” He cannot find any audio files or links uploaded to the Utah Public Notice Website. He spoke to the City Recorder who indicated that he could submit a GRAMA request to obtain the audio. He suggested that the City obtain a YouTube channel so that meetings can be broadcast electronically.

Danny Hansen spoke about item #6 on the agenda which proposes rezoning 28.81 acres from A1 to R-1-10 at 485 North 400 West. The City is ready for larger lots and he would like to offer his support for this proposal. He understands that development cannot be stopped; however, larger lots can help anchor citizens to the City, rather than creating more transitional areas where people move in and out more frequently.

Michael Heaps agreed with Mr. Hansen’s comments. He also commented that it appears the surrounding area is being closed around with MPC development. He originally purchased his property to be surrounded by land. Further, he believes crime often increases with more people. As such, he recently installed security cameras due to incidents. He does not disagree with growth but would like to see more commercial growth to aid with the burden of taxes.

## **Award presentation by the Utah Recreation and Parks Association go the Smithfield Recreation Center for receiving the outstanding facility award.**

President of the Utah Recreation and Parks Association (URPA), LeeAnn Powell, presented Smithfield City with the *Outstanding Facility Award* for 2024. She stated that there were over 90 nominations to consider. An element of the review process is identifying each community’s vision. One of the best factors is that the Smithfield Recreation Center is community driven. Sixty percent of the agency members of URPA represent communities of 25,000 people and smaller. Smithfield Recreation Director, Brett Daniels, has shown excellent leadership in regard to the facilities and programs Smithfield Recreation runs; all of which are amazing. Mr. Daniels thanked the Council and staff for their support.

## **Discussion and possible approval of amending the preliminary plat and name for the Prairie at Sky View to Smithfield Crest for a project located on the southeast corner of 250 East 800 South. Parcel Number 08-117-0018. The request was submitted by Heritage Land Development, LLC. The parcel is zoned RM-PUD (Multiple-Family Residential Planned Unit Development Overlay Zone).**

Mr. Lewis, City Manager, provided a brief history of the project. Furthermore, on March 22, 2023, a different developer submitted a request for a rezone to RM-PUD under

Ordinance 23-09. At that time, the preliminary plat was called “The Prairie at Sky View”. The forgoing request was approved by the City Council with concerns regarding the amenities being located along 250 East. The current approval included a seventeen percent (17%) bonus density with 4.45 acres of open space. This request to amend, submitted by a different developer, is requesting a twenty-five percent (25%) bonus density which includes 4.71 acres of open space. This plan will increase the number of units due to a higher bonus density. The amenities have been relocated off of 250 East and within the development. Lastly, the Planning Commission recently recommended approval for amending the preliminary plat and are in favor of modifying the project name.

Councilmember Stokes reported that there were previous concerns regarding snow removal and inquired if this had been resolved. Mr. Lewis pointed out that the north and south roads would be owned by the City. The interior roads would be the responsibility of the HOA (Homeowner’s Association).

Marshae Stokes, from Heritage Land Development, said in these types of developments they designate a snow push area, which will likely be located by the end units. They may also consider the parking alignment, where snow can be stored. The developers are confident given the space and layout that they can resolve the snow push concerns and ensure that parking will not be compromised.

Councilmember Stokes inquired who would handle and/or pay if the City had to remove snow. Mr. Lewis reported that the developer/HOA would be responsible for the same, which is addressed within the municipal code. Mr. Lewis affirmed in the positive, in response to Councilmember Stokes, that the matter at hand is an administrative decision, not a legislative decision. In addition, the project has been reviewed and meets all applicable codes and regulations, but because of the bonus density, it is a requirement to be approved by the City Council. The twenty-five percent bonus density includes ten percent (10%) for 2-car garages, five percent (5%) for stucco/masonry, one percent (1%) for extra open space, five percent (5%) for pedestrian and bicycle trails, and four percent (4%) for amenities such as the pickleball court and playground.

**\*\*\* Motion made by Councilmember Stokes to approve amending the preliminary plat and name from the Prairie at Sky View to Smithfield Crest for a project located on the southeast corner of 250 East 800 South. Parcel Number 08-117-0018. The request was submitted by Heritage Land Development, LLC. The parcel is zoned RM-PUD (Multiple-Family Residential Planned Unit Development Overlay Zone). Motion seconded by Councilmember Campbell. Vote 5-0 \*\*\***

**Yes Vote: Campbell, Hyer, Orme, Staker, Stokes**

**No Vote: None**

**Discussion and possible vote on Ordinance 24-10, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development.**

Heritage Land Development is requesting a rezone to the R-1-10 zone. The property is flanked on the east and west by Master Planned Communities (MPC) and Residential Agricultural to the south. The parcels to the north are currently in the County but are in the future annexation plan of the City.

Mayor Monson stated that the letters and emails submitted prior to the meeting have been received and reviewed by the city council.

Councilmember Staker stated the roads are a vast concern. She personally measured the roads on 400 West and 400 North. The roads are only twenty feet wide on 400 West and 400 North with the narrowest part of the road at sixteen feet. It is difficult for Councilmember Staker to grasp how this rezone will work because the roads in question were constructed for farming. Although the Traffic Impact Study (TIS) was completed and approved, traffic will have a major impact once the development is built out. Ms. Midzinski understands the forgoing concerns, and as such, is proposing larger lots along 400 West. The remaining lots will use the designated roads in/out of the development to the West.

Ms. Midzinski confirmed for Councilmember Orme that there will be no egress access onto 400 West other than the driveways for the homes alongside that road. Residents in the interior of the development will use the already designated roadways.

Councilmember Campbell asked if 500 North would tie into 440 North? Ms. Midzinski said it would, in time. As the development to the west continues to be built, the roads will then connect to this development.

Councilmember Orme asked if traffic from the development currently being built was included in the TIS calculation. Ms. Midzinski explained that when the initial development was submitted to the City, two years ago, they were directed as to which roads to include in the TIS and followed the direction of the same. TIS was then completed and approved. In addition, the original development had more units than what is currently proposed. She stated in the subsequent MPC development proposal that they intended to widen and improve 400 West; however, what is currently proposed before Council does not require the road be widened for this single-family home development. Councilmember Orme was concerned about the times of day and the season that the TIS was performed. He personally did not consider those "peak times". Further stating that late fall would have included agricultural and farm equipment that use that road.

Councilmember Orme asked if there would be lots larger than 10,000 square feet. Ms. Midzinski responded that a variety of sizes will be offered with 10,000 square feet being the minimum size.

Mr. Bodily, City Engineer, disclosed the Code requires two (2) outlets if there are more than ten (10) lots in a development. The Fire Department may require another access. Ms. Midzinski said they could offer an easement with a breakaway gate. Mr. Bodily reiterated that the Code requires two (2) accesses to the development. He pointed out that this will be a consideration when the development plans come in and is not part of the rezone discussion.

Councilmember Stokes said there is presently an imbalance in what people can choose from. During the resident portion of the meeting, Mr. Hansen conveyed a good point stating if individuals want 12,000 square foot lots, they should be available at a reasonable price. Councilmember Stokes is serious about aiding residents to find affordable housing, all demographics are an important component. This development matches the MPC on one side, but it does not match with what is on the other side. This area is inundated with density. He then stated that he spoke with numerous residents in the area including those who reside on Saddleback Road. This proposed plan will eventually send more traffic to Saddleback Road. Councilmember Stokes disclosed that in an effort to accommodate residents, he has had serious conversations regarding exercising the right for eminent domain regarding 400 North. Furthermore, there has been a villainization of 0.25-acre lots for the last year. He pointed out that a 12,000 square foot lot is two one-hundredths bigger than a 0.25-acre lot. He recently drove up by the gravel pit, which is a very nice neighborhood that filled up fast, even with younger families. He is not buying the understanding that individuals cannot afford larger lots.

Ms. Midzinski said the previously submitted MPC project offered 1/3-acre lots with a variety of home types/sizes. That proposal was twice denied.

Councilmember Staker thanked Ms. Midzinski for working with the City staff.

Councilmember Orme asked if there were any plans or considerations for a potential PUD (Planned Unit Development) Overlay. Ms. Midzinski said there is not, they are hoping to get the approval to move forward, finally.

Councilmember Orme said traffic is still a very real concern. There are 1,300 units that have been currently approved with many, around 200, in the process of being built. He is concerned about "getting ahead of ourselves".

Councilmember Campbell said the City cannot hold any legal binding to what a developer says they will do with a zone change. The property can change hands and a different development could be proposed. He has challenged the Council and at times has been at odds with council members for many years about improving roads. The roads in this area are not ready for additional growth.

Ms. Midzinski pointed out that she has always honored her word on past projects. The vision for this area has been the same as it was when it was annexed. She has worked, and will continue, to work with staff every step of the way. She expressed frustration since she cannot seem to make everyone happy. She followed up stating that they are following all Code requirements.

Councilmember Stokes noted that developers are in the business of maximizing profits. The Council needs to ask the hard questions to come to quality conclusions.

Councilmember Orme asked if it would be a good idea to have another TIS done. Ms. Midzinski spoke with an engineer who stated that the TIS would pass.

Councilmember Stokes noted that the reality of traffic is much different than a TIS grade. Many state codes require the bare minimum. The bottom line is that as a legislative body, the Council has the right to consider the totality of circumstances when making decisions.

**\*\*\* Motion made by Councilmember Stokes to DENY Ordinance 24-10, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development. Motion seconded by Councilmember Campbell. Vote 5-0. \*\*\***

**Yes Vote (to DENY): Campbell, Hyer, Orme, Staker, Stokes**

**No Vote: None**

**Public Hearing for the purpose of discussing Resolution 24-03, a Resolution establishing the monthly culinary water service utility base rate.**

Mr. Lewis, the City Manager, thanked the residents for calling and/or stopping by to ask questions about the utility base rate. He is always willing to answer any questions someone has and respects their opinion. For the last 15 months, the City Council has been discussing the 101-year-old waterline proposal. Zions Public Finance was retained to complete a rate study, which was presented at a previous Council meeting. There are several projects which need to be completed that total \$1,300,000. The goal is to finish three of those projects this fiscal year and three projects in the next fiscal year. The six projects will be paid using cash. An open house was held to discuss the proposed new spring line and a 3-million-gallon water tank. The new tank will be put on City-owned property. Two months ago, the Council approved to pay off the Dry Canyon bond loan. There is not enough cash to pay for the new spring line and water tank. The current estimate for both projects is \$14-15 million. If approved, it will take the remainder of the year to work on bonding and engineering with construction hopefully commencing in 2025-2026. The projects will take a couple of years to complete. In order to fund this project, the culinary base rate will be increased from \$24 per month to a minimum of

\$30/month, which would be with no margin for error; however, this proposal is to raise the culinary water rate from \$24 per month to \$31 per month beginning July 1, 2024. The rate change will not impact the tiered rate system. The basis for the request is to guarantee the bond payment. Mr. Lewis has been asked why the increase cannot take place over the years. Because the bond payment is set, funds need to be collected to make the payment. He explained that the City has several enterprise funds (culinary water, sewer, stormwater, and garbage). The City has been saving money in the sewer fund and the 600 West project was able to be paid for in cash. The City will be paying cash for the largest stormwater fund Smithfield has ever had, which is the installation of a new storm water pipe from approximately Pump House Road (1000 South) to 1200 West.

### **7:36 p.m. Public Hearing Opened**

Chris Olsen said although it is costly, much thought has been put into this and it needs to happen.

Bob Holbrook said this project needs to happen, the City cannot try and patchwork it over time.

### **7:37 p.m. Public Hearing Closed**

#### **Discussion and possible vote on Resolution 24-03**

The current monthly base rate: \$24.00.

The proposed monthly base rate Starting on July 1, 2024: \$31.00

Councilmember Campbell realizes that raising rates is difficult and these types of decisions are not easy to make. As he has studied the numbers and considered the decision, he finds this upgrade necessary. Securing a bond is the only way to get it done. Councilmember Stokes agreed. Councilmember Orme would rather do this voluntarily rather than mandatorily.

**\*\*\* Motion made by Councilmember Campbell to approve Resolution 24-03, a Resolution establishing the monthly culinary water service utility base rate. Motion seconded by Councilmember Orme. Vote 5-0. \*\*\***

**Yes Vote: Campbell, Hyer, Orme, Staker, Stokes**

**No Vote: None**

#### **Continued discussion and update on the Fiscal Year 2025 Budget**

Mr. Lewis reminded the Council that there is no vote on this item. There will be a public hearing and vote in June. The approved culinary water rate will be included in the final budget. Other cities in Cache Valley are proposing a 3.00-4.50% COLA (Cost of Living Adjustment) – which is in line with Smithfield’s request. One item that was overlooked in

the initial budget is the Trails Coordinator line item which has been added. This funding paid to the County for that service. Some part-time and seasonal wages have been fine-tuned. He highlighted the three positions that are necessary as discussed at the last meeting (new police officer, new fire department battalion chief, and new full-time employee at the Recreation Center).

### **City Manager Report**

The new cemetery roads look great, the Council should be proud of the improvement.

The roundabout project at the Sky View intersection, 250 East 600 South, will begin the week after school is out and hopefully finish before school begins in the fall.

The staff and J-U-B Engineering have a meeting scheduled with the County next week to discuss what is needed to run the waterline down the canyon road.

The General Plan Open House was held last week, he thanked everyone for attending and providing valuable input. Surveys will be going out soon. The General Plan process takes 12-18 months to complete, after which the Planning Commission will begin working on Code changes to comply with the updated plan.

Health Days is this weekend, he appreciates all the volunteers who help with this event.

He thanked Chief Peterson and Chief Allen and the positive changes in each department. All the department heads are very much appreciated.

### **Fraud Risk Assessment**

As part of the annual audit, a fraud risk assessment was completed. The rating is low and the State should not have any concerns. No vote is required and there are no issues that need to be resolved.

### **Council Member & Mayor Reports**

Councilmember Orme said the Tree Committee will have a booth at Health Days and he encouraged everyone to stop by. Trees at the cemetery are always a concern and discussions are ongoing. The first International Food Truck Tuesday was a great success.

Councilmember Staker said the seniors will meet every other week during the summer. The Arts Council has a chalk art festival in front of the library for Health Days. The art will be judged tomorrow. The float is almost ready for the Health Days Parade, she thanked all the volunteers.

Councilmember Hyer said a Localscapes and Landscape Incentive Plan workshop will be held June 11, 2024, from 5:00-7:00 p.m. at the library. They will also have a booth at Health Days.

Councilmember Stokes encouraged everyone to attend the Chamber of Commerce's pancake breakfast on Saturday for Health Days. The golf tournament, hosted by the chamber, was very successful.

Councilmember Campbell said the Mosquito Abatement District has not had a tax rate increase since 2007 so they are discussing raising the rate to continue operations. The Library Board will have a float in the parade.

Mayor Monson announced that the Day of Service went well despite inclement weather. The next day of service is scheduled for September 11, 2024.

**Arbor Day Proclamation**

Mayor Monson read The Arbor Day declaration and proclaimed Saturday, May 11th as Arbor Day.

**Healthy Utah Community Award Designation**

Smithfield received the Healthy Utah Community Award designation. The City plans to work on future programs to help with mental health opportunities. A table will be available at the Rec Center where people can bring fruit and vegetables to share with others later in the summer as their gardens grow.

\*\*\* The meeting adjourned at 8:09 p.m. \*\*\*

**SMITHFIELD CITY CORPORATION**

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Kristi Monson, Mayor

**ATTEST:**

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Dana Lazcanotegui, City Recorder



**SMITHFIELD CITY CORPORATION**  
**96 South Main**  
**Smithfield, UT 84335**  
**AGENDA**

Public Notice is given that the Smithfield City Council will meet in a regularly scheduled meeting at 96 South Main, Smithfield, Utah, on Wednesday, May 8, 2024. The meeting will begin at 6:30 PM.

Welcome/pledge of allegiance and thought/prayer by Wade Campbell

1. Approval of the city council meeting minutes from March 27, 2024
2. Resident Input
3. Introduction of the 2024 Royalty
4. Award presentation by the Utah Recreation and Parks Association to the Rec Center for receiving the outstanding facility award.
5. Discussion and possible approval of amending the preliminary plat and name for the Prairie at Sky View to Smithfield Crest for a project located on the southeast corner of 250 East 800 South. Parcel Number 08-117-0018. The request was submitted by Heritage Land Development, LLC. The parcel is zoned RM-PUD (Multiple-Family Residential Planned Unit Development Overlay Zone).
6. Discussion and possible vote on Ordinance 24-10, an Ordinance rezoning Cache County Parcel Numbers 08-042-0012, 08-042-0013, 08-042-0014, 08-042-0015 and 08-043-0015 from A-10 (Agricultural 10-Acre) to R-1-10 (Single Family Residential 10,000 Square Feet). The parcels are located at approximately 485 North 400 West and total approximately 28.81 acres. The request was submitted by Heritage Land Development.
7. Public Hearing for the purpose of discussing Resolution 24-03, a Resolution establishing the monthly culinary water service utility base rate.
8. Discussion and possible vote on Resolution 24-03.
9. Continued discussion and update on the Fiscal Year 2025 Budget
10. City Manager Report
11. Council Member and Mayor Reports

**\*\*\*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) 792-7997, at least three (3) days before the date of the meeting.**