

CLAY: Our code is specific in regards to the sewer line needing to be eight inch. I will not deviate from the city code unless the city council approves a change in the code.

MAYOR: I can meet with you and Dave. We can look at some priorities of what can be done. You will be on the April 11th council meeting agenda. We can discuss these items again at that time. A decision needs to be made so you can move forward.

MERILEE: My purpose in speaking to you individually already was to get this process moving forward.

WADE: No decisions can be made tonight as this is not an agenda item.

CURTIS: I need more information and a better understanding of the process to record information to the deed. I want to learn more about this option.

DISCUSSION AND POSSIBLE VOTE ON THE REQUEST BY DUANE WILLIAMS, AGENT FOR CREEKSIDE ESTATES SUBDIVISION, TO WAIVE THE REQUIREMENT FOR CURB, GUTTER AND SIDEWALK ON A MINOR SUBDIVISION TO BE LOCATED AT APPROXIMATELY 150 SOUTH 800 WEST OUTSIDE OF THE CITY BOUNDARY. PARCEL NUMBERS 08-091-0008 AND 08-091-0013.

Mayor Barnes informed the council that he, Clay, Justin and Craig met with Duane and others to inform them of the city requirements to get an access permit onto 800 West. The proposed subdivision is not in the city but the road, 800 West, is in the city. Since the road is in the city the city road standards are in place and one of the requirements is for curb, gutter and sidewalk to be installed as part of the project.

Duane Williams stated his proposed subdivision will need to make the required improvements to 800 West before they can proceed. Pavement will need to be upgraded.

Duane requested a waiver for the requirement for curb, gutter and sidewalk. The city council recently passed an ordinance allowing for this request west of 400 West. Curb and gutter is good for a subdivision with many homes but the homes proposed on 800 West will be on parcel sizes of 6 1/2 acres, three acres and ten acres. All of the homes will have private driveways approximately 500 to 600 feet long getting back to the homes.

Duane stated he felt the requirement for curb and gutter will actually create storm water problems and not solve them. The storm water would run north into Summit Creek which could be a problem or south onto the Dennis Thornley property which is farmed. If the sidewalk is installed it will lead to nowhere on both the north and south ends. There is not any sidewalk in the surrounding area. Going north the sidewalk would end at the trees at Summit Creek.

Duane mentioned he talked with Visionary Homes owner Jeff Jackson and he mentioned if he owned the parcel he would put 100 homes on it so the city should be thankful just seven homes are going on the entire parcel. Open space would be saved.

Curtis asked for an update on the requirement to update the bridge or possibly putting some money in escrow to update the bridge at a later time. Duane replied he is working with an

engineering company on what will be required for the bridge but there is the possibility of putting funds in escrow to repair the bridge at a later date.

Jamie mentioned he is worried about safety in this area. There needs to be a safe place for people to walk. The road, 800 West, is considered a minor collector road in the transportation plan. Duane replied if the parcel was eventually annexed into the city, the council could require curb, gutter and sidewalk to be installed as part of the annexation process.

Duane mentioned Dennis Thornley owns the parcel to the south and wants to sell the development rights to the property so it cannot ever be built on.

Mayor Barnes asked if the city received a grant to put sidewalk in on 100 North? Craig replied that is correct.

Mayor Barnes asked where the sidewalk would be installed at? Craig replied all the way to the end of 100 North 800 West.

Mayor Barnes asked if the project is being paid for with a UDOT (Utah Department of Transportation) grant? Craig replied that is correct.

Wade asked the starting and ending point for the project? Craig replied the sidewalk will start at Forrester Acres where the sidewalk currently ends and be extended all the way to the intersection at 800 West. Mayor Barnes replied the end of the sidewalk will be the west side of the parcel owned by Wade Lindley.

Curtis mentioned this road is a traffic corridor. Curtis stated he had gone down to this area and observed the traffic at various times throughout the day and there is more traffic on this road than he expected. There are safety issues in this area. The road will degrade without the proper infrastructure in place. Sidewalk is part of the city standards. Curb and gutter is important to the road in this area. Safety and degradation of the road are concerns Curtis has.

Duane mentioned there is not anywhere for the storm water to go but into the creek. Duane lives on 300 West in Smithfield and there is not any curb and gutter there or on 400 West.

Jamie mentioned the city ordinance was previously changed and before that time the requirement for curb, gutter and sidewalk was mandatory.

Deon mentioned he was more interested in having sidewalk in this area than curb and gutter for safety reasons.

Deon asked if seven homes would be built on the parcel? Duane stated that was correct.

Deon mentioned the elementary school is only 3 ½ blocks away. Additional traffic will come to this area from the new homes. Not having a sidewalk would be a concern.

Curtis mentioned the grant on 100 North helps to get sidewalk closer to this area. Mayor Barnes replied there is still at least 1,000 feet between Duane's parcel and where the new sidewalk will be installed on 100 North.

Deon mentioned he has driven this road many times and it is narrow and the width of the road is important. There is more traffic on this road than people think. The road needs to be improved as part of this project. Mayor Barnes mentioned the road has to be improved to city standards as part of this project.

Duane expressed concern for having the sidewalk end at Summit Creek. There could be safety issues just having the sidewalk stop at the creek. On 300 West there is curb and gutter in some areas and not others and it has created a place for bicycles to make a jump and it is not safe.

Duane mentioned having the storm water run onto the Thornley property or into Summit Creek would not be allowed.

Jamie reiterated that just a month ago the request to even have this option was not allowed; therefore, it was mandatory and should have been planned for when the subdivision process started with the county several months ago.

Duane stated the original letter submitted to the county by the mayor did not mention anything about curb, gutter and sidewalk the letter only talked about the road. The county does not have any requirements for this project. Duane felt a good compromise was for him to pay to upgrade the road and the other requirements waived.

Mayor Barnes mentioned the council has the ability to waive some or all of the requirements. They don't have to waive all of them, they can pick and choose if they want.

Bart asked how the drainage from the curb and gutter would be dealt with? Clay replied a small detention pond would be required for the runoff water to go into to collect the contaminants.

Bart asked where the pond would be located? Clay replied on Duane's property before the creek. Duane replied the property is split by the creek so there would be storm water issues on both the north and south side of the creek.

Mayor Barnes asked how the sidewalk would be installed in relation to the curb and gutter? Clay stated it is laid out in the standards but they will be at the same elevation and parallel each other.

Bart asked if curb and gutter would help in this area or create a problem? Clay replied he would have to study the area to make that determination.

Deon mentioned he might consider the request if the deeds include language where the improvements will be installed in the future. The builders need to pay 100% of the cost of all the infrastructure. The city should not pay any of the cost.

Deon mentioned those living just outside of the city want all the benefits of living in the city but don't want to pay for it. The city does not generate property tax from homes outside of the city. The city will continue to plow the road used by those living outside of town as well as maintaining the road in the future. Duane and Andy Rasmussen both replied the city gets sales tax revenue from them when they shop in town. Deon replied those living outside of the city pay nothing for the roads, equipment or employees who take care of the roads.

Andy stated a lot of traffic in this area is from those residing in other communities like Benson and Amalga. It is not fair to include the increase in traffic from seven new homes when the majority of the traffic is from elsewhere. Mayor Barnes mentioned he thinks the majority of the traffic on this road is from those residing quite a ways out of the city.

Duane mentioned part of the road is owned by the county to the south and he pays tax to the county so he is paying tax to help with the upkeep of the road in the area. Deon replied the area in question is a city road and is paid for with city funds and the new homes in this subdivision will not pay anything towards this road in the future. Duane replied the road is already used extensively and adding seven new homes won't affect the traffic very much in this area. By widening the road that is helping to contribute to the city and is fair. Installing sidewalk, curb and gutter in the county will do nothing but create problems. A problem will be created if the waiver is not granted according to Duane.

Andy asked if any new sidewalk is being installed west of 800 West 100 North? Craig replied there will not be any new sidewalk on the west side of 800 West as part of the city project. Andy replied by installing the sidewalk and forcing the children to cross back and forth across the road this will create a safety issue.

Mayor Barnes asked if the new sidewalk would be installed on the south side of 100 North? Craig replied that is correct.

Mayor Barnes mentioned currently there is not any existing sidewalk on 800 West. Wade Lindley replied growth is happening all over in the area.

Wade Campbell stated he talked with other property owners in the area and they support having curb, gutter and sidewalk installed. There are ways to address concerns about the bridge.

Wade did not support waiving the curb and gutter requirement in this area.

Wade stated the city does not want sidewalk leading to nowhere but in some cases it happens. In time it will connect. It has taken a long time to get sidewalk on 100 North to 800 West but this year it is going to happen.

Wade did not support waiving the curb, gutter or sidewalk requirement. Duane replied everyone is entitled to an opinion but he talked to people in the area who supported having the requirement waived.

Duane stated the city did not install a sidewalk in front of the public works building when it was built several years ago but they want him to install sidewalk now in the same area. Wade replied the goal is to have sidewalk everywhere but it is not possible due to budgetary constraints. Long term, sidewalk not currently connecting will be connected. Duane replied he did not have the money to install all of the infrastructure for this project. Wade replied the city is asking for the area to be developed to the current city standard which requires curb, gutter and sidewalk.

Duane stated he is currently doing a development west of 800 West on 100 North in the county and none of these requirements are required by the county. Duane felt a fair compromise was widening the road and bringing it to city standard.

Andy replied if the curb, gutter and sidewalk is installed now it will deteriorate long term where it does not connect to anything. Maybe the city would consider escrowing the funds for these items to be installed at a later date. If the parcel is ever annexed into the city a requirement by the city could be for the curb, gutter and sidewalk to be installed at that time. The cost of these improvements is huge.

Clay mentioned anytime funds are collected for escrow it is the current cost of the project plus an additional 25%. Developers want to pay the cost of the project now rather than have to come up with an additional 25% to be put into escrow on top of the cost of the project.

Curtis replied he could not support the request to grant a waiver at this time. Bart agreed and stated he can see growth happening in this area now and in the near future.

A motion to deny the request by Duane Williams, agent for Creekside Estates Subdivision, to waive curb, gutter and sidewalk on a minor subdivision to be located at approximately 150 South 800 West was made by Curtis, seconded by Jamie and the vote was unanimous.

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

APPROVAL OF KILBY JENSEN, DEVIN OVERLY, JESS DAINES AND REBECCA BEALE AS MEMBERS ON THE SMITHFIELD CITY TREE COMMITTEE.
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Mayor Barnes informed the council there are four new volunteers for the Smithfield City Tree Committee. Kilby Jensen, Devin Overly, Jess Daines and Rebecca Beale are all willing to serve.

Lisa Michaels, Jess Daines and Devin Overly will serve three year terms.

Kilby Jensen and Rebecca Beale will serve two year terms.

Jess has worked for the city in the past and was in charge of the cemetery and parks.

Kilby maintains the LDS temple grounds in Logan.