

**SMITHFIELD CITY COUNCIL**

**FEBRUARY 11, 2015**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, February 11, 2015. The meeting began at 6:03 P.M. and Mayor Darrell G. Simmons was in the chair.

The following council members were in attendance: Dennis Watkins, Barbara Kent, Jeff Barnes and Brent Buttars.

City Manager James Gass and council member Kris Monson were excused.

Assistant City Engineer Clay Bodily and City Recorder Justin Lewis were also in attendance.

The opening remarks were made by Brent Buttars.

**VISITORS:** Richard Jewkes, Greg Morrison, Andrew Morrison, Colton Wilson, Boedy Hunsaker, Jaden Miller, Craig Miller, Raul Soto, Carson Soto, Lynette Hutchison, Randi Davis, Jake Erickson, Makensie Jones, Conner Mantz, Rola Woodward, Justin Cooper, Lyle Coleman, Aubin Johnston, Jeff Curtis, Scott Archibald, Michelle Anderson, Jamie Anderson, Marcus Reed, Kathryn Adams

**APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM THE JANUARY 28, 2015 CITY COUNCIL MEETING**

\*\*\*A motion to approve the city council meeting minutes from the January 28, 2015 city council meeting was made by Dennis, seconded by Barbara and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

**RESIDENT INPUT**

There was not any resident input.

**ALBERTA MATHER HAS REQUESTED CONSIDERATION FOR APPROVAL FOR THE MATHER MINOR SUBDIVISION (2 LOTS) LOCATED AT APPROXIMATELY 454 WEST 200 SOUTH. ZONED RA-1.**

Clay explained the area of the rezone request is currently zoned agricultural one acre. The intent of the Mather family is to build a home on Lot 1 which would be the west lot of the two proposed lots. Both of the proposed lots would be one acre in size or larger.

Jeff asked for clarification about the road or entryway that borders the east side of the property. Clay stated that road accesses the property owned by the Rock family. The road leads to some

property that is not part of the proposed lot split. There is already a home on proposed Lot 2; the east lot.

Jeff asked if the request was basically to split the parcel in two and put a new home on Lot 1? Clay stated that was correct.

Brent asked if there would be storm water issues in that area? Clay stated there would be an issue if curb and gutter is required but there would not be any issues if the curb and gutter requirement is not included.

Jeff asked for clarification of what items were located on proposed Lot 1. Marcus Reed informed the council there is a barn and some concrete where the cows used to be fed as well as some corrals. If the request is granted the corrals, concrete and barn will all be removed. All of the debris on the lot will be removed as part of the process. The intent is to put a new house in the location of the existing barn and have the house face to the north. The field behind the house would be left in open space as an agricultural field.

Marcus explained to the council he had informed the Mather family they should work on formalizing a legal agreement with the Rocky family in regards to access to their property.

Brent asked if the current lot area was a "C" shape? Marcus stated that was correct as there is a home in the middle of the area on a separate parcel.

Jeff asked if there was any sidewalk on 200 South on the south side of the road? Marcus replied there is not any sidewalk on the south side of the road for a couple of blocks but there is a small section of sidewalk on the north side of the road.

Brent informed the council there were not any concerns by the planning commission other than if curb and gutter was required there might be storm water issues that are created and would need to be dealt with.

\*\*\*A motion to approve the Mather Minor Subdivision, two (2) lots, located at approximately 454 West 200 South and there would not be a requirement for curb and gutter and sidewalk for the minor subdivision was made by Brent, seconded by Jeff, and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

**PUBLIC HEARING ON ORDINANCE 15-02, AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE CITY LIMITS OF SMITHFIELD CITY, UTAH.**

Justin explained to the council that at the last council meeting the annexation request by Jessica Tams Quinton had been granted and as part of the approval the city limits needed to be adjusted

by ordinance. The city limits need to be adjusted to be in compliance with the approval and the proposed ordinance would make the change based on the approval at the last council meeting.

*\*\*\*The public hearing opened at 6:22 P.M.\*\*\**

Richard Jewkes asked the council if the culinary water capacity of the city has been reviewed as there had been talk by some of the southern cities in the valley about possibly having future culinary water issues.

Richard asked how much more capacity the city has in regards to culinary water? Mayor Simmons remarked the amount of required water is reviewed in all cities as it is a potential issue all of the time. Clay remarked the general plan takes into account having sufficient water for future expansion. The Birch Creek well was recently updated and the capacity increased significantly. The city has a water model that takes into account all of the current connections and when a new subdivision is proposed the new plat is incorporated into the water model to see what effect there will be on the water system. J-U-B Engineers helped to develop the water model and the city does have enough water to meet the demand of the residents.

Mayor Simmons commented the city takes great care in making sure there is enough water for current use and future use. Right now there are approximately 10,000 residents and at last review the city had enough water to have around 20,000 residents without having to acquire more water rights or develop additional water resources.

Brent reminded the council the Petersen spring had recently been developed further as well. Clay concurred.

Clay stated the city has a significant amount of shares in the secondary water canal system as well. The issue is making sure the shares can show beneficial use so they are not taken away by the state due to lack of use.

*\*\*\*The public hearing was closed at 6:25 P.M.\*\*\**

#### **DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 15-02.**

Dennis stated the issue had been thoroughly discussed at the last meeting and at previous meetings. There is not a culinary water issue in that area.

*\*\*\*A motion to adopt Ordinance 15-02, AN ORDINANCE AMENDING THE MUNICIPAL ZONING MAP, ANNEXING CERTAIN REAL PROPERTY AND EXTENDING THE CORPORATE CITY LIMITS OF SMITHFIELD CITY, UTAH, was made by Dennis, seconded by Barbara and the vote was unanimous.\*\*\**

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 15-03, AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.**

Justin explained to the council back on September 24, 2014 a rezone request had been granted by the council. The motion to approve the request should have been done by ordinance rather than just a vote to approve the request. When reviewing city documents it was determined the vote should have been done as an ordinance and so the proposed ordinance was to make sure there were not any issues and to make sure the process was done properly and correctly. The public hearing on the matter had been held on September 24, 2014 and after consulting with city attorney, Bruce Jorgensen, it was determined another public hearing was not required. The council just needed to approve the request via ordinance. There have not been any issues or concerns about the request it was discovered as part of the updating process of the city records.

Mayor Simmons stated it was good to have it done as correctly as possible and to make sure there were not any potential issues in the future.

\*\*\*A motion to adopt Ordinance 15-03, AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY, was made by Jeff, seconded by Brent and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

**PUBLIC HEARING TO CONSIDER A REQUEST BY JEFF JACKSON, IRONWOOD DEVELOPMENT GROUP, LLC AGENT FOR JESSICA TAMS QUINTON, PROPERTY OWNER, FOR A REZONE OF 9.83 ACRES LOCATED AT APPROXIMATELY 800 UPPER CANYON ROAD, PARCEL# 08-045-0035, FROM A-10 (AGRICULTURAL – 10 ACRE) TO R-1-12 (SINGLE FAMILY RESIDENTIAL 12,000 SQUARE FEET). THE PROPERTY IS LOCATED NORTH OF UPPER CANYON ROAD AND EAST OF CROW MOUNTAIN ROAD.**

Clay informed the council the rezone request had gone before the planning commission and after discussion had been approved and forwarded to the council for consideration. The subdivision to the north and the west is zoned R-1-12. The general plan shows the parcel in question being zoned as medium to low density in the future.

Jeff asked if the second parcel, of approximately five acres, owned by Jessica Tams Quinton was being rezoned as well? Clay stated no, the other parcel with the home on it would stay as it is currently zoned; agricultural ten acre.

\*\*\**The public hearing opened at 6:33 P.M.*\*\*\*

Lynette Hutchison asked to see the proposed lot size and to know where the drainage ponds would be located. Clay explained the plat will be part of the subdivision process and is not part of the rezone request process. The same rules would apply to this area as applied to the north and west subdivisions bordering this property.

Mayor Simmons asked if the property to the north is zoned R-1-12? Clay stated that was correct.

Mayor Simmons asked Justin Cooper of Visionary Homes if there were any drawings at this point? Is green space included in the plan? Where will the drainage pond be located? Justin Cooper responded at this point nothing had been planned as the plan cannot be created until the zoning is set to know how to plan and what lots sizes are available. The plat with all of those items will go before the planning commission and city council at a future date if the rezone request is granted.

Lynette expressed concern the city loses control of what is allowed in the subdivision after the rezone request is granted. Justin Cooper responded the drainage ponds, lot sizes and all other aspects of the subdivision will be discussed in the future. This meeting is for the rezone request only; not for the preliminary plat. The proposed zoning is in line with the general plan and does not go against any of the items listed in the general plan.

Lynette stated she is not against growth and building but she is disheartened there are not any covenants in place for the new homes. The homes and lot sizes are not comparable to those in the subdivision to the north. Justin Cooper responded the proposed zoning is the same as the subdivision to the north but the developer of that subdivision chose to have bigger lots.

Mayor Simmons asked the size of the lots in the subdivision to the north? Lynette stated most of them are a ½ acre or so where all of them in the new subdivision would be ¼ acre.

Brent mentioned there had been talk earlier in the meeting about concerns on water availability and use. Quarter acre lots will use less water than half acre lots as there is not as much area to water outside of the home. Lynette stated she did not agree as a bigger lot will have a bigger driveway and other variables. Brent disagreed and remarked studies have been done and shown that quarter acre lots use less water outside than half acre lots. Clay agreed with Brent's remarks and concurred that smaller lots use less water in the summer months on yards and gardens.

Mayor Simmons mentioned the layout of the subdivision will be discussed at a future meeting and it was good to hear the discussion and opinion of those living in the area.

Kathryn Adams asked Justin Cooper as the developer of the project to consider putting bigger homes and lot sizes along the existing homes to the north. Kathryn feared that only two story homes would be built in the area and block the view of the mountains from the homes on the south side of the road in the north subdivision. Justin Cooper stated he would pass the request along to Jeff Jackson for consideration and review as the plat is developed.

Jeff asked if there would be a new entryway or access point onto Upper Canyon Road for the new subdivision? Justin Cooper responded the plat had not yet been completed but he would

expect a new access point would be created onto Upper Canyon Road. Clay stated adequate flow and turnaround provisions will have to be made as part of the subdivision approval. All of the infrastructure in the area will be evaluated as part of the plat process.

Mayor Simmons thanked those in attendance for voicing their issues and concerns.

Richard Jewkes asked if there was access to secondary water in the new subdivision? Clay stated some areas of town have access to irrigation water but not this particular parcel. Richard expressed concern that a new subdivision would be created which would require additional water resources from the city and culinary water would be required to water grass and gardens. Mayor Simmons explained the city is constantly reviewing water issues and switching as many areas of the city over to irrigation water as possible including city watered parks and other city owned properties.

Clay reminded the council when a new subdivision is created the developer has to give water rights to the city equal to the amount of the new needed for the new homes or pay the equivalent dollar value of the water rights. The city is considering amending the ordinance to take into account some irrigation water right issues but the ordinance has not been approved or reviewed by the council at this point.

Richard asked if additional water would be needed to be acquired for this subdivision? Clay remarked the city has the water and the developer either has to bring water shares to the project or pay a comparable fee so the city can purchase more water rights in the future.

Jeff explained as farmland is rezoned or annexed into the city the water shares used on the property are given to the city but the city must show beneficial use of the shares. Irrigation water is not available in all areas of the city.

Richard asked for clarification if there was access to irrigation water in this area? Lynette responded there is not. Jeff responded the area is not currently irrigated.

*\*\*\*The public hearing was closed at 6:47 P.M.\*\*\**

**DISCUSSION AND POSSIBLE VOTE ON ORDINANCE 15-04, AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY.**

Mayor Simmons asked Brent to give an overview of the discussion the planning commission had on the rezone request.

Brent informed the council there were comments about property values decreasing and also comments about the homes were built in this area because it was rural. The homeowners wanted the area to stay rural and not be developed. The master plan had shown the area to be developed as such for many years and it fits within the plan as outlined. There are not a lot of options for this parcel of land based on the location. Jeff concurred with Brent and also remarked all of the surrounding areas were zoned R-1-12 as well.

Barbara reminded the council since the area does not have water rights available to provide to the city the developer will have to pay a sum of money to the city equal to the cost of the water rights needed for an area of that size.

Barbara asked when the general plan was updated the last time? Clay stated in 2005.

Barbara remarked people should review the general plan before buying a home or vacant lot to see the long term plan of a specific area. The proposal fits the plan that has been lined out for many years.

Barbara reminded the council the plat, streets, subdivision design and other factors will be discussed as part of the process at future planning commission meetings as well as future city council meetings.

\*\*\*A motion adopt Ordinance 15-04, AN ORDINANCE AMENDING TITLE 17, ZONING OF THE SMITHFIELD MUNICIPAL CODE, BY AMENDING THE ZONING MAP OF SMITHFIELD CITY, was made by Dennis, seconded by Brent and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

## **COUNCIL MEMBER REPORTS**

Brent thanked the police department for their service to the community. A report he recently received showed there were over 6,500 calls taken by the police department in 2014. Mayor Simmons stated the vast majority of the calls are located within the city but some were with other local communities as well as the city does offer response outside of the city when needed.

Jeff stated he had talked to Chief Allen about the new officer who was recently hired. Chief Allen had informed Jeff he was very happy with how Officer Trent Currie was working out for the department and how he represents the city on a daily basis. The decision by the council to hire Officer Currie had been a good choice.

Barbara informed the council she had been in contact with the Comcast Cares representative and there is not an issue having an emergency preparedness theme for the day of service. Even a read-a-thon was suggested by the Comcast representative. Materials are provided to the city. Hard copy registration on the day of the event will be available as well on on-line registration previous the event. The event will be held on Saturday, April 25<sup>th</sup>. The city will receive grant money from Comcast based on the number of volunteers that participate. The location of the registration for the event will be at the recreation center. Brett Daniels has coordinated the use of some rooms if the day has bad weather. Registration will happen from 7:00 A.M. to 8:00 A.M. and a light breakfast will be served. The volunteers will then go to a designated area and perform some service. At noon the participants will then go back to the recreation center and have a free pizza lunch. The recreation center will offer enough parking for those who

participate. Some of the projects will involve cleaning up the canyon and other locations throughout the city. Emergency preparedness and reading programs will be set up as well. The three local LDS stakes will be participating as well.

Mayor Simmons asked Barbara to make sure and include the local scout troops as well. The city will receive up to \$18.00 per person for everyone that participates on that day but they must register and receive a wristband.

The intent of the council is to designate the funding that is received from the day of service to the library to continue to purchase new furnishings for the building as it nears completion.

Barbara said one goal is to have all 3,500 households in the city have the same set of emergency disaster flags. One concern is how to help out the disabled and elderly residents in the event of a disaster.

Jeff asked Barbara to provide information to him and he would send it onto the local scout troops.

Barbara informed the council a local Girl Scout troop wants to participate as well.

Mayor Simmons reminded the council the event is being held a few weeks before Health Days and it is a good time to clean and tidy up homes and areas throughout the city. A concern of the council is how to help the elderly and disabled throughout the city.

Barbara asked if the recycling bin would be open on the day of service? Clay remarked the specific days had not yet been determined.

Barbara suggested that groups could pick park strip areas or street corners and clean them up. There is an opportunity to make a big difference throughout the community.

Mayor Simmons asked how often this opportunity might come along? Barbara stated Comcast selects two communities per state on a yearly basis. Most likely this is a once in a lifetime opportunity.

Mayor Simmons thanked Barbara for helping to oversee and organize the event.

Dennis informed the council the construction company was back working at the library after the delay by the state because of asbestos concerns that turned out not to be an issue. The work is moving forward and sheet rock had just been delivered.

Dennis commented on the remarks made by Richard Jewkes about a concern for a lack of water by the city. At the last council meeting the council was presented with the new stock certificate for the new combined canal company and the city has a significant amount of shares in the canal system. The issue for the city right now is showing beneficial use of those shares to make sure they are not taken away and given to other entities. The city has done and is continuing to do a great job in acquiring water shares and water rights.

## **MAYOR'S REPORT**

Mayor Simmons informed the council the monthly RDA meeting had been rescheduled for February 25<sup>th</sup> and there is an application for assistance that is being submitted but it had not been reviewed and needed more time.

There have been 11 applications to this point for the city manager position that is being advertised. Applications will be accepted until 5:00 P.M. on Tuesday, February 17<sup>th</sup>.

The emergency preparedness committee had met the last two months on the first Wednesday of the month. CERT and members of the local faith based groups were present as well as Fire Chief Jay Downs and Police Chief Travis Allen. After reviewing the emergency plans of several different groups it was determined they are all similar but none were unified and the intent of the committee is to get all of the emergency plans unified. The hope is the emergency plan is never needed but the reality is it will be needed at some point in the future. Subcommittees will be developed in the future and assigned specific tasks. When complete; the plan will be simple but concise. The resources of the city are actually quite small in the event of a natural disaster as the city only has one ambulance to serve 10,000 residents. The long term intent is to make sure everyone has a 96 hour kit. The older kits were recommended for 72 hours but the new plan is for 96 hour kits as it was determined after hurricane Katrina that 72 hours was not long enough.

*\*\*\*A motion to adjourn at 7:14 P.M. was made by Barbara.\*\*\**

## **SMITHFIELD CITY CORPORATION**

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Darrell G. Simmons, Mayor

### **ATTEST:**

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Justin B. Lewis, City Recorder

**SMITHFIELD CITY CORPORATION**  
**96 South Main**  
**Smithfield, Utah 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 11, 2015**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Brent Buttars.

1. 6:03 P.M. Approval of the city council meeting minutes from the January 28, 2015 City Council Meeting
  2. 6:05 P.M. Resident Input
  3. 6:15 P.M. Alberta Mather has requested consideration for approval for the Mather Minor Subdivision (2 Lots) located at approximately 454 West 200 South. Zoned RA-1.
  4. 6:35 P.M. Public Hearing on Ordinance 15-02, An Ordinance amending the municipal zoning map, annexing certain real property and extending the corporate city limits of Smithfield City, Utah.
  5. 6:40 P.M. Discussion and possible vote on Ordinance 15-02.
  6. 6:45 P.M. Public Hearing to consider a request by Jeff Jackson, Ironwood Development Group, LLC, agent for Jessica Tams Quinton, property owner, for a rezone of 9.83 acres located at approximately 800 Upper Canyon Road, Parcel# 08-045-0035, from A-10 (Agricultural – 10 Acre) to R-1-12 (Single Family Residential 12,000 square feet). The property is located north of Upper Canyon Road and east of Crow Mountain Road.
  7. 7:05 P.M. Discussion and possible vote on Ordinance 15-04, An Ordinance amending Title 17, Zoning of the Smithfield Municipal Code, by Amending the Zoning Map of Smithfield City.
  8. 7:15 P.M. Discussion and possible vote on Ordinance 15-03, An Ordinance amending Title 17, Zoning of the Smithfield Municipal Code, by Amending the Zoning Map of Smithfield City.
  9. 7:25 P.M. Council Member Reports
  10. 7:45 P.M. Mayor's Report
- Adjournment

**Items on the agenda may be considered earlier than shown on the agenda.**

## Smithfield City Council Meeting Minutes, February 11, 2015

In accordance with the Americans with Disabilities Act, individuals needed special accommodation for this meeting should contact the City Recorder at (435) 792-7990, at least (3) days before the date of this meeting.

Prepared, posted in the City Office and library, emailed to each Council Member, emailed to the Herald Journal, Smithfield Sun, and forwarded to be posted on the City Web Site on 02/09/15, and the Utah Public Meeting Notice website.