

**SMITHFIELD CITY COUNCIL**

**JULY 9, 2014**

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, July 9, 2014. The meeting began at 6:02 P.M. and Mayor Pro Tempore Dennis Watkins was in the chair.

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

Mayor Simmons and council member Kris Monson were excused.

City Manager James Gass and City Recorder Justin Lewis were also in attendance.

The opening remarks were made by Council Member Kent.

**VISITORS:** Jay Downs, Johnny W. McCoy, April Godderidge, Sheri Egbert, Darren DeBloois, Carrie Wallace

**CONSIDERATION OF CONSENT AGENDA**

**APPROVAL OF THE MINUTES OF THE JUNE 23, 2014 CITY COUNCIL MEETING**

Justin explained to the council he had attended a training seminar and they suggested that the meeting minutes be approved by motion rather than consent agenda. There had been an issue where one council member claimed they did not vote for or against the approval of the minutes and if done by motion this would clarify who actually voted and if they voted for or against approval of the minutes. Justin asked the council to please approve the minutes by motion moving forward as it would clarify and leave no doubt of the approval and who voted for or against the minutes being approved.

\*\*\*A motion to approve the June 23, 2014 city council meeting minutes 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.

**DISCUSSION AND POSSIBLE VOTE ON IMPLEMENTING FIREWORKS RESTRICTIONS FOR JULY THROUGH DECEMBER 2014.**

Fire Chief Jay Downs came before the council to bring a recommendation and ask the council to consider implementing fireworks restrictions around the July 24<sup>th</sup> holiday. The hillsides are starting to dry out and there were a couple of mishaps during the 4<sup>th</sup> of July holiday. One was a boat type flare shot into the hillside and had to be located. Legal and illegal shooting fireworks are hard to determine and Chief Downs asked for similar restrictions as last year. Chief Downs suggested keeping 800 East as the east boundary as there are still quite a few open grassy areas on 1000 East.

Chief Downs explained he was going before the Hyde Park city council to make the same request after he left this meeting. Logan City and North Logan City are considering restrictions as well.

The State of Utah implemented their restrictions on July 9<sup>th</sup> for the rest of the year and Chief Downs provided a copy of the State of Utah's restrictions and these restrictions include more than just fireworks such as items like open fires in fire pits.

Chief Downs reminded the council that the fire chief is not allowed to implement the rules until the council approves them.

Dennis asked what time period was used last year? Justin stated the restriction was from July 21<sup>st</sup> through July 27<sup>th</sup>.

Jeff asked Chief Downs how the citizens would be notified? Chief Downs stated it would be on the city website, through some educational areas, in the local newspaper and each local fireworks stand will be notified as well. Jim stated the city would broadcast the information on the city Facebook page as well as through the Parlant system.

Chief Downs explained that fireworks that are launched into the air cannot be controlled and the wind can really push them into places that easily burn. A boundary to control the use of the fireworks is best and needs to be away from the foothills and grassy areas. If a fire gets into the forest service area and state or federal fire fighters have to respond the city could possibly be held liable.

Dennis asked if there were any enforcement issues last year with the boundary and rules? Chief Downs stated there were not any issues and it gave the department a way to notify people of what was allowed and restricted. The valley has received more moisture this year and the grass and brush is tall but it is drying out fast and a small fire will spread quickly.

Barbara asked if the restriction would be now through the end of the year? Chief Downs thought it would be a good idea but for sure needed to be done for the three days before July 24<sup>th</sup> and the three days after the holiday. Jim stated there is no reason to include any days outside of those seven days as fireworks are illegal in the state outside of that time period.

Jeff asked Chief Downs if he was okay with the same boundary as last year and the same days? Chief Downs commented it would work great.

Brent stated he liked having the east boundary align with Hyde Parks and thought that was appropriate.

Chief Downs also mentioned the overgrowth in the canyon is excessive this year and big hazard.

Jeff asked if the fire department had helped out on any of the recent barn fires? Chief Downs responded that the department helps on occasion but had not helped recently. The main barn fires are during the harvest season in the next couple of months.

\*\*\*A motion to restrict the use of fireworks in Smithfield City from July 21<sup>st</sup> through July 27<sup>th</sup>, 2014 starting at the Smithfield City south boundary on 800 East, going north to Center Street and north of Center Street would be restricted above 200 East and extending to the Smithfield City north boundary was made by Jeff, seconded by Brent and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

### **COUNCIL DISCUSSION WITH YOUTH COUNCIL LEADERS**

Barbara thanked Sheri Egbert and April Godderidge for coming before the council. Kim Sorensen the other youth council leader was not able to attend.

Barbara thanked the youth council leaders for all of their tireless work with the youth council. The local youth council is considered the best in the valley.

April stated this would be her fourth year helping with the youth council and Sheri will be working on her second year.

Sheri and April both thanked the council for the opportunity to work with the youth and for the vouchers that each leader received as a thank you.

Barbara commented that the new group coming in this fall would be a big group and the option was open for them to be sworn in during a city council meeting or at their regular meeting. The choice was left up to the leaders to decide.

April and Sheri thanked Barbara for her help and support throughout the years.

Justin thanked the youth council leaders for being very budget conscience. Justin informed the council that the leaders are constantly in communication with him about their budget and staying within the allocated amount.

Barbara informed the council that the new group of kids would be around 40 and is the largest youth council in the valley. Sheri mentioned there will be 45 kids involved this year.

Barbara stated that the youth council will be helping with new projects this year. One of them will be a joint effort with the Smithfield Chamber of Commerce for the annual Easter egg hunt.

April mentioned that the youth council is always looking for service projects and willing to help.

Brent stated he thought the senior ball is great for the senior citizens and the city. April commented that the kids love that event as well. Barbara asked when the senior ball would be held this year? Sheri stated sometime in October. Barbara informed the council the senior ball is being held earlier in the year to help avoid bad weather and it being dark outside for the event. These were past recommendations by the seniors and so this year the event was being moved up.

Barbara thanked the leaders for all of their hard work and for coming before the council.

#### **DISCUSSION AND POSSIBLE APPROVAL ON APPROVING NEW BOARD MEMBERS FOR THE PLANNING COMMISSION.**

Brent informed the council that Curtis Wall had an interest in serving on the planning commission and attended the last meeting and took the tour of the city with the rest of the commissioners as part of that meeting.

Brent proposed that Curtis be approved as an alternate on the commission and then as a commissioner when someone's term expired.

\*\*\*A motion to approve Curtis Wall as an alternate commissioner on the Smithfield City Planning Commission and as a regular commissioner when a vacancy occurs on the planning commission was made by Brent, seconded by Barbara and the vote was unanimous. \*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

Brent mentioned that Jamie Anderson is the new planning commission chairman and is doing a great job. Barbara asked if David Price was done with the commission? Jeff stated that he resigned do to a church calling he accepted.

#### **DISCUSSION WITH UTAH DIVISION OF WILDLIFE RESOURCES ON DEER CONTROL.**

Darren DeBloois, local biologist for the Utah Division of Wildlife Resources (DWR), came before the council to discuss urban deer control.

Kris had asked Darren to come in and explain the division's policy on urban deer. Kris wanted clarification on what the policy is of the DWR and how the issue could be addressed as she has several deer and turkeys around her residence and area on a regular basis.

Darren provided the council with four handouts for review.

Darren informed the council that Highland City and Bountiful City have joint ventured a cost sharing program over the last 1 ½ years with the DWR. Bountiful has done some lethal removal of deer but focused more on trapping and relocating the urban deer. Highland has tried a different program and are using an urban archery program. An individual runs the program and the archers helping with the program have to pass certain tests. Nuisance deer are lethally removed through this program in Highland.

Darren informed the council he would be talking to Hyde Park City later in the evening about the same issue and had talked to North Logan City in the past as all of the communities are having the same issues with wildlife.

Darren suggested that the city pass an ordinance making it illegal to feed wildlife in town. This ordinance would mainly affect deer and turkeys as they stay in town on a regular basis.

Doing a survey of the residents was suggested as people are very passionate about this subject. After many surveys in several different communities it was determined that the split of those liking urban deer and those disliking urban deer is about 50/50.

People are more willing to allow for trapping and relocating deer than for allowing lethal measures to be used.

The DWR is willing to sit down and discuss in more detail urban deer and how to deal with them if the city council would like to discuss more in depth.

Justin asked Darren if the program in the two cities was successful? Darren commented that Highland is happy with the program and removed 79 deer last year. Highland is located by Timpanogos at the base of the mountains and has some very expensive homes and people concerned more about keeping their yards intact than allowing for deer.

Brent asked if deer are transplanted will they stay in the area they are moved too? Darren stated that the deer from Bountiful were relocated to the west desert and have stayed out there. There will always be some die off from transplanting deer but some have survived.

Barbara asked how the division is dealing with turkeys in towns? Darren answered that the DWR was working with Mendon and Wellsville and turkeys had been relocated from there to Hardware Ranch and Vernal. So far the turkeys have stayed in the Hardware Ranch area and moved into the river areas in the surrounding area.

Dennis thanked Darren and his associate for coming before the council and advised him that council member Monson was the one that requested the meeting and if she had any questions after reviewing the handouts she would contact him. Darren responded that he and the DWR is willing to meet as needed.

Jeff asked if there were any complaints in the city regarding urban deer? Jim and Justin both stated they had not received any calls or complaints. Barbara mentioned she had heard some concerns but none of them were formal.

Barbara stated the concern by her neighbors was they eat the bark on the trees and the bushes. Jim stated he has the same issue in North Logan. Jeff mentioned that many deer are living along the river bottoms as well and don't leave that area.

Brent asked if the deer on the golf course were damaging the course? Jim remarked that there are always deer living on the course and on occasion they will eat some of the young trees but overall they are not a problem to the course.

Brent asked if one home by the golf course was still feeding the deer? Jim answered that he was not sure.

Dennis remarked that he lives to the east of Sky View High School and there is a nature preserve in that area that always has deer and pheasants in it and they are neat to see. Jim responded that he always gets comments from people out of town as some have never seen deer up close before until they come to the valley.

#### **CITY MANAGER REPORT WITH DISCUSSION AND MINOR DECISIONS AS NECESSARY.**

Jeff asked if the railroad boring projects had been completed? Jim responded all four crossing were done. Jeff asked if only the casings were installed this year? Jim commented that was correct and the water lines would be run through the casings hopefully later this year.

Jim updated the council on the progress of the library project. There are a couple of issues and some were anticipated when the cut was made into the old building. There were some asbestos issues and they have been cleaned up. If the test percent is less than 1% the area is not considered hazardous and no abatement is needed or required. A certified technician was brought in and did some sampling and testing. The technician works for a division of Alpine Cleaning. There is some asbestos in the floor tile but it won't be disturbed and is not a problem. The insulation with the asbestos in it is gone. There is some asbestos in the plaster coating but it tests at 1% or less. The technician will come in and do a cleaning when the project is complete.

Jeff asked if these issues were all in the old building? Jim responded that was correct.

The hole for the breezeway entrance has been cut and there is a gaping hole. The area is boarded off but some dust and heat is still coming through. The library is very noisy because of the jack

hammering outside as well. The brick foundation is about 16 inches thick on the old building. The upstairs doors are shut but the room still reached 81 degrees the day before.

Brent asked about using some temporary Styrofoam to help out. Jim responded that was a good idea and would help to cut down on dust and noise.

The project is moving along and is about one week behind schedule. The cut took longer than expected and is the reason the schedule is not on time. The existing brick came apart extremely well and has been saved to use in other areas of the building.

The storm water project on 800 South is getting ready to bid. The Pitcher family has been contacted to see if they want to do any of the road work and move the curbing at the same time but they are not sure at this time what they will do. The Pitchers were confused on what they were responsible to pay for but Jim clarified what the city had agreed to pay for and what the developer was responsible to pay for. The project should go to bid within 7-10 days. The project will hopefully start in August.

The Forrester Acres parking lot expansion has started. The city workers will do as much of the project as possible. Right now sprinkler lines and control boxes are being relocated. The curb and gutter will be done and then Parson's will come in and do the asphalt work.

Barbara asked how many additional stalls will be created? Jim responded around 40 which will almost double the amount of total parking stalls in that parking area.

The Birch Creek well is running and there have been a few challenges that had to be overcome. A pump control valve was malfunctioning and around 300 gallons per minute were being lost until it was repaired. The repair has been completed and the well is now functioning properly. The well is pumping at approximately 1,750 to 1,800 gallons per minute and that fills the cities tanks rapidly. The city water system should be in good shape for the next seven to ten years and then future planning or actions will be needed.

Jim asked Police Chief McCoy to come before the council and explain the current employee situation.

Chief McCoy advised the council that Maria Tena had accepted a position elsewhere and it was an offer she could not afford not to take. The company that hired her wanted her really badly and paid the price for her to take the job. July 8<sup>th</sup> was her last day with the police department.

An application period was opened and interviews were completed on July 8<sup>th</sup>. Chief McCoy recommended Amy Jones as Maria's replacement.

Amy is around 23 years old and resides in Logan. Amy was the manager at a Sherwin Williams store in Layton and quit the job due to the extensive travel required.

Chief McCoy commented he had talked to Amy's supervisor at Sherwin Williams and he highly recommended her and stated she would be rehired immediately at Sherwin Williams if she wanted to go back. Amy managed the store and dealt with retail customers and contractors on a daily basis. Amy has a bachelor's degree in Business Management from Utah State University and has been married around eight months. Amy's husband is an engineer. Amy's schedule will allow her to start at the department anytime.

Jim mentioned that the proposed wage is \$27,500 and after a six month probationary period she could possibly receive a \$500 per year raise that would take her salary to \$28,000 per year.

Jeff asked how many hours per week Amy would be working? Chief McCoy responded that it is a full-time job of 40 hours per week.

Barbara asked what her title would be? Chief McCoy remarked the title would be Executive Assistant to the Chief of Police.

Dennis asked Chief McCoy if Amy would be just working with him or with all of the officers in the department and the public? Chief McCoy commented that Amy would help the officers with computer access and with UCGES when needed.

Jeff asked who was involved in the interview process? Chief McCoy responded that he and Travis Allen did the interviews.

Barbara asked how many applications were received? Chief McCoy informed the council that there were nine applications and it was a tough decision as there were some qualified applicants.

Jeff asked if Amy was making more than \$27,000 at her last job? Chief McCoy commented that he was not sure as he had not asked her but knew that the reason she no longer worked at Sherwin Williams was because she did not want to travel extensively each day.

Barbara asked if Amy would be required to relocate to Smithfield? Jim remarked that Amy would not have to move; only the police officers are required to relocate.

Dennis asked Chief McCoy where the job had been posted? Chief McCoy stated that the job was posted on the city website, department Facebook page and in the Herald Journal.

Dennis asked Chief McCoy if the Utah Department of Workforce Services had been utilized? Chief McCoy responded he had not used workforce services. Dennis suggested using their services in the future as he just advertised a \$10.00 per hour job for his business and had 24 applicants. Dennis emphasized he was not saying Amy was not a good choice but that he was surprised there were only nine applicants. Chief McCoy mentioned that one of the requirements was a bachelor's degree and that might have limited who could apply. Dennis suggested using their services in the future especially since they are free. Chief McCoy thanked Dennis for the information.

Jim remarked that either the Mayor or he could approve the hiring of Amy but he would prefer the council approve her hiring by motion.

Barbara asked if the Mayor was aware of the possible hiring and approved of it? Jim concurred that was correct.

\*\*\*A motion to approve of the hiring of Amy Jones for the position of Executive Assistant to the Chief of Police for the Smithfield City Police Department at a starting wage of \$27,500 per year with the opportunity to earn \$28,000 per year after a six month probationary period was made by Brent, seconded by Jeff and the vote was unanimous.\*\*\*

Yes Vote: Watkins, Kent, Barnes, Buttars

No Vote: None

Absent: Monson

Jeff asked Chief McCoy to bring the council up to date on the investigation into Mr. Keepers. Chief McCoy responded that the results of the investigation had been turned over to the Cache County Attorney's Office and they will be filing charges soon. Dennis remarked it was too bad and Chief McCoy agreed.

Jim informed the council that the chip sealing projects were now complete and that the two roads that were gravel are now double chipped. The road half way up Dry Canyon was double chipped as well. There is still some slurry seal and overlay work to be done later this year. Some road striping will be done as well at a future point.

Dennis asked if the newly chipped roads would be swept with the city street sweeper? Jim responded that the roads are being swept this week and it normally takes each road being swept two to three times to get all of the loose chips. Jim explained that Kyle West was a seasonal employee that had been operating the street sweeper and brush mower and about three weeks ago he accepted a full-time job with Logan City. The new employee started on Monday and has been sweeping since then and will continue to do so.

Brent asked Jim if the area by the parking lot at Forrester Acres could be sealed? Jim stated he would get a price. Brent estimated it would add eight to twelve parking stalls. Jim responded that if the cost is minimal it could be done but it is not in the budget. Brent commented it would be much cheaper than asphalt. Jim worried it would cost \$3,000 to \$4,000 and there is not money in the budget for a project of that amount.

Jeff asked when the weeds would be mowed by the dairy on the west side of town? Barbara mentioned she was aware of some concerns down there as well. Jim responded the brush mower had been through town once and it will be done again. Jeff asked if the west side could be mowed first? Jim stated that they always starting mowing from the west side of town and it takes about three weeks to get through town.

Brent asked if the new hire was full or part-time? Jim remarked it is a seasonal position that usually lasts through October but is 40 hours per week while working.

**COUNCIL MEMBER REPORTS WITH DISCUSSION AND MINOR DECISIONS AS NECESSARY.**

Brent asked the council if it would be appropriate to change the measuring point for where the distance of police officers homes from the station can be? Right now it is measured from the point of 100 North Main on Center Street. Brent thought it would be more appropriate to measure from the 100 South Main intersection since the police station is located on that road. Jim stated it can be changed as the policy manual is usually revised, as needed, in the winter of each year.

Dennis asked if the point would be left alone for the fire station since the station is located on 100 North? Brent suggested that each station could have its own marking point.

Brent asked when the league meeting were being held this year? Justin responded the meetings are from September 10<sup>th</sup> through the 12<sup>th</sup> and the hotel rooms have already been reserved for everyone that is attending.

Brent asked if there was still any interest from the flour mill to locate in the buildings behind Lee's Marketplace? Jim commented he had not heard from them. Brent was concerned about noise in that area since multiple residential units are right next to the building in question.

Brent made the point he did not want to discourage business from coming to that area but that it needed to be a happy medium for the business and the residents of the area.

Jeff did not have any additional items for the council to review.

Barbara informed the council she had helped at the senior citizen center for the day and was excited to get new carpet in the building. The turnout for the activity on July 9<sup>th</sup> was decent and summer help has been found and will be evaluated in a couple of months to make sure the new helper is comfortable in the position and wants to continue on in the future.

Barbara remarked she had received a thank you from a resident that received a sympathy card when her husband passed away and the person wanted the council to know it was unexpected and appreciated.

The youth council will be helping to prepare the fair booth and working towards a blue ribbon again.

Dennis did not have any additional items for the council to review.

Jim informed the council that Marilyn Benavides husband had been transferred to Salt Lake over the weekend. Mr. Benavides has pneumonia and is not doing well.

\*\*\*A motion to adjourn at 7:00 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, 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, **July 9, 2014**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Council Member Kent.

1. 6:03 P.M. Consideration of the Consent Agenda  
Approval of meeting Minutes from the June 23, 2014 City Council Meeting
2. 6:05 P.M. Resident Input
3. 6:15 P.M. Council discussion with youth council leaders.
4. 6:25 P.M. Discussion and possible vote on approving new board members for the planning commission.
5. 6:30 P.M. Discussion with Utah Division of Wildlife Resources on deer control.
6. 6:45 P.M. Discussion and possible vote on implementing fireworks restrictions for July through December 2014.
7. 7:00 P.M. City Manager Report with discussion and minor decisions as necessary.
8. 7:15 P.M. Council Member Reports with discussion and minor decisions as necessary.
9. 7:35 P.M. Mayor's Report with discussion and minor decisions as necessary.

Adjournment

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

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 07/07/14, and the Utah Public Meeting Notice website.