

**MINUTES**  
**SMITHFIELD CITY COUNCIL MEETING**  
**July 11, 2012**

The Smithfield City Council met in a regular scheduled meeting at 96 South Main Street, Smithfield, Utah, on **July 11, 2012**. The following were present constituting a quorum.

Mayor	Darrell G. Simmons
Council Members	Jeffrey Barnes Brent Buttars Barbara Kent Kris Monson Dennis Watkins
City Manager	James P. Gass
City Recorder	O. Dean Clegg

Mayor Simmons called the meeting to order at 6:00 p.m.

Councilmember Dennis Watkins offered a prayer and led the Pledge of Allegiance

**Visitors:** Susan Barrus, Dan Gyllenskog, Tim Ryan, Joe Frazer, Ruth Swaner, Jeffrey Gittins, Lynda Gittins, Glen Thornley, Frank Nilson, Johnny McCoy, and Jean Douglass

**Agenda:**

Welcome and Opening Ceremonies

1. Consideration of Consent Agenda  
Minutes of City Council Meeting Held June 27, 2012
2. Resident Input
3. Receive the Certification of Annexation Petition from the City Recorder for the Annexation Request from Vincent Lee Hansen, Mary Elaine Hansen Beckstead, Laura Gaye Cook, Morris Wendell Hansen, and JoAnn U. Hansen, (CC 08-048-0001) and Direct the Publication of Such Petition in the Herald Journal on July 18, July 25, and August 1, 2012)
4. Consideration of **Resolution 12-10**, "Amend the Prevailing Fee Schedule for Chicken Permits"
5. Consideration of Request for Transfer of Liquor License held by the American Legion to Tim Ryan, "Bout Time Pub and Grub", and Authorizing the Mayor to Sign the "Local Consent" Form
6. City Manager Items
7. Mayor and Council Reports
8. Discuss Summer Picnic (September 6<sup>th</sup>, 6:00 p.m. Mack Park East)
9. Adjourn

**Citizen Input**

## **Continuation of Minutes of City Council Meeting held July 13, 2012**

Smithfield resident Susan Barrus was in charge of the community theater held during the Health Days celebration. She has had great response to this year's show. Some theater officials from USU came to the performances. Linda Lindford from USU was very impressed with the show. Mrs. Barrus gave thanks to the city council. Thanks to Councilmember Kris Monson's article in the Newsletter stating hours and all the hard work that went into the performance. About half a dozen students from USU came and helped with the directing. They are now working on inventory, (they are trying to get photos and visuals of all materials.)

Smithfield residents Jeff and Lynda Gittins addressed the council. Mr. Gittins reported that last year on May 22<sup>nd</sup> the Smithfield Irrigation Company had a water measurement taken at Three Creeks. The water measured 115 cfs. This year on May 22<sup>nd</sup>, we had 22 cfs. What a difference a year makes.

Chairman Ralph Erickson of the Smithfield Historical Society asked Mr. and Mrs. Gittins to come and give a report on the youth center. A newspaper article in the Salt Lake Tribune on June 21 gave a history of tabernacles in the State of Utah. The Smithfield Tabernacle is on a website listing 100 historical buildings in Utah. Kaysville Tabernacle is celebrating 100 years and will be part of their celebration on July 24. We are trying to get in touch with some cities and see how they have preserved their buildings. Some are owned by the city's, some are owned by the church. Two open houses at the Smithfield Tabernacle are still to be held. One will be this Saturday, July 14, 2012, 1:00 – 5:00 p.m.

Old broken tiles from the upstairs classroom on the west side of the Youth Center was removed and new carpet was laid. A group of volunteers removed all the greenery on the north side of the building. Two big trees growing next to the foundation were also taken down.

Councilmember Barbara Kent asked "What is the plan for the tree stumps left?"

Mr. & Mrs. Gittins presented an agreement to the council and requested it be signed by Mayor Simmons. The agreement authorizes a consulting firm headed by Alan Roberts to preform an assessment of the old building for a fixed fee of \$5,000.

The group had some recommendations: The sprinklers on the west side is spraying up on the brick and need to be adjusted. That sprinkler needs adjustment. The chairs are old and missing the rubber pads. Some should be thrown away and others fixed so they don't damage the floor. Youth involved with football are walking on the floor with their cleates. The Little League Football Program needs a different place to store their football equipment. That program is not part of the Smithfield Recreation Program. Let them come in only on the north-west door and have the other doors locked. The back of the new civic center has some storage areas available maybe that would be a better location.

Mr. Gittins asked what happened to the new chairs that were supposed to be bought for the Youth Center using RAPZ tax money. City Manager Jim Gass indicated there were only a few chairs purchased and they're probably at the Civic Center. They were purchased for use at the senior citizen center, the civic center, and the youth center.

**Continuation of Minutes of City Council Meeting held July 13, 2012**

The council gave the group permission to have Peck Brothers Roofing Company come and give a cost estimate to install rain gutters along the roof. To prevent water from draining onto the bricks of the building.

**Receive the Certification of Annexation Petition from the City Recorder for the Annexation Request from Vincent Lee Hansen, Mary Elaine Hansen Beckstead, Laura Gaye Cook, Morris Wendell Hansen, and JoAnn U. Hansen (CC 08-048-0001) and Direct the Publication of Such Petition in the Herald Journal on July 18, July 25, and August 1, 2012**

City Manager Jim Gass said this is the next step in the annexation process. By approving this you are not approving the annexation, you are simply accepting the petition and acknowledging that it meets the minimum standards.

City Manager Jim Gass informed the council that a good portion of the property cannot be developed and it does contain a considerable amount of wildland interface. If there were to be a wildland fire on the property, the city would like be responsible to cover some of the costs associated with fight the fire.

Councilmember Dennis Watkins noted the terrain is very vertical and rises quickly upward from the roadway.

Councilmember Barbara Kent wondered if we had the option of only annexing a portion of the property. That would be a point of negotiation with the petitioners.

City Recorder Dean Clegg reminded the council that all we are doing is to accepting the petition and authorizing a notice published in the newspaper.

**Motion:** Councilmember Brent Buttars made a motion to accept certification of annexation petition from the City Recorder for the Annexation Request from Vincent Lee Hansen, Mary Elaine Hansen Beckstead, Laura Gaye Cook, Morris Wendell Hansen, and JoAnn Hansen, (CC 08-048-0001). The motion was seconded by Councilmember Dennis Watkins. A roll call vote was taken and the following votes recorded:

Yea: Councilmembers Barnes, Buttars, Kent, Monson, and Watkins  
Nay: None  
Motion Passes

**CERTIFICATION OF ANNEXATION PETITION  
AND NOTICE TO CITY COUNCIL,  
CONTACT SPONSOR AND CACHE COUNTY COUNCIL**

STATE OF UTAH                    )  
  : ss.  
County of Cache                 )

**Continuation of Minutes of City Council Meeting held July 13, 2012**

I, O. Dean Clegg, the duly appointed and acting City Recorder of Smithfield City, Cache County, Utah, do hereby certify that I did on May 22, 2012, receive the Petition For Annexation and attached Plat which was filed with the City by Vincent Hansen which petition was accepted by the Smithfield City Council for further consideration pursuant to Section 10-2-405, Utah Code Annotated, 1953 as amended, by Resolution 11-08 adopted and passed by the City Council on June 13, 2012.

I hereby certify the Petition and state that I have reviewed the referenced Petition for Annexation, with the assistance of others as required by law, and have determined that the Petition meets the requirements of Subsections 10-2-403(3), and (4) of the Utah Code and I hereby give Notice to the Smithfield City Council, the Contact Sponsor for said Petition, and the Cache County Council, of my Certification of said Petition as meeting the requirements of the referenced subsections of state law.

IN WITNESS WHEREOF, I have hereto set my official signature and affixed the seal of Smithfield City Corporation in Cache County, State of Utah, this 11th day of July, 2012.

\_\_\_\_\_  
/s/ O. Dean Clegg  
O. Dean Clegg  
Smithfield City Recorder

The foregoing Certification was received by the Smithfield City Council on July 11, 2012.

SMITHFIELD CITY CORPORATION

By: \_\_\_\_\_  
/s/ Darrell G. Simmons  
Darrell G. Simmons, Mayor

**Motion:** Councilmember Barbara Kent made a motion to direct publication of such petition in the Herald Journal on July 18, July 25, and August 1, 2012. The motion was seconded by Councilmember Kris Monson. A roll call vote was taken and the following votes cast:

Yea: Councilmembers Barnes, Buttars, Kent, Monson, and Watkins  
Nay: None  
Motion Passes

**Consideration of Resolution 12-10, “Amend the Prevailing Fee Schedule for Chicken Permits”**

The resolution establishes a fee \$25 for chicken permits and establishes a renewal period of three years. Existing chickens are not grandfathered in. All existing and future chickens must apply for a the proper permit.



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the liquor license currently held by the Smithfield American Legion. They want to purchase the American Legion's license at the end of July and have a change in ownership. They will then move ownership to a new location outside Smithfield. They cannot purchase the liquor license directly from Smithfield Legion without State approval which requires local consent.

Councilmember Kris Monson asked why they are willing to sell that license if it is moving from Smithfield.

Mr. Gyllenskog and Mr. Nilson said they have no business any longer.

Councilmember Barbara Kent said if the American Legion has no longer a need for that license she sees no problem there. The American Legion will get a small percentage in the money make from future sales.

**Motion:** Councilmember Kris Monson made a motion to authorize the request for transfer of Liquor License held by the American Legion to Tim Ryan, "Bout Time Pub and Grub", and authorizing the Mayor to sign the "Local Consent" form. The motion was seconded by Councilmember Jeff Barnes. A roll call vote was taken with the following results:

Yea: Councilmembers Barnes, Buttars, Kent, Monson, and Watkins

Nay: None

Motion Passes

### **City Manager Items**

#### **Road Chipping**

City Manager Gass said the County will begin chipping city roads tomorrow. Notices have been sent out in the newsletter. The streets involved are 600 South, 800 South, 120 South east of 455 East, 100 East from 200 North to 300 North, 400 West from 600 South to 200 South, and 800 West.

#### **Cemetery**

The city is finishing up the north entrance to the cemetery and will hydro seed grass. The grass is what was left over from the soccer field at Forrester Acres.

Mayor Simmons asked about the flag pole at the cemetery. There was a flag flying on Memorial Day two years ago. He suggested flying the flag on holidays. City Recorder Dean Clegg suggested we ask Smithfield residents Ted and Priscilla Maybury to assume of raising and lowering the flag. They live across the street from the cemetery. City Recorder Dean Clegg will talk to them with Councilmember Buttars.

### **Mayor and Council Reports**

#### **Councilmember Buttars' Report:**

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Nothing to report

### **Councilmember Barnes' Report:**

Councilmember Barnes has seen Smithfield employee Chad Kendrick around town. He is a great worker. Councilmember Barnes is glad we have him.

Councilmember Barnes shared photos he has taken of overflowing dumpsters at the apartments by Lee's Marketplace. Contractors and people living there are not doing a good job of policing the area and keeping it clean. City Manager Jim Gass will follow up with the contractors.

Councilmember Barnes had an idea for a long time about a proclamation by the mayor or the city to recognize boys who earn their Eagle Scout rank. Mayor Simmons said he sends out lots of letters for different achievements of residents of the city. He agrees that this is a good idea. He sends out many letters to boys who earn their Eagle Scout. Maybe we could put in the newsletter when boys receive their Eagle Scout Award.

### **Councilmember Monson's Report:**

Councilmember Monson said the City's half marathon will be this Saturday morning. They will start at 6:00 a.m. They have about 150 runners entered. Mayor Simmons said he is being questioned as to why the cost of this race went up. Mrs. Monson answered that proceeds go to help kids that want to do programs at the rec center that cannot afford the classes. They also go to buy medals, timers, aid stations, (3 for this race), and shirts. The first year of this race the cost was very low to entice participants. This year it is \$40.

Councilmember Monson will look into how many kids are helped this year because of money in this race. The race starts and ends at the rec center.

### **Councilmember Kent's Report:**

Councilmember Barbara Kent reminded those in attendance that the Cache County Fair is coming up. The Smithfield Youth Council will be there.

The library is working on early library program to help kids read. They are hoping to coordinate between the library and schools to try to help parents help their kids learn to read. The library is partnering with USU.

### **Councilmember Watkins Report:**

Councilmember Watkins gave thanks to Council members Monson and Barnes for articles they submitted for the newsletter.

Thanks to firemen for help in putting out a fire at the nature area behind Sky View that is behind his home. They did a great job.

**Continuation of Minutes of City Council Meeting held July 13, 2012**

Councilmember Kris Monson asked if we had very many people violate the fireworks ordinance. Chief Johnny McCoy said when the clock hit midnight it was pretty quiet. However, they believe the fires (2) were intentionally started by humans. They have a person of interest.

The same fire restrictions will be in place for the 24<sup>th</sup> of July.

**Mayor Simmons' Report:**

Our website shows that we are holding a council meeting on July 25. City Recorder Dean Clegg said we will cancel that. There will be no city council meetings the end of August, and then not again until the end of September.

**Discuss Summer Picnic (September 6<sup>th</sup>, 6:00 p.m. Mack Park East)**

City Manager Jim Gass said interest by employees for the picnic is waning. Over the last three, four, or five years attendance has gone down. We spend anywhere from \$500 to \$1,600 on the picnic. Suggestions are that instead of having a picnic give the employees a turkey at Thanksgiving.

Councilmember Monson likes the idea of the turkey at Thanksgiving.

City Recorder Dean Clegg said the office staff appreciates the gift certificate at Christmas, they appreciate the picnic, but not many of the employees come to the picnic.

Chief Johnny McCoy informed the council that one bb gun person has been apprehended in connection to the Firestone building. It was a disgruntled employee, but he is still employed there.

**Adjournment:**

**Motion:** Councilmember Kris Monson made a motion to adjourn. Adjourned at 7:29 p.m.

Approved and signed this 8<sup>th</sup> day of August 2012.

SMITHFIELD CITY CORPORATION

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Darrell G. Simmons, Mayor

ATTEST:

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O. Dean Clegg, Recorder