

SMITHFIELD CITY COUNCIL

SEPTEMBER 6, 2017

The Smithfield City Council met in a regularly scheduled meeting at 96 South Main Street, Smithfield, Utah on Wednesday, September 6, 2017. The meeting began at 6:00 P.M. and Mayor Darrell G. Simmons was in the chair. The opening remarks were made by Mayor Simmons.

The following council members were in attendance: Deon Hunsaker, Barbara Kent, Kris Monson, Jeff Barnes and Curtis Wall.

City Manager Craig Giles, Fire Chief Jay Downs, Recreation Center Director Brett Daniels and City Recorder Justin Lewis were also in attendance.

VISITORS: Char Izatt, Craig Neilson, Jean Neilson, Michael Neilson, Dave Smellie, Noah Ferrin, Janna Barlow, Dillan Barlow, Carson Barlow, Mason Walker, Tavin DuBon, Austin Rupp, Mariah Rupp, Maximus Rupp, Ely Campeanu, Jesse Robinson, Derek Raymond, Billy Ryan, Susan Barrus, Mike Daines, Brooke Daines, Linda Rupp, Sherry Hall, Lindee Hall, Randy Cluff, Mark Winkelaar

APPROVAL OF THE CITY COUNCIL MEETING MINUTES FROM AUGUST 23, 2017.

A motion to approve the city council meeting minutes from August 23, 2017 was made by Jeff, seconded by Kris and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

RESIDENT INPUT

DAVE SMELLIE: I want to give a few thoughts on the proposed skate park. I think Central Park is the perfect location. It is visible. It will bring life to the downtown area. The further away from people the skate park is located the more issues there will be. There is a better chance for undesired behavior and vandalism when located away from people. We care about skate parks and regular parks. The skate park in Logan City is now 17 years old and still looks great. Central Park is close to a Cache Valley Transit District (CVTD) bus stop and is accessible to everyone in the valley. Kids from out of town will come here if they can get a ride. The bus stop location is excellent. Central Park is also close to two convenience stores. Central Park is an underutilized area. The peak hours of the skate park will be different from the splash pad. Skateboarder's peak hours are in the morning and evening not during the heat of the day. The splash pad peak hours will be during the middle of the day. The area will not be overcrowded having the splash pad and skate park located close to each other. I think it is good they are close to each other. It gives families a way to be diverse. Younger children can play at the splash pad while older children can use the skate park. Moms and dads can sit in the middle and supervise. There will be a new bathroom facility at Central Park very soon. This is a great multi-use area. Skateboarding is marginalized and skaters get a bad rap. Times are changing. Skateboarding will

be an official sport in the 2020 summer Olympics. Skateboarding is here to stay. We are not criminals. When there are problems is when kids are just riding up and down streets with nowhere to go. I applaud the council for making this skate park a reality. I know there are and will be concerns. People think skateboarders look different because some of us have tattoos. Football and basketball players as well as moms and dads have tattoos. We are just normal people. Tattoos are a sign of the times not a sign of bad behavior. Skateboarding is a healthy activity that keeps people active. Skateboarding makes kids have determination to succeed and confident to pursue their goals. Central Park is the perfect location for a skate park. The skate park will be designed to blend in with the surroundings of the area. A skate park is good for the residents of the city and people in the valley. I will use this skate park when it is built.

Barbara asked Dave his thoughts on putting the skate park where the old city office building used to be located (69 North Main). Dave replied he has not real familiar with the area but stated it would not be visible from the splash pad so parents would be split up trying to watch their children at both locations.

BROOKE DAINES: I live on 200 North 300 West. I am a stay at home mom with children ranging in age from two to seven. I want the skate park and splash pad located next to each other. It would be ideal. I cannot watch all of my kids if the splash pad and skate park are located in different areas. It makes sense as a mom to have them next to each other. My older kids get bored at the splash pad. We as a family go to skate parks outside of the city. The stereotyping of skateboarders is wrong. It would be nice to have a skate park in town and in the downtown area. We would all go as a family and enjoy time there. Skateboarding is a good recreational opportunity.

RANDY CLUFF: I live in the area of 100 West 100 South. Thanks for considering this project. This is good for my family. I know the location of the old city office building. Please put in the necessary time to make the best decision. This project can be an eyesore if it is not done correctly. Do this project right. The project can be done right. Central Park or the location of the old city office building would be good choices. Don't make a hasty decision. Make sure you get input from skateboarders on the design of the skate park.

JANNA BARLOW: I am speaking for my boys this evening. They started off by riding scooters. They are looking forward to this project. They use scooters right now not skateboards. We go to other cities to use their skate parks. We are looking forward to having a skate park in town. I have two young babies as well. I am very excited to have the skate park and splash pad located side by side. I can watch both areas at the same time. The location of the old city office building is too far away from the splash pad. Both areas cannot be seen at the same time. There is plenty of space at Central Park for both the splash pad and skate park. There is enough separation between the two. We are excited for this project. We want to see it officially approved and the project completed.

PRESENTATION AND RECOGNITION OF MICHAEL NEILSON FOR HIS YEARS OF DEDICATED SERVICE ON THE LIBRARY BOARD AND UPKEEP OF THE HEALTH DAYS PARADE FLOAT.

Kris thanked Michael Neilson for his years of service to the community and presented him with a plaque of appreciation.

Mike helped with various parts of the Health Days celebration for 15 years.

Mike served as the library board chairman and on the library board as a committee member for a total of seven years.

Mike is retiring from both activities and the council wished him best of luck in what he wants to do in the future.

Mike thanked the council for being able to be involved with Health Days and the library board. Around 2002, Mike and his brother, Craig, starting helping with the Health Days parade. Mike stated he had been in charge of the float for the last seven years.

Mike thanked the library staff for doing such a great job with limited budgetary funds.

Mayor Simmons thanked Mike, his mom (Jean) and brother (Craig) for their years of service to the community. Families like the Neilsons' are what make the city great.

DISCUSSION AND UPDATE WITH SUSAN BARRUS ON THE CHILDREN'S YOUTH THEATRE.

Susan Barrus stated she felt the 2017 performance was the best show that had been produced.

Switching from a single person in charge to a board was nothing but a positive experience for everyone involved. Responsibilities had been delegated so one person is not overworked.

The sets will be reusable for future shows.

The show for 2018 will be sock hop theme based.

The new script is currently being written as a joint effort by several people.

In 2017, there were 164 kids involved in the production. Twelve did not want to be in the show but wanted to help out behind the scenes. They worked backstage and in other areas.

Some kids who graduated and go to school locally now came back to help as they enjoyed their past experience so much they wanted to stay involved.

The music was a rock and roll theme this year.

The JustServe program was used to get volunteers to help out this year. If the program is utilized in the future it will be advertised earlier to get people involved sooner.

There will be a big need for people willing to help sew poodle skirts for the 2018 performance.

No RAPZ tax funding was received for fiscal year 2018 but an application will be submitted for fiscal year 2019.

With the change of bringing the 9th grade back to Sky View High School this will allow younger kids to be involved in the 2018 production.

High schoolers could be used to help with the sound and lights for the show in 2018.

The show has grown each year and this year was the largest production yet.

The event brings the community together on a yearly basis.

Barbara asked Susan how many years she had been involved? Susan replied the 2018 show will be her 12th year.

Mayor Simmons thanked Susan and all of those volunteering their time for such a great production on such a small budget. Susan replied the show is all about the kids and giving them opportunities and experience they would not otherwise have. Past and future programs will always be based on keeping kids involved.

Barbara mentioned her grandchildren love to attend the show on a yearly basis.

Susan replied she is always amazed how much the kids learn in the two weeks leading up to the show as they practice continually.

Over 1,600 people attended the production in 2017 making it the largest attendance ever.

Mayor Simmons asked how many hours were donated for the production? Susan replied they guessed around 3,000 to 4,000 hours of volunteer service per year.

Jeff mentioned he felt the 2017 show was the best he had attended and he appreciated everyone who was willing to be involved.

DISCUSSION ON THE LOCATION OF THE PROPOSED SKATE PARK.

Mayor Simmons mentioned Recreation Center Director Brett Daniels had been studying and researching the skate park project for an extended period of time and would present some information to the council.

Brett mentioned this project had been on the capital improvement list for about 12 years and been studied extensively by himself and others recently.

Brett mentioned he gathered information from the Tony Hawk Foundation as well as the Skaters for Public Skate Parks Foundation.

Brett presented the following information to the council for review:

Slide 2 Skate Park Site Selection

Accessibility, Visibility, Activity, Comfort, Feasibility, Ownership and Projection

Slide 3 Accessibility

- A skate park that is easy to get to will get used more often than one that is difficult to get to. The sole purpose of the skate park is to attract skateboarders, and access is the most influential characteristic of a skate park's power to attract users.
- Site access describes how easy that location is to get to. The distance between the location and where most people live is the main concern, but the location's proximity to a main road, public transit, and shopping is also relevant.
- *Can you walk there?*
Is it near a school or other places where teenagers and young adults often go?
Is it on a bus line?
Is it near someplace where lots of people go, like a shopping center?
Are there any barriers near the site, such as freeways, train tracks, rivers, industrial centers, or steep hills?

Slide 4 Visibility

- You may expect that visibility is important for skate parks because it will keep nuisance and delinquent behavior to a minimum. That is partially true, but visibility is important to protect the skateboarders from influences and activities that prefer remote, secluded environments. Visibility is also important because it will help elevate and expose skateboarding for what it is: a healthy, social, athletic activity.
- Skate park visibility sends an important message to the youth that will use the facility and the broader public: skateboarders are people in our community that we are proud of. The skate park buried in the secluded outfield of an unused baseball complex tells the skaters, and everyone else, that nobody wants to see the skateboarders. These skate parks frequently attract people that need a little seclusion to do what they're interested in, and it's not skating.
- Being able to see the activities in an area helps people feel comfortable. Secluded or hard to see areas make people feel cautious and hesitant.

Slide 5 Activity

Activity is just what it suggests: the site has lot of stuff going on in and around it. The more people that come together to share a space, the healthier that space tends to be. In small towns, the most active social spaces tend to be downtown. There may even be a public square or park in

the middle of the town. These are excellent locations for skate parks because the broader public interacts with the skateboarders.

Slide 6 Comfort

Just like everyone else, skateboarders enjoy comfortable recreational spaces. Comfort is important for the active park patrons and visitors alike. Spaces that are too hot, too cold, dirty, or unattractive will put people off.

Does the site have access to a restroom?

Is there a water fountain?

Is there shade (in hot areas), or enough sun (in cooler areas)?

Are there places to sit and rest?

Does the space have access to a “safe place” nearby?

Is there clear separation between skating and vehicular areas?

Slide 7 Feasibility

Was the location recently the center of public controversy?

Is the public vocal about the property being used for active recreation?

Are the owner(s) of the property vocal opponents of skateboarders?

Are the owner(s) of the property prepared to donate the land for the skate park?

Is the property likely to change ownership?

Would the site be prohibitively expensive to develop (wetlands, toxicity, etc.)?

Slide 8 Ownership

City lands

City parks *** (best!)

School yards *

Preservation areas (wetlands, habitat areas) *

Some transportation beltways **

Yards and green belts around governmental buildings **

County lands

County parks ***

Undeveloped green space ***

- Under major power lines *
- Dumps *
- State lands
- Beaches **
- State parks **
- Federal lands
- Government installations *
- National parks *
- Nature preserves *
- Forests *
- Under bridges **
- Green belts near highways **
- Private lands (includes land owned by nonprofit organizations)
- Vacant lots **
- Green belts next to railroad lines *
- Parking lots **
- Derelict or vacant plots **
- Green belts around zoos, theme parks, fairgrounds **
- Landscaped areas around stores and shopping centers **

Slide 9 Projection

Projection is the least important aspect of a candidate site. You should have a sense of whether the candidate site is appropriate for skate park development. If it's not, it probably didn't make your list of candidates in the first place. Still, you may find a site that seems perfect in every way only to find out that there are big plans for that site. That doesn't mean that a skate park can't be a part of those plans. It just means that the projection for that site might lead to complications.

Slide 10 Central Park

Best location based on site selection criteria

Camera system

Electricity

New restroom

Water fountains

Shade

Skate park & splash pad can coincide

Brett mentioned a future proposed skate park would be suited for both skate boarders and scooter riders. A new bathroom facility, similar to Forest Service bathrooms, is currently being installed

at Central Park. Not all of the trees would need to be removed at Central Park for the skate park. A skate park will be used approximately nine months per year while the splash pad is used for approximately three months per year. The skate park will be mostly used in the morning and evening where the splash pad is the most heavily utilized from 11:00 A.M. to 5:00 P.M. The main negative to locating the skate park at the location of the old city office building is that it cannot be seen from the splash pad.

Barbara mentioned Central Park already has a camera system, electricity, restrooms, a drinking fountain and shade where the old city office building location does not have any of these items in place currently. Curtis mentioned there is not any grass or a sprinkling system in that area either.

Brett informed the council a RFQ (Request for Qualifications) had been put out by the staff and five skate park companies had responded. All five are qualified. This project would be a design build project. Public input would be taken as the skate park is designed. The area will look nice and not be a cement bowl.

Barbara asked if a bid was submitted by each company? Brett replied a specific design has not been selected so a bid has not yet been obtained from any supplier.

Mayor Simmons asked how long this project has been worked on extensively? Brett replied for the last three years. RAPZ tax applications had been previously submitted for a combination project of a skate park and splash pad to be located at Central Park. This year a RAPZ tax grant was received which will pay for the new restroom facility at Central Park.

Mayor Simmons mentioned all of the work to this point had been very systematic and not haphazard or reckless. There is good enthusiasm from the public for this project as well.

Curtis asked if any of the aerial pictures the council had reviewed were plans for this area? Brett replied those pictures were just examples of how a proposed skate park would sit in that area. The actual design of one for the city had not yet been completed.

Curtis mentioned originally scooters were not allowed at the Logan City skate park but they are now allowed. Would the Smithfield skate park allow scooters? Brett replied the design of the skate park for the city will include both skate boards and scooter riders. Craig mentioned skate boards and scooters have different clearances so the proposed park would be designed for both so the area is not damaged and requires less maintenance.

Janna Barlow mentioned the skate park in Layton is very large. The scooter riders and skateboarders kind of separate themselves from each other and respect each other's space.

Mayor Simmons asked Dave Smellie if he thought the new skate park should be designed with scooters in mind. Dave replied the Logan City skate park was not designed for scooters but the Smithfield City one should be designed for both skateboarders and scooter riders.

Mark Winkelaar suggested riders under 10 years of age should be wearing helmets. Skateboarders and scooter riders can get along if they are educated on the proper etiquette of how to use the skate park.

Dave Smellie mentioned scooters are rather new but they are getting more popular as they are easy to ride. The problem happens when scooter riders are not paying attention.

Mayor Simmons asked if educating all skate park users was the key? Dave replied that is correct.

Mayor Simmons asked what percentage of the skate park users will be male and female? Dave replied the vast majority will be males/boys.

Craig asked the council for a decision on if the skate park would be located at Central Park as plans need to be made if this project is going to move forward.

A motion to approve Central Park as the location of a future skate park was made by Curtis, seconded by Kris and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall
No Vote: None

DISCUSSION AND POSSIBLE APPROVAL ON UPDATES TO THE EMPLOYEE PERSONNEL MANUAL.
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Craig informed the council he had been working with human resources professional Todd Anderson on revisions to the employee personnel manual. Todd is the owner of Platinum HR and works with the city insurance broker, Moreton and Company. Todd reviewed the entire manual and made some suggested changes based on state and federal law. The manual will be reviewed in two parts since there is a lot to cover.

Some of the proposed changes are as follows:

Replacing “probationary” with “introductory”.

A section regarding if the city pays for certifications employment is then required for a minimum of one year or the employee must pay back the city the cost of the certification would be removed.

The following statement would be removed: Full-time employees are not subject to separation or suspension except for cause or reasons of curtailment of work or lack of funds.

Article VI – Dismissal would be replaced in its entirety.

The following sentence would be added: Seasonal employees are eligible for benefits as required by federal or state law.

In the exempt employee section; individual job titles would be removed and replaced with “department heads”.

“Determining hours worked during that work week” would be replaced with “calculating overtime”.

A new section would be added allowing employees to donate their PTO hours to other employees on a volunteer basis.

In the military leave section “four (4)” years would be replaced with “five (5)” years per current law.

The jury duty section would be updated.

The bereavement pay section would be updated.

The leave without pay section would be updated.

In the medical insurance section; “granted” would be replaced with “awarded”.

In maternity leave the word “temporary” would be added.

In the outside employment section; “impair” would be replaced with “interfere with”.

In the section discussion smoking; e-cigarettes would be added.

Several wording changes would be made in Article I of Section XI, Substance Abuse and Drug Free Workplace.

A zero tolerance policy for drugs and alcohol would be added.

Changes would be made to when a drug test is required.

A new section would be added titled: Section XV – Immigration Law Compliance

Curtis asked for clarification on how PTO hours are used. Craig replied they are required to be taken in one hour increments.

Curtis mentioned being able to donate PTO hours is quite common in both the private and governmental sectors and is a good addition.

Craig mentioned one large section is still under review. There will be proposed changes coming before the council at a later date for this section which is the public works on-call section.

Mayor Simmons asked if the department heads had reviewed the proposed changes? Craig replied that is correct.

Barbara liked being able to review the manual electronically as it is so long. Craig mentioned it is also available on the city website for anyone to review.

A motion to approve changes to the employee personnel manual was made by Barbara, seconded by Kris and the vote was unanimous.

Yes Vote: Hunsaker, Kent, Monson, Barnes, Wall

No Vote: None

CITY MANAGER REPORT

Craig informed the council the Land and Water Conservation Grant application had been approved and would be distributed over two cycles. Cycle one would be approximately \$248,000 and cycle two would be approximately \$130,000. The renter has moved out of the home located on the property. The intent is to demolish and haul away the home and all of the outbuildings in October. At that point an environmental impact study will be completed. The goal is to start construction of the project in 2018. Now the grant has been approved a preliminary design will be put together for review by the council and others.

Curtis asked where this project would take place? Craig replied on the northwest corner of Forrester Acres. The staff refers to the parcel as the Pitcher property. It is approximately three acres in size and has a home and some outbuildings on it.

Curtis stated there might be some people that want to salvage some of the materials from the outbuildings or home.

Jeff asked if the city staff would be the ones to demolish the home? Craig stated that is correct. The city has dump trucks to haul the debris away and a track hoe could be rented for one week to accomplish the task.

Mayor Simmons mentioned there are companies that will bid for the salvage rights to buildings. Curtis replied he was aware of a local company that actually paid to haul the debris away from the buildings being torn down. Craig asked for contact information on the local company so he could see if it was something that would work for the city project.

Craig informed the council that J-U-B Engineers would present the new water, storm water and transportation master plans to the council at the October council meeting. Emily Sim from Public Sector Economics would present the rate study and impact fee study analysis at the November council meeting.

COUNCIL MEMBER REPORTS

Curtis asked the council if anyone had been able to attend the Cache Valley Transit District dinner and open house? None of the council had been able to attend.

Jeff asked the staff to review the two dead trees on Main Street between 300 South and 400 South. There was one on each side of the road. Craig replied the staff will review and send letters to the homeowners if appropriate. Jeff mentioned the trees are dead and need to be cut down to the ground. Craig informed the council several letters had been recently sent out by the city staff regarding weed and tree problems throughout the city.

Jeff mentioned the intersection work at 455 South 300 East had turned out really nice and the public works department had done an excellent job.

Jeff informed the council the Christmas star had been purchased by the historical society and the remaining donated funds would be used to purchase some extra Christmas lights for the project.

Kris did not have any additional items to discuss.

Barbara mentioned the youth council opening social had been well attended. The youth council mayor from last year is now the Executive Council President at Sky View High School this year. The youth council will be involved with the upcoming homecoming parade.

Barbara asked the mayor if he could attend the swearing in ceremony of the new youth council officers on Thursday, September 21st at 8:30 P.M. at the city office building. Mayor Simmons stated he would be glad to attend.

Barbara thanked the staff for including information in the newsletter on the upcoming Senior Ball which will be held on October 28th at 6:00 P.M. This is a joint effort by the youth council and the Lion's Club.

Deon asked if there was going to be a meet the candidates meeting this year? Mayor Simmons mentioned he was not aware of one. Mayor Simmons suggested putting the youth council in charge as other cities like Nibley had done this and it had been a great success.

MAYOR'S REPORT

Mayor Simmons asked if all door to door sales people need a license? Craig replied a solicitor license is required in the city for each person doing door to door sales. Jeff mentioned he had some salespeople come to his house without a solicitor license. Jeff informed them of the requirement and they obtained a license and came into compliance.

Mayor Simmons asked Craig how the city handles panhandling? Craig replied state law is followed.

Mayor Simmons mentioned he had seen several instances of panhandling at the intersection on 800 South Main. Craig replied when this is seen the police department needs to be notified. Mayor Simmons asked Craig and the staff to review state law and see if a city ordinance needs to be put in place in this regard. Jeff mentioned he had been approached in Logan by some panhandlers. Mayor Simmons mentioned it is a regular occurrence in Logan now.

Mayor Simmons mentioned the staff needs to be prepared to deal with this issue because when panhandlers are paid they will stay.

Jeff mentioned door to door sales people should know beforehand a solicitor license is required before they can sell anything. Justin replied not every community in the valley requires a solicitor license. Each city has its own requirements.

Jeff asked what the cost is for a solicitor license? Craig replied \$25.00. Mayor Simmons mentioned there is more to the process than just paying the fee. A background check is completed and information is gathered by the staff on each person going door to door.

Mayor Simmons asked if the staff is reviewing how to handle short term rental issues and complaints? Craig replied the city cannot license rental units at this time. Mayor Simmons replied a hotel is considered a service not a rental and a business license can be required and sales tax collected. Craig mentioned rentals can be regulated but it would require all rentals to be regulated the same way. Short term and long term rentals must all be treated the same way.

Curtis mentioned Derek Moss of J-U-B Engineers had recently attended a planning commission meeting. Derek is going to supply the planning commission with some information other cities are doing in this regard.

Curtis mentioned he is keeping in contact with Anita Pulham on this issue as she is the one that raised the concern before the council. Jeff replied that Anita had provided examples of what other cities are doing in this regard. Craig stated that is correct. A business license is required as well as inspections. The city would need to create a new department and hire new staff members. The process can become very cumbersome.

Craig reminded the council it is okay to contact J-U-B Engineers for information; however, the city is charged for everything that is supplied by J-U-B and there is very little in the budget for outside engineering requests. Curtis replied that Derek said the information he was going to supply would be free.

Curtis informed the council the planning commission is going to review tiny houses as well as short term rental concerns in their upcoming meetings.

Mayor Simmons thanked the council for a very good discussion on the skate park. Some trees will be removed but some will be left as well. When the project is completed it will look very nice and be a great addition to the city. Craig mentioned the five contractors submitting RFQ's (Request for Qualifications) had been reviewed by the city staff, the owner of local skate board shop Directive as well as Utah State University Professor Dave Smellie. All of the contractors are qualified. The contractor who was selected has a great reputation and specializes in skate parks the size the city is looking at having built. Kris suggested using other community members' thoughts as well in the design. Jeff asked for the tree committee to be included since trees will be removed.

****Kris made a motion to adjourn at 7:39 P.M.****

SMITHFIELD CITY CORPORATION

Darrell G. Simmons, Mayor

ATTEST:

Justin B. Lewis, 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, September 6, 2017**. The meeting will begin at 6:00 P.M.

Welcome and Opening Ceremonies by Mayor Simmons

1. Approval of the city council meeting minutes from August 23, 2017
2. Resident Input
3. Presentation and recognition of Michael Neilson for his years of dedicated service on the library board and upkeep of the Health Days Parade Float.
4. Introduction of new full-time fire department employees.
5. Discussion and update with Susan Barrus on the Children's Youth Center.
6. Discussion on the location of the proposed skate park.
7. Discussion and possible approval on updates to the employee personnel manual.
8. City Manager Report
9. Council Member Reports
10. Mayor's Report

Adjournment

*****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) 792-7990, at least three (3) days before the date of the meeting.