CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
April 26, 2011 – REGULAR SESSION

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

Mission Statement: To provide services that enhance the quality of life in our community.

6:30 P.M. WORK SESSION
Discussion on Litter along I-15 Corridor in Clearfield

7:00 P.M. REGULAR SESSION
CALL TO ORDER: Mayor Wood
OPENING CEREMONY: Youth City Council Member Ashley Brown
APPROVAL OF MINUTES: April 12, 2011 – Regular Session

PRESENTATION:
1. OUTSTANDING PROGRAM AWARD

BACKGROUND: The Clearfield City Make-A-Splash program was recently awarded the outstanding program of the year award by the Utah Recreation and Parks Association (URPA) for 2010. Steve Carpenter, URPA Executive Director, will present the award.

SCHEDULED ITEMS:
2. CITIZEN COMMENTS

3. CONSIDER APPROVAL OF A PROCLAMATION DECLARING MAY 2, 2011 AS LIFETIME PRODUCTS APPRECIATION DAY

BACKGROUND: Lifetime Products, headquartered in Clearfield, Utah, will celebrate 25 years in business this May. Lifetime employs over 1500 individuals and has provided countless volunteer hours to the City which have resulted in beautification and support of the community. The City values the relationship it has with Lifetime and desires to officially declare Monday, May 2, 2011 as Lifetime Products Appreciation Day in Clearfield City.

RECOMMENDATION: Approve the Mayor’s signature to the Proclamation officially declaring May 2, 2011 as Lifetime Products Appreciation Day in Clearfield City.

4. CONSIDER APPROVAL OF RESOLUTION 2011R-06 APPOINTING ADAM LENHARD AS INTERIM CITY MANAGER

BACKGROUND: Chris Hillman, City Manager, has officially submitted his resignation and will conclude his employment with the City on May 4, 2011. The City Council desires to appoint Adam Lenhard, Community Development Director, as Interim City Manager until the position can be filled on a long-term basis.
RECOMMENDATION: Approve Resolution 2011R-06 appointing Adam Lenhard as Interim City Manager and authorize the Mayor's signature to any necessary documents.

5. CONSIDER APPROVAL OF THE COMMUNITY MOVIE TOUR BOOK AGREEMENT WITH CGI COMMUNICATIONS

BACKGROUND: Clearfield City completed a short video in 2007 produced by CGI Communications which included a welcoming statement from the Mayor providing additional City information which was embedded in the City web site. The City would like to update the video with current information and would like to have CGI Communications produce the video. There is no charge to the City. CGI Communications will sell advertising to cover the cost of the video.

RECOMMENDATION: Approve the agreement with CGI Communications for a Community Movie Tour Book Agreement and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:
Financial Reports
Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

**COUNCIL MEETING ADJOURN**

Dated this 21st day of April, 2011.

Kimberly S. Read, Deputy City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.
March 18, 2011

UDOT Region 1 Director
Kris Peterson
166 West Southwell Street
Ogden, UT 84404

Dear Mr. Peterson,

I have the opportunity to drive I-15 between Roy and Farmington on a regular basis in completing work for my business or in the capacity of the Mayor of Clearfield City. I have noticed on several occasions the amount of refuse or trash is significant on both sides of the Interstate from the Antelope Drive exchange to the south in Layton to the 650 North exchange to the north in Clearfield.

Scott Hodge, Public Works Director for Clearfield City, has informed UDOT regarding my concern about the amount of litter along that specific section of I-15 and is waiting for further communication on the matter. It was my hope that individuals requiring some public service through the court system could provide this needed service but I was informed that was no longer available.

Clearfield City’s elected officials have taken significant strides to uplift the City’s image through the adoption of a code enforcement ordinance and beautification projects. I am hopeful the gateways to Clearfield City could also reflect that positive change with the removal of debris in those areas. The City appreciates its relationship with UDOT and looks forward to future endeavors in which we can work together to better the communities in the State of Utah.

Sincerely,

Don Wood
Clearfield City Mayor
DEPARTMENT OF TRANSPORTATION
JOHN R. NORD, P.E.
Executive Director
CARLOS M. BRACERAS, P.E.
Deputy Director

March 30, 2011

Mayor Don Wood
Clearfield City
55 South State Street
Clearfield, UT 84015

Dear Mayor Wood:

Subject: Refuse on Interstate 15 through Clearfield

I am writing in response to your recent inquiry regarding the litter along I-15, in and near Clearfield City. We, too, are frustrated with the amount of litter which accumulates along our highways, and The Utah Department of Transportation (UDOT) devotes a variety of efforts to reduce and remove it.

To help address this problem we have three programs in place: the Adopt-A-Highway (AAH) and Sponsor-A-Highway (SAH) Programs, and the “Litter Hurts” Campaign. The Litter Hurts Campaign is educational, and seeks to demonstrate to motorists how litter on our highways is not only unsightly, but is also dangerous to other motorists when ladders, boxes, luggage, bicycles, and other things strapped to our cars or trucks falls off and lands on the roadway. To vividly show this while enhancing the educational experience, Litter Hurts has a special display mounted on a trailer that can visit community events and show the State’s residents the kinds of items that are falling off their vehicles, and the damage it causes to others on the road. To contact the Litter Hurts Program, please contact Mr. Nate McDonald at (801) 808-0810, or e-mail him at “nmcdonald@intrepidagency.com.”

The AAH and SAH are similar programs with one difference. During previous years, litter pickup on I-15 has been provided by groups that would “Adopt-A-Highway,” that is they would voluntarily take responsibility for cleaning up the trash in their adopted segment of the interstate. While this effort worked very well in the past, it was changed a few years ago when a tragic accident occurred that involved one of these volunteer groups. As a result, it was determined that it was not wise to expose untrained or unqualified individuals to the dangers of high speed roadways such as interstate highways.

Litter pick-up on interstate highways now falls under the SAH Program, which is a no-cost-to-the-state contract allowing private companies to sponsor a contractor to maintain segments of eligible roadway. The contractor will install a standard sign along each sponsored
roadway segment with the corresponding sponsor's logo attached to the sign, and then remove trash on a regular basis for a nominal fee. For more information about the SAH Program, please contact Mr. Lynn Bernhard, P.E., UDOT Maintenance Methods Engineer, at 801-243-9624, or email him at "lynnbernhard@utah.gov.”

As a result of this change, the AAH program is now limited to non-interstate roadways, where speeds are reduced and the risks to volunteer trash collectors can be more carefully managed. Unfortunately, participation in this new AAH program by volunteer groups has not been at the levels seen in past years. Fortunately, the I-15 700 South (SR-193) Interchange has just been adopted by a new group which we believe will have a positive impact on one of the primary gateways into Clearfield City.

Increasing maintenance costs have also caused UDOT Region One to reprioritize our own work plans. Unfortunately, due to changing priorities, we have not been able to perform litter control with the same frequency as it was conducted previously. We are continually looking at other innovative ways to address this issue to yours, and our satisfaction.

If you have any further questions please do not hesitate to contact me at 801-620-1640.

Sincerely,

Kris T. Peterson, P.E.
Region One Director

KP: jkm
CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
April 12, 2011

PRESIDING: Don Wood Mayor

PRESENT: Marilyn Fryer Councilmember
Kathryn Murray Councilmember
Mark Shepherd Councilmember
Doyle Sprague Councilmember
Bruce Young Councilmember

STAFF PRESENT: Brian Brower City Attorney
Scott Hodge Public Works Director
Greg Krusi Police Chief
Tracy Heun Community Services Director
Bob Wylie Administrative Services Director
Stacy Millgate Business License Official
Nancy Dean City Recorder
Kim Read Deputy City Recorder

EXCUSED: Chris Hillman City Manager
Adam Lenhard Community Development Dir.

VISITORS: Joy Brown – American Legion, Jennifer Isakson, Dan Wood

Mayor Wood informed the citizens present that if they would like to comment during Citizen Comments or the Public Hearings there were forms to fill out by the door.

Councilmember Murray conducted the Opening Ceremony.


Councilmember Young moved to approve the minutes from the March 22, 2011 work session, the March 22, 2011 regular session and the March 23, 2011 work session as written, seconded by Councilmember Fryer. All voting AYE.

CITIZEN COMMENTS

Jennifer Isakson, resident, explained a situation regarding her daughter who had been invited to a birthday party at the Aquatic Center. She stated she did receive a phone call from personnel at the Aquatic Center who apologized for the situation who then proceeded to state policy. She stated she had several suggestions which could be implemented to ensure the safety of all participants at birthday parties at the Aquatic Center.
Tracy Heun, Community Services Director, clarified the party that took place that day was not a scheduled party at the Aquatic Center, rather children were invited by the mother to swim as the activity for the party. Ms. Isakson expressed concern Aquatic Center staff was willing to keep a tally of participants entering the pool area for payment; however, once they were inside the pool area she believed staff didn’t care about patrons. Mayor Wood believed the responsibility of the children invited to the party was up to whoever was sponsoring the birthday party.

Ms. Heun explained the policy regarding known participants for a scheduled party but pointed out this situation was not a scheduled party. Mayor Wood didn’t believe it would be practical for the City to assume responsibility for the care and keeping of patrons to the Aquatic Center who are participating as a large group and referred Ms. Isakson to Ms. Heun to further discuss the issue and offer her suggestions. Ms. Heun emphasized it was the party’s host responsibility to keep track of those attending the party at the facility.

Councilmember Murray believed communication needed to take place between Aquatic Center Staff and the organizer of the party or group using the facility. Ms. Heun responded a meeting with staff had taken place previous to the City Council meeting in which it was determined staff would be emphasizing responsibility for attendees of any party or group would be their sole responsibility and not staff at the Aquatic Center. Ms. Isakson and Ms. Heun left the meeting to further discuss Ms. Isakson’s suggestions and whether any of those would be feasible for implementation.

Dan Wood, resident, reminded the Council of his previous participation during the Citizen Comment portion of meeting regarding the SR 193 extension and expressed appreciation for the City’s efforts with additional signage and fencing to mitigate the neighborhood’s concerns. He stated his purpose of tonight’s discussion was regarding the recent explosion of the Bio-fuel business and the auto repair shop. He believed an opportunity might now be available to UDOT in changing the direction of the onramp adjacent to the neighborhood with the elimination of the businesses. He commented the City could suggest the option to UDOT to purchase the now vacant property in conjunction with the SR 193 extension.

Scott Hodge, Public Works Director, commented UDOT may have already negotiated a purchase price for the portion of the property needed for the extension based on the current design Mayor Wood stated he made a note to discuss the issue with Randy Jeffries, UDOT project manager, regarding a possible redesign of the road extension in light of possible available property at this time.

APPROVAL OF ORDINANCE 2011-05 AMENDING TITLE 4, BUSINESS AND LICENSE REGULATIONS

City staff was recommending the following amendments to Title 4, Business and License Regulations: changes to the definition of a Sexually Oriented Business Employee as well as
modifying the Delinquent Date and Penalty provisions for Business and Rental Dwelling Licenses.

Councilmember Sprague moved to approve Ordinance 2011-05 amending Title 4, Business and License Regulations and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF ORDINANCE 2011-06 AMENDING THE CONSOLIDATED FEE SCHEDULE

Amendments were being proposed to the Consolidated Fee Schedule for modifying the Business License Penalty Provisions as well as the Building Permit Residential (Identical Plan) Review fees.

Councilmember Shepherd moved to approve Ordinance 2011-06 amending the Consolidated Fee Schedule and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF THE UPDATED WATER CONSERVATION PLAN FOR CLEARFIELD CITY

During 2001 Clearfield City approved a Water Conservation Plan as required by the Utah Water Conservation Plan Act (UC 73-10-32). Clearfield City was required to review and update its Water Conservation Plan every five years. The City staff had reviewed and updated the Water Conservation Plan as required. The Water Conservation Plan contained a basic summary of the current water system that served Clearfield and makes recommendations on water conservation for the community.

Councilmember Fryer moved to approve and adopt the Updated Water Conservation Plan and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. All voting AYE.

APPROVAL OF RESOLUTION 2011R-04 ADOPTING A NEW CITY LOGO

The City desired to update its logo to better reflect the City’s support of Hill Air Force Base and its related industries as well as the tremendous manufacturing presence located in the City. The current City logo had been in use since January of 2000.
Councilmember Fryer moved to approve Resolution 2011R-04 adopting the new City Logo and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF RESOLUTION 2011R-05 APPROVING A UTILITY REIMBURSEMENT AGREEMENT WITH UDOT (UTAH DEPARTMENT OF TRANSPORTATION)

UDOT was making preparations for the SR 193 extension project and the construction necessitated the relocation of City utilities. The agreement indicated that UDOT would reimburse Clearfield City for one hundred percent of the cost to relocate the facilities.

Councilmember Young moved to approve Resolution 2011R-05 approving a utility reimbursement agreement with UDOT and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Sprague. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF A PROCLAMATION DECLARING APRIL 29, 2011 AS ARBOR DAY

Clearfield City would celebrate Arbor Day on Friday, April 29, 2011. The City supported all efforts to plant and protect trees within its boundaries because trees are valuable to the City’s environment. Community Services Director, Tracy Heun, had requested the date of April 29, 2011, be officially declared “Arbor Day” in the City of Clearfield.

Councilmember Sprague moved to approve the Mayor’s signature to the Proclamation officially declaring April 29, 2011 as “Arbor Day” in the City of Clearfield, seconded by Councilmember Fryer. All voting AYE.

APPROVAL OF A PROCLAMATION DECLARING THE WEEK OF JULY 10-16, 2011 AS CONTRACT MANAGEMENT WEEK IN CLEARFIELD CITY

An officer of the Utah Chapter of the National Contract Management Association approached the City requesting support of Contract Management Week by proclaiming the week of July 10-16, 2011 as Contract Management Week in Clearfield City. The Utah Chapter was comprised of 184 contracting professionals from Hill Air Force Base and defense companies located in Davis and Weber Counties.

Councilmember Murray inquired what a Contract Manager’s job entailed. Nancy Dean, City Recorder, relied the work would be similar to what a City Recorder completed in the private sector providing procurement, tracking contracts, etc. Brian Brower, City Attorney, explained
many of the defense contractors located at Hill Air Force Base (HAFB) employ individuals to manage the many contracts associated with their work with the military.

Councilmember Fryer moved to approve the Mayor's signature to the Proclamation officially declaring the week of July 10-16, 2011 as Contract Management Week in Clearfield City, seconded by Councilmember Young. All voting AYE.

COMMUNICATION ITEMS:

Mayor Wood
1. Requested the councilmembers notify Nancy Dean, City Recorder, if they intended to attend the Arts Facility Assessment meeting scheduled for Wednesday, April 20, 2011 at 6:00 p.m.
2. Requested Council’s input on invitees for the Davis Education Gala.
3. Reported he would be attending the Utah League of Cities and Towns conference beginning tomorrow, Wednesday, April 13, 2011 until Friday, April 15, 2011.

Councilmember Fryer – Reported she would be out of town on for the meetings scheduled for Tuesday, May 3, 2011 and Tuesday, May 10, 2011.

Councilmember Murray – nothing to report.

Councilmember Shepherd – Reported he would be out of town for the meeting scheduled for Tuesday, May 10, 2011.

Councilmember Sprague
1. Reported a new business, For Your Kitchen, would be relocating to 700 South in a new building near Domino’s Pizza.
2. Expressed concern about restrooms being locked during soccer/baseball practice at city parks and suggested moving the date to keeping them unlocked earlier in the year to accommodate the participants.

Councilmember Young – nothing to report.
STAFFS' REPORTS:

*Nancy Dean, City Recorder* – reminded the Council of the following meetings:

- A budget work session was scheduled for Tuesday, April 19, 2011 at 6:00 p.m.
- She requested the councilmembers inform her of their plans to attend the Arts Feasibility work session on Wednesday, April 20, 2011 at 6:00 p.m.
- April 26, 2011 would be a regular policy session
- A work session was scheduled for May 3, 2011
- May 10, 2011 would be a regular policy session

There being no further business to come before the Council Councilmember Shepherd moved to adjourn at 7:47 p.m., seconded by Councilmember Murray. All voting AYE.
ATTACHMENT

3
PROCLAMATION

for

Lifetime Products Appreciation Day

on

May 2, 2011

WHEREAS, Lifetime Products is an International company headquartered in Clearfield, Utah celebrating 25 years in business; and

WHEREAS, Lifetime Products is a valued corporate citizen and community partner with Clearfield City that employs over 1500 individuals; and

WHEREAS, Lifetime Products is constantly promoting the value of positively impacting the communities where its employees live and work and has provided countless volunteer hours to Clearfield City that have resulted in beautification and support of our community; and

WHEREAS, Lifetime Products lives by a philosophy of building relationships, inspiring philanthropy, and promoting goodwill both inside and outside the company;

NOW, THEREFORE, I, Donald W. Wood, Clearfield City Mayor, on behalf of the Clearfield City Council, do hereby proclaim Monday, May 2, 2011 as Lifetime Products Appreciation Day in the City of Clearfield.

CLEARFIELD CITY CORPORATION

____________________________
Donald W. Wood, Mayor

ATTEST:

____________________________
Nancy R. Dean, City Recorder
CLEARFIELD CITY RESOLUTION 2011R-06

A RESOLUTION APPOINTING AN INTERIM CITY MANAGER

WHEREAS, Clearfield City Corporation has adopted and operates under the “Six-Member Council” form of Municipal Government as enumerated in the Utah Municipal Code; and

WHEREAS, pursuant to both Title 10, Chapter 3b of the Utah Code as well as Title i, Chapter 7 of the Clearfield City Code, the City Council has the power to appoint a City Manager to perform executive and administrative duties or functions as delegated by the Council; and

WHEREAS, Mr. Chris Hillman, Clearfield City’s Manager since June of 2006, has officially tendered his resignation from that position and concludes his employment with Clearfield City on May 4, 2011; and

WHEREAS, the City Council finds it is in the City’s best interests to appoint an Interim City Manager to fulfill the role and responsibilities of the office of the City Manager until, pursuant to the Council’s judgment, a more permanent replacement is selected and appointed; and

WHEREAS, Mr. Adam Lenhard, who has been serving as head of the City’s Community Development Department since September of 2007, has distinguished himself to the Mayor, Council, and staff as a talented manager with proven leadership skills by exercising tremendous discretion and judgment in his decision making abilities as well as exhibiting a dedicated work ethic by impressively accomplishing many significant assignments in both a thorough and efficient manner; and

WHEREAS, Mr. Lenhard has the full faith, confidence and support of the City Council to move forward as the Interim City Manager;

NOW THEREFORE BE IT RESOLVED, by the Clearfield City Council, that Mr. Adam Lenhard is hereby appointed to serve as Clearfield City’s Manager, effective May 5, 2011, on an interim basis until further notice, with all of the authority, duties, obligations and responsibilities delegated to that position as enumerated by state law and city ordinances.

Passed and adopted by the City Council at its regular meeting on the 26th day of April, 2011.

ATTEST: CLEARFIELD CITY CORPORATION:

Nancy R. Dean, City Recorder

Donald W. Wood, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:
Community Movie Tour Book Agreement

CGI Communications, Inc.
130 East Main Street, 8th Floor
Rochester, NY 14604
800-398-3029 phone
866-429-8611 fax

This agreement is between CGI Communications, Inc. and the City of Clearfield and shall remain in effect from the date it is signed by both parties until the third anniversary of the date that the completed and approved Community Movie Showcase is made available for viewing via a link on the www.clearfieldcity.org-website homepage for viewer access. The term of this agreement shall automatically renew unless either party gives 60 days written notice of termination or modification prior to expiration.

CGI Communications, Inc. and its eLocalLink division shall provide a Community Movie Showcase as follows:

- Website Welcome video from your Mayor or other civic leader and an Education, Quality of Life, and Real Estate/Relocation video (approx. 1 minute in duration)
- Up to 2 additional videos to showcase various aspects of your community and/or organization (providing a total of six 1 minute community highlight videos)
- Script writing and video content consultation
- A videographer will come to your location to film videos
- All aspects of video production and editing, from raw footage to final video including professional voiceovers and background music
- Final draft of Community Movie Showcase content subject to your approval
- Patent pending OneClick Technology and encoding of all videos into multiple streaming digital formats to play on all computer systems, browsers, and Internet connection speeds; recognized player formats include WindowsMedia® and QuickTime®
- Store and stream all videos on CGI’s dedicated server
- Business sponsors allowed on the perimeter of video panels
- Duration of sponsor participation will be one year and eLocalLink is solely responsible for annual sponsorship fulfillment including all related aspects of marketing, production, printing, and distribution
- Viewer access of the Community Movie Showcase from your website shall be facilitated by eLocalLink providing HTML source code for graphic link to be prominently displayed on the www.clearfieldcity.org website homepage
- eLocalLink will own copyrights of the master Community Movie Showcase
- The City of Clearfield will assume no cost or liability for this project
- CGI will obtain prior approval from Clearfield City before any advertisers located outside of Clearfield, UT are included in the program

Program Add-On

- Encoding, hosting, and streaming of additional 5 minutes of video per month. Finished video content will be provided to CGI by the City of Clearfield, UT, US

The City of Clearfield, UT shall provide the following:

- A letter of introduction for the program on your organization’s letterhead
- Assist with the content and script for the Community Movie Showcase
- Agrees to give eLocalLink the right to use organization’s name in connection with the preparation, production, and marketing of the program set forth herein only
- Agrees to display the “Video Tour Book” link to be no less than 155 by 400 pixels prominently on the www.clearfieldcity.org website homepage for the term of this agreement
- Provides eLocalLink exclusive streaming video rights for the program described herein relating to the “Video Tour Book” link only. The City of Clearfield may continue to work with other vendors and stream additional content outside of this program

We, the undersigned, understand the above information and have full authority to sign this agreement.

__________________________  _______________________
Name: Marliss Scott  Signature:  Nicole Rongo
Title: Communications  Name (printed):  Nicole Rongo
Address: 55 South State Street  Title: Marketing Manager
City, State, Zip: Clearfield, UT 84015  Date: 03/15/11
Phone: 801-525-2796  Website: www.clearfieldcity.org
Email: mscott@clearfieldcity.org
Dear Clearfield Business Owner:

The City of Clearfield had previously participated in an exciting Internet technology service aimed at providing a tremendous, positive impact for promoting the public and the private assets of our wonderful community. We have recently decided to renew the services for, and will continue to participate in, another three-year promotional campaign conducted by CGI Communications, Inc. (www.cgicommunications.com).

e-LocalLink, a division of CGI, will produce a series of on-line videos to showcase the assets and attributes that the City of Clearfield has to offer to its residents, its visitors, and its business community. These videos will be accessible for viewing via the City’s website (www.clearfieldcity.org).

As you know, the City of Clearfield is dedicated to making our community a great place to live, work, shop and conduct business. This project will highlight the advantages of living in and doing business here.

A representative of e-LocalLink will be contacting you with an offer for your participation. We encourage you to consider supporting this program, which we feel is truly a win-win for all involved.

Sincerely,

Name
Title