

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
November 15, 2011

PRESIDING:	Don Wood	Mayor
PRESENT:	Marilyn Fryer	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Doyle Sprague	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	Adam Malan	Police Lieutenant
	Scott Hodge	Public Works Director
	Valerie Claussen	Acting Community Dev. Director
	Eric Howes	Community Services Director
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Kevin Snow – Sunset City Councilmember, Chad Bangerter – Sunset City Mayor, Felshaw King – Sunset City Attorney, Ryan Furniss – Sunset City Council, Mike LeBaron – Councilmember Elect, Kent Bush – Councilmember Elect

Mayor Wood called the meeting to order at 6:05 p.m.

DISCUSSION ON THE APPOINTMENT OF A TEMPORARY JUSTICE COURT JUDGE

Brian Brower, City Attorney, distributed a handout reflecting the names and short biographies of the proposed temporary judges and explained a situation had recently occurred with Judge Sandberg which warranted the necessity to appoint temporary Judges to be used during Judge Sandberg’s absence. Mr. Brower stated the Mayor would make the appointment of the judges and the Council would ratify that action. He expressed his opinion each judge had significant experience and believed the court would most often use the services of Judge Miller due to scheduling.

Mayor Wood commented the appointments would be voted on during the City Council meeting.

Bob Wylie, Administrative Services Director, inquired if the temporary Judges would be considered City employees. Mr. Brower responded he didn’t believe that would be required but stated he would look into that issue further and inform Mr. Wylie at a later date. Councilmember Sprague inquired how the temporary judges would be compensated. Mr. Brower stated the judges would be compensated based upon a standard rate. Mayor Wood inquired if Judge Sandberg would be using accrued sick leave during his absence. Mr. Brower responded

Judge Sandberg didn't accrue sick leave and commented the City would be obligated to continue with Judge Sandberg's current compensation.

Councilmember Murray inquired why there was a need to appoint more than one temporary judge. Mr. Brower explained these judges were currently sitting judges for other Justice Courts and it would be necessary to have more than one available due to possible scheduling conflicts when Court was held.

Mayor Wood inquired how continuances and court proceedings would take place with more than one judge presiding in the Justice Court. Mr. Brower explained the court process to the Council and commented he didn't foresee any problems associated with the involvement of more than one judge. He believed Court with the temporary judges would begin as early as tomorrow.

Councilmember Sprague expressed concern about compensating two judges. Mr. Brower stated he would look into the issue and stated he would update the Council by email. He pointed out Judge Sandberg was classified similar to a part-time employee and therefore wasn't eligible for sick leave. He believed there were some statutory provisions specific to diminishing the salary of Judge Sandberg which would need to be considered.

DISCUSSION ON CONDUCTING CLEARFIELD UNIVERSITY

Adam Lenhard, City Manager, distributed handouts to the Council specific to the possible implementation of Clearfield University. He stated Vision 2020, the City's strategic plan, included the implementation of a Clearfield University. He explained what Clearfield University would consist of and how it would be implemented. He suggested the City gauge the interest of residents within the community and explained different options of implementation. He pointed out funds had not been appropriated in the current budget for this program. He requested feedback from the Council.

Councilmember Shepherd indicated he had received positive feedback from residents and shared the success of South Jordan. He stated he had visited with the individual in charge of South Jordan's University and believed the City should offer a nine week course. He explained the importance of the Department Heads' involvement and believed costs would be minimal.

Mayor Wood suggested the City gauge the current interest and commitment in the proposed program by placing an article in the newsletter prior to directing staff in assembling a curriculum. He explained current challenges being experienced with the youth choir.

A discussion took place regarding the need and interest in Clearfield University. Mr. Lenhard summarized the City would place an article in the Jan/Feb newsletter to determine interest and consider that need during the budget process.

Valerie Claussen, Acting Community Development Director, arrived at 6:33 p.m.

The Council was in agreement to proceed with Adam's recommendation in determining interest within the community prior to investing the time and money in implementing a program.

DISCUSSION ON AN ANNEXATION APPLICATION FROM THE MILITARY
INSTALLATION DEVELOPMENT AUTHORITY (MIDA) AND THE POSSIBILITY OF
PROVIDING MUNICIPAL SERVICES TO FALCON HILL

Adam Lenhard, City Manager, stated the City had been approached from MIDA indicating they were interested in submitting an annexation petition for a portion of Falcon Hill into Clearfield City. He referred to a map reflecting where the proposed Northrop Grumman building and adjacent parking lot would be located and mentioned the parking lot was located within Clearfield City boundaries. He believed the annexation would square up the boundary. He stated MIDA didn't have the ability to designate a tax rate; however, it was allowed to assume the tax rate of the City in which its project was located. He pointed out in addition to overseeing the Falcon Hill project, MIDA was involved in others throughout the State. He reported Clearfield City currently had the highest tax rate which would yield MIDA the most benefit.

Councilmember Murray clarified if MIDA were to be annexed and the tax rate imposed, would all of MIDA's projects be affected or only the Falcon Hill project. Mr. Lenhard responded the only area affected would be that which was annexed. He emphasized the City would not receive any tax revenue from the taxes imposed by MIDA. He indicated the City would recognize very little benefit by the annexation of the small portion of Falcon Hill and reported he had made it clear to MIDA the City would not be providing any services to the development at a loss.

Mr. Lenhard reported MIDA had requested the City provide estimates of the fees associated with providing services which would form the basis of an interlocal agreement. He distributed a list of those numbers to the Council which would also be forwarded to MIDA. He expressed his opinion the proposed rates were extremely fair and emphasized the City would receive very little compensation.

Councilmember Fryer inquired if fire protection services would be provided by HAFB. Mr. Lenhard indicated there were several fire stations located on the Base and commented he was unaware if the Fire District or another agency had been approached to provide any services.

Mayor Wood pointed out Falcon Hill was a 50-year project and the potential for future development was unlimited even with the current uncertainty specific to the economy in conjunction with the recent announcement regarding the Air Logistics Command and the Air Force. He believed based on that no one was rushing to make major moves.

Mr. Lenhard emphasized some property behind the gate would be annexed for no other purpose than for MIDA to collect the tax. Brian Brower, City Attorney, indicated state code had been amended by the legislature to favor MIDA's needs. Mr. Lenhard commented the proposed fees would cover the City's costs for providing services.

Councilmember Murray inquired if the city would need to hire additional staff in order to provide the services after the annexation. Mr. Lenhard responded that wouldn't be necessary at this time.

Councilmember Sprague inquired if the City would be moving forward with the annexation and expressed his opinion the City would want to encourage the annexation. Mr. Brower responded once the City received the petition the City wouldn't have a choice one way or the other whether to annex.

DISCUSSION ON DESIGNATING A NEW REPRESENTATIVE ON THE MIDA'S DEVELOPMENT REVIEW COMMITTEE

Adam Lenhard, City Manager, explained he had been designated as the City's representative, with Gregg Benson the alternate, on the design and review board. He stated with the changes in job titles and responsibilities he was proposing Michael McDonald serve as the primary representative, with Valerie Clausen as the alternate member. The Council was in agreement with the proposed change.

Councilmember Shepherd moved to adjourn and reconvene in a City Council policy session at 6:49 p.m., seconded by Councilmember Fryer. All voting AYE.

The work session reconvened at 7:40 p.m.

DISCUSSION ON THE MAINTENANCE OF THE CITY'S OPEN SPACES

Eric Howes, Community Services Director, shared a visual presentation illustrating the location of property parcels which the City was required to maintain. The photographs illustrated the need for more diligence in maintenance. Mr. Howes distributed a handout to the Council reflecting specific information regarding each parcel, his recommendation for future maintenance, the cost associated with the recommended maintenance and prioritization on a scale from one through four with one being the highest priority.

Mr. Howes reviewed each parcel with the Council during which questions were asked and discussions took place. Adam Lenhard, City Manager, explained the City would consider both options of hiring temporary staff or whether it would be best to outsource the work with a private contractor. The Council expressed appreciation to Mr. Howes for his prioritization of the identified parcels and was looking forward to the improvements.

Councilmember Shepherd moved to adjourn to a Closed Session for the purpose of a strategy session to discuss the purchase, exchange, or lease of real property. Utah Code Ann. § 52-4-204 and §52-4-205(1)(d), seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NO – None.

The minutes for the closed session are kept in a separate location.

**APPROVED AND ADOPTED
This 13th day of December, 2011**

/s/Donald W. Wood, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, November 15, 2011.

/s/Nancy R. Dean, City Recorder