

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
February 28, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Kathryn Murray	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Ambrya Hinshaw, Miranda Cheney, Brayden Ryan, Austin LaFleur, Lorrie Molosz, Amber Smith, Shyann Rasmussen, Joy Brown, Stefan Kurzius, Laurie Allen, Scott Hall, Brandon Brooks, Jarom Hogg, Tanner Kutterer, Trent Hamblin, Aanjel Clayton, Angie Hernandez, Brady Smith, Richard Clark, Layla Byrum, Lexy Olivas, Riley Lewis, Jeff D., BethAnne Layton, Eliza Bearmes, Mark Peacock, Natalie Peacock, Hunter Tippets, Trevis Cabaness, Crystal Cabaness, Boy Scout Troop 582, Boy Scout Troop 672, Boy Scout Troop 385, Kristi Bush, Brennan Oweil, Ryan Vigansky, Taylor Smith

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

Youth City Councilmember Chamy Halliday conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JANUARY 24, 2012 WORK SESSION,  
FEBRUARY 14, 2012 WORK SESSION AND THE FEBRUARY 14, 2012 POLICY SESSION

**Councilmember LeBaron moved to approve the minutes from the January 24, 2012 work session, February 14, 2012 work session and the February 14, 2012 policy session, as written, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NO – None.** Councilmember Murray was not present for the vote.

***SCHEDULED ITEMS***CITIZEN COMMENTS

Laurie Allen, Sunset City resident, stated she was a member of the Clearfield Arts Council for several years and expressed appreciation to the City Council for its support of the arts opportunities in Clearfield City, particularly the Storytelling Festival. She stated she had been impressed with the improvements taking place at the Community Center and expressed appreciation to City staff in building the stage and completing the painting just in time for this year's festival. She informed the Council a member of the audience had traveled from southern Idaho to attend this year's festival and mentioned it was not difficult to attract storytellers as the Festival had a positive reputation.

APPROVAL OF THE PURCHASE AGREEMENT FOR PROPERTY LOCATED AT 88 EAST CENTER STREET, MORE COMMONLY KNOWN AS THE CLEARFIELD FIRE STATION WITH THE NORTH DAVIS FIRE DISTRICT (NDFD)

Adam Lenhard, City Manager, explained the City had been in negotiations with the North Davis Fire District (NDFD) regarding the sale of the Clearfield Fire Station because it expressed interest in purchasing the building to facilitate some improvements. He reported the latest offer from the NDFD was a purchase price of \$400,000 with the inclusion of a Right of First Refusal which would prohibit the NDFD from converting its use to something other than a fire station. A public hearing on the disposition of the property took place during the February 14, 2012 City Council Meeting and no public comments were made.

Brian Brower, City Attorney, explained the remaining point of agreement was specific to the Right of First Refusal language, and based on the discussions during the work session immediately preceding the meeting, he recommended specific language to that effect be included in the motion. He continued language specific to the Right of First Refusal could reflect any purchase by the City in the future would be at fair market value and suggested the following verbiage: "...to approve the purchase agreement for property located at 88 East Center Street, more commonly known as the Clearfield Fire Station, with the North Davis Fire District (NDFD) with revisions regarding the Right of First Refusal as discussed in the Council's work session of February 28, 2012, specifically the purchase by the City would be for fair market value as agreed upon by the parties; or if the parties cannot agree on what constitutes fair market value then two appraisers be selected, one by each party, and an average of both appraisals would become the purchase price figure, and authorize the Mayor's signature to any necessary documents."

**Councilmember Young moved to approve the purchase agreement for property located at 88 East Center Street, more commonly known as the Clearfield Fire Station, with the North Davis Fire District (NDFD) with revisions regarding the Right of First Refusal as discussed in the Council's work session of February 28, 2012, specifically the purchase by the City would be for fair market value as agreed upon by the parties; or if the parties cannot agree on what constitutes fair market value then two appraisers be selected, one by each party, and an average of both appraisals would become the purchase price figure, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NO – None.** Councilmember Murray was not present for the vote.

Mayor Wood suggested the items included in the consent agenda be removed; allowing them to be considered individually with the scheduled items.

APPROVAL OF THE AWARD OF BID FOR A FIREWORKS DISPLAY DURING THE FOURTH OF JULY TO LANTIS FIREWORKS

Staff solicited bids for the 2012 Fourth of July fireworks display. Three vendors submitted qualified bids and each bid was reviewed and ranked by staff based on the guidelines included in the Request for Proposal (RFP). Based on the review, staff recommended Lantis Fireworks and Lasers be awarded the bid for the provision of the services.

Councilmember Shepherd stated he wanted to make sure the bid was being awarded to the same company who produced last year's fireworks show.

**Councilmember Shepherd moved to approve the award of bid to Lantis Fireworks for a fireworks display during the Fourth of July and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NO – None.** Councilmember Murray was not present for the vote.

APPROVAL OF RESOLUTION 2012R-04 AUTHORIZING THE DISPOSAL OF UNCLAIMED PROPERTY

Greg Krusi, Police Chief, stated the Clearfield City police department was periodically required to dispose of unclaimed property. In the past, the Council approved the disposition of unclaimed property to bona fide charities. He mentioned the property was bicycles which had been recovered in the previous six months in which the property owner could not be located. He mentioned the donation rotated among three different charities.

**Councilmember Bush moved to approve Resolution 2012R-04 authorizing the disposal of unclaimed property and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NO – None.**

Councilmember Murray was not present for the vote.

### ***COMMUNICATION ITEMS***

***Financial Reports*** – Bob Wylie, Administrative Services Director, presented the financial reports through the month of January to the City Council. He stated property tax revenues had been received and were within projected figures. He indicated the reflected sales tax revenues were from December and had come in higher than projected. He reported the telecom license tax had been steadily declining and reported staff would be researching the result. He stated the overall revenues were within projected parameters. He informed the Council that the County would be dispersing the RDA revenues in March and believed they would be within budgeted parameters. He reviewed the expenditures with the Council and reported all accounts were within projected budget levels at this time.

***Mayor Wood*** – Reported he would be out of town next week and stated Councilmember Shepherd would be conducting the work session on March 6, 2012 as well as attending lunch with the Mayor on Wednesday, March 7, 2012.

### ***Councilmember Bush***

1. Inquired about the need to conduct interviews for vacancies on the Parks and Recreation Commission since there were more vacancies than received letters of interest. Mayor Wood expressed his opinion the Council would want to interview the candidates in order to place individuals whose vision, goals and objectives would align with the City's. Eric Howes, Community Services Director, pointed out he hadn't been able to hold a meeting for two months due to the lack of a quorum. He stated the bylaws require a majority of the current members on the Commission and it was becoming a busy time for the Parks and Recreation Commission members and it was necessary to hold meetings and distribute assignments. He emphasized the members had a significant responsibility to the City.

2. Informed the Council he attended the Davis County Transportation meeting on Wednesday, February 22, 2012 and reported presentations were shared by Wasatch Front Regional Council, Utah Department of Transportation (UDOT) and Utah Transit Authority (UTA). He stated the presentations reviewed each entity's proposed projects for Davis County which would take place within the next year. Mayor Wood expressed appreciation to Councilmember Bush for his representation at the meeting.

***Councilmember LeBaron*** – nothing to report.

***Councilmember Shepherd*** – nothing to report.

***Councilmember Young*** – nothing to report.

***Adam Lenhard, City Manager***

1. Informed the Council Davis School District was currently meeting in the multi-purpose room for the purpose of discussing an elementary school boundary change affecting some students attending Holt Elementary by moving them to the new Wasatch Elementary in the fall of 2012.
2. Reported staff had begun the Fiscal Year 2013 budget process and meetings were currently taking place allowing department heads to submit their expenditure needs for next year.

***STAFFS' REPORTS***

***Nancy Dean, City Recorder*** –Informed the Council of the upcoming meetings for the month of March:

- Work Session scheduled for March 6, 2012.
- No meeting would be scheduled for March 13, 2012 to allow the community the opportunity to participate in their political caucuses.
- Work Session was scheduled for March 20, 2012.
- Regular Policy Session would take place on March 27, 2012.

There being no further business to come before the Council **Councilmember LeBaron moved to adjourn at 7:25 p.m., seconded by Councilmember Shepherd. All voting AYE.**

**APPROVED AND ADOPTED  
This 27<sup>th</sup> day of March, 2012**

**/s/Don 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, February 28, 2012.

**/s/Nancy R. Dean, City Recorder**