

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
June 12, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush Mike LeBaron Kathryn Murray Bruce Young	Councilmember Councilmember Councilmember Councilmember
EXCUSED:	Mark Shepherd	Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Brian Brower Mike Stenquist Eric Howes Curtis Dickson Scott Hodge Valerie Claussen Steve Guy Jessica Hardy Kim Read	City Manager Assistant City Manager City Attorney Assistant Police Chief Community Services Director Recreation Supervisor Public Works Director Development Services Manager City Treasurer Accountant Deputy City Recorder
EXCUSED:	Greg Krusi Bob Wylie Nancy Dean	Police Chief Administrative Services Director City Recorder

VISITORS: Tab L. Uno, Norah Baron, Nathan Baron, Noah Baron, Zachary Baron, Ann Hoel, Sharon Hoel, Jason Burningham – Lewis Young Robertson & Burningham (LYRB), Vicki Denhalter, Ben Denhalter, Bean Denhalter, Garrett & Eli Milne, John Metcalf, Charlie & Keri Benson & Family

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.

Councilmember Bush conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE APRIL 10, 2012 WORK SESSION AND
MAY 22, 2012 POLICY SESSION

Councilmember LeBaron moved to approve the minutes from the April 10, 2012 work session and the May 22, 2012 policy session, as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush,

LeBaron, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

PRESENTATION TO STEVE RASMUSSEN FOR HIS SERVICE AS A MEMBER OF THE PARKS & RECREATION COMMISSION

Councilmember Bush stated Steve Rasmussen had served the City as a member of the Parks & Recreation Commission for approximately 10 years and recently resigned. Mayor Wood and the City Council desired to recognize Mr. Rasmussen for his service to the City and presented him with a certificate of appreciation.

CLEARFIELD UNIVERSITY GRADUATION

JJ Allen, Assistant City Manager, explained the City recently implemented Clearfield University, an eight week course, during which participating residents had the opportunity to gain an understanding of the operations of the City. Mayor Wood and the City Council desired to acknowledge those participants for completing the class and presented each with a certificate of completion.

PUBLIC HEARING TO RECEIVE COMMENT ON THE 2012/2013 FISCAL YEAR BUDGET

Utah Code required cities to hold a public hearing regarding the adoption of the upcoming fiscal budget. The City staff prepared and submitted to the Council a balanced tentative budget for the fiscal year 2012/2013 which would begin July 1, 2012 and would end June 30, 2013. The submitted tentative budget was adopted on May 8, 2012 and included all funds.

Adam Lenhard, City Manager, briefly reviewed the highlights of the 2012/2013 Fiscal Year Budget:

- Construct the West Park Village Park
- Complete additional park improvements at Barlow Park
- Complete several water, sewer and storm drain infrastructure improvements throughout the City
- Complete street seal coating in addition to crack patch and slurry seal on several roads within the City
- CDBG project on Locust Street involving many improvements to the neighborhood
- Personnel changes specific to code enforcement being moved to the police department
- The Addition of two part-time workers to assist in maintaining small open spaces throughout the City
- Although no increase in compensation was included, increases in healthcare, dental and mandated retirement increases were not passed onto the employees.

He mentioned the certified tax rate had just been received from Davis County on Monday, June 11, 2012 and believed the budget could be adopted without a tax increase.

Mayor Wood declared the public hearing open at 7:21 p.m.

Mayor Wood asked for public comments.

Tab Uno, resident, stated his comments were specific to the intersection located at 700 South 1000 West. He presented a Resolution of Thanks to the City Council for the appropriating of funds for a left hand turn lane for those traveling north on 1000 West and read the Resolution. He stated the Resolution had been signed by 70 residents and mentioned while attempting to collect signatures; several residents had expressed ill will of the Council regarding the Utility Trailer expansion some years ago. He reported he would be contacting UDOT regarding the 650 North and Main Street intersection. He expressed appreciation to Councilmember Bush and Scott Hodge, Public Works Director, for their response to his questions regarding the 700 South 1000 West intersection.

Councilmember Bush expressed appreciation for Mr. Uno's efforts and involvement regarding the traffic and possible improvements for the intersection.

Councilmember Young moved to close the public hearing at 7:27 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

PUBLIC HEARING TO RECEIVE COMMENT ON AMENDING THE LAND USE ORDINANCE TITLE 11, CHAPTER 3, CHAPTER 11, AND CHAPTER 13 FOR THE INCLUSION OF DEFINITIONS AND SUPPLEMENTARY STANDARDS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

State legislation was recently enacted, commonly referred to as House Bill 95, which revised Utah State Code in establishing certain restrictions on the location of retail tobacco specialty businesses. The proposed text amendments reflect these changes made to State Code.

Adam Lenhard, City Manager, read specific language from the statute explaining the definition of a tobacco specialty business in addition to pointing out the statute also included some proximity restrictions for such businesses and also read that language. He emphasized these amendments would bring the City in compliance with State Code and reported the required modifications had been approved by the Planning Commission.

Mayor Wood declared the public hearing open at 7:29 p.m.

Tab Uno, resident, inquired where these businesses could then be located in the City given the

proximity requirements. Mr. Lenhard responded there were areas within the City which would allow for these businesses and stated a map had been provided to the Council illustrating the area and invited Mr. Uno to contact staff to view the map.

Councilmember Bush moved to close the public hearing at 7:30 p.m., seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

SCHEDULED ITEMS

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF ORDINANCE 2012-03 AMENDING THE LAND USE ORDINANCE TITLE 11, CHAPTER 3, CHAPTER 11, AND CHAPTER 13 FOR THE INCLUSION OF DEFINITIONS AND SUPPLEMENTARY STANDARDS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

Brian Brower, City Attorney, directed the Council to the handout and commented minor modifications had been made to the proposed ordinance. He stated although minor in nature, he requested the motion reflect it had been amended, because the changes were made after approval by the Planning Commission.

Councilmember LeBaron moved to approve Ordinance 2012-03 amending the Land Use Ordinance Title 11, Chapter 3, Chapter 11, and Chapter 13 for the inclusion of definitions and supplementary standards for retail tobacco specialty businesses as amended by staff and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

APPROVAL OF ORDINANCE 2012-04 AMENDING TITLE 4, CHAPTER 1 AND CHAPTER 10 ON RELATED MATTERS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

Brian Brower, City Attorney, reported the change to the ordinance should be Chapter 1 and Chapter 10.

Councilmember Murray moved to approve Ordinance 2012-04, as amended by staff, amending Title 4, Chapter 1 and Chapter 10 on related matters for retail tobacco specialty businesses 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, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

CONSENT ITEMS

APPROVAL OF THE AWARD OF BID FOR THE ROSS DRIVE STORM DRAIN PROJECT

Bids were received from two construction companies to construct a storm drain pipeline from Ross Drive crossing to the west side of State Street. The lowest responsible bid was received from Brinkerhoff Excavating with a bid of \$109,107.

Councilmember Murray requested clarification if this project had been previously tabled from earlier in the year. Scott Hodge, Public Works Director, responded only one bid was received the last time the project was bid and it was considerably higher than estimated figures so the City waited one construction season to rebid it.

APPROVAL OF THE AWARD OF PROPOSAL FOR THE PARKS CAPITAL FACILITIES PLAN, IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS

Staff solicited proposals for the completion of an Impact Fee Facilities Plan, Capital Facilities Plan, and Impact Fee Analysis. Three firms submitted proposals and each proposal was reviewed and ranked by staff based on the guidelines included in the Request for Proposals (RFP). Based on the review, staff recommended that Lewis, Young, Robertson & Burningham (LYRB) be awarded the contract for the provision of these services.

APPROVAL OF THE RENEWAL OF THE WINDOW CLEANING CONTRACT

Clearfield City contracted with Legacy Window Cleaning for window cleaning services on July 1, 2009. The contract was set to expire on July 1, 2012. The current agreement provided Clearfield City with “the right to renew the agreement for up to two (2) additional one (1) year terms.” Legacy Window Cleaning Services requested a slight increase of \$300 annually to cover rising fuel costs and this increase had been appropriated in the fiscal year 2013 budget.

Mayor Wood asked the Council if there were any items which needed to be removed from the consent agenda. There were no items removed.

Councilmember Young moved to approve the consent agenda items presented by staff as listed above 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, Murray and Young. Voting NO – None. Councilmember Shepherd was not present for the vote.

COMMUNICATION ITEMS:

Mayor Wood

1. Reported a Community Council meeting had taken place on Thursday, June 7, 2012, at the City building where several stakeholders from the community were in attendance. He stated several presentations were shared highlighting challenges specific to residents of the community. He expressed his opinion it had been worthwhile.
2. Informed the Council that UTA would be meeting in closed session to discuss the current proposal for its TOD site within the City with its Planning & Development Committee.
3. Announced Weber State University was now officially located within Clearfield City with the addition of Continuing Education and Police Academy occupying the building at the corner of State Road 193 and University Boulevard.

Councilmember Bush

1. Informed the Council that he had attended the summer barbeque lunch at Chancellor Garden earlier in the day.
2. Reported he had attended the Wasatch Front and UDOT Transportation Committee meeting last week.

Councilmember LeBaron – reported on an update from the Planning Commission. He stated staff and the contractor associated with the proposed daycare at the Goupious building had worked together in creating a workable solution specific to drop off and pickup without impacting residents on 1050 West.

Councilmember Murray – nothing to report.

Councilmember Young – nothing to report.

STAFF REPORTS

Adam Lenhard, City Manager – nothing to report.

Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 7:43 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 26th day of June, 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, June 12, 2012.

/s/Nancy R. Dean, City Recorder