

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 19, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Natalee Flynn	Special Events Coordinator
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Greg Krusi	Police Chief
	Bob Wylie	Administrative Services Director
	Jessica Hardy	Accountant
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 6:09 p.m.

UPDATE ON THE 2013 FOURTH OF JULY ACTIVITIES

Adam Lenhard, City Manager, distributed a handout providing information for a possible wings festival in conjunction with Fourth of July activities for 2013. He reported on the Beehive Sports Wing Festival that took place in Salt Lake on June 16, 2012. He indicated Councilmember Shepherd, Natalee Flynn, Special Events Coordinator, and he had attended the event to learn from it. He explained it was located in the parking lot of Beehive Sports Bar which was an asphalt parking surface with very little shade. He expressed his opinion the City's event should not be held in a parking lot and shade would need to be provided. He also reported on the level of entertainment and expressed his opinion the City would want big entertainment throughout the day. He also believed the participating vendors weren't prepared for the number of people attending the event and suggested a greater variety of vendors should be included as not everyone enjoyed wings. He stated the City learned a lot of what not to do.

Natalee Flynn, Special Events Coordinator, pointed out if beer were to be sold, members of the family under the age of 21 could not attend. Councilmember Shepherd emphasized the Salt Lake (SL) event was geared for 21 years old and older. Mr. Lenhard pointed out it had been advertised as an "all you can eat" event which was not a good idea as the establishment ran out

of food. Ms. Flynn shared her suggestion for what could be implemented to create a successful event such as shade, music and food vendors.

Mr. Lenhard stated he was glad he attended in order to ensure the success of the City's event. He requested some direction from the Council regarding the event as more in depth planning was taking place. He reviewed some identified goals with the Council:

- An all day event consisting of food and entertainment
- An event that would draw people to the City to show-off Clearfield and have them stay within the City
- Councilmember Young desired a revenue neutral event
- Councilmember Shepherd pointed out vendors from outside of the State would possibly attend and this would be an opportunity to showcase "Clearfield City"
- Councilmember LeBaron wanted a "family" event with something being offered in addition to the wings festival
- Tying in the Air Force given the proximity to HAFB

Mr. Lenhard reviewed the reasons why the Fourth of July activities previously offered during the day had been eliminated from the City's celebration pointing out: shade and the costs associated with City staff. He allowed each councilmember to share what they would desire for an event during the day. Councilmember LeBaron desired activities suited for children. Councilmember Bush suggested some kind of fair rides. It was suggested to use volunteers as a staffing component. Councilmember Murray expressed her opinion that allowing alcohol would not necessarily promote a "family" event.

Mayor Wood pointed out the importance of providing an event for members of the community in addition to being a destination event. He believed the event would be counterproductive if residents were unhappy with it and decided to remain at home. He expressed concern regarding parking for an event of this nature. A discussion took place regarding potential shuttle services from large parcels of property. Councilmember Young suggested providing free parking passes in every utility bill to encourage the residents' attendance. JJ Allen, Assistant City Manager, pointed out the City would need to somehow charge attendees other than for food to offset some of the costs.

Mr. Lenhard reported staff completed research specific to allowing alcohol at the event and briefly reviewed the laws associated with a temporary special event permit. He indicated State statute specific to the selling of beer at an event such as a wings fest would not be applicable; rather, it would be the City's local ordinance which excluded the allowance of beer at the public park location. He proposed holding the wings fest at a different location in which a specific, cordoned off area could be designated for beer purchase and consumption. He emphasized that would mean no one under the age of 21 would be allowed in that cordoned off area and no beer would be allowed to be taken out of the cordoned off area and pointed out what would be involved with that. A discussion took place regarding whether to sell or not sell beer in conjunction with the wings fest.

Councilmember Shepherd believed beer and wings were intertwined and the success of the event would be determined based on the availability of beer. Mayor Wood emphasized the importance of the event complimenting the interest of the City's residents and not detracting from their expectations of a family event. He expressed concern about the potential to deter people from attending because of the atmosphere being different from that of the past in Clearfield for the Fourth of July. Councilmember LeBaron suggested embracing the wings fest as a dry event and advertise it as such. Councilmember Young emphasized the event should be a family event and the beer garden should be so minimal that people wouldn't even notice it and if the alcohol consumption was critical to the success of the wings fest maybe it really shouldn't be considered a "family: event.

Mayor Wood asked the members of the Council if they would like to offer beer at the event and requested each express their opinion. Mayor Wood stated he was not in favor of sponsoring an event which could potentially change the nature or character of the City's Fourth of July celebration. Councilmember Murray was not in favor of selling beer. Councilmember LeBaron stated he also was not in favor of selling beer. Councilmember Bush pointed out the City might need to discuss the issue with the LDS Church and Davis School District since the parking lots and property would also be used for the event. He stated at this time in the discussion he would have to disagree with selling beer. Councilmember Young expressed his opinion the selling of beer could detract from having a "family" event but wouldn't be opposed if it could be accomplished successfully. Councilmember Shepherd believed the vast majority of attendees at a wings festival desired to quench their thirst with beer.

Mayor Wood inquired if wings selling vendors would decline to participate in the wings festival if alcohol were not available. A discussion took place regarding the viability of a wings festival without the availability of beer. Mr. Lenhard stated staff would move forward in determining the interest of vendors in a wings festival with no alcohol.

DISCUSSION ON THE CERTIFIED TAX RATE

Adam Lenhard, City Manager, distributed a handout and announced the certified tax rate had been received from the County and reviewed the findings. He stated Davis County had decreased the assessed property values thereby increasing its proposed tax rate. He indicated the City would be maintaining its revenue level under the proposed scenario. He reminded the Council that there was a debt service component to the tax rate for the general obligation bond payment. He stated the tax rate did not reflect the entire debt service because enterprise funds were used to pay their fair share of the debt service as well. Jessica Hardy, Accountant, added that the enterprise fund would be required to increase its contribution under the new rate and other adjustments would also be necessary to the proposed budget.

UPDATE ON THE FISCAL YEAR 2013 BUDGET

Jessica Hardy, Accountant, distributed a copy of the tentative budget and emphasized staff was presenting a balanced budget for all funds. She reviewed the proposed changes to the tentative budget prior to final approval. The changes were as follows:

- Decreased the CDRA appropriation for the 18-inch waterline project and moved it to be funded through the fund balance.
- Decreased the CDRA appropriation for the 1450 S Storm Drain Project and moved it to be funded through the fund balance.
- Decreased EDA #1 appropriation to the Legend Hills Street Project and moved it to also be funded through the fund balance.
- Added the installation of UCAN Fiber Optic Cable from State Street to the City building funded through the fund balance.
- Allocated fund balance to assist with the funding of the Park Capital Facilities/Impact Fee Plan.
- Decreased the CDBG administrative costs to assist with funding the Locust Street Project.
- Removed the window replacement project for the Community Art Center because the State grant would not cover the project.
- Slightly increased revenue projections in property tax, energy use tax and muni telecom tax as well as the enterprise fund overhead allocation to accommodate the County's changes to the debt service portion of the certified tax rate.

DISCUSSION ON THE REOPEN BUDGET ITEMS FOR FISCAL YEAR 2012

Bob Wylie, Administrative Services Director, distributed a handout reflecting items which would be addressed by re-opening the fiscal year 2012 budget. He directed the Council to the information and reviewed each item reflected on the handout. The Council expressed no questions or concerns and no discussion took place following Mr. Wylie's review of the itemized list.

UPDATE ON ROADWAY IMPROVEMENT PROJECTS

Scott Hodge, Public Works Director, distributed a handout and map reflecting road improvement projects completed the previous two years and briefly reviewed them with the Council. He reviewed the proposed chip seal project list and the proposed future road improvement projects. He also referred to the distributed City maps and explained each one. Mayor Wood pointed out the funding associated with the road improvements was approximately 2.5 million dollars.

Mr. Hodge referred to the map illustrating those roads which needed to be rebuilt and those which could be chip sealed and pointed out the costs associated to accomplish each. He explained the challenges associated with keeping the City's roads maintained.

The Council took a short break at 7:24 p.m.

The meeting resumed at 7:34 p.m.

DISCUSSION ON PROPOSED BOUNDARY ADJUSTMENTS WITH SYRACUSE CITY

Adam Lenhard, City Manager, distributed handouts that reflected city boundaries for both Syracuse and Clearfield City near the 1000 West 200 South and 700 South intersections. Mayor Wood reminded the Council of the proposed development west of 1000 West and south of 200 South by the Ninigret Group. He mentioned the development was proposed to go as far south as Worldwide Packaging and stated a small portion of the property near that location was within Clearfield City.

Mr. Lenhard clarified the property was owned by PRI and could possibly have some easements across it. Mayor Wood explained that in addition to meeting all the requirements associated with the development with Syracuse City, the developer would also have to meet all requirements with Clearfield City for a very small amount of property which would only benefit landscaping and parking for the project. He informed the Council of the options related to the property: requiring the developer to apply with both cities for the development of the entire project or Clearfield could adjust the boundary allowing the entire project to be in Syracuse City.

Councilmember Murray inquired if the City should consider the boundary adjustment as a professional courtesy. Mayor Wood responded that decision was entirely up to the Council.

Mayor Wood reminded the City of previous discussions associated with the boundary change specific to the Syracuse Cemetery and distributed an aerial illustration. He stated the City had previously indicated it would consider the boundary adjustment for the cemetery if Syracuse City would be willing to complete some road improvements on 500 West near Barlow Park and a handout was distributed with photos illustrating what had been done. Mayor Wood shared a brief history associated with those discussions.

Mr. Lenhard explained the issues with Layton City owning property on the west portion of 500 West in addition to Syracuse City and Clearfield City. He indicated Syracuse had attempted to make some improvements and believed the City would not be able to force the continued maintenance at that location. He expressed confusion as to why Syracuse allowed the subdivision to be developed without completion of the street; however, it had been approved without it. He believed the City had no assurances of any future maintenance. A discussion took place regarding the possible boundary adjustment.

Councilmember Bush expressed his opinion Syracuse City purchased the property knowing it was located in Clearfield and with the assumption the cemetery could expand. He pointed out the property near the cemetery was prime residential area and stated he was not in favor of giving away the boundary adjustment. He believed the City would be just giving away property for nothing in return if it approved the boundary adjustment.

Councilmember Young expressed concern about the possible buffer benefitting Clearfield residents living along 700 South and believed the City should consider retaining that influence or control.

Councilmember Murray agreed with Councilmember Bush's comments and didn't believe Syracuse City had been cooperative in previous joint efforts and commented the traffic light installation on 1000 West 200 South as an example.

Councilmember LeBaron agreed with Councilmember Young's comments specific to the controlling of a buffer for Clearfield's residents along 700 South. He stated he didn't like the idea of approving a boundary adjustment for no return or benefit to the City.

Mayor Wood shared an experience with another neighboring city in a similar situation and Clearfield was not granted the boundary adjustment because property was considered property and in no way would any consideration be given to surrender property rights.

Councilmember Shepherd expressed his opinion he was also not in favor of adjusting any boundary to benefit the cemetery. He believed Syracuse completed the road improvements on 500 West in a poor fashion and the City had tried to put forth a good will effort in making that proposed boundary change request.

Mayor Wood stated Mayor Naegle had indicated there were no other options for a cemetery within Syracuse because of the water table. Councilmember Bush responded there were homes with basements in all areas of Syracuse City and didn't believe that to be correct. Councilmember Young commented the City had the same issue with adjusting the boundary to a 20-acre parcel that it would have with a small 3-4 acre parcel: once control was given to another entity the property owner could do whatever it wanted.

A discussion took place regarding the parcels of property. Councilmember Shepherd asked about the process specific to de-annexation and Ms. Dean responded it was very similar to the annexation process. Mayor Wood explained the boundary adjustment discussion in association with the SR 193 extension with Syracuse City and reminded the Council of those previous discussions and the result.

The Council was not in agreement for either boundary adjustment with Syracuse City and directed Mr. Lenhard to communicate that to Syracuse staff. Councilmember Shepherd emphasized he didn't object to the boundary adjustments specific to the small parcel of approximately four acres from a development perspective.

UPDATE ON PROVIDING BUILDING INSPECTION AND PLAN REVIEW FOR SUNSET CITY

JJ Allen, Assistant City Manager, reported Sunset City recently informed the City its Public Works Director/Building Official would be retiring and requested the City provide these services

for the immediate future. He reported the City was currently providing those services according to the City's current fee schedule. He indicated the City submitted a response to Sunset's Request for Proposal (RFP) to provide those services long term and was recently informed they had selected Clearfield City's proposal.

Councilmember Murray inquired if the supplementary work would require the hiring of additional staff. Mr. Allen responded City staff could easily accommodate Sunset's needs. He indicated the proposed agreement was received from Sunset City and would come before the Council for approval.

Councilmember Bush inquired if the City's compensation was a set amount per year or if it would be determined by the project. Mr. Allen stated the work was based on an hourly rate and the services were either half hour or one hour minimums. He stated some services were a set flat fee.

CLEARFIELD UNIVERSITY FINAL REPORT

JJ Allen, Assistant City Manager, distributed a memo and a summary sheet associated with information specific to Clearfield University. He reported on some of the feedback received from the participants. He stated surveys were submitted by participants after every session and reported the comments were overwhelmingly positive.

Councilmember Shepherd and Mr. Allen shared comments and feedback from the participants in addition to identifying the most successful sessions. They also shared what improvements could be made for future sessions. A discussion took place specific to those items and what could be implemented to contribute to the success of future sessions.

Mayor Wood inquired about the time commitment from staff to provide the program. Mr. Allen expressed his opinion a class size of 12 participants was too low given the amount of effort needed from staff. Councilmember Shepherd believed the end of the school year contributed to the low attendance toward the end of the sessions. He stated since the curriculum had already been established less time from staff would be required for future sessions. Councilmember Bush suggested requiring participants to pay a registration fee to encourage a level of commitment. Mr. Allen believed that could also allow for better prizes and snacks during the session. A discussion took place regarding the implementation of a fee.

The consensus of the Council was to continue offering the Clearfield University program with a fall session. Mr. Allen reported funds had been appropriated in the budget to fund the next session and complimented Natalee Flynn and Marliss Scott, Special Event Coordinators, for their efforts in securing sponsors and prizes.

DISCUSSION ON VIDEO RECORDING OF COUNCIL MEETINGS

Mayor Wood reported he had received email requests from a resident encouraging the City to video record City Council meetings and asking that they be streamed on the City's web page. He requested feedback from Adam Lenhard, City Manager, and Nancy Dean, City Recorder.

Adam Lenhard, City Manager, commented it wouldn't be an issue related to cost as he believed it would be relatively inexpensive. He reported there would be a significant impact to the IT (Information Technology) department and the recorder's office for set up prior to a meeting. He added it would require an additional retention requirement for the recording in addition to the video/audio storage space. He believed the implementation would result in additional record keeping by the recorder's office.

The concerns he believed the Council should consider are:

- Would the recording contribute to transparency? He pointed out the City currently audio recorded Council meetings which recordings were easily available, in addition to the availability of the written minutes. He added the Council met nearly every Tuesday during which issues were discussed at length prior to approval during formal City Council meetings. He expressed his opinion the City went above and beyond in providing information to its residents.
- Will it help residents be more informed? Who would be watching the meeting and how would it impact actual meeting attendance? How would the audio/visual affect the quality of public discourse? He pointed out if a resident had concern with an issue the Council was addressing during the policy session it would be too late for their input.

He expressed his opinion the nature and value of the meeting would change once video/audio recording began.

Councilmember Bush inquired about why the resident was making this request. Mayor Wood stated the resident wanted to see the discourse and discussion prior to the outcome of the meeting. He continued the resident wanted to be able to hear how and why the Council made its decision rather than just the final outcome. Mayor Wood pointed out how the citizen comment portion had been moved to the beginning of the meeting rather than at the end to allow for residents to express their concern prior to the Council acting on any given item. He pointed out how difficult it would be to allow interaction from the public from their homes during the work and policy sessions. He reminded the Council of the procedure involved in making public comments during the meetings.

Councilmember Bush believed the resident should attend the work sessions if he/she were concerned about the issues as it was a public meeting. Mayor Wood didn't believe there would be much of an audience for the video recording. Councilmember Shepherd expressed his opinion anytime information could be provided to the public, he would be in favor of it. Councilmember Young wasn't against the recording as long as there weren't a significant cost to the City. Councilmember Bush didn't want to allow the public interaction from home but was not against

the audio recording of the meetings. He suggested completing a survey among residents to determine how valuable they believed it would be.

Nancy Dean, City Recorder, pointed out there were two options for the Council to consider: audio and visual recording. Councilmember LeBaron inquired if podcasting had been considered. He requested staff provide figures for the request but wasn't against providing the service to the residents if it were feasible. Councilmember Murray was against providing recordings of the meetings and expressed concern about how it would affect the spontaneity of the councilmembers during the meetings and expressed concern about additional information in the resident's email request. She pointed out all meetings, with the exception of a very few, involving issues of the City were open to the public and this resident had other opportunities to become involved.

Mayor Wood summarized the majority of the Council was in favor of recording the meetings in some form and believed an audio recording would be sufficient.

JJ Allen, Assistant City Manager, reported he had worked for two different cities which video broadcasted their meetings and indicated the costs was extremely expensive to provide that service. He expressed agreement the audio streaming should be considered as he believed it would be more cost effective. Mayor Wood directed staff to research and report on the costs associated with audio and video recording of meetings and report at a future meeting.

Councilmember LeBaron stated technology was always changing and suggested the City be progressive.

Councilmember Shepherd moved to adjourn the work session and reconvene in a special session at 8:30 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVED AND ADOPTED

This 14th day of August, 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 19, 2012.

/s/Nancy R. Dean, City Recorder