

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
October 30, 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
	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: Michael Bouwhuis - DATC

Mayor Wood called the meeting to order at 6:08 p.m.

UPDATE AND DISCUSSION REGARDING DAVIS APPLIED TECHNOLOGY COLLEGE (DATC)

Mike Bouwhuis, DATC President, expressed appreciation for the opportunity to address the City Council and stated he was in attendance to share exciting news specific to the DATC facility located at Freeport West. He shared a visual presentation of the building and explained what renovations had taken place. He reported the building had been divided into four sections and informed the Council funds had been appropriated for the first phase from the Utah State Legislature. He informed the Council it was the goal to have the first phase of the renovation completed and ready to move in by January 31, 2013. The presentation illustrated specifics to the renovation. He pointed out the completed facility would house classrooms, office space, high bay shop facilities, new HVAC, plumbing, compressed air, and hazardous material storage. He emphasized asbestos would also be removed from the building.

Mr. Bouwhuis reported the DATC had offered a composites training program which was nationally recognized and indicated this would be advantageous as ATK accessed the facility. He believed the DATC could support ATK and HAFB with some of their processes and training.

Mr. Bouwhuis informed the Council about Phase II and indicated those programs would support aerospace manufacturing and support training and shared some of those educational programs

which could be offered at the facility. He shared some of the educational programs currently offered by the DATC for students attending Job Corps. He also explained how the facility could assist in bringing companies and businesses to Freeport Center for training, interviewing or other services. He continued because of the building's size space could be leased during the incubation period for startup manufacturing companies and shared an example.

He informed the Council the DATC offered a Fire Academy and shared how the facility would be used as a multi agency training center. He stated the facility would also support other manufacturers located at Freeport Center by offering specific training at the facility. He shared some drawings illustrating proposed improvements for the facility with the Council.

Councilmember Bush requested clarification on if the first bay or phase were being renovated with the intention to support ATK. Mr. Bouwhuis responded DATC desired to work with the companies located within the Freeport Center to meet their deficits in training for employees. He continued the DATC currently had a contract with ATK at the Kaysville facility which would eventually move to the Freeport facility which would only be one block away from their building. He shared a list of other training programs which would benefit ATK with the Council.

Councilmember Murray inquired where the facility was specifically located. Mr. Bouwhuis explained it was building D-5 located in Freeport West and reported 1.8 million dollars had been appropriated for renovation of the facility. Councilmember Bush expressed concern regarding funds being designated in the future by the Legislature. Mr. Bouwhuis commented on the challenges in requesting and receiving funds from the Legislature and believed Clearfield City had a great advantage with the Freeport facility being able to offer instant training which could benefit companies already located in the Freeport Center.

Mayor Wood inquired if the City's Economic Development brochure reflected the DATC's satellite campus located at the Freeport Center. JJ Allen, Assistant City Manager, indicated it did. Councilmember LeBaron suggested adding a hazardous communication course as a component of training offered at the facility. Mr. Bouwhuis responded the DATC already offered a hazardous program with its basic education and continuing education programs.

Mr. Bouwhuis left the meeting at 6:30 p.m.

DISCUSSION ON PARTICIPATING WITH THE UTAH HIGHWAY PATROL IN ENCOURAGING CLEARFIELD HIGH SCHOOL STUDENTS' PARTICIPATION IN A SEATBELT CONTEST

Mayor Wood reminded the Council of Trooper Vanderbeek's presentation during the October 2, 2012 work session regarding the seatbelt contest for area high school students. He inquired if the Council had any desire to participate in promoting the use of seat belts.

Councilmember Shepherd asked what kind of participation or contribution the Highway Patrol desired. A discussion took place regarding possible contributions or incentives which could be used to further promote the contest. Councilmember LeBaron expressed his opinion there was already a high number of young drivers using seat belts and inquired if there was even a need for the contest. Councilmember Murray shared specifics and statistics of the contest previously provided by Trooper Vanderbeek. Mayor Wood believed the contest provided an opportunity for the City to partner with the Utah Highway Patrol in its efforts directly benefitting the City's high school. He continued this would also illustrate support for the Highway Patrol and the High School. Councilmember Bush agreed with Mayor Wood's remarks and inquired if funds were available since this wasn't something the Council had appropriated in the budget process. Adam Lenhard, City Manager, commented there were funds in the Council's contingency account which could be appropriated for purposes such as the contest.

Councilmember Murray stated she was against the City's participation because she didn't agree with the processes used in implementing the seatbelt laws. Councilmember LeBaron stated he would be in favor of participating for the reasons pointed out by the Mayor. Councilmember Young was in favor of participating and mentioned he had discussed the City's participation with the Youth City Council. He continued it was excited to participate but also didn't have a specific idea. Councilmember Shepherd stated he also didn't agree with the seatbelt law but was always willing to support the students of Clearfield High in addition to the Highway Patrol.

Councilmember Shepherd suggested a contribution of \$500 if Clearfield High won the contest. Councilmember LeBaron inquired how many students attended Clearfield High. Brian Brower, City Attorney, believed there were approximately 1400-1500 students at the high school. The City Council agreed to contribute \$500 to the contest.

DISCUSSION ON THE YOUTH CITY COUNCIL BYLAWS

JJ Allen, Assistant City Manager, informed the Council that the Youth City Council (YCC) had approved its bylaws and stated they needed to be reviewed and then approved by the City Council. Brian Brower, City Attorney, read Article 6 of the bylaws to the Council and suggested the inclusion of the verbiage reflecting approval of the bylaws by the City Council. He also directed the Council to Article 3, Section 3 – Election and Appointment of Officers. He suggested the inclusion of the Mayor Pro Tem for the election of that office as well as the others listed.

Councilmember Murray inquired about the Article 2, Section 4 and the verbiage in the last sentence reflecting the applicants *may* be interviewed by the Mayor and City Council. Councilmember Young explained that was included because some applicants were not available on the evenings the City Council conducted the interviews. He added it could be included as a requirement if the Council desired. Councilmember Murray expressed concern the City Council was being excluded. Mr. Brower believed the verbiage was included to allow the discretion of

the City Council to determine its involvement, not the YCC's decision. Mayor Wood believed the verbiage gave the Council some flexibility. A discussion took place regarding the verbiage in that section and Councilmember Murray suggested further clarification should be made. Mr. Brower stated he would add the inclusion of the Council Liaison.

Councilmember Murray asked what the original intent was in creating the YCC. Councilmember LeBaron responded first it was to allow the youth to provide service to the City and second it was to learn how a City Council operated by participating in the process. Councilmember Murray expressed concern about the current structure being used when the YCC participated in the actual City Council meetings. A discussion took place regarding the allowed number of participants in the YCC.

Mayor Wood explained why he desired the City Council approve the YCC bylaws specific to attendance. He continued he wanted the m to be aware of the bylaws in case they were specifically asked about the YCC in the future. Councilmember Murray expressed her concern that participants might only want to participate in the YCC to allow them the opportunity for it to reflect on a resume or college application. Councilmember Young reported each participant and parent was required to sign an agreement to illustrate the participant's commitment.

DISCUSSION ON AMENDMENTS TO THE PROCEDURE FOR THE EXECUTION OF CONTRACTS FOR THE CITY

Brian Brower, City Attorney, distributed a handout to the Council and explained his concern about who was allowed to sign contracts on behalf of the City. He read the signature requirements specific to the mayor and the city manager. He shared the number of contracts signed during the current year and indicated not all had come before the City Council to authorize the Mayor's signature. He mentioned the agreement for portable restrooms needed for the Fourth of July and used it as an example that this type of contract didn't necessarily need to come before the Council for approval. He suggested Eric Howes, Community Services, as a department head, could be delegated to sign for that type of agreement. Mr. Brower read from the State Code and the City's Purchasing Policy.

He suggested authority be designated for the city manager and department heads, as designated by ordinance, to sign certain agreements. Councilmember Murray expressed concern about allowing department heads to sign for items appropriated in the budget process without the City Council being aware. She used road projects as an example. Nancy Dean, City Recorder, pointed out the Council approved the award of bid for the City's road projects which authorized the Mayor's signature to the documents. She continued the contract associated with that bid would proceed through an internal process including review by Mr. Brower, Bob Wylie, Administrative Services Director, and Scott Hodge, Public Works Director, before it was placed on the Mayor's desk for signature.

Councilmember Young believed the City Council provided oversight on behalf of the City and believed it should be aware of what was coming through the City. Mayor Wood pointed out the residents elected members of the Council and should something go awry the elected officials should be aware of the contracts and agreements. Councilmember Murray believed the Council needed to know what was going on so each one of them could answer questions from constituents.

Mayor Wood agreed with the example presented by Mr. Brower. He continued the expenditure had been identified during the budget process for the Fourth of July celebration and agreed oversight of the Council was probably not necessary.

Mr. Lenhard pointed out he routinely signed change orders for some contracts and believed this was another example of a contract being handled by staff. Mr. Brower believed inefficiencies could be created if every contract were required to come before the Council. He desired contract signatures be clarified and designated by ordinance.

Councilmember LeBaron suggested staff present proposed changes to the process for the Council's consideration. He stated the Council could then look at the staff's proposals and determine where its involvement should be required. Councilmember Shepherd agreed a specific proposal from staff would provide the opportunity for the Council to say what level should be used for approving the Mayor's signature in a formal setting. Councilmember LeBaron expressed concern with giving the city manager too much authority to sign for the City and agreed the Council needed to know the specifics. Councilmember Young suggested the purchasing policy might state specific limits for the Council to consider.

Mayor Wood directed staff to draft an ordinance proposal specific to contract signatures based upon the discussed findings. He suggested the proposal be brought before the Council in a future work session for further discussion.

Councilmember LeBaron moved to adjourn to a Closed Session at 7:15 p.m. 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 Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

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

**APPROVED AND ADOPTED
This 13th day of November, 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, October 30, 2012.

/s/Nancy R. Dean, City Recorder