

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
June 11, 2013

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

VISITORS: Marlon Wilde, Becky Brooks, Dan Schuler, Kim Schuler, Lois Kennedy, David Hansen, Gregg Benson, Neven Benson, Nike Peterson, Janice Byington

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

Councilmember Shepherd conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE APRIL 16, 2013 WORK SESSION, THE MAY 28, 2013 WORK SESSION, AND THE MAY 28, 2013 REGULAR SESSION

Councilmember Shepherd moved to approve the minutes from the April 16, 2013 work session, the May 28, 2013 work session, and the May 28, 2013 regular session as written, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Shepherd. Voting NO – None. Councilmember Murray was not present for the vote.

PRESENTATION BY THE FAMILY CONNECTION CENTER

Gene Lopez, Community Action Director, from the Family Connection Center was present to express appreciation for the City's support of the Sub for Santa Program.

Gene Lopez, Community Action Director, informed the Council that he represented the Family Connection Center, a non-profit agency in Davis County. He announced the Center desired to acknowledge Dan Schuler, Employee Association President, for support of the agency's Sub for Santa Program. He announced Mr. Schuler's efforts allowed the Agency to provide Christmas for 1785 children in 2012. He explained there weren't enough funds to originally meet the demand of requests but with Mr. Schuler's help in soliciting involvement from local businesses and City employees, the Center was able to provide 1020 toys with was equivalent to \$20,400. He stated the Agency had originally planned to present Mr. Schuler with a plaque; however, circumstances didn't allow that to take place and announced he would be delivering the plaque to Mr. Schuler at a later date. The Council expressed appreciation to Mr. Schuler for his efforts.

PUBLIC HEARING TO RECEIVE COMMENT ON THE 2013/2014 FISCAL YEAR BUDGET

Bob Wylie, Administrative Services Director, explained 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 2013/2014 which would begin July 1, 2013 and end on June 30, 2014. The submitted tentative budget was adopted on May 14, 2013 and included all funds. He pointed out the certified tax rate had been received earlier in the day by Davis County. He explained there were two components which made up the tax rate and explained each one. He announced it would be staff's recommendation to maintain the certified tax rate at 0.0018.

Mayor Pro Tem Young mentioned he failed to excuse Mayor Wood and Councilmember Murray from the meeting as they were out of town.

Mayor Pro Tem Young declared the public hearing open at 7:11 p.m.

Mayor Pro Tem Young asked for public comments.

PUBLIC COMMENT:

Nike Peterson, resident, expressed support of the 2013/2014 Fiscal Year Tentative Budget. She appreciated the time exerted by staff and Council in assembling the document. She expressed her desire to comment on two specific items in the budget. The first point regarded roads, more specifically South Main Street. She believed the entire street should be paved as opposed to the proposal of paving only a few blocks. She believed paving of the entire street was warranted because it was a major collector road used to bring traffic into the City. She pointed out completing the paving at one time would allow it to age in a similar fashion as opposed to patches of asphalt.

Ms. Peterson identified her second interest of concern was specific to the City's branding and Public Relations campaign. She suggested a complete revamping of the City's website would better serve those who visit the site on a regular basis. She explained how challenging it was for her to locate the tentative budget and emphasized she was very familiar with the City's website.

She believed it was antiquated and a disservice to the Council and staff for their accomplishments.

Mayor Pro Tem Young reported the Council had just discussed the webpage issue during the work session prior to the meeting.

Scott Hodge, Public Works Director, responded the proposed work for South Main Street was a chip seal. He explained how the road repairs were prioritized for repair and stated there were sections of South Main which allowed for a chip seal repair while other sections warranted an entire road overlay/reconstruction.

Becky Brooks, resident, expressed agreement with Ms. Peterson's comments regarding the City's webpage. She suggested a method in which citizens could interact directly with the Council. She shared a personal example in which she had attempted to organize a community event and shared the challenges she encountered in submitting information for the newsletter to meet the necessary publication deadlines. She suggested professionals living in the community with that type of expertise might be willing to assist the City with its webpage. She expressed frustration in obtaining information from the City's webpage and encouraged the Council to make changes to it a priority.

Mayor Pro Tem Young emphasized updating the webpage was a goal with was identified by the City Council.

Councilmember Bush moved to close the public hearing at 7:20 p.m., seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Shepherd. Voting NO – None. Councilmember Murray was not present for the vote.

CITIZEN COMMENTS

Marlon Wilde, resident, reminded the Council he had attended the April 23, 2013 City Council meeting and expressed concern regarding the width of 200 South in conjunction with the SR 193 extension. He reminded that the Council he had brought copies of correspondence which had taken place between himself and Mayor Wood and requested it be submitted as record. Mr. Wilde informed the Council that Mayor Wood had agreed the width of 200 South measured 36 feet wide. Mr. Wilde pointed out this was below the 41 feet standard.

Mr. Wilde mentioned he had located and quoted the code reference specific to the safety issue regarding the intersection of 200 South and 1000 West. Mr. Wilde took exception to the Mayor Wood's remarks regarding approval by the City Council to narrow 200 South as he could not locate any public record of a vote by the City Council.

Mr. Wilde reported Mayor Wood had referenced the code reference of 8-1-1 authorizing variances in street sizes which reflected the issuance of a special permit. Mr. Wilde stated he would like to view the requested permit.

Mayor Wood had also indicated the width of the road was impacted by the trail which was proposed to be located on the south side of 200 South. Mr. Wilde believed there was sufficient space for the trail and widening the road. He reported the City had decreased the speed limit to 25mph and expressed appreciation for the enforcement of drivers exceeding the speed limit. He mentioned the speed trailer had been placed on the road; however, it was placed near the sidewalk on the parkway because the road was not wide enough to park it on.

Mr. Wilde stated the Mayor had made reference to the City budget and believed the City should complete the road in compliance with City code regardless of cost. He believed the residents living along 200 South had been shortchanged by the road improvements. He asked how many councilmembers by the raise of hand had actually traveled 200 South east of 1000 West and several members acknowledged they had. He indicated 200 South west of 1000 West was wider than east of 1000 West.

Councilmember Bush responded to Mr. Wilde by explaining his understanding of the formula used to calculate road width.

Mr. Wilde clarified the 36 foot width was measured from back of curb to back of curb. He mentioned the improvements to 200 South below 1000 West actually widened the road. He expressed his opinion that members of the City Council should be representing all residents of the City and believed a citation should be issued to the City regarding the variance of the width of 200 South.

Dave Hansen, resident, stated his concern was also specific to 200 South. He stated he had been involved with UDOT regarding possible options for 200 South and expressed disappointment with the City in its response regarding 200 South. He indicated one of the concerns expressed by residents living on 200 South was specific to narrowing the road and at no time did the City respond to requests by residents about its plans regarding 200 South. He believed the City was quick to enforce City Code with regard to residents and believed the City should be held to the same standard.

He expressed concern the issue regarding 200 South had never been acted on by the Planning Commission. He emphasized he had elected representation to members of the City Council and expected their representation. He reported he had consulted with an attorney exploring his options regarding the City's actions specific to 200 South and indicated he had chosen not to exercise any action at this time.

He mentioned he had met many times with UDOT representatives and expressed his desire for the same response on behalf of the City. He believed the residents should have been informed regarding the narrowing of the road and encouraged the City to consider other options. He mentioned many residents living on 200 South were recreational vehicle owners and expressed concern regarding safety to accommodate them on the narrow road. He stated he would like to know when decisions were made by the City Council regarding the changes to 200 South and inquired why the residents were not informed of them.

He indicated the lowering of the speed limit was only done after a complaint from a resident. He stated he had inquired as to how many citations had been issued since decreasing the speed limit and shared concerns about the width of the street. He mentioned the speed in which the vehicles traveled the narrow road made it unsafe to retrieve mail from mail boxes. He expressed appreciation to the Police Department for the placement of the speed trailer along the road. He commented if the issue were about funding there were many other things which also need to be addressed. He believed the residents on 200 South had been shortchanged.

Mayor Pro Tem Young reported he would discuss comments on the issue with Mayor Wood.

Councilmember LeBaron moved to address agenda items four, five, six and seven as a consent agenda as they had been discussed in previous work sessions, seconded by Councilmember Bush. All voting AYE. Councilmember Murray was not present for the vote.

CONSENT AGENDA

APPROVAL OF THE REVISED SANITARY SEWER CAPITAL FACILITIES PLAN

Adam Lenhard, City Manager, explained the existing Sanitary Sewer Capital Facilities Plan was adopted by the City in October 2008. The intent of the Sanitary Sewer Capital Facilities Plan was to assist the City in planning, prioritizing and identify funding sources for capital improvements to the City's sanitary sewer system. The Sanitary Sewer Capital Facilities Plan was a City wide report identifying construction and/or replacement/upgrade of any inadequate sewer facility. It provided cost estimates, a general construction time schedule and possible funding sources for the implementation, upgrade and replacement of the identified sanitary sewer capital improvements.

APPROVAL OF THE AWARD OF BID TO STAKER PARSON COMPANIES FOR THE 1450 SOUTH STREET WATER AND SEWER PROJECT

Adam Lenhard, City Manager, explained bids were received from six construction companies to construct culinary water and sanitary sewer improvements on 1450 South Street. The proposed improvements would consist of installing a new 16-inch PVC transmission water line to replace the old 16-inch transit (asbestos) transmission water line; installing a new 8-inch PVC water distribution line in 1450 South from State Street to 1500 East Street; and, installing a new 12-inch PVC sewer line to replace the existing 8-inch sewer line in 1450 South from State Street to 1500 East Street. The lowest responsible bid was received from Staker Parson Companies with a bid of \$710,852.00, with contingency and engineering costs of \$118,148 for a total project cost of \$829,000.

APPROVAL OF RESOLUTION 2013R-09 AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND THE MILITARY INSTALLATION DEVELOPMENT AREA (MIDA) FOR MUNICIPAL SERVICES AGREEMENT

Adam Lenhard, City Manager, stated the Military Installation Development Authority (MIDA) was an independent, nonprofit, separate body corporate and politic of the State of Utah. It had created the Falcon Hill Project Area which was located on the west side of Hill Air Force Base. MIDA had authority to contract with another entity to provide necessary municipal services for the project area. The City was willing to provide some of those services as agreed upon. The MIDA board approved the Interlocal Agreement at its meeting on Tuesday, June 4, 2013.

SET A PUBLIC HEARING TO RE-OPEN THE 2012/2013 FISCAL YEAR BUDGET

Adam Lenhard, City Manager, stated the Council requested that the budget be re-opened on a semi-annual basis to add items that had become necessary expenditures but were not budgeted for in the original budget. A public hearing was required to re-open the budget. The staff was recommending the public hearing be set for Tuesday, June 25, 2013. He mentioned staff was projecting a small surplus from the operating fund.

Councilmember LeBaron 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 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.

COMMUNICATION ITEMS

Councilmember Bush

1. Expressed appreciation to Mr. Wilde and Mr. Hansen for attending and participating during the meeting. He requested they stay after the meeting as he would like to discuss their concerns with them.
2. Reported he had the opportunity to visit North Davis Junior High and four of the local elementary schools to present the Hope of America Awards to deserving youth.
3. Informed the Council that he attended the Wasatch Front 2040 Consortium on Wednesday, May 29, 2013. He indicated the Wasatch Front Regional Council presented the overall plan of the region.
4. Stated he attended a citizens meeting on Thursday, May 30, 2013, at Island View Park during which residents expressed concerns regarding park issues. He indicated he had mentioned their concerns to Eric Howes, Community Services Director.
5. Informed the Council he had participated in the painting of fire hydrants on Saturday, June 1, 2013. He expressed appreciation to Ms. Brooks for organizing the event and stated the hydrants within one quarter mile of the area surrounding the church house on 1000 West were painted.
6. Announced a UDOT open house and public hearing regarding the West Davis Corridor and possible alignment options would take place on Wednesday, June 12, 2013, at West Point Junior High from 4:00 p.m. to 8:00 p.m. He added public comments would be accepted from 6:00 p.m. to 9:00 p.m. He stated the final decision wouldn't be made until next spring and suggested interested individuals participate in the public hearing.

Councilmember LeBaron – Informed the Council that he had the opportunity to attend Boys' State to swear in the youth mayor on behalf of Mayor Wood. He pointed out the average GPA from the 350 attendees was 3.95. He indicated he had thoroughly enjoyed the opportunity.

Councilmember Shepherd

1. Reported he also had the opportunity to speak during Boys' State on the subject of municipal government. He was also impressed with the caliber of participants.
2. He also expressed appreciation to those residents who participated during the meeting.

Councilmember Young – Thanked Mr. Wilde, Mr. Hansen, Ms. Peterson and Ms. Brooks for their comments and participation during the City Council meeting

Adam Lenhard, City Manager – stated he had nothing additional to report other than what had been provided in his earlier email to the Council.

STAFFS' REPORTS

Nancy Dean, City Recorder

1. Informed the Council of the upcoming meeting schedule:
 - Tuesday, June 18, 2013, no meeting was scheduled.
 - Tuesday, June 25, 2013, work session beginning at 6:00 p.m. with policy session following at 7:00 p.m. no meeting on June 18. Work session on June 25 6:00 with regular session following.
2. Stated the Declaration of Candidacy period closed on Friday, June 7, 2013. She announced a Primary Election would take place specific to the City Council race narrowing seven candidates down to four. She explained citizens would have the opportunity to vote for two during the Primary Election. She mentioned two individuals had filed for candidacy for the Mayor's seat. She stated a Candidate Orientation was scheduled for Wednesday, June 12, 2013, at 6:00 p.m.

There being no further business to come before the City Council, **Councilmember LeBaron moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 8:07 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Shepherd. Voting NO – None.** Councilmember Murray was not present for the vote.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 25th day of June, 2013**

/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 11, 2013.

/s/Nancy R. Dean, City Recorder