

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
March 25, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Adam Malan	Police Lieutenant
	Scott Hodge	Public Works Director
	Scott Hess	Development Services Manager
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Lindsay Mabry – Hill Air Force Base, Kayla Vogt – Clearfield High School, Jarod Valdes – Clearfield High School, Mitch Fawcett – Clearfield High School, Mark Loucks – Hill Air Force Base, Todd Tovey, Bob Bercher, Christian Marquardt, Joshua Grundie, Tyler Knight, Lucas Spens, Kaleb Phillips, Karsen Phillips, Andre Webb, Wendy Osborn, David Hansen, Brent Mardgen – Troop 304, Craig Hokanson, Colter Lincoln, David Lincoln, Kathryn Murray, Cliff Mock, David Gibson, Tahsha Gibson, Abbie Howe, Rob Allen, Gage Mayer, Brandon Hall, Sarah Petersen, Jarrod Case – Hill Air Force Base

Mayor Shepherd called the meeting to order at 7:03 p.m.

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

Councilmember LeBaron conducted the Opening Ceremony.

PRESENTATION BY HILL AIR FORCE BASE (HAFB) ENVIRONMENTAL RESTORATION DIRECTORATE

Representatives from the Hill Air Force Base (HAFB) Environmental Restoration Directorate were present to update the Council regarding the indoor sampling program and groundwater contamination.

Mark Loucks, HAFB Environmental Restoration Directorate, reviewed the history associated with the contamination of ground water in communities surrounding HAFB and referred to the handouts distributed to the Council. He informed the Council that the contamination in Clearfield was specific to vehicle maintenance and provided information specific to the contaminants discovered within the City. He emphasized the drinking water aquifers had not been contaminated; however, there was concern regarding groundwater contamination and air contamination found in the basements of homes. He continued it would be desirable to conduct air sampling in every home reflected on the contamination map and emphasized HAFB was very committed to remediation.

Mr. Loucks informed the Council of the methods previously used in the treatment of the contamination: the injection of a chemical oxidant designed to destroy pollution in groundwater and a carbon substrate which promoted the breakdown processes and the planting of trees allowing the root systems to remove the contaminants. He again emphasized the commitment of HAFB to the remediation of the soil. He announced the next step would be to solicit participation from the public late summer or early fall regarding remediation options.

Councilmember Bush inquired how the chemicals were being disposed of now to prevent future contamination. Mr. Loucks reported on the inventory process used by HAFB in dispersing chemicals and managing waste. Mayor Shepherd inquired when HAFB would discontinue testing. Mr. Loucks responded HAFB would continue to test annually until the plume was remediated. Mayor Shepherd pointed out the importance of regular testing in homes even if initial tests reflected no contamination was present. Councilmember LeBaron suggested informing residents outside of the identified plumes to gather additional information about the plumes and a discussion took place with Mr. Loucks responding to additional questions from Councilmember LeBaron. Mr. Loucks also acknowledged homes outside the plume areas were already being tested.

#### CITIZEN COMMENTS

*Mayor Shepherd announced the City adopted an ordinance approximately five years ago requiring the conversion of gravel parking surfaces to hard surfaces such as concrete or asphalt. He indicated at the time it had been determined by the Council as the best solution to improve aesthetics throughout the City. He stated initially information regarding the ordinance had been provided in the newsletter and the Standard Examiner. He continued a segment in the recent newsletter highlighted that ordinance which resulted in concerns expressed by numerous residents. Mayor Shepherd indicated enforcement of the ordinance could have a significant financial impact to the residents. He stated he had discussed this with the Council and reported he had requested staff to amend the ordinance identifying the conditions under which gravel would be permitted.*

Todd Tovey, resident, expressed his opinion the ordinance hadn't been made clear to the public until now and was glad to hear about possible changes to the ordinance. He believed the ordinance to be unethical as it would have been a financial burden to the residents for the

purpose of trying to make the City look better. He suggested the nuisance ordinance addressed weeds and believed that's the ordinance that should be enforced if there were weeds growing in the gravel and not creating a new one which would financially impact residents.

Cliff Mock, resident, expressed agreement regarding the financial burden associated with the installation of concrete parking surfaces. He stated he was a concrete contractor and the cost for him to replace his gravel surface with concrete would be approximately \$5,500. He believed if gravel were an accepted product used for landscaping, then using it for parking should also be acceptable. Mayor Shepherd pointed out the night the ordinance was adopted the Council Chambers was void of citizens in opposition.

David Gibson, resident, expressed agreement with both comments which had been made by Mr. Tovey and Mr. Mock. He thanked the Council for being proactive in directing staff to amend the ordinance.

Robert Allen, resident, mentioned his gravel was in preparation for a future garage. He mentioned he lived on Kersch Drive (350 West) and requested a copy of the map distributed by HAFB identifying areas for possible contamination. Brian Brower, City Attorney, handed Mr. Allen his copies of the distributed handouts and Mayor Shepherd pointed out the contact information specific to HAFB representatives.

Mayor Shepherd thanked the residents for their comments and emphasized it was the Council's commitment to be as transparent and proactive as possible.

#### APPROVAL OF RESOLUTION 2014R-06 AUTHORIZING AND DIRECTING STAFF TO MAKE APPLICATION TO THE STATE OF UTAH FOR RENEWAL OF THE RECYCLING ZONE

The Community Development Department requested authorization from the Council to apply for a State Recycling Market Development Zone, which focused on recycling as an economic development tool. The zone would assist manufacturing businesses in Clearfield that collected, processed, distributed, or used recycled materials in their manufacturing operations.

Brian Brower, City Attorney, announced a change had been made to the draft Resolution and directed the Council to a modified Resolution which had been distributed. He explained the renewal period had been changed allowing the Resolution to begin January 1, 2013. He stated JJ Allen, Assistant City Manager, had discussed changing the effective date to January of 2013 with the State and it had indicated as long as the adopted Resolution was worded in that fashion, it would accept that effective date.

**Councilmember LeBaron moved to approve Resolution 2014R-06, as amended, authorizing and directing staff to make application to the State for renewal of the Recycling Zone and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

## COMMUNICATION ITEMS

### ***Mayor Shepherd***

1. Announced he had attended the HAFB Award's Ceremony. He mentioned some Clearfield residents received civilian awards.
2. Reported he and JJ Allen, Assistant City Manager, had attended the ATK celebration for producing its 20,000 part last week. He stated they were hiring approximately 100 people per year.

### ***Councilmember Benson***

1. Encouraged residents to contact their delegates that would be sent to the State and emphasized the importance of becoming involved and educated.
2. Stated she was also glad to see the turnout in the audience. She emphasized the Council had been elected by the citizens of Clearfield to represent them and believed they had done that tonight.

### ***Councilmember Bush***

1. Pointed out the importance of attending City Council meetings. He mentioned sometimes laws were adopted at different levels of government that looked good at the time; however, as time passed there were changes needed and that had been the case with the gravel parking surface ordinance earlier in the meeting.
2. Stated he had attended the Depot Street Extension meeting on Wednesday, March 12, 2014, and indicated it had a good turnout and the City had received some good input.
3. Announced the North Davis Sewer District had passed a \$50 million bond at its March 13, 2014 meeting without any public comment. He stated the District had an AA-1 Rating which was the highest rating an organization that size could have. He explained when the bond was issued the following Tuesday, the Issuer granted \$53 million to the District because of its rating.
4. Informed the Council that he had also attended a meeting the week of March 17 with some of the District's board members and staff and representatives of the State's Department of Water Quality. He announced the EPA would be tightening restrictions across the Country for water and air pollution. He explained the District would now have to begin removing phosphorous and stated this would be an additional cost to the District. He emphasized it would be a continuous upgrade to keep up with the EPA's restrictions in order to be compliant with the regulations.
5. Announced the Parks and Recreation Commission had met Wednesday, March 19, 2014, and stated they were working on Take Pride in Clearfield and the Easter Egg Hunt. He mentioned the Commission had some great volunteers.

### ***Councilmember Jones***

1. Expressed his appreciation for the attendance of the residents at the meeting as he had received a lot of feedback about enforcement of the gravel parking surface ordinance. He stated the Council was trying to do what was best for the citizens of Clearfield.
2. Stated he had attended the Republican Caucus last week and indicated it had experienced a great turnout.

### ***Councilmember LeBaron***

1. Informed the Council that he had attended the Community Council meeting at Holt Elementary during which concerns had been discussed regarding the park and safety for the children.
2. Reiterated Mayor Shepherd's remarks that when the ordinance specific to the use of gravel as a parking surface was adopted the public was not in attendance. He commented how important it was for residents to know what was going in the City.

*Councilmember Young* – Announced the Mosquito Abatement District would soon begin spraying for mosquitoes. He stated if residents were going to be hosting an evening event at their residences they could call and request their neighborhood be fogged the night before.

*Adam Lenhard, City Manager* – nothing to report.

## STAFFS' REPORTS

### *Nancy Dean, City Recorder*

1. Directed the Council to some handouts on the dais. She announced the Davis County Clipper was seeking nominations for Mother of the Year in Clearfield and directed them to the handout for information specific to that.
2. Announced Warriors Over the Wasatch Open-house and Air Show was also seeking nominations for a Hometown Hero to showcase American citizens doing amazing things and directed them to the handout for specific information.
3. Reviewed the meeting schedule with the Council:
  - April 1, 2014 – work session beginning at 6:00 p.m.
  - April 8, 2014 – work session and policy session
  - April 15, 2014 – 6:00 p.m., would be meeting a quasi-judicial appeal authority to hear an appeal regarding a decision of the Planning Commission.
  - April 22, 2014 – policy session
  - April 29, 2014 – work session
  - May 6, 2014 – work session
  - May 13, 2014 – policy session

Mayor Shepherd announced the City could submit as many nominations as it wanted for the Hometown Hero and HAFB officials would select the individual.

*Scott Hodge, Public Works Director* – reported the Freeport Water Tank that was currently under construction was beginning to go vertical. He expressed an invitation to members of the Council to tour the site if any were interested. Councilmember Bush inquired about the 700 South water tank. Mr. Hodge reported the 700 South water tank roof had been completed and announced the tank was fully operational.

**Councilmember Bush moved to adjourn the regular session and reconvene in a work session at 7:50 p.m., seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

**APPROVED AND ADOPTED  
This 8<sup>th</sup> day of April, 2014**

**/s/Mark R. Shepherd, 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, March 25, 2014.

/s/Nancy R. Dean, City Recorder