

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
November 10, 2015

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
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Mark Baird	Water Superintendent
	Greg Krusi	Police Chief
	Spencer Brimley	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: Michael Hansing, Scott Nelson, CEC Engineering, Randy Jefferies – UDOT, Nicholas Clark – UDOT, Beth Holbrook – Waste Management, Vern Phipps, Nike Peterson, Kristi Bush

Mayor Shepherd called the meeting to order at 7:40 p.m.

DISCUSSION ON THE SR-107 BRIDGE, ALSO KNOWN AS 300 NORTH OVERPASS

Adam Lenhard, City Manager, introduced Randy Jefferies and Nick Clark from UDOT and reviewed the circumstances under which the City had acquired the 300 North bridge from UDOT. He reminded the Council that Clearfield and West Point cities had agreed to take over responsibilities associated with 300 North in exchange for fast tracking and appropriating funding for the SR 193 extension. He stated City staff and members of the Council had expressed concern during the construction process and with the final result of the 300 North bridge rehabilitation project. He announced Scott Nelson, City Engineer, was present and prepared to speak about the project and mentioned UDOT representatives were also prepared to share an update.

Scott Nelson, CEC Engineering, distributed a handout which included punch list items he recommended be addressed prior to the City assuming the maintenance of the structure. He pointed out after some discussion with UDOT he was made aware that many of the items on the

list had not been included in the initial design and subsequently was not planned to be included with the exchange.

Mr. Nelson, CEC Engineering, also distributed a maintenance plan and budget document which had been completed by CEC Engineering and Horrocks Engineers to assist in budgeting for the overpass over the next 35 years. He reviewed the rehabilitation history included in the handout with the Council. Mr. Nelson expressed appreciation to Mr. Jefferies and Mr. Clark for their time in previous discussions and expressed confidence with what they had stated regarding the bridge and the rehabilitation process. He emphasized he was not placing blame or discrediting UDOT.

Mr. Lenhard spoke to the proposed total maintenance cost through 2050 and stated it would be a significant financial obligation to the City and informed the Council that he and Mayor Shepherd had suggested UDOT take the bridge back. He emphasized the agreement to assume responsibility for the bridge from UDOT was negotiated several years before but the City was still obligated to it. He indicated the City needed to be prepared for the financial obligation in future years. He mentioned the other funding sources which could be used for that purpose.

Randy Jefferies, UDOT, reviewed the challenges and timeline associated with the rehabilitation project. He pointed out the project was completed during the summer months when school was not in session to meet the timeline.

Nick Clark, UDOT, shared the history regarding the rehabilitation project and reported on the items completed during the project. He explained the hydro-demo process used on the bridge deck and indicated that process was directly related to cost overruns. He also spoke to the overlay process used on the deck to prohibit salt infiltration and indicated City staff could be easily trained to seal the deck in future years. He stated he had reviewed Horrocks' maintenance plan and believed if the City directed funds toward maintenance future costs would be decreased and expressed his opinion a complete rebuild might not be necessary. He proposed a complete analysis be completed prior to complete replacement and suggested UDOT be looked at as a partner with future concerns/maintenance of the bridge.

Councilmember Bush expressed concern regarding the falling concrete near the T-braces on the underside of the bridge and inquired if there was maintenance for that specific concern. Mr. Clark responded the best prevention for that would be to clean the joints and emphasized all joints had been replaced during the rebuild. He shared an example to illustrate the cause for the decay of the concrete.

Councilmember Benson asked how often the sealant would need to be reapplied. Mr. Clark responded the sealant process should be addressed approximately every five years based upon the number of freeze/thaw cycles and suggested regular inspections would be the best indicator.

Mr. Jefferies requested Mr. Clark speak to the overall final product of the bridge rehabilitation. Mr. Clark stated this was the first time UDOT had used the hydro-demo process on a structure and expressed his opinion it was the best solution for the project. He added UDOT was happy with the end product even with the cost overruns. He indicated UDOT staff would be telling the legislature about the reconstruction project and was hopeful it would illustrate efforts to be

fiscally conservative given the fact the bridge would last another 20 to 25 years. He reported he had driven the bridge and expressed his opinion it was a smooth ride and stated he wouldn't be recommending another coating process for the structure. He also indicated it was a sound structure.

Councilmember LeBaron asked what liability there would be to UDOT if significant design flaws were discovered in the future. Mr. Clark responded he didn't have the authority to speak regarding that scenario and indicated he was only allowed to volunteer his expertise.

Mr. Jefferies mentioned concern had been expressed regarding the need to insure the bridge. Adam Lenhard, City Manager, responded discussion had taken place regarding that possibility because the City currently insured it's Center Street/200 South bridge for replacement costs. He continued the quote to insure this structure was significant. Mr. Clark believed that was due to its age because it wouldn't pass current seismic numbers unless it was completely redesigned and emphasized this was an old bridge with a new deck. He suggested setting aside funds the City would normally appropriate for insurability for future replacement costs.

Mr. Jefferies believed the estimated \$56,000,000 replacement cost by 2050 was probably on the high side and expressed his opinion the bridge could be replaced for less and mentioned there were numerous funding sources which could be used for such purposes when the time came. He distributed a handout which identified a punchlist of items which had been addressed and reviewed it with the Council highlighting the following:

- New grates had been ordered and would be installed which were easily maintained.
- Yellow center striping applied.
- Cleanout caps had been installed.
- Reflectors on the parapet wall were ordered and will be replaced. He mentioned these had originally been installed but removed by pedestrians.
- Power wash and stain seal all patched supports on the back walls of the bridge would be completed when warmer weather allowed. He mentioned the retaining walls leading to the bridge were not included in the scope of the project.
- Narrow planting areas along the retaining walls would not be addressed as it was not included in the scope of the project.
- The electrical system under the bridge decks was also not included in the scope of the project.
- Concerns expressed by residents regarding dust and other issues had been resolved with the exception of replacement of a tree.

Councilmember Bush complimented the contractor, Granite Construction, for completing the project within the short timeframe. He mentioned he had personally spoken to the residents who had expressed concerns during the project and reported the Foreman had been good to resolve residents' concerns as well as his own.

Mr. Jefferies stated UDOT was happy with the final product.

Randy Jefferies, Nick Clark and Scott Nelson left the meeting at 8:30 p.m.

DISCUSSION ON TITLE 9, CHAPTER 1, SECTION 5 – APPLICATION FOR SERVICE

Adam Lenhard, City Manager, explained the City had received a request from Michael Hansing, a rental property owner, asking the Council to consider amending the ordinance relative to utility deposits. He informed the Council that Rich Knapp, Administrative Services Director, would briefly review the policy regarding utility deposits and indicated Mr. Hansing would also have an opportunity to address the Council.

Rich Knapp, Administrative Services Director, explained the City had approximately 5900 residential accounts and currently the total amount of utility deposits was approximately \$122,000. He reported the average utility bill was \$65-\$75 a month in the winter months and \$120 per month in summer months and stated the \$120 deposit would cover the City for only one month if the resident moved without paying the bill or providing a forwarding address.

He informed the Council that deposits were required from property owners and not the renters and emphasized the owner was the responsible party for the utility account and stated the deposit was held until 12 consecutive months of paying the account timely had occurred. He explained that the deposit was then refunded by applying it to the utility account. He indicated approximately \$10,000 was credited to utility accounts in the form of deposits. He shared a scenario which illustrated the risk to the City if the utility deposit was not applicable to a specific address, but rather the property owner and pointed out the purpose of the deposit was to reduce the financial risk to the City.

Michael Hansing, property owner, explained he had recently acquired a new property to be used as a rental property. He believed he had established a long history of paying his utility accounts in a timely manner and understood he was responsible for the utility accounts relative to his properties as the property owner. He expressed his opinion there was less risk to the City from landlords not paying the utility bills than regular homeowners. He reported he had requested information which identified the number of bad accounts which were attributed to landlords and expressed his opinion the number would be very low as landlords wouldn't want to shirk their responsibility. He wasn't opposed to paying a deposit associated with the property's utility account but believed \$125 per property was excessive.

Mr. Hansing suggested a waiver be allowed to landlords based on previous payment history regarding their properties and requested the Council allow a fee waiver in the ordinance. He emphasized landlords desired to rent to good families and stated any additional cost the landlords had to pass on to renters encouraged them to live in adjacent cities. He requested the Council consider authorizing the City Manager or assigned designee authority to waive redundant deposits.

Mayor Shepherd thanked Mr. Hansing for his presentation and asked if there were questions from the Council and there were none. Adam Lenhard, City Manager, stated staff was requesting direction from the Council as to whether it desired staff to draft changes to the ordinance specific to the refundable deposit.

Councilmember LeBaron inquired if there was any way for staff to determine delinquency rates associated with rental properties compared to owner occupied. Mr. Lenhard believed staff could look into that. Councilmember LeBaron responded he would need to see specific numbers prior to considering any changes to the ordinance.

Mayor Shepherd suggested the landlord could pass the amount of the deposit on to the renter. Mr. Hansing responded the additional funds for the deposit could complicate the negotiation process and the landlord would then be responsible for refunding the deposit to the tenant. A discussion took place regarding Mr. Hansing's position and the repercussions regarding the implementation of his requested change to the ordinance.

Mr. Lenhard reported the City had a high delinquency rate specific to its utility accounts and a few years ago the City recognized the need to implement a policy which would negate risk to the City. Mayor Shepherd requested direction from the Council as to whether it was in favor of staff drafting language to amend the ordinance.

Councilmember LeBaron responded the deposit for a utility account to a landlord should be considered a cost of doing business and stated he wasn't in favor of modifying the language. Councilmember Young stated he was not in favor of changing the ordinance because it mitigated risk to the City unless there was evidence which reflected otherwise. Councilmember Bush questioned whether someone within the City could determine which applicant/property owner would be required to provide a deposit and which one could be waived. Mayor Shepherd stated based on those the comments there wasn't enough interest from the Council to continue moving forward with amending the ordinance.

Mayor Shepherd expressed appreciation to Mr. Hansing for his participation and presentation during the meeting.

The Council took a break at 8:55 p.m.

The meeting resumed at 9:00 p.m.

DISCUSSION ON THE CURBSIDE RECYCLING PROGRAM

Rich Knapp, Administrative Services Director, reviewed the following information with the Council regarding the curbside recycling program:

- Twenty-six percent of City residents opted out during the first initial opt out period.
- In September a second opt out period was allowed for any reason after the recycling can had been delivered.
- After October 1, no resident was allowed to opt out.

Mr. Knapp reported there were currently 20 accounts who were insisting they be allowed to opt-out of the recycling program; however, there were daily requests to opt out of the program. Councilmember Benson inquired if any of those residents participated in the auto-pay for their utility accounts. She pointed out residents using auto-pay might not have received timely information regarding the opt-out information. Mr. Knapp emphasized even residents participating in auto-pay still received a bill. Councilmember Benson stated residents in her

neighborhood participating in auto-pay indicated they hadn't received a bill and indicated the City didn't offer paperless billing.

Mr. Knapp distributed a handout which identified additional windows of opportunity to discontinue recycling and reviewed it with the Council summarizing the following:

- Clearfield City currently had 65 percent of residents participating in the curbside recycling program.
- Roy City currently had a participation rate of 72 percent.
- Layton City has an opt-in program since September and was currently at 5 percent participation.

He introduced Beth Holbrook, Waste Management, to the Council and announced she would address questions or concerns from the Council. She suggested the Council consider what it wanted to say long term and whether or not the Council saw value in curbside recycling. She believed there were many residents asking for a curbside recycling program and the following points were brought out during the discussion:

- Councilmember Benson believed residents didn't like being forced to do something.
- Councilmember LeBaron clarified the recycling product was not going to the landfill and emphasized the landfill was nearing capacity.
- Councilmember Young believed there were still a significant number of residents that hadn't "bought" into the program and he didn't want to force residents to participate.
- Councilmember Bush pointed out there were a number of residents that currently didn't fill their trash can and also didn't want to pay for the recycling program.
- Mayor Shepherd believed it was too early to implement change to the program and suggested it be revisited in a year.

Mr. Knapp clarified the Council wasn't willing to allow the 20 residents to opt out at this time.

DISCUSSION ON TITLE 1, CHAPTER 7, SECTION 3E – APPOINTIVE OFFICERS AND TITLE 1, CHAPTER 8H – COMMUNITY DEVELOPMENT DEPARTMENT, AND TITLE 5, CHAPTER 2, SECTION 1 – SERVICES PROVIDED BY THE CITY

Adam Lenhard, City Manager, explained the following changes were needed to update current practices by the City:

- Appointive Officers – remove the title of Community Development Director as that term was no longer used.
- Community Development Department – remove the reference because the department hasn't existed in four years.
- Include the curbside recycling program as part of the solid waste service provided by the City.

UPDATE ON THE WATER CONSERVATION PLAN

Adam Lenhard, City Manager, stated the City was required to submit a Water Conservation Plan to the State every five years and introduced Mark Baird, Water Superintendent, to the Council and announced he would review the highlights of the Plan. He added Eric Howes, Community

Services Director, and his staff had included additional detail to the Plan identifying what the City could implement with its facilities to exemplify and encourage water conservation.

Mr. Baird reported the City's population had been updated as well as water usage per day per capita and pointed out that figure had decreased. He reported the City's figure of 198 gallons of water per capita per day was significantly lower than the State's average of 240. He indicated the more interesting items included in the report were added by Mr. Howes, specifically what the Parks Department was doing to encourage conservation.

Mr. Howes reported on the City's water usage and informed the Council of those things which had been implemented by the City:

- A Central Control System which was connected to seventy percent of the City's irrigation systems. He indicated they were controlled by a computer located in the Parks office and the other 30 percent were site specific controllers. He added the 70 percent were connected to a weather station which shut off irrigation once a designated amount of moisture was recorded. He also shared specifics regarding the water systems in the parks.

He stated staff had also identified items which could be implemented going forward to fully utilize the system and recommended the following:

- Thirty percent of the parks were not connected to the Central Control System
- Flow meters needed to be installed to determine how much water was being used
- Installation of Electronic Master Valves for the main lines which would automatically shut off water when a leak was detected could save 20 minutes of flowing water specific to the response time.

DISCUSSION ON THE PARAT TAX PROJECT LIST

Eric Howes, Community Services Director, distributed score sheets identifying possible projects which could be funded by PARAT Tax revenue, reflecting scores and ranking by the elected officials and reviewed it with the Council. During the review process discussions took place regarding the location, logistics and feasibility for some of the identified projects.

Adam Lenhard, City Manager, announced staff was proposing to assemble an exploratory committee to complete a feasibility study which would ultimately determine the best projects. He continued representation from the Council on the committee was welcome. Councilmember LeBaron clarified the projects would be funded solely with PARAT Tax revenue.

The meeting adjourned at 9:55 p.m.

**APPROVED AND ADOPTED
This 12th day of January, 2016**

/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, November 10, 2015.

/s/Nancy R. Dean, City Recorder