

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
October 13, 2015

PRESIDING:	Mike LeBaron	Mayor Pro Tem
EXCUSED:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	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, Will Stranberg, Janet Arashnia, Angel Chaganes, Ryland Haney, Tyson Cobia, Bryce Winter, Ronald Marble, Vern Phipps, Bob Bercher, Nike Peterson

Mayor Pro Tem LeBaron called the meeting to order at 7:00 p.m.

Mayor Pro Tem LeBaron 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.

Ryland Haney conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE AUGUST 18, 2015 AND SEPTEMBER 22, 2015 WORK SESSIONS, THE SEPTEMBER 22, 2015 POLICY SESSION AND THE OCTOBER 6, 2015 SPECIAL SESSION

Councilmember Jones moved to approve the minutes from the August 18, 2015 and September 22, 2015 work sessions, the September 22, 2015 policy session and the October 6, 2015 special session as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PRESENTATION ON HOPE CENTER

Dr. Ron Brown from Hope Church introduced himself to the Council and shared information regarding the Hope Center in Clearfield. He explained the mission of the Hope Center and stated it offered services to the poor and working poor residents within the community. He reported the Center had assisted hundreds of families thus far and emphasized the assistance was used to help those in need break free from government assistance. He stated the Center also provided mental health counseling to individuals needing those types of services. Mr. Brown stated in order for the operation to be successful it was imperative to recruit advocates for good legislation and funding.

Mr. Brown announced Councilmember Benson and Bush had participated in Hope Center's block party during which over 300 backpacks had been presented to community students and presented a certificate of appreciation to the Council for its efforts in supporting the block party.

CITIZEN COMMENTS

Michael Hansing, resident, stated he didn't know members of the Council but believed he shared common ground with several of them in that he also had a desire for Clearfield to move in a positive direction to be an attractive community. He reported he had been involved with discussions with the Development Services Manager regarding property for potential development.

Mr. Hansing reported he had also purchased homes located within the City as rental homes and expressed concern about the City's current ordinance which required a deposit for each utility account. He requested the Council consider amending the ordinance.

Mayor Pro Tem LeBaron responded staff could only enforce the current ordinances which have been approved and stated there was a procedure in order for an ordinance to be changed. He encouraged Mr. Hansing to address his concerns with the City Manager.

APPROVAL OF RESOLUTION 2015R-26 REQUESTING RECERTIFICATION OF THE CLEARFIELD JUSTICE COURT BY THE UTAH JUDICIAL COUNCIL AND THE JUSTICE COURT STANDARDS COMMITTEE

Utah law required the City to apply for recertification of its Justice Court every four years. Part of that process included a resolution from the sponsoring governmental entity requesting the recertification and committing to continue compliance with the applicable operational standards and requirements for the next four-year term.

JJ Allen, Assistant City manager, stated the Court's current certification would expire in February 2016 and reported part of the process required the City Council to approve a Resolution applying for the recertification. Mr. Allen reviewed the other documents which were required to be submitted for the recertification.

Brian Brower, City Attorney, stated the opinion letter would accompany the Resolution in addition to the affidavit from the Justice Court Judge.

Councilmember Young moved to approve Resolution 2015R-26 requesting recertification of the Clearfield Justice Court by the Utah Judicial Council and the Justice Court Standards Committee and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2015R-27 AUTHORIZING THE DISPOSAL OF PROPERTY HELD BY THE CLEARFIELD POLICE DEPARTMENT

The Clearfield Police Department had a need to dispose of unclaimed evidence and property that had exceeded the 90 day waiting period as required by law and for which the owners were unknown. Pursuant to Title 77, Chapter 24a of the Utah Code of Criminal Procedure, the police department is seeking permission from its legislative body to apply said property to a public interest or sell said property at public auction through Public Surplus and then apply the proceeds to a public interest use.

Greg Krusi, Police Chief, explained the City had several items which had been collected as evidence over several years and had unsuccessfully attempted to locate rightful owners. He stated the Public Works Department had expressed interest in some items which it could use in the course of its required work while the remaining items would be sold on the Public Auction website with the proceeds going toward the General Fund.

He mentioned any individuals who had located any of the listed items had been contacted and reported one individual was deceased and the other individual was no longer interested in the item which had been found.

Brian Brower, City Attorney, reported the process was similar to the unclaimed bicycle donation.

Councilmember Bush moved to approve Resolution 2015R-27 authorizing the disposal of unclaimed lost or mislaid property held by the Clearfield Police Department and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2015R-28 APPOINTING POLL WORKERS FOR THE MUNICIPAL ELECTION

State Law (U.C.A. § 20A-5-602 and § 20A-5-301) required the City Council to appoint poll workers prior to a municipal election. The Municipal General Election would be held on November 3, 2015.

Nancy Dean, City Recorder, stated the City was conducting a by mail election; however, City Hall had been designated as a Vote Center for the November 3, 2015 election requiring poll workers to conduct the election on Election Day.

Councilmember Bush inquired if there was any way to consolidate the approval in order for the Council to not have to address the issue every two years. Brian Brower, City Attorney, suggested

the names had been identified by the County Recorder's Office which generally changed from year to year.

Councilmember Benson moved to approve Resolution 2015R-28 appointing poll workers for the Municipal General Election as recommended by the City Recorder and allow the City Recorder to make additions and corrections as needed and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

COMMUNICATION ITEMS

Councilmember Benson – nothing to report.

Councilmember Bush

1. Informed the Council that he had attended the Grand Opening for the AAA facility last week.

Councilmember LeBaron – nothing to report.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager

1. Stated his monthly report had been forwarded to the Council last evening.
2. Announced the meeting was Brian Brower's final meeting to attend in the capacity of the City Attorney. He stated Mr. Brower would be sworn in as the City's Justice Court Judge on Monday, October 19, 2015.

STAFFS' REPORTS

Nancy Dean, City Recorder – Reviewed the Council's calendar:

- No meeting on Tuesday, October 20, 2015
- Tuesday, October 27, 2015 work and policy session
- No meeting was scheduled for Tuesday, November 3, 2015, because it was Election Day. She encouraged everyone to vote.

Brian Brower, City Attorney – expressed his feelings about moving forward in his professional career as the Justice Court Judge. He stated he would miss working in his current capacity and mentioned Clearfield City was a great organization.

Councilmember Young moved to adjourn the regular session and reconvene in a work session at 7:45 p.m., seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

**APPROVED AND ADOPTED
This 27th day of October, 2015**

/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, October 13, 2015.

/s/Nancy R. Dean, City Recorder