

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
September 13, 2016

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Spencer Brimley	Development Services Manager
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Kim Read	Deputy City Recorder
	Annie Bradshaw	Administrative Assistant
EXCUSED:	Nancy Dean	City Recorder

VISITORS: Warren Sellers, Pioneer Adult Rehabilitation Center (PARC), Kathryn Murray, Tim Roper – Planning Commission

Mayor Shepherd called the meeting to order at 6:06 p.m.

DISCUSSION ON AMENDMENTS TO THE CONSOLIDATED FEE SCHEDULE

Rich Knapp, shared a presentation identifying a summary of changes:

Utility Rates

Zions Bank recently completed a Utility Rate Study which considered revenues, expenses and capital projects for the water, storm water and sewer funds. He reported the Study suggested utility rates needed to increase each year to prepare for future capital projects, as well as, the City should anticipate bonding in fiscal year 2021 for approximately \$5.5 million for water utility projects and approximately \$3.9 million or \$2.8 million, depending on the rate increase approved, for storm water utility projects. He explained the proposed rate increases would become effective January 2017 across all utilities would be \$0.74 per month, or \$8.84 per year for residents.

Councilmember Peterson requested clarification regarding the proposed bonding options suggested in the study. Mr. Knapp responded staff suggested the City proceed with a three percent rate increase in both the water and storm water utility funds. He pointed out the Council's approval of the new rate structure would include increases each year from 2017 to 2019 and emphasized there were no "usage" increases. Councilmember Bush asked what the increase would need to be if the City chose not to bond in 2021. Adam Lenhard, City Manager, believed the rate increase would need to be 15 percent. He asked if there was consensus with the Council to not bond in 2021 but rather implement higher rate increases and a discussion followed.

Councilmember Peterson stated she was in favor of implementing a five percent increase in the storm water utility fund which would reduce the amount the City would need to bond for in 2021. She suggested the difference in the rate increase was pennies. Councilmember Phipps expressed his opinion the City shouldn't be collecting funds for the purpose of saving to complete future infrastructure projects because a number of residents wouldn't witness those improvements. He stated for that reason he was in favor of the smaller rate increases. Mr. Lenhard pointed out the ordinance had been prepared with a three percent rate increase for the storm water utility fund and the motion made in the policy session would need to reflect anything different. The discussion continued regarding what increase should be implemented.

Mr. Lenhard pointed out staff had implemented the three-year projects plans identifying future infrastructure needs and suggested the tool would ensure completion of necessary projects in a more timely fashion.

Water Shut-off Second Delinquent Notice

Mr. Knapp reported the \$35 shut off fee was about \$2 short of recovering costs based on the average and suggested the \$10 second notice fee would help cover that costs of providing delinquent accounts with a second notice prior to water being shut off.

Impact Fees

Scott Hodge, Public Works Director, reviewed the proposed impact fees based on the Impact Fee Facilities Plan completed by Zions Bank and Horrocks Engineers with the Council. He pointed out the proposed decrease in fees and emphasized those fees were what the City could justify.

Fire Hydrant Meters

Mr. Hodge explained fire hydrant meters were available for construction companies to rent from the City for the purpose of metering water to be used in the completion of infrastructure projects within the City. He stated the new meters purchased by the City had a backflow device and cost approximately \$3,400 each. He reported the proposed increase was for a \$2,500 replacement fee should the meter be damaged or not returned. The Council expressed a desire for the language to reflect "total replacement cost" if the meter was never returned by the renter. Mr. Lenhard stated

that would also need to be called out within a motion during policy session. He emphasized the new meters would also prevent cross contamination

Fireworks Stands Certificates of Insurance

Spencer Brimley, Development Services Manager, explained the City was proposing language to identify the City as a “certificate holder” instead of “additional insured” on the insurance documentation specific to fireworks stands. He stated the City would then be notified if there was a change to the insurance for the fireworks stand and ensured coverage for the City.

Administrative Site Plan Review

Mr. Brimley reviewed the current fee specific to Administrative Site Plan Review and explained staff was proposing an outright fee of \$200, plus any additional engineering fees. He shared a comparison of what other municipalities charged for the service and expressed his opinion the proposed fee was appropriate for staffs’ time to review the plan. Councilmember Bush inquired if the proposed fee would cover costs associated with the new staff engineer to review the site plan. Mr. Brimley expressed his opinion the fee would cover that cost.

DISCUSSION ON THE AWARD OF BID FOR STEED PARK ELECTRICAL UPGRADE

Eric Howes, Community Services Director, explained the electrical upgrade project was tied to the Steed Park Irrigation Project. He explained the irrigation project was completed within budget parameters which allowed the electrical upgrade project to also be completed. He explained how the bids for the project had been set up allowing for alternate bids so staff could determine how much of the project could be completed. He reported the lowest responsible bid allowed for all alternatives to be completed under the estimated costs. He stated staff was proposing the bid be awarded to Hidden Peak Electrical Company for completion of all three alternatives of the bid with a bid amount of \$76,300. Councilmember Phipps asked if Mr. Howes had confidence in the vendor. Mr. Howes stated he was comfortable with the vendor.

DISCUSSION ON AN IN-KIND DONATION TO THE PIONEER ADULT REHABILITATION CENTER (PARC)

Mayor Shepherd explained Warren Sellers from PARC (Pioneer Adult Rehabilitation Center) requested the use of a room at the Aquatic Center twice a month for yoga classes for students/clients. Adam Lenhard, City Manager, explained staff believed the request could be accommodated during times in which the rooms were generally vacant which wouldn’t negatively impact the budget. Stuart Williams, City Attorney, expressed his opinion the City might want to specify a reason for granting the request for use and a discussion took place. Mr. Lenhard expressed his opinion the language in the Resolution provided that justification. Mayor Shepherd pointed out PARC was affiliated with Davis School District and Councilmember Phipps emphasized they had a significant presence within the City.

DISCUSSION ON TITLE 11, CHAPTER 13 – SUPPLEMENTAL REGULATIONS,
BEEKEEPING IN THE R-1, A-1 AND A-2 RESIDENTIAL ZONES

Spencer Brimley, Development Services Manager, reminded the Council a resident had expressed concern during council meeting in June about the City's current beekeeping ordinance and staff was directed to draft a proposed ordinance allowing beekeeping. He reported an ordinance had been drafted and presented to the Planning Commission during its meeting on Wednesday, September 7, 2016. He added the Davis County Beekeeper's Association had been consulted in drafting the ordinance.

Mr. Brimley reported the discussion that took place during the Planning Commission's meeting regarded the following two issues:

- Where the hive could be located on the property.
- Why the City was requiring so much information to register as a beekeeper.

He explained because of the size and configuration of some residential lots within the City, staff had originally proposed the hives be kept in the rear yard and reported the Beekeeper's Association suggested the hives be permitted in the rear or side yards. Councilmember Benson added the side yard proposal by the Association also included a fencing requirement. Mr. Brimley stated staff had referred to Salt Lake City's ordinance in drafting an ordinance which would be appropriate for Clearfield City, with additional input from the Association. He continued the ordinance was then forwarded to the Commission in August, and a subsequent public hearing took place in September.

Mr. Brimley stated the ordinance required specific information (owner's name, address, telephone number and state registration number) be placed on the hive itself, which had been suggested by the Utah Department of Agriculture. He provided a copy of an email supporting that request and explained having hive owner information on the hive made it readily available should there be an issue/concern with the hive. He mentioned the Utah Department of Agriculture was supportive of the requirement but the Beekeeper's Association believed the only information required to be placed on the hive should be the registration number issued by the State.

Mr. Brimley informed the Council of the Planning Commission's discussion and conclusions. He stated the Planning Commission was fine with hives being kept in the rear and side yards as long as the yard was fenced. The Planning Commission also believed more information on the hive was better than less. Councilmember Young suggested requiring the address be displayed on the hive was not pertinent since the hive would be located at the same address as the where the property owner lived. Mr. Brimley responded the ordinance allowed for the keeping of bees on someone else's property and compared the proposed ordinance to Salt Lake, Layton, Syracuse and West Point cities' ordinances. He also shared registration information of the same cities for comparisons.

He shared the Planning Commission's recommendation with the Council:

- Hive may be maintained in any fenced yard, but not in a front yard.
- All information be listed on the hive: name, address, phone number and state registration number.

He announced approval of the ordinance would come before the Council during its meeting on Tuesday, September 27, 2016 and asked if there were other questions or concerns which needed to be addressed.

Councilmember Peterson requested clarification regarding the Association's concern about the yard fencing requirement. Tim Roper, Planning Commission Chair, responded that wasn't addressed during the public hearing and he didn't believe it was necessary to invite a representative back to the podium for further discussion. He added a height requirement also hadn't been discussed during the meeting. Councilmember Benson added it had been emphasized during the meeting that an opportunity would be available to address further concerns with the ordinance during the City Council public hearing.

Eric Howes, Community Services Director, commented the information required to be located on the hive was pertinent specific to mosquito abatement and a discussion took place regarding the contact information. Councilmember Young expressed his opinion a phone number and registration number would be sufficient information to be placed on the hive. Councilmember Benson stated the question asked during the Planning Commission meeting was whether the information could be gained from just the registration number. Mr. Brimley responded he accessed the website earlier and reported the information located was varied.

Councilmember Young moved to adjourn the work session and reconvene in a City Council policy session at 6:57 p.m., seconded by Councilmember Bush. All voting AYE.

The work session reconvened at 8:31 p.m.

DISCUSSION ON IMPROVEMENTS AT SPRINGFIELD ESTATES

Adam Lenhard, City Manager, briefly reviewed the history regarding Springfield Estates and its open spaces/common areas which were originally intended to be maintained by the HOA (Homeowners Association). He mentioned further review of the City's subdivision approval process at the time determined the City did not make sure the HOA was properly established by recording documents specific to that requirement so there could be some obligation for the City to address. He indicated the City had attempted to work with the developer over several years regarding maintenance of the open spaces.

He reported the City had approached the developer requesting he complete the required maintenance and bring the areas into code compliance after which time the City would take over responsibility for areas' maintenance. He informed the Council that the developer had not brought the areas into compliance and there was no leverage to make it happen. He suggested it would be in the best interest of the City to take over the maintenance of the areas. He reported the water was back on and staff had made some determinations regarding the maintenance of the parcels. He expressed his opinion the developer would never make the needed improvements. He asked if there was any opposition from the Council with the City proceeding to obtain title to the properties, minus the one parcel which an adjacent resident was interested in owning.

JJ Allen, Assistant City Manager, shared some visual illustrations of the parcels with the Council and a discussion took place. Mr. Lenhard concluded since there were no other concerns the City would move forward in obtaining title to the property.

DISCUSSION ON THE PARAT TAX PROJECT PHASING PLAN

Eric Howes, Community Services Director, reviewed the proposed implementation schedule for PARAT Tax projects with the Council. He reported the playground replacement equipment could be completed together and announced playgrounds would be constructed at the following parks:

- North Steed
- Fisher and Barlow
- 200 South Park
- Central park
- Cornerstone Park
- Island View Park

He stated those parks would be completed in addition to completing Train Watch Park, which had already been appropriated for during the budget process.

Councilmember Bush inquired if the airplane themed park was still included in the project plan. Mr. Howes reported it had been eliminated during the last round of voting by the Council. He reviewed the following projects which could also be completed:

- Park signage replacement at 16 park locations.
- CAFC (Clearfield Aquatics and Fitness Center) play area.
- BMX/Pump Track at Barlow Park (north end)/H Street and SR 193.
- Challenge/Ropes Course at Steed Park North.
- Develop dog park at Barlow Park.
- Renovate existing restroom facilities at Kiwanis, Island View, North Steed and South Steed Parks.
- Build disc golf course around trail and park at Island View Park.

Mr. Howes shared a visual presentation specific to the tables/benches options identifying pros and cons associated with each option for the Council's consideration and direction. A discussion took place regarding the Parks & Recreation Commission's involvement in selecting playground amenities for the identified playgrounds.

The Council expressed no objections with staff proceeding with implementing the plan for the PARAT tax projects.

DISCUSSION ON AMENDMENTS TO THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT USER FEES

Councilmember Phipps informed the Council that the time was fast approaching for the Wasatch Integrated Waste Management Board of Directors to vote on modifications for the facility which would result in an increase to user fees of approximately two dollars per can. He requested

direction from the Council on whether it supported the modifications and subsequent increase to residents. He shared a visual illustration identifying areas/processes currently at the facility.

He announced the intent was for complete engineering of the burn plant/recovery center and shared an illustration explaining the proposed new facility for the location. He explained the improvements would result in automated processing which would remove metals, cardboard and plastics and the remainder would be funneled to the burn plant. He pointed out the proposed increase of two dollars per can would offset the costs associated with construction and implementation of the new facility.

Councilmember Phipps indicated there was approximately 26 to 27 years of life remaining for the landfill and the proposed extension would add years to that estimate. He continued the participation with the Bay View Area landfill would also add to the extension to the life of the landfill. A discussion took place regarding the need for the City's recycling cans. Mayor Shepherd believed there would be no need for a recycling program with the implementation of the proposed improvements. Adam Lenhard, City Manager, asked if the District was requesting the City adopt an increase or would the user fee be merely a pass through fee. Mayor Shepherd responded it would simply be a pass through fee. Mr. Lenhard inquired if there was consensus among the Council to direct Councilmember Phipps to express the City's support of the proposal and its subsequent costs.

Summer Palmer, Administrative Services Director, stated the City had a year of data regarding the City's recycling program with Waste Management which was scheduled to be presented to the Council during an upcoming meeting. A discussion followed regarding recycling and current costs.

Councilmember Phipps requested direction from the Council and Mayor Shepherd suggested councilmembers forward feedback to Councilmember Phipps prior to his meeting on Tuesday, September 27, 2016. Councilmember Young asked if the District had completed its due diligence to determine the effectiveness of the proposed improvements and Councilmember Phipps responded representatives had recently attended a conference where that was discussed, additionally engineers had been hired. He stated he could forward a detailed presentation completed by Nathan Rich, Wasatch Integrated Waste Management District, which might help the Council better understand the proposal.

The meeting adjourned at 9:22 p.m.

APPROVED AND ADOPTED
This 26th day of October, 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, September 13, 2016.

/s/Nancy R. Dean, City Recorder