

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
January 11, 2011

PRESIDING:	Don Wood	Mayor
PRESENT:	Marilyn Fryer	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Doyle Sprague	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Chris Hillman	City Manager
	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Adam Lenhard	Community Development Dir.
	Valerie Claussen	City Planner
	Greg Krusi	Police Chief
	Lee Potts	Sergeant
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Rob Follett, Lynn Jenkins, James Billings, Paul Vidmar, Brian Mayes – Boy Scout Troop 672, Joy Brown – American Legion, Jordan Sing, Kendon Hall, Vern Phipps, Loren Allen, Alan C. Thompson, Shalese Higley, Andrew Egbert, Erica Leahman, Tanna Woods – Standard Examiner, Sam Gossett, Caroline Apple

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

Youth City Councilmember Makenna Hill conducted the Opening Ceremony.

Mayor Wood called for a moment of silence in recognition and memory of Harleigh Wilson, the five year old who perished in a fire at the Clearfield Mobile Home Park on the morning of New Years Eve.

APPROVAL OF THE MINUTES FROM THE DECEMBER 14, 2010 WORK SESSION AND THE DECEMBER 14, 2010 REGULAR SESSION

Councilmember Murray directed the Council to the December 14, 2010 regular minutes, page 5, and pointed out the vote of the Council had not been reflected following the motion specific to the approval of indigent criminal defense legal services. She requested the minutes be amended to reflect all councilmembers voted in the affirmative to approve the submitted proposal from Attorney Paul Olds. **Councilmember Young moved to approve the minutes from the**

December 14, 2010 work session as written and the December 14, 2010 regular session as amended, seconded by Councilmember Fryer. All voting AYE.

RECOGNITION OF REPRESENTATIVES TO THE MOSQUITO ABATEMENT BOARD AND NORTH DAVIS FIRE DISTRICT (NDFD) ADMINISTRATIVE CONTROL BOARD

Recent legislation required the City to appoint elected officials to special districts which impose taxes and fees. Loren Allen had been providing representation for the City to the Mosquito Abatement Board and Vern Phipps had been providing representation to the North Davis Fire District (NDFD) Administrative Control Board. Mayor Wood desired to acknowledge their service to the City.

Mayor Wood and the City Council presented a plaque to Loren Allen and Vern Phipps expressing appreciation for their service rendered to the City.

PUBLIC HEARING TO CONSIDER THE REZONE FOR PROPERTIES LOCATED AT APPROXIMATELY 600 NORTH 1000 WEST, COMMONLY KNOWN AS STEED POND, AND 300 NORTH 1000 WEST, COMMONLY KNOWN AS STEED PARK

Clearfield City recently acquired Steed Pond. Staff has initiated an application to rezone the pond from (R-2), Residential, to (PF), Public Facilities, and Steed Park from (A-1), Agricultural, to (PF) Public Facilities. The Planning Commission held the required public hearing and unanimously recommended approval of the rezones on December 1, 2010.

Mayor Wood declared the Public Hearing open at 7:15 p.m.

Mayor Wood asked for public comment.

There were no public comments.

Councilmember Sprague moved to close the public hearing at 7:16 p.m., seconded by Councilmember Young. All voting AYE.

PUBLIC HEARING TO RE-OPEN THE 2010-2011 FISCAL YEAR BUDGET

State Law required a public hearing before the City Council approved amendments to the City budget. Bob Wylie, Administrative Services Director, presented the proposed amendments for the 2010-2011 Fiscal Year Budget.

Mayor Wood declared the Public Hearing open at 7:20 p.m.

Mayor Wood asked for public comment.

There were no public comments.

Councilmember Shepherd moved to close the public hearing at 7:21 p.m., seconded by Councilmember Fryer. All voting AYE.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF ORDINANCE 2011-01 REZONING PROPERTY LOCATED AT APPROXIMATELY 600 NORTH 1000 WEST, COMMONLY KNOWN AS STEED POND, FROM (R-2) RESIDENTIAL TO (PF) PUBLIC FACILITIES

The rezone request came before the Planning Commission for approval on December 1, 2010. The Planning Commission recommended approval.

Councilmember Sprague moved to approve Ordinance 2011-01 rezoning property located at approximately 600 North 1000 West, commonly known as Steed Pond, from (R-2) Residential to (PF) Public Facilities and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF ORDINANCE 2011-02 REZONING PROPERTY LOCATED AT APPROXIMATELY 300 NORTH 1000 WEST, COMMONLY KNOWN AS STEED PARK FROM (A-1) AGRICULTURAL TO (PF) PUBLIC FACILITIES

The rezone request came before the Planning Commission for approval on December 1, 2010. The Planning Commission recommended approval.

Councilmember Shepherd inquired if all other City parks were currently zoned PF. Adam Lenhard, Community Development Director, responded most of the City parks were already zoned PF. Councilmember Shepherd asked if there were other parks not currently zoned PF why they weren't being rezoned at this time. Mr. Lenhard continued this rezone would bring the adjoining properties of Steed Pond more in line with their current uses.

Councilmember Murray moved to approve Ordinance 2011-02 rezoning property located at approximately 300 North 1000 West, commonly known as Steed Park, from (A-1) Agricultural to (PF) Public Facilities and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Fryer. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.

APPROVAL OF RESOLUTION 2011R-01 AMENDING THE 2010-2011 FISCAL YEAR BUDGET

Councilmember Young commented regarding the \$100,000 appropriated in the budget amendment for carpet replacement at City Hall. He expressed his opinion those funds would be better utilized for road improvement projects as that improvement would provide a better return on investment. He continued road improvements would be of greater interest to the residents of the City than the carpet replacement. Councilmember Shepherd expressed agreement with Councilmember Young's comments specific to the \$100,000 appropriated in the amendment for carpet replacement. He mentioned it was important for City Hall to portray a good image to visitors; however, he didn't believe depicting a specific image in place of road improvements could not be justified to the residents. Councilmember Sprague stated it was always a difficult decision to determine how to best use minimal funds when there are so many needs within the City. Mayor Wood responded Community Development Block Grant (CDBG) funding was being appropriated for road improvements and expressed his opinion it was important for the City to show well when other elected officials such as the Governor and Congressman visit City Hall in addition to developers and business officials which is difficult when the carpeting is tattered and torn. He indicated he was fully aware of the conditions of the roads within the City. Councilmember Fryer commented carpet replacement cannot be completed piece by piece.

Councilmember Sprague moved to approve Resolution 2011R-01 amending the 2010-2011 Fiscal Year Budget as presented and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Fryer. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray and Sprague. Voting NAY – Shepherd and Young.

APPROVAL OF A SETTLEMENT AGREEMENT ON THE 200 SOUTH OVERPASS LITIGATION

Brian Brower, City Attorney explained the City had continued to work toward a favorable resolution during the litigation process with those parties involved during the construction of the 200 South Overpass. He stated a settlement proposal with Gilson Engineering, who provided construction management on the overpass project, was before the Council for approval. He explained the settlement proposal involved a \$25,000 payment from the City to Gilson for services for which the engineering firm claimed they had not been previously compensated.

He pointed out the City had a difference of opinion on that specific issue; however, in an effort to settle the litigation the City agreed to the payment and Gilson's insurer would provide the City a net settlement of \$750,000.

Councilmember Fryer moved to approve the proposed settlement agreement with Gilson Engineering and authorize the Mayor's signature to any necessary agreements, seconded by Councilmember Young. All voting AYE.

COMMUNICATION ITEMS:

Mayor Wood

1. Mayor Wood read a letter he received from Lisa Nicholls, Executive Director of Midtown Clinic, expressing appreciation for the City's contribution. He read the letter to the Council.
2. Informed the Council Baskin-Robbins Ice Cream would be conducting a fund-raiser on Wednesday, January 12, 2011 to benefit the family of Harleigh Wilson.
3. Reminded the Council of the Budget Retreat scheduled for Friday, January 28, 2011, at Ramblin' Roads Restaurant.
4. Informed the Council the Davis Chamber of Commerce would be having its annual Business Awards Banquet on January 21, 2011. He reported there were two Clearfield City businesses which were up for awards this year; Futura Industries located in the Freeport Center and Via Gourmet located in Kier Plaza.
5. Stated the Youth City Council would be attending Local Official's Day with the Legislature on Wednesday, January 26, 2011 at the Sheraton Hotel.

Councilmember Fryer – Encouraged support for the Basin-Robbins fund raiser.

Councilmember Murray – nothing to report.

Councilmember Shepherd – Reported he had spoken to Tracy Heun, Community Services Director, regarding the City's American flag not flying at half mast due to the Christmas decorations. He stated the President had issued a mandate for the flags to fly at half mast and indicated he had received inquiries from two residents regarding the matter. Ms. Heun responded the base of the decorations are actually frozen in the ground and cannot be removed. Chris Hillman, City Manager, assured Councilmember Shepherd the City would find a solution.

Councilmember Sprague – nothing to report.

Councilmember Young – nothing to report.

Chris Hillman, City Manager – nothing to report.

STAFFS' REPORTS:

Nancy Dean, City Recorder

1. Stated a meeting was not scheduled for Tuesday, January 18, 2011. She informed the Council the next meeting was scheduled for Tuesday, January 25, 2011 and reminded the Council of the Budget Retreat on Friday, January 28, 2011.
2. Informed the Council of Local Official's Day with the Legislature on Wednesday, January 26, 2011 and if interested to let her know by Friday, January 14, 2011, in order to complete registration.

Councilmember Young moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 7:45 p.m., seconded by Councilmember Fryer. All voting AYE.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 25th day of January, 2011**

/s/Donald W. 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, January 11, 2011.

/s/Nancy R. Dean, City Recorder