

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
June 28, 2011 – REGULAR SESSION

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

Mission Statement: To provide leadership in advancing core community values; sustain safety, security and health; and provide progressive, caring and effective services. We take pride in building a community where individuals, families and businesses can develop and thrive.

6:30 P.M. WORK SESSION

(TENTATIVE) The Council will consider a motion to enter into Closed Session for the purpose of a strategy session to discuss the purchase, exchange, or lease of real property.
Utah Code Ann. § 52-4-204 and §52-4-205(1)(d)

7:00 P.M. REGULAR SESSION

CALL TO ORDER:

Mayor Wood

OPENING CEREMONY:

Councilmember Fryer

APPROVAL OF MINUTES:

April 20, 2011 – Work Session

May 10, 2011 – Work Session

May 24, 2011 – Work Session

June 8, 2011 – Work Session

June 14, 2011 – Regular Session

PRESENTATION:

1. **PRESENTATION TO DARREN CARPENTER FOR HIS SERVICE AS A MEMBER OF THE PLANNING COMMISSION**

BACKGROUND: Darren Carpenter has served the City as a member of the Planning Commission and recently submitted a letter of resignation. The Mayor and City Council desire to recognize Mr. Carpenter for his service to the City.

PUBLIC HEARINGS:

2. **CONSIDER FSP 1105-0001, AN AMENDED SUBDIVISION PLAT, TO MERGE FOUR PARCELS INTO ONE PARCEL FOR THE TYTON CENTER SITE LOCATED ON 700 SOUTH**

BACKGROUND: This item is a request by Corey Malan, on behalf of Kent Teichert, for an Amended Subdivision Plat to merge four parcels, approximately 0.98 acres total, into one parcel for the purposes of developing a commercial center. This site is located at 772 East 700 South (TINs: 12-068-0005 through 12-068-0008) and the property is in the C-2 (Commercial) zoning district. The Planning Commission held a public hearing on June 15, 2011 and recommended approval.

RECOMMENDATION: Receive public comment.

3. RE-OPEN AND CONSIDER AMENDING THE 2010/2011 FISCAL YEAR BUDGET

BACKGROUND: State Law requires a public hearing before the City Council approves amendments to the City budget. Bob Wylie, Administrative Services Director, will be presenting amendments for the 2010/2011 fiscal year budget.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

4. CITIZEN COMMENTS

5. APPROVE A PLANNING COMMISSION APPOINTMENT

BACKGROUND: The Planning Commission currently has one vacancy. The Council discussed the issue during a work session on June 21, 2011.

RECOMMENDATION: Consider approval of Mayor Wood's appointment of Barbara Perry, current alternate member of the Planning Commission, to fill the vacancy on the Planning Commission with a term expiring February 2014 and authorize the Mayor's signature to any necessary documents.

6. CONSIDER APPROVAL OF THE PROPERTY EXCHANGE AGREEMENT WITH THE DAVIS SCHOOL DISTRICT RELATING TO THE RECONSTRUCTION OF WASATCH ELEMENTARY SCHOOL

BACKGROUND: This agreement specifically addresses the property exchange of the City's Central Park to the Davis School District and a portion of the Wasatch Elementary School site to the City for the new location of Central Park. The exchange is identical with both parcels a size of 2.152 acres. The Davis School District will be responsible for the demolition and the reconstruction of both parcels.

RECOMMENDATION: Approve the Property Exchange Agreement with the Davis School District and its accompanying Quit Claim Deeds making possible the reconstruction of Wasatch Elementary School and authorize the Mayor's signature to any necessary documents.

7. CONSIDER APPROVAL OF FSP 1105-0001, AN AMENDED SUBDIVISION PLAT, TO MERGE FOUR PARCELS INTO ONE PARCEL FOR THE TYTON CENTER SITE LOCATED ON 700 SOUTH

RECOMMENDATION: Approve FSP 1105-0001, an Amended Subdivision Plat, to merge four parcels into one parcel for the Tyton Center site located on 700 South and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF THE CHRISAM MEADOWS PHASE 5 SUBDIVISION FINAL ACCEPTANCE AND RELEASE OF ESCROW

BACKGROUND: In accordance with Title 12, Chapter 9, of the Clearfield City Code, the city engineer has completed the final inspection of the ChrisSam Meadows Phase 5 Subdivision and found all improvements to have been installed correctly. The warranty period is over and the city

engineer recommends final acceptance of the improvements for perpetual maintenance and a release of the escrow by the City Council.

RECOMMENDATION: Approve the ChrisSam Meadows Phase 5 Subdivision final acceptance and release of escrow and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF TWO CHANGE ORDERS TO THE CONTRACT WITH POSITIVE POWER FOR LIGHTING PROJECTS FUNDED BY THE AMERICAN RECOVERY AND REINVESTMENT ACT ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT

BACKGROUND: The City received funds from the American Recovery and Reinvestment Act Energy Efficiency and Conservation Block Grant to upgrade the energy systems in some of its existing buildings. Positive Power is the contractor working on the lighting upgrades and found it necessary to include work that was not authorized in the original contract. The company submitted two change orders in order to complete all the necessary work.

RECOMMENDATION: Approve amendments to the contract with Positive Power for lighting upgrades through Change Order Number One in the amount of \$1,380 and Change Order Number Two with a not to exceed amount of \$1,262 and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF AN AGREEMENT WITH THE UTAH TRANSIT AUTHORITY (UTA) REGARDING THE CONSTRUCTION, OPERATION AND MAINTENANCE OF A 12-INCH SANITARY SEWER LINE IN CONNECTION WITH THE 200 SOUTH ROADWAY PROJECT

BACKGROUND: The City is ready to begin work on the 200 South Roadway project which will include the replacement of City utility lines along the street. The project includes the construction of a new 12-inch sanitary sewer line that will pass through the Utah Transit Authority's (UTA's) right-of-way. The construction of that sewer line makes it necessary to enter into an agreement with the Utah Transit Authority (UTA) to allow for the construction, operation and maintenance of that sewer line.

RECOMMENDATION: Approve the Utah Transit Authority (UTA) Contract Number DR/D/2240/P authorizing the construction, operation and maintenance of a 12-inch sanitary sewer through its Right of Way along 200 South and authorize the Mayor's signature to any necessary documents.

11. CONSIDER APPROVAL OF AGREEMENTS WITH THE UTAH TRANSIT AUTHORITY (UTA) REGARDING THE RELOCATION OF UTILITY LINES ALONG 700 SOUTH IN PREPARATION FOR THE CONSTRUCTION OF THE SR (STATE ROAD) 193 EXTENSION PROJECT

BACKGROUND: The Utah Department of Transportation (UDOT) is preparing for the construction of the SR (State Road) 193 Extension project. There are utility lines along 700 South that will need to be relocated in connection with the expansion and UDOT has asked the City to manage that portion of the project. Relocating the utility lines requires the City to work in the

Utah Transit Authority (UTA) right-of-way. These agreements authorize the construction, operation and maintenance of the affected utility lines.

RECOMMENDATION: Approve the Utah Transit Authority (UTA) Contract Numbers SO/D/2227/P, DR/D/2232/P, SO/D/2220/P, SO/D/2219/P, SO/D/2221/P and SO/D/2218/P with authorization for the City Attorney to negotiate any changes deemed necessary to protect the City's interest in the project and authorize the Mayor's signature to any necessary documents.

12. CONSIDER APPROVAL OF AGREEMENTS WITH THE UNION PACIFIC RAILROAD REGARDING THE RELOCATION OF UTILITY LINES ALONG 700 SOUTH IN PREPARATION FOR THE CONSTRUCTION OF THE SR (STATE ROAD) 193 EXTENSION PROJECT

BACKGROUND: The Utah Department of Transportation (UDOT) is preparing for the construction of the SR (State Road) 193 Extension project. There are utility lines along 700 South that will need to be relocated in connection with the expansion and UDOT has asked the City to manage that portion of the project. Relocating the utility lines requires the City to work in the Union Pacific Railroad right-of-way. These agreements authorize the construction, operation and maintenance of the affected utility lines.

RECOMMENDATION: Approve the Union Pacific Railroad Agreement Numbers 02664-15, 02664-28, 02664-24, 02664-26 and 0262274 with authorization for the City Attorney to negotiate any changes deemed necessary to protect the City's interest in the project and authorize the Mayor's signature to any necessary documents.

13. CONSIDER APPROVAL OF RESOLUTION 2011R-10 PERMITTING THE CLEARFIELD CITY POLICE DEPARTMENT TO DISPOSE OF UNCLAIMED PROPERTY

BACKGROUND: The Clearfield City Police Department periodically is required to dispose of unclaimed property. These 23 bicycles have not been claimed after attempting to find the lawful owner(s). The Council has approved unclaimed bicycles in the past to be donated to charities. Deseret Industries and the Davis County Children's Justice Center are the only two groups at this time that will take these bicycles from the Police Department.

RECOMMENDATION: Approve Resolution 2011R-10 permitting the Clearfield City Police Department to dispose of unclaimed property by donation to the Deseret Industries and/or the Davis County Children's Justice Center and authorize the Mayor's signature to any necessary documents.

14. CONSIDER APPROVAL OF RESOLUTION 2011R-12 ACTING AS THE GOVERNING AUTHORITY OF THE NORTH DAVIS FIRE DISTRICT ADOPTING AND CERTIFYING ITS TAX RATE FOR THE 2011 TAXABLE YEAR

BACKGROUND: The Clearfield City Council acts as the governing authority for the North Davis Fire District (NDFD). The Administrative Control Board of the NDFD desires to establish a certified tax rate of 0.001316 for the 2011 taxable year for the purpose of funding operating expenses and capital improvements and to provide fire protection, emergency medical and ambulance services and consolidated 911 and emergency dispatch services.

RECOMMENDATION: Approve Resolution 2011R-12 acting as the governing authority of the North Davis Fire District (NDFD) and adopting and certifying a tax rate of 0.001316 for the Fire District 2011 taxable year and authorize the Mayor's signature to any necessary documents.

15. CONSIDER APPROVAL OF RESOLUTION 2011R-11 ADOPTING AMENDMENTS TO THE 2010/2011 FISCAL YEAR BUDGET

RECOMMENDATION: Approve Resolution 2011R-11 adopting amendments to the 2010/2011 fiscal year budget and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:

Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

****ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE CDRA****

1. APPROVAL OF THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) MINUTES FROM THE JUNE 14, 2011 REGULAR SESSION

PUBLIC HEARING:

2. RE-OPEN AND CONSIDER AMENDMENTS TO THE CDRA 2010/2011 FISCAL YEAR BUDGET

BACKGROUND: State Law requires a public hearing before the Board approves amendments to the CDRA budget. Bob Wylie, Administrative Services Director, is here to present amendments for the 2010/2011 fiscal year budget.

RECOMMENDATION: Receive public comment.

SCHEDULED ITEMS:

3. CONSIDER APPROVAL OF RESOLUTION 2011R-03 AMENDING THE CDRA 2010/2011 FISCAL YEAR BUDGET

RECOMMENDATION: Approve Resolution 2011R-03 adopting amendments to the CDRA 2010/2011 fiscal year budget and authorize the Chair's signature to any necessary documents.

4. CONSIDER APPROVAL OF RESOLUTION 2011-04 ADOPTING THE CDRA 2011/2012 FISCAL YEAR BUDGET

BACKGROUND: The Board held a public hearing on the proposed CDRA budget on June 14, 2011. Utah Code requires cities to hold a public hearing relating to the approval of the upcoming fiscal year budget. City staff has prepared and submitted to the Board a balanced final budget for fiscal year 2011/2012 which begins July 1, 2011 and ends June 30, 2012.

RECOMMENDATION: Approve Resolution 2011R-04 adopting the CDRA 2011/2012 fiscal year budget and authorize the Chair's signature to any necessary documents.

****ADJOURN AS THE CDRA****

Dated this 24th day of June, 2011.

Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.