

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
September 20, 2011

PRESIDING:	Don Wood	Mayor
PRESENT:	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Doyle Sprague	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Marilyn Fryer	Councilmember
STAFF PRESENT:	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Valerie Claussen	Acting Community Dev. Director
	Eric Howes	Community Services Director
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
EXCUSED:	Adam Lenhard	City Manager

VISITORS: Mike LeBaron, Vern Phipps, Lynada Peterson, Reggie Cutler

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

Mayor Wood announced Councilmember Fryer was excused.

Councilmember Young conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE AUGUST 23, 2011 WORK SESSION,  
AUGUST 23, 2011 REGULAR SESSION AND THE AUGUST 30, 2011 WORK SESSION

**Councilmember Sprague moved to approve the minutes from the August 23, 2011 work session, August 23, 2011 regular session and the August 30, 2011 work session as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None. Councilmember Fryer was not present for the vote.**

PRESENTATION TO JACOB N. HOWELL FOR RECOGNITION OF RECEIVING THE  
RANK OF EAGLE SCOUT - **TABLED**

CITIZEN COMMENTS

There were no citizen comments.

***CONSENT AGENDA:***

Mayor Wood explained the process for the implementation of a consent agenda during Council meetings. He stated the Council would be using a consent agenda for routine issues.

AWARD OF BID FOR STREET CRACK SEAL PROJECT

Brian Brower, City Attorney, stated the City solicited bids for street crack seal services on various streets. He indicated the City Engineer's cost estimate for the project was \$125,750 with contingency and engineering fees. He explained one bid was received from Morgan Pavement Maintenance with a bid amount of \$89,310. He continued that staff recommended the bid be awarded to Morgan Paving with a bid amount of \$89,310 and contingency and engineering fees of \$11,190, for a total project cost of \$100,500.

AWARD OF BID FOR THE 525 NORTH WATERLINE PROJECT

Brian Brower, City Attorney, explained the City received bids from six contractors to provide services to install a new waterline on 525 North and to install a new Pressure Release Valve PRV station on 1000 West. He stated the lowest responsible bidder was Kapp Construction with a bid amount of \$211,884.45. He continued that staff recommended the bid be awarded to Kapp Construction, and funding be approved for \$211,884.45 bid amount with contingency of \$46,614.84 for a total project cost of \$258,499.29.

Mayor Wood asked the Council if there were any items that needed to be removed from the consent agenda. There were no items removed. **Councilmember Shepherd moved to approve the consent agenda items presented by staff and listed above and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None.** Councilmember Fryer was not present for the vote.

***SCHEDULED ITEMS:***

**APPROVAL OF RESOLUTION 2011R-16 AUTHORIZING THE CONVEYANCE OF AN INSIGNIFICANT .40 ACRE PARCEL OF REAL PROPERTY LOCATED WITHIN THE SR (STATE ROAD) 126 RIGHT-OF-WAY TO THE UTAH DEPARTMENT OF TRANSPORTATION (UDOT)**

Brian Brower, City Attorney, commented the City owned an insignificant parcel of real property (.40 acres having a value of less than \$75,000) located within the Utah Department of Transportation's (UDOT's) right-of-way for SR (State Road) 126. He noted the property's location, size, unusual and irregular dimensions provided no prospect for any practical or beneficial use to the City or its residents. He informed the Council that UDOT was willing and able to accept ownership of the parcel; therefore, it was in the public's best interest to transfer its ownership.

**Councilmember Young moved to approve Resolution 2011R-16 authorizing the conveyance of an insignificant .40 acre parcel of real property to the Utah Department of Transportation (UDOT) and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Sprague. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None.** Councilmember Fryer was not present for the vote.

**APPROVAL OF THE SETTLEMENT AGREEMENT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS AND LB FOSTERS COMPANY REGARDING THE 200 SOUTH OVERPASS PROJECT**

Brian Brower, City Attorney, explained the City had worked hard to resolve the problems surrounding the construction of the 200 South Overpass. He continued the settlement agreement would finalize the resolution of the process for repairing the overpass and its associated litigation. He stated the agreement provided payment to the City from Parsons Brinckerhoff Quade and Douglas in the amount of \$240,000 and LB Foster Company in the amount of \$30,000.

**Councilmember Shepherd moved to approve the settlement agreement with Parsons Brinckerhoff Quade & Douglas and LB Fosters Company regarding the repair of the 200 South Overpass, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None.** Councilmember Fryer was not present for the vote.

CANVASS REPORT OF THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION  
HELD ON SEPTEMBER 13, 2011

Nancy Dean, City Recorder, presented the canvass report as prepared by the Davis County Clerks Office. She corrected the report to reflect the number of registered voters in Clearfield from 8,845 to 9,275. She noted the results were verified as the following:

**Clearfield City Primary Election  
September 13, 2011  
Canvass Results  
(Canvassed: September 20, 2011)**

Clearfield City Precincts	3	100.00%	
Registered Voters	9,275	100.00%	
Ballots Cast	697	7.51%	
City Council (4-year term)			
Kent Bush	375	19.25%	<b>Finalist</b>
Michael Jensen	127	6.52%	
Mike LeBaron	362	18.58%	<b>Finalist</b>
Lynada Peterson	220	11.29%	<b>Finalist</b>
Vern R. Phipps	277	14.22%	<b>Finalist</b>
Mark R. Shepherd	346	17.76%	<b>Finalist</b>
Doyle T. Sprague	241	12.37%	<b>Finalist</b>

**Councilmember Shepherd moved to approve the canvass report with the noted correction to the number of registered voters and authorized the City Recorder to report the results to the Lieutenant Governor's office, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None.** Councilmember Fryer was not present for the vote.

**COMMUNICATION ITEMS:**

**Mayor Wood**

1. Informed the Council that Doxey Elementary would be holding its annual "Walk to School Day" on Wednesday, September 21, 2011. He stated he would be unable to attend. Councilmember Shepherd offered to attend in the Mayor's absence.
2. Informed the Council the PARC pallet races would be held at the Layton Hills Mall on Wednesday, September 21, 2011.

3. Explained the director for the Children's Choir resigned. He stated he and his daughter would be directing the choir this year. He continued the auditions would be Saturday, September 24, 2011.

*Councilmember Murray* – nothing to report.

*Councilmember Shepherd*

1. Stated he had attended an event sponsored by the Governor's Office of Economic Development (GOED). He indicated it was interesting to see the efforts by that office to help bring businesses to the State of Utah which included the expansion of ATK in Clearfield.
2. Informed the Council he had also attended the ribbon cutting ceremony for the new Hill Air Force Base housing project.

*Councilmember Sprague* – reported he had attended the Davis Volunteer Medical Clinic Award Ceremony. He stated it was a very nice event.

*Councilmember Young* – reported he had attended American Legion Car and Motorcycle Show.

**STAFFS' REPORTS**

*Nancy Dean, City Recorder*

1. Informed the Council there would be a work and policy session on Tuesday, September 27, 2011. She also stated there would be a work session on Tuesday, October 4, 2011.
2. Announced the Youth City Council would be sponsoring "Meet the Candidates Night" on Thursday, October 27, 2011.

*Valerie Claussen, Acting Community Development Director*

1. Informed the Council that there would be an upcoming transportation consortium sponsored by the Wasatch Front Regional Council.
2. Stated Syracuse was taking the lead on the North Davis Commerce Area Plan. She continued Clearfield was invited to participate and there had been several meetings to date to plan for the development of property along 1000 West near 700 South.

*Scott Hodge, Public Works Director*- informed the Council that a portion of 200 South Street was closed to help with the completion of the construction project along that corridor.

There being no further business to come before the Council in policy session, **Councilmember Young moved to adjourn the policy session and reconvene in a work session at 7:34 p.m., seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Murray, Shepherd, Sprague and Young. Voting NO – None.** Councilmember Fryer was not present for the vote.

**APPROVED AND ADOPTED  
This 27<sup>th</sup> day of September, 2011**

**/s/Don 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, September 20, 2011.

/s/Nancy R. Dean, City Recorder