

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
September 20, 2011 – SPECIAL & WORK 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.

**6:00 P.M. WORK SESSION**

Planning Commission Interviews

Discussion on a Proposed Settlement Agreement with Parsons Brinckerhoff Quade & Douglas  
and Foster Geotechnical Regarding the 200 South Overpass Project

Discussion on a Planning Commission Vacancy

Discussion on Amendments to Title 11, Chapter 14 – Off Street Parking

Discussion on Plat Approval for the Murray Subdivision Plat

Discussion on the Purchase of Elliptical Equipment for the Aquatic Center

Discussion on the Playground Equipment at Train Watch Park

Discussion on a Sponsorship Request from the Fallen Heroes Scholarship Foundation

Discussion on the Acquisition of a Small Parcel of Property Located between  
the Old Salvage yard on Main Street and Hidden Glen Mobile Home Park

Discussion on Changes to Davis County's Animal Control Ordinance

*(Any items not addressed prior to the Policy Session will be addressed in a Work Session  
immediately following the Policy Session)*

**7:00 P.M. SPECIAL SESSION**

CALL TO ORDER:

Mayor Wood

OPENING CEREMONY:

Councilmember Young

APPROVAL OF MINUTES:

August 23, 2011 – Work Session

August 23, 2011 – Regular Session

August 30, 2011 – Work Session

**PRESENTATION:**

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

**BACKGROUND:** Jacob N. Howell has completed the requirements to receive the rank of Eagle Scout. Mayor Wood desires to recognize Jacob and acknowledge his achievement.

**SCHEDULED ITEM:**

2. **CITIZEN COMMENTS**

**CONSENT ITEMS:**

3. **CONSIDER APPROVAL OF THE AWARD OF BID FOR STREET CRACK SEAL PROJECT**

**BACKGROUND:** The City solicited bids for street crack seal services on various streets. The City Engineer's cost estimate for the project was \$125,750 with contingency and engineering fees. One bid was received from Morgan Pavement Maintenance with a bid amount of \$89,310. The City Engineer reviewed the bid and recommends awarding the bid to Morgan Pavement Maintenance.

**RECOMMENDATION:** Approve the award of bid for street crack seal project of various streets within Clearfield City to Morgan Pavement Maintenance, and approve funding of \$89,310, bid amount from Morgan Paving, with contingency and engineering fees of \$11,190, for a total project cost of \$100,500.

4. **CONSIDER APPROVAL OF THE AWARD OF BID FOR THE 525 NORTH WATERLINE PROJECT**

**BACKGROUND:** 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. Staff reviewed the bids and recommends awarding the contract to Kapp Construction with a bid amount of \$211,884.45

**RECOMMENDATION:** Approve the award of bid to install a new waterline on 525 North and a new Pressure Release Valve PRV station on 1000 West to Kapp Construction, and approve funding of \$211,884.45 bid amount with contingency of \$46,614.84 for a total project cost of \$258,499.29.

*\*\*The preceding two items are consent items and it is recommended that the consent items be approved as recommended by staff and authorize the Mayor's signature to any necessary documents.\*\**

**SCHEDULED ITEMS:**

5. **CONSIDER 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)**

**BACKGROUND:** The City owns 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. The property's location, size, unusual and irregular dimensions provide no prospect for any practical or beneficial use to the City or its residents. UDOT is willing and able to accept ownership of the parcel; therefore, it is in the public's best interest to transfer its ownership.

**RECOMMENDATION:** 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.

6. CONSIDER THE APPROVAL OF THE SETTLEMENT AGREEMENT WITH PARSONS BRINCKERHOFF QUADE & DOUGLAS AND FOSTERS GEOTECHNICAL REGARDING THE 200 SOUTH OVERPASS PROJECT
7. CANVASS THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD ON SEPTEMBER 13, 2011

BACKGROUND: State Law requires the governing body verify the results of the primary election, which was held on Tuesday, September 13, 2011.

RECOMMENDATION: Verify the official primary election results.

***COMMUNICATION ITEMS:***

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

***\*\*COUNCIL MEETING ADJOURN\*\****

Dated this 16<sup>th</sup> day of September, 2011.

/s/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.

## Executive Summary

### Elliptical Machines Bid

This item was approved in the 2012 budget in the amount of \$50,000. However, the budget specifically includes a request for the purchase of eight (8) elliptical machines. The bids for these machines came in lower than anticipated (\$33,660) including the purchase of existing equipment by the manufacturer. There are ten (10) existing elliptical machines at the Aquatic Center and staff is requesting authorization to use the remaining funds to purchase an additional two (2) elliptical machines to completely replace all of the existing machines at the same time.

The purchase of these elliptical machines is the second phase of the exercise equipment replacement plan proposed by Aquatic Center Staff. The third phase of this plan is planned to be included in the 2013 budget and is anticipated to replace the spin bikes and other exercise bikes. The fund designated for the replacement of exercise equipment currently has approximately \$163,000 available prior to the purchase of the elliptical machines.

# Executive Summary

## Train Watch Playground Equipment

A playground audit of the playground equipment in Train Watch Park identified six items that are not in compliance with current CPSC and ASTM playground safety guidelines. The identified hazards are as follows:

1. An elevated platform 46" from the safety surfacing does not have any guardrails and represents a fall hazard.
2. The opening between the handrail and upright of the structure is twice as large (30") as the standard (15") creating a fall hazard.
3. The pole slide, or fireman's pole, is located too far (24") from the access platform (Should be 18"-20") creating a fall hazard.
4. The Gap between elevated platforms are large enough to allow a child's torso to pass through, but too narrow for a child's head to pass through creating a head entrapment hazard.
5. The protective barriers, or rails, on the elevated platforms create a head entrapment similar to issue #4.
6. Elevated platforms do not overlap creating a hazard where a user could fall from the top platform (84") to the ground level.

Items 1-3 are less serious in nature and alone would not create a hazard sufficient to recommend removal. However, items 4-6 are much more serious in nature and represent significant liability exposure to the city and a legitimate hazard to users of the equipment. Although this particular piece of playground equipment was constructed prior to the development of the safety standards established by the CPSC and ASTM, the industry standards would still apply. While it might be possible to correct these problems, playground manufacturers will not provide materials to correct the issues and fabrication of materials to modify the existing equipment is not recommended as doing so may create additional hazards.

It is my understanding that funding to replace this equipment was removed from the current budget due to current economic realities. Therefore, the earliest possible replacement opportunity if this equipment is removed would be late summer 2012 if funding is approved in the 2013 budget. If this equipment is removed, the existing swing set would be the only playground equipment in the park.

Although the absence of playground equipment in Train Watch Park would create a deficiency in our level of service to residents of this area, Staff is recommending removal of this equipment and requesting direction on this issue from council.

## Executive Summary

### Sponsorship of Fallen Heroes Scholarship Foundation World Record Basketball Game

The foundation is requesting the use of the gymnasium at the Clearfield Aquatic Center in an attempt to set the world's record for the longest continuous basketball game and to raise awareness and money for the Fallen Heroes Scholarship foundation. They would be willing to pay up to \$2,500 for the use of the facility. However, the established fee for facility rentals is \$50 per hour which would equate to a minimum of \$5,350. They are requesting that council consider a reduced fee for this event.

The stated purpose of the event is to hold an event open to the community that will help bring awareness to the special needs that exist to help the surviving families of US soldiers and Police Officers who have been killed in the line of duty. They will be using the event as a fundraiser as well as to set the world record for a continuous basketball game. The current record is 107 hours.

The event would be open to the public at no charge (donations for admission accepted but not required). All money raised will go directly to the scholarship fund for the purpose of awarding scholarships to targeted recipients.

The target date for this activity is December 26-30, 2011. They are requesting the use of one basketball court in the gym for just over 107 hours. They plan to begin at 8:00am on the 26<sup>th</sup> and continue to approximately 10:00pm on December 30<sup>th</sup>. They will provide players, support team, and medical personnel. As the event is planned to occur during a school vacation, there will be no conflict with school usage. Additional specific information regarding the details of the event are included in the proposal.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
August 23, 2011

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

VISITORS: Lynada Peterson – Candidate, Betty Jimenez, Mike LeBaron – Candidate, Vern Phipps - Candidate

Mayor Pro Tem Sprague called the meeting to order at 6:10 p.m.

DISCUSSION ON AMENDMENTS TO TITLE 11, LAND USE - PHYSICAL THERAPY USES

Valerie Claussen, Acting Community Services Director, distributed a new staff report and informed the Council the one received in the agenda packet had a significant typographical error. She reported the City’s current land use ordinance, physical therapy facilities either required a Conditional Use Permit or wasn’t allowed in some districts at all even though similar use medical clinics were permitted in non-residential zoning districts. She stated it was proposed to update the verbiage in the ordinance which would reflect the more similar use. She added specifics would be regulated through the business license process and explained those specific guidelines.

Ms. Claussen reported no public comment had been received and the Planning Commission held its public hearing on August 3, 2011 and unanimously approved the recommendation.

Councilmember Fryer inquired if this ordinance change would apply to Thatcher Brook. Ms. Claussen responded Thatcher Brook is a rehabilitation facility and is governed by a different

zoning classification. She explained the need for the text change in the ordinance came about because a chiropractic office became more of a physical therapy office offering the same services.

#### DISCUSSION ON THE REZONE OF THE MUNICIPAL CAMPUS FROM COMMERCIAL TO PUBLIC FACILITIES

Valerie Claussen, Acting Community Services Director, explained the rezone would change the City Hall property to Public Facilities use from Commercial. She added with the recent plat change recently approved by the Council, City Hall and the Community Center would be included in one parcel and the Fire Station would be a separate parcel. She reported the rezone was consistent with the City's Master Plan. She reported the Planning Commission also approved this ordinance change during its meeting on August 3, 2011.

#### DISCUSSION ON THE AWARD OF BID FOR JANITORIAL SERVICES

Eric Howes, Community Services Director, stated the City recently completed the bid process for janitorial services for City owned facilities. He reported 39 companies reviewed the bid requirements, 11 submitted bids and six of those companies submitted complete bids. He continued staff reviewed and scored each of the six submitted bids and concluded RBM Building Services to be the lowest bidder and who also received the highest rating from staff. He stated it was his recommendation the bid be awarded to RBM Building Services.

Mr. Howes explained the janitorial services were being completed on a month by month basis, however, the agreement required a 30-day written notice to terminate service which would have to be taken into consideration in negotiating the new contract with RBM.

#### DISCUSSION ON ROSS DRIVE STREET IMPROVEMENTS BID

Scott Hodge, Public Works Director, informed the Council about the storm drain/Ross Drive street improvement project. He explained there was a storm drain located on State Street near the entrance to Ross Drive which was not adequate during heavy rainfall. He continued UDOT had recently granted permission for the City to cut the road to complete the storm drain upgrade. He stated the City Engineer had finalized the design for the bid and the City recently completed the bid process for the project. He reported only one bid was received which was over the engineer's estimate. He stated the engineer reviewed all bid information provided to the City and completed a bid tabulation during which was discovered wrong bid information had been submitted. He clarified the information had been previously submitted by the company for one of the City's projects completed last year.

Mr. Hodge announced it would be his recommendation to re-bid the project next spring in hopes more contractors would be willing to submit competitive bids. He continued the construction

season was nearly over and many contractors' schedules had previously been determined and surmised this might have contributed to the City receiving only one bid.

Councilmember Sprague inquired if UDOT could withdraw its permission for the cutting of the street if the City chose to delay the project. Mr. Hodge responded UDOT had requested the City complete some infrastructure improvements which would be reimbursed by UDOT and didn't believe a delay of the project would matter in this instance.

**Councilmember Young moved to adjourn as the City Council and reconvene as the CDRA in a work session at 6:25 p.m., seconded by Councilmember Fryer. All voting AYE.**

*\*\*The minutes for the CDRA are in a separate location\*\**

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
August 23, 2011

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

VISITORS: Lynada Peterson – Candidate, Betty Jimenez, Joy Brown – American Legion, Mike LeBaron – Candidate, Mike Jensen – Candidate, Alissa McFadden

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

Mayor Pro Tem Sprague conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JULY 26, WORK SESSION, AUGUST 9, 2011  
REGULAR SESSION AND THE AUGUST 12, 2011 WORK SESSION

**Councilmember Fryer moved to approve the minutes from the July 26, 2011 work session, August 9, 2011 regular session and the August 12, 2011 work session as written, seconded by Councilmember Murray. All voting AYE.**

PUBLIC HEARING TO CONSIDER A TEXT AMENDMENT TO THE CITY'S LAND USE  
ORDINANCE, TITLE 11, CHAPTER 11, REGARDING PHYSICAL THERAPY FACILITIES

The proposed amendments to Clearfield City's Land Use Ordinance Title 11, Chapter 11 would include Physical Therapy Facilities as a permitted use in the C-1, C-2, D-R and M-1 zoning districts and permitted with a Conditional Use Permit in the C-R zoning district.

Mayor Pro Tem Sprague declared the Public Hearing open at 7:03 p.m.

Mayor Pro Tem Sprague asked for public comment.

There was no public comment.

**Councilmember Shepherd moved to close the public hearing at 7:04 p.m., seconded by Councilmember Young. All voting AYE.**

PUBLIC HEARING FOR THE CLEARFIELD CITY MUNICIPAL CAMPUS REZONE

The property was approximately 7.23 acres and was located on the southeast corner of Center and State Streets. The request is for a rezone from C-2 (Commercial) to PF (Public Facilities). (TINs: 12-001-0087, 12-001-0089 through -0099, 12-001-0112 and -0113, 12-001-0129 and -0130, 12-001-0145, 12-001-0166 and 12-001-0169)

Mayor Pro Tem Sprague declared the Public Hearing open at 7:04 p.m.

Mayor Wood asked for public comment.

There was no public comment.

**Councilmember Shepherd moved to close the public hearing at 7:05 p.m., seconded by Councilmember Fryer. All voting AYE.**

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF ORDINANCE 2011-08 APPROVING TEXT AMENDMENTS TO THE CITY'S LAND USE ORDINANCE, TITLE 11, CHAPTER 11, REGARDING PHYSICAL THERAPY FACILITIES

**Councilmember Fryer moved to approve Ordinance 2011-08 approving text amendments to the City's Land Use Ordinance, Title 11, Chapter 11, regarding the use of Physical Therapy 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 and Young. Voting NAY – None.**

APPROVAL OF ORDINANCE 2011-09 APPROVING THE REZONE OF APPROXIMATELY 7.23 ACRES FROM C-2, COMMERCIAL, TO PF, PUBLIC FACILITIES ZONE

**Councilmember Young moved to approve Ordinance 2011-09 approving the rezone of approximately 7.23 acres from C-2, Commercial, to PF, Public Facilities Zone 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 and Young. Voting NAY – None.**

APPROVAL OF RESOLUTION 2011R-15 APPOINTING POLL WORKERS AND SETTING THE POLLING PLACES FOR THE MUNICIPAL ELECTIONS BEING HELD IN SEPTEMBER AND NOVEMBER

State Law (U.C.A. 20A-5-602 and 20A-5-301) required the City Council to appoint poll workers and set the polling places prior to a municipal election. The Municipal Primary Election would be held September 13, 2011 and the Municipal General Election would be held on November 8, 2011.

**Councilmember Shepherd moved to approve Resolution 2011R-15 appointing poll workers and setting the polling places for the Municipal Elections 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 Fryer. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd and Young. Voting NAY – None.**

APPROVAL OF THE AWARD OF BID FOR JANITORIAL SERVICES

The current janitorial services contract expired in July and was being performed on a month-to-month agreement. Staff solicited bids for janitorial services and six vendors returned qualified bids with monthly quotes ranging from \$9,762 to \$14,226. The lowest qualified bidder was RBM Building Services, Inc. for the base price of \$9,762 per month with a high of \$10,022.01 for other months when additional services are needed.

**Councilmember Murray moved to approve the award of bid to RBM Building Services and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Fryer. All voting AYE.**

APPOINT THE NEW CITY MANAGER

Mayor Pro Tem Sprague read a statement from Mayor Don Wood recommending Adam Lenhard be appointed as Clearfield City Manager.

Mayor Pro Tem Sprague expressed appreciation to Adam Lenhard and stated he was excited for him and looked forward to his leadership for the City. He stated he would be part of the voting body since the recommendation was being made by the Mayor.

**Councilmember Shepherd moved to appoint Adam Lenhard as Clearfield City Manager and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd, Sprague and Young. Voting NAY – None.**

Adam Lenhard stated it was an honor to be appointed as the new City Manager. He added he was excited and looked forward to the future in working together with the City Council and Staff. He expressed confidence the City was headed in the right direction. He indicated he had extreme trust and confidence in the Executive Staff and expressed his appreciation for the opportunity to work directly with each of them. He believed with the continued efforts of everyone the City would continue to be successful in the future.

#### COMMUNICATION ITEMS:

*Councilmember Fryer* – reminded the Council the Farmer's Market was being held every Wednesday at the Aquatic Center bowery and commented there were some great vendors. She indicated Marliss Scott and Natalee Flynn, Community Relations Coordinators, had done a great job in invigorating the Farmer's Market with food and entertainment.

*Councilmember Murray* – nothing to report.

*Councilmember Shepherd* – reported he went to the City's presentation of the play, "Nonsense" and expressed his opinion it was one of the best productions the City had presented in quite a while.

*Councilmember Sprague* – nothing to report.

*Councilmember Young* – reported he had attended the Youth City Council (YCC) retreat on Friday, August 19, 2011. He added a discussion had taken place regarding a pedestrian accident and the YCC was suggesting the City consider placing orange flags at the crosswalks which were used to make pedestrians more visible to motorists.

*Adam Lenhard, City Manager* – nothing to report.

#### STAFFS' REPORTS:

##### *Nancy Dean, City Recorder*

1. Informed the Council of the meeting schedule:
  - work session on Tuesday, August 30, 2011 at 6:00 p.m.
  - a work session was scheduled for Tuesday, September 6, 2011, however; there currently were no items for discussion. She stated she would keep them posted regarding that meeting.

- no meeting would take place on Tuesday, September 13, 2011 due to the Primary Election.
- a special session was scheduled for Tuesday, September 20, 2011.
- policy session on Tuesday, September 27, 2011.

2. Reported early voting would begin on Tuesday, August 30, 2011, on the third floor.

*Valerie Claussen, Acting Community Development Director* – informed the Council several letters of interest for the alternate Planning Commission vacancy position had been received by the August 15, 2011 deadline would be provided to them prior to the interviews during September.

There being no further business to come before the Council **Councilmember Shepherd moved to adjourn at 7:19 p.m., seconded by Councilmember Young. All voting AYE.**

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
August 30, 2011

PRESIDING:	Don Wood	Mayor
PRESENT:	Marilyn Fryer	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Doyle Sprague	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Kelly Bennett	Police Detective Sergeant
	Kim Dabb	Operations Manager
	Valerie Claussen	Acting Community Development Director
	Eric Howes	Community Services Director
	Bob Wylie	Administrative Services Director
	Summer Palmer	Human Resource Manager
	Jessica Hardy	Accountant Technician
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder
EXCUSED:	Scott Hodge	Public Works Director

VISITORS: Lee Schaffer – Summer Place HOA, Mike LeBaron – Candidate, Shannon Anderson, Kent Bush – Candidate, Tricia Dryer

Mayor Wood called the meeting to order at 6:05 p.m.

DISCUSSION ON HOMEOWNERS ASSOCIATIONS (HOAs)

Adam Lenhard, City Manager, acknowledged the City was aware of current problems associated with open space areas throughout the City which needed to be better maintained by Homeowners Associations (HOAs). He commented staff recognized there were specific situations regarding open space maintenance and believed one solution might not fit all situations. He added staff understood everyone desired to live in a community which looked great and expressed a need for direction from the Council.

Valerie Claussen, Acting Community Development Director, distributed handouts and shared a visual presentation with the Council. She pointed out many issues brought to the attention of staff regarding HOAs were civil matters between residents and the HOA. She reviewed the subdivision open space inventory handout and stated apartments and townhomes were excluded

because those HOAs were professionally administered. Mr. Lenhard reported there was a condominium act which was now State Statute with specific regulations to open space. Ms. Claussen emphasized her handout and the following discussion would be specific to single family residential subdivision HOAs and explained staff had three alternatives for consideration.

Ms. Claussen explained the first option was the code enforcement alternative, which was the process currently used by the City. She reviewed that process with the Council pointing out the pros and cons associated with it. Mayor Wood inquired how a non-functioning HOA would be able to reimburse the City for abatement. Ms. Claussen responded contact had usually been made with the responsible HOA and abatement was the last resort. Councilmember Sprague believed the City should be assessing the developer for abatement because it was his/her responsibility to establish the HOA. Shannon Anderson, resident of Springfield Estates, stated the developer had told her it was economically more feasible to pay the City's fine than for him to maintain the property. Mayor Wood inquired if the citation process and court appearance had been exhausted prior to abatement by the City. Ms. Claussen indicated the citation and court process had been exhausted prior to abatement. Mr. Lenhard commented the City wanted to find a way to resolve the problems prior to abatement because when the City completed abatement on an HOA parcel it was unlikely the City would recover its costs. He continued the City could place a lien on the open space property; however, the HOA/developer would not care if that happened because there was no intention to sell that property. Councilmember Shepherd suggested the City consider beginning the foreclosure process on the abated property to encourage full restitution.

Ms. Claussen presented the second alternative, the creation of a special assessment area in which an assessment for each resident would be established and the City would become a clearinghouse in maintaining the property. She pointed out specific language was included in the development agreements as well as the City Code to allow this action. She explained the pros and cons with this option and commented this alternative had been successful in other municipalities. She expressed her opinion this would be a long term solution for the chronic maintenance problems.

Ms. Claussen presented the last alternative for consideration would be the City's acquisition and maintenance of the property without any assessment. She pointed out the problems associated with proceeding with this option and did not believe this would be in the best interest of the City.

Mayor Wood asked about the process for establishing a special assessment district and whether it would need to be voted on and passed by the affected residents. Brian Brower, City Attorney, distributed a handout with information taken from State Code explaining special assessment areas and reviewed it with the Council. He pointed out if fifty percent of the affected residents opposed the creation of the assessment district, the City would not be allowed to make that designation. He continued the process required noticing, a public hearing and protest periods and explained that specific portion of the handout. He expressed his opinion regarding the implementation of this option and believed it would only be applicable for publicly held areas or use. Mr. Lenhard clarified prior to the City proceeding with the alternative it would be necessary

for the open space to be conveyed to the City. Mr. Brower indicated that was correct and further explained the risk associated with the option if fifty percent of the residents protested the action.

Councilmember Murray asked if the residents had a clear understanding at the time of purchasing a home that the subdivision was required to participate in an HOA. Ms. Claussen explained the resident should have been made aware of the HOA with the purchasing documents. Councilmember Sprague believed the real estate agent and the title company should have been aware of the HOA requirement and believed both had the responsibility to inform the homebuyer. Councilmember Shepherd agreed. Councilmember Murray clarified Autumn Ridge Phases I-III was a single functioning HOA; however, the HOA for Phase IV had not been established. Councilmember Shepherd believed there had not been enough homes constructed and the builder still owned the open space. Ms. Claussen expressed her opinion the HOA for Phase IV had not been properly established. Mr. Brower responded specific language regarding HOA's was included in the City's development agreements. Ms. Anderson stated she had a copy of the development agreement specific to Springfield Estates and a discussion took place specific to its HOA requirement. She stated the warranty deed she received after closing was the only documentation which reflected the HOA requirement. Mr. Lenhard believed the HOA was formed after a number of residents had moved in. Ms. Anderson expressed her opinion there would be some homes excluded from being required to participate in the HOA or assessment district because of the lack of notification.

Brian Brower, City Attorney, commented although some HOA issues had been ongoing for a number of years; he believed the overall problem had been exacerbated by the economy and the downturn in the housing market affecting developers. Councilmember Sprague believed years ago the City included verbiage requiring HOAs; however, no provision specific to enforcement was included in the development agreement. He continued he specifically discussed this particular issue with then City Attorney, Larry Waggoner, expressing his concern. Mr. Brower stated there was the requirement of the HOA in the development agreement and pointed out in the case of Autumn Ridge, the City was no longer dealing with the initial developer, believing it would be more difficult to enforce the maintenance of the open space.

Councilmember Murray asked if the concern were specific to the open space areas which were not being maintained. Ms. Claussen responded some of the unmaintained areas were frontage with the majority being the retention basins and reported the entire cumulative area was less than two acres. Mr. Brower explained City ordinance specifically addressed weeds and he explained the difficulty in requiring the open space be watered. Ms. Anderson pointed out there was a section of open space property in her subdivision which had never been developed and encouraged the City to enforce what was agreed to by the developer. She added there was a circumstance in which a small area of open space was adjacent to a resident willing to purchase the undeveloped land. Ms. Claussen explained the problems associated with that option. Mr. Brower added those open space requirements were pursuant to the development agreement or City Code and shared

an example in which the City had deeded a small portion of open space to an adjacent property owner because of the maintenance issue and it still was not maintained and now the City is in possession of the property.

Councilmember Young declared he was a current resident of West Park Village and had a personal direct interest in the HOA discussion. He inquired why the City was requiring HOAs in developments and suggested the possible creation of an assessment area initially might be best in the long run. He inquired about the logic in subdivision development within the power corridor and the City strongly encouraging the development of that open space. Ms. Claussen responded zoning laws dictated the open space requirements based upon the density of the development. She continued property such as the power corridor could be included as open space in the development even though they couldn't be developed any other way. She commented the establishment of HOAs in single family subdivisions' main function was to maintain the open space, in addition to other restrictions of the residents or amenities. She mentioned in other areas of the country either the HOA or the creation of a special assessment area was initially established. She emphasized the only intent of the City requiring an HOA was strictly for maintenance of the open space.

Jessica Hardy left the meeting at 6:50 p.m.

A discussion took place specific to maintaining open space and drainage systems for HOAs in addition to the costs of implementing an HOA or special assessment district. Councilmember Young believed the City would be better positioned to maintain the open space by establishing the special assessment area as opposed to the creation of another bureaucracy. Councilmember Sprague believed that would be more costly than having a functioning HOA. Mayor Wood suggested contracting with a company to maintain all HOA open parcels as opposed to hiring seasonal staff to maintain the small parcels. Mr. Brower pointed out government contracting in the long run would be more expensive than having City staff complete the work. Mr. Brower reported on possible legislation which would be presented during the next legislative session specific to assessment areas and suggested the Council hold off until then to determine if that option would be in the best interest of the City. Mayor Wood suggested Mr. Brower communicate the obstacles with creating assessment areas to alleviate the HOA problem currently encountered by the City with the legislators. Mr. Brower indicated he would do so.

Councilmember Murray clarified if the open areas were implemented to allow a higher density subdivision; smaller homes on smaller lots. Ms. Claussen responded that was the case in some instances. Mr. Lenhard added in years past it was the City's philosophy that open space played an important role for its residents. He addressed Councilmember Young's question as to why HOAs were required in developments and reported the issue had been addressed with the update of the City Code which had been implemented in 2009. He explained the process currently used by the City to ensure the proper development options for the required open space and emphasized there were several alternatives available.

Councilmember Young inquired if the City could acquire open space property contingent upon approval of a special assessment area. Mr. Brower explained the potential problems associated with that option. Councilmember Sprague asked how the City would collect the fees associated with the special assessment area. Mr. Lenhard responded the fee would be included with the collected property tax by the County and then forwarded to the City. Mr. Lenhard believed the City could maintain the open space for what some residents were paying to their HOA.

Councilmember Shepherd expressed concern about what could be done with the existing situation and suggested a meeting take place with the respective developers. Ms. Claussen reported based on initial conversations with the developers there was a willingness to surrender the properties to the City alleviating their responsibility of maintaining them. She continued the important issue was the policy decision as to who should be paying for the maintenance at this time. Councilmember Shepherd inquired whether the residents should be advised as to what the City would be considering for the open space properties. Ms. Claussen believed the City should have some concrete figures of cost prior to presenting it to the homeowners. Councilmember Shepherd believed most of the residents wouldn't object due to the deterioration taking place within the neighborhoods.

Councilmember Murray cautioned the City about assuming the open space for some developments and not others with a functioning HOA. Councilmember Murray pointed out the potential problem with a functioning HOA coming to the City requesting it also take over the responsibility of maintenance on its open space property. A discussion took place regarding the different subdivisions. Councilmember Young believed the City should only be presenting the option to the non-functioning HOA(s). Ms. Claussen believed residents belonging to a functioning HOA would desire to remain as they were and would oppose the designation of a special assessment area and its accompanying fees. Councilmember Young stated he lived in a subdivision with a functioning HOA and expressed his opinion the larger issue was the management of the HOA. He reported seventy percent of the residents were covering the costs of the HOA and he recognized the benefit for homeowners if the fees were being collected one hundred percent through property taxes.

Ms. Claussen requested direction from the Council. Mr. Lenhard reviewed the three possible alternatives for Council's consideration: code enforcement, establishing a Special Assessment Area or acquisition of property. Councilmember Sprague emphasized the residents would need to realize that whatever direction the City decided there would be costs incurred for the assessment. Mayor Wood suggested the most practical approach would be to continue the code enforcement route at least until after the legislative session. Councilmember Sprague expressed his opinion the City should more aggressively enforce the issue with the developers and believed the current code enforcement route was not working. Mayor Wood pointed out a code

enforcement discussion would take place later on during this meeting which might better address those issues.

Councilmember Shepherd asked Mr. Brower if he were aware of what the proposed legislation might be. Mr. Brower responded he believed it would expand the opportunities to establish assessment areas. He stated he would gather specifics regarding the possible future legislation.

Mayor Wood clarified the Council would be willing to wait until Mr. Brower could forward additional information regarding possible future legislation while the City continued to compile data and proceed with code enforcement. He requested Mr. Brower assemble additional information.

#### DISCUSSION ON CONSENT AGENDA PROCEDURES

Mayor Wood stated work sessions took place where future agenda items were discussed at length prior to coming for Council approval. He continued during the regular meetings each item was addressed individually for approval. He pointed out all work sessions were open meetings which had been properly noticed for the public and was suggesting the implementation of a consent agenda. He requested Nancy Dean, City Recorder, explain how a consent agenda could be implemented.

Ms. Dean reviewed agenda items which could be considered for approval in one motion on the consent agenda. She emphasized public hearings would not be included in the consent agenda to allow for public comment and pointed out if there were an item in which a citizen desired to speak to or a councilmember desired further discussion, it could be removed from the consent agenda and addressed separately. Mayor Wood emphasized the background would still be included on each item. Brian Brower, City Attorney, reported Layton City used a consent agenda for its City Council meetings and distributed a copy for illustration purposes.

Councilmember Sprague expressed his opinion current meetings were not too lengthy. Mayor Wood commented there had been times in which a number of housekeeping items could have been consolidated for approval. A discussion took place regarding the use of a consent agenda.

Councilmember Sprague expressed concern residents might perceive the Council had made decisions prior to its policy session. Councilmember Murray agreed with Councilmember Sprague's concerns.

Mr. Brower stated if the Mayor desired the use of a consent agenda during the Council meeting it should be reflected on the printed agenda. Ms. Dean pointed out any item could be removed from the consent agenda during the meeting and addressed during the scheduled items. She stated a policy could be established specifically addressing the use of a consent agenda. A discussion

specific to the citizen's perception with the use of a consent agenda took place. Councilmember Murray appreciated the background and recommendation provided on the agenda and suggested that it continue to be included for the public. Councilmember Sprague expressed his opinion there should not be a consent agenda. The Council agreed to pursue the use of the consent agenda.

The Council took a break at 7:40 p.m.  
The meeting resumed at 8:00 p.m.

#### DISCUSSION ON CODE ENFORCEMENT AND THE GOOD LANDLORD PROGRAM

Police Chief Krusi explained the code enforcement and Good Landlord Program discussions would be discussed and presented as one item. He reminded the Council that code enforcement was currently a community development function and stated Adam Lenhard, City Manager, had requested the police department complete some research considering code enforcement's future with the City. He proposed it be better served as a police department function.

Chief Krusi introduced Kelly Bennett, Police Sergeant, to the Council. Sergeant Bennett stated he had incorporated the Vision 2020 Plan in his research and presentation. He complimented the work code enforcement had accomplished in improving the aesthetics of the City; however, there was still a need for more enforcement. He believed if code enforcement were a priority for the Council there would need to be an increase in costs to result in a more efficient process.

He reviewed the proposal with the Council which identified the following:

- The need to hire two Special Functions Officers (SFO)
- Increase the efficiency of the code enforcement division by utilizing the police department reporting system, case management files, reporting ordinance violations through the dispatch center and modeling code enforcement reporting with the current police reporting
- Citizen interaction with the existing police department procedures
- Increase efficiency at the same time maintaining a balanced budget

Sergeant Bennett explained the benefits of implementing a SFO with code enforcement. He emphasized the officer would be Peace Officer Standards Training (POST) certified having police powers only while working. He stated the officer would wear a uniform and commented it would be similar to what Layton City's code enforcement officers' wear. He emphasized the officer would not carry a firearm. He pointed out the benefits that would be gained by the change in regards to records management, report writing and communications with the dispatch center. In addition, dispatch would also be available to receive complaint calls for the code enforcement officers. He commented the officers could also be used to assist with other calls in the police department such as traffic control, on-street parking, etc.

Sergeant Bennett reported Layton City officials believed the residents had a different perception in receiving a code violation citation from a uniformed officer just like any other criminal violation. He expressed the intent to incorporate "Community Oriented Policing" with code enforcement was still a desired approach; additionally, the division would separate community development from citing businesses who were working closely with zoning approvals and licensing.

Councilmember Murray inquired if the proposed positions would be full-time. Sergeant Bennett responded in the affirmative. Mayor Wood expressed his opinions regarding past challenges in the use of part-time code enforcement officers. Councilmember Murray questioned the costs associated with hiring two full-time officers and whether that could be sustained in the future. Mayor Wood believed the City would be better served by employing POST certified officers and emphasizing the seriousness of the unkempt properties within the City. He believed the City would experience a higher retention of the officers. Councilmember Shepherd commented a citation received from the police department might garner more respect. Sergeant Bennett emphasized the City would not want to be considered a training agency and would want to attract experienced officers.

Sergeant Bennett explained how efficiency would be recognized and reviewed the Spillman reporting program with the Council. He pointed out the process would mirror what takes place with the patrol officers.

Kim Dabb left the meeting at 8:10 p.m.

Councilmember Murray requested clarification as to what enforcement would be the responsibility of community development. Ms. Claussen explained Community Development would continue to enforce sign violations, zoning issues, etc. Sgt. Bennett believed communication would have to take place between both departments.

He reviewed the proposed code enforcement procedures with the Council and suggested meeting with Judge Sandberg stressing the City's desire to improve the aesthetics of the City and improved enforcement of the fee structure adopted by ordinance. Sergeant Bennett pointed out the change would also allow probationary status with the court for those individuals receiving violations who owned multiple properties. He reviewed the current costs compared to the proposed budget if the proposed code enforcement division was implemented.

Mr. Lenhard explained the proposal was an administrative function since it was a staffing matter and emphasized he was in favor of administering it; however, the Council would be required to approve future funding during the budget process. He believed the current structure did not foster qualified candidates and expressed his opinion if the City were serious about code enforcement this change was required. He informed the Council a recent recruitment had taken place for the part-time positions which received very little interest by under qualified applicants. Sergeant Bennett indicated abatement and administrative costs would also need to be

appropriated and explained how that would take place. He commented it was the City's desire to have a ninety percent compliance ratio.

A discussion took place and the Council directed staff to proceed with hiring two full-time SFOs and moving code enforcement to the police department.

Sergeant Bennett turned the discussion to the Good Landlord Program and stated the police department had assigned Carey Stricker, police detective, as a liaison with the community development department. He stated it was the goal to bridge the communication between apartment managers and the police department. He indicated the City's previous Crime Free Multi-Housing Program was successful because of the information shared between the apartment managers and the City and explained the challenges associated with the Good Landlord Program.

Mr. Lenhard expressed his opinion the Good Landlord Program should never have been under the community development department due to the loss of the direct connection with the police department. He expressed his opinion the City took a big step backward due to that organizational structure and believed better results would be recognized with the police department's involvement. Councilmember Sprague indicated he was not aware the Crime Free Multi-Housing Program had been eliminated with the implementation of the Good Landlord Program.

Sergeant Bennett reviewed the process which would be implemented by the police department and shared a recent success story with the Council.

#### DISCUSSION OF THE DISPOSAL OF AN INSIGNIFICANT PARCEL OF PROPERTY

Adam Lenhard, City Manager, displayed a map reflecting a triangular remnant parcel of property located in the vicinity of State Street and Center Street which staff believed to be an insignificant piece of property. He stated the City's definition of an insignificant parcel of property was that which was valued at less than \$75,000. He continued staff was proposing the property be quit claimed to UDOT (Utah Department of Transportation) as it was in their right-of-way. He explained formal action would require a resolution approved by the Council making the finding that the parcel was insignificant. He indicated professional consultation could take place prior to the quit claim deed being issued. He requested permission from the Council to proceed and pointed out there would be no cost or benefit to the City. He emphasized this action would clean up the boundary lines with the County and believed it was in the best interest in the long term to clean up the property records to facilitate future development in the area.

The meeting adjourned at 8:45 p.m.

7 September 2011

Clearfield City  
55 South State Street  
Clearfield, Utah 84015

Attn: Mayor Don Wood and City Council  
Proj: **2011 Roadway Crack Seal Project**  
Subj: Bid Results, Bid Proposal Tabulation & Recommendation

Dear Mayor Wood and Council Members,

The “Bid Opening” for the above referenced project was conducted this afternoon. The lowest responsible bidder is Morgan Pavement Maintenance of Clearfield City, Utah.

Enclosed are the “Bid Results” and “Bid Proposal Tabulation”. Morgan Pavement Maintenance’s bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Morgan Pavement Maintenance bid is the low bid for the advertised project, and their bid meets the conditions of the Contract Documents, I herewith recommend award of the above referenced project in the amount of \$89,310.00 to Morgan Pavement Maintenance.

Should you have any questions or desire additional information concerning the contractor or his bid, please feel free to contact our office at your earliest convenience.

Sincerely,  
**CEC, Civil Engineering Consultants, PLLC.**



R. Todd Freeman, P.E.  
*City Engineer*

cc: Scott Hodge – Clearfield City Public Works Director  
Kim Dabb – Clearfield City Operations Manager



### BID RESULTS

## 2011 Roadway Crack Seal Project

OWNER: CLEARFIELD CITY  
ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS, PLLC.

BID DATE: September 7, 2011  
TIME: 2:00 pm  
BID LOCATION: Clearfield City Offices  
55 South State Street; 3<sup>rd</sup> Floor  
Clearfield, UT 84015

PLAN HOLDER NAME	BID BOND	BID AMOUNT
Morgan Pavement Maintenance	x	\$89,310.00

**BID PROPOSAL TABULATION**

**2011 ROADWAY CRACK SEAL PROJECT**

BID DATE: SEPTEMBER 7, 2011

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Morgan Pavement Maintenance PO Box 190 Clearfield, Utah 84089	
				Unit Price	Total Amount
1.	Mobilization.	1	ls	\$7,500.00	\$7,500.00
2.	Crack Seal - 1250 West Street, from 143 South to 300 North (approximately 75,600 sf).	1	ls	\$6,829.00	\$6,829.00
3.	Crack Seal - 1300 West Street, from 200 South to 75 North (approximately 52,100 sf).	1	ls	\$3,777.00	\$3,777.00
4.	Crack Seal - 1200 West Street, from 75 North to 300 North (approximately 41,000 sf).	1	ls	\$2,613.00	\$2,613.00
5.	Crack Seal - 200 North Street, from 1400 West to 1250 West (approximately 27,800 sf).	1	ls	\$2,804.00	\$2,804.00
6.	Crack Seal - 75 North Street, from 1300 West to 1000 West (approximately 64,700 sf).	1	ls	\$5,570.00	\$5,570.00
7.	Crack Seal - 25 South Street, from 1300 West to 1000 West (approximately 65,500 sf).	1	ls	\$3,586.00	\$3,586.00
8.	Crack Seal - 200 North Street, from 1200 West to 1100 West (approximately 15,750 sf).	1	ls	\$794.00	\$794.00
9.	Crack Seal - 1100 West Street, from 200 North to 75 North (approximately 18,100 sf).	1	ls	\$1,049.00	\$1,049.00
10.	Crack Seal - 1050 West Street, from 75 South to 75 North (approximately 30,500 sf).	1	ls	\$2,541.00	\$2,541.00
11.	Crack Seal - 25 North Street, from 1500 West to 1300 West (approximately 29,200 sf).	1	ls	\$3,491.00	\$3,491.00
12.	Crack Seal - 75 South Street, from 1050 West to 1250 West (approximately 35,600 sf).	1	ls	\$2,232.00	\$2,232.00
13.	Crack Seal - 1000 West Street, from 300 North to 200 South (approximately 106,500 sf).	1	ls	\$12,464.00	\$12,464.00
14.	Crack Seal - 800 North Street, from 1000 West to UTA/UPRR Railroad (approximately 46,450 sf).	1	ls	\$8,183.00	\$8,183.00

Bid Item	Description	Quantity	Unit	Morgan Pavement Maintenance PO Box 190 Clearfield, Utah 84089	
				Unit Price	Total Amount
15.	Crack Seal - 500 West Street, 200 South to 25 South (approximately 30,450 sf).	1	ls	\$1,850.00	\$1,850.00
16.	Crack Seal - 350 West Street, from 200 South to 25 South (approximately 28,550 sf).	1	ls	\$2,037.00	\$2,037.00
17.	Crack Seal - 75 South Street and 300 West Street, from 350 West to 350 West (approximately 30,900 sf).	1	ls	\$1,259.00	\$1,259.00
18.	Crack Seal - 725 North Street, from 1000 West to City limits (approximately 47,450 sf).	1	ls	\$3,510.00	\$3,510.00
19.	Crack Seal - 1050 West Street, from 725 North to 525 North (approximately 36,850 sf).	1	ls	\$5,356.00	\$5,356.00
20.	Crack Seal - 700 North Street, from 1000 West to end (approximately 14,600 sf).	1	ls	\$1,984.00	\$1,984.00
21.	Crack Seal - 1000 West Street, from 800 North to 300 North (approximately 112,550 sf).	1	ls	\$9,881.00	\$9,881.00
<b>TOTAL BID:</b>				<b>\$89,310.00</b>	
Surety Company  City, State Bid Security - Bid Bond Amount Contractor's License Number				The Guarantee Company of North America, USA Southfield, Michigan 5% 269128-5501	

13 September 2011

Clearfield City  
55 South State Street  
Clearfield, Utah 84015

Attn: Mayor Don Wood and City Council  
Proj: **525 North Waterline Replacement and PRV on 1000 West Project**  
Subj: Bid Results, Bid Proposal Tabulation & Recommendation

Dear Mayor Wood and Council Members,

The “Bid Opening” for the above referenced project was conducted this afternoon. The lowest responsible bidder is Kapp Construction & Development Co. Inc of Ogden, Utah.

Enclosed are the “Bid Results” and “Bid Proposal Tabulation”. Kapp Construction & Development Co. Inc’s bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Kapp Construction & Development Co. Inc’s bid is the low bid for the advertised project, and their bid meets the conditions of the Contract Documents, I herewith recommend award of the above referenced project in the amount of \$211,884.45 to Kapp Construction & Development Co. Inc.

Should you have any questions or desire additional information concerning the contractor or his bid, please feel free to contact our office at your earliest convenience.

Sincerely,  
**CEC, Civil Engineering Consultants, PLLC.**



R. Todd Freeman, P.E.  
*City Engineer*

cc: Scott Hodge – Clearfield City Public Works Director  
Kim Dabb – Clearfield City Operations Manager

**BID RESULTS**

**525 North Waterline Replacement and  
 PRV on 1000 West Project**

OWNER: CLEARFIELD CITY  
 ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS, PLLC.

BID DATE: September 13, 2011  
 TIME: 2:00 pm  
 BID LOCATION: Clearfield City Offices  
 55 South State Street; 3<sup>rd</sup> Floor  
 Clearfield, UT 84015

PLAN HOLDER NAME	ADDENDUM	BID BOND	BID AMOUNT
Kapp Construction	#1	5%	\$211,884.45
Marsh Construction	#1	5%	\$223,955.48
E.H. Knudson Const.	#1	5%	\$239,954.00
Associated Brigham Contractors	#1	5%	\$259,073.50
Craythorne Inc.	#1	5%	\$262,788.80
AAA Excavation Inc	#1	5%	\$272,889.50

**BID PROPOSAL TABULATION**

**525 NORTH WATERLINE REPLACEMENT AND PRV ON 1000 WEST PROJECT**

BID DATE: 13 SEPTEMBER 2011

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Kapp Construction & Development Co. Inc 1595 West 3300 South Ogden, Utah 84401		Marsh Construction 325 East 2000 North N. Ogden, Utah 84414		Elden H. Knudson Construction 2127 West 3300 South Ogden, Utah 84401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization.	1	ls	\$11,922.00	\$11,922.00	\$7,100.00	\$7,100.00	\$4,200.00	\$4,200.00
2.	Remove asphalt.	2,500	sy	\$2.00	\$5,000.00	\$4.50	\$11,250.00	\$1.60	\$4,000.00
3.	Remove curb and gutter.	470	lf	\$3.95	\$1,856.50	\$2.90	\$1,363.00	\$2.25	\$1,057.50
4.	Remove 4-foot wide sidewalk.	100	lf	\$4.65	\$465.00	\$3.00	\$300.00	\$2.25	\$225.00
5.	Remove concrete driveway/approach/flatwork.	300	sf	\$1.55	\$465.00	\$1.15	\$345.00	\$0.75	\$225.00
6.	Remove concrete waterway.	310	sf	\$1.50	\$465.00	\$3.50	\$1,085.00	\$1.00	\$310.00
7.	Remove and salvage fire hydrant.	3	ea	\$186.00	\$558.00	\$400.00	\$1,200.00	\$250.00	\$750.00
8.	Remove storm drain pipe.	25	lf	\$17.70	\$442.50	\$5.00	\$125.00	\$4.00	\$100.00
9.	Remove storm drain catch basin.	2	ea	\$159.00	\$318.00	\$400.00	\$800.00	\$150.00	\$300.00
10.	Install concrete curb and gutter (30" wide).	470	lf	\$17.55	\$8,248.50	\$15.00	\$7,050.00	\$20.00	\$9,400.00
11.	Install 4-foot wide sidewalk.	100	lf	\$17.60	\$1,760.00	\$15.00	\$1,500.00	\$16.00	\$1,600.00
12.	Install 4-inch thick concrete flatwork.	150	sf	\$3.00	\$450.00	\$2.50	\$375.00	\$3.25	\$487.50
13.	Install 6-inch thick concrete approach/sidewalk flatwork.	150	sf	\$4.30	\$645.00	\$3.00	\$450.00	\$5.00	\$750.00

Bid Item	Description	Quantity	Unit	Kapp Construction & Development Co. Inc 1595 West 3300 South Ogden, Utah 84401		Marsh Construction 325 East 2000 North N. Ogden, Utah 84414		Elden H. Knudson Construction 2127 West 3300 South Ogden, Utah 84401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
14.	Install concrete waterway.	310	sf	\$9.30	\$2,883.00	\$8.50	\$2,635.00	\$7.00	\$2,170.00
15.	Install 8-inch culinary waterline pipe.	1,250	lf	\$17.75	\$22,187.50	\$16.85	\$21,062.50	\$24.50	\$30,625.00
16.	Install 15-inch rcp storm drain pipe.	25	lf	\$54.35	\$1,358.75	\$60.00	\$1,500.00	\$32.00	\$800.00
17.	Install storm drain catch basin.	2	ea	\$1,205.00	\$2,410.00	\$1,100.00	\$2,200.00	\$1,300.00	\$2,600.00
18.	Remove and replace existing catch basin grate.	3	ea	\$1,000.00	\$3,000.00	\$960.00	\$2,880.00	\$950.00	\$2,850.00
19.	Install fire hydrant.	3	ea	\$3,787.00	\$11,361.00	\$4,755.26	\$14,265.78	\$4,500.00	\$13,500.00
20.	Loop 8-inch waterline.	1	ea	\$2,496.00	\$2,496.00	\$3,600.00	\$3,600.00	\$2,860.00	\$2,860.00
21.	Waterline connection at 1250 West (approximate Sta 0 + 10).	1	ls	\$4,090.00	\$4,090.00	\$5,223.20	\$5,223.20	\$3,600.00	\$3,600.00
22.	Waterline connection at 1050 West. (approximate Sta 9 + 00).	1	ls	\$4,612.00	\$4,612.00	\$4,409.00	\$4,409.00	\$4,300.00	\$4,300.00
23.	Waterline connection at 1000 West. (approximate Sta 11 + 80).	1	ls	\$5,227.00	\$5,227.00	\$3,291.00	\$3,291.00	\$4,500.00	\$4,500.00
24.	Connect water service lateral.	28	ea	\$419.00	\$11,732.00	\$450.00	\$12,600.00	\$750.00	\$21,000.00
25.	Install copper water service lateral piping. (3/4" diameter)	750	lf	\$12.05	\$9,037.50	\$8.00	\$6,000.00	\$12.50	\$9,375.00
26.	Furnish water meter yoke.	28	ea	\$10.00	\$280.00	\$9.50	\$266.00	\$21.00	\$588.00
27.	Furnish angle meter dual check valve.	28	ea	\$56.00	\$1,568.00	\$70.00	\$1,960.00	\$70.00	\$1,960.00
28.	Furnish locking angle meter valve.	28	ea	\$48.00	\$1,344.00	\$72.50	\$2,030.00	\$62.00	\$1,736.00
29.	Furnish water meter expansion nut.	28	ea	\$14.00	\$392.00	\$18.00	\$504.00	\$25.00	\$700.00

Bid Item	Description	Quantity	Unit	Kapp Construction & Development Co. Inc 1595 West 3300 South Ogden, Utah 84401		Marsh Construction 325 East 2000 North N. Ogden, Utah 84414		Elden H. Knudson Construction 2127 West 3300 South Ogden, Utah 84401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
30.	Furnish meter box.	28	ea	\$52.00	\$1,456.00	\$60.00	\$1,680.00	\$60.00	\$1,680.00
31.	Furnish trench bedding.	450	ton	\$1.00	\$450.00	\$8.50	\$3,825.00	\$9.00	\$4,050.00
32.	Furnish trench backfill.	1,150	ton	\$1.00	\$1,150.00	\$13.50	\$15,525.00	\$7.00	\$8,050.00
33.	Install 8-inch thick roadbase.	550	ton	\$15.45	\$8,497.50	\$13.50	\$7,425.00	\$17.00	\$9,350.00
34.	Install 3-inch thick bituminous asphalt.	490	ton	\$67.73	\$33,187.70	\$65.00	\$31,850.00	\$72.00	\$35,280.00
35.	Chip seal with fog coat (approximately 4,950 sy).	1	ls	\$13,513.00	\$13,513.00	\$12,870.00	\$12,870.00	\$14,000.00	\$14,000.00
36.	Restore landscaping public/private improvements.	500	sf	\$2.40	\$1,200.00	\$3.00	\$1,500.00	\$1.50	\$750.00
37.	Precast concrete PRV vault on 1000 West.	1	ls	\$13,967.00	\$13,967.00	\$10,515.00	\$10,515.00	\$14,725.00	\$14,725.00
38.	Construct PRV station on 1000 West.	1	ls	\$19,647.00	\$19,647.00	\$19,896.00	\$19,896.00	\$23,500.00	\$23,500.00
39.	Install 5-foot diameter storm drain manhole.	1	ea	\$2,242.00	\$2,242.00	\$1,500.00	\$1,500.00	\$2,000.00	\$2,000.00
<b>TOTAL BID:</b>				<b>\$211,884.45</b>		<b>\$223,955.48</b>		<b>\$239,954.00</b>	
Surety Company				INSCO Insurance Services Inc		Western Surety Company		The American Institute of Architects	
City, State				Irvine, CA		Sioux Falls, SD		Washington DC	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				247650-5501		376752-5501		225468-5501	

Denoted Error \*

**BID PROPOSAL TABULATION**

**525 NORTH WATERLINE REPLACEMENT AND PRV ON 1000 WEST PROJECT**

BID DATE: 13 SEPTEMBER 2011

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Associated Brigham Contractors Inc. 75 North 900 West P.O. Box 578 Brigham City, Utah 84302		Craythron Inc 601 West 1700 South Syracuse, Utah		AAA Excavation Inc 1650 North 170 West Willard, Utah 84321	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization.	1	ls	\$13,221.00	\$13,221.00	\$7,503.00	\$7,503.00	\$11,000.00	\$11,000.00
2.	Remove asphalt.	2,500	sy	\$3.00	\$7,500.00	\$3.04	\$7,600.00	\$4.50	\$11,250.00
3.	Remove curb and gutter.	470	lf	\$5.00	\$2,350.00	\$4.66	\$2,190.20	\$2.50	\$1,175.00
4.	Remove 4-foot wide sidewalk.	100	lf	\$9.00	\$900.00	\$8.25	\$825.00	\$2.00	\$200.00
5.	Remove concrete driveway/approach/flatwork.	300	sf	\$2.00	\$600.00	\$2.10	\$630.00	\$0.75	\$225.00
6.	Remove concrete waterway.	310	sf	\$1.50	\$465.00	\$3.15	\$976.50	\$0.75	\$232.50
7.	Remove and salvage fire hydrant.	3	ea	\$167.00	\$501.00	\$726.00	\$2,178.00	\$400.00	\$1,200.00
8.	Remove storm drain pipe.	25	lf	\$12.00	\$300.00	\$26.68	\$667.00	\$3.00	\$75.00
9.	Remove storm drain catch basin.	2	ea	\$254.00	\$508.00	\$1,001.00	\$2,002.00	\$500.00	\$1,000.00
10.	Install concrete curb and gutter (30" wide).	470	lf	\$19.00	\$8,930.00	\$24.38	\$11,458.60	\$13.00	\$6,110.00
11.	Install 4-foot wide sidewalk.	100	lf	\$14.00	\$1,400.00	\$18.87	\$1,887.00	\$16.00	\$1,600.00
12.	Install 4-inch thick concrete flatwork.	150	sf	\$4.00	\$600.00	\$3.75	\$562.50	\$4.00	\$600.00
13.	Install 6-inch thick concrete approach/sidewalk flatwork.	150	sf	\$5.00	\$750.00	\$5.09	\$763.50	\$6.00	\$900.00

Bid Item	Description	Quantity	Unit	Associated Brigham Contractors Inc. 75 North 900 West P.O. Box 578 Brigham City, Utah 84302		Craythron Inc 601 West 1700 South Syracuse, Utah		AAA Excavation Inc 1650 North 170 West Willard, Utah 84321	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
14.	Install concrete waterway.	310	sf	\$9.00	\$2,790.00	\$8.68	\$2,690.80	\$9.00	\$2,790.00
15.	Install 8-inch culinary waterline pipe.	1,250	lf	\$23.00	\$28,750.00	\$14.87	\$18,587.50	\$27.50	\$34,375.00
16.	Install 15-inch rcp storm drain pipe.	25	lf	\$43.50	\$1,087.50	\$40.36	\$1,009.00	\$35.00	\$875.00
17.	Install storm drain catch basin.	2	ea	\$2,374.00	\$4,748.00	\$1,407.00	\$2,814.00	\$1,258.00	\$2,516.00
18.	Remove and replace existing catch basin grate.	3	ea	\$1,261.00	\$3,783.00	\$1,027.00	\$3,081.00	\$900.00	\$2,700.00
19.	Install fire hydrant.	3	ea	\$4,978.00	\$14,934.00	\$3,935.00	\$11,805.00	\$4,324.00	\$12,972.00
20.	Loop 8-inch waterline.	1	ea	\$2,996.00	\$2,996.00	\$2,286.00	\$2,286.00	\$2,368.00	\$2,368.00
21.	Waterline connection at 1250 West (approximate Sta 0 + 10).	1	ls	\$4,530.00	\$4,530.00	\$4,280.00	\$4,280.00	\$1,385.00	\$1,385.00
22.	Waterline connection at 1050 West. (approximate Sta 9 + 00).	1	ls	\$4,820.00	\$4,820.00	\$5,099.00	\$5,099.00	\$1,385.00	\$1,385.00
23.	Waterline connection at 1000 West. (approximate Sta 11 + 80).	1	ls	\$4,052.00	\$4,052.00	\$5,352.00	\$5,352.00	\$1,789.00	\$1,789.00
24.	Connect water service lateral.	28	ea	\$201.00	\$5,628.00	\$397.00	\$11,116.00	\$963.00	\$26,964.00
25.	Install copper water service lateral piping. (3/4" diameter)	750	lf	\$20.50	\$15,375.00	\$10.10	\$7,575.00	\$17.00	\$12,750.00
26.	Furnish water meter yoke.	28	ea	\$16.00	\$448.00	\$28.16	\$788.48	\$85.00	\$2,380.00
27.	Furnish angle meter dual check valve.	28	ea	\$68.00	\$1,904.00	\$90.33	\$2,529.24	\$132.00	\$3,696.00
28.	Furnish locking angle meter valve.	28	ea	\$65.00	\$1,820.00	\$70.93	\$1,986.04	\$135.00	\$3,780.00
29.	Furnish water meter expansion nut.	28	ea	\$18.00	\$504.00	\$32.95	\$922.60	\$90.00	\$2,520.00

Bid Item	Description	Quantity	Unit	Associated Brigham Contractors Inc. 75 North 900 West P.O. Box 578 Brigham City, Utah 84302		Craythron Inc 601 West 1700 South Syracuse, Utah		AAA Excavation Inc 1650 North 170 West Willard, Utah 84321	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
30.	Furnish meter box.	28	ea	\$55.00	\$1,540.00	\$91.88	\$2,572.64	\$124.00	\$3,472.00
31.	Furnish trench bedding.	450	ton	\$10.00	\$4,500.00	\$25.42	\$11,439.00	\$10.00	\$4,500.00
32.	Furnish trench backfill.	1,150	ton	\$17.00	\$19,550.00	\$14.27	\$16,410.50	\$9.00	\$10,350.00
33.	Install 8-inch thick roadbase.	550	ton	\$14.00	\$7,700.00	\$20.05	\$11,027.50	\$13.00	\$7,150.00
34.	Install 3-inch thick bituminous asphalt.	490	ton	\$77.00	\$37,730.00	\$84.18	\$41,248.20	\$84.00	\$41,160.00
35.	Chip seal with fog coat (approximately 4,950 sy).	1	ls	\$15,259.00	\$15,259.00	\$15,600.00	\$15,600.00	\$17,198.00	\$17,198.00
36.	Restore landscaping public/private improvements.	500	sf	\$1.00	\$500.00	\$1.85	\$925.00	\$3.00	\$1,500.00
37.	Precast concrete PRV vault on 1000 West.	1	ls	\$13,964.00	\$13,964.00	\$17,512.00	\$17,512.00	\$11,225.00	\$11,225.00
38.	Construct PRV station on 1000 West.	1	ls	\$18,936.00	\$18,936.00	\$22,095.00	\$22,095.00	\$23,550.00	\$23,550.00
39.	Install 5-foot diameter storm drain manhole.	1	ea	\$3,200.00	\$3,200.00	\$2,794.00	\$2,794.00	\$1,972.00	\$1,972.00
<b>TOTAL BID:</b>				<b>\$259,073.50</b>		<b>\$262,788.80</b>		<b>\$272,889.50</b>	
Surety Company				The American Institute of Architects		The American Institute of Architects		The American Institute of Architects	
City, State				Hartford, CT		Wisconsin		Wisconsin	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				268474-5501		251308-5501		317614-5501	

Denoted Error \*

## CLEARFIELD CITY RESOLUTION 2011R-16

A RESOLUTION AUTHORIZING AND DIRECTING CONVEYANCE OF AN INSIGNIFICANT .40 ACRE PARCEL OF REAL PROPERTY CURRENTLY OWNED BY THE CITY AND LOCATED WITHIN THE SR 126 RIGHT-OF-WAY TO THE UTAH DEPARTMENT OF TRANSPORTATION

WHEREAS, Clearfield City Corporation currently owns an insignificant parcel of real property (.40 acres having a value of less than \$75,000.00) located within the Utah Department of Transportation's ("UDOT") right-of-way for SR 126 (State Street) in Clearfield; and

WHEREAS, the City has no current use for this small, narrow strip of property which is located within UDOT's right-of-way for State Street; and

WHEREAS, retaining ownership of this parcel does not make sense for the City due to its location, size, unusual and irregular dimensions, and the fact that it provides no prospect for any practical or beneficial use to Clearfield City Corporation or its residents either now or in the foreseeable future; and

WHEREAS, UDOT is ready, willing and able to accept ownership of this insignificant parcel of real property that is located within the right-of-way for State Street in Clearfield; and

WHEREAS, upon recommendation from staff, approval by legal counsel, and careful consideration of the benefits to the City, the Clearfield City Council hereby finds that conveying this insignificant parcel of real property located within the State Street right-of-way to UDOT is in the public interest for Clearfield City, its residents and the surrounding community;

NOW, THEREFORE, be it resolved by the Clearfield City Council that:

For the reasons enumerated in the recitals above, Parcel #12-001-0182, consisting of 17,540 square feet or .40 acres, located in Clearfield, Davis County, Utah with the legal description shown on the aerial map provided by the City Engineer and dated September 2010 which is marked as Exhibit "A" and is attached hereto, is hereby declared to be an insignificant parcel of real property to be conveyed to UDOT for the nominal sum of TEN DOLLARS (\$10.00), with any costs associated with the transaction (closing costs, recording fees, etc.) to be paid by the City.

Passed and adopted by the City Council at its regular meeting on the 20<sup>th</sup> day of September, 2011.

ATTEST

CLEARFIELD CITY CORPORATION

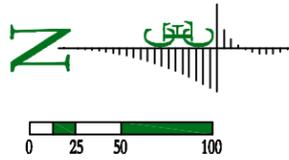
\_\_\_\_\_  
Nancy R. Dean, City Recorder

\_\_\_\_\_  
Donald W. Wood, Mayor

### VOTE OF THE COUNCIL

AYE:

NAY:



$S00^{\circ}13'20''W$   
 Northeast Corner of Section 2  
 Township 4 North  
 Range 2 West  
 Salt Lake Base & Meridian  
 Point of Beginning  
 $N89^{\circ}46'12''W$  38.00'  
 1,012.40'

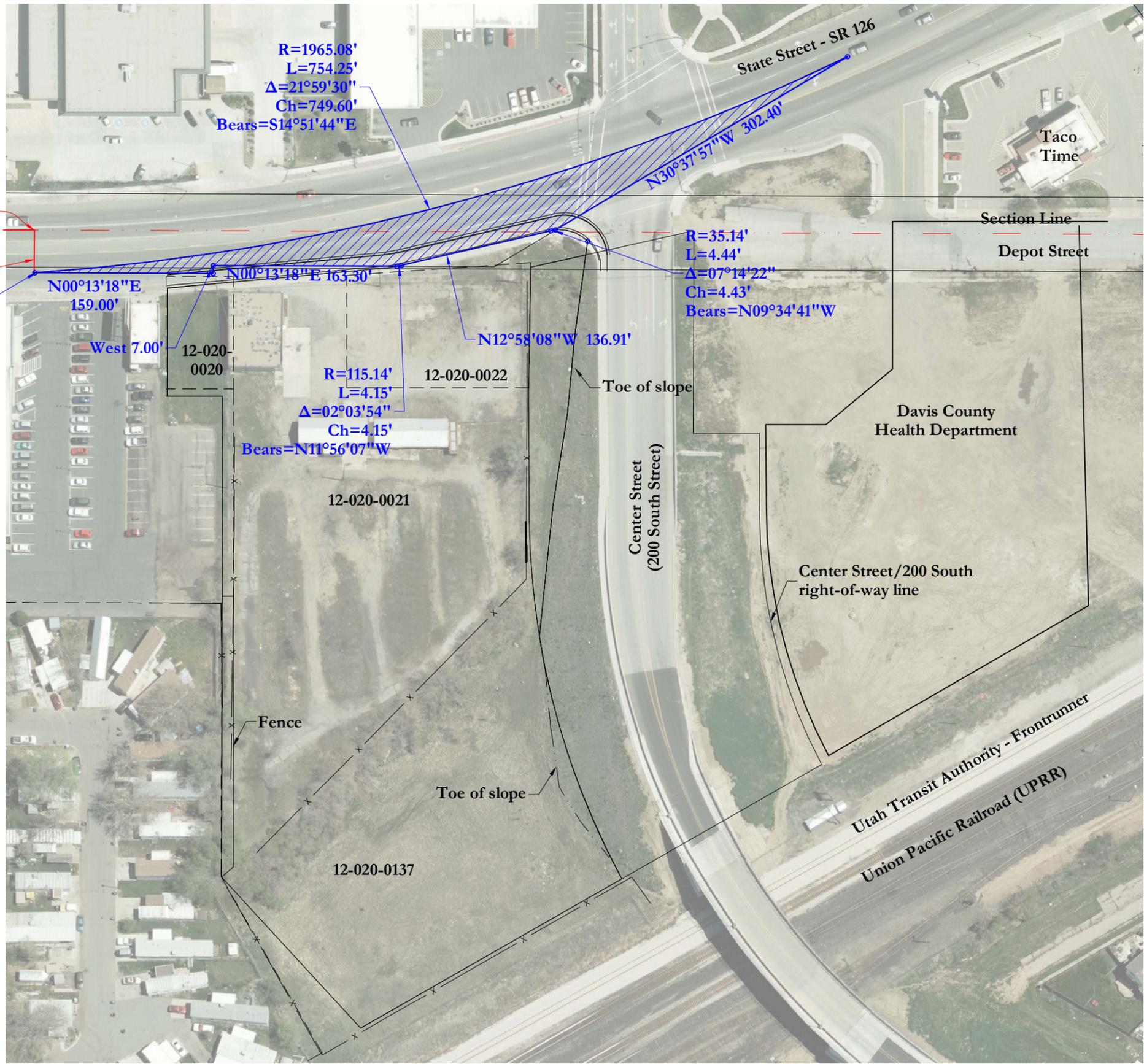
**BOUNDARY DESCRIPTION**

Parcel 12-001-0182 UDOT

Being a part of the Northeast quarter of Section 2 and the Northwest quarter of Section 1, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Clearfield City, Davis County, Utah and more particularly described as follows:

Beginning at a point on the West line of State Street (State Route 126) said point being  $S00^{\circ}13'18''W$  ( $S00^{\circ}13'20''W$ ) along the Section line, 1012.40 feet and  $N89^{\circ}46'12''W$  38.00 feet from the Northeast Corner of said Section 2, and running: Thence Southeasterly 754.25 feet along the arc of a 1965.08 foot radius curve to the left (long chord bears  $S14^{\circ}51'44''E$  749.60 feet); Thence  $N30^{\circ}37'57''W$  302.40 feet; Thence Northwesterly 4.44 feet along the arc of a 35.14 foot curve to the left (long chord bears  $N09^{\circ}34'41''W$  4.43 feet); Thence  $N12^{\circ}58'08''W$  136.91 feet; Thence Northwesterly 4.15 feet along the arc of a 115.14 foot curve to the right (long chord bears  $N11^{\circ}56'07''W$  4.15 feet); Thence  $N00^{\circ}13'18''E$  163.30 feet; Thence West 7.00 feet; Thence  $N00^{\circ}13'18''E$  159.00 feet, to the point of beginning.

Contains: 17,540 sq. ft. or 0.40 acres, more or less.



CIVIL ENGINEERING  
 CONSULTANTS, PLLC.  
 5141 SOUTH 1500 WEST  
 RIVERDALE, UT 84405  
 801.866.0550

**MtnWest**  
 Surveying &  
 Mapping, Inc.  
 1825 W. 4400 S. PO Box 207  
 Roy, Utah 84067  
 Email: mwls@readytek.net

NO.	DATE	BY	REVISIONS

DATE: SEPTEMBER 2010  
 DRAWN: JLS  
 CHECKED: NSN / DNM

PROJECT / LOCATION:  
**BOUNDARY DESCRIPTION**  
**CLEARFIELD CITY, UTAH**  
 TITLE:

**PARCEL NO: 12-001-0182 UDOT**

CLIENT: CLEARFIELD CITY  
 PROJECT NUMBER: CC.10010  
 FILE: ~CC10010.dwg  
 SHEET: 1 of 1