

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
February 22, 2011

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

VISITORS: Austin Singley – BATZ Entertainment, Bryce Fisher – BATZ Entertainment, Ty Bindrup, Tanner Bindrup, Kyson VanDyke, Merchie Edens, Zack Cowley, Darren Downs, Landon Wolfe

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

City Councilmember Young conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 8, 2011 WORK SESSION AND THE FEBRUARY 8, 2011 REGULAR SESSION

**Councilmember Fryer moved to approve the minutes from the February 8, 2011 work session and the February 8, 2011 regular session as written, seconded by Councilmember Shepherd. All voting AYE.** Councilmember Sprague was not present for the vote.

CITIZEN COMMENTS

Austin Singley and Bryce Fischer, BATZ Entertainment, requested sponsorship by the City for a magic show. Mr. Singley stated the magic show presented last year was in conjunction with the Clearfield High Dance Company performance which benefitted the J. J. Raez family. He

explained the School District can waive fees for school and City sponsored activities which he believed otherwise would be cost prohibitive.

Mayor Wood suggested Mr. Singley and Mr. Fisher contact Tracy Heun, Community Services Director, to determine the involvement of the City. He inquired how the recognized funds from the magic show would be distributed. Mr. Singley responded it was their intent to finance future performances with the recognized profits. Mr. Singley commented he would also be contacting Natalee Flynn, Public Relations Coordinator, to determine if a magic show could be part of the Fourth of July festivities. Mayor Wood indicated the donation of funds to a designated charity would need to be established prior to a City sponsorship.

#### APPROVAL OF A LEASE AGREEMENT FOR SPACE ON A CITY OWNED MICROWAVE TOWER AT FREEPORT CENTER

The City owned a microwave tower in the Freeport Center adjacent to building A-15. This tower was donated to the City in 1994 by what was then Hercules Aerospace (ATK now occupies that building). Currently the City, a cellular phone service provider, a wireless internet service provider and ATK all have equipment on the tower. The City was working to bring current any previous arrangements to occupy space on the tower. Digis, the wireless internet service provider, would like to execute a lease with the City for space they are currently occupying on the tower.

Brian Brower, City Attorney, suggested motion verbiage needed to reflect, “ the approval of the lease agreement as presented during the work session” because of the changes made during that meeting.

**Councilmember Young moved to approve the Tower Lease Agreement, as presented during the work session, with Digis for space occupied on the City’s microwave tower north of building A-15 in the Freeport Center and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Fryer. All voting AYE.** Councilmember Sprague was not present for the vote.

#### APPROVAL OF ORDINANCE 2011-04 AMENDING TITLE 4, CHAPTER 1 – BUSINESS LICENSE REGULATIONS

Staff had proposed an amendment to Title 4, Chapter 1 – Business Licenses of the Clearfield City Code. The proposed amendment would allow registration with the Utah Division of Occupational and Professional Licensing or Utah Bureau of Child Health and Safety as alternatives to registration with the Utah Department of Commerce prior to obtaining a Clearfield City business license.

**Councilmember Shepherd moved to approve Ordinance 2011-04 Amending Title 4, Chapter 1 – Business License Regulations 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 and Young. Voting NAY – None.** Councilmember Sprague was not present for the vote.

APPROVAL OF RESOLUTION 2011R-02 AUTHORIZING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT WITH DAVIS COUNTY TO PROVIDE ANIMAL CONTROL SERVICES

Davis County provided animal control services for the City. The current contract provided for an annual review and adjustment of the compensation amount for the services. This amendment adjusted the compensation for the services.

**Councilmember Fryer moved to approve Resolution 2011R-02 authorizing an amendment to the Interlocal Agreement with Davis County for animal control services and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Murray, Shepherd and Young. Voting NAY – None.** Councilmember Sprague was not present for the vote.

SET A PUBLIC HEARING TO BEGIN THE PUBLIC COMMENT PERIOD ON THE STORM WATER MANAGEMENT PLAN

The City was required to allow a public comment period and public hearing prior to adoption of the Storm Water Management Plan.

**Councilmember Murray moved to set a Public Hearing for March 22, 2011, at 7:00 p.m., to receive public comment on the Storm Water Management Plan, seconded by Councilmember Shepherd. All voting AYE.** Councilmember Sprague was not present for the vote.

COMMUNICATION ITEMS:

***Mayor Wood***

1. Informed the Council the Walmart Foundation would be making a significant contribution for the Ogden/Davis area to Feed the Hungry at the State Capitol on Thursday, February 24, 2011. He believed the Family Connection Center would be a recipient of some of the proceeds.
2. Reported Senator Mike Lee would be touring the Clearfield Job Corps on Thursday, February 24, 2011 and indicated Councilmember Shepherd would attend in Mayor Wood’s stead.
3. Stated he and Chris Hillman, City Manager, would be in Washington D.C. meeting with the State’s Congressional Delegation on March 14<sup>th</sup> and 15<sup>th</sup>.
4. Reported Rocky Mountain Care Center will have a ribbon cutting ceremony for recognizing the expansion of their facility on Thursday, March 3, 2011 at 2:00 p.m.

5. Informed the Council the Youth City Council will be attending a leadership conference at Utah State University on March 11 & 12, 2011. He stated he and Councilmember Young would be participating with the Youth City Council.

6. Reported he had been invited to Doxey Elementary to participate in their literacy program, "Once Upon A Time, Fairy Tales Around the World" on Thursday, March 3, 2011 from 6:00-7:30 p.m. He indicated he was participating in a similar function at South Clearfield Elementary and would not be able to attend and requested a councilmember attend in his stead. Councilmember Shepherd indicated he would be willing to attend and participate.

*Councilmember Fryer* – expressed appreciation to Councilmember Murray for displaying and hosting the artwork during her absence.

*Councilmember Murray* – nothing to report.

*Councilmember Shepherd* – nothing to report.

*Councilmember Young* – nothing to report.

*Chris Hillman, City Manager* – nothing to report.

STAFFS' REPORTS:

*Nancy Dean, City Recorder*

1. Informed the Council meetings were scheduled every Tuesday except for March 15, 2011. She reminded the Council next week's work session would take place in the Community Center.

2. She reported the dates of the conference in St. George were April 13-15, 2011. She stated she had made hotel reservations for the Mayor and Council. She requested those not planning to attend let her know so she cancel the hotel rooms.

There being no further business to come before the Council **Councilmember Fryer moved to adjourn at 7:29 p.m., seconded by Councilmember Murray. All voting AYE.**

Councilmember Sprague was not present for the vote.

**APPROVED AND ADOPTED**

**This 22<sup>nd</sup> day of March, 2011**

**/s/Doyle Sprague, Mayor Pro Tem**

**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, February 22, 2011.

/s/Nancy R. Dean, City Recorder