

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
March 22, 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:	Brian Brower Scott Hodge Adam Lenhard Adam Malan Tracy Heun Bob Wylie Nancy Dean	City Attorney Public Works Director Community Development Dir. Police Lieutenant Community Services Director Administrative Services Director City Recorder
EXCUSED:	Chris Hillman Kim Read	City Manager Deputy City Recorder

VISITORS: Dan Schuler, Kiley Schuler, Ben Hogge, Joey Robinette, Tabb George – Big Brothers Big Sisters of Utah, Katelyn Read, Austin Carr, Vicki Dortzbach - LLS

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

Youth City Councilmember Chyna Prawitt conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 15, 2011 WORK SESSION; THE FEBRUARY 22, 2011 WORK SESSION; THE FEBRUARY 22, 2011 REGULAR SESSION AND THE MARCH 1, 2011 WORK SESSION

**Councilmember Fryer moved to approve the minutes from the February 15, 2011 work session, the February 22, 2011 work session, the February 22, 2011 regular session and the March 1, 2011 work session as written, seconded by Councilmember Shepherd. All voting AYE.**

PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)  
ONE-YEAR ACTION PLAN FOR PROGRAM YEAR JULY 1, 2011 TO JUNE 30, 2012

Council received a copy of the proposed 2011-2012 Community Development Block Grant (CDBG) One-Year Action Plan. Citizens are given the opportunity to review the One-Year Action Plan in the Community Development Department from March 23, 2011 until April 21, 2011. The final copy will be presented to the Council on May 10, 2011.

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

Mayor Pro Tem Sprague asked for public comment.

Tabb George, Big Brothers Big Sisters, stated the organization specialized in one to one mentoring relationships. He continued the organization offered community and school based programs and was requesting the City to approve \$3,874 in the form of CDBG funding which would be implemented for the program in Clearfield. He stated 28 children/youths participating were from the local community and announced 22 residents volunteered their time as a mentor and positive role model. He expressed confidence the City would recognize positive outcomes. Councilmember Fryer asked how the funds would be used. Mr. George explained the organization was required to screen all volunteers by conducting background checks and interviews. He continued the volunteers participated in ongoing training as well as thorough and comprehensive monitoring of the mentoring matches. He concluded the mentioned services were approximately \$800 per match. Councilmember Shepherd inquired how the organization derived at the requested amount of funds. Mr. George explained the grant writer would have requested the funds and stated he himself was not involved in that process.

**Councilmember Shepherd moved to close the public hearing at 7:10 p.m., seconded by Councilmember Fryer. All voting AYE.**

PUBLIC HEARING ON THE UPDATED STORM WATER MANAGEMENT PROGRAM  
(SWMP) PLAN FOR CLEARFIELD CITY

In April 2003 Clearfield City adopted a Storm Water Management Program (SWMP) plan. During July of 2010 the State revised its permit regulating Municipal Separate Storm Sewer Systems which required Clearfield City to review its current SWMP and update it to be in compliance with the new State permit requirements. The updated Clearfield City Storm Water Management Program plan should satisfy the appropriate water quality requirements of the Clean Water Act. A public hearing was required prior to adoption.

Mayor Pro Tem Sprague declared the Public Hearing open at 7:11 p.m.

Mayor Pro Tem Sprague asked for public comment.

There were no public comments.

**Councilmember Murray moved to close the public hearing at 7:12 p.m., seconded by Councilmember Young. All voting AYE.**

PUBLIC HEARING TO CONSIDER A REQUEST BY RULON C. GARDNER AND CHRIS GAMVROULAS FOR AN AMENDED FINAL SUBDIVISION PLAT FOR PARK VILLAGE PHASE 1 AND PHASE 2 WHICH IS ZONED R-2 AND LOCATED IN THE VICINITY OF THE SOUTHWEST CORNER OF 300 NORTH AND 1000 WEST

The amendment would abandon Parcel A (REF TIN: 12-693-0030) and distribute the parcel between lots 8 through 13 and 41 through 46 (TINS: 12-693-0008 through 12-693-0013 and 12-712-0041 through 12-712-0046). The Planning Commission opened the Public Hearing at their March 16, 2011 meeting and approved to continue the item to the April 20, 2011 Planning Commission meeting, at the request of the applicants.

Mayor Pro Tem Sprague declared the Public Hearing open at 7:16 p.m.

Mayor Pro Tem Sprague asked for public comment.

There were no public comments.

**Councilmember Shepherd moved to continue the public hearing until the May 10, 2011 City Council Meeting, Councilmember Fryer. All voting AYE**

PUBLIC HEARING FOR A PRELIMINARY AND FINAL SUBDIVISION PLAT TO SUBDIVIDE TWO PARCELS, APPROXIMATELY 323.92 ACRES, INTO THREE PARCELS LOCATED IN THE A-15, B14, C-14, AND D-14 AREAS OF THE FREEPORT CENTER. THE PROPERTY IS ZONED M-1 AND LOCATED IN THE VICINITY OF 13<sup>TH</sup> STREET AND A, B AND C STREETS IN THE FREEPORT CENTER (TINS: 12-021-0026 AND 12-021-0026). THE FOLLOWING PARCELS ARE EXCLUDED AND NOT A PART OF THIS SUBDIVISION: TINS: 12-066-0073, 12-066-0067, 12-066-0022, 12-066-0072 AND 12-065-0017 **WITHDRAWN**

This agenda item was withdrawn.

PUBLIC HEARING FOR A PRELIMINARY AND FINAL SUBDIVISION PLAT TO SUBDIVIDE A 43.29 ACRES PARCEL INTO TWO PARCELS LOCATED IN THE H-10 AREA OF THE FREEPORT CENTER. THE PROPERTY IS ZONED M-1 AND LOCATED IN THE VICINITY OF H STREET AND 9<sup>TH</sup> STREET IN THE FREEPORT CENTER (TIN: 12-065-0139) **WITHDRAWN**

This agenda item was withdrawn.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF A SPONSORSHIP OF A SPIN FUNDRAISER TO BENEFIT THE LEUKEMIA AND LYMPHOMA SOCIETY (LLS)

Vickie Dortzbach, resident, stated she would be participating in the Ogden City Marathon with Team in Training (TNT) which raises funds for the Leukemia and Lymphoma Society. She announced it was her goal to raise \$1000 and reported seventy five percent of those proceeds provide support to research and patient support. She indicated it was her desire to hold a three hour spin session at the Aquatic Center with participants donating \$10 per hour for spinning. She reported one of the employees had agreed to be the spin instructor and was requesting the \$35 per hour room rental fee be waived.

Tracy Heun, Community Services Director, stated Ms. Dortzbach was correct in the figure of her request of the room rental fee; however, the City employee could not volunteer his time. She clarified the City would have to pay the employee which was estimated at approximately \$42 which would bring the total cost of sponsorship to \$147.

Brian Brower, City Attorney, emphasized the employee was willing to donate his time to the fund raiser; however, it was his opinion there were significant legal issues to the City if the employee was allowed to donate his time.

Councilmember Murray asked how Ms. Dortzbach had calculated her \$1,111.11 donation amount. Ms. Dortzbach responded she was required to raise at least \$1000 but was encouraged to be creative in requesting funds. She clarified the seventy percent would be forwarded to the Leukemia and Lymphoma Society with the remaining twenty five percent covering her racing fee, coaches, transportation, etc.

Councilmember Shepherd inquired if the City had approved sponsorships in the past in which staff time had also been included as a portion of the sponsorship. Ms. Heun explained the City had only donated facility time in the past because that had been the request.

Councilmember Young expressed his opinion the administrative costs of twenty five percent were excessive. Ms. Dortzbach responded prior to committing to the Leukemia and Lymphoma Society she had completed research on many charities and stated TNT had been raising funds for the Leukemia and Lymphoma Society for over twenty five years and explained about the support she would receive for the twenty five percent.

Councilmember Shepherd believed the City should continue what it had done in the past specific to sponsorships of facilities and expressed concern about including employees' time. Ms. Heun reminded the Council whenever ball fields had been provided for sponsorships there had been employee's time for the preparation of the facility.

**Councilmember Shepherd moved to approve the sponsorship of a spin fundraiser to benefit the Leukemia and Lymphoma Society (LLS) in the amount of \$147, seconded by Councilmember Fryer. All voting AYE.**

Ms. Dortzbach expressed appreciation to the City Council for approving her request.

APPROVAL OF THE UPDATED STORM WATER MANAGEMENT PROGRAM (SWMP) PLAN FOR CLEARFIELD CITY

**Councilmember Young moved to approve the updated Clearfield City Storm Water Management Program (SWMP) plan and authorize the Mayor Pro Tem's signature to any necessary documents, seconded by Councilmember Fryer. All voting AYE.**

APPROVAL OF RESOLUTION 2011R-03 EXPRESSING SUPPORT FOR HOUSE BILL 4 THAT WOULD EXPAND AND IMPROVE FACILITIES AT WEBER STATE UNIVERSITY, DAVIS CAMPUS IN LAYTON AS WELL AS THE DAVIS ATC BUILDING IN CLEARFIELD

The Utah Legislature recently passed House Bill 4 which authorized the issuance of bonds that would expand and improve facilities at Weber State University, Davis Campus in Layton as well as the Davis ATC building in Clearfield. This Resolution would express Clearfield City's support of Governor Herbert's signature on the Bill.

**Councilmember Shepherd moved to approve Resolution 2011R-03 expressing support for House Bill 4 to providing for the expansion and improvements to facilities at Weber State University, Davis Campus in Layton as well as the Davis ATC Building in Clearfield and authorize the Mayor Pro Tem'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 NO - None.**

APPROVAL OF AMENDMENTS TO THE PROFESSIONAL SERVICES CONTRACT WITH LEE & SMITH

The current economic climate necessitated changes to the scope of work in the City's professional services contract with Lee & Smith.

**Councilmember Fryer moved to approve the amendments to the professional services contract with Lee & Smith and authorize the Mayor Pro Tem's signature to any documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Fryer, Shepherd and Young. Voting NO – Councilmember Murray.**

COMMUNICATION ITEMS:

**Financial Reports** – Bob Wylie, Administrative Services Director, presented the financial reports to the Council. He reported the City was on target for revenues in the General Fund. He stated revenues for the CDRA would be received from the County the end of March. He reported the revenues for the Enterprise Funds were as projected. He reported the General Fund expenditures were slightly under budget. He pointed out the line item of roadways was over budget due to the re-payment of the bond and would be adjusted with the re-opening of the budget in June. He reported all other expenditures were within budgeted parameters at this time.

**Mayor Pro Tem Sprague** –reported the tavern known as the Last Chance was going to be turned into a Mexican restaurant, Burrito Grande. Councilmember Murray commented the rendering was very nice.

**Councilmember Fryer** – informed the Council of the artwork on the first floor provided by fourth, fifth and sixth graders from four elementary schools.

**Councilmember Murray** – nothing to report.

**Councilmember Shepherd** – nothing to report.

**Councilmember Young** – reported the Youth City Council had a dance in city hall and it was very successful.

STAFFS' REPORTS:**Nancy Dean, City Recorder**

1. reminded the Council of the work session tomorrow at 6:00 p.m. with Method Studio regarding the feasibility study for the Community Arts Facility at the old City Hall.
2. reported a work session was scheduled for Tuesday, March 29, 2011 at 6:00 p.m.
3. stated no meeting was scheduled for Tuesday, April 5, 2011.
4. indicated the April 12, 2011 meeting would be a policy session.
5. reminded the Council the Utah League meetings were scheduled for April 13, 14 and 15. She requested those interested in attending to let her know so registration can be completed. She indicated she

had emailed the draft registration as the hard copy registration had not yet been received through the postal service. Councilmembers Sprague and Fryer indicated they both planned to attend. Councilmember Shepherd indicated he would not be attending.

There being no further business to come before the Council **Councilmember Shepherd moved to adjourn at 7:44 p.m., seconded by Councilmember Murray. All voting AYE.**

**APPROVED AND ADOPTED  
This 12<sup>th</sup> day of April, 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, March 22, 2011.

/s/Nancy R. Dean, City Recorder