

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
August 14, 2012 – REGULAR SESSION

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

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

6:00 P.M. WORK SESSION

Discussion on Downtown Redevelopment

Discussion on Title 5, Chapter 1- Code Enforcement Abatements and
Collection of Reimbursement Costs

Discussion on a Title 1 Grant and Request from North Davis Junior High (NDJH) for
Assistance with Aquatic Center Memberships

Discussion on the Davis Community Learning Center (DCLC) request for support and use of
the Clearfield Community Arts Center

Discussion on the Creation of an Ethics Commission

Discussion on Property Exchanges with the Utah Department of Transportation (UDOT)
relating to the SR 193 Extension Project

Discussion on Amendments to Title 4, Business License Renewals

*(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. REGULAR SESSION

CALL TO ORDER:

Mayor Wood

OPENING CEREMONY:

Councilmember Shepherd

APPROVAL OF THE MINUTES:

March 28, 2012 – Work Session

June 19, 2012 – Work Session

May 8, 2012 – Work Session

June 28, 2012 – Special Session

May 22, 2012 – Work Session

July 10, 2012 – Work Session

May 24, 2012 – Work Session

July 10, 2012 – Regular Session

June 5, 2012 – Work Session

July 17, 2012 – Work Session

PUBLIC HEARINGS:

1. PUBLIC HEARING TO RECEIVE COMMENT ON AMENDING TITLE 11, CHAPTER 3 – DEFINITION OF THE TERM “FAMILY”

BACKGROUND: The proposed amendment to the definition of the term “family” will bring City ordinance in line with recent changes to State Statute. The Planning Commission reviewed the amendment and recommends approval.

RECOMMENDATION: Receive public comment.

2. PUBLIC HEARING TO RECEIVE COMMENT ON AMENDING TITLE 11, CHAPTER 1 – LAND USE APPEALS

BACKGROUND: The Planning Commission reviewed this issue; however, it has not taken a formal position or recommendation at this time. Staff recommends opening and closing the public hearing as noticed.

SCHEDULED ITEMS:

3. CITIZEN COMMENTS

4. CONSIDER APPROVAL OF ORDINANCE 2012-07 AMENDING TITLE 11, CHAPTER 3 – DEFINITION OF THE TERM “FAMILY”

BACKGROUND: The proposed amendment to the definition of the term “family” will bring City ordinance in line with recent changes to State Statute. The Planning Commission reviewed the amendment and recommends approval.

RECOMMENDATION: Approve Ordinance 2012-07 amending Title 11, Chapter 3 – Definition of the term “family” and authorize the Mayor’s signature to any necessary documents.

CONSENT ITEMS:

5. CONSIDER APPROVAL OF RESOLUTION 2012R-14 AMENDING THE VISION 2020 STRATEGIC PLAN

BACKGROUND: After adoption of the Vision 2020 Strategic Plan in January of 2010, City staff had completed and implemented some of the identified tactics and strategies. After reviewing the document during a work session, the City Council is prepared to approve amendments to the strategic plan.

RECOMMENDATION: Approve Resolution 2012R-14 amending the Vision 2020 Strategic Plan and authorize the Mayor’s signature to any necessary documents.

6. CONSIDER APPROVAL OF THE REVISED CULINARY WATER CAPITAL FACILITIES PLAN

BACKGROUND: The existing Culinary Water Capital Facilities Plan was adopted by the City in October 2008. The intent of the Water Capital Facilities Plan is to assist the City in planning, prioritizing and identifying funding sources to make capital improvements to the City’s culinary water system. The Water Capital Facilities Plan is a City wide report identifying construction and/or replacement/upgrade of any inadequate water facilities. It provides cost estimates, a

general construction time table schedule and possible funding sources for the implementation, upgrade and replacement of the identified culinary water capital improvements.

RECOMMENDATION: Approve the revised Culinary Water Capital Facilities Plan and authorize the Mayor's signature to any necessary documents.

7. CONSIDER APPROVAL OF THE AWARD OF BID FOR STREET STRIPING

BACKGROUND: The City received bids from three contractors to provide services for all striping and markings on the City's roadways. Public Works staff has reviewed the bids and recommends awarding the bid to Interstate Barricades with a bid amount of \$18,616.50.

RECOMMENDATION: Approve the award of bid for street striping to Interstate Barricade with a bid amount of \$18,616.50 and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF THE AWARD OF BID TO CRAYTHORNE INC. FOR THE UNIVERSITY PARK BOULEVARD ROADWAY IMPROVEMENT PROJECT

BACKGROUND: Bids were received from seven construction companies for the University Park Boulevard Roadway Improvement Project. The project constructs a waterline in University Park Boulevard from 1100 South to 1450 South and installs curb, gutter and sidewalk on the west side of University Park Boulevard from the south side of the canal to 1450 South. City engineers reviewed the bids and recommend Craythorne Inc. as the lowest responsible bidder with a bid amount of \$255,195.35,

RECOMMENDATION: Approve the award of bid for the University Park Boulevard Roadway Improvement Project to Craythorne Inc. with a bid amount of \$255,195.35 and approve funding for the project for the bid amount plus engineering fees and contingency of \$55,804.65 for a total project cost of \$311,000 and authorize the Mayor's signature to any necessary documents.

9. CONSIDER APPROVAL OF THE AWARD OF BID TO ADVANCED PAVING AND CONSTRUCTION FOR THE 1000 WEST STREET CURB AND GUTTER IMPROVEMENT PROJECT

BACKGROUND: Bids were received from six construction companies for the 1000 West Street Curb and Gutter Improvement Project. The project constructs curb and gutter on the east of 1000 West Street from 700 South to 650 South. City engineers reviewed the bids and recommend Advanced Paving and Construction as the lowest responsible bidder with a bid amount of \$47,774.

RECOMMENDATION: Approve the award of bid for the 1000 West Street Curb and Gutter Improvement Project to Advanced Paving and Construction with a bid amount of \$47,774 and approve funding the project for the bid amount plus engineering and contingency in the amount of \$19,226 for a total project cost of \$67,000 and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF RESOLUTION 2012R-15 AUTHORIZING AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY AND PARTICIPATING MUNICIPALITIES

BACKGROUND: State Law authorizes the use of “Council of Governments” composed of the county governing body and the mayors of each municipality in the county to assist with the prioritization and application procedures for the use of money allocated to each county through the Local Corridor Preservation. This agreement establishes procedures for creation and participation with that body in Davis County.

RECOMMENDATION: Approve Resolution 2012R-15 authorizing an Interlocal Agreement with Davis County and participating municipalities and authorize the Mayor’s signature to any necessary documents.

COMMUNICATION ITEMS:

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

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

Dated this 10th day of August, 2012.

/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.

5-1-11: COLLECTION THROUGH TAXES:

In the event that the ordinance compliance officer elects to refer the expenses of destruction or removal to the county treasurer for inclusion in the tax notice of the property owner, such action shall be performed in compliance with applicable law and more specifically he/she shall make in triplicate an itemized statement of all expenses incurred in the destruction and removal of the same and shall deliver the three (3) copies of said statement to the county treasurer within ten (10) days after the completion of the work of destroying or removing such weeds, refuse, garbage, objects, or structures. Thereupon the costs of said work shall be pursued by the county treasurer in accordance with the provisions of Title 10, Chapter 11 of the Utah Municipal Code section 10-11-4, Utah Code Annotated, 1953, as amended, and the recalcitrant owner shall have rights and shall be subject to such powers as are thereby granted. (Ord. 2009-08, 5-12-2009)

5-1-12: EXAMINATION AND INVESTIGATION:

The ordinance compliance officer or authorized city representative is hereby authorized to make examinations and investigations of all real property within Clearfield City, to determine whether owners of such property are complying with these rules and regulations, and to enforce their provisions. (Ord. 2009-08, 5-12-2009)

5-1-13: RIGHT TO CIVIL APPEAL:

Within ten (10) calendar days after the department has given a notice of violation(s) as described in section 5-1-7 of this chapter, any person(s) aggrieved by the notice may file an appeal in writing with the city recorder, who shall schedule a hearing before the director of the community development department Code Enforcement Sergeant, Police Chief or one another designated by the director of the community development department Police Chief at a time and place to be set by the Code Enforcement Sergeant, Police Chief director of the community development department or the designee. The Code Enforcement Sergeant, Police Chief director of the community development department or designee may sustain, modify, or reverse the action set forth in the notice. (Ord. 2009-08, 5-12-2009)

5-1-14: REMEDIES NOT EXCLUSIVE:

The city shall have the right to use all of the procedures above, as well as any other legal means prescribed by law, to collect costs of abatement and to enforce the provisions of this chapter. (Ord. 2009-08, 5-12-2009)



Community Services

55 South State Street
Clearfield, Utah 84015
Phone: 801.525.2790
Fax: 801.525.2863

Memorandum

To: Mayor Wood and Clearfield City Council
CC: Adam Lenhard, Clearfield City Manager
From: Eric Howes, Community Services Director
Date: 8/10/2012
Re: North Davis Junior High School Title 1 Grant

North Davis Junior High School has received Title 1 funding for the upcoming school year. I have attached a letter from NDJHS Principal, Ryan Hansen which outlines a request to use those grant funds to purchase annual passes to the Clearfield Aquatic Center for teachers at the junior high school. The total grant awarded to NDJHS is \$10,000 and their request would include passes for sixty (60) teachers. The current price for an annual adult pass to the CAC is \$270 and this request would represent a significant discount (60 passes x \$270 = \$16,200). To provide the requested number of passes for \$10,000 would represent a cost savings of approximately \$113 per pass. At the regular price they would only be able to afford thirty-seven (37) passes and they would not be able to provide an equal benefit to all of their teachers.

While the requested price reduction is significant, the \$10,000 grant funding would represent a significant amount of additional revenue to the CAC. While we do not have exact numbers, there are currently few NDJHS teachers that hold current CAC memberships. Even if the benefit is provided for all teachers, it is unlikely that all of them would take advantage of the passes at a level that would exceed the contribution per person (\$167) at the \$5.50 daily rate for Clearfield residents (30) visits. It is also likely that a portion of the teachers that receive the benefit would upgrade to family passes for an additional \$180. While the exact usage of this proposed benefit is difficult to determine, it would represent a sizeable increase in revenue to the CAC.

The concern with this proposal is with the potential that we are setting a precedent for other organizations to request the same benefit for their employees. I would suggest that if this request is granted that council consider restricting this benefit to schools with Title 1 grant funding. However, based on proximity alone, NDJHS teachers would be most likely to make use of this benefit.

NORTH DAVIS JR. HIGH

835 South State Street • Clearfield, Utah 84015 • (801) 402-6500 • Fax (801) 402-6501

Ryan Hansen
Principal

Brian Hunt
Assistant Principal

Steve Poll
Assistant Principal

August 6, 2012

Hello Clearfield City Leaders!

Next year North Davis Junior High School will receive Title I funding. We qualify to receive this money because of the number of our students that receive federally subsidized free and reduced lunch.

A small portion of this federal money is intended to be used to provide incentives for recruiting and keeping high quality educators. The money cannot be paid to teachers directly, but it can be used to provide other opportunities or benefits that are not available to teachers at non-Title I schools.

As we looked to identify potential incentives for our teachers, we didn't have to look far because our school is attached to a world class physical fitness and recreational facility. As school administrators, we would love to use our Title I incentive funding to provide North Davis Junior High School teachers with a pass to the Clearfield Aquatic Center. We see many benefits to doing this and we have listed some of them:

1. We want to increase the connection between the employees of our school, the students of our school, and the Clearfield City community. We are a community school and we want to strengthen those connections through personal relationships and with financial partnerships. We would like to see the federal money that we receive remain in the city and community.
2. Seeing our teachers exercise at the Aquatic Center would set the right example for our students. Seeing teachers use the facility would speak louder than any classroom lesson on physical fitness.
3. Our teachers will be more effective teachers and more productive in the work place with increased physical activity.
4. Nearly every employee we interview asks if they will have access to the Aquatic Center. An accompanying gym membership is an incentive that other communities cannot offer its teachers that will help Clearfield schools to be more competitive than other schools in attracting and keeping the best teachers. Potential teachers that would be attracted by a gym membership are more likely to be the teachers that we want teaching our students. Attracting and keeping these teachers will benefit the students and families of our city and community.

We love Clearfield City! It is our privilege to work with our community's children and this will remain such with or without organizational access to the Clearfield City Recreation Center. We look forward to continuing a strong relationship with civic leaders regardless of any decision made on this request. If we can work it out, great! If not, we'll find another suitable alternative or solution. Partnering with the Aquatic Center was our first choice because it is a fine facility and we enjoy a good relationship with the great people that run it.

Thank you very much for considering this request.

Ryan Hansen





Memorandum

To: Mayor Wood and Clearfield City Council
CC: Adam Lenhard, Clearfield City Manager
From: Eric Howes, Community Services Director
Date: 8/10/2012
Re: Davis Community Learning Center Facility Use Request

The Davis Community Learning Center has requested the use of classrooms in the Clearfield Community Arts Center to hold classes for some of their classes. While they do have space in the new Wasatch Elementary School for the classes, they do not have a classroom that would allow the participants to bring their young children to the class with them and for many of the participants this is an important consideration. The Community Arts Center currently has areas that could be used as classroom space that are immediately adjacent to other rooms that are separated only by glass walls. These locations would serve the needs of these participants with young children by allowing them to attend the classes offered by the DCLC while still being able to see their children in the adjacent room. The request from the DCLC is for the use of the Arts Center only when other activities are also scheduled in the facility. This would eliminate the need for additional staffing as a building monitor would already be available at the building.

Although there is currently no fee structure in place for the rental of space within the Community Arts Center, the development of such a fee schedule is in process. For comparison purposes, the rental rate for the multi-purpose room in the city office building is \$35/ hour. The multi-purpose room is a large room and has audio visual equipment available for use. The space being requested by the DCLC would be something like the reception room on the first floor of the Arts Center that is immediately on the left as you enter the west entrance of the building. There are two rooms adjacent to the reception room with glass paneled walls that could be used for child care during classes. I would expect that this space could rent out for approximately \$20/hour.

Additional costs for the use of this space would include minimal additional electrical usage and any additional staffing time should the proposed classes extend beyond the use of the facility by the previously scheduled activities. Considering our relationship with the DCLC in the past (I am currently the city's representative on the DCLC Governing Board) and as CDBG partners, I would be supportive of this request. The greatest concern with this request is the setting of a precedent for other organizations to request the use of the facility free of charge.

DAVIS COMMUNITY LEARNING CENTER



To Clearfield City,

The Davis Community Learning Center (DCLC) is a partner with the Davis School District and respectfully requests that the multi-purpose and other available rooms at the Clearfield Community Center Building be made available to Community Teachers from the DCLC, during times when the building is already open, without a fee. We also request, very kindly, that the toys in the room used to entertain younger children also be available at no charge for the use of the DCLC while these periodic classes are being held. In our old center we used to have a large classroom that had a childcare area nearby. In the new building there wasn't enough space to allow for a child care area. This change will have a significant impact on attendance at our parenting and other classes.

Our main motivation for requesting this arrangement is so that we can better meet our mutual goals as outlined in the Vision 20/20 strategic plan as follows:

We strive to support strong family and neighborhood relationships by promoting respect and tolerance for all. This will help us to achieve a positive community image. We share the values of integrity and honesty and through these classes will celebrate, accentuate and support the city's cultural, ethnic and age-based diversity by sharing cultural programs, activities and educational opportunities for members of various ethnicities to participate in and observe.

The DCLC works with various public and private groups to provide language classes, parenting classes, cultural/heritage classes, workshops, and supports educational and academic tutoring programs for city youth.

Our request is also motivated by the limited funding available to our organization.

We also received funding through the CDBG grant and we were given \$9,000 to use towards salaries for a part-time Volunteer Coordinator. The DCLC provides an array of services that serve any Clearfield resident regardless of where they live in the City, including low-income students and families of Clearfield. The services offered by the DCLC include the following: parenting classes, Adult Learning Opportunities (ESL, Adult High School Completion, Citizenship and computer classes) access to Work Force Services, emergency food and clothing, mental health counseling, case management services, parent involvement classes, counseling and resources, Utah Parent Center, childcare for adult learners, links to all community agencies including Midtown Clinic and the Volunteer Medical Clinic. The center also provides services to the children at Wasatch Elementary School including the Before and After-School Program. The programs offered by the DCLC benefit low and moderate income families in Clearfield in a significant way. Such educational programs are a key to neighborhood revitalization. Education is a pathway to home ownership and civic engagement.

It is for these reasons that we request that the DCLC be able to use the multi-purpose, and other available rooms, and also the toys in the room used to entertain younger children at the Clearfield Community Building be made available to Community Teachers from the DCLC, during times when the building is already open, without a fee.

We appreciate the support and collaboration which comes from our partnership together. We anticipate great success as we continue to move forward and accomplish our common goals.

Sincerely,

-The Davis Community Learning Center (DCLC)

210 EAST CENTER STREET, CLEARFIELD, UT 84015

SUCCESSFUL CHILDREN

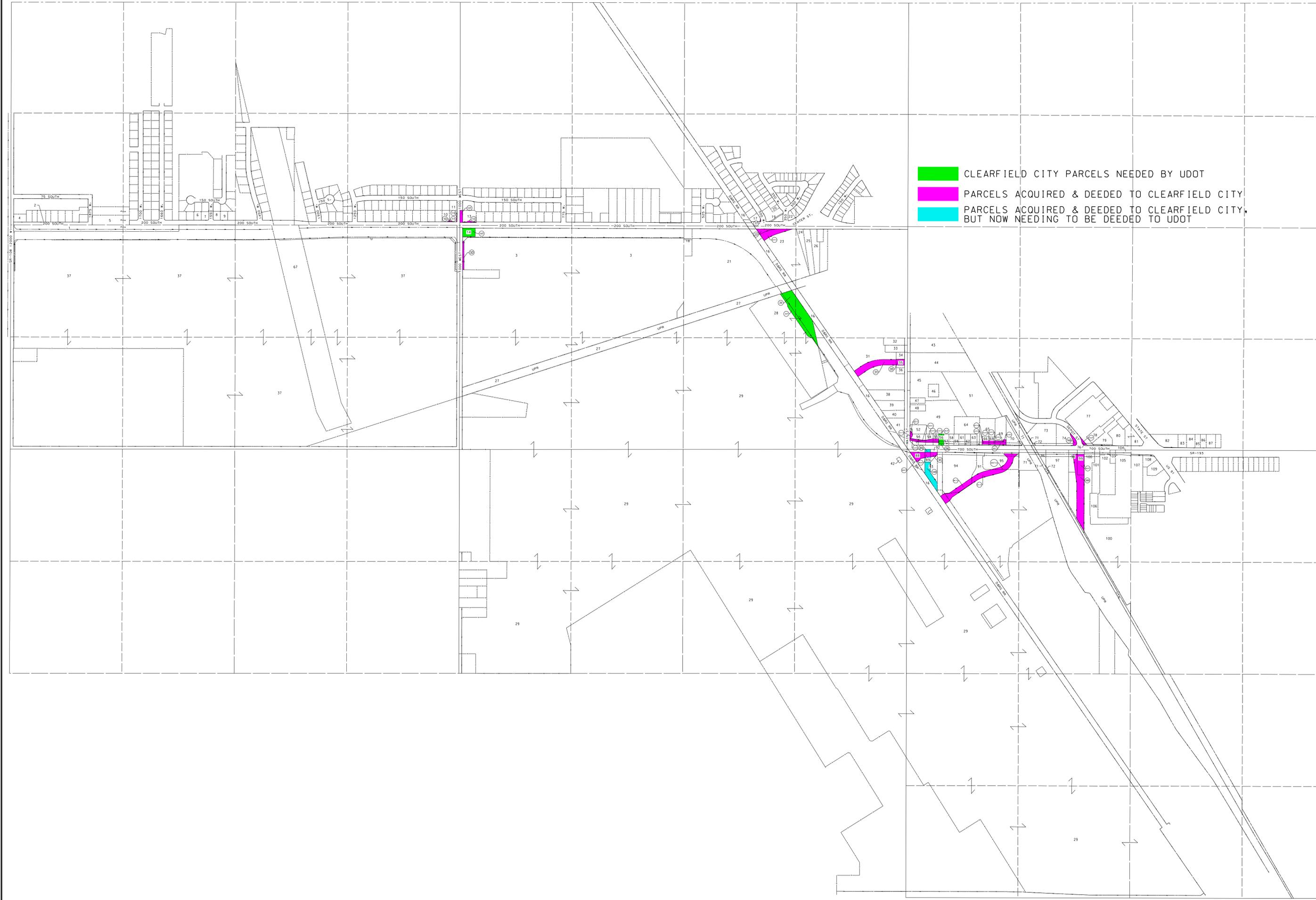
THRIVING FAMILIES

VIBRANT COMMUNITIES

Parcels Acquired & Deeded to Clearfield City

Parcel #	Summary No.	Ownership Name		Square Footage	Acquisition Type	Land Price	Notes
		Grantor	Grantee				
3D	5P	Freepor Center Associates, LLP	Clearfield City	5,745	Warranty Deed	\$17,235	
10	5P	Darrin & Mindy Roberts	Clearfield City	232	Warranty Deed	\$812	
11	5P	John & Jessica Evans	Clearfield City	306	Warranty Deed	\$1,224	
11B	5P	John & Jessica Evans	Clearfield City	605	Warranty Deed	\$2,420	
12T	1S	Gene dba John H. Purser Construction Co.	Clearfield City	4,686	Quit Claim Deed	\$500	
13	7P	James & Peggy Sue Randall	Clearfield City	542	Warranty Deed	\$2,168	
17	7P	Patsy W. Hogger	Clearfield City	251	Warranty Deed	\$878	With the redesign of the intersection of 200 South & Center St. area This parcel may no longer be needed.
23	4P	Robert P. & Joyce B. Strelbel Living Trust	Clearfield City	6,135	Warranty Deed	\$19,939	
23NT-C	11S	Robert P. Strelbel Trustee of the Strelbel Living Trust	Clearfield City	19,924	Warranty Deed	\$64,753	
31	4P	The Porter Family L.L.C.	Clearfield City	37,003	Warranty Deed	\$111,009	
35	4P	Curtis A. & Linda M. Eggleston	Clearfield City	6,912	Warranty Deed	\$41,472	
52-C	15S	DSI Investments, LLC, a Utah LLC	Clearfield City	721	Warranty Deed	\$3,245	
53:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	2,734	Quit Claim Deed	\$16,404	
53:ST3Q	Q-Summary	Utah Department of Transportation	Clearfield City	1,241	Quit Claim Deed	\$7,446	
53B:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	2,301	Quit Claim Deed	\$13,806	
54:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	3,205	Quit Claim Deed	\$19,230	
55:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	2,971	Quit Claim Deed	\$17,826	
66:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	3,092	Quit Claim Deed	\$18,552	
66:STEQ	Q-Summary	Utah Department of Transportation	Clearfield City	404	Perpetual Easement	\$2,424	
68:STQ	Q-Summary	Utah Department of Transportation	Clearfield City	2,830	Quit Claim Deed	\$16,980	
68:STEQ	Q-Summary	Utah Department of Transportation	Clearfield City	368	Perpetual Easement	\$2,208	
69:C	17S	Dale Kruitbosch and Sandra Kruitbosch	Clearfield City	5,061	Warranty Deed	\$25,305	Parcel is still in negotiations. Cost should be no less than this.
69:2EC	17S	Dale Kruitbosch and Sandra Kruitbosch	Clearfield City	690	Perpetual Easement	\$1,725	Parcel is still in negotiations. Cost should be no less than this.
69:3EC	17S	Dale Kruitbosch and Sandra Kruitbosch	Clearfield City	867	Perpetual Easement	\$2,168	Parcel is still in negotiations. Cost should be no less than this.
74B	7P	MPM Property Holdings, LLC	Clearfield City	4,311	Warranty Deed	\$26,944	
76:ST	7P	Davis County	Utah Department of Transportation	2,248	Quit Claim Deed	\$8,992	Parcel is currently owned by UDOT; Needs to be deeded to Clearfield City
88:ST	3P	Richard Moore	Utah Department of Transportation	12,704	Warranty Deed	\$66,384	With the redesign of the trail 9,522 sq.ft. of this parcel will be kept by UDOT. 12,704 sq.ft. will be put under in Clearfield City's name. This is the best estimate as we purchased this property based on damages that were caused by the project. We paid a total of \$135,000 for the property and improvements.
89:ST	6P	Pablo Oltehua & Vianey Sanchez	Clearfield City	4,079	Warranty Deed	\$24,474	With the redesign of the trail 3,643 sq.ft. of this parcel will be kept by UDOT. 4,079 sq.ft. will remain in Clearfield City's name. This is the best estimate as we purchased this property based on damages that were caused by the project. We paid a total of \$100,000 for the property and improvements.
91:1C	12S	NSC Superior LLC	Clearfield City	37,627	Warranty Deed	\$94,068	
93	4P	Pablo Oltehua and Vianey Sanchez	Utah Department of Transportation	3,930	Warranty Deed	\$17,685	With the redesign of the trail 1,876 sq.ft. of this parcel will be kept by UDOT. 3,930 sq.ft. will be put in Clearfield City's name.
94:1C	12S	SPRS, L.L.C.	Clearfield City	14,682	Warranty Deed	\$52,121	
95NT:1C	12S	N&S Development, L.C.	Clearfield City	18,614	Warranty Deed	\$88,417	
98B	4P	Jerry L. & Marilyn K. Hamblin	Clearfield City	60,752	Warranty Deed	\$318,948	
99:ST	4P	Vern W. and Helen L. Hamblin	Utah Department of Transportation	20,250	Warranty Deed	\$131,625	Parcel is currently owned by UDOT; Needs to be deeded to Clearfield City
TOTAL				288,023		\$1,239,387	
Clearfield City Parcels Needed by UDOT							
14T	6P	Clearfield City	Utah Department of Transportation	15,000	Quit Claim Deed	\$97,500	
28	14S	Clearfield City Corporation	Utah Department of Transportation	67,917	Quit Claim Deed	\$169,793	
28:E	9S	Clearfield City Corporation	Utah Department of Transportation	20,011	Perpetual Easement	\$25,014	
		Cost to Cure, Improvements & Rounding	Cost to Cure, Improvements & Rounding			\$19,193	
56		Clearfield City Redevelopment Agency	Utah Department of Transportation	1,346	Quit Claim Deed	\$8,076	
56:ST		Clearfield City Redevelopment Agency	Utah Department of Transportation	6,576	Quit Claim Deed	\$39,456	
		Cost to Cure, Improvements & Rounding	Cost to Cure, Improvements & Rounding			\$79,468	
89	6P	Pablo Oltehua & Vianey Sanchez	Clearfield City	2,178	Quit Claim Deed	\$13,068	This parcel resides inside of the SR-193 ROW along 700 South. It all needs to be deeded back to UDOT.
89:ST1	6P	Pablo Oltehua & Vianey Sanchez	Clearfield City	3,643	Warranty Deed	\$21,858	With the redesign of the trail 3,643 sq.ft. of this parcel will be kept by UDOT. 4,079 sq.ft. will remain in Clearfield City's name.
93B:T	4P	Pablo Oltehua and Vianey Sanchez	Clearfield City	20,685	Warranty Deed	\$93,083	With the redesign of the trail all of this parcel should be transferred back to UDOT.
TOTAL				116,671		\$473,426	
				171,352		\$765,961	

\$\$\$1,1e55



- CLEARFIELD CITY PARCELS NEEDED BY UDOT
- PARCELS ACQUIRED & DEEDED TO CLEARFIELD CITY
- PARCELS ACQUIRED & DEEDED TO CLEARFIELD CITY, BUT NOW NEEDING TO BE DEEDED TO UDOT

SHEET NO. _____

PROJECT	SR-193 EXTENSION, 2000 WEST TO I-15, DAVIS COUNTY	
PROJECT NUMBER	S-0193(6)0	PIN 8021
RIGHT OF WAY		

UTAH DEPARTMENT OF TRANSPORTATION	
REGION 1 - OGDEN, UT	
APPROVED	DATE _____
PROFESSIONAL ENGINEER	DATE _____
DRAWN BY TLJ	OC CHECKED BY DKW

REVISIONS			
NO.	DATE	APPROVED BY	REMARKS



Community Development

Planning & Zoning, Building Inspections,
Business Licensing, and CDBG Administration

Meeting Date: August 8, 2012

To: The Honorable Mayor and City Council

From: Valerie Claussen, MPA, AICP *Development Services Manager*
vclaussen@clearfieldcity.org or (801) 525-2785

RE: **Proposed Business License Renewal Changes**

EXECUTIVE SUMMARY

The City is preparing to implement a cash receipting module in Community Development that will provide the function of not only taking in and processing fees over the counter, but has on-line payment capabilities. This is anticipated to be a great benefit to the City, specifically to the Business License holders who are required to renew on an annual basis.

With the services of on-line payments and the collection of fees at the same counter, Staff has identified a few changes that will need to be made to Title 4 of the Municipal Code and to the Consolidated Fee Schedule. The proposed changes include the following:

1. The yearly renewal of business licenses will be the anniversary month in which the business license was issued.
2. The late fees will be assessed on a similar schedule that exists today. If the renewal fees are not paid by the end of the anniversary month, the business license holder has a fourteen day (two week) grace period to pay. If the fees are still unpaid at that time, late fees will be assessed before the license is brought current.
3. The prorated table for quarterly rates for business licenses will be removed from the consolidated fee schedule. With annual renewals on the anniversary date, instead of a set end-of-the-year calendar date, prorated fees are no longer necessary.

It is believed several advantages will occur from making these procedural changes. While initially there will still remain a majority of license renewals that will be occurring at the end of the year, throughout time the new applications will have renewal dates that are spread across the year. With the technology of computers and databases, it is no longer necessary to require a consolidated

process that is extremely time consuming during nearly a quarter of the year. The rolling applications and renewals will assist in streamlining the process for the applicant, as well as for Staff. In addition to continuing the mailed renewal notices, efficiencies with notifications will now also be able to be done via email. Also, the reporting aspect of business license information will be able to be better monitored and the status of operating and non-operating businesses will be closer to real time, versus a once-a-year model.

RECOMMENDATION

Discussion item only. The proposed text amendment language will be brought forward to be heard at the August 28, 2012 Council policy session.

CLEARFIELD CITY COUNCIL MEETING MINUTES
12:00 P.M. JOINT WORK SESSION
March 28, 2012

PRESENT: (On Behalf of City)	Don Wood	Mayor
	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember

STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	JJ Allen	Assistant City Manager

PRESENT: (On Behalf of School District)	Tamara Lowe	Davis School Board Member
	Marion Storey	Davis School Board Member
	Bryan Bowles	Davis School District Superintendent
	Craig Poll	Davis School District Asst. Super.
	Pamela Park	Davis School District Asst. Super.
	Craig Carter	Davis School District Bus. Admin.
	Gary Payne	Davis School District Fac. Admin.
	Paul Waite	Davis School District
	Karen Waite	Davis School District
	Rulon Homer	Davis School District
	Shauna Lund	Davis School District
	John Sheffield	Davis School District
	Rick Call	Davis School District
Chris Williams	Davis School District	
Suzie Jensen	Davis School District	

The lunch meeting convened at 12:0 p.m.

The Davis School District superintendency invited the City Council to attend a lunch meeting at the Clearfield High School Media Center. The meeting was conducted by the School District and Superintendent Bryan Bowles was the presiding officer.

CONSTRUCTION UPDATE

Gary Payne, Davis School District Facilities Administrator, updated the Council on the construction of the new Wasatch Elementary School and the new Clearfield High School football field.

COMMUNICATION ITEMS

Mayor Wood, City Council members and the Davis School District representatives discussed community pride, the City's marketing campaign, the community's optimism, the use of technology in schools, year round school schedules and the self-esteem of the District's youth.

The lunch meeting adjourned at 1:15 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
May 8, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 6:06 p.m.

DISCUSSION ON THE PURCHASE AGREEMENT FOR THE FIRE STATION

Brian Brower, City Attorney, informed the Council of the need for additional language to the purchase agreement with the North Davis Fire District (NDFD). He explained the City owned some fiber-optic communications, routed through the Fire Station, which come to the dispatch center here in the City building. He continued the concern prompted a discussion with Felshaw King, NDFD Attorney, and language had been drafted which would protect the City's interest. Mr. Brower read the additional paragraph to the purchase agreement. Councilmember Bush requested some clarification regarding the fiber optic lines specific to emergency communication. Mr. Brower explained the fiber optic lines originated at the building near the towers behind the old city building, currently the Community Arts Center, entering the fire station and then routed to the dispatch center at City Hall. He pointed out the NDFD benefitted from the communication lines because it used the City's dispatch center but he wasn't aware if the NDFD alone had communication lines specific for its use.

DISCUSSION ON AN INTERLOCAL AGREEMENT WITH THE NORTH DAVIS FIRE DISTRICT REGARDING THE COLLECTION OF IMPACT FEES

Brian Brower, City Attorney, referred to a handout and indicated the language was nearly identical to the interlocal agreement the City had with the North Davis Sewer District in relation to impact fees. He continued there was nearly identical language included in a Resolution adopted by the North Davis Fire District. He expressed staffs' concern specific to the indemnification and the enforceability of the outlined provisions and didn't believe the City had any legal recourse from an enforcement perspective. He proposed the language be included as an addendum to the interlocal agreement between Clearfield City, West Point City and the NDFD and indicated the addendum would also need each entity's approval as well.

He stated if there were no objections from the Council, he would then enter into discussions with West Point City and NDFD prior to coming before the Council for formal adoption in a future policy session.

DISCUSSION ON HOUSE BILL 95 GOVERNING RETAIL TOBACCO LICENSES

JJ Allen, Assistant City Manager, distributed a handout explaining House Bill 95 which directly affected retail tobacco specialty businesses, otherwise known as smoke shops. He reviewed the regulations which would become effective after July 1, 2012 with the Council:

- Smoke shops could not be located within 1000 feet of a community location such as schools, churches, parks, playground or library etc.
- Could not be located within 600 feet of another retail tobacco specialty business
- Could not be located within 600 feet from an agricultural zone or residential zone

Councilmember Murray inquired where the businesses could locate within the City. Adam Lenhard, City Manager, responded the City would have to create a map reflecting the allowed locations. Mr. Allen pointed out the bill stated any tobacco specialty business legally operating on or before May 8, 2012 would be exempt from the new regulations.

Brian Brower, City Attorney, stated the City's Business License Official provided notice to a recent applicant of the May 8, 2012 deadline as it related to the new regulations. Mr. Lenhard pointed out the terms for abandonment of these types of businesses was different as well. Mr. Allen stated the City would be updating its ordinance to become compliant with the new legislation.

Councilmember Murray inquired if Houka was available in establishments located within the City. Greg Krusi, Police Chief, responded he would have to inspect each establishment and mentioned the City had encountered issues regarding the selling of spice as opposed as to what could be used in a Houka pipe. Mr. Brower stated he wasn't aware of any tobacco establishments within Clearfield which allowed the consumption of Houka. Mayor Wood clarified the

paraphernalia could be sold; however, Houka bars were not allowed due to the Indoor clean air act.

Councilmember Bush inquired about the new tobacco regulations and how they would be enforced specific to private parks owned by Homeowners Associations because those parks were not considered "public". Mr. Allen responded the residential component wouldn't allow for that use. Mr. Brower indicated he would complete additional research specific to that concern, if needed, once the allowed areas were identified on a map. He stated it wouldn't be his recommendation to make the City's ordinance more restrictive than the State statute. Mayor Wood commented recent legislation was also passed which precluded health boards from adopting ordinances which were more restrictive than the State statute.

DISCUSSION ON TITLE 4, CHAPTER 2-ALCOHOLIC BEVERAGE CONTROL ORDINANCE

JJ Allen, Assistant City Manager, reviewed the City's current alcoholic beverage ordinance with the Council and pointed out the provisions in which the City could deny or revoke a license based upon certain criminal convictions. He explained the City had been conducting the background check only for the individual whose name appeared on the application, as opposed to any partner, owner, manager, officer, etc., which was identified in the ordinance. He requested direction from the Council whether the City should enforce the ordinance as it was written or as it was being practiced. He suggested if the Council directed staff to enforce the current ordinance it would be a good idea to update the ordinance with additional provisions.

Brian Brower, City Attorney, pointed out if the Council directed staff to enforce the current ordinance, it could preclude some businesses from obtaining a license if a silent partner or capital investor had a previous criminal conviction. Mayor Wood clarified in the case of a Limited Liability Corporation (LLC), the business could be denied a license based on a private stockholder's previous criminal conviction. He expressed his opinion that this was too restrictive and would not be considered to be business friendly. Councilmember Shepherd expressed his opinion the ordinance was too restrictive.

Mr. Allen requested feedback as to where the line should be drawn in regards to the criminal conviction. Councilmember Shepherd believed it should be applicable to anyone actively involved in the management of operating the business. Councilmember Young pointed out the difficulty in obtaining information substantiating that fact and inquired what would be the desired impact in enforcing the current ordinance as it was written. Mr. Brower reviewed the restrictions and shared some examples. He suggested the verbiage could be added to include on-site management responsibilities. A discussion took place regarding different verbiage and the possible inclusion of "moral turpitude."

Mayor Wood clarified the proposal of writing the ordinance with the inclusion of the verbiage reflecting any person actively involved in the ongoing management, supervision, or day to day operations of the business, which would restrict individuals from selling beer to those to whom it should not be sold. A discussion took place regarding stakeholders being subject to the ordinance if they had no day to day management responsibilities for the operation of the business.

Councilmember Bush expressed his opinion verbiage should be included requiring background checks on individuals with involvement in the management or selling of the beer. Councilmember LeBaron suggested the inclusion of a twenty percent involvement in management of the business or selling of the beer but expressed concern regarding investors or silent partners.

Councilmember Murray inquired if the inclusion would include clerks at grocery stores. Mr. Allen read the ordinance and a discussion followed. Mr. Allen requested direction from the Council. He asked if it desired adding language to exclude a passive owner. Mr. Brower pointed out how many individuals would be required to have background checks completed if a convenience store similar to 7-Eleven were allowed to sell beer. A discussion took place regarding a definition of 'management' and possible verbiage which could be included.

Councilmember Shepherd pointed out the City hadn't encountered a problem in how the City had been enforcing an ordinance and suggested the verbiage in the ordinance could be modified to reflect the current practice. Councilmember Murray expressed agreement with that suggestion.

Councilmember Bush suggested staff draft an ordinance based on its knowledge of information and bring it to the Council for further discussion and possible approval. Mayor Wood believed the ordinance should be less restrictive allowing the management to prove itself but if a mistake were made the City should be prepared to enforce the ordinance. The Council was in agreement and directed staff to proceed in drafting an ordinance based on the City's current practice.

Councilmember Shepherd moved to adjourn the City Council work session and reconvene as the City Council in a policy session at 6:52 p.m., seconded by Councilmember Murray. All voting AYE.

The City Council reconvened in a work session at 8:03 p.m.

DISCUSSION ON TITLE 11, CHAPTER 3 - DEFINITION OF THE WORD 'FAMILY'

Mayor Wood stated it was necessary to revisit the City's ordinance regarding the definition of a family because of recent legislation. Adam Lenhard, City Manager, informed the Council of the City's definition of a family and pointed out it specifically addressed unrelated individuals. He continued the City's definition restricted the unrelated individuals to that of two. He reported

LUDMA (Land Use Development Management Act) had designated the unrelated number of individuals to three and four. He indicated the legislature had strengthened and reiterated a bill passed during the previous legislative session and concluded the City's definition was not in compliance with State statute.

Mr. Lenhard revealed the reason for the number designation in the ordinance was to allow the City the opportunity to use it for enforcement purposes. He indicated the issue specific to the number of unrelated individuals had been brought up numerous times at the State and suggested the City might want to reconsider modifying the language in its current ordinance. He clarified the City could simply change the number in its definition from two to three in order to comply with State statute. He added modifying the ordinance would require approval from the Planning Commission because it was a land use ordinance. He requested opinions from the Council prior to noticing the public hearing for the Planning Commission.

Councilmember LeBaron inquired why the Legislature would specify a number of three. Mayor Wood reminded the Council the City had previously used a number of four in its definition. He also reminded the Council of the events that led to the City's change. He pointed out since Weber State University was located within a portion of the City, the legislation allowed the City to decrease its number to three. Brian Brower, City Attorney, clarified the public university component could result in a higher volume of individuals in a co-op status and believed that was the reason for that caveat included in the legislation.

Councilmember Shepherd stated the City had not experienced an enforcement issue with the number of four unrelated individuals living in a residence. He suggested if there were a need for enforcement, the State statute could be used for the citation. Mr. Lenhard responded it would be better for the City to enforce its ordinance first, in addition, the City would want to take a proactive approach in amending its ordinance to become compliant with State statute.

Mr. Brower reported on previous discussions with the Utah League lobbying contingency and its surprise with the City's current ordinance. He responded to Councilmember Shepherd's comments specific to the City deciding what should be enforced: State statute or City ordinance. He clarified the State statute was designed to instruct cities that this would be the new minimum and would therefore invalidate the City's ordinance. Councilmember Shepherd retracted his previous comments and agreed to move forward in becoming compliant with the new legislation.

Councilmember Bush believed the legislature would debate the topic several more times and inquired if the City could adopt an ordinance with verbiage reflecting "as per State code" which would eliminate the City having to revisit the issue in the future. Mr. Brower commented the State had not created a clear definition of "family," but rather indicated any ordinance couldn't restrict the number to less than three. Adam Lenhard, City Manager, added the State didn't distinguish the relationship by blood; therefore, he believed the City's definition was more complete.

Mr. Brower read from the State statute which outlined what the City could and could not do in enforcing its ordinance instead of clearly identifying what definition constituted a “family”. Mr. Lenhard commented there were other issues related to Title 11 which would need to be addressed by the Council and indicated it was staffs intention to notice and address them all at once in order to minimize costs associated with the public noticing.

The meeting adjourned at 8:12 p.m.

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 P.M. WORK SESSION
May 22, 2012

PRESIDING: Don Wood Mayor

PRESENT: Mike LeBaron Councilmember
Kathryn Murray Councilmember
Mark Shepherd Councilmember
Bruce Young Councilmember

EXCUSED: Kent Bush Councilmember

STAFF PRESENT: Adam Lenhard City Manager
JJ Allen Assistant City Manager
Brian Brower City Attorney
Greg Krusi Police Chief
Eric Howes Community Services Director
Scott Hodge Public Works Director
Valerie Claussen Development Services Manager
Bob Wylie Administrative Services Director
Kim Read Deputy City Recorder

EXCUSED: Nancy Dean City Recorder

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 6:33 p.m.

DISCUSSION ON APPOINTING AN ADMINISTRATIVE HEARING OFFICER FOR APPEALS

Brian Brower, City Attorney, distributed a handout identifying the Land Use Authority and Appeal Authority specific to the role of the City Council. He stated different land use attorneys previously advised the City it would be in its best interest to remove the legislative body as the appeal authority on land use issues. He added he had also attended the Utah Municipal Attorneys Association conference during which the difficulty with the City Council, as a legislative body, acting in any way other than legislative had been explained.

Police Chief Greg Krusi arrived at 6:37 p.m.

He briefly reviewed some of the instances when the City Council acting as the appeal authority wouldn't expose the City to potential litigation; however, he suggested Conditional Use Permits and the Planning Commission's role in consideration of a variance be designated to a hearing officer. Mr. Brower briefly explained the procedure for an appeal process to be

considered by the hearing officer and pointed out that position would be an individual trained and familiar with land use law. He stated this would suggest a more objective appearance and would create a better record for any potential court proceeding in the future specific to the submission of the Findings, Conclusions and Determination on behalf of the hearing officer. He commented the implementation of the hearing officer would remove the City Council from the process on Conditional Uses.

Mr. Brower pointed out currently there was no land use authority designated by State code other than the appeal authority which the City had designated as the Planning Commission specific to a variance. He expressed his opinion variances should almost never be granted and should be considered as a legal issue as opposed to sympathetic circumstances. He believed the implementation of a hearing officer would be making a decision strictly based on law.

He clarified if the Council agreed with staffs' recommendations it would need approval from the Planning Commission prior to approval from the City Council and requested direction from the Council now rather than later.

Councilmember Murray inquired if the City would be hiring the hearing officer on a case by case basis or if the same individual would be designated for all appeals. Mr. Brower responded the City could do whatever the Council desired but believed the City could contract with an individual who was well educated in land use issues who could render a decision based upon the law for any appeal. Councilmember Murray clarified the contract for the hearing officer would be on an as needed hourly basis.

Mayor Wood requested further clarification on specific recent cases and whether the hearing officer would have been involved. Mr. Brower responded to the Mayor's concern and indicated the Council could appeal the hearing officer's Findings, Conclusions and Determinations if it were not in agreement. Mayor Wood inquired if the Council had to accept the Findings, Conclusions and Determinations or if the City Council as an elected body could reject them if it did not agree with them. Mr. Brower responded that verbiage could be included in the proposed ordinance which would be forwarded to the Planning Commission. Mayor Wood expressed concern the hearing officer wouldn't be impacted by the decision as he or she most likely wouldn't live within the City or have an understanding of the Council's desires or direction for the City. He suggested the Council have the option to accept or reject the findings.

Mr. Brower responded the Council would make the determination to either accept the findings as presented or make changes if necessary. He expressed confidence the safest rendered decisions would be based purely on legal questions. He pointed out the Council could decide not to make any changes to the appeal process at this time. Adam Lenhard, City Manager, emphasized the reason for the proposed change was based on the advice of outside legal counsel encouraging the changes for municipalities on a statewide level.

Mayor Wood inquired what possible circumstances would necessitate an appeal for a Conditional Use Permit. Mr. Brower explained if an applicant believed the imposed conditions associated with the issuance of the Conditional Use Permit were unreasonable, the applicant might appeal that decision which would then come before the hearing officer for a determination whether the potential imposed conditions were a fair condition.

Mayor Wood clarified if the Council would have input or approval of a Site Plan and Conditional Uses. Mr. Lenhard responded approval of a Site Plan was more of an administrative function because if it met the ordinance it would have to be approved. He added there was not much of an opportunity to use discretion in approval of a Site Plan. Mr. Brower emphasized a proposed Site Plan would need to be approved if it met City ordinance.

Councilmember Young expressed his opinion he would be in agreement with staff's recommendations as long as the City Council had the opportunity to accept or reject the hearing officer's findings. The remaining members of the Council were in agreement with Councilmember Young's suggestion and directed Mr. Brower to proceed with those instructions.

DISCUSSION ON THE BID AWARD FOR THEATR SEATING AT THE COMMUNITY ARTS CENTER

Eric Howes, Community Services Director, reported the City had solicited bids for theatre seating at the Community Arts Center and had received five bids. He continued all five bids were deemed unresponsive due to a variety of issues and suggested the item be tabled during the City Council meeting immediately following the work session. He stated the City would then proceed with the bid process at a later date.

Bob Wylie, Administrative Services Director, indicated the funds appropriated in the budget for this purpose would go back to the fund balance and would be included in the fiscal year 2013 fund balance as a direct appropriation for the theatre seating purpose.

Mr. Howes pointed out the delay would result in the City using temporary seating for the summer performances.

Councilmember LeBaron moved to adjourn the work session and reconvene in a City Council policy session at 6:56 p.m., seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers LeBaron, Murray, Shepherd and Young. Voting NAY – None. Councilmember Bush was not present for the vote.

The work session reconvened at 7:44 p.m.

Eric Howes, Community Services Director, Scott Hodge, Public Works Director and Valerie Claussen, Development Services Manager, were not present for the following portion of the work session.

DISCUSSION ON AMENDMENTS TO BUSINESS LICENSE APPEAL PROCEDURES

Brian Brower, City Attorney, stated this discussion was specific to business licensing appeal procedures and believed it might be appropriate to amend the City Code. He directed the Council to the handout titled "Appeal Procedure," Paragraph B specific to the time limitation. He suggested the verbiage be changed from 'service' to 'receipt' as this would allow the City to make notification by certified mail as opposed to having someone serve the papers.

Mr. Brower directed the Council to the handout specific to Title 4, Chapter 1, Section 8, regarding the appeal of the Business License Official's decision. He suggested amending the ordinance to enlist the services of a hearing officer to serve as the appeal authority rather than the City Council. He believed this would avoid an inefficient use of the Council's time. He continued the hearing officer would easily determine if policy was followed and whether the Business License Official's decision was in compliance with City Code.

Mr. Brower pointed out a time limit had not been included in this portion of the Code and suggested the language reflect the appeal be filed in the City Recorder's Office within ten days of the Business License Official's decision. He continued the amendment would also reflect a hearing with the hearing officer within 20 days. Mr. Brower requested direction from the Council on the suggested changes to the City ordinance.

Councilmember LeBaron inquired if the proposed changes were also suggested by the recent training received by Mr. Brower. Mr. Brower responded his training was directed more toward land use and expressed his opinion it would be in the best interest of the Council's time by relieving it of this responsibility.

Mayor Wood expressed his opinion an appellant could view the implementation of a hearing officer as an advantage because a decision made by the City Council in favor of the Business License Official would result in additional revenue for the City in a situation specific to the Good Landlord Program. A discussion took place and the Council agreed the proposed language would be in the best interest of the City.

Mr. Brower asked whether the City Council would want to ratify the hearing officer's decision. Mayor Wood believed the elected officials should have the same opportunity to ratify the decision. Councilmember Shepherd believed the appellant would want the Council's approval of the decision.

A discussion took place specific to the proposed verbiage change. Mr. Brower responded staff would provide proposed language at a later date for the Council's input.

Councilmember Young inquired about possible repercussions if the Council didn't accept the findings of the hearing officer. Mr. Brower explained it would be dependent on the City Attorney's role or other staff on behalf of the City during the hearing. He believed the City Attorney could make a substantial record for legal staff representing the City Council to create its own findings because there would be potential for court proceedings.

Councilmember Murray believed the Council should have the final say in the business license appeal process and considered it part of her job as an elected official.

The Council was in support of the proposed ordinance amendments and directed staff to proceed.

Councilmember Shepherd moved to adjourn to a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation (Utah Code Ann. §52-4-205), seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers LeBaron, Murray, Shepherd, and Young. Voting NO – None. Councilmember Bush was not present for the vote.

The minutes for the closed session are kept in a separate location.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 P.M. WORK SESSION
May 24, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Kent Bush	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Kim Read	Deputy City Recorder
EXCUSED:	Nancy Dean	City Recorder

VISITORS: Participants in Clearfield University.

Councilmember Shepherd called the meeting to order at 6:40 p.m.

PARTICIPATION WITH CLEARFIELD UNIVERSITY

The councilmembers introduced themselves and explained what prompted each of them to run for public office.

Mayor Wood expressed appreciation to Shannon Anderson, resident, for her assistance with the implementation of the 'Clearfield University' program. He continued to express his appreciation to Councilmember Shepherd in addition to City staff for their efforts. He introduced himself and stated his reasons for becoming involved in public office at the local level. He explained the role of the elected officials and how they integrated with staff. He further explained his specific responsibilities and duties as an elected mayor.

Mayor Wood left the meeting at 7:00 p.m.

Councilmember Young explained the role of the City Council and reviewed some of the items brought before the Council during City Council meetings for consideration. JJ Allen, Assistant City Manager, pointed out it was the Council's responsibility to adopt the City's annual budget.

A participant inquired about the process for an item to be placed on a City Council agenda. Councilmember Shepherd responded citizens could contact a councilmember with a concern and clarified it would take two councilmembers' request to the Mayor for an item to be placed on an agenda. He continued staff could also express a need to bring something before the Council for

approval based upon new State legislation or needs brought to light during daily operation of the City.

Councilmember Murray pointed out there was a "Citizen Comment" portion during every City Council meeting which allowed residents the opportunity to address the Council. She continued some of these concerns could result in an item being placed on a future City Council agenda.

A participant inquired about work sessions of the City Council. Councilmember Shepherd responded those meetings were scheduled on an "as needed" basis generally on the off Tuesdays of the regularly scheduled meetings or possibly prior to a regularly scheduled City Council meeting. He explained those meetings were informal and allowed the Council to freely discuss issues and emphasized the Council was not allowed to vote or take action during the work sessions. Mr. Allen emphasized both policy and work sessions were noticed and public meetings allowing anyone to attend. He continued the reason to convene in closed session was mandated by State statute and reviewed those reasons and circumstances.

Councilmember LeBaron shared information about running for office and encouraged participants with that interest to file for candidacy for the next municipal election. He encouraged those individuals to begin getting involved with the agenda, minutes and budget prior to filing for candidacy. He explained the campaign process and potential expense to the participants.

A participant inquired if there were any education requirements associated with serving on the City Council. Councilmember LeBaron responded the education of the current Governor of Utah was a high school diploma and stated there were no educational requirements to be a member of the City Council or Mayor. He reviewed the requirements which were designated in the State code.

A participant inquired if certain councilmembers represented designated areas of the City. Councilmember Murray stated there were no designated districts within Clearfield City and pointed out the elected councilmembers represented all voters within the City.

Councilmember Murray explained the functions of the Planning Commission and how that body was made up and reported those meetings here held the first Wednesday of every month. She stated the commissioners serve alternating terms of five years.

Councilmember Shepherd stated in addition to serving on the Planning Commission residents could serve on the Parks & Recreation Commission. Mr. Allen pointed out the Parks & Recreation Commission met on the third Wednesday of every month. He also pointed out the City had representation on the North Davis Fire District (NDFD) Board, Mosquito Abatement District, MIDA, Youth City Council and North Davis Sewer District. Councilmember Shepherd suggested individuals could also become involved with the City's CERT (Community Emergency Response Team) Program.

Clearfield University participants toured the City Building.

Mayor Wood arrived at 8:00 p.m.

Clearfield University students had the opportunity to participate in a mock City Council meeting.

Councilmember Shepherd announced he had arranged for participants to tour the North Davis Sewer District facilities in Syracuse on Thursday, May 31, 2012, at 6:30 p.m.

Councilmember Shepherd requested the participants complete their survey of the evening's session. He informed them "graduation" would take place during the City Council Meeting scheduled on June 12, 2012.

The meeting adjourned at 8:40 p.m.

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 5, 2012

PRESIDING: Don Wood Mayor

PRESENT: Kent Bush Councilmember
Mike LeBaron Councilmember
Kathryn Murray Councilmember
Bruce Young Councilmember

EXCUSED: Mark Shepherd Councilmember

STAFF PRESENT: Adam Lenhard City Manager
Brian Brower City Attorney
Scott Hodge Public Works Director
Valerie Claussen Development Services Manager
Eric Howes Community Services Director
Greg Krusi Police Chief
Bob Wylie Administrative Services Director
Nancy Dean City Recorder
Kim Read Deputy City Recorder

EXCUSED: JJ Allen Assistant City Manager

VISITORS: Alex Arave, Bailee Arave, Kaitlin Kwiatkowski

Mayor Wood called the meeting to order at 6:10 p.m.

YOUTH CITY COUNCIL INTERVIEWS

The Council interviewed the following candidates for consideration to serve on the Youth City Council: Alex McMillan, Andrew Allred, Bailee Arave, Alex Arave, Kaitlin Kwiatkowski and Kyia Hill.

The Council took a break at 7:12 p.m.

The meeting reconvened at 7:21 p.m.

DISCUSSION ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
INFRASTRUCTURE PROJECT

Valerie Claussen, Development Services Manager, distributed a handout reflecting the Locust Street project which was identified to be funded by CDBG funds. Councilmember Murray inquired if the project would be entirely funded by CDBG funds. Scott Hodge, Public Works Director, clarified \$160,000 would come from CDBG grant funds. Mayor Wood requested clarification if the project would be a total reconstruct including water, sewer and storm drain in

addition to the street. Mr. Hodge responded the improvements would be water, sewer, curb, gutter and sidewalk in addition to the street. He emphasized the other identified projects would be completed in the future using CDBG funds. He pointed out the identified projects on the list had also been provided to Wasatch Front Regional Council to illustrate to them how the City intended to complete future road projects and emphasized the project list was always being modified as needed. A discussion took place regarding the identified roads and projects and Mr. Hodge briefly reviewed the necessary improvements specific to each identified road project.

Mayor Wood inquired if the Council were comfortable with staff proceeding on the proposed road project. Adam Lenhard, City Manager, stated this project had been included in the tentative budget.

DISCUSSION ON THE TITLE 11, CHAPTER 15 - SIGN REGULATIONS

Valerie Claussen, Development Services Manager, distributed a handout and explained the issues with billboard signage and recent legislation adopted by the State. She reported the City completed an inventory of the billboards located within the City. She reviewed the identified billboards and the City's current regulations with the Council. She requested specific direction from the Council regarding digital billboards.

Mayor Wood inquired how the City's current ordinance could affect the annexation associated with Falcon Hill. Adam Lenhard, City Manager, stated unless MIDA (Military Installation Development Authority) was to adopt the City's sign ordinance they would be exempt from the City's land use regulations. Mr. Lenhard reviewed the history and previous discussions regarding the possible annexation of Falcon Hill.

Mr. Lenhard explained the challenges other cities had encountered with sign companies specific to conversion to digital billboards and reviewed those issues with the Council. He suggested the City's language in the ordinance should be specific as to what constituted maintenance of the billboard. He added the specific language suggestion had been suggested by the Utah League of Cities and Towns.

Councilmember Murray expressed her opinion the language of the City's ordinance provided in the handout was specific regarding maintenance. Brian Brower, City Attorney, believed the verbiage could be even more specific as the current language could potentially be interpreted differently by the sign companies. Mr. Lenhard added the League would be providing model language to cities which could be included in the ordinance specific to electronic billboards. A discussion took place regarding the billboards within the City.

Mr. Lenhard emphasized the proposed change of verbiage in sign ordinances was something all entities within the State were addressing. Councilmember LeBaron agreed the City should be specific in its ordinance language and shared an example to support his position. Councilmember

Murray believed the verbiage in the City's current ordinance to be sufficient. Councilmember Young believed the City should always adopt policies to ensure the City's desires.

Mr. Lenhard summarized the City would forward any model language to the Council for consideration and requested the Council's direction specific to electronic faces on billboards. Councilmember Bush believed the electronic signs were a distraction to drivers. A discussion took place regarding the most recent legislation.

Councilmember Bush inquired if other states had similar issues specific to electronic billboards. Mr. Brower stated even if other states had concerns regarding electronic billboards their issues or outcomes wouldn't necessarily have any bearing on the City. He suggested the Council determine how it felt about electronic billboards to determine if stronger language was needed.

Councilmember LeBaron read from the City's ordinance and suggested modifying the language making it more specific to brightness of light. Mayor Wood pointed out the possible light issues if other colors ebbed and flowed specific to brightness with electronic signage and shared a personal example. A discussion took place regarding possible ordinance language modifications.

Mayor Wood inquired how the current language which referenced one-foot candle in brightness was determined. Ms. Claussen responded that was a typical measurement used in those kinds of ordinances. Mayor Wood requested Mr. Brower make a recommendation for the Council to consider.

Mr. Brower responded if it were the Council's desire to prevent billboards from changing to digital or electronic, the ordinance language needed to be strengthened. Ms. Claussen informed the Council sign companies were watching to see how cities would be responding to the recent legislation. Councilmember Murray suggested further research should be completed to better understand the brightness factor prior to amending the ordinance. Mr. Lenhard indicated staff would do that and report findings to the Council.

Mayor Wood stated he was not opposed to change because most industries evolve over time; however, he believed the City should be able to regulate the impact to its residents.

Councilmember Young pointed out that along with evolution of the industry, the frequency of changing the advertisement itself should be considered. He stated he was in favor of the conversion as long as it didn't interfere or become a nuisance with residential areas.

Councilmember Bush agreed to allow conversions and stated signs near residential areas should be turned down to eliminate the amount of light. Councilmember LeBaron believed the sign companies should be allowed to complete the conversions as long as the City could address the amount of light affecting residential properties with ordinance language. Councilmember Murray desired more information be provided before making any recommendation but agreed the City needed to protect the impact to the residents.

Councilmember LeBaron expressed his opinion businesses should be allowed to use their resources to advertise without interference from the City. He expressed specific concern regarding roof signage and asked why the City determined it should not be allowed.

Councilmember Bush pointed out there were specific buildings with different architectural features which prohibited the using of a wall sign advertising the establishment. He also expressed concern regarding the prohibition of pole signs within the City. He shared examples of establishments within the City which could benefit from the use of a pole sign.

Mayor Wood believed some of the issues pointed out by Councilmember Bush were because of poor decisions specific to the location of the business. Councilmember Bush suggested allowing certain signs with a Conditional Use Permit. Mayor Wood believed there were other situations in which other sign options could be available. Ms. Claussen expressed concern regarding the difficulty in drafting ordinance language allowing certain exceptions.

Mayor Wood suggested the formation of a committee consisting of staff, councilmembers and members from the Planning Commission to address proposed changes to the sign ordinance. Mayor Wood expressed his opinion whatever signage was allowed needed to compliment the City in addition to the business and that it also needed to be well maintained and not distracting. Mr. Brower expressed concern with controlling signage with the use of a Conditional Use Permit because the Council would have to allow the signage under certain conditions and those conditions would need to be closely tied to the improvement of potential negative impact and identifiable standards. Councilmember Bush expressed confidence Ms. Claussen and the Planning Commission could come up with acceptable conditions. Mayor Wood pointed out the City's sign ordinance was not the most restrictive when compared to neighboring cities. He suggested the committee assemble and share a presentation at a joint meeting with the Planning Commission.

DISCUSSION ON LEGEND HILLS CAPITAL PROJECTS

Mayor Wood reminded the Council of the proposed projects which had been identified in the tentative budget. He reported a meeting had been held with the developers in the Legend Hills area and some suggestions had been made.

Adam Lenhard, City Manager, reported the City Engineer completed the traffic study and submitted the results after approval of the tentative budget. He indicated the budget identified the installation of 10-inch water line and the replacement of the 16-inch water line to an 18-inch line. He suggested eliminating the replacement of the 16-inch water line and appropriating those funds toward road improvements at this time. He stated Layton City had been receptive to the proposed improvements; however, they were not interested in any joint effort. He believed the road improvements were a more immediate need and would be more beneficial to marketing development in the Legend Hills area.

Mr. Lenhard reported the water line improvement project was creating the avenue for repayment a previous RDA loan to the enterprise fund. He indicated this would delay the repayment until a future date.

Mr. Lenhard referred to the memo written by JJ Allen, Assistant City Manager, and informed the Council the offsite storm drain project from State Street to 1000 East would be necessary for future development in Legend Hills. He suggested appropriating funds in the 2013 budget for completion of the project and indicated it could also serve as repayment of the loan to the enterprise fund.

The Council was in agreement with staff's recommendations.

UPDATE ON WATER CAPITAL FACILITIES PROJECTS

Scott Hodge, Public Works Director, explained the City assembled a water capital facilities plan which identified 34 projects. He reported the City installed five new pressure reducing valves. He reported the new capital facilities plan was specific to culinary water and indicated the plan would be replacing the previous culinary water and sanitary sewer systems which would separate the sewer plan from the culinary water plan. He stated the new plan was updated and included other information from the Census. He reported the plans would be updated approximately every five years or as needed on a more regular basis. He stated he had two draft copies for review, as they were voluminous in nature, and indicated he would be receiving an electronic copy. He indicated the plan would be coming before the Council for formal adoption.

Mayor Wood suggested the road improvement plan be discussed during a future work session.

Mr. Hodge pointed out the CDBG projects had been included in the new plan. He emphasized the City had been moving forward in accomplishing many of the previously identified projects. He pointed out some of the projects had been eliminated because small improvements had corrected the problem.

DISCUSSION ON THE PARKS IMPACT FEE CAPITAL FACILITIES PLAN

Eric Howes, Community Services Director, distributed a handout reflecting the ratings for the RFP (Request for Proposals) for the Park Capital Improvement Plan/Impact Fee Plan. He stated the City was required by the State to have a plan in place and explained its importance for future planning. He directed the Council to the criteria by which the different firms were rated and reviewed them with the Council.

Mr. Howes announced it was the committee's recommendation for the study to be completed by Lewis Young Robertson & Burningham (LYRB). He pointed out the significant component associated with LYRB's proposal was the use of a GIS system. He continued a GIS specialist would be assigned to that task of the plan. He indicated consideration of approval would come before the Council during the June 12, 2012 City Council meeting. Mr. Howes reported Curtis Dickson, Recreation Supervisor, had been instrumental with the specific RFP process and rating criteria.

Adam Lenhard, City Manager, requested clarification specific to scoring the proposals. Mr. Howes explained how the committee had been instructed to rate each category. Valerie Claussen, Development Services Manager, pointed out the RFP asked for the cost of completing three specific tasks and LYRB was the only firm that thoroughly addressed all three items. She expressed her opinion the Capital Facilities Plan was almost ignored by the other firms. Mr. Howes continued to further explain the submissions and a discussion took place regarding the proposals. Mr. Howes expressed his opinion the LYRB proposal was more thorough and in every way superior and accurate.

The Council was in agreement for staff to proceed with the selection of LYRB.

The meeting adjourned at 8:50 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
June 19, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Natalee Flynn	Special Events Coordinator
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Greg Krusi	Police Chief
	Bob Wylie	Administrative Services Director
	Jessica Hardy	Accountant
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 6:09 p.m.

UPDATE ON THE 2013 FOURTH OF JULY ACTIVITIES

Adam Lenhard, City Manager, distributed a handout providing information for a possible wings festival in conjunction with Fourth of July activities for 2013. He reported on the Beehive Sports Wing Festival that took place in Salt Lake on June 16, 2012. He indicated Councilmember Shepherd, Natalee Flynn, Special Events Coordinator, and he had attended the event to learn from it. He explained it was located in the parking lot of Beehive Sports Bar which was an asphalt parking surface with very little shade. He expressed his opinion the City's event should not be held in a parking lot and shade would need to be provided. He also reported on the level of entertainment and expressed his opinion the City would want big entertainment throughout the day. He also believed the participating vendors weren't prepared for the number of people attending the event and suggested a greater variety of vendors should be included as not everyone enjoyed wings. He stated the City learned a lot of what not to do.

Natalee Flynn, Special Events Coordinator, pointed out if beer were to be sold, members of the family under the age of 21 could not attend. Councilmember Shepherd emphasized the Salt Lake (SL) event was for geared for 21 years old and older. Mr. Lenhard pointed out it had been advertised as an "all you can eat" event which was not a good idea as the establishment ran out

of food. Ms. Flynn shared her suggestion for what could be implemented to create a successful event such as shade, music and food vendors.

Mr. Lenhard stated he was glad he attended in order to ensure the success of the City's event. He requested some direction from the Council regarding the event as more in depth planning was taking place. He reviewed some identified goals with the Council:

- An all day event consisting of food and entertainment
- An event that would draw people to the City to show-off Clearfield and have them stay within the City
- Councilmember Young desired a revenue neutral event
- Councilmember Shepherd pointed out vendors from outside of the State would possibly attend and this would be an opportunity to showcase "Clearfield City"
- Councilmember LeBaron wanted a "family" event with something being offered in addition to the wings festival
- Tying in the Air Force given the proximity to HAFB

Mr. Lenhard reviewed the reasons why the Fourth of July activities previously offered during the day had been eliminated from the City's celebration pointing out: shade and the costs associated with City staff. He allowed each councilmember to share what they would desire for an event during the day. Councilmember LeBaron desired activities suited for children. Councilmember Bush suggested some kind of fair rides. It was suggested to use volunteers as a staffing component. Councilmember Murray expressed her opinion that allowing alcohol would not necessarily promote a "family" event.

Mayor Wood pointed out the importance of providing an event for members of the community in addition to being a destination event. He believed the event would be counterproductive if residents were unhappy with it and decided to remain at home. He expressed concern regarding parking for an event of this nature. A discussion took place regarding potential shuttle services from large parcels of property. Councilmember Young suggested providing free parking passes in every utility bill to encourage the residents' attendance. JJ Allen, Assistant City Manager, pointed out the City would need to somehow charge attendees other than for food to offset some of the costs.

Mr. Lenhard reported staff completed research specific to allowing alcohol at the event and briefly reviewed the laws associated with a temporary special event permit. He indicated State statute specific to the selling of beer at an event such as a wings fest would not be applicable; rather, it would be the City's local ordinance which excluded the allowance of beer at the public park location. He proposed holding the wings fest at a different location in which a specific, cordoned off area could be designated for beer purchase and consumption. He emphasized that would mean no one under the age of 21 would be allowed in that cordoned off area and no beer would be allowed to be taken out of the cordoned off area and pointed out what would be involved with that. A discussion took place regarding whether to sell or not sell beer in conjunction with the wings fest.

Councilmember Shepherd believed beer and wings were intertwined and the success of the event would be determined based on the availability of beer. Mayor Wood emphasized the importance of the event complimenting the interest of the City's residents and not detracting from their expectations of a family event. He expressed concern about the potential to deter people from attending because of the atmosphere being different from that of the past in Clearfield for the Fourth of July. Councilmember LeBaron suggested embracing the wings fest as a dry event and advertise it as such. Councilmember Young emphasized the event should be a family event and the beer garden should be so minimal that people wouldn't even notice it and if the alcohol consumption was critical to the success of the wings fest maybe it really shouldn't be considered a "family: event.

Mayor Wood asked the members of the Council if they would like to offer beer at the event and requested each express their opinion. Mayor Wood stated he was not in favor of sponsoring an event which could potentially change the nature or character of the City's Fourth of July celebration. Councilmember Murray was not in favor of selling beer. Councilmember LeBaron stated he also was not in favor of selling beer. Councilmember Bush pointed out the City might need to discuss the issue with the LDS Church and Davis School District since the parking lots and property would also be used for the event. He stated at this time in the discussion he would have to disagree with selling beer. Councilmember Young expressed his opinion the selling of beer could detract from having a "family" event but wouldn't be opposed if it could be accomplished successfully. Councilmember Shepherd believed the vast majority of attendees at a wings festival desired to quench their thirst with beer.

Mayor Wood inquired if wings selling vendors would decline to participate in the wings festival if alcohol were not available. A discussion took place regarding the viability of a wings festival without the availability of beer. Mr. Lenhard stated staff would move forward in determining the interest of vendors in a wings festival with no alcohol.

DISCUSSION ON THE CERTIFIED TAX RATE

Adam Lenhard, City Manager, distributed a handout and announced the certified tax rate had been received from the County and reviewed the findings. He stated Davis County had decreased the assessed property values thereby increasing its proposed tax rate. He indicated the City would be maintaining its revenue level under the proposed scenario. He reminded the Council that there was a debt service component to the tax rate for the general obligation bond payment. He stated the tax rate did not reflect the entire debt service because enterprise funds were used to pay their fair share of the debt service as well. Jessica Hardy, Accountant, added that the enterprise fund would be required to increase its contribution under the new rate and other adjustments would also be necessary to the proposed budget.

UPDATE ON THE FISCAL YEAR 2013 BUDGET

Jessica Hardy, Accountant, distributed a copy of the tentative budget and emphasized staff was presenting a balanced budget for all funds. She reviewed the proposed changes to the tentative budget prior to final approval. The changes were as follows:

- Decreased the CDRA appropriation for the 18-inch waterline project and moved it to be funded through the fund balance.
- Decreased the CDRA appropriation for the 1450 S Storm Drain Project and moved it to be funded through the fund balance.
- Decreased EDA #1 appropriation to the Legend Hills Street Project and moved it to also be funded through the fund balance.
- Added the installation of UCAN Fiber Optic Cable from State Street to the City building funded through the fund balance.
- Allocated fund balance to assist with the funding of the Park Capital Facilities/Impact Fee Plan.
- Decreased the CDBG administrative costs to assist with funding the Locust Street Project.
- Removed the window replacement project for the Community Art Center because the State grant would not cover the project.
- Slightly increased revenue projections in property tax, energy use tax and muni telecom tax as well as the enterprise fund overhead allocation to accommodate the County's changes to the debt service portion of the certified tax rate.

DISCUSSION ON THE REOPEN BUDGET ITEMS FOR FISCAL YEAR 2012

Bob Wylie, Administrative Services Director, distributed a handout reflecting items which would be addressed by re-opening the fiscal year 2012 budget. He directed the Council to the information and reviewed each item reflected on the handout. The Council expressed no questions or concerns and no discussion took place following Mr. Wylie's review of the itemized list.

UPDATE ON ROADWAY IMPROVEMENT PROJECTS

Scott Hodge, Public Works Director, distributed a handout and map reflecting road improvement projects completed the previous two years and briefly reviewed them with the Council. He reviewed the proposed chip seal project list and the proposed future road improvement projects. He also referred to the distributed City maps and explained each one. Mayor Wood pointed out the funding associated with the road improvements was approximately 2.5 million dollars.

Mr. Hodge referred to the map illustrating those roads which needed to be rebuilt and those which could be chip sealed and pointed out the costs associated to accomplish each. He explained the challenges associated with keeping the City's roads maintained.

The Council took a short break at 7:24 p.m.

The meeting resumed at 7:34 p.m.

DISCUSSION ON PROPOSED BOUNDARY ADJUSTMENTS WITH SYRACUSE CITY

Adam Lenhard, City Manager, distributed handouts that reflected city boundaries for both Syracuse and Clearfield City near the 1000 West 200 South and 700 South intersections. Mayor Wood reminded the Council of the proposed development west of 1000 West and south of 200 South by the Ninigret Group. He mentioned the development was proposed to go as far south as Worldwide Packaging and stated a small portion of the property near that location was within Clearfield City.

Mr. Lenhard clarified the property was owned by PRI and could possibly have some easements across it. Mayor Wood explained that in addition to meeting all the requirements associated with the development with Syracuse City, the developer would also have to meet all requirements with Clearfield City for a very small amount of property which would only benefit landscaping and parking for the project. He informed the Council of the options related to the property: requiring the developer to apply with both cities for the development of the entire project or Clearfield could adjust the boundary allowing the entire project to be in Syracuse City.

Councilmember Murray inquired if the City should consider the boundary adjustment as a professional courtesy. Mayor Wood responded that decision was entirely up to the Council.

Mayor Wood reminded the City of previous discussions associated with the boundary change specific to the Syracuse Cemetery and distributed an aerial illustration. He stated the City had previously indicated it would consider the boundary adjustment for the cemetery if Syracuse City would be willing to complete some road improvements on 500 West near Barlow Park and a handout was distributed with photos illustrating what had been done. Mayor Wood shared a brief history associated with those discussions.

Mr. Lenhard explained the issues with Layton City owning property on the west portion of 500 West in addition to Syracuse City and Clearfield City. He indicated Syracuse had attempted to make some improvements and believed the City would not be able to force the continued maintenance at that location. He expressed confusion as to why Syracuse allowed the subdivision to be developed without completion of the street; however, it had been approved without it. He believed the City had no assurances of any future maintenance. A discussion took place regarding the possible boundary adjustment.

Councilmember Bush expressed his opinion Syracuse City purchased the property knowing it was located in Clearfield and with the assumption the cemetery could expand. He pointed out the property near the cemetery was prime residential area and stated he was not in favor of giving away the boundary adjustment. He believed the City would be just giving away property for nothing in return if it approved the boundary adjustment.

Councilmember Young expressed concern about the possible buffer benefitting Clearfield residents living along 700 South and believed the City should consider retaining that influence or control.

Councilmember Murray agreed with Councilmember Bush's comments and didn't believe Syracuse City had been cooperative in previous joint efforts and commented the traffic light installation on 1000 West 200 South as an example.

Councilmember LeBaron agreed with Councilmember Young's comments specific to the controlling of a buffer for Clearfield's residents along 700 South. He stated he didn't like the idea of approving a boundary adjustment for no return or benefit to the City.

Mayor Wood shared an experience with another neighboring city in a similar situation and Clearfield was not granted the boundary adjustment because property was considered property and in no way would any consideration be given to surrender property rights.

Councilmember Shepherd expressed his opinion he was also not in favor of adjusting any boundary to benefit the cemetery. He believed Syracuse completed the road improvements on 500 West in a poor fashion and the City had tried to put forth a good will effort in making that proposed boundary change request.

Mayor Wood stated Mayor Naegle had indicated there were no other options for a cemetery within Syracuse because of the water table. Councilmember Bush responded there were homes with basements in all areas of Syracuse City and didn't believe that to be correct. Councilmember Young commented the City had the same issue with adjusting the boundary to a 20-acre parcel that it would have with a small 3-4 acre parcel: once control was given to another entity the property owner could do whatever it wanted.

A discussion took place regarding the parcels of property. Councilmember Shepherd asked about the process specific to de-annexation and Ms. Dean responded it was very similar to the annexation process. Mayor Wood explained the boundary adjustment discussion in association with the SR 193 extension with Syracuse City and reminded the Council of those previous discussions and the result.

The Council was not in agreement for either boundary adjustment with Syracuse City and directed Mr. Lenhard to communicate that to Syracuse staff. Councilmember Shepherd emphasized he didn't object to the boundary adjustments specific to the small parcel of approximately four acres from a development perspective.

UPDATE ON PROVIDING BUILDING INSPECTION AND PLAN REVIEW FOR SUNSET CITY

JJ Allen, Assistant City Manager, reported Sunset City recently informed the City its Public Works Director/Building Official would be retiring and requested the City provide these services

for the immediate future. He reported the City was currently providing those services according to the City's current fee schedule. He indicated the City submitted a response to Sunset's Request for Proposal (RFP) to provide those services long term and was recently informed they had selected Clearfield City's proposal.

Councilmember Murray inquired if the supplementary work would require the hiring of additional staff. Mr. Allen responded City staff could easily accommodate Sunset's needs. He indicated the proposed agreement was received from Sunset City and would come before the Council for approval.

Councilmember Bush inquired if the City's compensation was a set amount per year or if it would be determined by the project. Mr. Allen stated the work was based on an hourly rate and the services were either half hour or one hour minimums. He stated some services were a set flat fee.

CLEARFIELD UNIVERSITY FINAL REPORT

JJ Allen, Assistant City Manager, distributed a memo and a summary sheet associated with information specific to Clearfield University. He reported on some of the feedback received from the participants. He stated surveys were submitted by participants after every session and reported the comments were overwhelmingly positive.

Councilmember Shepherd and Mr. Allen shared comments and feedback from the participants in addition to identifying the most successful sessions. They also shared what improvements could be made for future sessions. A discussion took place specific to those items and what could be implemented to contribute to the success of future sessions.

Mayor Wood inquired about the time commitment from staff to provide the program. Mr. Allen expressed his opinion a class size of 12 participants was too low given the amount of effort needed from staff. Councilmember Shepherd believed the end of the school year contributed to the low attendance toward the end of the sessions. He stated since the curriculum had already been established less time from staff would be required for future sessions. Councilmember Bush suggested requiring participants to pay a registration fee to encourage a level of commitment. Mr. Allen believed that could also allow for better prizes and snacks during the session. A discussion took place regarding the implementation of a fee.

The consensus of the Council was to continue offering the Clearfield University program with a fall session. Mr. Allen reported funds had been appropriated in the budget to fund the next session and complimented Natalee Flynn and Marliss Scott, Special Event Coordinators, for their efforts in securing sponsors and prizes.

DISCUSSION ON VIDEO RECORDING OF COUNCIL MEETINGS

Mayor Wood reported he had received email requests from a resident encouraging the City to video record City Council meetings and asking that they be streamed on the City's web page. He requested feedback from Adam Lenhard, City Manager, and Nancy Dean, City Recorder.

Adam Lenhard, City Manager, commented it wouldn't be an issue related to cost as he believed it would be relatively inexpensive. He reported there would be a significant impact to the IT (Information Technology) department and the recorder's office for set up prior to a meeting. He added it would require an additional retention requirement for the recording in addition to the video/audio storage space. He believed the implementation would result in additional record keeping by the recorder's office.

The concerns he believed the Council should consider are:

- Would the recording contribute to transparency? He pointed out the City currently audio recorded Council meetings which recordings were easily available, in addition to the availability of the written minutes. He added the Council met nearly every Tuesday during which issues were discussed at length prior to approval during formal City Council meetings. He expressed his opinion the City went above and beyond in providing information to its residents.
- Will it help residents be more informed? Who would be watching the meeting and how would it impact actual meeting attendance? How would the audio/visual affect the quality of public discourse? He pointed out if a resident had concern with an issue the Council was addressing during the policy session it would be too late for their input.

He expressed his opinion the nature and value of the meeting would change once video/audio recording began.

Councilmember Bush inquired about why the resident was making this request. Mayor Wood stated the resident wanted to see the discourse and discussion prior to the outcome of the meeting. He continued the resident wanted to be able to hear how and why the Council made its decision rather than just the final outcome. Mayor Wood pointed out how the citizen comment portion had been moved to the beginning of the meeting rather than at the end to allow for residents to express their concern prior to the Council acting on any given item. He pointed out how difficult it would be to allow interaction from the public from their homes during the work and policy sessions. He reminded the Council of the procedure involved in making public comments during the meetings.

Councilmember Bush believed the resident should attend the work sessions if he/she were concerned about the issues as it was a public meeting. Mayor Wood didn't believe there would be much of an audience for the video recording. Councilmember Shepherd expressed his opinion anytime information could be provided to the public, he would be in favor of it. Councilmember Young wasn't against the recording as long as there weren't a significant cost to the City. Councilmember Bush didn't want to allow the public interaction from home but was not against

the audio recording of the meetings. He suggested completing a survey among residents to determine how valuable they believed it would be.

Nancy Dean, City Recorder, pointed out there were two options for the Council to consider: audio and visual recording. Councilmember LeBaron inquired if podcasting had been considered. He requested staff provide figures for the request but wasn't against providing the service to the residents if it were feasible. Councilmember Murray was against providing recordings of the meetings and expressed concern about how it would affect the spontaneity of the councilmembers during the meetings and expressed concern about additional information in the resident's email request. She pointed out all meetings, with the exception of a very few, involving issues of the City were open to the public and this resident had other opportunities to become involved.

Mayor Wood summarized the majority of the Council was in favor of recording the meetings in some form and believed an audio recording would be sufficient.

JJ Allen, Assistant City Manager, reported he had worked for two different cities which video broadcasted their meetings and indicated the costs was extremely expensive to provide that service. He expressed agreement the audio streaming should be considered as he believed it would be more cost effective. Mayor Wood directed staff to research and report on the costs associated with audio and video recording of meetings and report at a future meeting.

Councilmember LeBaron stated technology was always changing and suggested the City be progressive.

Councilmember Shepherd moved to adjourn the work session and reconvene in a special session at 8:30 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. SPECIAL SESSION
June 28, 2012

PRESIDING: Don Wood Mayor

PRESENT: Kent Bush Councilmember
Mike LeBaron Councilmember
Kathryn Murray Councilmember
Mark Shepherd Councilmember
Bruce Young Councilmember

STAFF PRESENT: Adam Lenhard City Manager
JJ Allen Assistant City Manager
Scott Hodge Public Works Director
Eric Howes Community Services Director
Bob Wylie Administrative Services Director
Nancy Dean City Recorder
Kim Read Deputy City Recorder

EXCUSED: Brian Brower City Attorney

VISITORS: Scotlyn LeBaron

PUBLIC HEARING TO RE-OPEN AND CONSIDER AMENDING THE 2011/2012 FISCAL YEAR BUDGET

State Law required a public hearing before the City Council approved amendments to the City budget. Bob Wylie, Administrative Services Director, presented amendments for the 2011/2012 fiscal year budget. He reminded the Council it should have received an itemized list of amendments which needed to be funded by re-opening the budget. He reviewed the items and asked if there were any questions.

Mayor Wood declared the public hearing open at 6:02 p.m.

Mayor Wood asked for public comments.

There were no public comments.

Councilmember Bush moved to close the public hearing at 6:03 p.m., seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVAL OF RESOLUTION 2012R-13 ADOPTING AMENDMENTS TO THE 2011/2012 FISCAL YEAR BUDGET

Councilmember LeBaron moved to approve Resolution 2012R-13 adopting amendments to the 2011/2012 fiscal year budget and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

There being no further business to come before the Council **Councilmember Murray moved to adjourn at 6:04 p.m., seconded by Councilmember Shepherd. All voting AYE.**

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:30 P.M. WORK SESSION
July 10, 2012

PRESIDING:	Mark Shepherd	Mayor Pro-Tem
PRESENT:	Kent Bush Mike LeBaron Bruce Young	Councilmember Councilmember Councilmember
EXCUSED:	Don Wood Kathryn Murray	Mayor Councilmember
STAFF PRESENT:	JJ Allen Brian Brower Scott Hodge Eric Howes Greg Krusi Bob Wylie Nancy Dean	Assistant City Manager City Attorney Public Works Director Community Services Director Police Chief Administrative Services Director City Recorder
EXCUSED:	Adam Lenhard Kim Read	City Manager Deputy City Recorder

VISITORS: There were no visitors.

Mayor Pro Tem Shepherd called the meeting to order at 6:30 p.m.

DISCUSSION ON THE RADIO TOWER AT THE FREEPORT CENTER

Brian Brower, City Attorney, informed the Council that there was a radio tower in Freeport Center next to building A-15. He indicated ATK, formerly known as Hercules, donated the tower for the City's use in 1994. He explained the City recently received a call from Freeport Center disputing the City's ownership of the tower and discussions about the ownership ensued. Mr. Brower continued the City never contended ownership to the land where the tower was placed. He explained the settlement agreement on the policy session agenda was the result of the discussions with the Freeport Center. He stated Freeport's contentions were that the tower was an improvement that belonged to the property owner and Hercules did not have authority to transfer ownership to the City; therefore, it was the intent of Freeport to seek damages for the use of the tower or minimally for use of the land where the tower was located. Mr. Brower indicated the City did not necessarily agree with Freeport's contentions but believed it to be in the best interest of the City to settle the dispute. He stated the City did not have a current need for the tower but had tried to negotiate a future use for public safety purposes but was unsuccessful.

Adam Lenhard, City Manager, added it was likely Freeport would pursue litigation if the Council chose not to approve the agreement. He stated the staff believed the City's documentation on the

tower ownership was credible but wanted to work with Freeport amicably on the issue. He reiterated the City was not currently using the tower for its purposes and there did not appear to be a need for it in the near future either.

Councilmember LeBaron asked if the City were creating a precedent with its handling of the issue. Mr. Brower expressed his opinion that the way the City handled this issue would not set precedence for other cases that might arise in the future.

DISCUSSION ON THE AWARD OF BID FOR THEATRE SEATING

Eric Howes, Community Service Director, informed the Council that the bid for theater seating closed on Thursday, July 5, 2012. He explained that each bidder was required to measure the little theater and then make a recommendation for seating based on the measurements. He stated each bidder recommended a different number of seats for the theater so the total cost for each bid was different based on the number of seats. He explained the bid also required the bidders to breakdown the cost for supplies and installation which assisted the City in determining a cost per seat price to better analyze the equity of the bids. He continued the bids were also based on compliance with specifications, the need for a local installer and warranty. He stated Academic Specialties had the bid with the lowest cost per seat based on the bid criteria. He recommended the bid be awarded to Academic Specialties based on the per seat cost because the final price could vary depending on the seat configuration determined to be best for the theater. Mr. Howes also suggested the City consider an option to have a removable base that would better accommodate wheelchairs. He stated allowing that option would maximize seating capacity.

Councilmember LeBaron asked how many seats were originally in the theater. Mr. Howes stated previously there were about 98 seats and six were pulled for ADA compliance. Councilmember LeBaron asked if it would be possible to oversell the theater because of ADA needs. Mr. Howes stated a certain number of seats would be reserved for sale until the end in an effort to avoid overbooking any performance.

The Council liked the idea of including the base that provided the option to accommodate wheelchairs when necessary.

The meeting adjourned at 6:47 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
July 10, 2012

PRESIDING:	Mark Shepherd	Mayor Pro-Tem
PRESENT:	Kent Bush Mike LeBaron Bruce Young	Councilmember Councilmember Councilmember
EXCUSED:	Don Wood Kathryn Murray	Mayor Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Brian Brower Scott Hodge Eric Howes Greg Krusi Nancy Dean	City Manager Assistant City Manager City Attorney Public Works Director Community Services Director Police Chief City Recorder
EXCUSED:	Bob Wylie Kim Read	Administrative Services Director Deputy City Recorder

VISITORS: Roger Fitzpatrick, Betty Parker – Freeport Center, Shannon Anderson, Chris Anderson, Karsten Anderson, Parker Anderson, Mike & Patsy Seach

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

Councilmember LeBaron conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JUNE 19, 2012 SPECIAL SESSION AND THE JUNE 26, 2012 POLICY SESSION

Councilmember Young moved to approve the minutes from the June 19, 2012 special session, and the June 26, 2012 policy session, as written, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NAY – None. Councilmember Murray was not present for the vote.

PRESENTATION TO PATSY SEACH FOR HER SERVICE AS A MEMBER OF THE PARKS & RECREATION COMMISSION

Councilmember Bush stated Patsy Seach had served the City as a member of the Parks & Recreation Commission for approximately 20 years and recently resigned. He reviewed some of the successes of the City and the recreation department that she was instrumental in seeing to fruition. Mayor Wood and the City Council desired to recognize Ms. Seach for her service to the City. Councilmember Bush stated he was honored to present her with a plaque as an expression of appreciation.

Ms. Seach expressed her appreciation for the recognition.

PRESENTATION TO KEMP SMITH FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Councilmember LeBaron stated Kemp Smith completed the requirements to receive the rank of Eagle Scout. He requested Kemp explain his Eagle Scout project with the Council. Kemp reported he had decorated an education room and a hands-on exhibit at the Wildlife Rehabilitation Center of Northern Utah in Ogden, Utah. He also shared some of his knowledge specific to bird wildlife with the Council. He mentioned he had earned over 90 merit badges. Councilmember LeBaron presented Kemp with a certificate of recognition.

PRESENTATION TO SHANNON ANDERSON RECOGNIZING HER EFFORTS ASSOCIATED WITH THE IMPLEMENTATION OF CLEARFIELD UNIVERSITY

Mayor Pro Tem Shepherd explained the City recently offered an educational opportunity to residents entitled Clearfield University. Clearfield University allowed participants to attend weekly sessions which taught them how the City functioned. Shannon Anderson was instrumental with the implementation of the program. Mayor Pro Tem Shepherd presented Ms. Anderson with a plaque expressing appreciation on behalf of the City Council.

Ms. Anderson stated she was thankful for the opportunity to learn about the City and expressed appreciation to the department heads and other staff for their cooperation and expertise in teaching the residents how the City functions.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF A WAIVER AND SETTLEMENT AGREEMENT WITH FREEPORT CENTER ASSOCIATES REGARDING THE TOWER LOCATED NEXT TO BUILDING A-15 IN THE FREEPORT CENTER

Brian Brower, City Attorney, acknowledged Betty Parker, Freeport Center, in the audience. He explained attorneys for the City and Freeport Center Associates respectively worked to negotiate a settlement agreement in an ongoing dispute regarding the ownership and control over the antenna tower next to Building A-15 in the Freeport Center. This negotiated settlement would relieve the City of any liability for using the property the tower was located on since 1994 and would resolve any dispute in ownership or control of the tower between the City and Freeport Center Associates going forward.

Mayor Pro Tem Shepherd inquired if Betty Parker, Freeport Center, had anything additional to add to Mr. Brower's remarks pertaining to the Settlement Agreement and expressed appreciation for her attendance. Ms. Parker indicated she would respond to any questions of the Council. The Council had no questions for Ms. Parker.

Councilmember LeBaron moved to approve the negotiated Waiver and Settlement Agreement with Freeport Center Associates as proposed regarding the tower next to Building A-15 in the Freeport Center and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NAY – None. Councilmember Murray was not present for the vote.

APPROVAL OF AN AGREEMENT TO PROVIDE SUNSET CITY WITH BUILDING INSPECTION SERVICES

JJ Allen, Assistant City Manager, explained that Sunset City recently requested proposals for the provision of building inspection and related services. Since Clearfield's Building Official had capacity to take on the small amount of work that would come from Sunset, the City submitted a proposal based on its Consolidated Fee Schedule. Sunset City selected Clearfield City's proposal and the agreement represented the next step in the process.

Councilmember Bush moved to approve the agreement with Sunset City for building inspection 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 Bush, LeBaron, Shepherd and Young. Voting NAY – None. Councilmember Murray was not present for the vote.

APPROVAL OF THE AWARD OF BID FOR THEATRE SEATING AT THE COMMUNITY ARTS CENTER

The City solicited bids for theatre seating at the Community Arts Center. Eric Howes, Community Services Director, recommended Academic Specialties be awarded of project. He distributed a handout reflecting the score sheet used to determine the recommendation.

Councilmember LeBaron moved to approve the award of bid for theatre seating at the Community Arts Center and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Shepherd and Young. Voting NAY – None. Councilmember Murray was not present for the vote.

COMMUNICATION ITEMS

Mayor Pro Tem Shepherd

1. Thanked staff for its work in creating a successful Fourth of July celebration. He indicated he had received a number of positive comments from the public.
2. Informed the Council of the accident involving a North Davis Fire District (NDFD) ambulance in South Ogden and indicated an investigation was ongoing. He expressed best wishes to all those involved in the accident.
3. Informed the Council of the annual Kiwanis Breakfast scheduled for August 4, 2012, 8:00 a.m. to 10:30 a.m. at Kiwanis Park.

Councilmember Bush –Expressed appreciation to everyone involved in the Fourth of July celebration. He mentioned the band Outrageous was fantastic. Reported on information he received from a participating vendor and his positive comments.

Councilmember LeBaron

1. Thanked staff for Fourth of July celebration efforts, most notably the police department.
2. Reported he would be attending the Planning Commission meeting scheduled for Wednesday, July 11, 2012.

Councilmember Young – thanked staff for the Fourth of July celebration efforts and believed it was a great community building event.

Adam Lenhard, City Manager

1. Informed the Council the work session scheduled for Tuesday, July 17, 2012 would not be a joint meeting with the Planning Commission. He reviewed some of the issues which needed to be discussed with both the Planning Commission and City Council and the developer of the UTA (Utah Transit Authority) site.
2. Complimented the department heads and their staff involved in a successful Fourth of July celebration.

STAFF REPORTS

Nancy Dean, City Recorder

1. Informed the Council that there was a work session scheduled for Tuesday, July 17, 2012.
2. Reported there were no other meetings scheduled until August 14, 2012.

There being no further business to come before the Council **Councilmember Bush moved to adjourn at 7:29 p.m., seconded by Councilmember LeBaron . All voting AYE.** Councilmember Murray was not present for the vote.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
July 17, 2012

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Mike LeBaron	Councilmember
	Kathryn Murray	Councilmember
	Mark Shepherd	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	JJ Allen	Assistant City Manager
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Greg Krusi	Police Chief
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: There were no visitors.

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

DISCUSSION ON FOURTH OF JULY FESTIVITIES

JJ Allen, Assistant City Manager, informed the Council that Marliss Scott and Natalee Flynn, Special Events Coordinators, had contacted vendors to gauge interest in participating in a wings festival. He reported ten vendors were contacted and two declined to participate. He indicated contact had also been initiated with other festival organizers to determine what should be implemented for a successful event.

Councilmember Shepherd shared a brief history of how Trolley Wing company had evolved from Wing Nuts. Mr. Allen reviewed the distributed handout reflecting comments/ideas for a successful event:

- Only one vendor expressed concern that no alcohol would be sold at the festival
- One vendor expressed concern with scheduling the event on the Fourth of July. Mr. Allen mentioned this was also a concern for City staff.
- The selling of wings doesn't bring in significant revenue so what would be the motivation to the participating vendor.
- Cooking wings is complicated and how would this be accomplished.
- Wing purchases and pricing needs to be carefully structured.

Mr. Allen expressed concern about the required work force for a wings festival and previous dependency on volunteers within the community. Councilmember Bush stated the Youth City Council should be heavily involved. Councilmember Shepherd suggested the involvement of the Kiwanis Club and pointed out Clearfield and Layton chapters would be merging. Mr. Allen stated the use of employees from other department would be imperative.

Mr. Allen added a day long festival would need to be combined with a variety of other activities to promote the wingfest: musical concerts, children activities such as inflatables and other vendors and contests.

A discussion specific to the location of large shade tents, generators and the other festivities such as the stage and inflatables associated with the Fourth of July celebration took place. Mayor Wood suggested closing 1000 East and involving Clearfield High School. Councilmember Shepherd believed the inflatables and tents should be removed prior to the fireworks. Erik Howes, Community Services Director, reported the vendor tents were removed the following day. Adam Lenhard, City Manager, indicated the city would be using most of the tents from the region to provide the necessary shade during the day and expressed concern about providing the needed electricity for such an event.

Mr. Allen believed the cost to put on an event of this magnitude would be significant and had no previous experience to draw from in providing data on the exact cost to the Council. He indicated the City would want to look for sponsors in addition to tourism dollars.

Mr. Lenhard emphasized the City would want to do the event right the first time and expressed concern how Ms. Flynn and Ms. Scott could add the time needed to organize this event in conjunction with their regular work load. Councilmember Shepherd suggested the implementation of a planning committee consisting of vested individuals.

Councilmember Murray inquired about the interest of an event during the heat of the afternoon and believed that contributed to the elimination of festivities at the park following the parade. Councilmember LeBaron shared his experience of working in a booth during the day when the City offered that type of event and believed there seemed to be enough interest. Mayor Wood added some vendors decided to no longer participate in the City's event because it wasn't worth their time. A discussion took place to what could be included which would make the event successful.

Mr. Lenhard requested input and direction from the Council on whether staff should proceed with organizing the wings festival. The Council stated it was in favor of moving forward with the wings fest and directed staff to move forward. Mr. Allen emphasized the event would need significant resources in order to make it successful. Mayor Wood pointed out the challenges associated with recruiting volunteers for the Fourth of July due to other family traditions or vacations.

Councilmember LeBaron pointed out the City really didn't know a lot of specifics right now but would gain knowledge by visiting other events. Councilmember Murray mentioned the City wasn't too early in its planning for this type of event and shared some examples. Councilmember Young believed it would be critical to assemble the committee now which could be involved with the planning process from the beginning. Councilmember LeBaron suggested if the Fourth of July was not a good time for the wingfest it could be planned to take place another time of year such as a fall festival.

A discussion took place regarding neighboring city celebrations not happening on the Fourth of July. Councilmember Young believed the City's event was the premiere event for the Fourth of July. Mayor Wood mentioned the advertising of the event even to City residents would be critical to its success because the City had moved away from activities taking place at the park between the parade and fireworks.

Mr. Allen stated staff would move forward and continue to keep the Council informed on the information obtained from other events.

DISCUSSION ON THE CITY FLEET

Scott Hodge, Public Works Director, stated funds had been appropriated to purchase some new vehicles for the City's fleet and distributed a handout reflecting the State contract costs used in purchasing vehicles. He explained the need to purchase a three quarter ton pickup instead of a half ton pickup truck and pointed out the price difference. A discussion took place regarding the different features associated with each of the vehicles and the Council agreed with Mr. Hodge's recommendation to purchase the higher powered vehicle. Mr. Lenhard suggested the fleet committee determine the specific features needed for the vehicle.

DISCUSSION ON DOWNTOWN REDEVELOPMENT

JJ Allen, Assistant City Manager, stated the City was considering providing assistance with the demolition of the buildings on the property located on the northwest corner of Center Street and Main Street owned by Jerry Knight. He believed the improvement would make the property more attractive to a developer. He informed the Council the demolition contractor, Utah Correctional Industries (UCI), didn't have an actual cost for the demolition but would be providing that at a later date. He explained UCI was the same contractor who completed the demolitions on 700 South for UDOT and noted the labor would be provided by prison inmates.

Councilmember LeBaron inquired if a determination had been made specific to any environmental concerns associated with the buildings. Mr. Allen responded asbestos had been located in the floor of the building. He continued there was a fair amount of asphalt and concrete located on the property and the contractor would need to know if that would be included in the

demolition or whether the demolition would consist entirely of the buildings. Mr. Lenhard added the site was pretty clean as far as remediation of the facilities.

Councilmember Murray inquired about the acreage of the property. Mr. Lenhard responded after inclusion of the City's property, it was approximately four to four and one half acres. A discussion took place regarding neighboring parcels of property.

Mr. Allen stated once he obtained additional information regarding the demolition he would bring it before the Council in the future.

UPDATE ON VISION 2020

Adam Lenhard, City Manager, reminded the Council of the Vision 2020 public open house held earlier in the year and reported changes had been made to the strategic plan and brought before the Planning Commission. He expressed his opinion the City was on the right track with the proposed strategic plan.

He reviewed the proposed changes with the Council.

Economic Environment:

- Eliminate the welcome packet because it had been implemented.
- Eliminate the long range strategic plans for each project area in the CDRA because the CDRA budget had been drafted using that specific tactic. He pointed out one of the tactics identified in the Downtown Clearfield Area of Emphasis was to facilitate the construction and operation of a business meeting center. He commented this had been recognized as a need from business owners within the community.

Social Environment:

- Design and engineer the West Park Village Park and the last phase of Barlow Park. He mentioned these projects had been appropriated for during the budget process.
- Plan and administer "Clearfield University" on an annual basis.

Councilmember Murray inquired if the City were keeping the previous plans which would reflect and measure the City's progress in completing the identified strategies and tactics. Mr. Lenhard responded the completed items would be included in a separate document which would reflect the eliminated items from previous plans. He mentioned they would also be included on the City's web page.

Mayor Wood also inquired what measures were in place to keep those items completed and removed from the plan, continuing to be perpetuated as a focus for future staff or elected officials. Councilmember Murray suggested keeping those items in the Plan with a notation reflecting it had been accomplished. Mr. Lenhard explained the difficulty in doing that yet keeping the document manageable. Councilmember Young expressed his opinion it would be a

good idea to have another document reflecting what had been completed to be used hand in hand with the Vision 2020 Strategic Plan. Mr. Lenhard agreed with Councilmember Young's suggestion in having that document be an exhibit to the Vision 2020 Strategic Plan with the inclusion of a summary explaining the implementation/completion process.

Mr. Lenhard directed the Council to the handout reflecting the open house comments and mentioned some had been included in the Plan. Councilmember Murray believed the Strategic Plan had been good to determine the City's direction which had not been previously identified and believed it had been instrumental to measure success. A discussion took place during which the councilmembers each expressed their opinions and suggestions for the Plan. Mr. Lenhard stated an appendix would be included in the final 2012 draft for adoption at the next policy session on August 14, 2012.

The meeting adjourned at 7:05 p.m.

CLEARFIELD CITY ORDINANCE 2012-07

AN ORDINANCE AMENDING TITLE 11, CHAPTER 3, SECTION 3 OF THE CLEARFIELD CITY CODE

PREAMBLE: This Ordinance amends Title 11, Chapter 3, Section 3 “Terms Defined” of the Clearfield City Code by modifying the definition of the term “Family”.

BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:

Section 1. Enactment:

Title 11, Chapter 3, Section 3 of the Clearfield City Code is hereby amended to read as follows:

FAMILY: Shall include the following:

- A. The head of household and all persons related to the head of household by blood, marriage, legal guardianship, or adoption as a parent, child, sibling, grandparent or legal guardian, living together as a single housekeeping unit in a dwelling unit. Such spouse, parent, child, sibling, grandparent or guardian must actually reside in the subject dwelling; or
- B. ~~Two (2)~~ *Up to three (3) unrelated* persons, with or without children, living together as a single housekeeping unit in a dwelling unit.

Section 2. Repealer: Any provision or ordinances that are in conflict with this ordinance are hereby repealed.

Section 3. Effective Date: This ordinance shall become effective September 1, 2012.

Passed and adopted by the Clearfield City Council this 14th day of August, 2012.

CLEARFIELD CITY CORPORATION

Donald W. Wood, Mayor

ATTEST:

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

CLEARFIELD CITY RESOLUTION 2012R-14

A RESOLUTION APPROVING AMENDMENTS TO THE CITY'S TEN-YEAR STRATEGIC PLAN AND ADOPTING THE UPDATED "VISION 2020"

WHEREAS, in 2010, Clearfield City adopted a ten-year strategic plan entitled "Vision 2020"; and

WHEREAS, substantial community participation and involvement including significant input from representatives of major stakeholders such as Hill Air Force Base, Freeport Center, Davis School District, Wasatch Front Regional Council, developers, business owners and residents were incorporated into the development of the Vision 2020 plan; and

WHEREAS, periodic review and updating of the City's long-term strategic planning is necessary in order to keep goals, strategies and tactics focused in the direction the organization has been given by its governing body following extensive input from stakeholders; and

WHEREAS, after further review, evaluation, and discussion of the goals, strategies and tactics enumerated in the Clearfield City's Vision 2020 plan, including what portions of the plan have already been accomplished, the Clearfield City Council now desires to update the Vision 2020 plan to better reflect both the City's current position as well as its future direction; and

WHEREAS, the City Council has reviewed and carefully considered the updated version of the Vision 2020 plan which has been attached to this Resolution as Exhibit "A";

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that the newly updated version of the Vision 2020 plan as set forth in the attached Exhibit "A" is hereby adopted as the current strategic plan for Clearfield City and staff is directed to begin implementing such.

PASSED AND ADOPTED this 14th day of August, 2012.

ATTEST:

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Don W. Wood, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

Bid #2012B-16 - Clearfield Road Striping 2012

Creation Date **Jul 2, 2012**

End Date **Jul 17, 2012 3:00:00 PM MDT**

Start Date **Jul 2, 2012 4:31:34 PM MDT**

Awarded Date **Not Yet Awarded**

Interstate Barricades		\$0.00		
Bid Contact Brandon Hardison jennae@interstatebarricades.com Ph 801-546-0220		Address 858 N. McCormick Way Layton, UT 84041		
Agency Notes:		Supplier Notes:		
Item #	Line Item	Unit Price	Qty/Unit	Total Price
2012B-16--01-01	Clearfield City Road Striping 2012 - First Offer	\$0.00	1 / each	\$0.00
Product Code:		Supplier Product Code:		
Agency Notes:		Supplier Notes: See attached estimate for pricing.		

Morgan Pavement		\$19,842.00		
Bid Contact Tres Smith tsmith@morganpavement.com Ph 801-544-5947 Fax 801-416-8061		Address P.O. Box 190 Clearfield, UT, UT 84098		
Agency Notes:		Supplier Notes:		
Item #	Line Item	Unit Price	Qty/Unit	Total Price
2012B-16--01-01	Clearfield City Road Striping 2012 - First Offer	\$19,842.00	1 / each	\$19,842.00
Product Code:		Supplier Product Code:		
Agency Notes:		Supplier Notes:		

All Star Striping		\$22,259.00		
Bid Contact Jeff Anderson jeff@allstarstriping.com Ph 801-399-0099		Address 2650 Wall Ave Ogden, UT 84401		
Agency Notes:		Supplier Notes:		
Item #	Line Item	Unit Price	Qty/Unit	Total Price
2012B-16--01-01	Clearfield City Road Striping 2012 - First Offer	\$22,259.00	1 / each	\$22,259.00
Product Code:		Supplier Product Code:		
Agency Notes:		Supplier Notes:		



INTERSTATE BARRICADES

858 N McCormick Way, Layton, UT 84041
Phone (801)546-0220 | Fax (801)546-0233

ESTIMATE

Date	Estimate #
7/16/2012	41311

Customer

Clearfield City Corporation
Attn: Kim Dabb

Project

2012B-16
Clearfield Road Striping 2012
Utah - Davis County
Non-Federal

Estimator

Jennae Blood
jennae@interstatebarricades.com
(801) 546-0220

Item #	Work or Materials	Qty	UOM	Unit Price	Total
	4" Pavement Marking Paint	112,000.00	LF	0.078	8,736.00
	Pavement Marking Paint (Stop Line, Crosswalks-12 inch)	3,725.00	LF	1.150	4,283.75
	Pavement Message Paint	367.00	EA	15.250	5,596.75
				TOTAL	18,616.50

Notes

1	Quantities are for estimating purposes only, city to be billed for actual amount of product put down. Quantities based on what was done in previous years.
2	One application of paint included in pricing, any others will be an additional charge.
3	All pavement markings bid as city/county spec waterborne pavement marking paint applied at approximately 300 LF/Gallon.
4	Follow Truck with early warner system included in bid pricing for mainline striping.
5	50 degrees and rising temperatures required for permanent paint application as per manufacturer's recommendations.
6	Manufacturers do not warranty Waterborne Pavement Marking Paint, contractor to be billed for each application required.
7	Exclusions: sweeping, cleaning, layout.



BID RESULTS

University Park Boulevard Roadway Improvement Project

OWNER: CLEARFIELD CITY
ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS

BID DATE: 8 August 2012
TIME: 2:30 pm
BID LOCATION: Clearfield City Offices
55 South State Street; 3rd Floor
Clearfield, Utah 84015

PLAN HOLDER NAME	ADDENDUM	BID BOND	BID AMOUNT
Allen Industrial, LLC.	None	5%	\$249,721.90 Bid withdrawn
Craythorne Inc.	None	5%	\$255,195.35
Brinkerhoff Excavating & Construction	None	5%	\$261,301.80
Staker Parson Company	None	5%	\$268,756.00
Kapp Construction	None	5%	\$294,479.85
E.H. Knudson Construction Co., Inc.	None	5%	\$336,805.00
Green Construction, Inc.	None	5%	\$347,486.60

8 August 2012

Clearfield City
55 South State Street
Clearfield, Utah 84015

Attn: Mayor Don Wood and City Council
Proj: **University Park Boulevard Roadway Improvement 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 Craythorne Construction of Syracuse, Utah.

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

Since Craythorne Construction’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 \$255,195.35 to Craythorne Construction Company.

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.



N. Scott Nelson, P.E.
City Engineer

Cc: Nancy Dean – Clearfield City Recorder
Scott Hodge – Clearfield Public Works Director
Kim Dabb – Clearfield City Operations Manager

BID PROPOSAL TABULATION

UNIVERSITY PARK BOULEVARD ROADWAY IMPROVEMENT PROJECT

BID DATE: 8 AUGUST 2012

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Allen Industrial, LLC. 1135 West 650 North Centerville, Utah 84014		Craythorne Inc. 601 West 1700 South Syracuse, Utah 84075		Brinkerhoff Excavating 3738 North Higley Rd. Ogden, UT 84404	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization, bonds, traffic control and management.	1	ls	\$18,500.00	\$18,500.00	\$4,403.00	\$4,403.00	\$10,000.00	\$10,000.00
2.	Remove existing asphalt and roadbase to sub-base grade.	558	sy	\$18.50	\$10,323.00	\$4.31	\$2,404.98	\$3.50	\$1,953.00
3.	Remove existing gravel, dirt and shoulder debris	1,192	sy	\$18.50	\$22,052.00	\$4.51	\$5,375.92	\$3.50	\$4,172.00
4.	Remove existing sidewalk near canal.	24	lf	\$10.00	\$240.00	\$3.45	\$82.80	\$20.00	\$480.00
5.	Remove existing curb and gutter.	125	lf	\$10.00	\$1,250.00	\$3.70	\$462.50	\$4.00	\$500.00
6.	Remove existing old wire fencing.	270	lf	\$3.00	\$810.00	\$1.41	\$380.70	\$2.00	\$540.00
7.	Install concrete curb and gutter.	1,285	lf	\$15.24	\$19,583.40	\$16.49	\$21,189.65	\$15.66	\$20,123.10
8.	Install 4-foot wide at 4" thick concrete sidewalk.	1,190	lf	\$5.00	\$5,950.00	\$11.84	\$14,089.60	\$14.78	\$17,588.20
9.	Install handicap ramps (red in color).	3	ea	\$1,250.00	\$3,750.00	\$614.00	\$1,842.00	\$733.00	\$2,199.00
10.	Install untreated roadbase materials (10" thick).	890	ton	\$16.50	\$14,685.00	\$17.50	\$15,575.00	\$14.00	\$12,460.00
11.	Install bituminous asphalt paving materials (5" thick).	470	ton	\$82.00	\$38,540.00	\$87.21	\$40,988.70	\$88.00	\$41,360.00
12.	Install 8-inch diameter, pvc, culinary water pipe.	190	lf	\$18.50	\$3,515.00	\$16.79	\$3,190.10	\$23.00	\$4,370.00
13.	Install 10-inch diameter, pvc, culinary water pipe.	1,710	lf	\$22.30	\$38,133.00	\$25.84	\$44,186.40	\$24.75	\$42,322.50
14.	Install 20-inch diameter steel casing.	30	lf	\$100.00	\$3,000.00	\$562.00	\$16,860.00	\$290.00	\$8,700.00

Bid Item	Description	Quantity	Unit	Allen Industrial, LLC. 1135 West 650 North Centerville, Utah 84014		Craythorne Inc. 601 West 1700 South Syracuse, Utah 84075		Brinkerhoff Excavating 3738 North Higley Rd. Ogden, UT 84404	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
15.	Install a 8-inch gate valve.	3	ea	\$1,230.00	\$3,690.00	\$1,416.00	\$4,248.00	\$1,592.00	\$4,776.00
16.	Install a 10-inch gate valve.	3	ea	\$1,460.00	\$4,380.00	\$1,988.00	\$5,964.00	\$2,170.00	\$6,510.00
17.	Install an air release valve in a 5-foot diameter manhole	1	ea	\$1,123.00	\$1,123.00	\$2,962.00	\$2,962.00	\$2,220.00	\$2,220.00
18.	Install a 10-inch check valve in a concrete vault at Sta.	1	ea	\$1,340.00	\$1,340.00	\$34,244.00	\$34,244.00	\$36,000.00	\$36,000.00
19.	Install a fire hydrant.	3	ea	\$2,700.00	\$8,100.00	\$3,570.00	\$10,710.00	\$3,951.00	\$11,853.00
20.	Construct a waterline connection at Sta 1+19.16.	1	ls	\$850.00	\$850.00	\$2,084.00	\$2,084.00	\$2,775.00	\$2,775.00
21.	Construct a waterline connection at Sta. 11+89.07 (1400	1	ls	\$850.00	\$850.00	\$877.00	\$877.00	\$1,950.00	\$1,950.00
22.	Construct a waterline connection at Sta. 17+50.11 (1450	1	ls	\$850.00	\$850.00	\$768.00	\$768.00	\$2,400.00	\$2,400.00
23.	Furnish pipe bedding materials.	450	ton	\$12.40	\$5,580.00	\$10.79	\$4,855.50	\$9.00	\$4,050.00
24.	Furnish trench backfill materials.	950	ton	\$13.85	\$13,157.50	\$10.79	\$10,250.50	\$11.40	\$10,830.00
25.	Adjust irrigation manhole at Sta. 5+90.18.	1	ea	\$1,250.00	\$1,250.00	\$569.00	\$569.00	\$1,500.00	\$1,500.00
26.	Install roadway striping and roadway messages.	1	ls	\$11,520.00	\$11,520.00	\$4,612.00	\$4,612.00	\$3,470.00	\$3,470.00
27.	Restore landscaping public/private improvements.	1	ls	\$7,000.00	\$7,000.00	\$200.00	\$200.00	\$2,500.00	\$2,500.00
28.	Adjust manhole ring and cover to finish grade.	2	ea	\$1,200.00	\$2,400.00	\$569.00	\$1,138.00	\$600.00	\$1,200.00
29.	Adjust valve box ring and cover to finish grade.	2	ea	\$400.00	\$800.00	\$236.00	\$472.00	\$500.00	\$1,000.00
30.	signs, City regulatory signs and UTA signs.	1	ls	\$6,500.00	\$6,500.00	\$210.00	\$210.00	\$1,500.00	\$1,500.00

Bid Item	Description	Quantity	Unit	Allen Industrial, LLC. 1135 West 650 North Centerville, Utah 84014		Craythorne Inc. 601 West 1700 South Syracuse, Utah 84075		Brinkerhoff Excavating 3738 North Higley Rd. Ogden, UT 84404	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
TOTAL BID:				\$249,721.90 Bid withdrawn		\$255,195.35		\$261,301.80	
Surety Company				Westchester Fire Ins. Co.		Old Republic		The Cincinnati Ins. Co.	
City, State				Pennsylvania		Brookfield, WI		Fairfield, OH	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				5633571-5501		251308-5501			

BID PROPOSAL TABULATION

UNIVERSITY PARK BOULEVARD ROADWAY IMPROVEMENT PROJECT

BID DATE: 8 AUGUST 2012

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, Utah 84401		Kapp Construction 1595 West 3300 South Ogden, Utah 84401		E.H. Knudson Construction 2127 West 3300 South Ogden, Utah 88401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization, bonds, traffic control and management.	1	ls	\$19,394.95	\$19,394.95	\$18,365.00	\$18,365.00	\$9,000.00	\$9,000.00
2.	Remove existing asphalt and roadbase to sub-base grade.	558	sy	\$4.30	\$2,399.40	\$11.30	\$6,305.40	\$3.00	\$1,674.00
3.	Remove existing gravel, dirt and shoulder debris	1,192	sy	\$6.30	\$7,509.60	\$7.40	\$8,820.80	\$4.00	\$4,768.00
4.	Remove existing sidewalk near canal.	24	lf	\$8.90	\$213.60	\$14.85	\$356.40	\$7.00	\$168.00
5.	Remove existing curb and gutter.	125	lf	\$4.50	\$562.50	\$4.75	\$593.75	\$4.00	\$500.00
6.	Remove existing old wire fencing.	270	lf	\$2.75	\$742.50	\$3.45	\$931.50	\$1.50	\$405.00
7.	Install concrete curb and gutter.	1,285	lf	\$13.55	\$17,411.75	\$16.50	\$21,202.50	\$16.00	\$20,560.00
8.	Install 4-foot wide at 4" thick concrete sidewalk.	1,190	lf	\$12.15	\$14,458.50	\$17.20	\$20,468.00	\$16.00	\$19,040.00
9.	Install handicap ramps (red in color).	3	ea	\$702.00	\$2,106.00	\$650.00	\$1,950.00	\$650.00	\$1,950.00
10.	Install untreated roadbase materials (10" thick).	890	ton	\$16.05	\$14,284.50	\$17.75	\$15,797.50	\$22.00	\$19,580.00
11.	Install bituminous asphalt paving materials (5" thick).	470	ton	\$59.65	\$28,035.50	\$79.10	\$37,177.00	\$90.00	\$42,300.00
12.	Install 8-inch diameter, pvc, culinary water pipe.	190	lf	\$17.70	\$3,363.00	\$30.00	\$5,700.00	\$29.00	\$5,510.00
13.	Install 10-inch diameter, pvc, culinary water pipe.	1,710	lf	\$27.25	\$46,597.50	\$19.40	\$33,174.00	\$34.00	\$58,140.00
14.	Install 20-inch diameter steel casing.	30	lf	\$592.90	\$17,787.00	\$1,583.00	\$47,490.00	\$1,400.00	\$42,000.00

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, Utah 84401		Kapp Construction 1595 West 3300 South Ogden, Utah 84401		E.H. Knudson Construction 2127 West 3300 South Ogden, Utah 88401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
15.	Install a 8-inch gate valve.	3	ea	\$1,491.00	\$4,473.00	\$1,245.00	\$3,735.00	\$1,700.00	\$5,100.00
16.	Install a 10-inch gate valve.	3	ea	\$2,094.00	\$6,282.00	\$1,825.00	\$5,475.00	\$2,700.00	\$8,100.00
17.	Install an air release valve in a 5-foot diameter manhole	1	ea	\$3,121.00	\$3,121.00	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00
18.	Install a 10-inch check valve in a concrete vault at Sta.	1	ea	\$36,080.00	\$36,080.00	\$36,077.00	\$36,077.00	\$40,860.00	\$40,860.00
19.	Install a fire hydrant.	3	ea	\$3,762.00	\$11,286.00	\$3,653.00	\$10,959.00	\$4,700.00	\$14,100.00
20.	Construct a waterline connection at Sta 1+19.16.	1	ls	\$2,196.00	\$2,196.00	\$2,735.00	\$2,735.00	\$3,000.00	\$3,000.00
21.	Construct a waterline connection at Sta. 11+89.07 (1400	1	ls	\$923.40	\$923.40	\$1,040.00	\$1,040.00	\$2,100.00	\$2,100.00
22.	Construct a waterline connection at Sta. 17+50.11 (1450	1	ls	\$808.90	\$808.90	\$900.00	\$900.00	\$2,100.00	\$2,100.00
23.	Furnish pipe bedding materials.	450	ton	\$11.35	\$5,107.50	\$3.00	\$1,350.00	\$23.00	\$10,350.00
24.	Furnish trench backfill materials.	950	ton	\$11.35	\$10,782.50	\$3.00	\$2,850.00	\$15.00	\$14,250.00
25.	Adjust irrigation manhole at Sta. 5+90.18.	1	ea	\$783.00	\$783.00	\$1,030.00	\$1,030.00	\$700.00	\$700.00
26.	Install roadway striping and roadway messages.	1	ls	\$3,536.00	\$3,536.00	\$3,450.00	\$3,450.00	\$4,500.00	\$4,500.00
27.	Restore landscaping public/private improvements.	1	ls	\$4,968.00	\$4,968.00	\$550.00	\$550.00	\$400.00	\$400.00
28.	Adjust manhole ring and cover to finish grade.	2	ea	\$615.60	\$1,231.20	\$395.00	\$790.00	\$350.00	\$700.00
29.	Adjust valve box ring and cover to finish grade.	2	ea	\$507.60	\$1,015.20	\$300.00	\$600.00	\$350.00	\$700.00
30.	signs, City regulatory signs and UTA signs.	1	ls	\$1,296.00	\$1,296.00	\$625.00	\$625.00	\$750.00	\$750.00

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, Utah 84401		Kapp Construction 1595 West 3300 South Ogden, Utah 84401		E.H. Knudson Construction 2127 West 3300 South Ogden, Utah 88401	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
TOTAL BID:				\$268,756.00		\$294,497.85		\$336,805.00	
Surety Company				Fidelity & Deposity		The Guarantee of North America		International Fidelity	
City, State				Baltimore, MD		Southfield, MI		Newark, NJ	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				4910822-5501		247650-5501		225468-5501	

BID PROPOSAL TABULATION

UNIVERSITY PARK BOULEVARD ROADWAY IMPROVEMENT PROJECT

BID DATE: 8 AUGUST 2012

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Green Construction 903 West Center St. Bldg D. North Salt Lake, Utah 84054	
				Unit Price	Total Amount
1.	Mobilization, bonds, traffic control and management.	1	ls	\$12,915.60	\$12,915.60
2.	Remove existing asphalt and roadbase to sub-base grade.	558	sy	\$8.50	\$4,743.00
3.	Remove existing gravel, dirt and shoulder debris	1,192	sy	\$0.80	\$953.60
4.	Remove existing sidewalk near canal.	24	lf	\$5.65	\$135.60
5.	Remove existing curb and gutter.	125	lf	\$3.35	\$418.75
6.	Remove existing old wire fencing.	270	lf	\$6.70	\$1,809.00
7.	Install concrete curb and gutter.	1,285	lf	\$17.65	\$22,680.25
8.	Install 4-foot wide at 4" thick concrete sidewalk.	1,190	lf	\$15.65	\$18,623.50
9.	Install handicap ramps (red in color).	3	ea	\$1,192.55	\$3,577.65
10.	Install untreated roadbase materials (10" thick).	890	ton	\$20.35	\$18,111.50
11.	Install bituminous asphalt paving materials (5" thick).	470	ton	\$82.10	\$38,587.00
12.	Install 8-inch diameter, pvc, culinary water pipe.	190	lf	\$32.65	\$6,203.50
13.	Install 10-inch diameter, pvc, culinary water pipe.	1,710	lf	\$42.35	\$72,418.50
14.	Install 20-inch diameter steel casing.	30	lf	\$964.15	\$28,924.50

Bid Item	Description	Quantity	Unit	Green Construction 903 West Center St. Bldg D. North Salt Lake, Utah 84054	
				Unit Price	Total Amount
15.	Install a 8-inch gate valve.	3	ea	\$1,595.40	\$4,786.20
16.	Install a 10-inch gate valve.	3	ea	\$2,288.60	\$6,865.80
17.	Install an air release valve in a 5-foot diameter manhole	1	ea	\$3,974.00	\$3,974.00
18.	Install a 10-inch check valve in a concrete vault at Sta.	1	ea	\$39,441.35	\$39,441.35
19.	Install a fire hydrant.	3	ea	\$4,257.05	\$12,771.15
20.	Construct a waterline connection at Sta 1+19.16.	1	ls	\$1,507.60	\$1,507.60
21.	Construct a waterline connection at Sta. 11+89.07 (1400	1	ls	\$1,713.60	\$1,713.60
22.	Construct a waterline connection at Sta. 17+50.11 (1450	1	ls	\$1,377.75	\$1,377.75
23.	Furnish pipe bedding materials.	450	ton	\$22.05	\$9,922.50
24.	Furnish trench backfill materials.	950	ton	\$24.30	\$23,085.00
25.	Adjust irrigation manhole at Sta. 5+90.18.	1	ea	\$1,176.85	\$1,176.85
26.	Install roadway striping and roadway messages.	1	ls	\$3,629.05	\$3,629.05
27.	Restore landscaping public/private improvements.	1	ls	\$4,515.35	\$4,515.35
28.	Adjust manhole ring and cover to finish grade.	2	ea	\$390.20	\$780.40
29.	Adjust valve box ring and cover to finish grade.	2	ea	\$253.95	\$507.90
30.	signs, City regulatory signs and UTA signs.	1	ls	\$1,330.15	\$1,330.15

Bid Item	Description	Quantity	Unit	Green Construction 903 West Center St. Bldg D. North Salt Lake, Utah 84054	
				Unit Price	Total Amount
TOTAL BID:					\$347,486.60
Surety Company				The Cincinnati Ins. Co.	
City, State				Fairfield, OH	
Bid Security - Bid Bond Amount				5%	
Contractor's License Number				5832355-5551	



BID RESULTS

**1000 West Street Curb & Gutter
Improvement Project**

OWNER: CLEARFIELD CITY
ENGINEER: CEC, CIVIL ENGINEERING CONSULTANTS

BID DATE: 8 August 2012
TIME: 2:30 pm
BID LOCATION: Clearfield City Offices
55 South State Street; 3rd Floor
Clearfield, Utah 84015

PLAN HOLDER NAME	ADDENDUM	BID BOND	BID AMOUNT
Advanced Paving & Construction	None	5%	\$47,774.00
Leon Poulsen Construction, Co. Inc.	None	5%	\$48,133.00
B. Hansen Construction	None	5%	\$54,450.00
Staker & Parson Companies	None	5%	\$58,130.00
Allen Industrial, LLC.	None	5%	\$63,655.00
Morgan Asphalt, Inc.	None	Not submitted	\$64,777.68

BID PROPOSAL TABULATION

1000 WEST STREET CURB & GUTTER IMPROVEMENT PROJECT

BID DATE: 8 AUGUST 2012

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Advanced Paving and Const. 1723 West 1350 South Ogden, Utah 84401		Leon Poulsen Const. 1675 South 1900 West Ogden, Utah 84401		B. Hansen Construction, Inc. 1292 East Main Street Wellington, Utah 84542	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization, bonds, traffic control and management.	1	ls	\$4,979.00	\$4,979.00	\$6,190.00	\$6,190.00	\$8,500.00	\$8,500.00
2.	Remove existing gravel, dirt and shoulder debris	630	sy	\$9.50	\$5,985.00	\$6.35	\$4,000.50	\$9.00	\$5,670.00
3.	Remove existing curb and gutter.	10	lf	\$10.00	\$100.00	\$7.55	\$75.50	\$20.00	\$200.00
4.	Install concrete curb and gutter.	480	lf	\$14.00	\$6,720.00	\$16.50	\$7,920.00	\$18.00	\$8,640.00
5.	Install 4-foot wide at 4" thick concrete sidewalk.	10	lf	\$18.00	\$180.00	\$20.00	\$200.00	\$19.00	\$190.00
6.	Install untreated roadbase materials (8" thick).	300	ton	\$22.50	\$6,750.00	\$20.00	\$6,000.00	\$26.00	\$7,800.00
7.	Install 1/2" bituminous asphalt leveling materials (1.5"	60	ton	\$81.00	\$4,860.00	\$115.00	\$6,900.00	\$40.00	\$2,400.00
8.	Install bituminous asphalt paving materials (3" thick).	120	ton	\$73.50	\$8,820.00	\$72.60	\$8,712.00	\$105.00	\$12,600.00
9.	Modify existing irrigation junction box.	1	ea	\$4,500.00	\$4,500.00	\$2,135.00	\$2,135.00	\$1,500.00	\$1,500.00
10.	Adjust manhole ring and cover to finish grade.	2	ea	\$540.00	\$1,080.00	\$490.00	\$980.00	\$650.00	\$1,300.00
11.	Adjust valve box ring and cover to finish grade.	2	ea	\$500.00	\$1,000.00	\$450.00	\$900.00	\$650.00	\$1,300.00
12.	Install roadway striping and roadway messages.	1	ls	\$1,450.00	\$1,450.00	\$1,670.00	\$1,670.00	\$1,200.00	\$1,200.00
13.	devices, regulatory signs.	1	ls	\$500.00	\$500.00	\$810.00	\$810.00	\$1,200.00	\$1,200.00
14.	Remove all landscaping debris and backfill all new work	1	ls	\$850.00	\$850.00	\$1,640.00	\$1,640.00	\$1,950.00	\$1,950.00

Bid Item	Description	Quantity	Unit	Advanced Paving and Const. 1723 West 1350 South Ogden, Utah 84401		Leon Poulsen Const. 1675 South 1900 West Ogden, Utah 84401		B. Hansen Construction, Inc. 1292 East Main Street Wellington, Utah 84542	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
TOTAL BID:				\$47,774.00		\$48,133.00		\$54,450.00	
Surety Company				Fidelity & Deposit Company of Maryland		Westchester Fire Ins. Co.		Old Republic Surety Co.	
City, State				Baltimore, MD		Philadelphia, PA		Brookfield, WI	
Bid Security - Bid Bond Amount				5%		5%		5%	
Contractor's License Number				251738-5551		84-244670-5501		250153-5501	

* Denotes error in bid

BID PROPOSAL TABULATION

1000 WEST STREET CURB & GUTTER IMPROVEMENT PROJECT

BID DATE: 8 AUGUST 2012

OWNER: CLEARFIELD CITY

PUBLIC WORKS DIRECTOR: SCOTT HODGE

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, Utah 84401		Allen Industrial, LLC. 1125 West 650 North Centerville, Utah 84014		Morgan Asphalt, Inc. 1970 N. Redwood Rd. Salt Lake City, Utah 84116	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1.	Mobilization, bonds, traffic control and management.	1	ls	\$10,765.50	\$10,765.50	\$4,200.00	\$4,200.00		\$0.00 *
2.	Remove existing gravel, dirt and shoulder debris	630	sy	\$8.00	\$5,040.00	\$18.50	\$11,655.00		\$0.00 *
3.	Remove existing curb and gutter.	10	lf	\$10.85	\$108.50	\$10.00	\$100.00		\$0.00 *
4.	Install concrete curb and gutter.	480	lf	\$18.15	\$8,712.00	\$17.00	\$8,160.00		\$0.00 *
5.	Install 4-foot wide at 4" thick concrete sidewalk.	10	lf	\$22.00	\$220.00	\$10.00	\$100.00		\$0.00 *
6.	Install untreated roadbase materials (8" thick).	300	ton	\$18.45	\$5,535.00	\$26.50	\$7,950.00		\$0.00 *
7.	Install 1/2" bituminous asphalt leveling materials (1.5"	60	ton	\$92.30	\$5,538.00	\$75.00	\$4,500.00		\$0.00 *
8.	Install bituminous asphalt paving materials (3" thick).	120	ton	\$63.15	\$7,578.00	\$75.00	\$9,000.00		\$0.00 *
9.	Modify existing irrigation junction box.	1	ea	\$4,950.00	\$4,950.00	\$2,200.00	\$2,200.00		\$0.00 *
10.	Adjust manhole ring and cover to finish grade.	2	ea	\$539.00	\$1,078.00	\$1,200.00	\$2,400.00		\$0.00 *
11.	Adjust valve box ring and cover to finish grade.	2	ea	\$495.00	\$990.00	\$400.00	\$800.00		\$0.00 *
12.	Install roadway striping and roadway messages.	1	ls	\$1,287.00	\$1,287.00	\$5,400.00	\$5,400.00		\$0.00 *
13.	devices, regulatory signs.	1	ls	\$1,928.00	\$1,928.00	\$5,600.00	\$5,600.00		\$0.00 *
14.	Remove all landscaping debris and backfill all new work	1	ls	\$4,400.00	\$4,400.00	\$1,600.00	\$1,600.00		\$0.00 *

Bid Item	Description	Quantity	Unit	Staker Parson Companies 2350 South 1900 West Ogden, Utah 84401		Allen Industrial, LLC. 1125 West 650 North Centerville, Utah 84014		Morgan Asphalt, Inc. 1970 N. Redwood Rd. Salt Lake City, Utah 84116	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
TOTAL BID:				\$58,130.00		\$63,665.00		\$64,777.68 *	
Surety Company				Fidelity & Deposit Company of Maryland Baltimore, MD 5% 4910822-5501		Westchester Fire Ins. Co. Philadelphia, PA 5% 5633571-5501		Unit Bid Prices & Bid Bond was not Included (Non-responsive bid)	
City, State									
Bid Security - Bid Bond Amount									
Contractor's License Number									

* Denotes error in bid



CIVIL ENGINEERING CONSULTANTS, PLLC.

5141 South 1500 West
Riverdale City, Utah 84405
801-866-0550

8 August 2012

Clearfield City
55 South State Street
Clearfield, Utah 84015

Attn: Mayor Don Wood and City Council
Proj: **1000 West Street Curb & Gutter Improvement 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 Advanced Paving and Construction of Ogden, Utah.

Enclosed are the "Bid Results" and "Bid Proposal Tabulation". Advanced Paving and Construction's bid was reviewed and found to meet the bidding conditions required in the Contract Documents.

Since Advanced Paving and Construction'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 \$47,774.00 to Advanced Paving and Construction Company.

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.

N. Scott Nelson, P.E.
City Engineer

Cc: Nancy Dean – Clearfield City Recorder
Scott Hodge – Clearfield Public Works Director
Kim Dabb – Clearfield City Operations Manager

CLEARFIELD CITY RESOLUTION 2012R-15

A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN DAVIS COUNTY, CLEARFIELD CITY, AND VARIOUS OTHER CITIES IN DAVIS COUNTY FOR PARTICIPATION IN THE DAVIS COUNTY COUNCIL OF GOVERNMENTS

WHEREAS, Davis County, Clearfield City, Layton City, Clinton City, West Point City, Sunset City, South Weber City, Syracuse City, Kaysville City, Fruit Heights City, Farmington City, Centerville City, Bountiful City, West Bountiful City, Woods Cross City, and North Salt Lake City (referred to collectively herein as the “Participants”) are all “public agencies” as defined under the Utah Interlocal Cooperation Act and are therefore authorized to enter into agreements with one another for joint or cooperative action; and

WHEREAS, § 72-2-117.5 of the Utah Code creates a Local Corridor Preservation Fund (the “Fund”) for preserving highway corridors, promoting long-term statewide transportation planning, and promoting the best interests of the state as a whole relative to property preservation and transportation planning; and

WHEREAS, state law also authorizes the use of a “Council of Governments” composed of the county governing body and the mayors of each municipality in the county to assist with the prioritization and application procedures for the use of money allocated to each county from the Fund; and

WHEREAS, the Participants desire to formally create and establish the Davis County Council of Governments to accomplish the tasks enumerated above and to annually establish and submit a priority list of highway corridor preservation projects in the county to the county’s legislative body for approval; and

WHEREAS, the Participants wish to enter into an Interlocal Cooperative Agreement creating the Davis County Council of Governments as an Interlocal governmental entity and establishing the procedures under which it will operate;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that the attached Interlocal Agreement between Davis County, Clearfield City, Layton City, Clinton City, West Point City, Sunset City, South Weber City, Syracuse City, Kaysville City, Fruit Heights City, Farmington City, Centerville City, Bountiful City, West Bountiful City, Woods Cross City, and North Salt Lake City for the creation of and ongoing participation in the Davis County Council of Governments is hereby approved and the Mayor is duly authorized to execute the agreement and any other necessary documents.

Passed and adopted by the City Council at its regular meeting on the 14th day of August, 2012.

ATTEST:

CLEARFIELD CITY CORPORATION:

Nancy R. Dean, City Recorder

Donald W. Wood, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

INTERLOCAL COOPERATION AGREEMENT

THIS IS AN INTERLOCAL COOPERATION AGREEMENT, made and entered into by and between DAVIS COUNTY, UTAH, a body corporate and politic of the State of Utah, and the following cities within Davis County: SUNSET, CLINTON, WEST POINT, SYRACUSE, CLEARFIELD, LAYTON, SOUTH WEBER, KAYSVILLE, FRUIT HEIGHTS, FARMINGTON, CENTERVILLE, WEST BOUNTIFUL, BOUNTIFUL, WOODS CROSS AND NORTH SALT LAKE, municipal corporations,

relating to the establishment of a DAVIS COUNTY COUNCIL OF GOVERNMENTS.

RECITALS

WHEREAS, the named Participants to this Agreement are public agencies as defined by Title 11, Chapter 13 of the Utah Code Annotated (“Interlocal Act”), and are authorized to cooperate on a mutually advantageous basis and as necessary to promote the common interests of the entities; and

WHEREAS, Utah Code Annotated Section 72-2-117.5 created a Local Transportation Corridor Preservation Fund (“Fund”) to be used to purchase property for the preservation of land for the construction of highways; and

WHEREAS, the law creating the Fund provides for the use of a body known as the Council of Governments (“COG”) which is a decision-making body in each county composed of the county governing body and the mayors of each municipality in the county; and

WHEREAS, the duties of COG include the establishment of prioritization and application procedures for use of the Fund, and the submission of a priority list of highway corridor preservation projects to the county’s legislative body for approval; and

WHEREAS, it is necessary to create an Interlocal authority to perform the tasks required under the statute;

NOW, THEREFORE, in reliance on the stated recitals and for the mutual covenants and agreements hereafter set forth, the mutual benefits to the Participants to be derived there from, and for other valuable consideration, the receipt and sufficiency of which the Participants acknowledge, it is hereby agreed as follows:

1. **Interlocal Entity.** The Participants hereby create an Interlocal entity entitled DAVIS COUNTY COUNCIL OF GOVERNMENTS. This entity shall be made up of the members of the Davis County Commission and the Mayors of each of the cities.

2. **Purpose and Voting.** COG shall meet on a regular basis as determined by its members to consider and establish the prioritization and application procedures for the use of the Fund and submit a priority list of highway corridor preservation projects. Any action required by COG

shall require a majority vote of the members. For purposes of voting, the Davis County Commission members shall be entitled to one vote as a group and not individually.

3. **Meetings and Officers.** The Participants shall meet at least annually at a place determined by the Participants. Any meeting shall be subject to the provisions of Title 52, Chapter 4, Open and Public Meetings Act. During the annual meeting the Participants shall elect a Chair and a Vice-Chair. The term for each officer shall be one year. The Chair shall conduct the meetings and business of COG and the Vice-Chair shall preside when the Chair is absent. A vacancy of either the Chair or Vice-Chair shall be filled at the next meeting of COG.

4. **Authority and Costs.** COG shall have the authority to enter into agreements with other governmental organizations for the purpose of completing the tasks required of it. Each Participant shall be responsible for its own costs of any action done pursuant to this Agreement, and for any financing of such costs.

5. **Liability.** All Participants are governmental entities under the Governmental Immunity Act of Utah, Section 63G-7-101, et seq. of the Utah Code Annotated. Consistent with the terms of this Act, it is mutually agreed that each Participant is responsible and liable for its own wrongful or negligent acts which it commits or which are committed by its agents, officials, or employees. None of the Participants waive any defenses otherwise available under the Governmental Immunity Act.

6. **Interlocal Cooperation Act Requirements.** In satisfaction of the requirements of the Interlocal Act, and in connection with this Agreement, the Participants agree as follows:

- a. This Agreement shall be authorized by resolution of the legislative body of the County and each City, all as required by Section 11-13-202.5 of the Interlocal Act.
- b. This Agreement shall be reviewed as to proper form and compliance with applicable law by a duly authorized attorney on behalf of each Participant, in accordance with Section 11-13-202.5 of the Interlocal Act.
- c. COG shall have the powers and duties enumerated under Section 11-13-204 of the Interlocal Act which may be exercised as required by the action of COG members.
- d. A duly executed original counterpart of this Agreement shall be filed with the keeper of the records of each Participant pursuant to Section 11-13-209 of the Interlocal Act.

7. **Amendments.** This Agreement may be amended, changed, modified or altered only by an instrument in writing which shall be approved by the legislative body of each Participant and executed by the authorized official of each of the Participants after having been submitted to an attorney for each Participant that is authorized to represent said Participant for review as to proper form and compliance with applicable law.

8. **Governing Law.** This Agreement shall be governed by the laws of the State of Utah as to interpretation and performance.

9. **Term of Agreement.** This Agreement shall take effect upon approval by all Participants, and shall terminate fifty (50) years from the effective date of the Agreement unless earlier terminated by agreement of the Participants.

10. **Entire Agreement.** This Agreement contains the entire agreement between the Participants with respect to the subject matter hereof, and no statements, promises, or inducements made by either Participant or agents for either Participant that are not contained in this written Agreement shall be binding or valid; and this Agreement may not be enlarged, modified, or altered except in writing, and signed by the Participants.

WHEREFORE, the Participants hereto have caused this Agreement to be duly authorized and executed by the County and each City on the date specified on the respective signature pages.

(The Remainder of this Page Intentionally left Blank)

SIGNATURE PAGE FOR DAVIS COUNTY
TO
INTERLOCAL COOPERATION AGREEMENT FOR THE ESTABLISHMENT OF
DAVIS COUNTY COUNCIL OF GOVERNMENTS

BOARD OF DAVIS COUNTY COMMISSIONERS

P. Bret Millburn, Chair

ATTEST:

Steve S. Rawlings
Davis County Clerk/Auditor

Reviewed as to form and compatibility with the laws
of the State of Utah

Deputy Davis County Attorney

SIGNATURE PAGE FOR CLEARFIELD CITY
TO
INTERLOCAL COOPERATION AGREEMENT FOR THE ESTABLISHMENT OF
DAVIS COUNTY COUNCIL OF GOVERNMENTS

CLEARFIELD CITY

Mayor

ATTEST:

City Recorder

Reviewed as to form and compatibility with the laws
of the State of Utah

City Attorney