

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
December 11, 2012

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

VISITORS: Ivan Anderson, Lorin Allen, Justin Allen, Chris Williams, Kiersten Page, Trisha Arnita, Chuck Ulrich, Heather Christopherson

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

City Councilmember Young conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 13, WORK SESSION AND THE NOVEMBER 13, 2012 REGULAR SESSION

Councilmember LeBaron moved to approve the minutes from the November 13, 2012 work session and the November 13, 2012 regular session as written, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

PRESENTATION TO IVAN ANDERSON FOR RECOGNITION OF HIS SERVICE ON THE NORTH DAVIS SEWER DISTRICT BOARD OF TRUSTEES

Ivan Anderson had served as the City's representative on the North Davis Sewer District for 24 years. The City desired to recognize him for his dedicated service. Mayor Wood and the City Council presented Mr. Anderson with a plaque expressing appreciation for his service.

Ivan Anderson, the City's representative to the North Davis Sewer District's Board of Trustees, stated it was a privilege to address the Council this evening as it would be his last report. He stated he had enjoyed his time serving the City on the Sewer Board. He indicated he began serving in 1988 and had been the Chairman of the Board since 1990. He stated Mayor Wood would be proposing a new representative which would be sworn in on Thursday, January 10, 2013. He expressed his opinion the City's next representative had the potential to be an effective leader as the position could very well be the next Chair. He reported the District had approved a \$30,000,000 Revenue Bond which had been appropriated for new storage tanks to accommodate sludge. He stated this improvement would accommodate sewer needs in the County for approximately 10-12 years.

Mr. Anderson stated when he first began his service on the Board, the District served approximately 45,000 residents and it now served approximately 100,000 residents. He stated one of the reasons he had enjoyed his years of service on the Board was because he had been able to witness projects come to fruition and completion which was different than his experience of serving on the City Council. He pointed out the staff working at the District worked in a very dangerous environment and expressed his confidence in the staff of the District. He explained the circumstances in which then Mayor Hamblin requested Mr. Anderson serve on the Board and believed he had been able to save the City significant funds over the years by his service on the Board. He expressed his appreciation for the opportunity to serve the residents of Clearfield City.

Councilmember Shepherd complimented Mr. Anderson for representing the City on the Board for 24 years and commented most people didn't stay employed by one company for that long. He presented Mr. Anderson with a plaque acknowledging his service to the City and read the plaque.

PRESENTATION TO CHRIS WILLIAMS FOR RECOGNITION OF HIS SERVICE ON THE NORTH DAVIS FIRE DISTRICT'S ADMINISTRATIVE CONTROL BOARD

Chris Williams had served as the City's representative to the North Davis Fire District for four years. The City desired to recognize him for his dedicated service. Mayor Wood and the City Council presented Mr. Williams with a plaque expressing appreciation for his service.

Chris Williams stated he had enjoyed the opportunity to represent Clearfield City on the North Davis Fire District Board of Directors. He expressed appreciation for the opportunity to work with Councilmembers Murray and Shepherd for their expertise with an eye for detail and commented how tight the District's budget was. He complimented the dedicated staff of the District. He stated he thoroughly enjoyed the experience and believed he benefitted more from the service opportunity than the District had benefitted from his service.

Councilmember Murray stated she also had benefitted from working with Mr. Williams on the NDFD Board and presented him with a plaque and read it during the meeting.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO TITLE 11
– LAND USE ESTABLISHING A NEW MIXED USE ZONING DISTRICT

The Planning Commission prepared amendments to Title 11- Land Use that would establish a new Mixed Use (MU) zoning district. It held a public hearing on the amendments December 5, 2012. The zone could apply to developments with a minimum size of 40 acres.

Mayor Wood declared the public hearing open at 7:21 p.m.

Mayor Wood asked for public comments.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:22 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

PUBLIC HEARING TO RE-OPEN THE 2012/2013 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 2012/2013 Fiscal Year Budget. He directed the Council to the document included in the agenda packet as he reviewed the amendments.

Mayor Wood declared the public hearing open at 7:25 p.m.

Mayor Wood asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:26 p.m., seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

CITIZEN COMMENTS

There were no public comments.

PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE
YEAR ENDING JUNE 30, 2012

Chuck Ulrich of Ulrich & Associates, P.C. presented Clearfield City's Comprehensive Annual Report (CAFR) for the year ending June 30, 2012 and addressed any questions the Council had

concerning the report. He pointed out the City had exceeded the unassigned General Fund balance of eighteen percent and would need to appropriate approximately 2.5 million dollars toward projects. He emphasized the City was in excellent financial condition. He expressed appreciation to Finance staff for their efforts in completing the audit.

Adam Lenhard, City Manager, expressed appreciation to the Council and the Finance staff for their work associated with the audit. He expressed his opinion the City had implemented good policies which had allowed the City to weather the recent recession so well.

Mayor Wood also expressed appreciation to Bob Wylie, Administrative Services Director, and the Finance staff.

Councilmember Murray moved to accept Clearfield City's Comprehensive Annual Financial Report for the year ending June 30, 2012, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF THE APPOINTMENT OF INDIVIDUALS TO SERVE ON THE CITY'S PLANNING COMMISSION

Norah Baron had been serving as an alternate on the Planning Commission. Staff was recommending she be appointed to a regular member to fill the vacancy created by the resignation of Bill Moore. The Council recently interviewed other individuals interested in serving on the Planning Commission. Staff recommended Tim Roper and Keri Benson be appointed to the Planning Commission as alternate members.

Councilmember LeBaron moved to approve the Mayor's appointments of Norah Baron as a regular member to the Planning Commission with a term expiring February 2014, Tim Roper as an alternate member of the Planning Commission with a term expiring February 2017 and Keri Benson as an alternate member of the Planning Commission with a term expiring February 2016 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, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2012R-23 AUTHORIZING THE ANNEXATION OF CERTAIN AREAS IN WEST POINT INTO THE NORTH DAVIS FIRE DISTRICT

Various areas had been annexed by West Point over the past several years which were not annexed into the boundaries of the North Davis Fire District (NDFD). The Clearfield City Council acted as the Governing Authority of the NDFD and therefore approval of the annexation was necessary.

Councilmember Shepherd moved to approve Resolution 2012R-23 authorizing the annexation of certain areas in West Point into the North Davis Fire District (NDFD) 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, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2012R-24 AMENDING THE 2012/2013 FISCAL YEAR BUDGET

Councilmember LeBaron inquired about the Community Art Center renovation with respect to the replacement of the large windows replacement for \$36,000. He expressed his opinion it would be in the best interest of the City to also replace the small windows in addition to the large windows for an additional cost of \$54,000. He believed a cost savings would be recognized by only having to bid the project once, same window manufacturer and installation in addition to any energy savings.

Councilmember Bush requested benches also be included as a line item for park improvements and believed the appropriated funds for picnic tables and garbage cans would be sufficient for the inclusion. Councilmember Murray inquired if the picnic tables had to be ADA approved. She stated she had seen a vandalized ADA table at a City Park and suggested the City replace the tables with regular tables as opposed to the ADA approved tables. Eric Howes, Community Services Director, responded there were several types of tables available for the City to purchase and believed the City should be prepared to meet ADA needs.

Adam Lenhard, City Manager, inquired if the \$40,000 funds appropriated for park improvements could accommodate the park bench inclusion. Mr. Howes believed some park benches could be provided. Councilmember Murray inquired where the benches would be placed. Mr. Howes indicated they would be placed near the playgrounds.

Councilmember Murray stated she would be inclined to determine the cost of the benches and then wait until the re-opening of the budget in June to ensure there were sufficient funds available for picnic table replacement and garbage cans. A discussion took place regarding the cost for picnic table replacement and garbage can replacement. Councilmember LeBaron pointed out if the City waited they might not be in place when experiencing good weather.

Councilmember LeBaron moved to approve Resolution 2012R-24 amending the 2012/2013 Fiscal Year Budget specifically including \$54,000 the small window replacement at the Community Arts Center and adding the verbiage of bench 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, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF THE CLEARFIELD PARK MEADOWS SUBDIVISION PHASE 5 FINAL ACCEPTANCE AND RELEASE OF ESCROW

In accordance with Title 12, Chapter 9, of the Clearfield City Code, the city engineer had completed the final inspection of the Meadows 5 Subdivision and found all improvements to have been installed correctly. The warranty period was over and the city engineer recommended final acceptance of the improvements for perpetual maintenance and a release of the escrow by the City Council.

Councilmember Young moved to approve the Meadows 5 Subdivision final acceptance and release of escrow and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2012-16 AMENDING THE UTILITY RATES IN THE CONSOLIDATED FEE SCHEDULE

A new three-year utility rate fee structure was identified as part of a recent analysis. The new fee structure would provide the necessary funding for the City to maintain and operate its water, sewer and storm sewer utility systems.

Bob Wylie, Administrative Services Director, pointed out an additional change since the work session discussion was the increase of the utility deposit from \$65 to \$120.

Councilmember Shepherd moved to approve Ordinance 2012-16 amending the utility rates in the Consolidated Fee Schedule and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2012R-22 AMENDING THE INTERLOCAL AGREEMENT WITH THE DAVIS SCHOOL DISTRICT REGARDING THE SHARED USE OF THE WEIGHT ROOM AT THE AQUATIC CENTER

In 2003, the City entered into an Interlocal Agreement with the Davis School District to jointly plan for, construct, operate and maintain a shared facility gymnasium which included the weight room at the Aquatic Center. The City and the District desired to amend the agreement as it relates to the weight room.

Brian Brower, City Attorney, pointed out the original agreement prohibited the City from using the weight room during school hours. He reported the amendment included verbiage which reflected joint use of the weight room and directed the Council to the provided amendment.

Councilmember Young moved to approve Resolution 2012R-22 amending the Interlocal Agreement with the Davis School District with the provided amendment regarding the shared use of the weight room at the Aquatic Center 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 NO – None.

APPROVAL OF ORDINANCE 2012-14 AMENDING VARIOUS SECTIONS OF THE CLEARFIELD CITY CODE DEALING WITH PURCHASING AUTHORIZATIONS, APPROVING AND EXECUTING CONTRACTS

This ordinance created amendments that delegate additional authority to the mayor, city manager and department heads in the procurement process for general operations of the City.

Councilmember LeBaron moved to approve Ordinance 2012-14 amending various sections of the Clearfield City Code dealing with purchasing authorizations, approving and executing contracts 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, Murray, Shepherd and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2012-15 AMENDING TITLE 1, CHAPTER 6, SECTION 2E OF THE CLEARFIELD CITY CODE DEALING WITH THE APPOINTMENT OF A MAYOR PRO TEMPORE

This ordinance clarified the process used to select a mayor pro tempore in the absence of the mayor.

Brian Brower, City Attorney, explained the current ordinance indicated the Council would elect a mayor pro tem and stated that had not been the current practice. He stated staff had drafted an ordinance reflecting the current practice of which the Mayor would appoint the mayor pro

tempore, with the advice and consent of the City Council. He added in the absence of the Mayor and mayor pro tem the City Council would elect a mayor pro tem.

Councilmember Bush moved to approve Ordinance 2012-15 amending Title 1, Chapter 6, Section 2E of the Clearfield City Code dealing with the appointment of a mayor pro tempore 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 NO – None.

APPROVAL OF RESOLUTION 2012R-25 MAKING AN APPOINTMENT TO THE NORTH DAVIS SEWER DISTRICT'S BOARD OF TRUSTEES

Ivan Anderson's term on the North Davis Sewer District would expire on December 31, 2012. Mayor Wood was proposing Councilmember Kent Bush be appointed to fill the vacancy.

Mayor Wood stated he had taken into consideration each councilmember's various assignments and current appointments in addition to occupations and other responsibilities in making his proposal. He announced he was proposing Councilmember Kent Bush to be appointed to the North Davis Sewer District's Board of Trustees.

Nancy Dean, City Recorder, indicated State Code referred to a four year term.

Councilmember LeBaron moved to approve Resolution 2012R-25 appointing Councilmember Kent Bush as a representative for Clearfield City on the North Davis Sewer District's Board of Trustees, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Wood –nothing to report.

Councilmember Bush

1. Expressed appreciation at being appointed to the North Davis Sewer District's Board of Trustees and stated he would represent the City to the best of his abilities.
2. Reported he had attended Boonanza and Dart the Turkey events at the Aquatic Center. He expressed appreciation to the Community Services staff. He complimented Eric Howes, Community Services Director, for the staff's hard work in providing worthwhile activities in the community.
3. Stated he had also attended the Community Band Concert on Thursday, December 6, 2012. He stated he enjoyed the performance of Handel's Messiah.

Councilmember LeBaron – nothing to report.

Councilmember Murray –nothing to report.

Councilmember Young –nothing to report

Councilmember Shepherd –nothing to report.

Adam Lenhard, City Manager

1. Requested Mayor and Councilmembers report to the conference room following the meeting.
2. Announced probable date for Council Retreat was Tuesday, January 15, 2013.

STAFF REPORTS

Nancy Dean, City Recorder

1. Announced the next City Council meeting would take place on Tuesday, January 8, 2013. She stated she would be emailing the 2013 annual meeting schedule. She pointed out all meetings were scheduled for the second and fourth Tuesday of every month with the exception of August. She continued no meeting was scheduled for the second Tuesday in order to accommodate a Primary Election if necessary.
2. She informed the Council Declaration of Candidacy had been changed to June 1-June 15, 2013. She stated this would allow military voters overseas to meet the dates associated with voting by mail. She expressed her desire to contract with Davis County to provide election services for the Municipal Election. She announced the Mayor position and two Council seats were up for election.
3. Reminded the Mayor and Council of the City Christmas Party on Friday, December 21, 2012, 6:30 p.m. at the Timbermine Restaurant. She stated money needed to be paid to Finance by Monday, December 17, 2012.

There being no further business to come before the Council **Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 8:22 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.**

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 8th day of January, 2013**

/s/Don Wood, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, December 11, 2012.

/s/Nancy R. Dean, City Recorder