

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.

**APPROVED AND ADOPTED  
This 14<sup>th</sup> day of August, 2012**

**/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, July 10, 2012.

/s/Nancy R. Dean, City Recorder