

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
June 26, 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.

**7:00 P.M. REGULAR SESSION**

CALL TO ORDER:

Mayor Wood

OPENING CEREMONY:

Councilmember LeBaron

APPROVAL OF THE MINUTES:

May 1, 2012 – Work Session

June 12, 2012 – Work Session

June 12, 2012 – Regular Session

***PRESENTATION:***

1. **PRESENTATION TO JONATHAN DEAN FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT**

**BACKGROUND:** Jonathan Dean has completed the requirements to receive the rank of Eagle Scout. Mayor Wood and the City Council desire to recognize Jonathan and acknowledge his achievement.

***SCHEDULED ITEMS:***

2. **CITIZEN COMMENTS**

3. **CONSIDER APPROVAL OF ORDINANCE 2012-05 AMENDING TITLE 4, BUSINESS LICENSING**

**BACKGROUND:** This ordinance provides further clarification on business license appeal procedures and notification practices associated therewith.

**RECOMMENDATION:** Approve Ordinance 2012-05 Amending Title 4, Business Licensing, and authorize the Mayor's signature to any necessary documents.

4. **CONSIDER APPROVAL OF 2012R-11 ACTING AS THE GOVERNING AUTHORITY OF THE NORTH DAVIS FIRE DISTRICT ADOPTING AND CERTIFYING ITS TAX RATE FOR THE 2012 TAXABLE YEAR**

**BACKGROUND:** The Clearfield City Council acts as the governing authority for the North Davis Fire District (NDFD). The Administrative Control Board of the NDFD desires to establish a certified tax rate of .001400 for the 2012 taxable year for the purpose of funding operating expenses and capital improvements and to provide fire protection, emergency medical and ambulance services and consolidated 911 and emergency dispatch services.

RECOMMENDATION: Approve Resolution 2012R-11 acting as the governing authority of the North Davis Fire District (NDFD) and adopting and certifying a tax rate of .001400 for the Fire District 2012 taxable year and authorize the Mayor's signature to any necessary documents.

***CONSENT AGENDA:***

5. CONSIDER APPROVAL OF THE AWARD OF BID FOR CONSTABLE SERVICES

BACKGROUND: The current contract for constable services will end on June 30, 2012. The City recently issued a Request For Proposals (RFP), and two proposals were submitted. However, one proposal was deemed non-responsive. The lone responsive proposal was submitted by Court Services of Utah, the City's current provider, and the fees are very similar to those currently in place.

RECOMMENDATION: Approve the award of bid for constable services to Court Services of Utah and authorize the Mayor's signature to any necessary documents.

6. CONSIDER APPROVAL OF RESOLUTION 2012R-12 AUTHORIZING AN INTERLOCAL AGREEMENT WITH LAYTON, CLINTON AND SYRACUSE CITIES FOR PARTICIPATION ON THE METRO SWAT TEAM

BACKGROUND: Clearfield City will supply police personnel to a multi-agency Metro SWAT Team that is administered by Layton City Police Department.

RECOMMENDATION: Approve Resolution 2012R-12 authorizing an interlocal agreement with Layton, Clinton and Syracuse Cities for participation in the Metro Swat Team and authorize the Mayor's signature to any necessary documents.

7. CONSIDER APPROVAL OF ORDINANCE 2012-06 UPDATING THE CONSOLIDATED FEE SCHEDULE

BACKGROUND: The Board of the North Davis Sewer District recently adopted an increase to provide sewer services for customers of Clearfield City. These fees are collected in the City's utility bill and the increase will be passed through to the customers.

RECOMMENDATION: Approve Ordinance 2012-06 updating the Consolidated Fee Schedule and authorize the Mayor's signature to any necessary documents.

***COMMUNICATION ITEMS:***

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

***\*\*ADJOURN AS THE CITY COUNCIL AND RECONVENE AS THE CDRA\*\****

1. APPROVAL OF THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) MINUTES FROM THE MAY 8, 2012 REGULAR SESSION AND THE JUNE 12, 2012 REGULAR SESSION

2. CONSIDER APPROVAL OF RESOLUTION 2012-02 ADOPTING THE CDRA 2012/2013 FISCAL YEAR BUDGET

BACKGROUND: The Board held a public hearing on the proposed CDRA budget on June 12, 2012. Utah Code requires cities to hold a public hearing relating to the approval of the upcoming fiscal year budget. City staff has prepared and submitted to the Board a balanced final budget for fiscal year 2012/2013 which begins July 1, 2012 and ends June 30, 2013.

RECOMMENDATION: Approve Resolution 2012R-02 adopting the CDRA 2012/2013 fiscal year budget and authorize the Chair's signature to any necessary documents.

**\*\*ADJOURN AS THE CDRA\*\***

Dated this 21<sup>st</sup> day of June, 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.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
3:00 P.M. WORK SESSION  
May 1, 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
	Jessica Hardy	Accounting Technician
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 3:10 p.m.

DISCUSSION ON THE F-35 A OPERATIONAL WING BEDDOWN DRAFT ENVIRONMENTAL IMPACT STATEMENT (EIS)

Mayor Wood reminded the Council of the importance of the Open House scheduled at Northridge High School at 5:00 p.m. and the public hearing scheduled for 6:00 p.m. regarding the Environmental Impact Statement (EIS) on the F-35A Operational Wing Beddown. He suggested any comments made by members of the City Council be positive to the opportunity available at Hill Air Force Base (HAFB). He distributed a handout identifying specific speaking points on the importance of the weapon system to be located at HAFB:

- F-15 was obsolete and aged
- F-22 was no longer in production

He pointed out the viability of the Falcon Hill development at HAFB would be dependent upon receiving the new weapon systems. He continued much of the programming work completed at HAFB was associated with weapon systems and if that component were to go elsewhere, the contracting jobs specific to the programming of the systems would also go elsewhere.

He encouraged the Council's attendance at the Open House and public hearing and encouraged its willingness to be positive in comments. A discussion took place specific to possible items which would be discussed at the public hearing specific to the noise associated with the aircraft.

#### DISCUSSION ON THE FISCAL YEAR 2012/2013 BUDGET

Bob Wylie, Administrative Services Director, expressed appreciation to the Council and staff for their work on the Fiscal Year 2012/2013 budget and distributed the budget booklet to the Council. He stated the document was the proposed tentative budget and announced it was a balanced budget for all funds. He pointed out the members of the Council could review the budget summary during their own time and expressed his desire to discuss the budgeted highlights.

Mr. Wylie directed the Council to the fleet fund and pointed out it had recognized a positive income every year since its establishment.

Greg Krusi, Police Chief, arrived at 3:25 p.m.

Mr. Wylie reviewed the budget highlights with the Council pointing out the proposed equipment purchases and emphasized all vehicles were purchased under the State contract. Councilmember Murray inquired about the need for replacement of the code enforcement vehicle. Chief Krusi explained the need for the code enforcement division to have a pickup which would allow the officer to pick up items/debris located throughout the City in addition to the use of bicycles to patrol trails and other areas of the City. He explained the difficulty in trying to put a bicycle in the trunk of a patrol car. Mr. Wylie emphasized proceeds from the sale of surplus vehicles were designated to the fleet fund.

Mr. Wylie directed the Council to the newly created internal service fund titled Risk Management and reviewed the City's liabilities with the Council. He explained how the implementation of the new fund would take place pointing out each department would now be responsible for its own liability insurance premiums from the respective budgets. Mayor Wood asked how often the City solicited bids for liability insurance. Mr. Wylie responded the City had requested proposals just last year and generally did so every two years.

Mr. Wylie directed the Council to the fiscal year 2013 budget highlights in the general fund. Adam Lenhard, City Manager, explained the need to fund an intern position and reported what projects could be completed by the intern and expressed his opinion it would be cost effective. He reviewed the tuition reimbursement program with the Council and Mayor Wood asked what assurances were in place to prevent the employee from leaving employment with the City. Mr. Wylie explained the policy stipulated employment for twelve months or the funds would be withheld from the final paycheck. Mr. Wylie indicated the City would continue appropriating funds for the wellness program as it could potentially result in lower health insurance premiums.

Councilmember Murray inquired if the wellness program had been cost effective. Mr. Wylie stated the City hadn't yet seen a direct result from the wellness program; however, it was only year two of the program and studies reflected it would take four years before results would be recognized.

Mr. Lenhard requested direction from the Council regarding the City's webpage redesign. He explained keeping the webpage updated was difficult because Sean Montierth, IT Director, often had other items he was working on so updates were not always completed in a timely manner in addition to the need for redesign. He stated the redesign could be a one-time funded project. Councilmember LeBaron believed the site could be more user friendly. Councilmember Young agreed and expressed his opinion the webpage was not the most intuitive and believed it should also be used as a tool to increase communication with the residents. Mayor Wood asked what would be involved in making the webpage more user friendly with the appropriated \$30,000. Mr. Lenhard responded the entire set up would need to be redesigned and stated it wouldn't be difficult to hire someone with that knowledge. Councilmember Young commented the cost was worth questioning because that wouldn't guarantee a satisfactory result. A discussion regarding the webpage took place.

Mr. Wylie requested direction from the Council on funding the webpage redesign and whether it desired to appropriate funds from the CDRA specific to promoting economic development. Councilmember LeBaron stated he couldn't make a decision as to what should be changed because he was so familiar with the current webpage. Councilmember Young indicated he would like to see different ideas and possibilities prior to determining what changes should be made. Mr. Lenhard mentioned several municipalities had contracted with Civic Plus to design their webpages and emphasized the City would want to determine its priorities and objectives up front with whoever was hired. He reported on the difficulties with adding new information to the current website and believed there were modules available which would allow bypassing IT for simple basic updates.

Mr. Wylie continued to review the budget highlights and pointed out the computer replacement schedule. Mayor Wood inquired if the marketing expenditure for the Aquatic Center had a defined plan. Eric Howes, Community Services Director, responded there was a specific plan and shared some of the identified tools. He mentioned the marketing budget had been cut significantly from this year's budget and staff believed there was a direct correlation between that and declining revenues at the Aquatic Center and shared some examples.

Mr. Wylie explained how the GIS full-time position would be funded. Mayor Wood inquired if there would be enough work for a full time GIS position and asked if it would be in the City's best interest to have a contract employee. Mr. Lenhard responded the GIS position would complete work on a city-wide basis as opposed to only that of Community Development and expressed his opinion a full time employee could be utilized.

Mr. Wylie reviewed sub recipients of the Community Development Block Grant (CDBG) funds with the Council. Councilmember Young requested clarification on the use of CDBG funds. Mr. Wylie responded grant funds were used towards programs offered at the Youth Resource Center. Mayor Wood added the Family Connection Center also received funds specifically for its food bank.

Mr. Wylie directed the Council to the portion of the budget booklet which reflected the items eliminated in order to balance the budget and briefly reviewed them with the Council. Mayor Wood requested additional information regarding the Youth Resource Center from the Community Services department. Mr. Lenhard commented information had been provided to him that reflected the participating youth at the Center came from a small geographical area of the City immediately surrounding the Center. Mayor Wood suggested the City should assess the cost of the Center compared to the benefit. He suggested offering a program which extended its reach which would be worthy of the expenditure. Mr. Lenhard responded the City was completing an analysis on all programs offered by the Community Services department to determine their cost recovery.

Mr. Wylie directed the Council to the portion of the budget associated with the Aquatic Center and explained there were two locations at the Aquatic Center which had equipment. Mr. Howes, explained how the equipment replacement at the Aquatic Center was being funded by the Davis School District and the membership fees collected by the City. He indicated most of the equipment would be new after the proposed rotation. Councilmember LeBaron inquired if replacement of the equipment in the weight room should be held off until the HVAC system improvements could be completed because the humidity contributed to the equipments deterioration. Councilmember Murray inquired if membership funds could be appropriated toward the upgrade of the HVAC system. Mr. Lenhard believed the membership fees were specifically designated for replacement of exercise equipment. A discussion took place whether it would be more responsible to postpone replacing the equipment until the HVAC system issue could be addressed. Mr. Howes pointed out the current equipment replacement schedule was warranty based.

Councilmember Murray inquired if funds from the "rainy day" reserve fund could be used to fund the needed HVAC improvements. Mr. Wylie stated Steve Guy, City Treasurer, had estimated a possible surplus of approximately \$800,000 due to onetime funding items: sale of the fire station, funds from a developer for a park, and operating savings. He continued some of the funds could be appropriated for the HVAC improvements, allowing for the equipment replacement in the proposed budget. The discussion continued specific to the HVAC system at the Aquatic Center.

Mayor Wood expressed concern about the assurances that the proposed improvements to the HVAC system would remedy the humidity issues at the Aquatic Center. Mr. Lenhard stated the suggested improvements were solely based upon an engineer's opinion. Councilmember LeBaron expressed his opinion the two separate HVAC systems contributed to the HVAC issues at the facility. Brian Brower, City Attorney, commented about liability specific to a negligent

design and the difficulty in proving such a case. The discussion continued and it was determined to solicit a second opinion on the engineer's proposed improvements prior to completing and paying for the repair. Mr. Wylie also indicated some road projects would be completed using the onetime funding.

Mr. Wylie reviewed the CDRA budget highlights:

- Wing festival
- Marketing campaign
- Randy Sant Consulting Contract
- Depot Street extension
- Repaying the loan to the enterprise funds for the 18-inch and 10-inch waterline at the Legend Hills area

Adam Lenhard, City Manager, reported on a new project related to the CDRA which was not currently funded. He continued the need for a storm drain had been identified in the city engineer's report for the Legend Hills property. He expressed his opinion the improvement would be important to the development in that area. He stated the storm drain headed west and indicated there was a significant bottleneck near State Street and explained the improvement would have the storm drain cross State Street near 1450 South to 1000 East where it would then tie into the remaining system.

He stated if the project were delayed for a year it could be completed by appropriating funds from EDA #1. He continued there were currently funds available in the CDRA fund balance which could be appropriated in the upcoming fiscal year. A discussion took place regarding infrastructure improvements associated with the development of the Legend Hills area in EDA #1. He pointed out it was the City's goal to make the property attractive in addition to improving chances to recover the investment.

Mr. Wylie reported the improvements to West Park Village and Barlow Park would be funded using park capital improvement funds. Mr. Howes reported commitments had previously been made specific to development of West Park Village and expressed his opinion it could be completed using staff and then any remaining funds could be used toward the second entrance to Barlow Park. He pointed out the use of the funds had to be used toward new park improvements and not replacement. A discussion took place specific to the use of funds for improvements.

The Council took a break at 5:07 p.m.

The meeting resumed at 5:15

Mr. Wylie reviewed the proposed funded capital improvement projects with the Council:

- 10-inch transmission line funded by the CDRA
- 18-inch waterline partially funded by the CDRA
- 700 South reservoir repair
- Freeport water tank repair design.

Mayor Wood inquired about the pressure associated with the replacement of the 18-inch waterline and 10-inch transmission line. Scott Hodge, Public Works Director, stated the 18-inch waterline fed off the tank and the 10-inch transmission line fed directly from the Weber Basin waterline. Mayor Wood clarified the 10-inch line had sufficient pressure because of gravity and inquired if the pressure would be adequate once the connection was made. Mr. Hodge stated there was adequate pressure and there would only be concern if water needed to be distributed to a multi-story building which would require a boosting mechanism. He indicated the pressure should increase and believed it would be adequate because the size of the proposed water line was larger.

Mr. Wylie continued reviewing the funded capital improvement projects:

- City shop yard improvements
- Repairing sewer lines on Locust Street
- Upgrade the Sewer Capital Facilities Plan
- Upgrade the Freeport Center sewer line
- Northeast Freeport Basin improvements
- 24-inch storm drain at 700 South

Mr. Wylie directed the Council to the budget justification page associated with fund 45 and pointed out the revenue sources and expenditures. Councilmember Bush expressed his opinion road improvements specific to the safety of the intersection at 1000 West and 700 South should be completed prior to routine maintenance on other City roads. Mayor Wood commented previous discussions regarding the intersection had taken place and Council had determined it would be best to wait until the SR 193 extension was complete and then signalization could be moved from 200 South to 700 South. Scott Hodge, Public Works Director, clarified the request for \$80,000 was merely to widen the east side of 1000 West at the 700 South intersection. He stated the request did not include improving the intersection with signalization.

Mr. Lenhard pointed out the improvements associated with a free flowing lane on the east side would not have resolved the issue that caused the accident involving the high school student at that location because the driver was making a left hand turn while traveling east on 700 South. Mayor Wood inquired if the need to complete the additional lane would be obsolete in the future. Mr. Hodge didn't believe that would be the case. Councilmember Bush pointed out the proposed lane addition at that location wouldn't improve the intersection to the level of a traffic signal; however, it would improve the intersection. A discussion took place regarding the intersection improvement and attempting to identify a revenue source and the Council directed staff to proceed with the improvement using funds designated for road maintenance.

Councilmember Bush also expressed concern regarding the bleachers located at Steed Park and believed they were a liability issue. Brian Brower, City Attorney, stated anytime the City was not meeting adopted code and was aware of that insufficiency, the City was at risk. Councilmember Young suggested removing the substandard bleachers until funds could be appropriated for new

bleachers. Mr. Howes clarified the issue regarding the bleachers was specific to side rails and back rails in addition to having too many rows. JJ Allen, Assistant City Manager, inquired if the bleachers would be difficult to retrofit. Mr. Howes believed that process would be inefficient. Mr. Allen reported the welding students at Job Corps were currently looking for projects. The Council directed Mr. Allen and Mr. Howes to follow up with Job Corps to possibly resolve an immediate issue.

Mr. Wylie clarified the Council directed staff to include the following:

- Funding the HVAC improvement at the Aquatic Center
- Funding the 700 South 1000 West intersection improvements.

Mr. Wylie emphasized the tentative budget was balanced assuming the City maintained the certified tax rate meaning the same property tax revenue would be received from Davis County. He stated the tentative budget would come before the Council for approval at the May 8, 2012 City Council meeting. Nancy Dean, City Recorder, stated the public hearing would take place Tuesday, June 12, 2012, which would allow the City to adopt the budget.

Mr. Lenhard requested clarification specific to the City's website. Councilmember LeBaron stated he would like to see other illustrations and options as to what a new website could look like. Councilmember Young believed the City should consider the improvements without identifying a specific dollar amount. Mayor Wood believed any improvements should definitely benefit recreation programs. Mr. Lenhard clarified the funds would remain in the budget but prior to moving forward, research would take place defining possible objectives and information could be provided to the Council.

Mr. Lenhard inquired if the Council was interested in providing garbage cans at bus stops. Councilmember Bush indicated the issue had been discussed during a Parks & Recreation Commission meeting. Mr. Howes reported the cans ranged in price from \$500-\$600 per can. Mr. Lenhard expressed concern about the right of way to place the cans at the bus stop locations. Councilmember Murray believed there were higher priorities for which City funds should be appropriated. Councilmember Young believed \$500 for cans was excessive and expressed his opinion they would most likely be vandalized. Mr. Howes commented the cans were constructed with a higher grade material which was supposed to withstand defacing and the environmental issues. Councilmember Bush expressed his opinion receptacles were needed at the bus stops. Mayor Wood pointed out the City nor the local businesses had anything to do with designating the bus stops and stated this should be a UTA (Utah Transit Authority) issue.

The meeting adjourned at 5:50 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
June 12, 2012

PRESIDING: Bruce Young Councilmember

PRESENT: Kent Bush Councilmember  
Mike LeBaron Councilmember  
Kathryn Murray Councilmember

EXCUSED: Mark Shepherd Councilmember

STAFF PRESENT: Adam Lenhard City Manager  
Natalee Flynn Special Events/Public Relations  
Kim Read Deputy City Recorder

EXCUSED: Nancy Dean City Recorder

VISITORS: Aubrey Marquez

YOUTH CITY COUNCIL INTERVIEWS AND DISCUSSION

The City Council interviewed Aubrey Marquez for consideration to participate in the Youth City Council. Natalee Flynn, Youth City Council Advisor, provided a handout reflecting the interviewed candidates and identifying those who would be returning. A discussion took place on what could be done to encourage participation, understanding the commitment to the YCC and different ideas on how it could be more effective and successful.

Mayor Wood arrived at 6:30 p.m.

The meeting adjourned at 6:34 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
June 12, 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
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Mike Stenquist	Assistant Police Chief
	Eric Howes	Community Services Director
	Curtis Dickson	Recreation Supervisor
	Scott Hodge	Public Works Director
	Valerie Claussen	Development Services Manager
	Steve Guy	City Treasurer
	Jessica Hardy	Accountant
	Kim Read	Deputy City Recorder
EXCUSED:	Greg Krusi	Police Chief
	Bob Wylie	Administrative Services Director
	Nancy Dean	City Recorder

VISITORS: Tab L. Uno, Norah Baron, Nathan Baron, Noah Baron, Zachary Baron, Ann Hoel, Sharon Hoel, Jason Burningham – Lewis Young Robertson & Burningham (LYRB), Vicki Denhalter, Ben Denhalter, Bean Denhalter, Garrett & Eli Milne, John Metcalf, Charlie & Keri Benson & Family

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

Councilmember Bush conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE APRIL 10, 2012 WORK SESSION AND  
MAY 22, 2012 POLICY SESSION

**Councilmember LeBaron moved to approve the minutes from the April 10, 2012 work session and the May 22, 2012 policy session, as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush,**

**LeBaron, Murray and Young. Voting NAY – None.** Councilmember Shepherd was not present for the vote.

PRESENTATION TO STEVE RASMUSSEN FOR HIS SERVICE AS A MEMBER OF THE PARKS & RECREATION COMMISSION

Councilmember Bush stated Steve Rasmussen had served the City as a member of the Parks & Recreation Commission for approximately 10 years and recently resigned. Mayor Wood and the City Council desired to recognize Mr. Rasmussen for his service to the City and presented him with a certificate of appreciation.

CLEARFIELD UNIVERSITY GRADUATION

JJ Allen, Assistant City Manager, explained the City recently implemented Clearfield University, an eight week course, during which participating residents had the opportunity to gain an understanding of the operations of the City. Mayor Wood and the City Council desired to acknowledge those participants for completing the class and presented each with a certificate of completion.

PUBLIC HEARING TO RECEIVE COMMENT ON THE 2012/2013 FISCAL YEAR BUDGET

Utah Code required cities to hold a public hearing regarding the adoption of the upcoming fiscal budget. The City staff prepared and submitted to the Council a balanced tentative budget for the fiscal year 2012/2013 which would begin July 1, 2012 and would end June 30, 2013. The submitted tentative budget was adopted on May 8, 2012 and included all funds.

Adam Lenhard, City Manager, briefly reviewed the highlights of the 2012/2013 Fiscal Year Budget:

- Construct the West Park Village Park
- Complete additional park improvements at Barlow Park
- Complete several water, sewer and storm drain infrastructure improvements throughout the City
- Complete street seal coating in addition to crack patch and slurry seal on several roads within the City
- CDBG project on Locust Street involving many improvements to the neighborhood
- Personnel changes specific to code enforcement being moved to the police department
- The Addition of two part-time workers to assist in maintaining small open spaces throughout the City
- Although no increase in compensation was included, increases in healthcare, dental and mandated retirement increases were not passed onto the employees.

He mentioned the certified tax rate had just been received from Davis County on Monday, June 11, 2012 and believed the budget could be adopted without a tax increase.

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

Mayor Wood asked for public comments.

Tab Uno, resident, stated his comments were specific to the intersection located at 700 South 1000 West. He presented a Resolution of Thanks to the City Council for the appropriating of funds for a left hand turn lane for those traveling north on 1000 West and read the Resolution. He stated the Resolution had been signed by 70 residents and mentioned while attempting to collect signatures; several residents had expressed ill will of the Council regarding the Utility Trailer expansion some years ago. He reported he would be contacting UDOT regarding the 650 North and Main Street intersection. He expressed appreciation to Councilmember Bush and Scott Hodge, Public Works Director, for their response to his questions regarding the 700 South 1000 West intersection.

Councilmember Bush expressed appreciation for Mr. Uno's efforts and involvement regarding the traffic and possible improvements for the intersection.

**Councilmember Young moved to close the public hearing at 7:27 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None.** Councilmember Shepherd was not present for the vote.

PUBLIC HEARING TO RECEIVE COMMENT ON AMENDING THE LAND USE ORDINANCE TITLE 11, CHAPTER 3, CHAPTER 11, AND CHAPTER 13 FOR THE INCLUSION OF DEFINITIONS AND SUPPLEMENTARY STANDARDS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

State legislation was recently enacted, commonly referred to as House Bill 95, which revised Utah State Code in establishing certain restrictions on the location of retail tobacco specialty businesses. The proposed text amendments reflect these changes made to State Code.

Adam Lenhard, City Manager, read specific language from the statute explaining the definition of a tobacco specialty business in addition to pointing out the statute also included some proximity restrictions for such businesses and also read that language. He emphasized these amendments would bring the City in compliance with State Code and reported the required modifications had been approved by the Planning Commission.

Mayor Wood declared the public hearing open at 7:29 p.m.

Tab Uno, resident, inquired where these businesses could then be located in the City given the

proximity requirements. Mr. Lenhard responded there were areas within the City which would allow for these businesses and stated a map had been provided to the Council illustrating the area and invited Mr. Uno to contact staff to view the map.

**Councilmember Bush moved to close the public hearing at 7:30 p.m., seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None.** Councilmember Shepherd was not present for the vote.

### ***SCHEDULED ITEMS***

#### CITIZEN COMMENTS

There were no citizen comments.

#### APPROVAL OF ORDINANCE 2012-03 AMENDING THE LAND USE ORDINANCE TITLE 11, CHAPTER 3, CHAPTER 11, AND CHAPTER 13 FOR THE INCLUSION OF DEFINITIONS AND SUPPLEMENTARY STANDARDS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

Brian Brower, City Attorney, directed the Council to the handout and commented minor modifications had been made to the proposed ordinance. He stated although minor in nature, he requested the motion reflect it had been amended, because the changes were made after approval by the Planning Commission.

**Councilmember LeBaron moved to approve Ordinance 2012-03 amending the Land Use Ordinance Title 11, Chapter 3, Chapter 11, and Chapter 13 for the inclusion of definitions and supplementary standards for retail tobacco specialty businesses as amended by staff and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None.** Councilmember Shepherd was not present for the vote.

#### APPROVAL OF ORDINANCE 2012-04 AMENDING TITLE 4, CHAPTER 1 AND CHAPTER 10 ON RELATED MATTERS FOR RETAIL TOBACCO SPECIALTY BUSINESSES

Brian Brower, City Attorney, reported the change to the ordinance should be Chapter 1 and Chapter 10.

**Councilmember Murray moved to approve Ordinance 2012-04, as amended by staff, amending Title 4, Chapter 1 and Chapter 10 on related matters for retail tobacco specialty businesses 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 and Young. Voting NAY – None. Councilmember Shepherd was not present for the vote.**

***CONSENT ITEMS***

**APPROVAL OF THE AWARD OF BID FOR THE ROSS DRIVE STORM DRAIN PROJECT**

Bids were received from two construction companies to construct a storm drain pipeline from Ross Drive crossing to the west side of State Street. The lowest responsible bid was received from Brinkerhoff Excavating with a bid of \$109,107.

Councilmember Murray requested clarification if this project had been previously tabled from earlier in the year. Scott Hodge, Public Works Director, responded only one bid was received the last time the project was bid and it was considerably higher than estimated figures so the City waited one construction season to rebid it.

**APPROVAL OF THE AWARD OF PROPOSAL FOR THE PARKS CAPITAL FACILITIES PLAN, IMPACT FEE FACILITIES PLAN AND IMPACT FEE ANALYSIS**

Staff solicited proposals for the completion of an Impact Fee Facilities Plan, Capital Facilities Plan, and Impact Fee Analysis. Three firms submitted proposals and each proposal was reviewed and ranked by staff based on the guidelines included in the Request for Proposals (RFP). Based on the review, staff recommended that Lewis, Young, Robertson & Burningham (LYRB) be awarded the contract for the provision of these services.

**APPROVAL OF THE RENEWAL OF THE WINDOW CLEANING CONTRACT**

Clearfield City contracted with Legacy Window Cleaning for window cleaning services on July 1, 2009. The contract was set to expire on July 1, 2012. The current agreement provided Clearfield City with “the right to renew the agreement for up to two (2) additional one (1) year terms.” Legacy Window Cleaning Services requested a slight increase of \$300 annually to cover rising fuel costs and this increase had been appropriated in the fiscal year 2013 budget.

Mayor Wood asked the Council if there were any items which needed to be removed from the consent agenda. There were no items removed.

**Councilmember Young moved to approve the consent agenda items presented by staff as listed above 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 and Young. Voting NO – None.** Councilmember Shepherd was not present for the vote.

### ***COMMUNICATION ITEMS:***

#### ***Mayor Wood***

1. Reported a Community Council meeting had taken place on Thursday, June 7, 2012, at the City building where several stakeholders from the community were in attendance. He stated several presentations were shared highlighting challenges specific to residents of the community. He expressed his opinion it had been worthwhile.
2. Informed the Council that UTA would be meeting in closed session to discuss the current proposal for its TOD site within the City with its Planning & Development Committee.
3. Announced Weber State University was now officially located within Clearfield City with the addition of Continuing Education and Police Academy occupying the building at the corner of State Road 193 and University Boulevard.

#### ***Councilmember Bush***

1. Informed the Council that he had attended the summer barbeque lunch at Chancellor Garden earlier in the day.
2. Reported he had attended the Wasatch Front and UDOT Transportation Committee meeting last week.

***Councilmember LeBaron*** – reported on an update from the Planning Commission. He stated staff and the contractor associated with the proposed daycare at the Goupious building had worked together in creating a workable solution specific to drop off and pickup without impacting residents on 1050 West.

***Councilmember Murray*** – nothing to report.

***Councilmember Young*** – nothing to report.

### **STAFF REPORTS**

***Adam Lenhard, City Manager*** – nothing to report.

**Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 7:43 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NAY – None.** Councilmember Shepherd was not present for the vote.

***\*\*The minutes for the CDRA are in a separate location\*\****

## Kim Read

---

**From:** Don Wood  
**Sent:** Monday, June 11, 2012 3:51 PM  
**To:** Nancy Dean  
**Cc:** Nancy Dean; Kim Read  
**Subject:** Re: [NEWSENDER] - Jonathan Dean's Eagle cont.

Nancy,

We have been trying to recognize these young men in a council meeting with a certificate of recognition and with the entire council present.

I am forwarding this information to "the other Nancy Dean" city recorder so that she or Kim the Deputy Recorder can contact you and make arrangements for a council meeting that would be mutually agreeable.

Mayor Wood  
801-388-8143

Sent from my iPad

On Jun 11, 2012, at 1:56 PM, "Nancy Dean" <[nbdean1@gmail.com](mailto:nbdean1@gmail.com)> wrote:

Mayor Wood,

I clicked the wrong key and sent my previous email prematurely. This is Nancy Dean (the other Nancy Dean)....details were in the previous email. I am writing to ask a favor of you. My son, Jonathan Marc Dean, who served on the youth city council for 2 years, has just earned the rank of Eagle. His Eagle Court of Honor will be at the end of this month. I would love for you to be able to come, but I know you are a busy man. I just want you to know you are invited but I understand if you can't make it. However, if you would be able to write a letter, to him, congratulating him on earning his Eagle, I would really appreciate it. I would like to frame it and present it to him at his court of honor. (Sunday, June 24th 6pm at 1895 South Main St. Clearfield)

As a single mom, working full-time and going to school....it can be difficult making ends meet. Although I am unable to afford purchasing him a gift for this special occasion, I would like to do something extra special for him. I thought this would be a wonderful keepsake for him to have. If you are able to write him a letter that would be so great!

Jonathan has worked so hard to accomplish this goal. Being that we live in an LDS Branch in Clearfield (Freeport Branch)....and it is a true branch....people come and go often....we have had few scout leaders or YM presidents....and when we have had the luxury of getting one....they seem to move away way too fast. So.....Jonathan has done the majority of his scout accomplishments without the help of a scoutmaster. (I guess you could say I've been the one to play that role the best that I could....moms just do that kind of stuff when it's needed.) This has been a very hard and difficult journey, but I'm so proud of him for sticking to it and reaching his goal.

His Eagle project was wonderful. He held a quilt drive/quilting activity and received the necessary supplies to personally teach the scouts and branch members how to make and tie

quilts. They were able to make 30 quilts which were donated to Chief Bodily of the North Davis Fire Department, to be placed in the fire trucks for use on the calls that they go on.....(with a special request for as many as possible to be donated to the Clearfield Branch of their Department).

Thank you so much for all you do, and for considering this request.

Sincerely,

Nancy B Dean

1550 South 1000 East Unit # 3103

Clearfield, UT 84015

801-645-4932

(nbdean1@gmail.com)

# CLEARFIELD CITY ORDINANCE 2012-05

## AN ORDINANCE AMENDING TITLE 4 OF THE CLEARFIELD CITY CODE

**PREAMBLE:** This Ordinance amends Title 4 of the Clearfield City Code by amending Chapter 1, Section 8 and Chapter 4, Section 24 of said title.

### **BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

#### **Section 1. Enactment:**

*Title 4, Chapter 1, Section 8, of the Clearfield City Code is hereby amended to read as follows:*

- A. **Written Appeal:** Aggrieved applicants may appeal the decision of the business license official to the city council *within ten (10) days of receipt or delivery of said decision*. Appeals shall be filed by a written statement submitted to the city recorder detailing the grounds upon which the aggrieved applicant is appealing the business license official's decision. Upon receipt of such an appeal, it shall be placed on the next available city council agenda for which the item may be reasonably scheduled for a hearing before the designated hearing officer within twenty (20) days, unless such time is extended for good cause.
- B. **Hearing Required:** The city council hearing officer shall afford the appellant an opportunity, in a hearing, to show cause as to why the license should not be denied or revoked.
1. **Notice:** The date, time and place of the hearing shall be fixed by the city council recorder and personal service of the appellant for the notice thereof shall be attempted. The city council recorder must make all reasonable possible steps to ensure the appellant gets actual notice. The notice shall indicate the purpose of the hearing and the action contemplated.
  2. **Procedure:** At the hearing, the appellant shall have the right to appear personally or by counsel, to cross examine witnesses, and to produce evidence and witnesses on his behalf.
  3. **Burden Of Proof:** The appellant has *the* burden of proof.
  4. **Standard of Review Legislative Decisions:** Legislative decisions shall be valid if "reasonably debatable" and not illegal. Administrative or quasi-judicial decisions shall be valid if supported by "substantial evidence" and not illegal.
  5. **Final Decision on Appeal and Notice of Action Taken:** After such hearing, *the hearing officer will have seven (7) business days, unless extended for good cause, to issue written "Findings, Conclusions and Recommendation" to the city council,*

*which will also be provided to the appellant. and upon After due deliberation upon the hearing officer's Findings, Conclusions and Recommendation, which may (at the council's discretion) include taking additional evidence, the city council shall render a final decision on the appeal by adopting the hearing officer's Findings, Conclusions and Recommendation, or taking some other action. The city recorder will notify the appellant in writing of their findings and determination final decision reached by the council. (Ord. 2009-15, 11-24-2009)*

*Title 4, Chapter 4, Section 24, Paragraph A of the Clearfield City Code is hereby amended to read as follows:*

- A. Filing: If the license is denied or approved with qualifications, or if a notice of suspension, revocation or citation of a civil fine is imposed, the applicant or licensee may file an appeal with the *city recorder* ~~business license official~~.

*Title 4, Chapter 4, Section 24, Paragraph B of the Clearfield City Code is hereby amended to read as follows:*

- B. Time Limitation; Hearing Scheduled: Filing of an appeal must be within ten (10) days of ~~the date of service receipt or delivery~~ of the notice of any denial, qualified approval, suspension, revocation or civil fine. Upon receiving the notice of such appeal, the *city recorder* ~~business license official~~ shall schedule a hearing before a designated hearing officer within twenty (20) days from ~~the date of the appeal receiving the notice~~, unless such time shall be extended for good cause.

*Title 4, Chapter 4, Section 24, Paragraph E of the Clearfield City Code is hereby amended to read as follows:*

- E. Recommended Decision: After the hearing, the hearing officer shall have seven (7) *business working* days, unless extended for good cause, in which to render findings of fact, conclusions of law and recommended decision to the city council.

*Title 4, Chapter 4, Section 24, Paragraph G of the Clearfield City Code is hereby amended to read as follows:*

- G. Consideration: If objections are received, the city council shall have ten (10) *business working* days to consider such objections before issuing the mayor's final decision. The city council may, in its discretion, take additional evidence or require written memorandum on issues of fact or law. The standard by which the city council shall review the decision of the hearing officer is whether substantial evidence exists in the record to support the hearing officer's recommendation.

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

**Section 3. Effective Date:** These amendments shall become effective July 1, 2012.

Passed and adopted by the Clearfield City Council this 26th day of June, 2012.

CLEARFIELD CITY CORPORATION

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Donald W. Wood, Mayor

ATTEST:

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Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

EXHIBIT "A"

**CLEARFIELD CITY RESOLUTION 2012R-11**

A RESOLUTION OF THE CLEARFIELD CITY COUNCIL ACTING AS THE GOVERNING AUTHORITY OF THE NORTH DAVIS FIRE DISTRICT ADOPTING AND CERTIFYING A TAX RATE TO THE DAVIS COUNTY CLERK-AUDITOR AND THE BOARD OF COUNTY COMMISSIONERS OF DAVIS COUNTY FOR THE 2011 TAXABLE YEAR

WHEREAS, the Clearfield City Council ("Council") acted as the Governing Authority for the purpose of creating the North Davis Fire District ("District") as a Special Service District in accordance with the Utah Special Service District Act §§ 17D-1-101 et seq. Utah Code Annotated, 1953 (the "Act"); and

WHEREAS, the Council created the Administrative Control Board in accordance with the provisions of §17D-1-301 of the Act and delegated to the Administrative Control Board the power to act as the governing authority of the District; and

WHEREAS, the Council cannot delegate to the Administrative Control Board the power to levy a tax on the taxable property of the District and the Council retains the power and duty to levy a tax on the taxable property of the District; and

WHEREAS, the Administrative Control Board desires to establish a certified tax rate for the 2012 taxable year at a rate of .001400 per dollar of taxable value on all taxable property within the District, in addition to all other taxes levied or imposed on such property within the District for the purpose of funding operating expenses and capital improvements and to provide fire protection, emergency medical and ambulance services and consolidated 911 and emergency dispatch services within the District; and

WHEREAS, the Administrative Control Board has passed and adopted its Resolution No. 2012R-3 on June 21, 2012 requesting the Council adopt a Resolution certifying a tax rate of .001400; and

WHEREAS, a regular meeting was duly noticed and held at which time the Council considered the certified tax rate for the District.

**NOW, THEREFORE, BE IT RESOLVED** by the Clearfield City Council as follows:

**Section One: CERTIFIED TAX RATE ESTABLISHED**

That the Certified Tax Rate on all taxable property, both real and personal, lying and being within the district boundaries of the North Davis Fire District for the 2012 taxable year shall be, and the same is hereby fixed, set and established at a rate of .001400.

**Section Two:      CERTIFIED COPIES OF RESOLUTION TO COUNTY OFFICIALS**

That the City Recorder of Clearfield City is hereby authorized and directed forthwith to certify a copy of this Resolution and forward and direct one copy each to the Davis County Clerk-Auditor and the Davis County Board of Commissioners in Farmington, Utah.

**Section Three:      LEVY, COLLECTION AND REMITTANCE OF TAXES**

The Clearfield City Council requests that the Board of Commissioners of Davis County include this Certified Tax Rate in its levying process for property taxes for the 2012 taxable years and that such tax be extended and collected in the manner provided by law for the collection of general county taxes and that the proceeds thereof, as collected, be turned over to the treasurer of the North Davis Fire District and that said taxes in all respects be collected and delivered to the North Davis Fire District according to law.

**Section Four:      EFFECTIVE DATE**

This Resolution shall be effective immediately upon passage and adoption.

**PASSED AND ADOPTED** by the Clearfield City Council this 26<sup>th</sup> day of June, 2012.

CLEARFIELD CITY CORPORATION

\_\_\_\_\_  
Don Wood  
Mayor

ATTEST:

\_\_\_\_\_  
Nancy Dean,  
City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

# Memo



**To:** Mayor Wood and City Council Members  
**From:** JJ Allen, Assistant City Manager *JJA*  
**Date:** June 21, 2012  
**Re:** Constable services

---

## I. RECOMMENDED ACTION

Approve the award of bid to Court Services of Utah, and authorize the Mayor's signature to any necessary documents.

## II. DESCRIPTION / BACKGROUND

The current contract for constable services will end on June 30, 2012. The City recently issued a request for proposals, and two proposals were submitted. However, one proposal was non-responsive (incomplete). The lone responsive proposal was submitted by Court Services of Utah, the City's current provider, and the fees are very similar to those currently in place.

Since Court Services of Utah began serving the Clearfield Justice Court this past January, we have been pleased with their performance. Bailiff and transport services have worked very well.

Warrant service—the most logistically problematic of constable services—continues to be a bit of a challenge (as it has always been), but we are revising our approach to be more cost effective. Maximizing the number of warrants served is an inherent challenge when outsourcing the service. However, even though bringing the function in-house *might* result in more warrants served, it could be much more expensive. We will continue to evaluate our options in this respect.

In any case, we feel that Court Services of Utah has performed well, and we have no reservations about entering a new contract with them. Per the RFP, the contract will be for a one-year term, with the option to extend for up to four additional one-year terms.

### **III. IMPACT**

#### **a. Fiscal**

Court Services of Utah will charge \$23 per hour, per bailiff. The \$35,000 included in the FY13 budget should be more than sufficient, based on the anticipated annual number of court hours.

Prisoner transport will be \$35 round trip per person (for Davis and Weber jails), and the budget includes \$3,000 for this service.

Warrant service would be \$50 per warrant served (arrested and booked into jail, or bail collected) and \$20 for warrants cleared as a result of the constable's action (bail posted at the Court, or surrender after contact), for which we have budgeted \$20,000.

#### **b. Operations / Service Delivery**

The transition to Court Services of Utah in January was quite seamless, since the company hired the same special function officers that had been serving our Court prior to the change. We have enjoyed a good working relationship with them.

As mentioned, warrant service is not as productive as we had hoped, but we are adjusting our internal procedures to hopefully make the contracted service more cost effective.

We have not had any complaints from the public about the way Court Services of Utah has operated in service to the Clearfield Justice Court.

### **IV. ALTERNATIVES**

If the City Council is not comfortable awarding the bid to Court Services of Utah, the alternative would be to reject all bids. However, the current temporary contract with Court Services of Utah ends June 30, 2012. An extension to that contract could perhaps be negotiated, but would be no more advantageous than to award the current bid.

### **V. SCHEDULE / TIME CONSTRAINTS**

With the temporary contract set to end on June 30, 2012, it is necessary to take action and have arrangements in place for the beginning of July.

### **VI. LIST OF ATTACHMENTS**

- BidSync bid tabulation report

### Bid #2012B-12 - CONSTABLE SERVICES

Creation Date **May 11, 2012**  
 Start Date **May 14, 2012 10:02:31 AM MDT**

End Date **May 30, 2012 3:00:00 PM MDT**  
 Awarded Date **Not Yet Awarded**

<b>Constable Bringhurst LLC</b> <span style="float: right;"><b>\$0.00</b></span> Bid Contact <b>Larry Bringhurst</b> <a href="mailto:lcbring@aol.com">lcbring@aol.com</a> <b>Ph 801-561-4278</b> Bid Notes <b>Submitted by:</b> <b>Constable Larry C. Bringhurst</b> <b>Court Services of Utah</b>				Address <b>47 East 7200 South #221</b> <b>Midvale, UT 84047</b>	
<b>Agency Notes:</b>		<b>Supplier Notes:</b> Submitted by: Constable Larry C. Bringhurst Court Services of Utah			
Item #	Line Item	Unit Price	Qty/Unit	Total Price	
2012B-12--01-01	CONSTABLE SERVICES - First Offer	\$0.00	1 / each	\$0.00	
<b>Product Code:</b> <b>Agency Notes:</b>		<b>Supplier Product Code:</b> 2012B-12 <b>Supplier Notes:</b> Pricing is contained in uploaded attachment			

<b>davis county constable</b> <span style="float: right;"><b>\$1.00</b></span> Bid Contact <b>mark sessions</b> <a href="mailto:daviscountyconstable@gmail.com">daviscountyconstable@gmail.com</a> <b>Ph 801-529-7251</b>				Address <b>430 north 3425 west</b> <b>west point, UT 84015</b>	
<b>Agency Notes:</b>		<b>Supplier Notes:</b>			
Item #	Line Item	Unit Price	Qty/Unit	Total Price	
2012B-12--01-01	CONSTABLE SERVICES - First Offer	\$1.00	1 / each	\$1.00	
<b>Product Code:</b> <b>Agency Notes:</b>		<b>Supplier Product Code:</b> <b>Supplier Notes:</b>			

Close
Print

# CLEARFIELD CITY RESOLUTION 2012R-12

## A RESOLUTION AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN CLEARFIELD, LAYTON, CLINTON, AND SYRACUSE CITIES FOR PARTICIPATION IN THE METRO SWAT TEAM

WHEREAS, Clearfield City, Layton City, Clinton City, and Syracuse City (referred to collectively herein as the “Participant Cities”) 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, in order to better maintain public safety and more fully accomplish law enforcement objectives within their respective jurisdictions, the police department of each Participant City has occasional need to utilize a specialized response force (“SWAT” team) to deal with incidents which exceed normal patrol capabilities; and

WHEREAS, for the purposes of economy and efficiency, the Participant Cities can mutually benefit from creating and supporting a joint/cooperative SWAT team to better serve their respective jurisdictions as well as the surrounding community rather than separately training and supporting such units within each of their individual departments on a singular basis; and

WHEREAS, the Participant Cities wish to formalize the relationship of the parties and clarify each Participant City’s obligations with respect to the formation and ongoing maintenance of a joint and cooperative SWAT team (the “Metro SWAT Team”) through an Interlocal Cooperative Agreement;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that the attached Interlocal Agreement between Clearfield City, Layton City, Clinton City, and Syracuse City for the formation of and ongoing participation in the Metro SWAT Team 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 26<sup>th</sup> day of June, 2012.

ATTEST:

CLEARFIELD CITY CORPORATION:

\_\_\_\_\_  
Nancy R. Dean, City Recorder

\_\_\_\_\_  
Donald W. Wood, Mayor

### VOTE OF THE COUNCIL

AYE:

NAY:

EXCUSED:

# **Metro SWAT Team Interlocal Agreement**

This Interlocal Agreement is entered into by and among the following undersigned jurisdictions: Layton City, Clearfield City, Clinton City and Syracuse City, jointly referred to as "participants."

## **Recitals**

### **Article One**

#### **Purpose of the Agreement**

The purpose of this agreement is to:

1. Formalize the relationship of entities participating in the Metro SWAT Team.
2. Clarify the obligations of each participating party.
3. Make available to each participating agency the resources of the SWAT Team in accordance with established protocols.

### **Article Two**

#### **Personnel and Resource Contribution**

Each participant agrees to supply personnel and resources to the Metro SWAT Team. The manner in which those resources will be provided shall be done within the following parameters:

1. Personnel shall be selected through an objective testing process. This process is outlined in the Layton SWAT Standard Operating Procedures manual.
2. The specific number of personnel available from each agency shall be controlled ultimately by the Chief of the respective agency. Positions on the team shall be filled by the SWAT Team Commander by selection of the most qualified person based upon the testing process.
3. Each participating agency shall be responsible to equip and outfit officers selected from their agencies to fulfill duties on the Metro SWAT Team. This equipment will be the property of the agency and jurisdiction that purchased it. Personal equipment purchased in this manner should be consistent with current team equipment. Final approval of the equipment will be given to the SWAT Team leadership, and should be based upon functionality and uniformity with the remainder of the team.
4. Metro SWAT Team will also work with participating agencies to develop budget requests for larger scale purchases, operational assets, and specialized equipment. Ownership of equipment obtained in this manner will be established at the time the budget request is developed.

## **Article Three**

### **The Mission**

The mission of the Metro SWAT Team is to provide a specialized response force capable of dealing with incidents that exceed the capabilities of patrol. These missions include, but are not limited to hostage rescue, barricade subject operations, high risk warrant services, and any other assignments as deemed appropriate by team leadership. These services will be provided to all participating agencies, upon approval of the Chief of Police or his/her designee of the requesting agency and to any other requesting agency by approval of the Layton City Chief of Police.

## **Article Four**

### **Management and Control of the Metro SWAT Team**

The participants of this Interlocal Agreement recognize and agree that the management and control of the team will be the responsibility of and under the control of the Layton Police Department. Layton is the major shareholder in the team, and will be responsible for providing team leadership, policy, guidance, and direction for the team.

Each participating agency will ensure that its employees are aware, through policy, procedure, practice, or written notification that being a SWAT Team member is an assignment within their current employment. As such, there are no additional property rights beyond what each employee may have with their underlying employment. Therefore, placement on and removal from the SWAT Team is at the discretion of either the employing agency or the SWAT Team commander

The Metro SWAT Team Commander shall retain the right to remove any officer from the team with or without cause and in consultation with the employing agencies Chief of Police. Any disciplinary action recommended by the Team Commander shall be forwarded to the employing agencies Chief of Police for further action. Any disciplinary action imposed will be done by the employing agency pursuant to its policies and procedures.

Layton PD shall provide a Standard Operating Procedure for the team, defining capabilities and processes for management and administration of the Metro SWAT Team. Copies of these documents shall be provided to each participating agency for their review and input.

## **Article Five**

### **Activation of the Metro SWAT Team**

The participants in this agreement recognize and agree that activation of the team shall take precedence over normal duties within the respective agency. Due to the normally exigent nature and specialized nature of the responses for the SWAT Team, participants agree to immediately release team members from their normal duties to be able to respond to the incident at hand.

Upon activation of the team, members become subordinate to the authority of the Team Commander until such time as they are released or the activation is completed.

## **Article Six**

### **Compensation**

In the event one of the participants acts as a requesting party for the Metro SWAT Team's services, it shall not be obligated to compensate the tactical team for services rendered by or injuries to any participant of the Metro SWAT Team, or for the use or damage to the team equipment.

Each participating agency shall be responsible for all compensation and benefits of their officer(s) assigned to the Metro SWAT Team. Each team member is at all times an employee of their respective participating entity. Each participant hereto expressly waives any and all claims of whatever type or nature against the other and its personnel, which may arise out of the performance of the agreement.

Nothing in this document prohibits the Metro SWAT Team from charging requesting agencies that are not a participating member of the Metro SWAT Team for cost incurred in resolving a critical incident on the requesting agencies behalf.

## **Article Seven**

### **Privileges and Immunities**

All the privileges and immunities from liability, in law and in equity, which surround the activities of the Metro SWAT Team or any participating entities or agencies when performing its functions shall apply to the Metro SWAT Team.

## **Article Eight**

### **Indemnification**

Each participating agency and governmental agency shall indemnify its own officer(s), acting within the course and scope of their employment for any claims arising out of participation in the Metro SWAT Team and any of its activities.

Each participating agency indemnifies and holds harmless Layton City for any decision regarding membership of the Metro SWAT Team.

## **Article Nine**

### **Administration**

It is the intention of the participants that no separate legal entity be created by the agreement to carry out its provisions. To the extent this agreement requires administration other than as set forth herein; it shall be administered by a joint decision of the participating agencies' Chiefs of Police.

## **Article Ten**

### **Duration**

This agreement shall be effective for 50 years from date of signature unless otherwise terminated as provided in this agreement.

Any participant may terminate any rights and obligations under this agreement at any time by giving thirty days written notice of its intent to withdraw from this agreement.

## **Article Eleven**

### **Compliance with Laws**

Each participant agrees that each will comply with all applicable federal, state and local laws, rules and regulations applicable to the respective entities and employees in connection with the performance of this agreement.

## **Article Twelve**

### **Amendments**

This agreement may be changed, modified or amended by written agreement of the participants. Proposed changes must be approved by the respective participant's legal counsel, and must meet all other applicable requirements of the agreement.

## **Article Thirteen**

### **Effective Date**

This agreement shall become effective immediately upon the execution of and appropriate resolution by the applicable governing body of each entity.

## **Article Fourteen**

### **Governing Law**

This agreement shall be governed by the laws of the State of Utah.

IN WITNESS WHEREOF, the parties have executed multiple copies or counterparts of this agreement, each of which will be deemed an original.

LAYTON CITY

By: \_\_\_\_\_

J. STEPHEN CURTIS

Title: Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
THIEDA WELLMAN, Layton City Recorder

\_\_\_\_\_  
Attorney: Approved as to form

CLEARFIELD CITY:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clearfield City Recorder

\_\_\_\_\_  
Attorney: Approved as to form

CLINTON CITY:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clinton City Recorder

\_\_\_\_\_  
Attorney: Approved as to form

SYRACUSE CITY:

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Syracuse City Recorder

\_\_\_\_\_  
Attorney: Approved as to form

# **CLEARFIELD CITY ORDINANCE 2012-06**

## **AN ORDINANCE AMENDING THE CONSOLIDATED FEE SCHEDULE FOR CLEARFIELD CITY CORPORATION.**

**PREAMBLE:** Ordinance 2008-06 enacted a consolidated fee schedule for utilities, recreation, licensing, permits, impact fees, building rental, etc. for Clearfield City Corporation. Amendments to the fee schedule have been identified and shall be enacted as outlined below.

### **BE IT ORDAINED BY THE CLEARFIELD CITY COUNCIL:**

**Section 1. Enactment:** Title 2, Chapter 5 of the Clearfield City Code is hereby amended to read as follows:

**Section 2. Effective Date:** This Ordinance shall become effective immediately upon posting.

**Section 3. Repealer:** Any Ordinance or sections or portions of ordinances previously enacted by the Clearfield City Council which are in conflict with the provisions of this Ordinance are hereby repealed and replaced by this Ordinance.

Dated this 26<sup>th</sup> day of June, 2012, at the regularly scheduled meeting of the Clearfield City Council.

CLEARFIELD CITY CORPORATION

---

Donald W. Wood, Mayor

ATTEST

---

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

## CONSOLIDATED FEE SCHEDULE CLEARFIELD CITY CORPORATION

### UTILITIES

#### **Water**

##### **Single Family Dwellings**

	<b>2012</b>
Base Fee (5/8" meter)	\$11.36
Consumption Charges per 1,000 gallons	
0 - 10,000	\$0.85
10,001 - 40,000	\$1.00
40,001 - 60,000	\$1.15
60,001 - 80,000	\$1.30
80,000 +	\$1.45

##### **Multiple Dwelling Units, Apartment Houses & Mobile Home Parks**

(7,000 gallons allowed per unit, then commercial rates apply)

1st Unit	\$13.71
Each Additional Unit	\$12.24

##### **Commercial/Industrial/Institutional/Dormitory**

Base fee, based on meter size

5/8"	\$16.61
1"	\$77.69
1.5"	\$77.69
2"	\$102.01
3"	\$259.58
4"	\$387.70
6"	\$510.36
Consumption Charges per 1,000 gallons	\$1.05

Sprinkling lawns, unmetered - base fee from 5/8" commercial rate plus per square foot of lawn area. Unmetered lawn accounts will be billed monthly for a five (5) month period each year, from May 1 up to and including September 30.

\$0.005071

##### **Fire Protection Standby Charge:**

Sprinkling system standby charge per diameter inch of main pipe	\$3.00
-----------------------------------------------------------------	--------

More than one User:

Minimum monthly fee based on meter size.  
Consumption fee shall be divided equally between users unless users present a written agreement that fees shall be charged on different basis.

Unmetered Services

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees  
8 or fewer employees minimum 1.0" meter size  
9 or more employees, charged at 2.0" meter size

\$7,769  
\$102.00

**Sanitary Sewer**

**Residential**

Single Family

\$18.06

Proposed

\$19.06

Multi-Unit

1st Unit

\$16.60

\$17.60

All Other Units

\$14.49

\$15.49

**Commercial/Industrial/Institutional/Dormitory**

Metered

Base fee

\$20.28

\$21.28

Consumption fee per 1,000 gallons

\$1.20

\$1.30

Billing periods beginning May 1st through and including the November 1st bill of each year will be billed on a five month winter average consisting of water consumption from December 1st through April 1st bills.

More than one User:

Minimum monthly fee based on meter size.  
Consumption fee shall be divided equally between users unless users present a written agreement that fees shall be charged on different basis other than equally

Unmetered Services

Commercial & industrial users not having metered water service shall be charged for water services based on the number of connections and number of employees  
8 or fewer employees minimum 1.0" meter size

Commercial Monthly Base Fee

9 or more employees, charged at 2.0" meter size

Commercial Monthly Base Fee + \$1.00/employee

**Special Treatment**

When sewage requires special treatment or causes an unusual and abnormal burden on the disposal facilities, additional charges shall be assessed as determined by the City Council to be fair and equitable.

**Storm Sewer**

**Residential**

Single Family and duplex

\$4.35

\$4.48

Tri-plex and fourplex

Apartments with more than 4 units at Commercial rate

**Commercial/Industrial**

\$4.35/ESU

\$4.48/ESU

(2,700 sq ft of impervious surface equals 1 ESU)

Credit for On-Site Mitigation:

50% with maximum release of 0.20 cfs/ac and having installed an approved sand &

30% with maximum release of 0.20 cfs/ac within a landscaped area or a retention

20% with maximum release of 0.20 cfs/ac within an impervious surface area on the

**Residential Solid Waste (Garbage)**

Base fee (with 1st can)

\$15.25

\$15.25

Each additional can

\$7.00

\$7.00

**Utility Taxes**

Six percent (6%) of total water and sewer charges

**Misc. Fees**

Refundable security deposit

\$65.00

\$65.00

Service Fee

\$25.00

\$25.00

Late Fee

\$10.00 or 1.5%, whichever is greater

Disconnect/Reconnect Fee

\$25.00

\$25.00

Administrative fine for violations of Title 9

Not less than \$100, nor more than \$200

## **RECREATION FEES:**

### **Park Rental Fees:**

	<b>Resident</b>	<b>Non-resident</b>
\$25 refundable cleaning deposit due at the time of rental		
Picnic shelter	\$15.00	\$35.00
Amphitheater (per hour)	\$10.00	\$10.00

### **Athletic Field / Facility Usage Fees:**

	<b>Resident</b>	<b>Non-resident</b>
\$100 refundable cleaning deposit due at the time of rental		
Usage fee (per hour per field)	\$10.00	\$20.00
Lights (per hour per field)	\$20.00	\$20.00
Field preparation Mon-Fri (per field)	\$25.00	\$25.00
Field preparation Sat-Sun (per field)	\$40.00	\$40.00
Scoreboard (per field)	\$10.00	\$10.00
Supervisor in charge of scoreboard (per hour)	\$12.00	\$12.00

### **July 4th Booth Fees:**

	<b>All vendors</b>
Shaded booth, no electricity	\$80.00
Shaded booth, non-food w/electricity	\$110.00
Shaded booth, w/electricity food vendor	\$110.00
Food vendor with own trailer w/electricity	\$100.00
Each additional electrical outlet	\$10.00

### **Recreation Leagues, Sports, Classes, and Misc. Fees:**

Contact Community Services Department

## **AQUATIC CENTER FEES:**

**(All fees include tax)**

### **Daily Admission**

Child 3 and under	\$1.00
Youth 4-17	\$3.00
Adult 18-59	\$5.50
Senior 60+	\$3.00

### **Annual Membership fees**

	<b>Resident</b>	<b>Non-Resident</b>
Membership rates includes tax		
Child 4-12	\$130.00	\$197.25
Youth 13-17	\$170.00	\$260.00

Adult 18-59	\$260.00	\$390.00
Senior 60+	\$170.00	\$260.00
Senior couple	\$260.00	\$390.00
Adult couple	\$340.00	\$510.00
Family	\$440.00	\$620.00

**Membership Registration Fee**

Individual one-time registration fee	\$25.00	\$25.00
Senior Couple one-time registration fee	\$40.00	\$40.00
Adult Couple one-time registration fee	\$50.00	\$50.00
Family one-time registration fee	\$75.00	\$75.00

**Membership Cancellation Fee**

Individual	\$25.00	\$25.00
Couple	\$50.00	\$50.00
Family	\$75.00	\$75.00

**15-Punch Pass**

Youth 4-17	\$40.95	\$40.95
Adult	\$72.00	\$72.00
Senior	\$40.95	\$40.95

**Aquatic Center Day Care**

Hourly rate per child	\$3.50	\$3.50
5-hour punch pass	\$15.00	\$15.00
10-hour punch pass	\$30.00	\$30.00
30-hour punch pass	\$75.00	\$75.00
50-hour punch pass	\$105.00	\$105.00

**Aquatic Center Programs**

	<b>Resident</b>	<b>Non-resident</b>
Swim lessons	\$31.00	\$36.00
Private swim lessons - one student	\$10.00	\$12.00
Private swim lessons - two students	\$11.00	\$13.00
Private swim lessons - three students	\$12.00	\$14.00
Clearfield City Aquatics Team 3 days/week	\$25.00	\$28.00
Clearfield City Aquatics Team 5 days/week	\$30.00	\$33.00

<b>Aquatic Center Facility Rentals:</b>	<b>Per hour</b>
Leisure pool 1-100 people	\$150.00
Extra fee per hour / additional 25 people	\$25.00
Lap pool 1-100 people	\$100.00
Extra fee per hour / additional 25 people	\$25.00
Lap and Leisure pool 1-100 people	\$225.00
Extra fee per hour / additional 25 people	\$25.00
Lap pool / splash pad	\$125.00
Lap pool / leisure pool / splash pad	\$300.00
Splash pad & patio area	\$75.00
Lane rental	\$12.50
Shower rental	\$50.00
Wet classroom	\$35.00
Party room	\$35.00
Birthday party package	\$75.00
(Includes 45 minutes in party room, 8 children, 2 adults)	
Full aquatic center	\$400.00
Gym - full court (30 minutes)	\$25.00
Gym - half court (30 minutes)	\$15.00

<b>Aquatic Center Misc. Fees:</b>	
Body Fat Testing	\$10.00
Personal training - couple	\$60.00
Personal training - single	\$40.00
Personal training - 10 sessions	\$340.00
Personal training - 6 sessions	\$216.00
Personal training - 3 sessions	\$114.00

## **BUSINESS LICENSE FEES**

<b>General Business License</b>	<b>Fee / Amount</b>
New	\$75
Renewal / Commercial	\$64
Renewal / Home	\$64
<b>Rental Dwelling License</b>	
New	\$190
New - Good Landlord Participant	\$30
Renewal or amendment	\$64

**Temporary or Seasonal Merchant License or Mobile Food Vendor License**

New - Sixty (60) Days	\$120
Cleaning Deposit	\$100

**Solicitor License**

New	\$215
Renewal	\$64
Identification Badge	\$15

**Beer Licenses****Class A - Off-Premise**

New	\$138
Renewal	\$64

**Class B - Restaurant**

New	\$138
Renewal	\$64

**Class C - Tavern**

New	\$138
Renewal	\$64

**Class D - Nonprofit Organization**

New	\$138
Renewal	\$64

**Class E - Temporary Special Event**

New	\$138
Renewal	\$64

**Sexually-Oriented Business Licenses****Outcall Services**

New	\$200
Renewal	\$64

**Adult Business**

New	\$200
Renewal	\$64

**Nude Entertainment Business**

New	\$200
Renewal	\$64

**Semi-nude Dancing Bar**

New	\$200
Renewal	\$64

<b>Nude and Semi-nude Dancing Agency</b>	
New	\$200
Renewal	\$64
<b>Sexually-Oriented Business Employee Licenses</b>	
<b>Non-performing Employee</b>	
New	\$200
Renewal	\$64
<b>Outcall Services Performer</b>	
New	\$200
Renewal	\$64
<b>Adult Business Performer</b>	
New	\$200
Renewal	\$64
<b>Nude Entertainment Business Performer</b>	
New	\$200
Renewal	\$64
<b>Semi-nude Dancing Bar Performer</b>	
New	\$200
Renewal	\$64
<b>Firework Stand License</b>	
New	\$120
Cleaning Deposit	\$100
<b>Pawnbroker License</b>	
New	\$138
Renewal	\$64
<b>Disproportionate Service Fees</b>	
Daycare / Preschool, Commercial (new only)	\$10
Daycare / Preschool, Home (new only)	\$135
Manufacturing Businesses (new and renewal)	\$200
Single-Family Rental (new and renewal) with Good Landlord Program - per unit	\$7
Two-Family Rental (new and renewal) with Good Landlord Program Discount	\$3
Multi-Family Rental (new and renewal) with Good Landlord Program Discount	\$7
Mobile Home Park (new and renewal) with Good Landlord Program Discount	\$7
Single-Family Rental (new and renewal)	\$75
Two-Family Rental (new and renewal)	\$16.50
Multi-Family Rental (new and renewal)	\$76.50

Mobile Home Park (new and renewal)	\$47.25
Convenience Stores (new and renewal)	\$500
Restaurants (new and renewal)	\$150
Tavern (new and renewal)	\$800
Automotive (new and renewal)	\$115
Financial Services (new and renewal)	\$440
Pawn Shops (new and renewal)	\$500

**Bonds Required**

**Sexually-Oriented Businesses:**

Each applicant for a sexually-oriented business license shall post with the City's business license department a cash or corporate surety bond, payable to the City, in the amount of two thousand dollars (\$2,000). Any fines assessed against the business, officers or managers for violations of City ordinances shall be taken from this bond if not paid in cash within ten (10) days after notice of the fine, unless an appeal is filed. In the event the funds are drawn against the cash or surety bond to pay such fines, the bond shall be replenished to two thousand dollars (\$2,000) within fifteen (15) days of the date of notice of any draw against it.

**Firework Stands:**

**Bond Or Liability Insurance:** Any application for permit as herein provided shall be accompanied by a certificate of insurance insuring the licensee and naming the City as an additional insured, conditioned for the payment of all damages which may be caused either to a person or to property by reason of the display so licensed and arising from any acts of the licensee, his agents or employees. Such insurance shall be in a sum not less than one hundred thousand dollars/three hundred thousand dollars (\$100,000.00/\$300,000.00) for bodily injury and fifty thousand dollars/one hundred thousand dollars (\$50,000.00/\$100,000.00) for property damage and no City officer or licensing agent or other representative of the City shall in any event issue any permit hereinabove referred to until such certificate of insurance has been furnished and passed upon by the City Manager and the City Attorney as to form and sufficiency.

**Pawnbrokers:**

Prior to the issuance of any license for the business of a pawnbroker, the applicant therefore shall file with the Director of Finance a bond with a sufficient surety in the penal sum of two thousand dollars (\$2,000.00), in such form as shall be approved by the City Attorney, conditioned for the faithful observance of all laws and ordinances respecting pawnbrokers. The form of the bond and the sufficiency of the surety shall be approved by the City Attorney.

**Miscellaneous**

Duplicate license / certificate	\$5
Report showing all businesses licensed in the city	\$5

**Penalties**

Renewals not paid on or before January 15th	50 % of the total amount due
Engaging in business without a license	\$50

**Amended License**

Processing Fee	\$5
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**Business License Appeal**

Fee	\$75
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**POLICE**

Copy of Police Report	\$5.00
1st copy to those involved	No Cost
Tape or CD with photos or video	\$25.00
Fingerprinting (resident)	\$10.00
Fingerprinting (non-resident)	\$15.00

**Alarm Monitoring**

Monthly charge per individual site	\$20.00
Cost per alarm received (no charge for first three in any month)	\$20.00

**Registration Fee**

Sex Offender	\$25.00
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**GRAMA FEES:**

Copy cost per side	\$0.25
Certified copies per page	\$2.00
Copy of a tape recording	\$3.00
Compilation time per hour	\$14.00
Police reports	\$5.00
Budget copies	\$5.00
Land Use Plans (General Plan)	\$5.00

Requests that include the inspection of a voluminous scope of records and/or have not identified any particular record(s) with any degree of specificity, will need to adhere to the following procedures and guidelines in order for the City to reasonably facilitate the request:

1) Written notice must be provided to the office of the City Recorder at least ten (10) business days in advance of the date and times desired to inspect the City's public records. Said notice must include a particular category of records to examine on each date so that those records may be pulled, placed in a central location, and then reviewed for any private, controlled, or protected documents in advance of the inspection.

2) Appointments to inspect the City's public records will be made in four (4) hour time blocks, either from the hours of 8:30 a.m. until 12:30 p.m. or from 1:00 p.m. until 5:00 p.m. Requestors may utilize only one (1) four (4) hour time block for inspecting records per day and must not request more than two (2) such appointments per week.

3) The City shall charge a reasonable fee to cover its actual costs for accommodating the records request. Pursuant to this Fee Schedule, the requestor will be charged a minimum of \$14.00 per hour to cover the necessary staff time to facilitate complying with the request. The requestor must pay \$56.00 (4 hours X \$14/hour) in advance for each four (4) hour block of inspection time scheduled. However, that amount is only designed to offset the City's labor costs to have an employee sit with the requestor while any public records are inspected in order to maintain the integrity of said records. Any additional costs for searching, retrieval, compiling, formatting, manipulating, packaging, summarizing, tailoring, copying, etc. will be charged in addition to the \$56.00 per four (4) hour inspection block that will have already been paid in advance.

## **PLANNING & ZONING FEES:**

	Per City Engineer Hourly Rates
Engineering Fees	
Site Plan Review	\$500 plus Engineering
Conditional Use Permit	
Home Occupation	\$200 plus Engineering
Residential	\$350 plus Engineering
Commercial	\$350 plus Engineering
Request for Extension	\$200 plus Engineering
Site Plan Review/Conditional Use Permit running concurrently	\$700 plus Engineering
Rezone	\$650 plus Engineering
Zoning Ordinance Amendment	\$650 plus Engineering
General Plan Amendment	\$900 plus Engineering
Street Vacation	\$450 plus Engineering
Plat Vacation / Amendment	\$300 plus Engineering
Annexation	\$1000 plus Engineering
Special Planning Commission Meeting	\$500
Subdivision Approval	
Preliminary	\$500 + \$25 per lot, plus Engineering
Final	\$400 + \$25 per lot, plus Engineering
Subdivision Public Hearing	\$300

Appeal to the Planning Commission or City Council	\$150 plus Independent Legal Fees
Recording Fees	Paid directly to Davis County Recorder
Permanent Sign Permit	\$50 plus Inspection Fees
Temporary Sign Permit	\$20
Variance	\$250 plus Engineering
Zoning Determination Letters	\$75

**Maps**

	<b>Resident:</b>	<b>Non-resident:</b>
8 ½ X 11	No Cost	\$1.00
11 X 17	No Cost	\$1.00
18 X 24	\$2.00	\$2.00
32 x 48	\$3.00	\$3.00

**CODE ENFORCEMENT FEES:**

Restoration Permit	First - \$25 / Second - \$50
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**BUILDING PERMIT AND DEVELOPMENT FEES:**

**General - Building valuation:**

From \$1 to \$500	\$23.50
From \$501 to \$2,000	\$23.50 plus \$3.05 each additional \$100 or fraction thereof
From \$2,001 to \$25,000	\$69.25 plus \$14.00 each additional \$1,000 or fraction thereof
From \$25,001 to \$50,000	\$391.75 plus \$10.10 each additional \$1,000 or fraction thereof
From \$50,001 to \$100,000	\$643.75 plus \$7.00 each additional \$1,000 or fraction thereof
From \$100,001 to \$500,000	\$993.75 plus \$5.60 each additional \$1,000 or fraction thereof
From \$501,000 to \$1,000,000	\$3,233.75 plus \$4.75 each additional \$1,000 or fraction thereof
From \$1,000,000 up	\$5,608.75 plus \$3.65 each additional \$1,000 or fraction thereof

**Pools, tubs and spas:**

Public	\$150 each
Private	\$47 each

**Landscape sprinkling system**

\$47 each

**Plan check fee:**

Commercial

- 65% of the building permit fee for building value of \$1 - \$100,000
- 60% of the building permit fee for building value of \$100,001 - \$500,000
- 50% of the building permit fee for building value of \$500,001 and greater

Use of outside consultants for plan checking	Actual Cost **
Residential and pools	20% of the building permit fee
Residential "Identical Plans"	\$47

\*\* Actual costs include administrative and overhead costs

Plan check deposit required for new construction	
Residential	\$100
Commercial	\$250

**Off-site Bonds**

Residential	\$2,000
Commercial	As per City Engineer's cost estimate

**Permit inspection fees:**

Outside normal business hours (minimum charge of two hours)	\$47 per hour
Re-inspection	\$47 per hour
Inspections for which no fee is specifically indicated (minimum charge of .5 hours)	\$47 per hour
Additional plan review required by revisions (minimum charge of .5 hours)	\$47 per hour

**Home daycare or preschool plan check and inspection fee** \$25 each

**Street Cut Permit (Excavation Permit)**

Lateral excavation (roads older than 1 year)	\$60 / lane cut
Lateral excavation (roads newer than 1 year)	\$120 / lane cut
Longitudinal excavation (roads older than 1 year)	
First 660 lineal feet	\$120
Each additional 660 lineal feet or fraction thereof	\$240
Longitudinal excavation (roads newer than 1 year)	
First 660 lineal feet	\$240
Each additional 660 lineal feet or fraction thereof	\$240
Excavations off improved right-of-ways	\$60
Bond per lateral excavation	\$1,000
Bond per unlimited number of lateral excavations	\$15,000
Bond for longitudinal excavation for 100 lineal feet or fraction thereof	\$2,000

**Demolition permit (including inspections)** \$150

**State Surcharge**

A 1% state surcharge may be applicable to building permit fees

**Water Meter Fees**

	<b>Cost</b>	<b>Installation Fee</b>
5/8" x 3/4" Meter	\$208	\$25
1" Meter	\$292	\$25
1-1/2" Meter	\$530	\$25
2" Meter	\$700	\$25
2" Compound Series Meter w/2 Orion Transmitters	\$1,945	Per City Public Works Hourly Rate
3" Compound Series Meter w/2 Orion Transmitters	\$2,263	Per City Public Works Hourly Rate
4" Compound Series Meter w/2 Orion Transmitters	\$3,528	Per City Public Works Hourly Rate
6" Compound Series Meter w/2 Orion Transmitters	\$4,927	Per City Public Works Hourly Rate
1-1/2" Turbine Meter	\$800	Per City Public Works Hourly Rate
2" Turbine Meter	\$875	Per City Public Works Hourly Rate
3" Turbine Meter	\$987	Per City Public Works Hourly Rate
4" Turbine Meter	\$1,448	Per City Public Works Hourly Rate
6" Turbine Meter	\$3,413	Per City Public Works Hourly Rate

**Telecommunications franchise application fee**

\$500

**Sewer Connection Fees**

Each connection to the city sanitary sewer system including each	\$500
Additional connection fee per lot within the subdivision, mobile	\$25

**DEVELOPMENT IMPACT FEES:****Residential**

	<b>2011</b>	<b>2012</b>
Single Family (includes attached & detached)		
Park Impact Fee	\$853	\$853
Storm water	\$1,396	\$1,432
Water	\$3,726	\$3,822
Sewer	\$2,019	\$2,072
All Others (per housing unit)		
Park Impact Fee	\$604	\$604
Storm water	\$1,396	\$1,432
Water	\$3,726	\$3,822
Sewer	\$2,019	\$2,072

**Non-residential**

	<b>2011</b>	<b>2012</b>
Storm water per ESU (1 ESU = 2,700 sq. ft. of impervious surface)	\$1,396	\$1,432
If there is storm water detention onsite, the fee is reduced if the detention area is:		
Paved - 20% reduction		
Grassed - 30% reduction		

Sand & Oil Interceptor - 50% reduction

	<b>2011</b>	<b>2012</b>
Water Impact (per water meter size*)		
0.75	\$3,726	\$3,822
1.00	\$9,315	\$9,556
1.50	\$18,630	\$19,112
2.00	\$29,809	\$30,579
3.00	\$55,891	\$57,336
4.00	\$93,152	\$95,559
 Sewer Impact (per water meter size*)		
0.75	\$2,019	\$2,072
1.00	\$5,049	\$5,179
1.50	\$10,097	\$10,358
2.00	\$16,155	\$16,573
3.00	\$30,291	\$31,074
4.00	\$50,485	\$51,790

\* Water and sewer impact fees for meters larger than four inches will be based on annualized average day demand and the net capital cost per gallon of capacity.

**Independent Fee Calculation Review** \$150 plus Actual Cost

**Administrative fee for Appeals** \$75

**North Davis Fire District** Determined by Fire District  
Collection Fee \$20

**North Davis Sewer District** Determined by Sewer District  
Collection Fee \$20

**DOG LICENSES**

License for dog or cat (unaltered) for one year	\$24.00
Senior Citizen Owner	\$10.00
License for dog or cat (altered) for one year	\$12.00
License for dog or cat (altered) for lifetime	
Senior Citizen Owner - must be spayed/neutered	\$20.00
Duplicate (replacement) tag	\$6.00

### **FIRE HYDRANT METERS**

Short Term Meter (3 days or less)	\$8.00 + usage charges
Long Term Meter (4 or more days)	\$30/month + usage charges
Lost, broken or damaged meter	\$650.00

### **NEIGHBORHOOD DUMPSTERS**

Deposit (applied to resident's acct when charges are billed)	\$75.00
Delivery & picking-up	\$53.61 + fuel surcharge
Tipping Charge	\$26 / ton

### **CEMETERY FEES**

	<b>Resident</b>	<b>Non-resident</b>
Plot - adult (includes perpetual upkeep)	\$450.00	\$950.00
Perpetual Upkeep - adult	\$250.00	\$350.00
Interment - adult	\$300.00	\$600.00
Plot - infant (includes perpetual upkeep)	\$150.00	\$400.00
Interment - infant/cremains	\$200.00	\$300.00
Plot - cremains (includes perpetual upkeep)	\$250.00	\$500.00
Perpetual Upkeep - cremains	\$100.00	\$200.00
Interment extra fee for weekends/holidays	\$100.00	\$150.00
Disinterment	\$500.00	\$500.00
Cemetery certificate transfer fee	\$10.00	\$10.00
Gravesite Marker (for second and each additional time)	\$25.00	\$25.00

### **BUILDING RENTAL FEES**

	<b>Resident</b>	<b>Non-resident</b>
Refundable cleaning & security deposit - no food	\$50.00	\$50.00
Refundable cleaning & security deposit - food served	\$250.00	\$250.00
Room Rental / per hour	\$35.00	\$50.00
Room Rental / per hour Government Agencies	\$35.00	\$35.00

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY  
MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
May 8, 2012

*(This meeting was held following the regularly scheduled City Council Meeting.)*

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

VISITORS: Amy Petersen, Curtis Petersen, Boy Scout Troop 386, Joy Brown – American Legion, Jarom Hogg, Amber Seidel – Youth City Council

Chair Murray called the meeting to order at 7:45 p.m.

APPROVAL OF THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) MINUTES FROM THE MARCH 20, 2012 WORK SESSION

**Director Shepherd moved to approve the minutes from the March 20, 2012 Clearfield Community Development and Renewal Agency (CDRA) meeting, as written, seconded by Director Wood. The motion carried upon the following vote: Voting AYE – Directors Bush, LeBaron, Shepherd, Young and Wood. Voting NO – None.**

ADOPTION OF THE TENTATIVE BUDGET FOR FISCAL YEAR 2012/2013

The tentative budget as presented to the Board for adoption was a balanced budget.

Bob Wylie, Administrative Services Director, reported the budget for the CDRA was a balanced budget and pointed out the new EDA associated with ATK. He commented funding had been appropriated for some infrastructure projects in designated areas and the CDRA would be reimbursing the enterprise funds for the specific projects.

**Director Wood moved to approve the fiscal year 2012/2013 Tentative Budget and set a public hearing on the budget for Tuesday, June 12, 2012, seconded by Director LeBaron. The motion carried upon the following vote: Voting AYE – Directors Bush, LeBaron, Shepherd, Young and Wood. Voting NO – None.**

There being no further business to come before the Community Development and Renewal Agency, **Director Wood moved to adjourn as the CDRA and reconvene as the City Council in a work session at 7:47p.m., seconded by Director Shepherd. All voting AYE.**

DRAFT

CLEARFIELD CITY COMMUNITY DEVELOPMENT AND RENEWAL AGENCY  
MEETING MINUTES  
7:00 P.M. REGULAR SESSION  
June 12, 2012

*(This meeting was held following the regularly scheduled City Council Meeting.)*

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

VISITORS: Tab L. Uno, Norah Baron, Nathan Baron, Noah Baron, Zachary Baron, Ann Hoel, Sharon Hoel, Jason Burningham – Lewis Young Robertson & Burningham (LYRB), Vicki Denhalter, Ben Denhalter, Bean Denhalter, Garrett & Eli Milne, John Metcalf, Charlie & Keri Benson & Family

Chair Murray called the meeting to order at 7:44 p.m.

APPROVAL OF THE CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) MINUTES FROM THE MARCH 27, 2012 REGULAR SESSION

**Director Wood moved to approve the minutes from the March 27, 2012 Clearfield Community Development and Renewal Agency (CDRA) meeting, as written, seconded by Director Young. The motion carried upon the following vote: Voting AYE – Directors Bush, LeBaron, Wood and Young. Voting NO – None.** Director Shepherd was not present for the vote.

PUBLIC HEARING TO RECEIVE COMMENT ON THE CDRA 2012/2013 FISCAL YEAR BUDGET

Utah Code required a public hearing regarding the adoption of the CDRA's upcoming fiscal budget. Staff prepared and submitted to the Board a balanced tentative budget for the fiscal year 2012/2013 which would begin July 1, 2012 and end on June 30, 2013. The submitted tentative budget was adopted on May 8, 2012 and included all funds.

Adam Lenhard, City Manager, stated the budget was a \$3.3 million budget with one third of those funds coming from the newly created EDA for ATK. He briefly reviewed the projects which would be completed with RDA funds:

- Utility infrastructure and road improvements at the Legend Hills area
- Depot Street extension
- Sales Tax Bond payment associated with the Aquatic Center

He emphasized the budget was balanced.

Chair Murray declared the public hearing open at 7:46 p.m.

Chair Murray asked for public comments.

Tab Uno, resident, expressed concern regarding development of the Legend Hills area and the amount of funds being used to develop the eastern portion of the City in comparison to the western portion of the City and the possible negative image issue it could potentially create. Director Wood responded the purpose of the RDA was to promote development and stated there were several RDA's located throughout the City. He reported the funds appropriated for the development of the Legend Hills area were designated specifically for that geographical area. He stated the development of that area would be significant to the City because of its proximity to the Layton Hills Mall and shared statistics supporting that.

Mr. Lenhard clarified commercial development in the Legend Hills area was creating the increment specific to that geographical area. Councilmember Bush suggested Mr. Uno review the maps in the Community Development department reflecting the different RDA's and EDA's located throughout the City.

**Director LeBaron moved to close the public hearing at 7:52 p.m., seconded by Director Young. The motion carried upon the following vote: Voting AYE – Directors Bush, LeBaron, Wood and Young. Voting NAY – None.** Director Shepherd was not present for the vote.

There being no further business to come before the Community Development and Renewal Agency, **Director Wood moved to adjourn as the Community Development and Renewal Agency at 7:53 p.m., seconded by Director LeBaron. All voting AYE.** Director Shepherd was not present for the vote.

DRAFT

CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY  
RESOLUTION 2012R-02

A RESOLUTION APPROVING AND ADOPTING A BUDGET FOR  
CLEARFIELD COMMUNITY DEVELOPMENT AND RENEWAL AGENCY  
FOR THE PERIOD BEGINNING JULY 1, 2012 AND ENDING JUNE 30, 2013  
AND APPROPRIATING FUNDS FOR THE PURPOSES SET FORTH  
THEREIN

WHEREAS, a tentative and proposed budget has been prepared and presented to the Board as required by law; and

WHEREAS, a public hearing was advertised as provided by law for Tuesday, June 12, 2012 at 7:00 p.m.; and

WHEREAS, said public hearing was duly held and all persons present to be heard having been heard; and

WHEREAS, the creation of the budget is governed by established financial policies and statements; and

WHEREAS, the Board has duly and fully considered the proposed budget and it now being necessary that a final budget for the period beginning July 1, 2012 and ending June 30, 2013 be passed and adopted for said Clearfield Community Development and Renewal Agency.

NOW, THEREFORE, be it resolved by the Board of the Clearfield Community Development and Renewal Agency fiscal year budget 2013, a copy of which is attached hereto and incorporated herein by this reference, is approved and adopted this Twenty-sixth day of June, 2012.

CLEARFIELD COMMUNITY DEVELOPMENT  
AND RENEWAL AGENCY

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Kathryn Murray, Chairman

ATTEST:

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Nancy R. Dean, Secretary

VOTE OF THE BOARD

AYE:

NAY: