

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
March 27, 2012

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

VISITORS: Lance Allen – Waste Management, Joy Brown – American Legion Post 134, Ambrya Hinshaw, Briana Allred – Youth City Council, Miranda Cheney, Megan Godwin – Weber State University, Shelley Godwin, Amberlee Bauman – Big Brothers Big Sisters

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.

Youth City Councilmember Briana Allred conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 28, 2012 WORK SESSION AND THE FEBRUARY 28, 2012 REGULAR SESSION

Councilmember LeBaron moved to approve the minutes from the February 28, 2012 work session and the February 28, 2012 regular session, as written, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVAL OF THE ADOPTION OF THE HEARING OFFICER'S RECOMMENDATION TO UPHOLD THE CITY BUSINESS LICENSING OFFICIAL'S DENIAL OF LICENSES

Brian Brower, City Attorney, informed the Council that City ordinance allowed the applicant of a denied Sexually Oriented Business License or Employee License to appeal the decision of the Business License Official. He reported an appeal had been filed on each of these license renewals and the appeals were heard by a designated hearing officer. He stated the hearing officer accepted the evidence presented, heard from the applicant and his attorney, and considered the arguments offered and had since issued Findings of Fact, Conclusions of Law, and a Recommendation to the City Council, pursuant to City ordinance. He continued it was now up to the Council to determine whether to adopt those Findings, Conclusions and Recommendation. He reported no objections were filed by either the City or the applicant to the hearing officer's Findings, Conclusions and Recommendation, which opportunity was also provided for in the City's ordinance.

Councilmember Shepherd moved to approve the adoption of the hearing officer's recommendation to uphold the City Business Licensing Official's denial of licenses, seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

Mayor Wood also stated he concurred with the hearing officer's Findings, Conclusions and Recommendation and wanted that reflected in the record.

Councilmember Young moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 7:08 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

The minutes for the CDRA are in a separate location

PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN FOR PROGRAM YEAR JULY 1, 2012 TO JUNE 30, 2013

Council received a copy of the proposed 2012-2013 Community Development Block Grant (CDBG) One-Year Action Plan. Citizens were given the opportunity to review the One-Year Action Plan in the Community Development Department from March 28, 2012 until April 26, 2012. The final copy will be presented to the Council on May 8, 2012.

Stacy Millgate, CDBG Coordinator, explained the City expected to receive approximately \$217,000 in CDBG funds next year. She reviewed the proposed following allocations:

- \$14,000 to the Youth Resource Center
- \$9,000 to the Family Connection Center
- \$9,000 to the Davis Community Learning Center
- \$25,000 for CDBG Administrative costs
- \$159,000 for an infrastructure project within the City. She added the project had not yet been identified.

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

Mayor Wood asked for public comments.

Amberlee Bauman, Big Brothers Big Sisters of Utah, expressed appreciation to the City for its consideration of CDBG funds in the amount of \$3,050. She reported the program served 1500 “at risk” children in the State of Utah with 21 children coming from Clearfield. She added 14 mentoring volunteers were also Clearfield residents. She informed the Council that the funds would be used for the school based mentoring program offered once a week at the schools located within the City. She reported some of the results of the program were an increase in school achievement as well as a meaningful relationship with an adult.

Mayor Wood expressed appreciation to Ms. Bauman and commented it was always difficult to determine the recipients of the grant funding and explained the application process to the Council. He expressed his opinion it was unfortunate all requests couldn't be funded.

Councilmember Bush moved to close the public hearing at 7:24 p.m., seconded by Councilmember Murray. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

SCHEDULED ITEMS

CITIZEN COMMENTS

Joy Brown, American Legion, expressed appreciation to the City for the article which appeared in the City newsletter regarding the Easter Egg Hunt. She reported approximately 10,000 plastic eggs had been filled with candy and reported members of the Legion were looking forward to the City's Easter Egg Hunt. She informed the Council of the volunteers associated with filling the eggs. Mayor Wood expressed appreciation to members of the American Legion and the Clearfield ROTC for their volunteer efforts.

APPROVAL OF THE AWARD OF BID FOR THE 100 NORTH COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IMPROVEMENT PROJECT TO KAPP CONSTRUCTION AND DEVELOPMENT

Adam Lenhard, City Manager, explained bids were received from seven construction companies to perform work for the 100 North Street CDBG Improvement Project. The work would consist of upgrading the culinary water and sanitary sewer lines, installing a new storm drainage system and replacing the curb, gutter and sidewalk, and installing new asphalt pavement on 100 North Street from North Main to 300 East. The lowest responsible bid was received from Kapp Construction with a bid of \$575,409.

Scott Hodge, Public Works Director, stated the City had completed a number of infrastructure projects within the past four years and Kapp Construction completed most of those projects. He anticipated the project would begin around the first of May and believed it would be completed in approximately 75 days.

Councilmember Young moved to approve the award of bid to Kapp Construction and Development to perform the construction work associated with the 100 North CDBG Improvement Project for the bid amount of \$575,409, and approve funding of the project for the bid amount of \$575,409 with contingency and engineering costs of \$128,592 for a total project cost of \$704,001; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVAL OF THE AWARD OF PROPOSAL FOR INDIGENT CRIMINAL DEFENSE SERVICES (PUBLIC DEFENDER) FOR THE CLEARFIELD JUSTICE COURT TO THE LAW OFFICE OF RYAN J. BUSHELL

JJ Allen, Assistant City Manager, explained it recently became necessary for the City to solicit Request for Proposals (RFP) for public defender services. He indicated the City had completed the RFP process and evaluated the submitted proposals. Based upon the criteria stated in the Request for Proposal (RFP), the proposal submitted by the Law Office of Ryan J. Bushell was determined to be most advantageous to the City. The initial term of the contract would be effective through June 2013, with an option to renew.

Councilmember Murray inquired who the City had used previously for these services. Mr. Allen responded Attorney Paul Olds had previously been providing the services and that contract had expired.

Councilmember Shepherd moved to approve the award of proposal for indigent criminal defense services for the Clearfield Justice Court to the Law Office of Ryan J. Bushell and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVAL OF THE AWARD OF PROPOSAL FOR RESIDENTIAL SOLID WASTE COLLECTION

Bob Wylie, Administrative Services Director, explained the City's current agreement for residential solid waste collection services would expire on July 1, 2012. A Request for Proposal (RFP) was issued for new services beginning July 1, 2012 for a two year period. Four vendors responded with qualified bids. Waste Management of Utah, Inc. had the best qualified proposal based on the criteria set forth in the RFP.

Councilmember Murray moved to approve the award of proposal for residential solid waste collection services to Waste Management of Utah, Inc. and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

APPROVAL OF THE CONSOLIDATED FUEL NETWORK AND SITE MANAGEMENT AGREEMENT WITH THE STATE OF UTAH DEPARTMENT OF ADMINISTRATIVE SERVICES, DIVISION OF FLEET AND SURPLUS SERVICES FUEL NETWORK

Adam Lenhard, City Manager, stated Clearfield City currently maintained a refueling station at the Public Works shops facilities. By the City entering into this agreement, the State of Utah would manage and maintain the City's refueling facilities. Clearfield City would become a member in the State's fueling network which would allow City owned vehicles to refuel at any member station within the State.

Councilmember LeBaron expressed appreciation to Scott Hodge, Public Works Director, for providing the additional information he requested during the March 6, 2012 work session.

Councilmember LeBaron moved to approve the Consolidated Fuel Network and Site Management Agreement with the State of Utah and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Shepherd. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd and Young. Voting NAY – None.

COMMUNICATION ITEMS**Mayor Wood**

1. Reported he attended the ribbon cutting for the Northrop Grumman facility at the Falcon Hill Development. He stated Governor Herbert, Senator Hatch and Congressman Bishop were all in attendance and spoke at the event. He indicated the City would be working on possible opportunities to fill the vacancy at the old Northrop Grumman building.
2. Reminded the Council of the accident a few months ago at the intersection of 700 South/1000 West and reported new information had become available which indicated a possible west entry/exit for Freeport Center at the intersection. He stated another option had surfaced in that the industrial park developer for the property located in Syracuse at 200 South/1000 West had expressed interest in assisting with the improvements to the intersection. Scott Hodge, Public Works Director, reported he had discussed the mentioned possibilities with representatives from Freeport Center and had been informed they would not be pursuing an exit to the west at this time. Adam Lenhard, City Manager, added the developer of the industrial park in Syracuse had recognized that intersection improvements along 1000 West at 700 South would be beneficial to its development as well as the entire area. The developer of the Ninigret project had proposed some of the increment from the economic development project area might be used to offset infrastructure improvements to the intersection. He believed the City would have an opportunity to participate with the improvements and expressed his opinion it would be a win/win scenario for the City. He continued the project had been identified during the budget process; however, funding would not be available in the immediate future. Mayor Wood desired to make the Council aware of the discussions as residents from the area had been vocal about the intersection and could contact members of the Council individually. Mr. Lenhard commented he had no time reference as to when any action could be expected to take place.

Councilmember Bush

1. Reported he attended the Kiwanis meeting on Thursday, March 22, 2012.
2. He also reported he had attended the Wasatch Front 2040 Consortium during which UTA had discussed the development of rail sites. He stated he visited with Michael Christensen, Thackeray, regarding the proposed rail stop located in the City.
3. Informed the Council that the Wasatch Front Regional Council would be holding a transportation committee meeting here at City Hall. He stated projects would be identified which would be forwarded on to determine priority for future road projects. He indicated he would be willing to represent the City's desires for identified projects and requested input.

Councilmember LeBaron

1. Reported he had shopped at For Your Kitchen and stated it had everything possible for your kitchen.
2. Informed the Council a team consisting of Clearfield High students and instructors had participated in a CyberPatriot tournament in Washington DC. He explained the background associated with CyberPatriot tournament and reported the Clearfield High team finished third in the nation. Mayor Wood added it was the second time a team from Clearfield had finished at the National level.

Councilmember Murray – nothing to report.

Councilmember Shepherd – Reported the first session of Clearfield University was held on Thursday, March 22, 2012. He stated there had been a great turnout for the program and indicated there were two vacancies for available participants. Mayor Wood expressed appreciation for Councilmember Shepherd's and Shannon Anderson's efforts in the implementation of the program. He also expressed appreciation to City staff involved with Clearfield University.

Councilmember Young –nothing to report.

Adam Lenhard, City Manager

1. Expressed his opinion the first session of Clearfield University had gone very well. He explained the eight week program and expressed appreciation to Councilmember Shepherd and Shannon Anderson for their work with the program.
2. Expressed appreciation for staff's attendance at the Vision 2020 Open House previously held today at 5:00 p.m. He stated the Vision 2020 plan would be updated over the next few months and explained the timeline. He indicated there would be additional public meetings with the Planning Commission and the original committee during which items would be added. He added a final plan would come before the Council for adoption.
3. Reported he would be out of town beginning Tuesday, April 3, 2012 until Monday, April 16, 2012 and stated Bob Wylie, Administrative Services Director, would be covering his responsibilities in his absence.

STAFFS' REPORTS

Nancy Dean, City Recorder

1. Reminded the Mayor and Council of their scheduled lunch with Davis School Superintendency on, Wednesday, March 28, 2012 at 12:00 noon at Clearfield High School.
2. Informed the Council no meeting was scheduled for Tuesday, April 3, 2012. She stated the next meeting would be Tuesday, April 10, 2012 with a work session beginning at 6:00 p.m. followed by the policy session.
3. Reminded the Council of the Utah League meetings beginning on Wednesday, April 11, 2012.
4. Requested the Council quickly move to the executive conference room after adjourning the meeting to complete the Parks & Recreation Commission interviews.

There being no further business to come before the Council in policy session, **Councilmember Shepherd moved to adjourn the policy session and reconvene in a work session at 7:50 p.m., seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray, Shepherd, and Young. Voting NAY – None.**

**APPROVED AND ADOPTED
This 10th day of April, 2012**

/s/Mark Shepherd, Mayor Pro Tem

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, March 27, 2012.

/s/Nancy R. Dean, City Recorder