

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

PRESIDING:	Don Wood	Mayor
PRESENT:	Kent Bush	Councilmember
	Kathryn Murray	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Mark Shepherd	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Eric Howes	Community Services Director
	Mike Stenquist	Assistant Police Chief
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Andrew Allred – Youth City Council, Brian Allred, Ken Allred, Mae Allred, Ivan Anderson – North Davis Sewer District (NDSD)

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

Youth City Councilmember Andrew Allred conducted the Opening Ceremony.

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

Councilmember Murray moved to approve the minutes from the August 28, 2012 work session and the August 28, 2012 regular session, as written, 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.

SCHEDULED ITEMS

CITIZEN COMMENTS

Ivan Anderson, North Davis Sewer District, reported the District was in the planning process for installation of two new digesters at the facility. He reminded the Council what the digesters did and where they were located and explained how they functioned and operated. He stated the two current digesters would be modified which would decrease the time in which the product would

remain in the digesters. He reported the District was close to exceeding the allowable time limits for holding biosolids designated by the State of Utah and the Environmental Protection Agency (EPA) and reported fines could be excessive in the amount of approximately \$25,000 per day.

He stated the facility was anticipating the hosting of 4000 students in the form of "field trips" from Davis School District and reported the District encouraged these types of events.

Mr. Anderson informed the Council public hearings were scheduled in the near future to approve bonding to complete future improvements. He briefly explained the benefits associated with bonding at this time and how it would be beneficial for the District. He reported the District would recognize significant revenue on interest and arbitrage associated with the bonding. He expressed his appreciation to serve on the Board.

Councilmember Murray expressed concern regarding the time frame and the possible consequence of fee penalties. Mr. Anderson responded the State could grant leniency if the District was in the process of remedying the situation and expressed his opinion the District was ahead of the curve and would be able to avoid any penalties.

APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH NORTH DAVIS JUNIOR HIGH SCHOOL FOR CAC (CLEARFIELD AQUATIC CENTER) PASSES

North Davis Junior High, a Title 1 school, recently received grant funding for the upcoming school year to aid in its recruitment and retention of quality teachers. The school would like to use the funding to purchase Aquatic Center passes for its teachers as a benefit for employment. The funding was insufficient to cover the cost of the passes for each teacher so the school approached the City and requested a discount which would enable it to provide the benefit to every teacher. The funding represented a benefit to the City by providing additional revenue for the Aquatic Center.

Councilmember Bush inquired if the School District had reviewed and approved the agreement. Adam Lenhard, City Manager, responded the District had approved the Memorandum of Understanding. Councilmember Bush asked if the other schools in Clearfield had been contacted and extended the same opportunity. Eric Howes, Community Services Director, responded contact had not been made. Councilmember Bush inquired if a group offer had been extended to other businesses within the community as well. Brian Brower, City Attorney, expressed his opinion the agreement with North Davis Junior High should be considered separately from other group offers. Mr. Lenhard commented the concept of a group discount had been previously discussed during the work session and pointed out the Council would need to approve amending the Consolidated Fee Schedule to make something like that available to private businesses. Councilmember Bush believed that should come before the Council as well. Mayor Wood reported the resident rate for Aquatic Center passes was already available to businesses located within the City to purchase as a group rate for their employees.

Councilmember Bush moved to approve a Memorandum of Understanding with North Davis Junior High School for CAC (Clearfield Aquatic Center) passes 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.

APPROVAL OF A FEE WAIVER FOR THE DAVIS COMMUNITY LEARNING CENTER'S USE OF THE COMMUNITY ARTS CENTER FOR EDUCATIONAL CLASSES

The Davis Community Learning Center (DCLC) recently relocated to the new Wasatch Elementary School. Budget constraints on the project removed a classroom for the group from the building plans creating a need for the use of additional space. The DCLC approached the City about providing space for it on an as needed basis in the Community Arts Center at no charge. The DCLC is currently a community partner with Clearfield City. A release and indemnification agreement was prepared for the Davis School District's signature in conjunction with the use of the building.

Councilmember LeBaron moved to approve a fee waiver for the Davis Community Learning Center for use of the Community Arts Center and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Young. Voting NO – Councilmember Murray. Councilmember Shepherd was not present for the vote.

APPROVAL OF ORDINANCE 2012-09 AMENDING TITLE 5, CHAPTER 1 – NUISANCES AND ORDINANCE 2012-10 AMENDING THE CONSOLIDATED FEE SCHEDULE

Ordinance 2012-09 amended notice and abatement procedures for certain nuisance related violations in an effort to bring City Code more in line with State Code. 2012-10 established an administration fee for abatements that covered the costs associated with that process.

Councilmember Young moved to approve Ordinance 2012-09 amending Title 5, Chapter 1 – Nuisances and Ordinance 2012-10 amending the Consolidated Fee Schedule and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron, Murray and Young. Voting NO – None. Councilmember Shepherd was not present for the vote.

APPROVAL OF RESOLUTION 2012R-18 AUTHORIZING THE DISPOSAL OF UNCLAIMED PROPERTY

The Clearfield City Police Department periodically was required to dispose of unclaimed property. In the past the Council had approved the disposition of unclaimed property to bona fide charities.

Councilmember Murray moved to approve Resolution 2012R-18 authorizing the disposal of unclaimed property 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 and Young. Voting NO – None.

Councilmember Shepherd was not present for the vote.

APPROVAL OF A PROCLAMATION DECLARING SEPTEMBER 14, 2012 AS "TRIBUTE TO HEROES DAY" IN CLEARFIELD CITY TO HONOR LOCAL HEROES IN ASSOCIATION WITH THE NATIONAL TRIBUTE TO HEROES DAY ON SEPTEMBER 11, 2012

Mayor Wood explained he had been approached by Major Workman, ROTC advisor at Clearfield High School. Mayor Wood reported prior to the football game on Friday, September 14, 2012, community heroes or dignitaries would be recognized, including a police officer from Clearfield City and a firefighter from NDFD (North Davis Fire District). Major Workman had requested the City approve a proclamation declaring September 14, 2012 as "Tribute to Heroes Day." Mayor Wood extended an invitation to members of the City Council to attend the football game.

Councilmember Young moved to approve the proclamation declaring September 14, 2012 as "Tribute to Heroes Day" in Clearfield City to honor local heroes in association with the National Tribute to Heroes Day on September 11, 2012, seconded by Councilmember Bush. 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. Informed the Council of the flag ceremony conducted by the color guard from HAFB which took place that morning at the new Wasatch Elementary. He reported Lt. Governor Greg Bell and dozens of military personnel were in attendance and read to the students. He stated Lt. Governor Bell presented the school with a flag box which contained a flag that had been flown over the Capital, USS Arizona at Pearl Harbor, the State Capital building and at HAFB.

2. Reported meetings were ongoing with the developer of the TOD site and some surrounding property owners who would be affected with the development of the site. He believed the proposal had been well received and believed anything further would need to be initiated by the developer.
3. Commented about the Davis County Gala wherein invitations had been extended to school principals to sit at the City sponsored table. He believed the proceeds benefitted a great need in the community; a playground for children with physical challenges.

Councilmember Bush – nothing to report.

Councilmember LeBaron – Agreed with the Mayor's comments regarding the Gala and was pleased with the City's participation.

Councilmember Murray – Requested she be excused from the work session scheduled for Tuesday, September 18, 2012.

Councilmember Young – nothing to report.

Adam Lenhard

1. Reported he had visited with the Region 1 UDOT (Utah Department of Transportation) Director regarding the possibility of obtaining a variance for traffic signals near 1000 East on State Street. He indicated the conversation went well and believed he was receptive to the City's desires to have the UTA site developed. He indicated the development would be an asset to the community.
2. Reported he had been involved in a meeting with City staff and the developer and architect of UTA's TOD site to discuss possible timelines and associated milestones for the project. He indicated the developers now have an understanding of the process and anything further would need to be initiated on their part.

STAFF REPORTS

Nancy Dean, City Recorder – Informed the Council of the following schedule of meetings; a work session was scheduled for Tuesday, September 18, 2012 beginning at 6:00 p.m. She pointed out the Council would meet at the City Shops during which it would tour the Freeport well as well as the Public Works and Parks shops facilities. The next policy session was scheduled for Tuesday, September 25, 2012.

There being no further business to come before the Council, **Councilmember LeBaron moved to adjourn at 7:37 p.m., seconded by Councilmember Bush. All voting AYE.**
Councilmember Shepherd was not present for the vote.

**APPROVED AND ADOPTED
This 25th day of September, 2012**

/s/Don Wood, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

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

/s/Nancy R. Dean, City Recorder