

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:30 P.M. WORK SESSION  
January 8, 2013

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

VISITORS: There were no visitors.

Mayor Wood called the meeting to order at 6:32 p.m.

DISCUSSION ON THE TITLE 11, CHAPTER 15 – SIGN REGULATIONS

Mayor Wood pointed out the dates of Filing for Candidacy had been changed from July to June 1, 2013 through June 17, 2013 for the Primary Election which created the potential for political signs being placed in the City for a prolonged amount of time.

Brian Brower, City Attorney, distributed a copy of the City's current sign ordinance and reviewed it with the Council which allowed the placement of political signs 30 days prior to the Primary Election and remain in place until the Monday following the General Election. He added signs could be placed 45 days prior to the General Election if there were no Primary Election. He reported it also indicated candidates losing a Primary Election must remove any political signage by the Monday following the election. He reiterated the changes would allow for placement of signs beginning July 13, 2013.

Mr. Brower shared the results from his research on the topic of political signage with the Council. He cautioned the Council in restricting political speech and suggested the Council not reduce the time limit associated with political signs. He stated he had conducted a sampling from other municipalities and reported most had no time restrictions except for removal following the election.

Councilmember Bush remarked this issue was discussed during the Utah League meetings in September and Dave Church, Attorney, expressed his opinion political signage couldn't be any more restrictive than regular signage. Mr. Brower stated he was aware of that opinion and suggested if any changes were made to the City's ordinance it would be his recommendation they be more liberal as opposed to being more restrictive.

Councilmember Shepherd believed the City's ordinance regarding political signage was the most restrictive in the area.

Mr. Brower expressed concern about the verbiage in the ordinance requiring the removal of a sign following the Primary Election if a candidate didn't advance to the General Election. He continued the candidate might desire the signage remain in order to conduct write in campaign. Nancy Dean, City Recorder, responded a candidate would have to file with the City Recorder as a write in candidate 45 days prior to the General Election. Mr. Brower reiterated if any modifications were made to the current sign ordinance regarding political signage it would be his recommendation to change that requirement. A discussion took place regarding the City's response to complaints regarding the placement of political signs.

Councilmember Shepherd believed the ordinance should remain as it is. Councilmember Young believed the free speech component superseded the time frame and believed that should be eliminated from the ordinance. Councilmember Bush agreed with Mr. Brower's comments regarding removal of the signage following the Primary Election in the case of a write-in campaign. Mayor Wood believed if the language requiring the removal of the signs following the Primary Election was in the ordinance it encouraged the candidate to do so. Councilmember Murray inquired if candidates were informed of the City's sign ordinance when they declared candidacy. Ms. Dean responded the sign ordinance was provided in the candidate packet and the ordinance was discussed during candidate orientation.

Councilmember LeBaron suggested modifying the time by eliminating the number of days for the signage prior to the Primary Election. Ms. Dean indicated early voting would begin two weeks prior to the election and discouraged restricting signage during that time.

A discussion took place regarding the difference between political signs and temporary signs. Councilmember Murray stated she was in favor of keeping the ordinance as it was currently written. Councilmember LeBaron suggested if a change to the ordinance was needed in order to eliminate clutter reducing the time associated with the Primary Election would be appropriate. Councilmember Shepherd was in agreement to leave the ordinance as it currently was but believed suggested recommendations could be made during the candidate orientation regarding when the signs should be removed.

Mr. Brower requested direction from the Council as to how the ordinance should be modified and believed any modifications should be more liberal as opposed to more restrictive. Councilmember LeBaron requested Mr. Brower draft a defensible ordinance based upon the

discussion to bring before the Council for approval. Mr. Brower responded given that direction, the ordinance would not have any restrictions prior to the election. Adam Lenhard, City Manager, pointed out public hearings were required and a recommendation to the City Council from the Planning Commission would also need to happen prior to amending the ordinance. Councilmember Bush expressed his opinion there were other issues with the sign ordinance which should be addressed at the same time. Mr. Lenhard responded it would be in the best interest of the City to update the sign ordinance at a later date in the year. Mr. Brower indicated he would make his recommendations specific to political signage to the sign committee during their discussions pertaining to amending the sign ordinance.

The meeting adjourned at 7:02 p.m.

**APPROVED AND ADOPTED  
This 22<sup>nd</sup> day of January, 2013**

**/s/Don Wood, Mayor**

**ATTEST:**

**/s/Nancy R. Dean, City Recorder**

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, January 8, 2013.

/s/Nancy R. Dean, City Recorder