

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. REGULAR SESSION
May 14, 2013

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
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Natalee Flynn	Youth City Council Advisor
	Valerie Claussen	Development Services Manager
	Scott Hodge	Public Works Director
	Kim Dabb	Operations Manager
	Bob Wylie	Finance Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: E. Daniel Wood, Bradley Tolman, Jeani, Daisy Miller, Celeste Green, Karlee Davis, Andrew Allred, Jaren Carlson, Elizabeth Hansen, Alex, Jeffrey, Lonnie, Robert Browning, Wendy Wood, Con Wilcox, Haley Wilcox

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 and Councilmember Bush conducted the Opening Ceremony.

Mayor Wood announced the Youth City Council would be conducting the meeting and suggested the items identified in the Consent Agenda be considered individually in order to allow the Youth City Council more of an opportunity to participate in the meeting.

Councilmember LeBaron moved to remove items from Consent Agenda and consider each one as a Scheduled Item, seconded by Councilmember Young. All Voting AYE.

Councilmember Shepherd was not present for the vote.

APPROVAL OF THE MINUTES FROM THE MARCH 19, 2013 WORK SESSION, THE MARCH 26, 2013 WORK SESSION, THE APRIL 23, 2013 WORK SESSION, AND THE APRIL 23, 2013 REGULAR SESSION

Councilmember Bush requested a correction on the minutes from the March 26, 2013 work session. On page 4, first paragraph it states, "church parking lot on 1000 West north of 300 North." He requested the minutes reflect, "church parking lot on 1000 West *south* of 300 North.

Councilmember Murray moved to approve the minutes from the March 19, 2013 work session, the April 23, 2013 work session and the April 23, 2013 regular session as written, and the March 26, 2013 work session as amended, 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.

PRESENTATION TO JAREN CARLSON FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Jaren Carlson had completed the requirements to receive the rank of Eagle Scout. Mayor Wood and the City Council desired to recognize Jaren and acknowledge his achievement.

Councilmember LeBaron congratulated Jaren Carlson on his achievement and asked him to tell about his eagle scout project. Jaren Carlson stated he had organized a blood drive to benefit the American Red Cross. He reported the blood drive donated 52 pints of blood.

PUBLIC HEARING TO RECEIVE COMMENT ON THE REZONE OF PROPERTY LOCATED AT APPROXIMATELY 850 WEST 1600 SOUTH FROM C-2, COMMERCIAL TO R-3 (P-D), MULTIPLE-FAMILY RESIDENTIAL WITH A PLANNED DEVELOPMENT OVERLAY

The public hearing was continued from the April 23, 2013 City Council meeting. The Planning Commission took no action at its May 1, 2013 meeting. The applicant had indicated changes to the original submittal that would require re-advertising and new public notices to be posted and mailed. Therefore, it was recommended to close the public hearing and continue the item to an undetermined date until the new advertising and noticing had occurred.

Mayor Wood asked for public comment.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:16 p.m., 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

Daniel Wood, resident, announced he was prepared to present a petition which had been signed by residents living near 350 West regarding the street closure in conjunction with the construction of the SR 193 road extension. He explained due to the 350 West road closure traffic had been diverted to 500 West. He presented the petition and a visual illustration which identified two separate proposals. He expressed concern regarding the safety of the new road configuration. He expressed a desire the Council consider the presented proposals. He pointed out there was a sight distance issue. The first proposal for the road configuration was to move the intersection further west which would allow for better sight distance in addition to keeping more of the park area. He indicated he had shared the proposals with UDOT and reported representatives had not been receptive; however, if the Council was in support of the change he believed it was a possibility. He explained UDOT had plans to slightly extend the intersection to increase the sight distance; however, the point used to study the distance was approximately 14 feet from the intersection which was in the middle of the crosswalk. Mr. Wood expressed concern regarding three intersections in a short distance span and explained a second option that would permanently close 350 West creating a cul-de-sac.

Mayor Wood expressed concern about the added traffic on 500 West if 350 West were permanently closed and built as a cul-de-sac. He inquired if residents living along 500 West would be willing to accept the increased traffic flow with that proposal. Daniel Wood commented some of those residents had been involved in previous discussions and hadn't expressed anything to the contrary. He stated residents on 500 West were more concerned about the speeding but mentioned he had not requested residents from 500 West sign the petition. He pointed out the traffic had been diverted during construction and he didn't believe there had been a significant impact to those residents other than speeding.

Councilmember Young stated he wasn't opposed to making any changes for the SR 193 road project in the name of safety but inquired if the project were too far along in the construction process to make any significant changes. Adan Lenhard, City Manager, believed option two might be problematic in that the number of residences served by only one access would be exceeded as well as the maximum length allowed for a cul-de-sac. Councilmember LeBaron pointed out UDOT would need to consider whether moving that portion of the project specific to the first option would affect any of the permitting associating with the completion of the Environmental Impact

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Study (EIS). He explained the challenges and time constraints with being required to do that. Mr. Wood responded he was asking for the City Council's support to encourage UDOT to reconsider the current configuration and explore other possible options.

Wendy Wood, resident, pointed out the area identified as a second option was currently closed by those constructing the road extension due to safety concerns. She indicated the contractor had witnessed the hazard created by the construction project and the potential for accidents at that intersection. She expressed concern it would continue to be a safety hazard once the road extension was complete. She believed once the road was re-opened there would be a blind corner. She explained the difficulty in exiting the street in addition to decreasing speed in order to safely turn the corner without accidentally traveling in the other lane of traffic. She wished members of the Council could travel that section to experience what she had been describing; however, the road was closed. She also expressed concern about the close proximity of the three separate intersections in conjunction with peak traffic times. She explained there were sight issues with a resident's fence and the designed angle of the intersection. She encouraged the Council to walk that specific corridor to witness the challenge of the proposed traffic flow firsthand.

Councilmember Bush commented he had not been pleased with UDOT's design. Mr. Lenhard pointed out UDOT's original plan was to not have the road going through the park; however, a neighborhood meeting had taken place in which residents expressed their desire to keep the park which created the current design. Councilmember Bush stated he liked the design of option one. He agreed with Mr. Lenhard's comments regarding the difficulties in making 350 West a cul-de-sac. He stated he would contact the Wood's and walk the area with them.

Mayor Wood stated City staff would need to visit with Randy Jefferies, UDOT, regarding the proposals and traffic flow concerns. Mayor Wood emphasized he could not promise the residents anything other than City would discuss the concerns with UDOT.

Brad Tolman, resident, clarified the closing of 350 West as the second option was more of closing off a loop than making a cul-de-sac. He reported there were only 41 houses on the loop. Councilmember Bush indicated that would still be too many homes to be compliant with emergency vehicle regulations requiring two accesses.

Robert Browning, resident, stated emergency access could be accommodated in other ways. He stated he was new to the area and enjoyed the park and neighborhood. He expressed concern about the elimination of half of the park. He expressed his opinion 500 West was like a drag strip with speeding vehicles and suggested putting stop signs at 25 South and 150 North in order to break up the traffic flow. He pointed out the majority of those visiting the park were from the east side of the neighborhood and expressed concern regarding the safety of its access. He suggested the consideration of round-a-bouts in the area. Mayor Wood responded the Police Chief and Public Works Director would evaluate the suggestions.

ADOPTION OF THE TENTATIVE BUDGET FOR FISCAL YEAR 2013/2014 AND SET A PUBLIC HEARING FOR JUNE 11, 2013 TO RECEIVE PUBLIC INPUT ON THE BUDGET

The Tentative Budget as presented to the Council for adoption was a balanced budget for all funds. Presently, the certified tax rate had not been received from Davis County.

Bob Wylie, Administrative Services Director, reported he was presenting a balanced tentative budget which would be effective July 1, 2013. He emphasized all funds were balanced and the budget was \$28.1 million. He explained the budget had been discussed during several work sessions. He reported the proposed tax rate from Davis County would be received in June.

Councilmember LeBaron moved to adopt the tentative budget for fiscal year 2013/2014 and set a public hearing on the budget for June 11, 2013 at 7:00 p.m., 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 RESOLUTION 2013R-07 AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE UTAH DEPARTMENT OF COMMERCE FOR ONESTOP BUSINESS REGISTRATION

A copy of the Interlocal Cooperation Agreement between Clearfield City and the other agencies that were part of the online Onestop Business Registration had been provided to the Council. The Onestop website would simplify the process by which businesses provided information required by the agencies via computer.

Councilmember Young moved to approve Resolution 2013R-07 authorizing an Interlocal Agreement with the Utah Department of Commerce for Onestop Business Registration 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 ORDINANCE 2013-06 AMENDING THE NUISANCE ORDINANCE SPECIFIC TO NUISANCE VEHICLES

The City's current nuisance ordinance had verbiage which reflected any vehicle that was not registered and inspected within 180 days was considered a nuisance vehicle; however, recent changes to State Code reflected vehicles newer than 10 years old need only be inspected once every 4 years. The Code Enforcement Officers had proposed the removal of the inspection requirement from the City Code.

Councilmember Bush inquired if adoption of the ordinance would reflect the same as the State Code. Brian Brower, City Attorney, clarified the City's ordinance was antiquated in that the timeline specific to vehicle inspections which used to be required annually had significantly changed. The issue was discussed with Code Enforcement Officers and other staff and it was recommended the inspection requirement be eliminated from the ordinance which would then use the vehicle registration in determining nuisance vehicles.

Councilmember Murray moved to approve Ordinance 2013-06 amending the nuisance ordinance specific to nuisance vehicles 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 NO – None. Councilmember Shepherd was not present for the vote.

APPROVAL OF THE AWARD OF BID FOR THE REPAIR OF THE SANITARY SEWER MAIN LINE AT 700 SOUTH TO ASSOCIATED BRIGHAM CONTRACTORS

Bids were received from three construction companies to make necessary repairs to the existing sanitary sewer main lines at the intersection of 700 South and State Street and on 700 South from State Street to 950 East. The lowest responsible bid was received from Associated Brigham Contractors with the bid amount of \$790,150. The bid amount exceeded the funding allocated by the City for the project. The City Engineers and Public Works staff reviewed the scope of work proposed for the project and recommend reducing the scope of work to make the repairs at the 700 South State Street intersection as proposed in the bid and to make two spot repairs on the 700 South sewer line at approximately 850 East. Reducing the scope of work for the project would reduce the contractors bid cost for the project to \$452,104. The work that would be removed from the project would be the slipline of the existing sewer line on 700 South from State Street to 800 East and removal and replacement of the existing sewer line on 700 South from 800 East to 950 East.

Councilmember LeBaron moved to approve the award of bid to Associated Brigham Contractors to make repairs to the sanitary sewer line at the intersection of 700 South State Street for the reduced scope of work bid amount of \$452,104 with contingency and engineering costs of \$113,026 for a total project cost of \$565,130; 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 THE AWARD OF BID FOR THE REPLACEMENT OF THE ROOF ON THE ONE-MILLION GALLON WATER STORAGE RESERVOIR AT 1975 EAST 700 SOUTH TO GERBER CONSTRUCTION

Bids were received from four construction companies to remove and replace the roof on the one-million gallon water storage reservoir located at 1975 East 700 South. The lowest responsible bid was received from Gerber Construction with the bid of \$369,999.

Councilmember Murray requested clarification about the project. Scott Hodge, Public Works Director, explained this water tank project was located along 700 South near HAFB. He continued the water tank replacement project was in Freeport Center.

Councilmember Murray moved to approve the award of bid to Gerber Construction for the replacement of the roof on the one-million gallon water storage reservoir located at 1975 East 700 South for the bid amount of \$369,999 with contingency and engineering costs of \$85,001 for a total project cost of \$455,000; 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 NO – None. Councilmember Shepherd was not present for the vote.

APPROVAL OF RESOLUTION 2013R-06 AUTHORIZING AN AMENDMENT TO THE TREATMENT CONTRACT WITH THE NORTH DAVIS SEWER DISTRICT

North Davis Sewer District currently provided treatment for waste water collected by the City's sewer collection system. The City had had a contract with the District since 1954, which was renewed in 2002. Since that time issues had arisen which required the adoption of amendments to the 2002 contract.

Councilmember Murray inquired about the date reflected on the first Amendment. Brian Brower, City Attorney, responded if the Council approved the contract it would be signed after the effective date. He clarified the contract effective date would reflect January 1, 2013.

Councilmember LeBaron moved to approve Resolution 2013R-06 authorizing an Amendment to the Treatment Contract with North Davis Sewer District 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.

COMMUNICATION ITEMS

Mayor Wood – informed the Council that he and City staff had the opportunity to present a \$500 check to the Student Body Officers at Clearfield High School on Monday, May 13, 2013. He announced this was in conjunction with the Utah Highway Patrol's seatbelt campaign. He reported the Highway Patrol donated \$1000 to the High School as the winner of the statewide seatbelt campaign. He pointed out the school reached the highest percentage of seatbelt usage among the high schools in the state since the program's inception.

Councilmember Bush

1. Reported he had represented the City at the Kiwanis Club meeting on Thursday, April 25, 2013.
2. Announced he had also attended the Arbor Day Celebration on Friday, April 26, 2013, at Fox Hollow Park. He mentioned there were approximately 100 children participating in the tree planting and storytelling. He complimented the Community Services Staff for their efforts.
3. Stated he was the City's representative on the North Davis Sewer District Board and stated he had attended the State Water Conference May 1-3, 2013 in St. George. He commented it was an amazing conference and mentioned there was so much to learn.
4. Reported he had also attended the Community Choir Concerts on Monday, May 6, 2013. He complimented the Mayor for his participation.
5. Reminded the Council the City was in the process of updating the parks with benches, new picnic tables and garbage cans. He stated he was pleased with the concrete table display which had been brought to the City building.
6. Informed the Council he had attended an Open House at the Senior Citizen Center on Wednesday, May 8, 2013. He reported they were sharing details regarding a new program titled RSVP. He was hopeful City staff would be advertising it in the City's newsletter.
7. Stated he had attended a seminar at the UTA maintenance shop on Thursday, May 9, 2013. He announced he had the opportunity to drive a TRAX train in the yard.
8. Announced the North Davis Sewer District was in the process of completing a lot of improvements; upgrading pipelines, construction of 2 new buildings and upgrading of equipment.
9. Reported he had also attended the presentation at Clearfield High School with the Mayor in conjunction with the seatbelt campaign. He expressed congratulations to the students.

Councilmember LeBaron

1. Complimented the Public Work's department for their efforts and involvement with upcoming public works projects.
2. Informed the Council he had attended the Children's Choir and Community Choir performances on Monday, May 6, 2013, at the Community Arts Center. He stated his two daughters participated in the Children's Choir and enjoyed the opportunity. He complimented the Mayor for his efforts in establishing the Community Choirs.
3. Suggested the Youth City Council attendees share the traffic concerns discussed during the meeting with their peers. He mentioned the recent accident in the Salt Lake Valley with children on bicycles and expressed his opinion there were far too many fatalities.

Councilmember Murray – nothing to report.

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Councilmember Young – requested Makenna Hill, Youth City Council (YCC) Mayor, announce its Open House. Ms. Hill announced the YCC was hosting an Open House on Thursday, May 16, 2013, at 7:00 pm, in the City Council Chambers in the City Building. She explained it would be a normal YCC meeting, explaining its objective. She stated all youth were invited and encouraged participation because it was an open enrollment opportunity.

Adam Lenhard, City Manager – stated he had sent an email to the Council on Monday, May 13, 2013.

STAFFS' REPORTS

Nancy Dean, City Recorder –informed the Council there was no work session scheduled for Tuesday, May 21, 2013. She announced the next meeting was the policy session scheduled for Tuesday, May 28, 2013, with a work session prior to the meeting beginning at 6:00 p.m.

There being no further business to come before the City Council, **Councilmember LeBaron moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency at 8:07 p.m., 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.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 28th day of May, 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, May 14, 2013.

/s/Nancy R. Dean, City Recorder