

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
May 28, 2013 – REGULAR SESSION

**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.

Executive Conference Room  
55 South State Street  
Third Floor  
Clearfield, Utah

**6:00 P.M. WORK SESSION**

Review of the Hearing Officer's Findings, Conclusions and Recommendation for the Appeal  
by a Participant in the Good Landlord Program  
Discussion on Municipal Services Agreement with MIDA (Military Installation Development Area)  
Discussion on the Pacific Park Storm Sewer Project  
Discussion on the Pacific Park Plat Amendment  
Discussion on the 2013 Municipal Election

*(Any items not addressed prior to the Policy Session will be addressed in a Work Session  
immediately following the Policy Session.)*

City Council Chambers  
55 South State Street  
Third Floor  
Clearfield, Utah

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

CALL TO ORDER:

Mayor Wood

OPENING CEREMONY:

Councilmember LeBaron

APPROVAL OF THE MINUTES:

April 2, 2013 – Work Session

May 7, 2013 – Work Session

May 14, 2013 – Work Session

May 14, 2013 – Regular Session

**PUBLIC HEARINGS:**

1. **PUBLIC HEARING TO RECEIVE COMMENT ON AMENDING THE CITY'S  
IMPACT FEE ORDINANCE**

**BACKGROUND:** Amendments to the City's Impact Fee ordinance have been prepared. The amendments include moving the chapter to its own title, modifying language to reflect recent changes in the Parks and Recreation Impact Fee previously adopted by the Council, eliminating the Roadway Impact Fees, and updating certain provisions in order to continue meeting statutory requirements.

**RECOMMENDATION:** Receive public comments.

2. PUBLIC HEARING TO CONSIDER THE REZONE FOR PROPERTY LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET FROM C-2, COMMERCIAL, AND M-1, MANUFACTURING TO MU MIXED USE

BACKGROUND: The rezone is a request by Michael Christensen, on behalf of Thackeray Company, for a rezone of approximately 72 acres located at approximately 1250 South State Street to facilitate the Clearfield Station development. Items had been identified by Staff and the applicant which needed to be addressed prior to action and a recommendation by the Planning Commission. The Planning Commission opened the public hearing at their May 1, 2013 meeting and continued the request to be heard at its June 5, 2013 meeting.

RECOMMENDATION: Open the public hearing and continue the request to be heard at the June 11, 2013 City Council meeting.

3. PUBLIC HEARING TO CONSIDER AN AMENDED SUBDIVISION PLAT FOR PACIFIC PARK AMENDED NO. 2 LOCATED AT APPROXIMATELY 200 NORTH AND PACIFIC STREET

BACKGROUND: The Pacific Park Amended Subdivision Plat was recorded with Davis County in October 2006. The development and its associated improvements were never appropriately completed. The escrow monies have been requested by the City and are being used to initiate this second amended plat to correct existing conditions that do not meet City standards. One of the critical uncompleted improvements identified is an adequate stormwater facility for the development. The proposed amended plat will take the existing 'common' parcel and divide it between two adjacent property owners directly to the north and south with the lot to the north assuming maintenance responsibilities for the detention pond. Several inquiries have been received regarding the amended plat.

RECOMMENDATION: Receive public comment.

***SCHEDULED ITEMS:***

4. CITIZEN COMMENTS

5. CONSIDER APPROVAL OF ORDINANCE 2013- 07 AMENDING THE CITY'S IMPACT FEE ORDINANCE BY MOVING THE CHAPTER TO ITS OWN TITLE, MODIFYING LANGUAGE TO REFLECT RECENT CHANGES IN THE PARKS AND RECREATION IMPACT FEE PREVIOUSLY ADOPTED BY THE CITY COUNCIL, ELIMINATING THE ROADWAY IMPACT FEES, AND UPDATING CERTAIN PROVISIONS IN ORDER TO CONTINUE MEETING STATUTORY REQUIREMENTS

RECOMMENDATION: Approve Ordinance 2013-07 amending the City's Impact Fee ordinance by moving the chapter to its own title, modifying language to reflect recent changes in the Parks and Recreation Impact Fee previously adopted by the Council, eliminating the Roadway Impact Fees and updating certain provisions in order to continue meeting statutory requirements and authorize the Mayor's signature to any necessary documents.

6. CONSIDERATION FOR ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF CLEARFIELD CITY (THE "ISSUER") AUTHORIZING THE ISSUANCE AND SALE BY THE ISSUER OF NOT MORE THAN \$6,300,000 AGGREGATE PRINCIPAL AMOUNT OF ITS TAXABLE GENERAL OBLIGATION RELATED MATTERS

RECOMMENDATION: Approve the Adoption of a Resolution of the City Council of Clearfield City authorizing the issuance and sale by the Issuer of not more than \$6,300,000 Aggregate Principal Amount of its Taxable General Obligation related matters and authorize the Mayor's signature to any necessary documents.

7. CONSIDER APPROVAL FOR AN AMENDED SUBDIVISION PLAT FOR PACIFIC PARK AMENDED NO. 2 LOCATED AT APPROXIMATELY 200 NORTH AND PACIFIC STREET

RECOMMENDATION: Approve an Amended Subdivision Plat known as Pacific Park Amended No. 2 based on the discussion and findings provided in the Planning Commission Staff Reports, and authorize the Mayor's signature to any necessary documents.

8. REVIEW AND CONSIDER APPROVAL OF THE HEARING OFFICER'S FINDINGS, CONCLUSIONS AND RECOMMENDATION FOR THE APPEAL BY A PARTICIPANT IN THE GOOD LANDLORD PROGRAM

**COMMUNICATION ITEMS:**

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

**\*\*COUNCIL MEETING ADJOURN\*\***

Dated this 23<sup>rd</sup> day of May, 2013.

/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.

**AGREEMENT**  
**between**  
**CLEARFIELD CITY**  
**and**  
**MILITARY INSTALLATION DEVELOPMENT AUTHORITY**

This Interlocal Cooperation Agreement (“Agreement”) is made and entered into as of \_\_\_\_\_, ~~2012–2013~~ by and between CLEARFIELD CITY (“Clearfield”), a municipal corporation of the State of Utah, and the MILITARY INSTALLATION DEVELOPMENT AUTHORITY (“MIDA”), an independent, nonprofit, separate body corporate and politic of the State of Utah. Clearfield and MIDA are sometimes referred to collectively as the “Parties,” and either may be referred to individually as a “Party.”

W I T N E S S E T H:

WHEREAS, pursuant to Chapter 1, Title 63H Utah Code Annotated 1953, as amended (“MIDA Act”), MIDA created the Falcon Hill Project Area; and

WHEREAS, pursuant to the MIDA Act, MIDA exercises “exclusive police power within a project area” but may “enter into an agreement with a political subdivision of the state under which the political subdivision provides one or more municipal services within a project area”; and

WHEREAS, MIDA ~~will be taking~~ has taken jurisdiction over a new road that enters into Hill Air Force Base at the Clearfield exit from I-15 and certain property in the vicinity of the road, as more particularly shown in Exhibit A, attached and incorporated herein (“Service Area”);

WHEREAS, Clearfield is willing to provide certain municipal services to MIDA in the Service Area on an as needed basis at the rates shown in Exhibit B, attached and incorporated herein (“Municipal Services”);

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements hereafter set forth, the mutual benefits to the Parties to be derived, and for other valuable consideration, the receipt and sufficiency of which the Parties acknowledge, it is hereby agreed as follows:

1. **Municipal Services.** Clearfield will provide the Municipal Services to the Service Area when requested by MIDA or for public safety services, when dispatched to an incident in the Service Area.

2. **Invoicing.** Clearfield will invoice MIDA once a month for any services provided. MIDA shall pay the invoice within 30 days of receipt of the invoice. Late payments shall incur an interest rate of 10% per annum.

3. **Courts.** Any citations issued or other criminal actions taken by the Clearfield police department shall be processed in the same manner and through the same courts as if the

incident occurred in Clearfield. Clearfield shall be entitled to retain any fines or other penalties assessed and MIDA shall not be invoiced for court or prosecution services.

4. **Term.** This Agreement shall run for three (years) years beginning ~~\_\_\_\_\_~~, 2012 July 1, 2013 unless earlier terminated by either Party. Either Party may terminate this Agreement by providing 90 days written notice to the other Party.

5. **Service Area Change.** If Hill Air Force Base moves its security fence and MIDA assumes responsibility for a larger area, MIDA shall update the Service Area Exhibit A and provide written notice to Clearfield with a new Exhibit A map which shall be attached to this Agreement.

6. **Notices.** All notices or other communications to be given pursuant to this Agreement shall be in writing and shall be effective upon personal delivery to the other Party; upon being sent by certified mail, return receipt requested, postage prepaid; or, by email with a reply that it has been received. The notice shall be sent to:

To Clearfield:

Clearfield City Corporation  
Attn: City Manager  
55 S. State St., Suite 307  
Clearfield, UT 84015

With a Copy to:

Clearfield City Attorney's Office  
55 S. State St., Suite 332  
Clearfield, UT 84015

To MIDA:

Rick Mayfield  
MIDA Executive Director  
450 Simmons Way, Suite 400  
PO Box 112  
Kaysville, UT 84037-0967  
rjmayfield@msn.com

With a Copy to:

Paul Morris  
MIDA General Counsel  
5110 S. Ivybrook Circle  
Murray, UT 84123  
morris.pault@gmail.com

Either Party may change its mailing address or email address for purposes of this Agreement by giving written notice to the other Party.

7. **Liability and Indemnification.** Clearfield shall, defend, indemnify and hold MIDA harmless, including each of MIDA's officers, directors, managers, employees, agents, representatives, heirs, and assigns from any and all claims, demands, liabilities, damages, costs, expenses, rights, attorneys' fees, lawsuits and actions, of whatever kind or nature ("Liability"), resulting from Clearfield's providing of Municipal Services under this Agreement, except to the extent the negligence or willful acts of MIDA, its officers, directors, managers, employees, agents, representatives, heirs, or assigns, either cause or contribute to the Liability.

8. **Governmental Immunity.** Both Parties acknowledge they are local Governmental Entities under the Governmental Immunity Act of Utah (the "Act") and nothing in

this Agreement shall be construed so as to waive any immunity, as it relates to third parties, enjoyed or bestowed upon either Clearfield or MIDA.

9. **Amendments.** This Agreement may be amended, changed, modified or altered only by an instrument in writing and signed by both Parties.

10. **Assignment.** Neither Party may assign this Agreement without the written consent of the other Party.

11. **Disputes.** Any disagreement, dispute or claim arising out of or relating to this Agreement which cannot be settled by the Parties shall first be attempted to be settled through mediation before any Party may file an action in court.

12. **Counterparts.** This Agreement may be executed in counterparts by Clearfield and MIDA.

13. **Governing Law.** This Agreement shall be governed by the laws of the State of Utah.

14. **Entire Agreement.** This Agreement contains the entire agreement between the Parties, with respect to the subject matter, and no statements, promises, or inducements made by either Party or agents for either Party that are not contained in this written Agreement shall be binding or valid; and this Agreement may not be enlarged, modified or altered except in writing and signed by the Parties.

15. **Severability.** If any portion of this Agreement shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Agreement is invalid or unenforceable, but that by limiting such provision, it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

IN WITNESS WHEREOF, the Parties have subscribed their names and seals the day and year first above written.

**CLEARFIELD CITY**

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

ATTEST:

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

Approved and reviewed as to proper form

and compliance with applicable law:

---

City Attorney

**MILITARY INSTALLATION  
DEVELOPMENT AUTHORITY**

---

Rick Mayfield, Executive Director

ATTEST:

---

MIDA Staff

Approved and reviewed as to proper form  
and compliance with applicable law:

---

MIDA General Counsel

**Exhibit A**  
**Service Area**

**Exhibit B  
Municipal Services**

**PUBLIC WORKS LABOR:**

Engineering	Billed amount plus 5%
Hourly Rate	\$45.00 / man hour
Overtime Rate and After Hours	\$60.00 / man hour

**STREETS:**

Street Maintenance	
Pothole Repair:	Hourly Rate (OT/After Hours if applicable) + Materials
Seal Coating:	Billed amount plus 10%
Concrete Repair:	Hourly Rate (OT/After Hours if applicable) + Materials
Street Striping and Markings:	Billed amount plus 10%
Street Sign Management:	Hourly Rate (OT/After Hours if applicable) + Materials
Snow Removal:	
Without De-icing	\$248.25 / hr. (incl. labor, equipment, and materials)
With De-icing	\$293.25 / hr. (incl. labor, equipment, and materials)

**CULINARY WATER:**

Setting and Reading Meters:	Hourly Rate (OT/After Hours if applicable) + Materials
Routine Water Samples	Hourly Rate (OT/After Hours if applicable) + Lab Cost
Flushing Lines and Hydrants:	Hourly Rate (OT/After Hours if applicable)
Repairing Water Leaks:	Hourly Rate (OT/After Hours if applicable) + Materials
Responding to Pressure and Quality Concerns:	Hourly Rate (OT/After Hours if applicable)

**SANITARY SEWER:**

Sewer Backups:	Hourly Rate (OT/After Hours if applicable)
Sewer Cleaning:	Billed amount plus 10%

**STORM DRAIN:**

Storm Drain Cleaning:	Billed amount plus 10% Storm Drain
Storm Drain Management Program:	Hourly Rate (OT/After Hours if applicable)
Repair and Maintain Storm Drains:	Hourly Rate (OT/After Hours if applicable) + Materials

**EQUIPMENT (PER HOUR):**

Ten Wheeler Dump Truck	\$105.00
Bobtail Dump Truck	\$90.00
Backhoe	\$99.00
Frontend Loader	\$110.00
Street Roller	\$143.00
Air Compressor	\$55.00
Utility Pumps	\$65.00
Concrete Saw	\$125.00
Tack oil Machine	\$85.00

**MISCELLANEOUS PUBLIC WORKS SERVICES:**

Blue Stakes Markings:	Hourly Rate (OT/After Hours if applicable)
Emergency and After Hour Callouts:	Overtime/After Hours Rate + Materials

PUBLIC SAFETY SERVICES:

Emergency incident response (call for service): \$138.00 / call (first hour only)  
All Other Police Services (traffic, emergency  
incident response after first hour, criminal  
investigations, etc.): \$60.44 / man hour  
Overtime Rate and After Hours: \$71.72 / man hour

OTHER SERVICES:

Building plan review Amount in Clearfield Consolidated Fee Schedule  
Building permits and inspections Amount in Clearfield Consolidated Fee Schedule  
Demolition permits Amount in Clearfield Consolidated Fee Schedule  
Excavation permits Amount in Clearfield Consolidated Fee Schedule  
Business licensing Amount in Clearfield Consolidated Fee Schedule



# City Council

## STAFF REPORT

**TO:** THE HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Valerie Claussen, MPA, AICP  
*Development Services Manager*  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) or (801) 525-2785

**MEETING DATE:** May 28, 2013

**SUBJECT:** Public Hearing, Discussion and Possible Action on **FSP 1302-0003**, a request by Clearfield City for an amended subdivision plat for Pacific Park Amended No. 2. The subdivision is located in the vicinity of 200 North and Pacific Street.

---

### RECOMMENDATION

Move to **approve** FSP 1302-0003, an Amended Final Subdivision Plat known as Pacific Park Amended No. 2, based on the discussion and findings provided in the Planning Commission Staff Reports, and authorize the Mayor's signature to any necessary documents.

---

### EXECUTIVE SUMMARY

#### Planning Commission Recommendation

The Planning Commission heard this item at their May 1, 2013 Planning Commission meeting and unanimously recommends approval to the City Council. Several of the property owners attended the meeting. A neighborhood meeting is scheduled to be held on June 13, 2013 at City Hall to discuss the street light location.

#### Background

The Planning Commission Staff Report and related exhibits are attached to this report (See *Attachment A*).

---

### ATTACHMENTS

A.) May 1, 2013 Planning Commission Staff Report



# Planning Commission

## STAFF REPORT

AGENDA ITEM  
**#6**

**TO:** The Clearfield City Planning Commission

**FROM:** Valerie Claussen, MPA, AICP  
Development Services Manager  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) (801) 525-2785

**MEETING DATE:** May 1, 2013

**SUBJECT:** Public Hearing, Discussion and Possible Action on **FSP 1302-0003**, a request by Clearfield City for an amended subdivision plat for Pacific Park Amended No. 2. The subdivision is located in the vicinity of 200 North and Pacific Street.

---

### RECOMMENDATION

Move to recommend to the City Council **approval** of FSP 1302-0003, an Amended Final Subdivision Plat, known as Pacific Park Amended No. 2, based on the discussion and findings provided in the Staff Report.

---

### PROJECT SUMMARY

Project Information	
Project Name	Pacific Park Amended No. 2
Site Location	Vicinity of 200 North and Pacific Street
Tax ID Number	Multiple TINs
Applicant	Clearfield City
Owner	Multiple Homeowners in the Pacific Park Subdivision
Proposed Actions	Amended Final Subdivision Plat
Current Zoning	R1-Open (Single Family Residential)
Land Use Classification	Residential
Gross Site Area	2.22 acres
Residential Lots	Total of 9 lots approx 0.18 to 0.24 acres in size

**Vicinity Map**



	<b>Surrounding Properties and Uses:</b>	<b>Current Zoning District</b>	<b>Comprehensive Plan Land Use Classification</b>
North	Lot 1 Pacific Park Subdivision	B-1 (Buffer Zone)	Residential
East	FrontRunner and Union Pacific Railroad Lines	N/A	N/A
South	Undeveloped parcels	R1-Open (Single Family Residential)	Residential
West	Smithtowne Subdivision	R-3 (SP) (Multiple Family Residential/Special Purpose Overlay)	Residential

---

## HISTORY

- May 2000** Pacific Park Plat (Lots 1 and 2) recorded with Davis County
- October 2006** Pacific Park Amended Plat recorded with Davis County, which was the further subdivision of Lot 2 into residential lots of the current configuration today.

---

## ANALYSIS

### Background

Pacific Park Amended Subdivision Plat was recorded with the County in October of 2006 with the subsequent construction of most of the homes in the development. However, the entire development and its associated improvements were never appropriately completed. As required per City Code, part of the initial subdivision approvals required the establishment of an escrow account. Due to lack of performance in a timely manner, also in accordance with the associated Development Agreement, the escrow monies have since been requested by the City and are being used to initiate this second Amended Plat to correct existing conditions that do not meet City standards (See *Attachment 1: Pacific Park Amended No. 2 Plat*).

One of the critical uncompleted improvements identified is an adequate stormwater facility for the development. Original plans designated a retention pond that would hold the stormwater, but it was never completed and would not adequately meet the needs of the subdivision. A detention pond has now been designed to detain the water and run off into the City's existing stormdrains that are located in the adjacent Smithtowne subdivision. This required obtaining two easements from adjacent properties to accomplish a properly working detention pond. Those easements have been obtained. One of the two has already been recorded with the County. The second one is anticipated to be recorded with the County in the next week.

A Homeowner's Association (HOA) was never properly established in the subdivision, even though it had been a requirement of approval, because there is common area (the pond) that would have to be maintained. In order to address this issue, the proposed amended plat will take the existing 'common' parcel and divide it between the two adjacent property owners directly to the north and south. The lot to the north will include the entire detention pond, and the lot to the south will have its most northern property line be relocated to the north (See *Attachment 2: Property Line Readjustment Exhibit*). This enables both properties to have appropriate access to their properties and eliminate the strange driveway approaches both lots currently have. In addition, the lot to the north will assume maintenance responsibilities for the detention pond, while the City will maintain an easement for this facility.

As the plat will require the signatures of the all the property owners in the subdivision, additional neighborhood outreach has been made by the City. That correspondence is attached for reference (See *Attachment 3: Neighborhood Outreach Letter*). There has been a considerable response, with eight out of the ten listed property owners already responding.

If escrow funding permits, other improvements are likely to be identified. There is insufficient information at this juncture to determine what other improvements will be able to occur. Much will depend on the bid process and how much the detention pond improvements will cost.

### **Master Plan and Zoning**

The proposal remains consistent with both the Master Plan (Residential land use classification) and the R1-Open Zoning district standards.

### **Public Comment**

Several inquiries have been received on the amended plat. It ranged from wondering if this proposal included changes to the property located to the south, to another neighbor inquiring if these improvements will alleviate the flooding his property has had since the development of this subdivision. It is hoped that completing the improvements will infact resolve this concern.

As previously stated, there was a good response to the letter to the property owners of the subdivision. They're comments were they were in support of the plat and associated improvements. Several commented they would like to see at least a single street light in the immediate vicinity, as the area is currently very dark at night without adequate lighting. Public Works is aware of this now and are currently coordinating with the neighbors on possible locations, and are also working on fiscally planning for it in the next budget year. This is an item that is outside the plat review or escrow and will be addressed separately.

Another concern raised was the poor workmanship of the sidewalks and it not being the fault of the property owners. They are in disrepair and were likely not installed per standard and were never accepted by the City. The property owner to the north of the existing common area is willing to accept the responsibilities of maintenance of the pond and the property owner to the south is grateful there will soon be access to his lot with a standard width driveway.

---

### **ATTACHMENTS**

1. Pacific Park Amended No. 2 Plat
2. Property Line Readjustment Exhibit
3. Neighborhood Outreach Letter

# PACIFIC PARK AMENDED NO. 2 - SUBDIVISION - NOT TO BE RECORDED

AN AMENDMENT OF THE PACIFIC PARK AMENDED SUBDIVISION, ALSO BEING AN AMENDMENT OF PACIFIC PARK LOT 2, A PART OF THE NORTHEAST QUARTER OF SECTION 2, TOWNSHIP 4 NORTH, RANGE 2 WEST, SALT LAKE BASE & MERIDIAN, DAVIS COUNTY, UTAH

CLEARFIELD CITY

30 April 2013

**S89°55'46"E**  
North Quarter of Section 2  
Township 4 North, Range 2 West  
Salt Lake Base & Meridian

**905.00'**

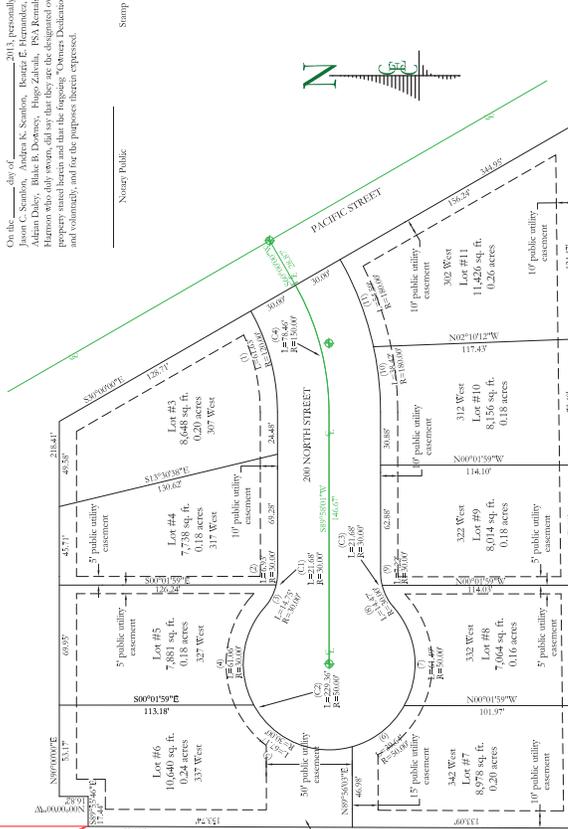
**2,648.81'**  
Northeast Corner of Section 2  
Township 4 North, Range 2 West  
Salt Lake Base & Meridian

**S00°0'00"W 439.69'**

**Basis of Bearing**

**ACKNOWLEDGMENT**  
County of Utah

On this day of \_\_\_\_\_, 2013, personally appeared before me \_\_\_\_\_, Notary Public, \_\_\_\_\_, who, duly sworn, did say that they are the designated owners of the real property stated herein and that the foregoing "Owners Dedication" was signed freely and voluntarily, and for the purposes therein expressed.



**NOTES**

- A 10.0 foot wide public utility easement around the perimeter of the subdivision as shown. A 10.0 foot wide public utility easement along the frontage of each lot as shown. A 5.0 foot wide public utility easement each side of the property lines, of the lots, as shown. Storm drainage, sanitary sewer, electrical power, communication lines and other public utilities.
- Street Monument

**NARRATIVE OF PLAT**

The purpose of this subdivision plat is to eliminate the common area parcel created with the initial subdivision plat of the common area parcel and to incorporate the acreage of the common area parcel into a part of the subdivision. The common area parcel is being divided into the burden of the initial common area parcel from the remaining seven lots (i.e. new lot # 1, 2, 3, 6, 7, 8 & 9).

The initial common area parcel was created as a storm water retention basin parcel which upon recordation and Clearfield City approval will be modified to a 100-year event detention basin.

The basis of bearing used for this Plat is from the Davis County monument control. Information for the Section Corners is shown herein.

PROPERTY LINE CURVE TABLE				CHORD			
CURVE	RADIUS	LENGTH	DELTA	RADIUS	LENGTH	DELTA	ANGLE
1	30.00'	6.93'	137.152°	S271.5310'	6.93'	137.152°	6.93'
2	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
3	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
4	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
5	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
6	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
7	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
8	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
9	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
10	30.00'	6.93'	137.152°	N83°22'00"W	6.93'	137.152°	6.93'
11	180.00'	54.39'	17°22'37"	N09°52'57"E	54.39'	17°22'37"	54.39'

**CIVIL ENGINEERING CONSULTANTS, PLLC.**  
5141 SOUTH 1500 WEST  
RIVERDALE, UTAH 84405  
PHONE: 801.866.0550  
FAX: 801.866.0551

**MtnWest Surveying & Mapping, Inc.**  
1825 W. 4400 S. PO Box 207  
Roy, Utah 84067

**CLEARFIELD CITY PLANNING COMMISSION**  
Approved by the Clearfield City Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
\_\_\_\_\_  
Planning Commission Chairman

**CLEARFIELD CITY COUNCIL**  
This is to certify that this plat and the dedication of all streets, easements were duly approved and accepted by the City Council of Clearfield City, this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
Mayor \_\_\_\_\_  
Attest: \_\_\_\_\_ City Recorder

**CLEARFIELD CITY ATTORNEY**  
I hereby certify that I have examined the foregoing plat and description in my opinion it conforms with the City Ordinances thereto and now in force and effect.  
Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.  
\_\_\_\_\_  
Clearfield City Attorney

**DAVIS COUNTY RECORDER**  
Entry No. \_\_\_\_\_ fee paid \_\_\_\_\_ at \_\_\_\_\_ in book of official records page \_\_\_\_\_ Recorded for \_\_\_\_\_  
By: \_\_\_\_\_ County Recorder

**SURVEYORS CERTIFICATE**

I, Dick N. Mechem, do hereby certify that I am a registered land surveyor, and that I hold license No. 155649. I have conducted a survey of the tract of land as shown on this plat as described below and that the referenced markers shown on this plat are located as indicated and are sufficient to retrace or restore this survey, that the information shown herein is sufficient to accurately establish that lateral boundaries of the below described tract of real property and of each of the lots, located on said tract.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

Dick N. Mechem - License No. 155649

**BOUNDARY DESCRIPTION**

Being a part of the Northeast Quarter of Section 2, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah and more particularly described as follows:

Beginning at a point which is S89°55'46"E. 905.00 feet and S0°0'00"W. 439.60 feet from the North Quarter corner of said Section 2, and running

Thence S89°55'46"E. 17.44 feet; thence N09°00'00"E. 16.83 feet; thence N09°00'00"E. 218.41 feet; thence S89°00'00"E. 344.35 feet; thence S89°19'00"W. 409.36 feet; thence N0°14'45"E. 286.83 feet to the Point of Beginning.

Contains: 97,7068 Square Feet or 2.22 Acres

**OWNERS DEDICATION**

Know to all persons that this document presents, that we the undersigned owners of the above described tract of land, having caused same to be subdivided into lots, public utility and storm water drainage easements and public streets, hereby set apart and subdivide said real property as shown and to be known as **PACIFIC PARK AMENDED NO. 2 - SUBDIVISION**, and do hereby dedicate for the public use all those portions of said tract of land, to be designated as public streets and easements intended as public thoroughfare and as public utility easements forever, for the public access and public utility use, and do hereby dedicate for the public use, operation, and maintenance of the said dedicated street, which interfere with the City's use, operation, and maintenance of the said street.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

- Owners:
- PSA Remals LLC. (lot #3) Hugo Zabala (lot #5)
  - Jason C. Scanlon (lot #8) Andrea K. Scanlon (lot #8)
  - Beatrix E. Hermanizer (lot #9) Blake H. Downey (lot #11)
  - Joshua M. Daley (lot #10) Adrian Daley (lot #10)
  - Utah Housing Corporation (lot #7) Federal Home Loan Mortgage Corp. (lot #4)

**CORPORATE ACKNOWLEDGMENT**

State of \_\_\_\_\_ County of \_\_\_\_\_  
On this \_\_\_\_\_ day of \_\_\_\_\_, 2013, personally appeared before me \_\_\_\_\_  
Federal Home Loan Mortgage Corporation  
Carlyle & Delta Harmon Non-traditional Women's Scholarship Fund (lot #6)

Utah Housing Corporation  
I, \_\_\_\_\_, Notary Public, \_\_\_\_\_, who, duly sworn, did say that he, she, they are the designated owner of the real property stated herein and that the foregoing "Owners Dedication" was signed freely and voluntarily, and for the purposes therein expressed.

Stamp

Stamp



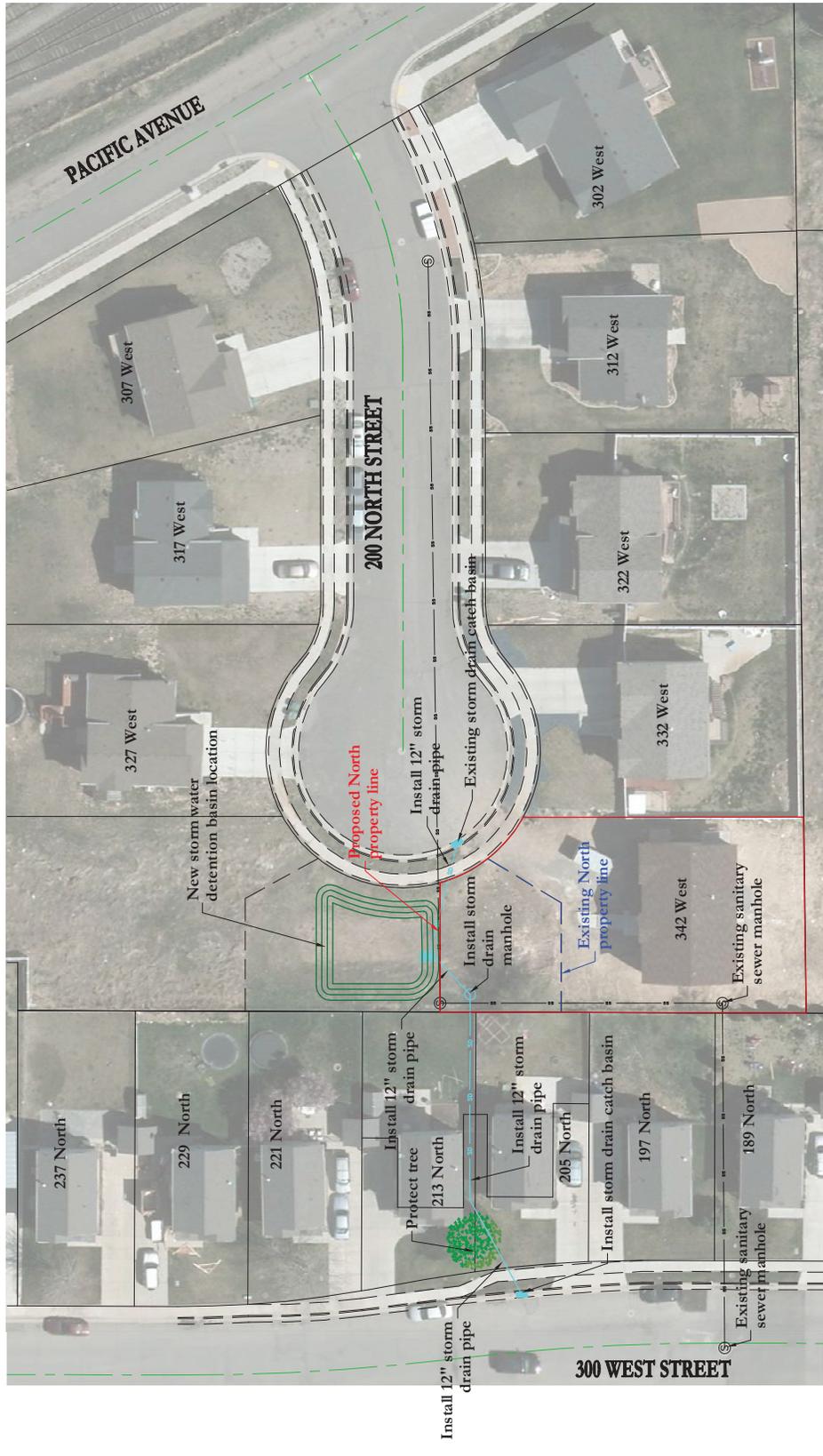
CIVIL ENGINEERING  
CONSULTANTS, PLLC  
544 SOUTH 1500 WEST  
RIVERDALE, UT 84405  
801.866.0550

NO.	DATE	BY	REVISIONS

DATE: APRIL 2013  
DRAWN: JLS  
CHECKED: NSN / RTF

PROJECT / LOCATION: PACIFIC PARK DETENTION BASIN  
CLEARFIELD CITY, UTAH  
TITLE: STORM DRAIN/DETENTION MODIFICATION

CLIENT: CLEARFIELD CITY  
PROJECT NUMBER: CC.12017  
FILE: ~cc12017.dwg  
SHEET: 1 of 1



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



March 18, 2013

NAME

ADDRESS

CITY, STATE ZIP

**RE: Pacific Park Subdivision Amended Plat**

Dear Pacific Park Subdivision Property Owner,

Enclosed is a copy of the proposed subdivision plat amendment that is currently being processed by the City. Changes to the subdivision plat have become necessary because certain improvements that were required to be performed by the developer were never completed. The City is using the monies that were placed in escrow at the time the subdivision was approved to now complete remaining improvements. The common area, which also serves as the subdivision's stormwater detention area, will be completed by the City.

In addition, a homeowner's association ("HOA") was never appropriately established and therefore, requires the realignment of the common area which now needs to be maintained by private property owners rather than the HOA. The proposed changes to the plat affect Lot 6 and Lot 7 of the subdivision. The common area will be subdivided and become part of Lot 6 and Lot 7 as shown on the amended plat.

***What does this mean to you?***

Because you are a property owner in this platted subdivision, your signature acknowledging the changes on the amended plat that will be recorded with Davis County is necessary.

***What do you need to do?***

The City needs good contact information for you so that we can continue to closely correspond and keep you informed of any further developments. Within ten days of receipt of this letter, please either call me at **(801) 525-2785** or email me at [vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) with the following information:

- 1.) Please confirm that the address printed on this letter is a preferred mailing address for correspondence; if it is not, please provide the preferred mailing address.
- 2.) Please provide a preferred daytime phone number.
- 3.) Please express any concerns you may have with the proposed amended subdivision plat.

If you have any questions or concerns, please do not hesitate to contact me. We appreciate your assistance in being able to work toward completion of the Pacific Park Subdivision!

Sincerely,

Valerie Claussen, MPA, AICP

Development Services Manager

ATT: Pacific Park Amended No. 2



# City Council

## STAFF REPORT

**TO:** THE HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Valerie Claussen, MPA, AICP  
*Development Services Manager*  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) or (801) 525-2785

**THROUGH:** Scott Hodge  
*Public Works Director*  
[scott.hodge@clearfieldcity.org](mailto:scott.hodge@clearfieldcity.org) or (801) 525-4430

**MEETING DATE:** May 28, 2013

**SUBJECT:** Pacific Park Storm Sewer Project (Associated with Pacific Park Amended No. 2 Plat and Escrow Monies)

---

### EXECUTIVE SUMMARY

#### Escrow Monies

The City received \$33,643 of the remaining escrow monies from the account that was established at the time of development of the Pacific Park Subdivision. An engineer's estimate was prepared and estimates the completion of the identified improvements to the subdivision to be approximately \$36,000

At this time the project has not had construction documents prepared, nor has the project been put out to bid, so the City does not have definite numbers. However, it is anticipated that the costs of the project, will exceed the amount of escrow money and require additional funds from the storm sewer enterprise funds. A contingency amount of not less than 10% and not more than 15% will need to also be accounted for, leaving approximately an \$8,000 gap from the escrow amount to the actual costs associated with the project.

Staff is looking for direction on whether or not to proceed with the preparation of construction documents and the bid, with the anticipation that the cost may likely exceed the escrowed amount. Upon obtaining the additional information of the bids, it would be at that time the Council would review the item as additional expenses and as a re-open budget item and take action.

---

### RECOMMENDATION

This item is for discussion only.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
April 2, 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
	Brian Brower	City Attorney
	Adam Malan	Police Lieutenant
	Bob Wylie	Administrative Services Director
	Steve Guy	City Treasurer
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Scott Hodge	Public Works Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Sarah Hyde – BYU, Emilie Adams – BYU, Heidi Furness – BYU, Garrett Stone – BYU, Sierra Keung – BYU, David Luke – BYU, April Gordon – SR 193 Road Project, Randy Jefferies – UDOT (Utah Department of Transportation), Dan Wood, Christian Yoong, Johnathan Ward – Zions Bank

Mayor Wood called the meeting to order 6:05 p.m.

PRESENTATION ON RECREATION FEES AND PARTICIPATION

Eric Howes, Community Services Director, informed the Council that the City had been using a computer program known as CLASS for recreation management which tracked participation in programs and memberships at the Aquatic Center. He indicated that to fully utilize the capabilities of the software and reports it required a working knowledge of Crystal Reports. He reported the City had the opportunity to allow students from BYU (Brigham Young University) to review the collected data from previous years to determine statistical analysis. He believed the data would be of great value to the Community Services Department in planning for future recreation opportunities offered by the City.

Heidi Furness, BYU, announced the participating students were graduate students from the Marriott School of Management. Ms. Furness introduced the students participating in the study and reviewed the agenda of the evening's presentation.

She explained data had been obtained from the membership registration for classes/programs offered by the City's Community Services Department. She emphasized the data didn't reflect any information from "walk-in" participants at the Aquatic Center.

Garrett Stone, BYU, reported he would be sharing data specific to the Aquatic Center. He stated the majority of participants at the Aquatic Center were from Clearfield; however, there were participants from surrounding communities, Layton, Syracuse, and Ogden. He shared figures regarding the "trends in attendance" pointing out the Center was frequented most in the summer months of June and July. Adam Lenhard, City Manager, inquired if the graph reflected repeat patrons. Mr. Stone responded in the affirmative. He shared information specific to other trends including time of day, month usage, age of the patron, gender and residency.

Ms. Furness announced handouts of the presentation had been assembled and would be available to the Council.

Mr. Stone reported 65-70 percent of Clearfield Aquatic Center users were non-residents.

David Luke, BYU, shared results from a program analysis for the following programs: swim lessons, youth basketball, martial arts, and dance classes.

Ms. Furness summarized non-residents were coming to the Aquatic Center due to the programming. She commented the programs were geared more toward the youth and believed programming could be offered which would benefit adults. She shared options which could be implemented to increase revenue and pointed out the City could also incur ramifications if it chose to increase the price for the non-resident participation. She suggested the City could collaborate with neighboring cities in the form of membership deals to increase funding.

Ms. Furness recommended the following:

- collecting data from walk-in participants specific to residency
- creating consistency in course titles
- collecting satisfaction data from participants of programs
- tracking class capacity and attendance ratios

She stated the students weren't able to provide any data cost recovery analysis because they didn't have access to the cost of the program or what fees were charged. She suggested this should also be tracked in the administrative side of the new software system.

Mr. Lenhard inquired if they completed a basic breakdown of demographics specific to membership data. Ms. Furness responded they did. Mr. Stone added that information had been included in the overall average with the membership data. A discussion took place regarding what information would be needed for future analysis. Mr. Howes reported the process in obtaining the right data from the previous 12 years in order for the analysis to be completed.

The BYU students left the meeting at 6:30 p.m.

UPDATE ON THE SR 193 ROAD EXTENSION PROJECT

Randy Jefferies, UDOT, introduced April Gordon, UDOT Consultant, to the Council. He shared a presentation informing the Council of the progress regarding the SR 193 road extension project. He distributed business cards specific to the SR 193 project which provided a website, hotline phone number, email and twitter information. He suggested this be shared with residents with questions and shared a visual demonstration on how to navigate the website to visually see the progress of the road project.

He updated the Council on the progress in the western portion of the project and indicated construction would soon begin near 700 South. He reminded the Council the road project would consist of two lanes in each direction with middle turn lanes. He explained a box culvert would allow for pedestrian traffic. He stated Industrial Parkway would also be realigned to eliminate safety concerns associated with the curve of the road. He pointed out 175 East would become a frontage road to provide access to the businesses in that area. He explained the road would be elevated from Depot Street to Main Street. He also explained the UTA trail would be relocated to the east and a box culvert would accommodate the pedestrian traffic. He pointed out Main Street would become a cul-de-sac and access would be available near the location of H Street in Freeport Center.

Councilmember Bush inquired about the landscaping near the trail system. Mr. Jefferies responded UDOT would be completing landscaping at a minimum and mentioned UDOT had been working with the City on possible funding options for landscaping certain areas in conjunction with the project. He emphasized the trail would be paved. He stated 700 South would remain open until June 1, 2013 at which time a detour would route traffic to the new Industrial Parkway. He indicated the goal was to continue to provide access for businesses and emphasized a full closure of the 700 South intersection was not planned at this time. He referred to the visual presentation to illustrate his talking points.

Mr. Jefferies informed the Council that the Freeport Center had detoured the entrance on the east side at 700 South to allow UDOT the opportunity to complete roadwork. He emphasized this was Freeport's detour and UDOT had no control or input on that detour.

He reported the cul-de-sac would begin construction at 700 South and South Main and would be closed beginning next week. A discussion took place specific to traffic and speed control along Center Street and 200 South. Adam Lenhard, City Manager, clarified 700 South would be closed near Depot Street.

He indicated the Rail Trail which had been closed for some time would be completed in conjunction with the road extension project. A discussion took place regarding the proposed new

traffic patterns, cul-de-sacs, sound walls, settling of the soil for the raised road and safety of children walking to Wasatch Elementary. Mr. Lenhard inquired if Rocky Mountain Power had expressed its interest to UDOT regarding the construction of its facilities through the right-of-way. Mr. Jefferies responded Rocky Mountain Power still had those intentions; however, the construction work would begin after completion of the road project. He added the location for the Rocky Mountain Power project would be more to the south.

Mayor Wood requested clarification on how the ingress and egress would take place from SR 193 to the proposed Ninigret facility planned for 1000 West 200 South, Syracuse. Mr. Jefferies explained accesses would be limited on the new SR 193 extension. He believed the developer was trying to obtain some accesses along 2000 West.

A resident expressed concern about elementary school aged children walking on sidewalks along 200 South during construction and along the new road extension upon its completion to Wasatch Elementary. Mayor Wood suggested children would need to become educated and pointed out similar areas within the City.

Mr. Jeffries pointed out at the completion of the SR 193 Road Extension project, UDOT would maintain it as a State road and 300 North would become a city street.

#### DISCUSSION ON THE REFUNDING OF THE GENERAL OBLIGATION BONDS

Bob Wylie, Administrative Services Director, reminded the Council of the previous discussion regarding the possibility of refunding a portion of the General Obligation (GO) Bonds. He announced Jonathon Ward from Zions Bank would explain specifics of the possible refinancing to the Council.

Jonathan Ward, Zions Bank, distributed a hard copy proposal of refinancing options to the Council.

Mr. Ward directed the Council to the illustration reflecting the rates of the bond market and pointed out it was similar to the situation in 2010 when the City had the opportunity to refund its Sales Tax Bonds. He expressed his opinion the City should take advantage of the low interest rates currently being experienced in the market.

He explained Municipal Bonds generally had a lower interest rate compared to taxable US Government Bonds because of the tax exemption. He stated the Internal Revenue Service (IRS) limited the frequency of refinancing opportunities to one-time in advance of the call date and explained the history associated with the interest rate market and the IRS regulations associated with refinancing. He pointed out the City had already refinanced the GO Bonds in 2005, in advance of the call date; therefore, the City had already taken advantage of the refunding privilege.

Mr. Ward explained the refinancing option of selling taxable bonds. He explained the difference between non-taxable municipal bonds and taxable bonds and the Council discussed the option of refinancing. He directed the Council to Section 2 of the handout which identified potential savings of approximately \$350,000 to the City. He explained a general rule used to determine whether the refinancing would be a good idea was if the savings could amount to three percent or more savings for the City. He reported the City's standard was a little higher than that and he agreed with that policy. He shared specifics associated with the possible refinancing. Mr. Ward suggested the Council determine if it desired to refinance the bonds now or wait and see what direction the rates were going.

Mr. Wylie explained how the Council had designated a refunding committee for a prior bond issue empowering it to begin the process of refinancing if the market started to change and it became necessary to immediately move forward with the transaction. Mr. Wylie emphasized the refinancing options wouldn't affect the budget process at this time. The Council discussed the refinancing options.

Mr. Ward explained how the Resolution could be drafted, defining specifics and allowing a designation of a committee to authorize the refinancing of the Bond. Mayor Wood directed staff to proceed with designating a committee by resolution to authorize the refinancing of the GO Bonds when/if it was in the best interest of the City.

#### DISCUSSION ON THE CREATION OF A BEAUTIFICATION COMMITTEE

Adam Lenhard, City Manager, referred to a provided handout specific to a Beautification Committee and reviewed it with the Council. He suggested using the City's GIS capabilities and dividing the City into areas. He emphasized the committee wouldn't have decision making power; rather it would act in an advisory capacity to the Council. Mr. Lenhard stated he would assemble a list of individuals which would include Councilmember LeBaron, a member of the Youth City Council, employee from the Park's staff, representation from the Planning Commission and Parks & Recreation Commission as well as citizens.

Councilmember Murray inquired if the committee would be addressing public areas only. Mr. Lenhard responded it would also encompass private property.

The Council directed Mr. Lenhard to compile individuals willing to serve on the committee.

The meeting adjourned at 8:20 p.m.

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
May 7, 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
	Bob Wylie	Administrative Services Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Dir.
	Scott Hodge	Public Works Director
	Kim Dabb	Operations Manager
	Jessica Hardy	Accountant
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: James Schroader – North Davis Sewer District (NDSD) Accountant

Mayor Wood called the meeting to order 6:04 p.m.

DISCUSSION ON AN AMENDMENT TO THE NORTH DAVIS SEWER DISTRICT AGREEMENT

Councilmember Bush introduced James Schroader, North Davis Sewer District (NDSD) accountant, and informed the Council he was in attendance to explain the proposed amendments to the City's contract with the Sewer District. Mr. Schroader distributed a handout and announced the NDSD was planning to issue revenue bonds to fund capital improvement projects at the NDSD. He explained one of the issues identified by the rating agency when discussing the finances of the District was the need to lengthen the term of its contract with the City.

Mr. Schroader explained the current contract had extended its terms of service for the City to 2032 and the term for the proposed bonds would extend beyond the term of the contract for services. He stated bond counsel suggested amending the contract to extend the term of service beyond the term of the bonds. He reported the NDSD had an excellent rating which translated into cost savings for the citizens by not having to pay interest at a higher rate.

He reported Felshaw King, NDSD attorney, had prepared the ordinance and explained the amendment to the contract would extend the contract to 2062. He pointed the language in the

contract had been amended to reflect how issues would be resolved with the NDSB Board as well as language pertinent to decommissioning the facilities should another option for sewage treatment become available.

Councilmember Murray requested clarification about the extension of the bonds. Brian Brower, City Attorney, clarified the agreement for services was being extended to the year 2062 which would allow for new bonds to be issued. Councilmember Murray inquired what would happen if the City didn't agree to the contract amendment. Mr. Brower responded the City would have to provide its own sewer treatment services.

Mayor Wood explained his knowledge specific to decommissioning a facility as he served on the Wasatch Integrated Waste Facility Board. He commented the Board was required to designate funds in a specific account which would be used for closing the facility and inquired if the NDSB had a similar policy in place. Mr. Schroeder responded it didn't at this time. He explained at some point the landfill would meet its life expectancy; whereas, the NDSB could continue to make improvements similar to roads extending its viability. Mr. Schroeder briefly explained the process when some of the NDSB infrastructure had to be closed.

Mr. Brower stated he had reviewed the contract and reported from a legal perspective it was sufficient to meet the requirements of code.

Councilmember LeBaron inquired if the NDSB was classified as a treatment or storage facility in that it was generating hazardous waste. Mr. Schroeder emphasized the District was generating Class B bio solids, which was not a hazardous waste but a solid waste. He continued there were no regulations specific to disposal of Class A bio solids; however, there was a plan in place as to how bio solids could be disposed. Councilmember LeBaron clarified the Class B bio solids which were created by the treatment plant were being stored on site. Mr. Schroeder responded the bio solids were stored on site for a time prior to disposal for agricultural application. Councilmember LeBaron commented he wasn't aware of any exemptions for entities creating solid waste to not have a D&D Plan and requested further explanation at a future meeting. Mr. Schroeder explained if the waste were properly removed at the time the Plant was decommissioned, the cost would be spread over 50-100 years. He added the dollar amount was not significant. Councilmember LeBaron still had a difficult time understanding why the NDSB wouldn't have to have a closure plan and fund to protect participating entities. Mayor Wood expressed concern with the potential liability to the participating cities and asked if they could be held accountable for the costs.

Mr. Schroeder responded the NDSB had to have a closure plan in order to be licensed and indicated it was compliant for a significant amount of licenses. Mayor Wood inquired whether the age of the facility or if new technology became available, or some catastrophic event took place which disabled the facility, what could the potential future impacts be on the participating cities.

Mr. Schroeder explained the District currently had a reserve fund consisting of approximately 26 million dollars which was designated for such purposes in addition to reserves and insurance designated for those types of events. He continued if there were a complete closure of the plant,

the citizens of the area would be impacted and the City Councils would have to deal with that issue at that time. Councilmember LeBaron believed many facilities had full closure plans in place.

Mayor Wood expressed his opinion there was a difference between what was required and what was prudent and suggested the NDSB Board address the issue because there was the potential for an unbudgeted amount from an unforeseeable event that could significantly impact the participating municipalities. Councilmember LeBaron believed there was a state law which required a closure plan.

#### DISCUSSION ON THE AWARD OF BID FOR THE 700 SOUTH SEWER PROJECT

Scott Hodge, Public Works Director, reported the bid opening for the 700 South Sewer Project had taken place earlier in the day. He stated \$619,000 had been appropriated for the project, based upon the City Engineer's estimate of work and costs; however, all bids were substantially higher than that amount and reported the project would be scaled down.

He stated the highest priority would be completing the portion of sewer line at the intersection with the second priority being the most eastern part of the line on 700 South. He reminded the Council that the sewer line in 700 South had experienced some failure so spot repairs would be needed. He believed the slip lining repair option would most likely be eliminated. He indicated approval of the bid would come before the Council during the May 14, 2013 City Council meeting. He explained the City Engineer would need to review the bids and visit with the contractor to determine how much of the work could be completed. He reported the apparent lowest bid was \$790,000.

Councilmember Murray inquired if there were funds available elsewhere which could be used to complete the project. Bob Wylie, Administrative Services Director, reported he had requested Steve Guy, City Treasurer, to review the fund balance to determine if additional funds could be recognized. Mr. Hodge believed if the City decided to proceed with the proposed bid and allow for a contingency fund, the total project cost would be approximately \$900,000.

Councilmember Shepherd inquired as to why the estimated amount was so far off from the bid amount. Mr. Hodge believed it had to do with the time constraints of the project associated with UDOT's work schedule at the same intersection in addition to the pumping of the sewer. He reported there was a significant sewer flow at that location and explained the pumping process which would be needed to complete the construction. He believed both issues elevated the construction costs. Mayor Wood inquired if there was a possibility to complete the portion of the project which was time sensitive and then expand the allowable time for the project to be completed in its entirety at a reduced cost. Mr. Hodge didn't believe that would have a significant decrease in cost as the slip line portion of the project was approximately \$80,000 of the bid. He explained part of the bid required a sewage pumping plan in addition to a traffic control plan and believed both of those contributed to higher bids. Councilmember Young pointed out the slip line repair was a less evasive approach.

Mr. Hodge reviewed the four options which had been brought to the Council. Mr. Wylie reported the uncommitted fund balance in the sewer fund was approximately \$700,000 and stated it would take almost the entire remaining fund balance to complete the project as originally proposed. Councilmember Young inquired about the possibility the sewer line could be compromised to the point a slip line repair in the future wouldn't be possible. Mr. Hodge expressed his opinion the sewer line would last for a couple of years.

Mayor Wood inquired about the quality of the end product if the project was completed in pieces as Mr. Hodge was now suggesting. Mr. Hodge believed the intersection was the most critical area and would no doubt have a failure if no repairs were completed. A discussion took place regarding possible options and the Council directed staff to only complete the critical areas including the intersection extending east.

#### DISCUSSION ON THE FREEPORT WATER TANK PROJECT

Scott Hodge, Public Works Director, distributed a handout reflecting tank capacity comparisons. He reminded the Council about discussions specific to repairing the Freeport water tank or possibly replacing the water tank. He reviewed the handout and costs associated with replacing the water tank reflecting three different materials.

Mr. Hodge emphasized there would be maintenance costs associated with the concrete water tank. He stated the City Engineers had recently worked with Riverdale City who had two steel water tanks and they had determined that painting both the interior and exterior of the tanks was important.

He shared the thought process in considering an increase in the tank size which would possibly prolong the life of the HAFB well. He reported Weber Basin had installed a glass fused steel bolted water tank approximately 11 years ago and staff had visited with its staff that project. He requested the Council determine whether it desired to repair the current well or replace the well. He reminded the Council it had toured the pump house at the Freeport Center last fall.

Mayor Wood inquired about the possibility of sharing some costs of a new well with Syracuse City as it would also benefit from a new water tank and suggested contact be made because there was the potential for significant growth in that City. He believed a conversation should take place with Syracuse City about a possible cost sharing of the facility.

Mr. Hodge reported he had inquired if there were low interest loans available through the State for these types of projects. He reported funds were available consisting interest rates of about two to four percent for 10 to 20 years and the application process would take approximately three to six months. Councilmember Murray asked if the State had any preference with the three options of materials for the project. Mr. Hodge responded any of the materials would be an acceptable product.

Councilmember Young believed the glass fused option would be the best option and inquired if there were any reason to eliminate that option. Mayor Wood suggested staff proceed with the glass fused 1.5 MG water tank and visit with Syracuse City and/or West Point City to see if there

was interest in sharing costs. Councilmember Bush believed it would be in the best interest of the City to spend the extra funds to purchase the larger water tank.

Bob Wylie, Administrative Services Director, reported the water fund was extremely healthy and could accommodate the expenditure of the larger tank. The Council was in agreement to proceed in purchasing the larger tank.

#### DISCUSSION ON THE CLEARFIELD HIGH SCHOOL SCHOLARSHIP

Nancy Dean, City Recorder, distributed a handout outlining the proposed scholarship requirements and Mayor Wood reviewed them with the Council.

He explained a question had been asked of the high school which could potentially impact an individuals' ability to receive the scholarship and use it in a timely manner, such as military or religious opportunities. He mentioned some of the universities were awarding scholarships and deferring them until the service commitments by the recipient had been met. He asked the Council if it would be receptive to deferring the City's scholarship if the recipient could demonstrate the need for a deferment.

Ms. Dean indicated she and Brian Brower, City Attorney, had drafted some language which allowed the scholarship to be deferred for up to five years because a military obligation would be for four years and the additional time might be needed to complete registration. She added the applicant would also need to apply for the deferment in writing with a copy of the commitment letter or contract from the charitable institution. She stated if the scholarship was not claimed within five years it would be forfeited.

Councilmember Murray pointed out it was announced Clearfield High School was the winner of the Utah Highway Patrol's seatbelt campaign in which the City had contributed \$500. Mayor Wood commented that was entirely different from the \$1,000 college scholarship. Councilmember Murray inquired if students had already applied for the scholarship. Ms. Dean reported students had and Clearfield High handled all administrative paperwork. She stated Bob Wylie, Administrative Services Director, had already identified how the scholarship would be earmarked in the budget for deferment purposes. The Council agreed to add the deferment language.

Mr. Brower suggested some additional language be included referring to government entity. Ms. Dean informed the Council she had also included "successfully" served as a member of the Youth City Council. She suggested a certificate be presented to those who had "successfully" served on the YCC. The Council was in agreement with the proposed changes.

The Council took a break was taken at 6:55 p.m.  
The meeting resumed at 7:05 p.m.

DISCUSSION ON THE FREEPORT WATER TANK PROJECT CONT'D

Mayor Wood expressed concern about potential issues regarding shared costs associated with the sharing of the water tank and asked for Council's input. A discussion took place and the Council expressed agreement with Mayor Wood's concerns and directed staff to proceed in purchasing the tank on its own.

DISCUSSION ON THE 2013/2014 TENTATIVE FISCAL YEAR BUDGET

Adam Lenhard, City Attorney, pointed out the proposed tentative budget was a balanced budget of 31.1 million dollars in total of all funds. He pointed out the General Fund consisted of approximately 15.3 million dollars. He reviewed the changes specific to personnel reflected in the proposed budget. He pointed no merit increase for employees had been appropriated but anticipated a healthy unreserved fund balance in the General Fund and expressed his hope for a possible one time lump sum benefit which would be performance based. He stated a market analysis would take place and where appropriate some adjustments could be made for certain positions. He stated there was a mandated increase from Utah Retirement Systems and reported the City would have to absorb that increase. He stated there would be some changes to the health insurance as the City would be going with PEHP with a high deductible option combined with a health savings account.

Mr. Lenhard distributed a handout reflecting seven main areas of focus identified by the Council during 2013 New Year Kickoff identifying the Council's Goals and Priorities. He believed many of the items had been addressed or would be addressed in the proposed budget.

Bob Wylie, Administrative Services Director, shared a visual presentation specific to the tentative budget and reported it would be presented to the Council for adoption during the May 14, 2013 policy session. He emphasized he was presenting a balanced budget. He shared specifics associated with the General fund. Mr. Lenhard emphasized the tentative budget didn't propose a property tax increase for City residents. He reviewed the Enterprise Funds, Internal Service Funds and General Fund with the Council. He also reviewed Donation Revenue with the Council specific to expenditures at the Aquatic Center.

Mr. Wylie reviewed the proposed Capital Projects and the identified appropriated costs associated with each.

**Councilmember LeBaron moved to adjourn as the City Council and reconvene as the CDRA in a work session at 7:32 p.m., seconded by Councilmember Shepherd. All voting AYE.**

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

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
May 14, 2013

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

VISITORS: Ray Whitchurch – IBI Group, Amber Huntsman – Thackeray Company, Curtis Clayton- UTA, Mike Christensen – Thackeray Company

DISCUSSION ON THE INTERLOCAL AGREEMENT TO PARTICIPATE IN THE  
ONESTOP BUSINESS REGISTRATION PROGRAM

Valerie Claussen, Development Services Manager, explained the Onestop Business Registration program was offered through the State of Utah. She continued when a business applicant registered with the State online, that information would be forwarded to the City. She explained the process would allow the City to better track businesses that have registered with the State but have not yet come into the City to obtain a business license.

Councilmember Murray inquired if the program would allow businesses to complete the entire business licensing process through the State. Ms. Claussen responded all businesses had to be registered with the State in order to receive a Sales Tax Licensing Number. She emphasized businesses would still have to complete both steps; registering with the State as well as obtaining a business license through the City. She stated the only difference would be the business would be prompted by the State's website to contact the City.

Adam Lenhard, City Manager, pointed out the businesses would also be required to register through the State to obtain an Employer Identification Number and Sales Tax Number. Ms. Claussen clarified the program allowed the State to provide the City with business registration information to better track businesses that had not yet obtained a business license. She emphasized the business would still have to obtain a City business license.

Mayor Wood asked if the City business license would be renewed if a business completed its annual renewal with the State online. Ms. Claussen responded the business license renewal with the City would still need to take place as a separate transaction. Mr. Lenhard believed the business would be prompted from the State's website to renew its City business license. Mayor Wood clarified the Onestop Business Registration was not integrated with the City's business licensing process. Mr. Lenhard responded in the affirmative.

#### DISCUSSION ON THE CLEARFIELD STATION DEVELOPMENT

Valerie Claussen, Development Services Manager, reported the Planning Commission heard opened its public hearing on the rezone request for the Clearfield Station development and continued it until its next meeting scheduled for Wednesday, June 5, 2013. She emphasized no formal action was taken during the Tuesday, May 1, 2013 other than a discussion during which staff provided information on how the proposal would fit in the Mixed Use Zoning District.

She explained the request would come before the Council during its June 11, 2013 meeting for consideration of the proposed rezone of approximately 72 acres from C-2, Commercial, and M-1, Manufacturing, to MU, Mixed Use. She pointed out the MU zone had objectives designated by City Code and the Master Development Plan (MDP) also had certain components required by City Code. She briefly reviewed the eight objectives specific to the MU zone and the MDP elements and specific provisions.

Ms. Claussen pointed out a development agreement would need to be executed by the City and that it would need to satisfactorily address specific items identified during the presentation including all construction improvements to the phasing of the project in conjunction with the tax increment financing provisions. She continued it also required the establishment of the Master Utility Plan and the delineation between public and private roads. She added the density capacity of 550 residential units would also need to be solidified in the development agreement. She mentioned the landscaping buffers along State Street would also need to be installed with the first phase; however, the existing 1000 East/State Street signal would be designed and installed subject to phasing. She commented the pedestrian bridge had not been mentioned in any of the documents but findings or recommendations could be identified with the UTA Circulator Study.

Ms. Claussen reported the Community Development department received several inquiries at the counter or over the phone prior to the Planning Commission public hearing. She explained in order for the Planning Commission to make a recommendation on the rezone, its recommendation would be based on 10 separate findings as opposed to opinion. She reviewed

some of the findings. She pointed out the Planning Commission's recommendation would be brought before the Council for consideration. She reported one discussion item pertained to accepting roads which would be designed to be more narrow than the City's current standards.

Mayor Wood inquired why the State Street road realignment would not be completed until the second phase of the Development. Ms. Claussen responded the northern portion was planned for the first phase and the intersection improvements would be completed in conjunction with the second phase. A discussion took place relative to the State Street/1000 East intersection realignment and its timing to the success of the development.

Mike Christensen, Thackeray Company, announced Ward Engineering had just been selected as the project engineer. He also explained the phasing of the road realignment would be contingent on the creation of a CDA (Community Development Area). He mentioned the development was not feasible without the CDA.

Mayor Wood expressed concern about potential traffic flow issues that would result from the additional residential traffic from the development as well as the proposed charter school. He pointed out the intersection was awkwardly configured and believed those issues should also be considered. Mr. Christensen suggested the road construction completion could be timed to coincide with the end of phase one. A discussion took place regarding who would own the streets and maintain them. Mr. Christensen suggested the streets be owned by a Homeowner's Association with the exception of the road which led to the Frontrunner platform.

A discussion took place regarding potential retail possibilities. Ms. Claussen reviewed the proposed timeline in order for the issue to be addressed by the City Council at its meeting on June 11, 2013. Mr. Christensen reviewed his desired timeline for project phasing and stated he would like to begin construction in September or October.

Mayor Wood stated he would be reluctant to change the zoning of the property until the City knew whether or not the School District and Special Districts were in agreement with the creation of the CDA. Mr. Christensen reviewed how the developers intended to complete that process.

Councilmember Bush inquired what the plans were for the detention basin. Ray Whitchurch, IBI Group, responded the project had been designed to absorb the water and then disperse it among the entire site possibly using a rainwater capture system to water the open/green space.

#### DISCUSSION ON A RESOLUTION REGARDING THE REFUNDING OF CITY BONDS

Bob Wylie, Administrative Services Director, reminded the Council of previous discussions regarding the possible refunding of the City's General Obligation (GO) Bonds. He stated interest rates were low enough to consider a possible refunding that had the potential to save the City money. He pointed out the City could capitalize on more savings if a refunding took place closer

to November 2014 but if the market began to change it might be necessary to act quickly to capitalize on the value of current market conditions.

He suggested the creation of a committee might be necessary in order for the City to react in a timelier manner than the calling for a City Council meeting to start the refunding process. He reported he had worked with Brian Brower, City Attorney, in creating a resolution which would grant the committee's authority. He reviewed the points in the resolution:

- Authority to not issue more than 6.3 million dollars
- Achieve debt service savings from the GO 2005 Series
- Designated officers

Mr. Wylie emphasized the key component of the resolution would be to designate limited authority to the committee. He pointed out the dates in the resolution would need to be flexible as there was potential for changes. He explained the parameters of the Bond would be not to exceed 6.3 million dollars in funding and not to exceed nine years in length. He stated the bearing interest rate was also identified not to exceed 3.75 percent in addition to resulting in a net present savings value of at least three percent.

Brian Brower, City Attorney, believed it was critical for the Council to be comfortable with the definition of the committee. He emphasized once the bonds were refinanced the City would not have a callable option, meaning the City would not be allowed to pay them off early. A discussion took place regarding the designation of committee members. Mr. Wylie clarified the resolution designated the Mayor or Mayor Pro Tem, Finance Director or City Treasurer and two City Councilmembers as part of a committee to consider timing issues, if necessary.

The meeting adjourned at 6:58 p.m.

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. 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

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.
4. Reminded the Council the City was in the process of updating the parks with benches, new picnic table and garbage cans. He stated he was pleased with the concrete table display which had been brought to the City building.
5. 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.
6. 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.
7. 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.
8. 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.

**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.**

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



# City Council

## STAFF REPORT

**TO:** Honorable Mayor and City Council

**FROM:** Valerie Claussen, MPA, AICP  
*Development Services Manager*  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) or (801) 525-2785

**MEETING DATE:** May 28, 2013

**SUBJECT:** Public Hearing, Discussion, and Possible Action on **RZN 1304-0007**, a request by Michael Christensen, on behalf of Thackeray Company's, for a rezoning from C-2 (Commercial) and M-1 (Manufacturing) to MU (Mixed Use) for approximately 72 acres located at 1250 S. State Street (TIN: 12-066-071).

---

### RECOMMENDATIONS

- 1.) Open the Public Hearing.
- 2.) Move to **continue** RZN 1304-0007, Clearfield Station rezoning from C-2 and M-1 to MU (Mixed Use), to the June 11, 2013 City Council Meeting.

---

### EXECUTIVE SUMMARY

#### Background

Staff and the applicant have identified items that need to be addressed prior to action and recommendation by the Planning Commission. The Planning Commission opened the public hearing at their May 1, 2013 meeting and continued the request to be heard at their June 5, 2013 meeting. Public hearing notices were mailed, the property posted, and the public hearing notice was placed in the newspaper, so it is recommended to continue the public hearing and this item date certain, to the June 11, 2013 City Council Meeting.

This item was reviewed and discussed in the May 14, 2013 City Council work session. No additional information or reports on this request are available at this time.



# City Council

## STAFF REPORT

**TO:** THE HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Valerie Claussen, MPA, AICP  
*Development Services Manager*  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) or (801) 525-2785

**MEETING DATE:** May 28, 2013

**SUBJECT:** Public Hearing, Discussion and Possible Action on **FSP 1302-0003**, a request by Clearfield City for an amended subdivision plat for Pacific Park Amended No. 2. The subdivision is located in the vicinity of 200 North and Pacific Street.

---

### RECOMMENDATION

Move to **approve** FSP 1302-0003, an Amended Final Subdivision Plat known as Pacific Park Amended No. 2, based on the discussion and findings provided in the Planning Commission Staff Reports, and authorize the Mayor's signature to any necessary documents.

---

### EXECUTIVE SUMMARY

#### Planning Commission Recommendation

The Planning Commission heard this item at their May 1, 2013 Planning Commission meeting and unanimously recommends approval to the City Council. Several of the property owners attended the meeting. A neighborhood meeting is scheduled to be held on June 13, 2013 at City Hall to discuss the street light location.

#### Background

The Planning Commission Staff Report and related exhibits are attached to this report (See *Attachment A*).

---

### ATTACHMENTS

A.) May 1, 2013 Planning Commission Staff Report



# Planning Commission

## STAFF REPORT

AGENDA ITEM  
**#6**

**TO:** The Clearfield City Planning Commission

**FROM:** Valerie Claussen, MPA, AICP  
Development Services Manager  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) (801) 525-2785

**MEETING DATE:** May 1, 2013

**SUBJECT:** Public Hearing, Discussion and Possible Action on **FSP 1302-0003**, a request by Clearfield City for an amended subdivision plat for Pacific Park Amended No. 2. The subdivision is located in the vicinity of 200 North and Pacific Street.

---

### RECOMMENDATION

Move to recommend to the City Council **approval** of FSP 1302-0003, an Amended Final Subdivision Plat, known as Pacific Park Amended No. 2, based on the discussion and findings provided in the Staff Report.

---

### PROJECT SUMMARY

Project Information	
Project Name	Pacific Park Amended No. 2
Site Location	Vicinity of 200 North and Pacific Street
Tax ID Number	Multiple TINs
Applicant	Clearfield City
Owner	Multiple Homeowners in the Pacific Park Subdivision
Proposed Actions	Amended Final Subdivision Plat
Current Zoning	R1-Open (Single Family Residential)
Land Use Classification	Residential
Gross Site Area	2.22 acres
Residential Lots	Total of 9 lots approx 0.18 to 0.24 acres in size

**Vicinity Map**



	<b>Surrounding Properties and Uses:</b>	<b>Current Zoning District</b>	<b>Comprehensive Plan Land Use Classification</b>
North	Lot 1 Pacific Park Subdivision	B-1 (Buffer Zone)	Residential
East	FrontRunner and Union Pacific Railroad Lines	N/A	N/A
South	Undeveloped parcels	R1-Open (Single Family Residential)	Residential
West	Smithtowne Subdivision	R-3 (SP) (Multiple Family Residential/Special Purpose Overlay)	Residential

---

## HISTORY

- May 2000** Pacific Park Plat (Lots 1 and 2) recorded with Davis County
- October 2006** Pacific Park Amended Plat recorded with Davis County, which was the further subdivision of Lot 2 into residential lots of the current configuration today.

---

## ANALYSIS

### Background

Pacific Park Amended Subdivision Plat was recorded with the County in October of 2006 with the subsequent construction of most of the homes in the development. However, the entire development and its associated improvements were never appropriately completed. As required per City Code, part of the initial subdivision approvals required the establishment of an escrow account. Due to lack of performance in a timely manner, also in accordance with the associated Development Agreement, the escrow monies have since been requested by the City and are being used to initiate this second Amended Plat to correct existing conditions that do not meet City standards (See *Attachment 1: Pacific Park Amended No. 2 Plat*).

One of the critical uncompleted improvements identified is an adequate stormwater facility for the development. Original plans designated a retention pond that would hold the stormwater, but it was never completed and would not adequately meet the needs of the subdivision. A detention pond has now been designed to detain the water and run off into the City's existing stormdrains that are located in the adjacent Smithtowne subdivision. This required obtaining two easements from adjacent properties to accomplish a properly working detention pond. Those easements have been obtained. One of the two has already been recorded with the County. The second one is anticipated to be recorded with the County in the next week.

A Homeowner's Association (HOA) was never properly established in the subdivision, even though it had been a requirement of approval, because there is common area (the pond) that would have to be maintained. In order to address this issue, the proposed amended plat will take the existing 'common' parcel and divide it between the two adjacent property owners directly to the north and south. The lot to the north will include the entire detention pond, and the lot to the south will have its most northern property line be relocated to the north (See *Attachment 2: Property Line Readjustment Exhibit*). This enables both properties to have appropriate access to their properties and eliminate the strange driveway approaches both lots currently have. In addition, the lot to the north will assume maintenance responsibilities for the detention pond, while the City will maintain an easement for this facility.

As the plat will require the signatures of the all the property owners in the subdivision, additional neighborhood outreach has been made by the City. That correspondence is attached for reference (See *Attachment 3: Neighborhood Outreach Letter*). There has been a considerable response, with eight out of the ten listed property owners already responding.

If escrow funding permits, other improvements are likely to be identified. There is insufficient information at this juncture to determine what other improvements will be able to occur. Much will depend on the bid process and how much the detention pond improvements will cost.

### **Master Plan and Zoning**

The proposal remains consistent with both the Master Plan (Residential land use classification) and the R1-Open Zoning district standards.

### **Public Comment**

Several inquiries have been received on the amended plat. It ranged from wondering if this proposal included changes to the property located to the south, to another neighbor inquiring if these improvements will alleviate the flooding his property has had since the development of this subdivision. It is hoped that completing the improvements will infact resolve this concern.

As previously stated, there was a good response to the letter to the property owners of the subdivision. They're comments were they were in support of the plat and associated improvements. Several commented they would like to see at least a single street light in the immediate vicinity, as the area is currently very dark at night without adequate lighting. Public Works is aware of this now and are currently coordinating with the neighbors on possible locations, and are also working on fiscally planning for it in the next budget year. This is an item that is outside the plat review or escrow and will be addressed separately.

Another concern raised was the poor workmanship of the sidewalks and it not being the fault of the property owners. They are in disrepair and were likely not installed per standard and were never accepted by the City. The property owner to the north of the existing common area is willing to accept the responsibilities of maintenance of the pond and the property owner to the south is grateful there will soon be access to his lot with a standard width driveway.

---

### **ATTACHMENTS**

1. Pacific Park Amended No. 2 Plat
2. Property Line Readjustment Exhibit
3. Neighborhood Outreach Letter





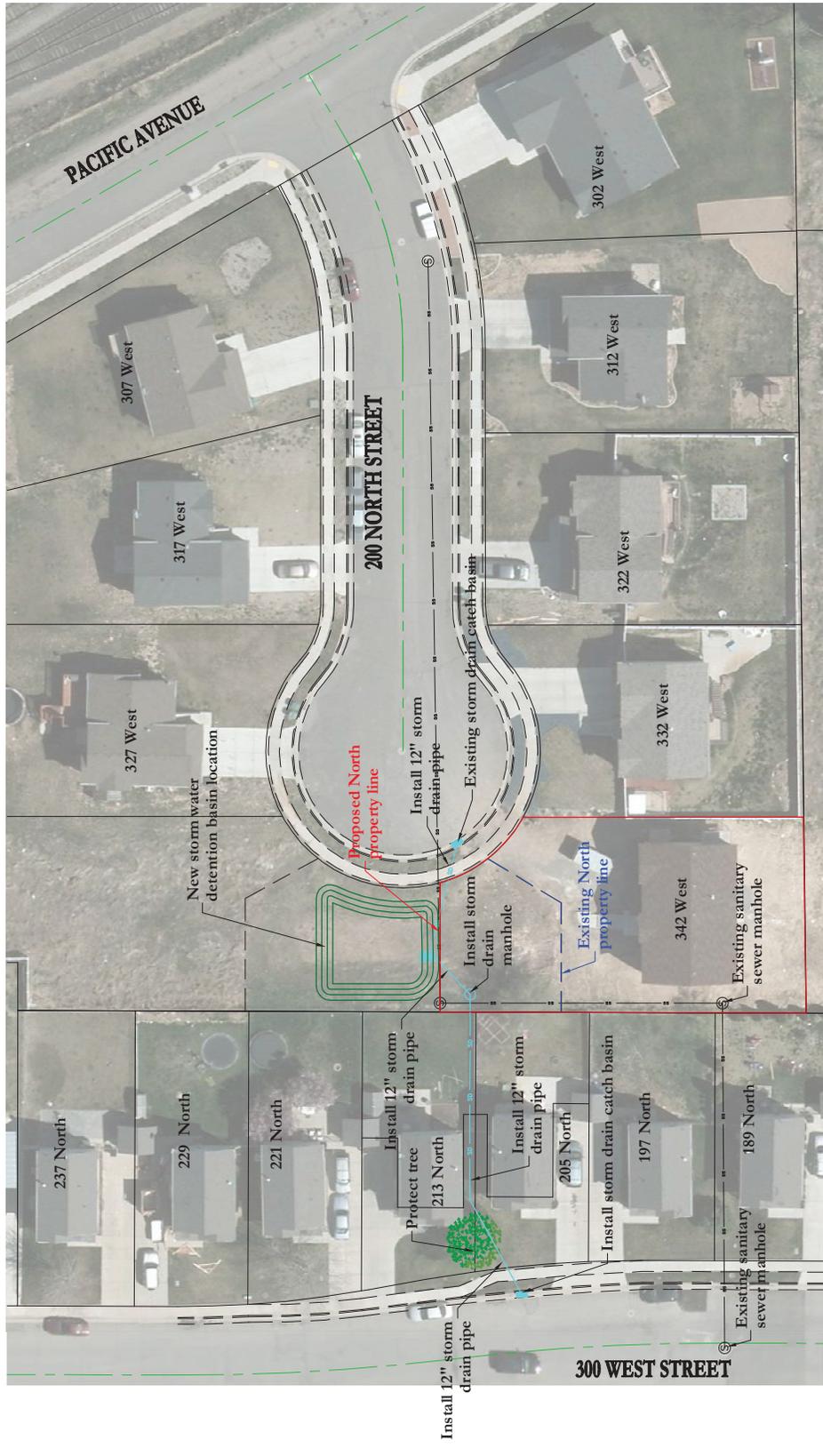
CIVIL ENGINEERING  
CONSULTANTS, PLLC  
544 SOUTH 1500 WEST  
RIVERDALE, UT 84405  
801.866.0550

NO.	DATE	BY	REVISIONS

DATE: APRIL 2013  
DRAWN: JLS  
CHECKED: NSN / RTF

PROJECT / LOCATION: PACIFIC PARK DETENTION BASIN  
CLEARFIELD CITY, UTAH  
TITLE: STORM DRAIN/DETENTION MODIFICATION

CLIENT: CLEARFIELD CITY  
PROJECT NUMBER: CC.12017  
FILE: ~cc12017.dwg  
SHEET: 1 of 1



**PRELIMINARY  
NOT FOR  
CONSTRUCTION**



March 18, 2013

NAME

ADDRESS

CITY, STATE ZIP

**RE: Pacific Park Subdivision Amended Plat**

Dear Pacific Park Subdivision Property Owner,

Enclosed is a copy of the proposed subdivision plat amendment that is currently being processed by the City. Changes to the subdivision plat have become necessary because certain improvements that were required to be performed by the developer were never completed. The City is using the monies that were placed in escrow at the time the subdivision was approved to now complete remaining improvements. The common area, which also serves as the subdivision's stormwater detention area, will be completed by the City.

In addition, a homeowner's association ("HOA") was never appropriately established and therefore, requires the realignment of the common area which now needs to be maintained by private property owners rather than the HOA. The proposed changes to the plat affect Lot 6 and Lot 7 of the subdivision. The common area will be subdivided and become part of Lot 6 and Lot 7 as shown on the amended plat.

***What does this mean to you?***

Because you are a property owner in this platted subdivision, your signature acknowledging the changes on the amended plat that will be recorded with Davis County is necessary.

***What do you need to do?***

The City needs good contact information for you so that we can continue to closely correspond and keep you informed of any further developments. Within ten days of receipt of this letter, please either call me at **(801) 525-2785** or email me at [vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) with the following information:

- 1.) Please confirm that the address printed on this letter is a preferred mailing address for correspondence; if it is not, please provide the preferred mailing address.
- 2.) Please provide a preferred daytime phone number.
- 3.) Please express any concerns you may have with the proposed amended subdivision plat.

If you have any questions or concerns, please do not hesitate to contact me. We appreciate your assistance in being able to work toward completion of the Pacific Park Subdivision!

Sincerely,

Valerie Claussen, MPA, AICP

Development Services Manager

ATT: Pacific Park Amended No. 2



# City Council

## STAFF REPORT

**TO:** THE HONORABLE MAYOR AND CITY COUNCIL

**FROM:** Valerie Claussen, MPA, AICP  
*Development Services Manager*  
[vclaussen@clearfieldcity.org](mailto:vclaussen@clearfieldcity.org) or (801) 525-2785

**THROUGH:** Scott Hodge  
*Public Works Director*  
[scott.hodge@clearfieldcity.org](mailto:scott.hodge@clearfieldcity.org) or (801) 525-4430

**MEETING DATE:** May 28, 2013

**SUBJECT:** Pacific Park Storm Sewer Project (Associated with Pacific Park Amended No. 2 Plat and Escrow Monies)

---

### EXECUTIVE SUMMARY

#### Escrow Monies

The City received \$33,643 of the remaining escrow monies from the account that was established at the time of development of the Pacific Park Subdivision. An engineer's estimate was prepared and estimates the completion of the identified improvements to the subdivision to be approximately \$36,000

At this time the project has not had construction documents prepared, nor has the project been put out to bid, so the City does not have definite numbers. However, it is anticipated that the costs of the project, will exceed the amount of escrow money and require additional funds from the storm sewer enterprise funds. A contingency amount of not less than 10% and not more than 15% will need to also be accounted for, leaving approximately an \$8,000 gap from the escrow amount to the actual costs associated with the project.

Staff is looking for direction on whether or not to proceed with the preparation of construction documents and the bid, with the anticipation that the cost may likely exceed the escrowed amount. Upon obtaining the additional information of the bids, it would be at that time the Council would review the item as additional expenses and as a re-open budget item and take action.

---

### RECOMMENDATION

This item is for discussion only.

# CLEARFIELD CITY ORDINANCE 2013-07

**AN ORDINANCE AMENDING THE CITY'S IMPACT FEE ORDINANCE BY MOVING THE CHAPTER TO ITS OWN TITLE, MODIFYING LANGUAGE TO REFLECT RECENT CHANGES IN THE PARKS AND RECREATION IMPACT FEE PREVIOUSLY ADOPTED BY THE CITY COUNCIL, ELIMINATING THE ROADWAY IMPACT FEES, AND UPDATING CERTAIN PROVISIONS IN ORDER TO CONTINUE MEETING STATUTORY REQUIREMENTS.**

**PREAMBLE:** On March 26, 2013, following the required properly noticed public hearings and after careful consideration, discussion and deliberation, the Clearfield City Council voted to increase the amount of the City's Parks and Recreation Impact Fee pursuant to its adoption of a new Parks and Recreation Capital Facilities Plan as well as a new Parks and Recreation Impact Fee Facilities Plan (which plans were both prepared for the City by professional consultants). This ordinance serves to make more general overall changes to the City's Impact Fee Ordinance by moving the chapter to its own title, modifying language to reflect the recent changes in the Parks and Recreation Impact Fee, and eliminating the Roadway Impact Fees. The ordinance also updates various provisions of the Impact Fee Ordinance in order to continue meeting statutory requirements. This ordinance does not increase the amount of any Impact Fees; however, some changes in the language have been made to help implement the increase in the Parks and Recreation Impact Fee which was previously adopted by the City Council on March 26, 2013.

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

**Section 1. Enactment:**

*Title 10, Chapter 2, of the Clearfield City Code is hereby renumbered and amended to read as follows:*

**TITLE 14**

**Chapter 1**

**IMPACT FEES**

**14-1-1: FINDINGS AND AUTHORITY:**

**14-1-2: DEFINITIONS:**

**14-1-3: APPLICABILITY:**

**14-1-4: SERVICE AREAS:**

**14-1-5: CALCULATION OF FEES BASED ON SCHEDULE:**

- [14-1-6: EXEMPTIONS:](#)
- [14-1-7: OFFSETS TO FEES:](#)
- [14-1-8: DEVELOPMENT AGREEMENTS:](#)
- [14-1-9: COLLECTION OF FEES:](#)
- [14-1-10: FUND ACCOUNTING:](#)
- [14-1-11: REFUNDS:](#)
- [14-1-12: USE OF FUNDS:](#)
- [14-1-13: FEES SUPPLEMENTAL TO OTHER METHODS:](#)
- [14-1-14: REVIEW:](#)
- [14-1-15: INDEPENDENT FEE CALCULATIONS:](#)
- [14-1-16: APPEALS:](#)
- [14-1-17: PENALTY:](#)

**14-1-1: FINDINGS AND AUTHORITY:**

The city council finds and determines that growth and development activity in the city will create additional demand and need for sanitary sewer, publicly owned parks, open space and recreational facilities, storm drainage and culinary water facilities in the city; and the city council finds that growth and development activity should pay a proportionate share of the cost of such planned facilities needed to serve the growth and development activity. The city council further finds that impact fees are necessary to achieve an equitable allocation to the costs borne in the past and to be borne in the future, in comparison to the benefits already received and yet to be received. Therefore, pursuant to Utah Code Ann., Title 11, chapter 36a (the "Impact Fees Act"), the city council adopts this chapter to assess impact fees for planned facilities. The provisions of this chapter shall be liberally construed in order to carry out the purposes of the city council in establishing the impact fee program. (Ord. 2008-05, 7-22-2008)

**14-1-2: DEFINITIONS:**

The following definitions shall apply for purposes of this chapter, unless the context clearly requires otherwise. Terms otherwise not defined herein shall be defined by their usual and customary meaning.

ACT: The Impact Fees Act as set forth in Utah Code Ann. Title 11, chapter 36a, as in existence on the effective date hereof or as hereafter amended.

BUILDING PERMIT: An official document or certification which is issued by the building official and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving or repair of a building or structure. For purposes of this chapter, "building permit" also includes a mobile home permit.

CAPITAL FACILITIES: The facilities or improvements included in a capital budget.

CITY: The city of Clearfield.

CITY COUNCIL: The city council of Clearfield.

CITY ENGINEER: The officially appointed and acting city engineer for the city.

CITY MANAGER: The city manager of Clearfield City.

CLEARFIELD CITY CONSOLIDATED FEE SCHEDULE: The schedule of fees charged by the City, adopted by ordinance, for various activities occurring within the City.

**DEVELOPER:** An individual, group of individuals, partnership, corporation, association, municipal corporation, state agency or other person undertaking development activity, and their successors and assigns.

**DEVELOPMENT ACTIVITY:** Any construction or expansion of a building or structure; or the siting of a mobile home; or any change in use of a building or structure or mobile home; or the subdivision of land; or the seeking of plat approval, PD approval, site plan approval; boundary line adjustment or conditional use permit approval; or any other change in use of land that creates additional demand and need for sanitary sewer, publicly owned parks, open space and recreational facilities, storm drainage or culinary water facilities.

**DEVELOPMENT APPROVAL:** Any written authorization from the city, other than building permit, which authorizes the commencement of a development activity, including, but not limited to, plat approval, PD approval, site plan approval, mobile home park approval, boundary line adjustment and a conditional use permit.

**ENCUMBERED:** To reserve, set aside or otherwise earmark the impact fees in order to pay for commitments, contractual obligations or other liabilities incurred for planned facilities. A pledge to retire debt, or an allocation to a current purchase order or contract.

**FEE PAYER:** A person, corporation, partnership, an incorporated association or any other similar entity, or department or bureau of any governmental entity or municipal corporation commencing a development activity which creates the demand for planned facilities and which requires development approval and/or the issuance of a building permit. "Fee payer" includes an applicant for an impact fee credit.

**IMPACT FEE:** A payment of money imposed by the city on development activity pursuant to this chapter as a condition of granting development approval and/or a building permit in order to pay for the planned facilities needed to serve new growth and development activity. "Impact fee" does not include a tax, a special assessment, a hookup fee, a fee for project improvements, a reasonable permit or application fee, the administrative fee for collecting and handling impact fees, the cost of reviewing independent fee calculations or the administrative fee required for an appeal.

**IMPACT FEE ADMINISTRATORS:** Those designated by the City Manager who have primary responsibility for administering this Ordinance. At minimum, administrators in which the fees are related to that department, including, but not being limited to the following: Public Works Director, Community Services Director, Building Official, Zoning Administrator and others as indicated.

**IMPACT FEE ANALYSIS (OR "IFA"):** The written analysis required by § 11-36a-201 of the Act.

**IMPACT FEE FACILITIES PLAN:** The plan required by required by § 11-36a-301 of the Act.

**IMPACT FEE ACCOUNT OR ACCOUNTS:** The account or accounts established for the planned facilities for which impact fees are collected.

**INDEPENDENT FEE CALCULATION:** The impact calculation and/or economic documentation prepared by a fee payer, to support the assessment of an impact fee other than by the use of the schedules attached in the appendices to this title, or the calculations prepared by the building official or city engineer where none of the impact fee categories or impact fee amounts in the appendices accurately describe or capture the impacts of the development activity on public streets and roads, publicly owned parks, open space and recreational facilities, storm drainage and culinary water facilities.

MOBILE HOME PARK: Shall have the same meaning as set forth in [title 11](#) of this code.

OWNER: The owner of record of real property, or a person with an unrestricted written option to purchase property; provided, that if the real property is being purchased under a recorded real estate contract, the purchaser shall be considered the owner of the real property.

PARKS AND RECREATION IMPACT FEES: The impact fee designated to pay for publicly owned parks, open space and recreational facilities.

PLANNED DEVELOPMENT OR PD: Shall have the same meaning as set forth in [title 11](#) of this code.

PLANNED FACILITIES: Sanitary sewer facilities, parks, open space, recreational facilities and trails, storm drainage and flood control facilities, and culinary water rights, supply, treatment and distribution facilities included in the capital improvements plan of Clearfield City.

PROJECT IMPROVEMENTS: Site improvements and facilities that are planned and designed to provide service for development resulting from a development activity and are necessary for the use and convenience of the occupants or uses of development resulting from a development activity. "Project improvements" do not include "system improvements" (as defined below).

PROPORTIONATE SHARE: An amount that is roughly proportionate and reasonably related to the service demands and needs of a development activity.

QUALIFYING IMPROVEMENTS: An improvement which is part of the planned facility for which an impact fee is required.

RESIDENTIAL UNIT: Any building or portion thereof which contains living facilities, including provisions for sleeping, cooking, eating and sanitation, as required by the city, for not more than one family and including site built buildings, mobile/manufactured homes and modular homes.

ROADWAY: Any public highway, road or street constructed and maintained by Clearfield City.

SERVICE AREA: A geographic area designated by the City based on sound planning and engineering principles in which a defined set of the City's public facilities provides service.

SEWER IMPACT FEE: The impact fee designated to pay for sanitary sewer collection, treatment, storage, collection lines and other associated improvements.

STANDARD OF SERVICE: The quantity and quality of service which the city council has determined to be appropriate and desirable for the city. A measure of the standard of service may include, but is in no way limited to, maximum levels of the sanitary sewer system, maximum commute times, maximum wait at stops, minimum water pressure and volume, minimum fire suppression capabilities, minimum park space of per capita for a variety of types of parks, minimum distance from residences to parks, minimum storm water runoff control systems and any other factor the city council may deem appropriate.

STATE: The state of Utah.

STORM DRAINAGE IMPACT FEE: The impact fee designated to pay for storm drain lines, basins and other associated improvements.

SYSTEM IMPROVEMENTS: Both existing public facilities designed to provide services within the Service Area and future public facilities identified in a reasonable plan for capital improvements adopted by the City that are intended to provide service to the Service Area. "System improvements" do not include "Project improvements" (as defined above).

WATER IMPACT FEE: The impact fee designated to pay for water rights, supply, treatment, storage and distribution facilities, distribution lines and other associated improvements. (Ord. 2008-05, 7-22-2008)

### **14-1-3: APPLICABILITY:**

A. The collection of impact fees shall apply to all new development in the city unless otherwise provided herein. Until any impact fee required by this chapter has been paid in full, no building permit, electrical permit, certificate of compliance, certificate of occupancy, or other permit subsequent to development plan approval for any development shall be issued. A stop work order shall be issued on any development for which the applicable impact fee has not been paid in full.

1. Parks and Recreation Impact Fees: Parks and Recreation Impact Fees shall apply only to new residential development.
2. Storm Drainage Impact Fees: Storm Drainage Impact Fees shall apply to new residential, commercial, industrial, institutional or any other land use which creates additional runoff through the placement of any hard surface.
3. Water Impact Fees: Water Impact Fees shall apply to any connection to the culinary water system, placing additional demand for storage facilities and distribution lines.
4. Sewer Impact Fees: Sewer Impact Fees shall apply to any connection to the sanitary sewer system, placing additional demand for collection lines, storage and treatment facilities and all associated improvements.

B. Moved Structures: The movement of a structure onto a lot shall be considered development and shall be subject to the impact fee provisions, unless otherwise provided herein.

C. Excluded Activities: The impact fee provisions shall not apply to the following activities:

1. Placing on a lot in the city a temporary construction trailer or office, but only for the life of the building permit issued for the construction served by the trailer or office; and
2. Any development, including, but not limited to, the mere subdivision of land, installation of utilities, or the use of land for limited recreational, agricultural, filling or degrading purpose, which in the opinion of the building official, will not result in a net increase in demand on the city's parks and recreation, roadways, storm drainage, sewer facilities and water facilities. (Ord. 2008-05, 7-22-2008)

### **14-1-4: SERVICE AREAS:**

A. Established: The following impact service areas are hereby established:

1. For the purpose of Parks and Recreation Impact Fees, the service area shall be all of the incorporated area of the city.
2. For the purpose of Storm Drainage Impact Fees, the service area shall be all of the incorporated area of the city.

- 3. For the purpose of Water Impact Fees, the service area shall be all of the incorporated area of the city.
- 4. For the purpose of Sanitary Sewer Impact Fees, the service area shall be all of the incorporated area of the city.
- B. New Development Within Service Area: Impact fees shall be assessed only on new development located within the service area.
- C. Use Within Service Area: Impact fees collected within the service area shall be spent within the service area.
- D. Review; Amendment: The appropriateness of the designation and boundaries of the service areas shall be reviewed periodically by the city as part of the impact fee revision process. Following such review and a public hearing, the service areas may be amended. (Ord. 2008-05, 7-22-2008)

**14-1-5: CALCULATION OF FEES BASED ON SCHEDULE:**

Impact fees shall be calculated as follows:

- A. Basis: Unless an applicant requests an individual assessment as set forth in this section, the impact fees shall be calculated for the proposed development based on the development plan approval or permit allowing the use, according to the applicable fee schedule.
- B. Schedules Adopted: The following impact fee schedule and formulas are hereby adopted and incorporated herein by reference (see also the City’s Consolidated Fee Schedule as set forth in Title 2, Chapter 5 of this Code, as amended):

1. Parks and Recreation Impact Fee (residential development only):

Single Family Dwelling	\$ 2,339.00
Multi Family Dwelling (per residential unit)	\$ 1,441.00;

2. Storm Drainage Impact Fee:

Residential (per housing unit)	\$ 1,432.00
Nonresidential	\$ 1,432.00 per ESU*
*1 ESU = 2,700 square feet of impervious surface (reductions are available for onsite detention)	

3. Water Impact Fee:

Residential (per housing unit, assuming 3/4" water meter)	\$ 3,822.00
Nonresidential (per water meter size in inches) **	
0.75	\$ 3,822.00

1.00	\$ 9,556.00
1.50	\$19,112.00
2.00	\$30,579.00
3.00	\$57,336.00
4.00	\$95,559.00

4. Sewer Impact Fee:

Residential (per housing unit, assuming 3/4" water meter) \$ 2,072.00

Nonresidential (per water meter size in inches) \*\*

0.75	\$ 2,072.00
1.00	\$ 5,179.00
1.50	\$10,358.00
2.00	\$16,573.00
3.00	\$31,074.00
4.00	\$51,790.00

\*\* for water meters larger than 4 inches, impact fee is based on annualized average day demand and the net capital cost per gallon of capacity

C. Interpretation of Units: The units of development specified in the fee schedule shall be interpreted as follows:

1. Residential impact fees may be collected by unit, lot size or utility connection. For the purpose of this chapter, mobile or manufactured homes are considered residential.

D. Unspecified Categories: For categories of uses not specified in the applicable impact fee schedule, the Impact Fee Administrator will apply the category of use set forth in the applicable fee schedule that is deemed to be most similar to the proposed use.

E. Mixed Uses: If the development plan approval or permit for the proposed development indicates a mix of uses in the development, the impact fees shall be calculated separately for each use according to the fee schedule and the results aggregated.

F. Additions, Remodeling, Change of Use: For an addition to or remodeling or replacement of existing structures, or for a change of use of an existing structure, the impact fee to be paid shall be the difference, if any, between:

1. The fee, if any, that would be payable for existing development on the site or, in the case of demolition or removal of a structure, the previous development on the site; provided, that the demolition or removal has occurred within one year of the date of submittal of the application for which impact fees are assessed; and

2. The fee, if any, that would be payable for the total development on the site for the new development.

G. Estimate by Impact Fee Administrator: Upon written request of an applicant, the Impact Fee Administrator shall provide an estimate of the current fee based on the date provided by the applicant. However, the Impact Fee Administrator shall not be responsible for determining at such

preliminary date, the accuracy of the information provided, nor shall such estimate provide any vested rights. (Ord. 2008-05, 7-22-2008)

#### **14-1-6: EXEMPTIONS:**

A. All Fees: The following shall be exempted from the payment of all impact fees:

1. Replacement of a structure or mobile home with a new structure or mobile home of the same size and use at the same site or lot when such replacement occurs within twelve (12) months of the demolition or destruction of the prior structure or the removal of the mobile home.
2. Alterations, expansion, enlargement, remodeling, rehabilitation or conversion of an existing unit where no additional units are created and the use is not changed.
3. The construction of accessory structures that will not create significant impacts on the planned facilities.
4. Miscellaneous accessory improvements to use, including, but not limited to, fences, walls, swimming pools and signs.
5. Demolition or moving of a structure.

B. Park Fees: The following shall be exempted from the payment of the park impact fees:

1. The construction of public school facilities.
2. The construction of private school facilities; provided, that comparable open space or recreational facilities are made available to the public at such facility.
3. Nonresidential construction.

C. Voluntary Agreement Between City And Developer: Except as otherwise provided, pursuant to the terms of a voluntary agreement entered into between the city and a developer, the payment of fees, the dedication of land, or the construction of planned facilities by the developer pursuant to the terms of a voluntary agreement negotiated with the city, with specific reference to the improvements identified in the capital facilities plan and in anticipation of the imposition of impact fees, and entered into between the city and a developer prior to the effective date hereof, shall be deemed to be complete mitigation for the impacts of the specific development on the planned facilities. The units in such development may be charged a reduced fee pursuant to an independent fee calculation under section [14-1-15](#) of this chapter. The developer shall provide to the building official documentation demonstrating compliance with the terms of the voluntary agreement.

D. Determination of Exemption: The Impact Fee Administrator shall be authorized to determine whether a particular development activity falls within an exemption identified in this section, in any other section or under other applicable law. Determinations of the Impact Fee Administrator shall be in writing and shall be subject to the appeals procedures set forth in this chapter.

E. Low Income Housing: Upon the determination of the city council, low income housing, as defined by the state, and other development activities with broad public purposes, may be exempted from the payment of an impact fee, provided one or more sources of funds, other than impact fees, can be identified to pay for the exempted development activity. (Ord. 2008-05, 7-22-2008)

#### **14-1-7: OFFSETS TO FEES:**

Offsets, which are reductions from the impact fee that would otherwise be due from a development, shall be subject to the following provisions:

- A. Applicability: An offset shall be applied against impact fees otherwise due for qualifying improvements that are required to be made by a developer as a condition of development approval.
- B. Restricted To Impact Fees: Offsets shall be allowable and payable only to offset impact fees otherwise due for the same category of improvements and shall not result in reimbursement from, credit for future fees, nor constitute a liability of, the city for any deficiency in the offset, unless specifically agreed to in writing, by the city.
- C. Qualifying Improvements: Offsets shall be given only for the value of any construction of improvements or contribution or dedication of land or money by a developer or his predecessor in title or interest for qualifying improvements of the same category for which an impact fee was imposed.
- D. Documentation Submitted by Applicant: The person applying for an offset shall be responsible for providing appraisals of land and improvements, construction cost figures, and documentation of all contributions and dedications necessary to the computation of the offset claimed. The building official shall have no obligation to grant offsets to any person who cannot provide such documentation in such form as the building official may reasonably require.
- E. Appraisal Of Land Value: The value of land dedicated or donated shall be based on the appraisal land value of the parent parcel (which land value is based on the date of transfer of ownership to the city) as determined by a certified appraiser who was selected and paid for by the applicant, and who used generally accepted appraisal techniques. If the city disagrees with the appraised value, the city may engage another appraiser at the city's expense, and the value shall be an amount equal to the average of the two (2) appraisals. If either party rejects the average of the two (2) appraisals, a third review appraisal shall be obtained, with the cost of such third appraisal being shared equally by the property owner and the city. The review appraiser shall be selected by the first two (2) appraisers, and the review appraisal shall be binding on both the city and person applying for offset.
- F. Term: Offsets provided, for qualifying improvements, meeting the requirements of this section, shall be valid from the date of approval until six years after the date of approval or until the last date of construction within the project, whichever comes first.
- G. Right to Claim: The right to claim offsets shall run with the land and may be claimed only by owners of property within the development area for which the qualifying improvement was required.
- H. Submittal of Claim: Any claim for offsets must be made in writing, no later than the time of submittal of a building permit application or application for another permit subsequent to development plan approval that is subject to impact fees. Any claim not so made shall be deemed waived. (Ord. 2008-05, 7-22-2008)

#### **14-1-8: DEVELOPMENT AGREEMENTS:**

- A. At the sole discretion of the city council through a development agreement, impact fees assessed against new developments may be delayed or contributed to by the city to achieve its goals and

policies, including, but not limited to, retaining or generating employment or other economic activity in the community.

- B. Where a development includes or requires a qualifying improvement, the city and the developer may agree in writing to have the developer participate in the financing or construction of part or all of the qualifying compensation to the developer for the developer's participation in the financing and/or construction of the improvements. The agreement shall include:
1. Estimated Cost: The estimated cost of the qualifying improvements, using the lowest responsible bid by a qualified bidder, which bid is approved by the building official or, if no bid is available, the estimated cost certified by a licensed Utah engineer and approved by the building official;
  2. Schedule: A schedule for initiation and completion of the improvement;
  3. Design; Compliance: A requirement that the improvement be designed and completed in compliance with any applicable city or state laws or regulations; and
  4. Other Necessary Conditions: Such other terms and conditions as deemed necessary by the city. (Ord. 2008-05, 7-22-2008)

#### **14-1-9: COLLECTION OF FEES:**

The collection of impact fees shall be as follows:

- A. Permit Issuance Or Plan Approval: Except as set forth in subsection B of this section, the impact fees for all new development shall be calculated and collected in conjunction with the application for the first building permit or electrical permit, certificate of compliance or occupancy permit, or other permit subsequent to development plan approval for such development, whichever occurs first in time.
- B. For other uses not ultimately requiring a building permit, electrical permit, certificate of compliance or occupancy, or other permit subsequent to development plan approval, the fee shall be calculated and collected at the time of approval of the development plan. (Ord. 2008-05, 7-22-2008)

#### **14-1-10: FUND ACCOUNTING:**

- A. Fund Established: The city shall establish a separate interest bearing accounting fund in which the impact fees collected for a particular type of public facility within the service area shall be credited. Such fees shall be invested by the city and the yield on such fees, at the actual rate of return to the city, shall be credited to such accounting fund periodically in accordance with the accounting policies of the city. Such funds need not be segregated from other city monies for banking purposes.
- B. Yield: Any yield on such accounting fund into which the fees are deposited shall accrue to that fund and shall be used for the purposes specified for such fund.
- C. Records Maintained: The city shall maintain and keep financial records for such accounting fund showing the source and amount of all monies collected, earned and received by the fund and the disbursements from such fund, in accordance with normal city accounting practices. The records

of such funds shall be open to public inspection in the same manner as other financial records of the city.

- D. Expend, Encumber; Time Limit: Impact fees shall be expended or encumbered within six (6) years of receipt, unless the city council identifies in written findings extraordinary and compelling reasons to hold the impact fees beyond the six (6) year period. Under such circumstances, the city council shall establish an absolute date by which the impact fees shall be expended or encumbered. (Ord. 2008-05, 7-22-2008)

#### **14-1-11: REFUNDS:**

- A. Failure To Expend: If the city fails to expend or encumber the impact fees within six (6) years of when the impact fees were paid, or where extraordinary or compelling reasons exist, the current owner of the property on which impact fees have been expended or encumbered, may be entitled to a refund of the unexpended or unencumbered impact fees. Impact fees shall be considered expended or encumbered on a first in, first out basis.
- B. Notification: The city shall notify potential claimants by first class mail deposited with the United States postal service at the last known address of such claimants. A potential claimant or claimant must be the owner of the property.
- C. No Application for Refund: Any impact fees for which no application for a refund has been made within this one year period shall be retained by the city and expended on the appropriate planned facilities.
- D. Interest Included in Refund: Refunds of impact fees under this section shall include any interest earned on the impact fees by the city, calculated at the average interest rate earned by the city on the impact fees account over the preceding fiscal year.
- E. Termination of Program: When the city seeks to terminate any or all components of the impact fee program, all unexpended or unencumbered funds from any terminated component or components, including interest earned, shall be refunded pursuant to this section. Upon the finding that any or all impact fee requirements are to be terminated, the city shall place notice of such termination and the availability of refunds in a newspaper of general circulation at least two (2) times and shall notify all potential claimants by first class mail at the last known address of the claimants. All funds available for a refund shall be retained for a period of one year. At the end of one year, any remaining funds shall be retained by the city, but must be expended for the appropriate planned facilities. This notice requirement shall not apply if there are no unexpended or unencumbered balances within the impact fee account being terminated.
- F. Developers: The city shall also refund to the developer on a development activity for which impact fees have been paid, including interest earned on the impact fees, if the development activity for which the impact fees were imposed did not occur; provided, that if the city has expended or encumbered the impact fees in good faith prior to the application for a refund, the city can decline to provide the refund. If within a period of three (3) years, the same or subsequent owner of the property proceeds with the same or substantially similar development activity, the owner can petition the city for an offset. The petitioner must provide proof of payments of impact fees previously paid for a development of the same or substantially similar nature on the same property or some portion thereof. The building official shall determine whether to grant an offset. Determinations of the building official shall be in writing and shall be subject to the appeals procedures set forth in section [14-1-16](#) of this chapter.

- G. Owners: Owners seeking a refund of impact fees must submit a written request for a refund of the impact fees to the building official within one year of the date the right to claim the refund arises or the date that notice is given, whichever is later.
- H. Administrative Fee: The city shall charge an administrative fee for verifying and computing the refund of three percent (3%) of the amount of the refund. (Ord. 2008-05, 7-22-2008)

#### **14-1-12: USE OF FUNDS:**

A. As pursuant to this chapter:

1. Impact fees collected for sanitary sewer facilities, impact fees for publicly owned parks, open space, recreational facilities and trails, and impact fees for storm drainage facilities or water facilities, shall be used solely for those respective purposes and only those that will reasonably benefit the development activity.
2. Impact fees shall not be imposed to make up for deficiencies in existing facilities serving existing developments.
3. Impact fees shall not be used for maintenance or operation.

B. Impact fees may be spent for planned facilities, including, but not limited to, planning, land acquisition, construction, engineering, architectural, permitting, financing and administrative expense, applicable impact fees or mitigation costs, capital equipment pertaining to planned facilities, and any other similar expenses which can be capitalized.

C. Impact fees may also be used to recoup city improvement costs previously incurred by the city to the extent that new growth and development activity will be served by the previously constructed improvements or incurred costs.

D. Impact fees may be used to recoup the cost of studying, analyzing and preparing the impact fees.

E. In the event that bonds or similar debt instruments are to have been issued for the advanced provision of city improvements for which impact fees may be expended, impact fees may be used to pay debt service on such bonds or similar debt instruments to the extent that the facilities or improvements provided are consistent with the requirements of this section and are used to serve the development activity. (Ord. 2008-05, 7-22-2008)

#### **14-1-13: FEES SUPPLEMENTAL TO OTHER METHODS:**

A. Specified: Except as herein otherwise provided, impact fees are in addition to any other requirements, taxes, fees or assessments imposed by the city on development or the issuance of building permits or certificates of occupancy which is imposed on and due against property within the jurisdiction of the city. Impact fees are intended to be consistent with the city's general plan, capital improvements plan, land development ordinances and other city policies, ordinances and resolutions by which the city seeks to ensure the provision of capital facilities in conjunction with development.

B. Bonds, Other Authorized Mechanisms: In addition to the use of impact fees, the city may finance qualifying capital improvements through the issuance of bonds, the formation of assessment

districts or any other authorized mechanism, in such manner and subject to such limitations as may be provided by law. (Ord. 2008-05, 7-22-2008)

#### **14-1-14: UPDATES AND REVISIONS TO IMPACT FEES OR SERVICE AREAS:**

- A. Adjustment Of Fee or Service Areas: The city may adjust the impact fees or service areas periodically, for an impact fee, after a study and proper notice as provided in Utah Code Annotated title 11, chapter 36, as amended.
- B. Schedule Adjustment: The city may adjust the standard impact fee in the schedule of impact fees to:
  - 1. Respond to unusual circumstances in specific areas.
  - 2. Ensure the impact fees are imposed fairly. (Ord. 2008-05, 7-22-2008)

#### **14-1-15: INDEPENDENT FEE CALCULATIONS:**

- A. Authorized: If the Impact Fee Administrator believes in good faith that none of the impact fee categories or impact fee amounts set forth in the schedules in the appendices accurately describe or capture the impacts of a development activity on planned facilities, the Impact Fee Administrator may conduct independent fee calculations. The Impact Fee Administrator may impose alternative impact fees on a specific development activity based solely on these calculations. The alternative impact fees and the calculations shall be set forth in writing and shall be mailed to the fee payer.
- B. Fee Payer; Submission Of Calculation: If a fee payer opts not to have the impact fees determined according to the schedules set forth in the appendices, then the fee payer shall prepare and submit to the Impact Fee Administrator an independent fee calculation for the development activity for which final plat, PD, site plan, or other development approval, or a building permit is sought. The documentation submitted shall show the basis upon which the independent fee calculation was made. The appropriate city staff persons shall review the independent fee calculation and provide an analysis to the building official concerning whether the independent fee calculation should be accepted, rejected or accepted in part. The building official may adopt, reject or adopt in part the independent fee calculation based on the analysis prepared by appropriate city staff persons and based on the specific characteristics of the development activity, and/or principles of fairness. The impact fees or alternative impact fees and the calculations shall be set forth in writing and shall be mailed to the fee payer.
- C. Fee for Review by City Staff: Any fee payer submitting an independent fee calculation will be required to pay the city a fee to cover the cost of reviewing the independent fee calculation. The amount of the fee shall be in accordance with the city's current consolidated fee schedule.
- D. Consideration By City: While there is a presumption that the calculations set forth in the city capital improvements plan are valid, the building official shall consider the documentation submitted by the fee payer and the analysis prepared by the appropriate city staff persons, but is not required to accept such documentation or analysis which the building official reasonably deems to be inaccurate or not reliable, and may, in the alternative, require the fee payer to submit additional or different documentation for consideration. The building official is authorized to adjust the impact fees on a case by case basis based on the independent fee calculation, the specific characteristics of the development activity, and/or principles of fairness. The impact fees

or alternative impact fees and the calculations shall be set forth in writing and shall be mailed to the fee payer.

- E. Appeal of Determination: Determinations made by the building official pursuant to this section may be administratively appealed to the city council, subject to the procedures set forth in state law and in section [14-1-16](#) of this chapter. (Ord. 2008-05, 7-22-2008)

#### **14-1-16: APPEALS:**

- A. Authorized: Any fee payer may pay the impact fees imposed by this chapter under protest in order to obtain the development approval and/or a building permit. Appeals regarding the impact fees imposed on any development activity may only be taken by the fee payer of the property where such development activity will occur. No appeal shall be permitted unless and until the impact fees at issue have been paid.
- B. Determinations Appealable: The Impact Fee Administrator's determinations with respect to the applicability of the impact fees to a given development approval and/or a building permit, the availability of an exemption, the availability or value of a credit, or the building official's decision concerning the independent fee calculation which is authorized in section [14-1-15](#) of this chapter, or the impact fees imposed by the Impact Fee Administrator pursuant to section [14-1-5](#) of this chapter, or any other determination which the Impact Fee Administrator is authorized to make pursuant to this chapter, can be administratively appealed to the city council pursuant to Utah Code Ann. § 11-36a-703 as amended.
- C. Time Limit; Filing; Fee: Administrative appeals shall be taken within thirty (30) days after payment of an impact fee. Appeals shall be taken to the city council by filing a written notice of appeal with the city recorder, specifying the grounds thereof, and depositing an administrative fee in the amount set forth by the city's current consolidated fee schedule. The person appealing the fee shall also submit, in writing, a request for information relative to the fee. The Impact Fee Administrator shall transmit to the city council and within two (2) weeks of the written request for information, to the person appealing the fee, all papers constituting the record for the determination, including the written analysis required by Title 11, Chapter 36a of the Utah Code (the Act), as amended, and any other relevant information relating to the impact fee.
- D. Conduct of Hearing: The city council shall fix a time for the hearing of the appeal, give notice to the parties in interest, and decide the same. At the hearing, any party may appear in person or by agent or attorney. If the matter which is the subject of the appeal requires development approval which also requires a hearing before the city council, both the appeal and the development approval hearing may be combined in a single hearing.
- E. Findings of Fact: The city council is authorized to make findings of fact regarding the applicability of the impact fees to a given development activity, the availability or amount of the credit or the accuracy or applicability of an independent fee calculation. The decision of the city council shall be final, except as provided in subsection J of this section and shall be made within thirty (30) days from the date the appeal was filed.
- F. Decision: The city council may, so long as such action is in conformance with the provisions of this chapter, reverse or affirm, in whole or part, or may modify the determination of the Impact Fee Administrator with respect to the amount of the impact fees imposed or the credit awarded upon a determination that is proper to do so based on principles of fairness, and may make such order, requirements, decision or determination as ought to be made, and to that end shall have the powers which have been granted to the Impact Fee Administrator by this chapter.

- G. Reconsideration: Any fee payer who believes that the decision of the city council is based on erroneous procedures, errors of law or fact, error in judgment, or has discovered new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the city council within ten (10) working days of the date the decision is rendered. Such fee payer is the "appellant" for the purpose of this subsection. This request shall set forth the specific errors or new information relied upon by such appellant, and the city council may, after review of the record, take further action as it deems proper.
- H. Stay of Appeal: The filing of a request for reconsideration shall effectively stay the appeal period until the city council takes further action.
- I. Flaws In Program: Where the city council determines that there is a flaw in the impact fee program or that a specific exemption or credit should be awarded on a consistent basis or that the principles of fairness require amendments to this chapter, they shall issue a decision requiring that such a modification, change or elimination of a fee or fee requirement, as is deemed necessary to correct the flaw, be made.
- J. District Court Review: Any fee payer aggrieved by a decision of the city council may submit an appeal of the decision to a court of competent jurisdiction as set forth in Title 11, Chapter 36a of the Utah Code, (the Act), as amended.. (Ord. 2008-05, 7-22-2008)

**14-1-17: PENALTY:**

A violation of this chapter shall be prosecuted in the same manner as class B misdemeanors are prosecuted and upon conviction, the violator shall be punishable as provided in section [1-4-1](#) of this code; however, in addition to or in lieu of any criminal prosecution, the city shall have the power to sue in civil court to enforce the provisions of this chapter. (Ord. 2008-05, 7-22-2008)

**Section 2. Effective Date:** This Ordinance shall become effective September 1, 2013.

**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 28<sup>th</sup> day of May, 2013, 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:

# Clearfield City Revenues

April - 83.3% of Fiscal Year

Fund Level ▲	Fiscal Year	Account Code ▲	Account Title	YTD Budgeted Revenue	April Revenue	YTD Through April	YTD Revenue %
10	13	311001	CURRENT GENERAL PROPERTY	\$1,111,131.00	\$24,193.82	\$896,819.44	80.71%
	13	311002	VEHICLE VALUE BASED TAX	\$180,000.00	\$12,758.87	\$128,981.99	71.66%
	13	312001	DELINQUENT TAXES PRIOR YR	\$120,000.00	\$2,813.67	\$82,998.69	69.17%
	13	313001	GENERAL SALES & USE TAXES	\$3,315,226.00	\$0.00	\$2,673,665.82	80.65%
	13	313002	ENERGY USE TAX	\$2,112,683.00	\$161,372.69	\$1,916,352.54	90.71%
	13	314002	CATV FRANCHISE TAXES	\$115,000.00	\$0.00	\$93,995.99	81.74%
	13	314003	UTILITY FRANCHISE TAXES	\$318,000.00	\$18,301.54	\$285,172.16	89.68%
	13	314004	MUNI TELECOM LICENSE TAX	\$425,000.00	\$0.00	\$274,575.06	64.61%
	13	315001	TRANSIENT ROOM TAX	\$7,800.00	\$0.00	\$3,773.01	48.37%
	13	321001	BUSINESS LICENSES	\$126,500.00	\$2,247.25	\$104,284.25	82.44%
	13	321002	LANDLORD REGISTRATION	\$60,000.00	\$2,613.25	\$57,021.00	95.04%
	13	322002	SIGN PERMITS	\$2,500.00	\$100.00	\$1,132.00	45.28%
	13	322101	BUILDING PERMITS	\$65,000.00	\$5,288.50	\$83,737.65	128.83%
	13	322102	ELECTRICAL,PLUMBING & GAS	\$9,000.00	\$1,162.65	\$14,717.56	163.53%
	13	322103	EXCAVATION PERMITS	\$2,500.00	\$180.00	\$1,503.00	60.12%
	13	322104	DEMOLITION PERMITS	\$450.00	\$0.00	\$150.00	33.33%
	13	322105	INSPECTION FEES	\$0.00	\$634.50	\$1,786.00	
	13	322401	CEMETERY & BURIAL PERMITS	\$14,000.00	\$2,550.00	\$17,400.00	124.29%
	13	331001	GENERAL FEDERAL GRANTS	\$170,528.00	\$0.00	\$99,647.40	58.43%
	13	331006	CDBG GRANT REVENUE	\$217,184.00	\$7,151.76	\$39,413.64	18.15%
	13	331007	DAVIS COUNTY SCHOOL DISTR	\$14,087.00	\$0.00	\$0.00	0.00%
	13	334001	STATE GRANTS	\$56,360.00	\$0.00	\$44,752.04	79.40%
	13	335001	CLASS "C" ROADS	\$750,000.00	\$0.00	\$481,698.11	64.23%
	13	335002	LIQUOR FUND ALLOTMENT	\$43,000.00	\$0.00	\$39,850.93	92.68%
	13	341001	ZONING & SUBDIVISION	\$12,000.00	\$2,236.25	\$21,908.75	182.57%
	13	341002	PLAN CHECKING FEE	\$7,000.00	\$508.00	\$13,874.25	198.20%
	13	342001	SPECIAL POLICE SERVICES	\$8,500.00	\$1,278.00	\$8,966.50	105.49%
	13	342002	DAVIS SD POLICE PROTECTIO	\$56,996.00	\$0.00	\$59,560.00	104.50%
	13	342003	DUI/SEATBELT (OVERTIME RE	\$18,000.00	\$2,722.33	\$17,789.00	98.83%
	13	342004	E-911 SERVICE FEES	\$139,800.00	\$0.00	\$134,041.30	95.88%
	13	342006	DISPATCH SERVICES	\$85,000.00	\$0.00	\$63,756.00	75.01%
	13	347001	AQUATIC CENTER	\$1,351,020.00	\$95,347.90	\$983,397.46	72.79%
	13	347003	RECREATION	\$362,930.00	\$47,798.83	\$260,025.48	71.65%
	13	348001	CEMETERY PLOTS	\$9,500.00	\$1,720.00	\$10,080.00	106.11%
	13	349002	FIRE DISTRICT BILLING	\$915.00	\$0.00	\$0.00	0.00%

# Clearfield City Revenues

April - 83.3% of Fiscal Year

Fund Level ▲	Fiscal Year	Account Code ▲	Account Title	YTD Budgeted Revenue	April Revenue	YTD Through April	YTD Revenue %
10	13	351001	FINES	\$820,000.00	\$71,313.26	\$642,681.95	78.38%
	13	351003	CODE ENFORCEMENT FINES	\$1,325.00	\$0.00	\$1,520.00	114.72%
	13	353001	COURT FILING FEES	\$2,500.00	\$1,360.00	\$22,605.00	904.20%
	13	353002	COURT SECURITY FEES	\$20,000.00	\$1,639.49	\$19,364.40	96.82%
	13	353003	MISC COURT COST REIMB	\$4,600.00	\$150.00	\$1,487.55	32.34%
	13	361001	INTEREST EARNINGS	\$39,800.00	\$1,886.28	\$19,602.99	49.25%
	13	362001	COMMUNITY SERVICE RENTALS	\$63,450.00	\$7,534.25	\$68,060.15	107.27%
	13	362002	RENT REVENUES	\$0.00	\$0.00	\$10.00	
	13	364001	SALE OF FIXED ASSETS G/L	\$0.00	\$0.00	\$7,604.69	
	13	369001	MISC REVENUES	\$18,200.00	\$674.85	\$155,093.09	852.16%
	13	369003	DONATION REVENUE	\$112,756.00	\$2,001.59	\$20,965.99	18.59%
	13	369004	RETURN CHECK FEES	\$900.00	\$120.00	\$980.00	108.89%
	13	369005	ONE TIME MISC REVENUE	\$0.00	\$0.00	\$2,064.00	
	13	369007	CLAIMS AND DAMAGES	\$8,400.00	\$326.69	\$9,086.27	108.17%
	13	371007	FIRE PROTECTION FREEPORT	\$97,500.00	\$8,544.42	\$84,828.60	87.00%
	13	381002	TRNF CDRA SALES TAX BOND	\$810,310.00	\$810,310.00	\$810,310.00	100.00%
	13	381003	TRNF EF SALES TAX BOND	\$75,777.70	\$75,777.00	\$75,777.00	100.00%
	13	381008	FUND BAL. APPROPRIATION	\$1,822,772.00	\$0.00	\$909,040.00	49.87%
	13	382001	TRNF FROM CDRA	\$260,944.00	\$18,837.00	\$211,438.66	81.03%
	13	382002	EF(S) OVERHEAD ALLOC	\$677,830.37	\$56,485.86	\$564,858.60	83.33%
13	382003	PAY IN LIEU DAVIS COUNTY	\$3,190.00	\$0.00	\$3,170.96	99.40%	
13	389001	BEGINNING FUND BALANCE	\$0.00	\$0.00	(\$909,040.00)		
<b>10</b>				<b>\$16,127,865.07</b>	<b>\$1,449,940.50</b>	<b>\$11,638,336.92</b>	<b>72.16%</b>
20	13	311101	EDA # 1	\$398,638.00	\$0.00	\$398,638.00	100.00%
	13	311102	EDA # 2	\$388,034.00	\$0.00	\$476,151.00	122.71%
	13	311103	EDA#3 - ATK	\$1,023,688.00	\$0.00	\$802,445.00	78.39%
	13	311106	RDA #6	\$259,032.00	\$0.00	\$240,245.00	92.75%
	13	311107	RDA # 7	\$329,680.00	\$0.00	\$344,920.00	104.62%
	13	311108	RDA # 8	\$265,055.00	\$0.00	\$194,893.00	73.53%
	13	311109	RDA # 9	\$317,573.00	\$0.00	\$302,915.00	95.38%
	13	311110	RDA # 10	\$353,466.00	\$0.00	\$338,242.00	95.69%
	13	337001	LOCAL GRANTS	\$800.00	\$0.00	\$600.00	75.00%
	13	361001	INTEREST EARNINGS	\$10,972.00	\$2,440.33	\$18,814.85	171.48%
	13	361004	INTEREST ON LOANS	\$0.00	\$0.00	\$118.69	
	13	362002	RENT REVENUES	\$51,091.56	\$3,657.63	\$41,976.30	82.16%
	13	369001	MISC REVENUES	\$0.00	\$0.00	\$2,000.00	
	13	381008	FUND BAL.	\$276,850.00	\$0.00	\$0.00	0.00%

# Clearfield City Revenues

April - 83.3% of Fiscal Year

Fund Level ▲	Fiscal Year	Account Code ▲	Account Title	YTD Budgeted Revenue	April Revenue	YTD Through April	YTD Revenue %
20			APPROPRIATION				
	13	382004	OVERHEAD ALLOCATIONS	\$206,254.00	\$0.00	\$0.00	0.00%
<b>20</b>				<b>\$3,881,133.56</b>	<b>\$6,097.96</b>	<b>\$3,161,958.84</b>	<b>81.47%</b>
31	13	311001	CURRENT GENERAL PROPERTY	\$718,728.00	\$17,469.62	\$633,789.03	88.18%
	13	381005	TRNF FROM EF	\$371,922.00	\$0.00	\$151,543.57	40.75%
<b>31</b>				<b>\$1,090,650.00</b>	<b>\$17,469.62</b>	<b>\$785,332.60</b>	<b>72.01%</b>
40	13	323004	PARK IMPACT FEES	\$7,000.00	\$1,706.00	\$22,178.00	316.83%
	13	361001	INTEREST EARNINGS	\$92.00	\$69.21	\$1,030.25	1,119.84%
	13	381004	TRNF FROM GF	\$50,000.00	\$0.00	\$50,000.00	100.00%
	13	381008	FUND BAL. APPROPRIATION	\$181,000.00	\$0.00	\$26,971.35	14.90%
	13	389001	BEGINNING FUND BALANCE	\$0.00	\$0.00	(\$26,971.35)	
<b>40</b>				<b>\$238,092.00</b>	<b>\$1,775.21</b>	<b>\$73,208.25</b>	<b>30.75%</b>
45	13	361001	INTEREST EARNINGS	\$0.00	\$460.47	\$460.47	
	13	381001	TRNF OTHER FUNDS	\$200,000.00	\$0.00	\$0.00	0.00%
	13	381004	TRNF FROM GF	\$1,198,859.00	\$3,765.66	\$943,671.64	78.71%
	13	381008	FUND BAL. APPROPRIATION	\$0.00	\$5,114.50	\$125,926.94	
	13	382001	TRNF FROM CDRA	\$202,400.00	\$0.00	\$142,050.61	70.18%
	13	389001	BEGINNING FUND BALANCE	\$0.00	(\$5,114.50)	(\$125,926.94)	
<b>45</b>				<b>\$1,601,259.00</b>	<b>\$4,226.13</b>	<b>\$1,086,182.72</b>	<b>67.83%</b>
50	13	361001	INTEREST EARNINGS	\$1,150.00	\$137.84	\$2,762.81	240.24%
	13	369004	RETURN CHECK FEES	\$0.00	\$0.00	\$260.00	
	13	369006	LATE FEES/PENALTY	\$130,685.00	\$10,793.07	\$107,334.33	82.13%
	13	371005	WATER SERVICE FEES	\$18,500.00	\$3,125.00	\$25,160.00	136.00%
	13	375001	UTILITY ASSISTANCE	(\$525.00)	(\$44.21)	(\$454.75)	86.62%
	13	375002	MILITARY DISCOUNTS	(\$1,000.00)	(\$20.00)	(\$522.17)	52.22%
	13	381005	TRNF FROM EF	\$125,709.48	\$6,515.08	\$75,655.70	60.18%
<b>50</b>				<b>\$274,519.48</b>	<b>\$20,506.78</b>	<b>\$210,195.92</b>	<b>76.57%</b>
51	13	323001	WATER IMPACT FEES	\$50,000.00	\$15,288.00	\$110,838.00	221.68%
	13	331003	HIGHWAYS & STREETS	\$0.00	\$0.00	\$194,658.48	
	13	361001	INTEREST EARNINGS	\$35,400.00	\$2,737.13	\$38,224.29	107.98%
	13	369001	MISC REVENUES	\$0.00	\$0.00	\$660.00	
	13	371001	WATER CHARGES	\$3,283,122.00	\$210,542.84	\$2,802,936.08	85.37%
	13	371003	WATER METER FEE/CONNECTIO	\$5,500.00	\$1,032.00	\$7,057.00	128.31%
	13	371006	FIRE HYDRANT RENTAL USE	\$500.00	\$0.00	\$1,265.40	253.08%
	13	381008	FUND BAL. APPROPRIATION	\$1,014,500.00	\$9,602.84	\$323,750.19	31.91%
	13	389001	BEGINNING FUND BALANCE	\$0.00	(\$9,602.84)	(\$323,750.19)	
<b>51</b>				<b>\$4,389,022.00</b>	<b>\$229,599.97</b>	<b>\$3,155,639.25</b>	<b>71.90%</b>

# Clearfield City Revenues

April - 83.3% of Fiscal Year

Fund Level ▲	Fiscal Year	Account Code ▲	Account Title	YTD Budgeted Revenue	April Revenue	YTD Through April	YTD Revenue %
52	13	323002	SEWER IMPACT FEES	\$0.00	\$4,144.00	\$53,872.00	
	13	331003	HIGHWAYS & STREETS	\$0.00	\$0.00	\$575,620.66	
	13	361001	INTEREST EARNINGS	\$11,700.00	\$1,109.91	\$16,089.73	137.52%
	13	369001	MISC REVENUES	\$0.00	\$60.00	\$580.00	
	13	372001	SEWER CHARGES	\$2,367,387.00	\$209,526.73	\$2,073,129.71	87.57%
	13	381008	FUND BAL. APPROPRIATION	\$680,000.00	\$10,442.50	\$420,594.89	61.85%
	13	389001	BEGINNING FUND BALANCE	\$0.00	(\$10,442.50)	(\$420,594.89)	
<b>52</b>				<b>\$3,059,087.00</b>	<b>\$214,840.64</b>	<b>\$2,719,292.10</b>	<b>88.89%</b>
53	13	323003	STORM SEWER IMPACT FEES	\$60,000.00	\$2,864.00	\$37,232.00	62.05%
	13	331003	HIGHWAYS & STREETS	\$0.00	\$0.00	\$688,982.57	
	13	331008	UDOT REVENUE	\$0.00	\$0.00	\$13,656.25	
	13	361001	INTEREST EARNINGS	\$10,330.00	\$1,033.43	\$12,631.92	122.28%
	13	373001	STORM SEWER CHARGES	\$873,257.00	\$72,994.81	\$717,589.15	82.17%
	13	381001	TRNF OTHER FUNDS	\$209,400.00	\$0.00	\$0.00	0.00%
	13	381008	FUND BAL. APPROPRIATION	\$380,000.00	\$0.00	\$377,261.21	99.28%
	13	382001	TRNF FROM CDRA	\$0.00	\$0.00	\$135.00	
	13	389001	BEGINNING FUND BALANCE	\$0.00	\$0.00	(\$377,261.21)	
<b>53</b>				<b>\$1,532,987.00</b>	<b>\$76,892.24</b>	<b>\$1,470,226.89</b>	<b>95.91%</b>
54	13	361001	INTEREST EARNINGS	\$6,000.00	\$491.00	\$7,035.77	117.26%
	13	374001	GARBAGE CHARGES	\$1,224,794.00	\$102,363.88	\$1,023,974.79	83.60%
	13	381008	FUND BAL. APPROPRIATION	\$0.00	\$0.00	\$12,423.66	
	13	389001	BEGINNING FUND BALANCE	\$0.00	\$0.00	(\$12,423.66)	
<b>54</b>				<b>\$1,230,794.00</b>	<b>\$102,854.88</b>	<b>\$1,031,010.56</b>	<b>83.77%</b>
61	13	344001	FLEET CHARGES FROM GF	\$115,022.00	\$9,585.15	\$95,851.50	83.33%
	13	344002	FLEET CHARGES FROM WATER	\$32,810.00	\$2,734.15	\$27,341.50	83.33%
	13	344003	FLEET CHARGES FROM SEWER	\$13,664.00	\$1,138.65	\$11,386.50	83.33%
	13	344004	FLEET CHARGES STORM SEWER	\$13,821.00	\$1,151.74	\$11,517.40	83.33%
	13	344005	FLEET CHARGES UTILITY ADM	\$3,015.00	\$251.23	\$2,512.30	83.33%
	13	345001	CONSUM. CHRGS FROM GF	\$239,050.00	\$15,786.92	\$172,772.16	72.27%
	13	345002	CONSUM. CHRGS FROM WATER	\$34,000.00	\$2,936.17	\$26,084.08	76.72%
	13	345003	CONSUM. CHRGS FROM SEWER	\$20,100.00	\$692.32	\$15,505.73	77.14%
	13	345004	CONSUM. CHRGS STORM SEWER	\$17,100.00	\$521.76	\$9,758.70	57.07%
	13	345005	CONSUM. CHRGS UTIL ADMIN	\$5,650.00	\$271.69	\$1,695.44	30.01%

# Clearfield City Revenues

April - 83.3% of Fiscal Year

Fund Level ▲	Fiscal Year	Account Code ▲	Account Title	YTD Budgeted Revenue	April Revenue	YTD Through April	YTD Revenue %
61	13	345006	CONSUM. CHRGS OUTSIDE SER	\$4,500.00	\$0.00	\$2,673.44	59.41%
	13	346001	VEHICLE REPLACEMENT GF	\$236,000.00	\$14,583.33	\$206,833.30	87.64%
	13	346002	VEHICLE REPLACEMENT WATER	\$63,760.00	\$5,313.33	\$53,133.30	83.33%
	13	346003	VEHICLE REPLACEMENT SEWER	\$49,437.00	\$4,119.75	\$41,197.50	83.33%
	13	346004	VEHICLE REPLACEMENT STORM	\$23,000.00	\$1,916.66	\$19,166.60	83.33%
	13	346005	VEHICLE REPLACEMENT UTIL	\$3,502.00	\$291.83	\$2,918.30	83.33%
	13	364001	SALE OF FIXED ASSETS G/L	\$11,895.00	\$12,650.00	\$47,685.27	400.88%
	13	365001	FUEL CHARGES	\$0.00	\$1,143.59	\$10,945.25	
	13	369001	MISC REVENUES	\$0.00	\$0.00	\$146.24	
	13	369007	CLAIMS AND DAMAGES	\$0.00	\$0.00	\$81.47	
<b>61</b>				<b>\$886,326.00</b>	<b>\$75,088.27</b>	<b>\$759,205.98</b>	<b>85.66%</b>
63	13	344006	RISK MGMT CHARGES - GF	\$196,554.00	\$17,654.21	\$176,542.10	89.82%
	13	344007	RISK MGMT CHARGES - WATER	\$20,649.00	\$2,283.75	\$22,837.50	110.60%
	13	344008	RISK MGMT CHARGES - SEWER	\$8,450.00	\$1,720.75	\$17,207.50	203.64%
	13	344009	RISK MGMT CHARGES - STORM	\$10,352.00	\$704.16	\$7,041.60	68.02%
	13	344010	RISK MGMT CHARGES - UTILI	\$28,243.00	\$212.49	\$2,124.90	7.52%
	13	344011	RISK MGMT CHARGES - FLEET	\$4,130.00	\$3,776.94	\$6,874.38	166.45%
<b>63</b>				<b>\$268,378.00</b>	<b>\$26,352.30</b>	<b>\$232,627.98</b>	<b>86.68%</b>
70	13	348002	PERPETUAL CARE	\$9,000.00	\$1,250.00	\$9,600.00	106.67%
	13	361001	INTEREST EARNINGS	\$1,000.00	\$82.61	\$1,190.12	119.01%
<b>70</b>				<b>\$10,000.00</b>	<b>\$1,332.61</b>	<b>\$10,790.12</b>	<b>107.90%</b>
<b>14</b>	<b>Summary</b>			<b>\$34,590,113.11</b>	<b>\$2,226,977.11</b>	<b>\$26,334,008.13</b>	<b>76.13%</b>

# Clearfield City Spending

April 83.3% of Fiscal year

Fund Level ▲	Budget Unit ▲	Budget Unit Title	Fiscal Year Budgeted Amount	April Spending	YTD April	YTD Spending %	Remaining Budget	Fiscal Year
10	104111	MAYOR & COUNCIL	\$190,045.48	\$14,447.29	\$143,490.78	76%	\$46,554.70	13
	104121	JUSTICE COURT	\$388,144.39	\$28,508.16	\$284,647.03	73%	\$103,497.36	13
	104131	CITY MANAGER	\$370,346.63	\$26,319.57	\$285,086.62	77%	\$85,260.01	13
	104132	CITY RECORDER	\$165,194.49	\$12,363.63	\$125,989.95	76%	\$39,204.54	13
	104133	LEGAL	\$267,383.08	\$19,724.64	\$198,794.32	74%	\$68,588.76	13
	104141	HUMAN RESOURCES	\$267,887.94	\$17,147.93	\$188,283.65	70%	\$79,604.29	13
	104142	INFORMATION TECHNOLOGIES	\$702,955.02	\$61,196.77	\$615,349.93	88%	\$87,605.09	13
	104143	FINANCE	\$569,668.02	\$36,014.10	\$435,673.26	76%	\$133,994.76	13
	104151	INTERDEPARTMENTAL SERVICE	\$1,168,706.00	\$65,705.08	\$770,720.07	66%	\$397,985.93	13
	104161	BUILDINGS & PLANTS	\$493,021.38	\$32,491.74	\$347,993.68	71%	\$145,027.70	13
	104172	ELECTIONS	\$400.00	\$0.00	\$0.00	0%	\$400.00	13
	104211	POLICE ADMIN	\$701,834.41	\$51,956.29	\$523,355.95	75%	\$178,478.46	13
	104212	PATROL & INVESTIGATIONS	\$2,880,674.79	\$189,697.03	\$2,178,764.01	76%	\$701,910.78	13
	104213	EMERGENCY SERVICES	\$48,457.46	\$2,073.71	\$26,028.04	54%	\$22,429.42	13
	104214	CODE ENFORCEMENT	\$120,395.02	\$8,049.54	\$81,404.05	68%	\$38,990.97	13
	104215	DISPATCH	\$564,461.25	\$35,728.15	\$401,612.92	71%	\$162,848.33	13
	104216	COMMUNICATIONS, E-911	\$142,092.00	\$4,853.93	\$92,933.36	65%	\$49,158.64	13
	104218	LIQUOR LAW ENFORCEMENT	\$84,963.87	\$6,232.49	\$51,954.94	61%	\$33,008.93	13
	104411	PUBLIC WORKS ADMIN	\$80,183.86	\$8,790.34	\$59,615.33	74%	\$20,568.53	13
	104413	ROADWAYS	\$710,128.84	\$19,915.83	\$540,410.76	76%	\$169,718.08	13
	104511	COMMUNITY SVCS ADMIN	\$225,453.80	\$16,298.60	\$177,099.81	79%	\$48,353.99	13
	104521	PARKS	\$801,113.56	\$42,933.14	\$549,729.68	69%	\$251,383.88	13
	104561	RECREATION	\$650,342.65	\$49,593.37	\$414,724.98	64%	\$235,617.67	13
	104565	AQUATICS CENTER	\$1,595,351.30	\$103,883.08	\$1,167,569.91	73%	\$427,781.39	13
	104591	CEMETERY	\$4,659.00	\$2,953.36	\$5,616.25	121%	(\$957.25)	13
	104612	MARKETING/PR	\$182,604.96	\$4,798.15	\$139,075.96	76%	\$43,529.00	13
	104613	BUSINESS LICENSES	\$54,857.01	\$4,206.62	\$41,783.74	76%	\$13,073.27	13
	104632	CDBG	\$73,732.95	\$4,534.40	\$36,497.45	49%	\$37,235.50	13
	104641	PLANNING & ZONING	\$135,233.93	\$9,022.69	\$96,662.92	71%	\$38,571.01	13
	104642	INSPECTIONS	\$99,431.32	\$6,853.94	\$80,167.86	81%	\$19,263.46	13
	104643	PERMITS	\$56,869.42	\$4,317.29	\$42,472.63	75%	\$14,396.79	13
	104711	SALES TAX BOND	\$995,343.75	\$0.00	\$993,618.79	100%	\$1,724.96	13
	104810	TRANSFERS TO OTHER FUNDS	\$1,391,459.00	\$3,765.66	\$993,671.64	71%	\$397,787.36	13
<b>10</b>			<b>\$16,183,396.58</b>	<b>\$894,376.52</b>	<b>\$12,090,800.27</b>	<b>75%</b>	<b>\$4,092,596.31</b>	
20	204611	CED	\$535,339.56	\$12,206.24	\$224,374.62	42%	\$310,964.94	13

# Clearfield City Spending

April 83.3% of Fiscal year

Fund Level ▲	Budget Unit ▲	Budget Unit Title	Fiscal Year Budgeted Amount	April Spending	YTD April	YTD Spending %	Remaining Budget	Fiscal Year
20		ADMINISTRATION						
	204615	RDA #9	\$317,572.00	\$102,840.00	\$114,551.48	36%	\$203,020.52	13
	204616	RDA #6	\$259,032.00	\$849.00	\$10,316.62	4%	\$248,715.38	13
	204617	RDA #7	\$329,680.00	\$40,588.00	\$53,730.74	16%	\$275,949.26	13
	204618	RDA #8	\$266,255.00	\$47,902.00	\$65,393.10	25%	\$200,861.90	13
	204619	RDA #10	\$353,466.00	\$295,831.00	\$308,880.02	87%	\$44,585.98	13
	204621	EDA #1	\$398,638.00	\$1,667.00	\$158,783.28	40%	\$239,854.72	13
	204622	EDA #2	\$388,034.00	\$330,106.00	\$345,740.96	89%	\$42,293.04	13
	204623	EDA #3	\$1,033,117.00	\$1,515.00	\$46,521.89	5%	\$986,595.11	13
<b>20</b>			<b>\$3,881,133.56</b>	<b>\$833,504.24</b>	<b>\$1,328,292.71</b>	<b>34%</b>	<b>\$2,552,840.85</b>	
31	314711	GO SERIAL BOND	\$1,090,650.00	\$0.00	\$1,090,650.00	100%	\$0.00	13
<b>31</b>			<b>\$1,090,650.00</b>	<b>\$0.00</b>	<b>\$1,090,650.00</b>	<b>100%</b>	<b>\$0.00</b>	
40	404521	PARKS CAPITAL PROJECTS	\$238,092.00	\$760.00	\$111,087.81	47%	\$127,004.19	13
<b>40</b>			<b>\$238,092.00</b>	<b>\$760.00</b>	<b>\$111,087.81</b>	<b>47%</b>	<b>\$127,004.19</b>	
45	454142	CAP PROJ - IT	\$144,000.00	\$0.00	\$0.00	0%	\$144,000.00	13
	454161	CAP PROJ - BUILDINGS	\$102,000.00	\$3,196.50	\$23,523.50	23%	\$78,476.50	13
	454410	CAP PROJ - STREETS	\$1,318,500.00	\$1,918.00	\$265,134.23	20%	\$1,053,365.77	13
	454632	CAP PROJ - CDBG	\$159,359.00	\$520.00	\$12,939.16	8%	\$146,419.84	13
<b>45</b>			<b>\$1,723,859.00</b>	<b>\$5,634.50</b>	<b>\$301,596.89</b>	<b>17%</b>	<b>\$1,422,262.11</b>	
50	505011	UTILITY ADMINISTRATION	\$181,034.86	\$13,622.45	\$139,186.25	77%	\$41,848.61	13
	505012	UTILITY METERS	\$93,484.29	\$6,859.29	\$70,589.67	76%	\$22,894.62	13
<b>50</b>			<b>\$274,519.15</b>	<b>\$20,481.74</b>	<b>\$209,775.92</b>	<b>76%</b>	<b>\$64,743.23</b>	
51	515101	WATER DEPARTMENT	\$3,374,522.38	\$182,203.70	\$2,854,596.92	85%	\$519,925.46	13
	515110	WATER CAPITAL PROJECTS	\$1,014,500.00	\$13,596.34	\$490,425.22	48%	\$524,074.78	13
<b>51</b>			<b>\$4,389,022.38</b>	<b>\$195,800.04</b>	<b>\$3,345,022.14</b>	<b>76%</b>	<b>\$1,044,000.24</b>	
52	525201	SEWER DEPARTMENT	\$2,379,087.12	\$220,323.33	\$2,055,316.43	86%	\$323,770.69	13
	525210	SEWER CAPITAL PROJECTS	\$680,000.00	\$10,602.50	\$939,344.69	138%	(\$259,344.69)	13
<b>52</b>			<b>\$3,059,087.12</b>	<b>\$230,925.83</b>	<b>\$2,994,661.12</b>	<b>98%</b>	<b>\$64,426.00</b>	
53	535301	STORM SEWER	\$943,587.30	\$66,819.44	\$696,278.11	74%	\$247,309.19	13
	535310	STORM SEWER CAPITAL PRJCT	\$589,400.00	\$45.50	\$923,372.30	157%	(\$333,972.30)	13
<b>53</b>			<b>\$1,532,987.30</b>	<b>\$66,864.94</b>	<b>\$1,619,650.41</b>	<b>106%</b>	<b>(\$86,663.11)</b>	
54	545401	SOLID WASTE	\$1,230,793.78	\$56,829.97	\$875,856.07	71%	\$354,937.71	13
	545501	SOLID WASTE	\$0.00	\$29,056.86	\$29,056.86		(\$29,056.86)	13
<b>54</b>			<b>\$1,230,793.78</b>	<b>\$85,886.83</b>	<b>\$904,912.93</b>	<b>74%</b>	<b>\$325,880.85</b>	

# Clearfield City Spending

April 83.3% of Fiscal year

Fund Level ▲	Budget Unit ▲	Budget Unit Title	Fiscal Year Budgeted Amount	April Spending	YTD April	YTD Spending %	Remaining Budget	Fiscal Year
61	614441	FLEET MANAGEMENT	\$825,326.48	\$49,707.65	\$869,711.97	105%	(\$44,385.49)	13
<b>61</b>			<b>\$825,326.48</b>	<b>\$49,707.65</b>	<b>\$869,711.97</b>	<b>105%</b>	<b>(\$44,385.49)</b>	
63	634443	ISF - RISK MANAGEMENT	\$268,378.00	\$1,620.00	\$263,853.66	98%	\$4,524.34	13
<b>63</b>			<b>\$268,378.00</b>	<b>\$1,620.00</b>	<b>\$263,853.66</b>	<b>98%</b>	<b>\$4,524.34</b>	
70	70	PERPETUAL CEMETERY FUND	\$10,000.00	\$0.00	\$0.00	0%	\$10,000.00	13
<b>70</b>			<b>\$10,000.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>0%</b>	<b>\$10,000.00</b>	
<b>15</b>	<b>Summary</b>		<b>\$34,707,245.35</b>	<b>\$2,385,562.29</b>	<b>\$25,130,015.83</b>	<b>72%</b>	<b>\$9,577,229.52</b>	