

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
August 12, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Antone Clark – Standard Examiner

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION ON AN INTERLOCAL AGREEMENT WITH NORTH DAVIS FIRE DISTRICT (NDFD)

Brian Brower, City Attorney, informed the Council that it had become necessary to clarify the relationship between the City and the North Davis Fire District (NDFD). He mentioned although Clearfield City and West Point City had been dismissed from a recent claim against the NDFD, West Point and Clearfield, he believed the indemnification provision in the Interlocal Agreement currently in place needed to be clarified. He emphasized this agreement would supersede the previous 2005 Interlocal Agreement and subsequent other agreements. He indicated the new agreement would be for 50 years which was the maximum allowed time frame under State Statute. There were no questions or concerns from the Council.

DISCUSSION ON THE BALLOT LANGUAGE FOR THE PARAT (PARKS, ARTS, RECREATION, AQUATICS, TRAILS) TAX

Brian Brower, City Attorney, explained there were a number of places within the State Code which addressed procedures and requirements regarding the proposed ballot question about the PARAT Tax. He stated it was a very convoluted process and reported staff believed determining

the language was the first step in getting it placed on the ballot. He explained certain verbiage was mandated to be verbatim per State Statute. He read the verbatim language and indicated where staff had inserted language specific to the PARAT Tax. He requested the Council consider approval of the ballot language or determine if it desired changes.

Adam Lenhard, City Manager, added projects for funding had been specifically identified and the proposed resolution provided more detail. He also requested input and direction from the Council. JJ Allen, Assistant City Manager, cautioned the Council if the verbiage in the ballot question was too specific it could potentially be too restrictive. Mayor Shepherd mentioned the tax would be in place for ten years and there could be circumstances which present themselves during that time which would warrant use of the revenue but would be prohibited from using the funds if the language was too specific.

Councilmember Young believed the City shouldn't identify one thing specific for its use. Councilmember Bush asked if the funds would be directed into a separate account once they were received. Mr. Allen responded the funds would be received in the General Fund then transferred into a separate account. A discussion took place regarding designation of projects for funds to be included in the ballot language.

Mayor Shepherd desired the verbiage be very general. Mr. Brower indicated if the City was challenged regarding the use of funds the court would look at the proposed language and then consider the intent. He shared some language options with the Council and suggested the inclusion of verbiage similar to, "funding things such as....." A discussion took place regarding verbiage options and suggestions.

Councilmember LeBaron asked if qualifying transactions for the tax needed to specifically included in the verbiage. Mayor Shepherd responded the tax would be applicable to all purchases except food. Mr. Lenhard mentioned the voter information packet would address the application of the tax.

#### DISCUSSION ON THE IMPACT FEE STUDY RFP (REQUEST FOR PROPOSAL)

Scott Hodge, Public Works Director, reported the City recently completed the RFP process for the completion of an Impact Fee Study and indicated two responses were received. He announced Horrocks Engineers and Lewis Young Robertson and Burningham were the responders and distributed a handout reflecting the evaluation data for both proposals.

Mr. Hodge stated funds had been appropriated during the budget process; however, additional funding would be required by approximately \$12,000 to complete the study. He explained where the budgeted funds had been recognized, as well as the contribution from the NDFD's portion of the study. Mayor Shepherd inquired if the requested \$12,000 would be divided equally between the funds. Mr. Hodge responded in the affirmative.

Brian Brower, City Attorney, informed the Council that he had requested specific language be used when making the motion during the policy session. Nancy Dean, City Recorder, indicated

sample language had been distributed on the dais for each member of the Council. There were no concerns from the Council regarding the request for additional funding to complete the study.

**DISCUSSION OF THE PROPOSED REZONES OF CITY AND CDRA PROPERTIES  
LOCATED AT APPROXIMATELY 888 SOUTH 2000 EAST AND 497 SOUTH MAIN  
FROM VARIOUS ZONING DESIGNATIONS TO PF (PUBLIC FACILITIES) ZONE**

Scott Hess, Development Services Manager, reminded the Council of the property near the Northrop Grumman building which was currently occupied by Exeter Finance. He shared an illustration identifying the City's property which had been previously identified for use as a city park. He mentioned the property was split zoned between residential and commercial and the City had no intentions to use the property for either of those purposes; therefore, staff was proposing to rezone the property to PF (Public Facilities) zone. He reported the Planning Commission reviewed the item during its meeting on Wednesday, August 6, 2014, and recommended approval with no conditions. He mentioned no public comment had been received relative to the rezone. He mentioned the only comment was relative to the long standing culinary water easement in the area.

Mr. Hess stated the City also owned property on South Main near the public works and parks shops and shared an illustration identifying the location. He mentioned the properties were currently zoned residential and manufacturing and the City had no intentions to use them for either purpose. He reminded the Council the rezone was preliminary to Phase I of the reorganization of the City's parks and public works facilities. He announced there were a number of public comments mostly in the form of questions prior to the Planning Commission's meeting. He continued there were a number of residences along South Main which were sensitive to any land use changes due to the heavy truck traffic in the area. He stated once they understood there would be no increase in intensity of use, no public concerns were expressed.

Nancy Dean, City Recorder, announced the rezones would come before the Council for approval at the Tuesday, August 26, 2014, City Council meeting. There were no questions or concerns from the Council.

The meeting adjourned at 6:23 p.m.

**APPROVED AND ADOPTED  
This 9<sup>th</sup> day of September, 2014**

**/s/Mark R. Shepherd, Mayor**

**ATTEST:**

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

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, August 12, 2014.

/s/Nancy R. Dean, City Recorder