

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
June 10, 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
	Kelly Bennett	Police Lieutenant
	Scott Hodge	Public Works Director
	Kim Dabb	Operations Manager
	Eric Howes	Community Services Director
	Scott Hess	Development Services Manager
	Rich Knapp	Administrative Services Director
	Jessica Hardy	Budget Analyst
	Kim Read	Deputy City Recorder
EXCUSED:	Nancy Dean	City Recorder

VISITORS: David Tomczak, Bryan Saxton – Standard Examiner, Kenny Conners – American Legion Post 134, Con L. Wilcox – Wilcox Farms, Mike Millard

Mayor Shepherd called the meeting to order at 7:00 p.m.

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

Councilmember LeBaron conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE MAY 13, 2014 APPEAL AUTHORITY MEETING, MAY 13, 2014 JOINT WORK SESSION AND THE MAY 21, 2014 JOINT WORK SESSION

Councilmember Young stated the minutes from the May 21, 2014 joint work session reflected he was in attendance when he was excused. He requested they be amended to reflect his absence.

**Councilmember LeBaron moved to approve the minutes from the May 13, 2014 Appeal Authority meeting and the May 13, 2014 joint work session as written and the May 21, 2014 joint work session as amended, seconded by Councilmember Jones. The motion**

**carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

#### UPDATE BY THE MOSQUITO ABATEMENT DISTRICT

Gary Hatch, Mosquito Abatement District, informed the Council that Councilmember Young, the City's representative to the Board was currently the Board's president. He shared a visual presentation to the Council regarding the following issues which were being addressed by the District:

- West Nile Virus' effect on Bald Eagles
  - The virus was brought to Farmington Bay by Eared Grebes during their migration and when some of them died, became a food supply for the bald eagles. The strain which caused the death of some eagles was not from the local area.
- Surveillance and Testing associated with the West Nile Virus
  - Reported on the testing of mosquitos, pools of water, etc.
- Completed study to determine the effects of pesticide use and failure of honey bee beehives
  - Explained the processes of the study and reported the District's efforts had little effect on honeybees and their corresponding hives.
- Reported on efforts and operations of the District.

Councilmember Bush inquired if mosquitos were attracted to outdoor swimming pools. Mr. Hatch reported if the pool was chlorinated, mosquitos generally wouldn't be attracted to the area except due to possible humidity or vegetation surrounding the swimming pool.

#### UPDATE BY THE AMERICAN LEGION POST 134

Kenny Conners, American Legion Post 134, shared a presentation updating the Council on the activities associated with the American Legion Post 134, located in Clearfield City. He announced revenues recognized by fund raising efforts on behalf of the Legion went back into the community. He highlighted some of the activities of the Legion:

- The Veteran's Day celebration which took place every November.
- Conducting American Flag retirement ceremonies.
- Boys State
- American Legion Baseball Program
- City's Annual Easter Egg Hunt
- Sub for Santa (he commented they had the largest contribution to Sub for Santa in the State of Utah)
- Golf Tournament

He invited the Council to the installation of officers ceremony scheduled for Tuesday, June 17, 2014 at 5:30 p.m. and announced a special presentation would take place that evening.

He shared statistics associated with the Clearfield American Legion and presented Mayor Shepherd with copies of the newsletters from 2013 and announced he should begin receiving copies on a regular basis in the future.

## PUBLIC HEARING TO RECEIVE COMMENT ON THE 2014/2015 FISCAL YEAR BUDGET

Mayor Shepherd opened the public hearing at 7:35 p.m.

Rich Knapp, Administrative Services Director, stated Utah Code required cities to hold a public hearing regarding the adoption of the upcoming fiscal year budget. The City staff prepared and submitted to the Council a balanced tentative budget for the fiscal year 2014/2015 which would begin July 1, 2014 and end on June 30, 2015. The submitted tentative budget was adopted on May 13, 2014 and included all funds.

He stated it was a balanced budget for all funds and announced it was an annual budget of \$33 million. He reviewed the highlights associated with the budget:

- South Main Street Road Improvement Project (funding from the excess fund balance would be used toward the project)
- New vehicle purchases
- Other road maintenance projects

He reviewed the Enterprise and Internal Service Funds and all other funds. He pointed out payroll costs had decreased as well as the City's debt service. He stated the budget didn't include a merit increase for staff, but had appropriated a small amount for market adjustments. He stated the City would be maintaining the property tax rate.

Mr. Knapp reported the following changes from the tentative budget:

- Carry-over of funds appropriated for the Community Arts Center upgrades
- Impact fee revenue in the Capital Projects Parks Fund
- Sound system for the Community Arts Center

He expressed appreciation to Jessica Hardy, Budget Analyst, for her work on the budget and other staff that contributed to the budget process.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember LeBaron moved to close the public hearing at 7:40 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

## CITIZEN COMMENTS

David Tomczak, resident, stated his comments would be addressing the gravel issue and proposed PARAT Tax. He expressed his opinion the gravel parking issue to be a property rights infringement issue and indicated residents were prepared to begin legal action against the City on June 25, 2014 if needed to challenge the City's right to dictate a resident to change a condition

which had present for years. He also shared concerns regarding permit fees associated with the proposed ordinance.

He requested clarification on the proposed PARAT Tax and suggested other avenues be considered to recognize additional funding resources. He referred to costs associated with travel and training expenses for members of the City Council, Justice Court and the City Manager.

APPROVAL OF RESOLUTION 2014R-13 SETTING THE CERTIFIED TAX RATE AND RESOLUTION 2014R-14 ADOPTING THE FISCAL YEAR 2014/2015 BUDGET

City staff prepared and submitted to the Council a balanced final budget for fiscal year 2014/2015 which would begin July 1, 2014 and ends June 30, 2015. The certified tax rate would be set at 0.0018 as determined by the Utah State Tax Commission and Davis County.

Adam Lenhard, City Manager, stated staff was proposing to maintain the property tax rate of .0018 for the fourth year in a row. He announced the proposed budget was balanced for all funds.

**Councilmember Young moved to approve Resolution 2014R-13 setting the certified tax rate and Resolution 2014R-14 adopting the fiscal year budget for 2014/2015 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

APPROVAL OF ORDINANCE 2014-13 AMENDING THE CONSOLIDATED FEE SCHEDULE

The Consolidated Fee Schedule was being amended to reflect changes to the City's Field Use Policy and fees for its facilities.

**Councilmember Bush moved to approve Ordinance 2014-13 amending the Consolidated Fee Schedule to reflect changes to the City's Field Use Policy and fees and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

APPROVAL OF ORDINANCE 2014-14 AMENDING TITLE 4 – BUSINESS AND LICENSE REGULATIONS FOR TEMPORARY/SEASONAL VENDORS

Scott Hess, Development Services Manager explained the City Council discussed the option of amending the time restrictions associated with temporary business licenses during its work session on May 20, 2014. It then directed staff to amend the time restrictions, and to further investigate a zoning text amendment that would allow for temporary food vendors, while limiting the negative impacts associated with those types of businesses.

He reviewed the following proposed changes:

- 4-1-10C which addressed the license period. The proposed ordinance would change the time frame allowed for temporary businesses from 60 days to 180 days.
- 4-9-5D removing the verbiage, “All aspects of the business shall be removed from the premises each day at the end of operation
- 4-9-5F amending the time limit on location from 60 consecutive days to 180 consecutive days.

He announced a zoning text amendment specific to mobile food carts/vendors would come before the Council at a later date identifying standards.

Councilmember Benson expressed her understanding that the Council had concluded from its discussion during the recent work session that the maximum time limit per location would be 120 days. She expressed concern with 180 days. Mayor Shepherd believed staff had been directed to use 180 days. Councilmember LeBaron believed the Council had agreed to 180 days to allow the vendor more bang for its buck. He continued the Land Use Authority would be monitoring the conditions of the temporary vendors to ensure they were aesthetically pleasing, reflected well for the City and didn’t detract from brick and mortar businesses in the area. Mayor Shepherd agreed with those reasons pointed out by Councilmember LeBaron.

**Councilmember Benson moved to approve Ordinance 2014-14 Amending Title 4 – Business License and License Regulations for Temporary/Seasonal Vendors and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

#### SET A PUBLIC HEARING TO AMEND THE 2013/2014 FISCAL YEAR BUDGET

Rich Knapp, Administrative Services Director, stated the City needed to amend its current fiscal year budget by adding items which had become necessary expenditures but were not budgeted for in the original budget. A public hearing was required to amend the budget. The staff was recommending the public hearing be set for June 24, 2014.

**Councilmember Jones moved to set a public hearing for June 24, 2014, at 7:00 P.M., to amend the 2013/2014 fiscal year budget, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

#### COMMUNICATION ITEMS

##### *Mayor Shepherd*

1. Informed the Council he and Adam Lenhard, City Manager, had taken the opportunity earlier in the day to participate with participants at Boys State held at Weber State University.
2. Excused Nancy Dean, City Recorder, who was sick.
3. Stated he had attended three separate Change of Command Ceremonies at HAFB and mentioned several more were planned within the next few weeks.
4. Announced he and Mr. Lenhard would be touring the Utah Test and Training Range on Monday, June 16, 2014.

5. Reminded the Council about the Fourth of July parade float. He stated design and construction had begun and invited the Council's participation on Monday, June 30, 2014. He requested they bring necessary tools to the Public Works Shop to complete construction of the float.

6. Informed the Council that Sounds of Freedom, an event that supported the airmen and their families stationed at HAFB, was scheduled for Saturday, June 21, 2014, in Layton.

7. Reminded the Council it would again be hosting dinner for General Baker on the Fourth of July before the fireworks at Fisher Park.

**Councilmember Benson** – informed the Council that the first audition for the “We’ve Got Talent” contest in conjunction with the City’s Fourth of July celebration had taken place on Monday, June 10, 2014. She announced one more audition was scheduled and stated applications were available at the Aquatic Center. She suggested the Council advertise the contest and announced cash prizes would be presented to the winners.

**Councilmember Bush** –

1. Informed the Council that he had presented the City’s Scholarship at Clearfield High School’s Award’s Ceremony.

2. Reported he had attended a seminar sponsored by the Utah Land Institute on Thursday, May 29, 2014, with Mayor Shepherd specific to high density and mixed-use developments.

3. Announced he had the opportunity to present the Kiwanis’ Hope of America Awards at several of the local elementary schools.

4. Stated he had attended the Kiwanis meeting and announced a Coats for Kids drive would be taking place instead of the book drive. He also mentioned the Kiwanis breakfast was planned for Saturday, August 9, 2014 and more information would be forthcoming.

5. Informed the Council, Albion Labs’ employees participated in a service project at Kiwanis Park. He reported they had painted restrooms, a wall and the boweries and cleaned up the park. He complimented the participants and stated the park looked very nice.

6. Reported he had attended Planning Commission meeting on Wednesday, June 4, 2014. He stated the meeting went until 10:30 p.m. and commended them for their diligence. He indicated due to some recent resignations, there were no alternate members and suggested the City proceed in recruiting alternate members.

**Councilmember Jones** – nothing to report.

**Councilmember LeBaron** – stated he was scheduled to be in town for the month of July.

**Councilmember Young** – nothing to report.

**Adam Lenhard, City Manager**

1. Recognized Rich Knapp, Administrative Services Director, and Jessica Hardy, Budget Analyst, for their efforts on the budget.

2. Reminded the Council the next open house was scheduled at Holt Elementary on Tuesday, June 17, 2014 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 (CDRA) at 8:03 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

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

**APPROVED AND ADOPTED  
This 24<sup>th</sup> day of June, 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, June 10, 2014.

/s/Nancy R. Dean, City Recorder