

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. SPECIAL SESSION
November 18, 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
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Kaylee Taylor, Preston Taylor, Victor Vroman, Michael Wagstaff - MIDA

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

PUBLIC HEARING TO RECEIVE COMMENT REGARDING THE PETITION TO ANNEX PROPERTY COMMONLY KNOWN AS THE FALCON HILL ANNEXATION

The City recently received a petition to annex 49.73 acres of military land located on and/or adjacent to Hill Air Force Base (HAFB) and within the Military Installation Development Authority's (MIDA) Falcon Hill Project Area on the northeastern border of Clearfield City. The City was required to hold a public hearing on the possible annexation.

Brian Brower, City Attorney, explained the City recently received a Petition for Annexation from Sunset Ridge Development Partners, LLC, requesting a certain portion of the Falcon Hill Project Area be annexed into Clearfield City. He stated the City had completed the appropriate steps required by State Code to comply with the requirements associated with the annexation and reviewed some of them with the Council. He stated the public hearing was the last requirement before the City could proceed with the annexation.

Mayor Shepherd opened the public hearing at 6:02 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 6:03 p.m. seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2014-26 APPROVING THE FALCON HILL ANNEXATION WHICH INCLUDED PROPERTY LOCATED WITHIN MIDA’S FALCON HILL PROJECT AREA ON THE NORTHEASTERN BORDER OF CLEARFIELD CITY

Councilmember LeBaron moved to approve Ordinance 2014-26 approving the Falcon Hill Annexation located on and/or adjacent to Hill Air Force Base (HAFB) within MIDA’s Falcon Hill Project Area on the northeastern border of the City and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

CANVASS THE RESULTS OF CLEARFIELD CITY’S BALLOT PROPOSITION #7 CONDUCTED AS PART OF THE GENERAL ELECTION HELD ON NOVEMBER 4, 2014

State Law required the governing body verify the results of the General Election, which was held on Tuesday, November 4, 2014.

Nancy Dean, City Recorder, presented the canvass report as prepared by the Davis County Clerk’s Office. She noted the results were verified as the following:

Clearfield City Prop 7

	Total	
Number of Precincts	15	
Precincts Reporting	15	100.0 %
Times Counted	3242/7813	41.5 %
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FOR	1695	55.72%
AGAINST	1347	44.28%

Ms. Dean reviewed the ballots which were not counted and reported five absentee ballots were not counted and three provisional ballots were not counted: one absentee ballot wasn’t counted because the voter had already voted, two weren’t counted because no signature appeared on the ballot and two didn’t count because the signatures didn’t match. She further clarified the County had a system in place that helped it determine if a mailed ballot was received from a voter who also voted at a polling location. She stated neither ballot was counted if a voter voted both methods. She stated two absentee ballots weren’t counted because they weren’t signed which was State Law. She indicated the County made every effort to verify signatures when there was a discrepancy. She also indicated the three provisional ballots didn’t count because proof of residency couldn’t be verified. She announced over three thousand ballots were cast which was the equivalent to a 41.5% voter turnout.

Ms. Dean reported the number of active voters was 7,813. She emphasized Davis County had worked diligently over the past two years to contact inactive voters and remove from County

voter rolls those who had moved. She reported 1,695 votes were received for the imposition of the PARAT tax and 1,347 votes were received against the PARAT tax.

Ms. Dean referred to map illustrating the different voting precincts which was distributed on the dais to further clarify which areas of the City voted for and against the PARAT tax.

Ms. Dean announced she had reviewed the results of the election submitted by Davis County and recommended they be accepted by the Council.

Mayor Shepherd inquired about the percentages for ballots received at the polling locations compared to those received by mail. Ms. Dean responded she didn't have those figures for the City as a whole; however, they were available by precinct. She did state the County's Election's Official reported to the Davis County Commission the Vote by Mail Election had been successful and believed the City would be encouraged to conduct its future elections in that fashion if it chose to contract those services with the County. She stated she would be meeting with other Recorder's and the County's Election Official to determine the cost of a Mail Election. She reported the law was recently changed which required postage to be paid on only those ballots which were returned as opposed to every ballot envelope sent out. She emphasized even with an all by-mail Election, the City was required to have at least one polling location open on Election Day to accommodate anyone who desired to cast their vote in person. She indicated there were 17,000 ballots that needed to be counted after the polls closed on Election Day. She expressed her opinion the County had not anticipated that many voters to appear at the polling location on Election Day. .

Councilmember Benson inquired how the County could guarantee the mailed ballot was completed by the appropriate voter. Ms. Dean stated the County had record of the registered voter's signature which was used for signature comparison in addition to the signature on Utah Driver's Licenses.

Adam Lenhard, City Manager, responded to Mayor Shepherd's previous question and reported seventy-seven percent of the votes cast were completed by mail. Ms. Dean emphasized the County Election's Officer was positive the by-mail election significantly increased voter turnout for a midterm election.

Mr. Lenhard inquired how by-mail ballots received at polling locations on Election Day were counted. Ms. Dean responded she didn't know but assumed they were counted as if they were received by mail because otherwise the voter would have voted via electronic machine.

Councilmember Young commented there was no "write in" line on the ballot received in the mail. Ms. Dean responded if there wasn't a registered write-in candidate that wouldn't be necessary and explained a write-in candidate would have to register by a certain date. Councilmember Young expressed his opinion every voter had the opportunity to express his/her voice/opinion with the write in line. Ms. Dean mentioned she would check on that because that was a valid concern given there were so many races with unopposed candidates.

Councilmember Young moved to accept the canvass reports as submitted by the Davis County Elections Officer 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.

Councilmember Young moved to adjourn the regular session and reconvene in a work session at 6:17 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

**APPROVED AND ADOPTED
This 9th day of December, 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, November 18, 2014.

/s/Nancy R. Dean, City Recorder