

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
October 14, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson Kent Bush Ron Jones Mike LeBaron Bruce Young	Councilmember Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Greg Krusi Scott Hodge Scott Hess Stacy Millgate Rich Knapp Nancy Dean Kim Read Avry Byington	City Manager Assistant City Manager Police Chief Public Works Director Development Services Manager CDBG Coordinator Administrative Services Director City Recorder Deputy City Recorder Administrative Assistant
EXCUSED:	Brian Brower	City Attorney

VISITORS: Gretchen Thompson, Yoshio Rycjn, Andrew Allred, David Lee, Bob Bercher, Carole Draper, Natalie Draper, Hailey McArthur, Christopher Helt, Samuel Helt, Kolby Reel, Sam Ingram, Gisell Guzman, Jackie Villejo, Aaliyah Walker

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 Benson conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE SEPTEMBER 23, 2014 POLICY SESSION

Councilmember Benson moved to approve the minutes from the September 23, 2014 policy session as written, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE COMMENT ON A PROPOSED ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 13, SUPPLEMENTARY REGULATIONS – FIREWORKS STAND, TEMPORARY OR SEASONAL MERCHANT, AND MOBILE FOOD VENDOR REGULATIONS

The City Council previously adopted Ordinance 2014-14 amending the license period for temporary or seasonal merchants from 60 days to 180 days. As part of the process, staff was directed to investigate a zoning text amendment which would allow for temporary food vendors, while limiting the negative impacts associated with those types of businesses.

Stacy Millgate, CDBG Coordinator, explained staff and the Planning Commission had been working on the mobile food vendor ordinance. She reported the Planning Commission had drafted language which had been provided for the proposed Zoning Text Amendment. She briefly reviewed the changes:

- Limiting the locations to the main corridors of the City
- Language specifically addressing the outward appearance of the vendor stands

Mayor Shepherd opened the public hearing at 7:04 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:06 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

Sam Ingram, resident, asked the Council their opinion of the number one concern as a Nation. Mayor Shepherd responded there were a lot of the issues at the National level but stated he had great concern regarding the budget and emphasized the importance for the Nation to have a balanced budget.

APPROVAL OF ORDINANCE 2014-22 AUTHORIZING THE ZONING TEXT AMENDMENT TO TITLE 11, CHAPTER 13, SUPPLEMENTARY REGULATIONS – FIREWORKS STAND, TEMPORARY OR SEASONAL MERCHANT, AND MOBILE FOOD VENDOR REGULATIONS

Councilmember LeBaron moved to approve Ordinance 2014-22 authorizing the zoning text amendment to Title 11, Chapter 13, Supplementary Regulations – Fireworks Stand, Temporary or Seasonal Merchant, and Mobile Food Vendor Regulations, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF THE FINAL ACCEPTANCE AND RELEASE OF ESCROW FOR TANNER HERITAGE ESTATES SUBDIVISION

Scott Hess, Development Services Manager, reviewed the history associated with Tanner Heritage Estates Subdivision and stated Tanner Heritage Estates Subdivision was located in the extreme west of Clearfield City located south of 700 South at approximately 1200 South 1480 West. In accordance with Title 12, Chapter 9, of the Clearfield City Code, the City Engineer had completed the final inspection of the Tanner Heritage Estates Subdivision and found all improvements to have been installed correctly. The warranty period was over and the City Engineer recommended final acceptance of the improvements for perpetual maintenance, and a release of the remaining escrow funds by the City Council. Staff was also recommending the release of the escrow funds.

Councilmember Young moved to accept the subdivision improvements at Tanner Heritage Estates Subdivision for perpetual maintenance by the City and release any remaining funds associated therewith in escrow to the Developer, and authorize the Mayor's signature to any documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2014-21 ENACTING TITLE 1, CHAPTER 14 – REQUIRING ADHERENCE TO THE CITY'S CONSTRUCTION AND DEVELOPMENT STANDARDS, TECHNICAL SPECIFICATIONS AND DRAWINGS

Adam Lenhard, City Manager, explained approval of the ordinance would add a new chapter to Title 1 of the City Code. He stated the City had established Construction and Development Standards, Technical Specifications and Drawings, and was formally codifying the requirement to conform and adhere to those standards for all construction, development and improvements in the City.

Councilmember Jones moved to approve Ordinance 2014-21 enacting Title 1, Chapter 14 – requiring conformance and adherence to the City's Construction and Development Standards, Technical Specifications and Drawings, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2014R-22 ESTABLISHING AND APPROVING THE CITY'S CONSTRUCTION AND DEVELOPMENT STANDARDS, TECHNICAL SPECIFICATIONS AND DRAWINGS FOR CLEARFIELD CITY

Scott Hodge, Public Works Director, stated the City currently had established Construction and Development Standards, Technical Specifications and Drawings which provided a minimum standard for construction, development and improvements occurring within the City. The latest version of the standards, dated September 2014, was prepared and reviewed by the City's Engineer and Public Works Director as well as other staff members. Recommendations making corrections, clarifications and updates had been incorporated into the updated document. The

largest adjustment to the standards was the inclusion of language and drawings specific to the Storm Water Management Plan. He added there were other minor corrections or clarifications made throughout the document relative to the North Davis Sewer District and the expectations for developers to comply with its standards. He mentioned additional illustrations were included specific to laterals for homes and businesses.

Councilmember LeBaron moved to approve Resolution 2014R-22 establishing and approving the Construction and Development Standards, Technical Specifications and Drawings for Clearfield City 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.

APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT TO PERFORM ANALYSIS ON AND COMPLETION OF A STUDY ON IMPEDIMENTS TO FAIR HOUSING

Stacy Millgate, CDBG Coordinator, explained the Analysis of Impediments to Fair Housing study and report was required by the U.S. Department of Housing and Urban Development (HUD). She stated staff wanted to contract with an independent contractor to have the study conducted and the report prepared. She indicated the report was required since HUD had designated the City as an Entitlement Community.

Councilmember Benson asked how long had the City had been an Entitlement City. Ms. Millgate responded the City received the designation in 1994 and mentioned the City didn't meet the population criteria at the time; however, because of its location between the Ogden/Salt Lake metropolitan area, the City had been recognized as an Entitlement City.

Councilmember Young moved to approve the professional services agreement with Megan James to perform analysis on and completion of a study on impediments to fair housing 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 A PROFESSIONAL SERVICES AGREEMENT TO CONDUCT AND PREPARE A 5-YEAR CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) WHICH ALSO INCLUDED THE 2015-2016 ONE YEAR ACTION PLAN

Stacy Millgate, CDBG Coordinator, stated The 5-Year Consolidated Plan was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). She stated staff wanted to contract with an independent contractor to prepare the 5-Year Plan which would also include the 2015-2016 One Year Action Plan. She indicated the report was required since HUD had designated the City as an Entitlement City. She explained the Plan was an indicator as to how the City intended to use the grant funds.

Mayor Shepherd asked Ms. Millgate what changes she anticipated within the next five years regarding CDBG funding. Ms. Millgate believed the City would see a decrease in funding within the future.

Councilmember Benson moved to approve the professional services agreement with LaNiece Davenport to conduct and prepare Clearfield City's 5-Year Consolidated Plan for its Community Development Block Grant (CDBG), which also included the 2015-2016 One Year Action Plan 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.

UPDATE ON THE FISCAL YEAR 2015 FINANCIAL STATUS

Rich Knapp, Administrative Services Director, presented the Financial Reports to the Council. He distributed handouts reflecting revenues and expenditures. He stated all revenues were within anticipated parameters for the first quarter of the budget year and reviewed them with the Council:

- He mentioned there was a slight increase in the General Sales and Use Taxes since last year.
- He pointed out the MIDA Revenue was a new account from last year.
- He reported the numbers specific to the Aquatic Center and Recreation were draft figures and suggested the Council not interpret them as factual at this time.
- He explained the Court revenues reflected differently than previous years due to the Court's software.
- He directed the Council to the Enterprise Funds and pointed out the water charges were less than last year and attributed that to consumption, and mentioned the rain received during August and September may have also contributed.

Mr. Knapp directed the Council to expenditures and reviewed them with the Council:

- He indicated the differences in IT, Finance, Patrol/Investigations due to staffing issues.
- Aquatic Center was significantly less than last year and believed that was due to significant purchases made last year. He stated operationally the Aquatic Center was higher than the previous year.
- Capital Improvement Fund had expended a significant amount of funds due to the completion of the South Main Street Road Improvement.

There were no questions or concerns from the Council regarding the first quarter of the budget year.

COMMUNICATION ITEMS

Mayor Shepherd – Reported he had attended the Davis County Gala on Thursday, October 9, 2014. He stated Utah Foster Care was the designated recipient of the funds generated by the event and announced the City had invited four foster families from Clearfield to sit at its table. He mentioned it was a great event and applauded foster families for their efforts.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Reported he had attended the National Water Conference on behalf of the NDS (North Davis Sewer District). He stated he had the opportunity to visit with vendors from all over the world regarding their products and reported it had been beneficial to him as he was able to gain a better understanding of the processes used by the District. He mentioned he had become aware of some potential cost saving products which could be used by the District in the future.
2. Informed the Council that he attended the Kiwanis Installation Dinner on Saturday, October 11, 2014. He announced he had been elected to the Board of Directors. He reported the Clearfield Kiwanis Club was turning 75 years old this year.

Councilmember Jones – nothing to report

Councilmember LeBaron – Encouraged everyone to take the necessary time to research the names on the ballot recently received by Davis County residents. He encouraged citizens to exercise their right to vote.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager –nothing to report.

STAFFS' REPORTS

Nancy Dean, City Recorder – reviewed the City Council meeting schedule with the Council:

- No meeting on Tuesday, October 21, 2014
- Policy Session on Tuesday, October 28, 2014
- No meeting on Tuesday, November 4, 2014 as it was Election Day
- No meeting on Tuesday, November 11, 2014 as it was Veteran's Day
- Special Session on Tuesday, November 18, 2014, beginning at 6:00 p.m.
- Policy Session on Tuesday, November 25, 2014
- Policy Session on Tuesday, December 9, 2014

She reminded everyone the current election was being conducted as a Vote By Mail Election and encouraged everyone's participation. She announced all registered voters should have received their ballot in the mail and if not they should contact the Davis County Clerks' Office. She mentioned there were vote centers open on Election Day to accommodate walk in voters.

There being no further business to come before the Council in policy session, **Councilmember Benson moved to adjourn the policy session and reconvene in a work session at 7:28 p.m., seconded by Councilmember LeBaron. All voting AYE.**

**APPROVED AND ADOPTED
This 28th day of October, 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, October 14, 2014.

/s/Nancy R. Dean, City Recorder