

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
September 9, 2014

PRESIDING:	Mike LeBaron	Mayor Pro Tem
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Mark Shepherd	Mayor
STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	Scott Hess	Development Services Manager
	Eric Howes	Community Services Director
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Kolin Hodge – Boy Scout Troop 345, Bob Bercher

Mayor Pro Tem LeBaron called the meeting to order at 7:00 p.m.

Mayor Pro Tem LeBaron 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 Young conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE AUGUST 12, 2014 WORK SESSION AND THE AUGUST 26, 2014 POLICY SESSION

Councilmember Jones moved to approve the minutes from the August 12, 2014 work session and the August 12, 2014 policy session as written, 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

There were no public comments.

APPROVAL OF THE AWARD OF BID FOR THE SR193 LANDSCAPING

Eric Howes, Community Services Director, explained staff solicited bids for the SR193 landscaping and stated bids were opened on Monday, September 8, 2014. He reported the

engineering firm estimated the cost of the project to be \$394,000 and UDOT would be providing funds of \$343,000. He explained bids were submitted with a base bid and an added alternate, which would provide landscaping at the intersection of H Street and SR193. He reported after extensive review of the submitted bids he was prepared to recommend the bid be awarded to Earthworks Landscaping Services with a bid amount of \$195,442 with contingency of \$147,558 for a total project cost of 343,000.

Mr. Howes stated UDOT required that all funds be spent on the landscaping project or future maintenance. He added since the bids were just opened yesterday, the bid would not be effective until Monday, September 15, 2014, to accommodate the mandatory five day protest period. He reminded the Council that the City would be taking the lead on the project, working with Syracuse and West Point cities.

Councilmember Bush asked what the City knew about Earthworks. Mr. Howes responded the City didn't have previous experience with Earthworks; however, they had provided a list of completed projects similar in scope. He indicated the company seemed to be reputable as the City had not received any negative comments regarding its work. Mr. Howes mentioned he had reviewed the bid with Syracuse and West Point cities and reported both had concurred with the recommendation. Adam Lenhard, City Manager, commented neither of the two cities governing bodies needed to approve the award of bid separately since Clearfield was designated as the lead agency.

Councilmember Bush inquired if the award of bid needed any approval from UDOT. Mr. Howes clarified UDOT had authorized Clearfield City to handle the project; however, he indicated he would be willing to contact them. Mayor Pro Tem LeBaron emphasized since it was Clearfield's project he didn't believe it was necessary to follow up with UDOT. Mr. Lenhard added it would be accurate to say UDOT had delegated all approval authorities to Clearfield for landscaping. Mr. Howes pointed out the interlocal agreement indicated the very same.

Councilmember Bush requested clarification on how the remaining funds designated for future maintenance would be separated. Brian Brower, City Attorney, responded the City would be required to account for all funds and report to UDOT regarding the expenditure. Councilmember Benson asked if there was a designated time in which all funds would need to be spent. Mr. Howes indicated there was no limit reflected in the agreement. Mr. Lenhard explained the high contingency would allow for the maintenance as well as possibly expand the scope of the project as funds were available. Councilmember Benson clarified all three cities would be responsible for future maintenance. Mr. Howes responded that was addressed in the interlocal agreement.

Councilmember Young moved to approve the award of bid for the SR193 Landscaping Project to Earthworks Landscaping Services Inc. with a bid amount of \$195,442.00 contingency of \$147,558 for a total project cost of \$343,000, effective Monday, September 15, 2014, 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 ORDINANCE 2014-20 AMENDING THE CONSOLIDATED FEE SCHEDULE

Scott Hess, Development Services Manager, reminded the Council it recently adopted an ordinance authorizing administrative site plan approval which decreased the amount of time in the approval process for some site plans that might not need to come before the Planning Commission. He stated the fee for the typical site plan with Planning Commission approval was \$500 and administrative site plan approval was proposed to be \$400. There were no questions or comments from the Council.

Rich Knapp, Administrative Services Director, explained a returned payment fee of \$20 needed to be reflected on the fee schedule. He stated the City fee was something that had been previously assessed. He expressed his opinion the fee should be reflected in the Consolidated Fee Schedule. He mentioned language had been included specific to the dumpster program and a fee was added to reflect the current cost of the program.

Eric Howes, Community Services Director, informed the Council of changes specific to the cemetery fees and reviewed those with the Council. He reported the cost for weekend/evening services would increase from \$100 for residents/\$150 for non-residents to \$200 for residents/\$250 for non-residents. He explained the fee increase would cover the City's costs associated with overtime pay for staff.

Mr. Howes reminded the Council of previous work session discussions regarding the transfer fee associated with burial plots. He was proposing the transfer fee be \$10 with the exception of transferring the plot within the first year following the purchase, that fee would be \$100. He emphasized once the one year time period had been met the fee would revert to \$10.

Councilmember Bush inquired if the City would be implementing a fee to mortuaries for using the City's cemetery. Mr. Howes responded that was not common practice and he wasn't suggesting it to date.

Adam Lenhard, City Manager, suggested the fee schedule reflect weekends/holidays/evenings. Mr. Howes indicated the verbiage should reflect all of those and explained the definition of an "evening burial" would be after 3:30 p.m. Brian Brower, City Attorney, suggested that would needed to be made clear on the fee schedule.

Councilmember Bush moved to approve Ordinance 2014-20 amending the Consolidated Fee Schedule as amended by staff 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 THE LANGUAGE FOR THE STATEWIDE ELECTRONIC VOTER INFORMATION WEBSITE, CITY WEBSITE, AND THE CITY NEWSLETTER IN SUPPORT OF THE PROPOSED PARAT (PARKS, ARTS, RECREATION, AQUATIC, TRAILS) TAX

Adam Lenhard, City Manager, explained the City was operating under a number of State Statutes in moving forward with submitting its opinion question to voters. He stated there were a number of noticing requirements and a requirement to publish arguments for and against the ballot proposition. He mentioned one section of State Code identified how the voter information pamphlet was to be handled and emphasized that was separate from the language the Council was currently considering. He clarified the voter information pamphlet was a separate requirement. He added that language being currently being discussed was to appear on the Statewide Electronic Voter Information Website, City website and the City newsletter. He pointed out the language was required to be submitted by the governing body for approval.

He stated two questions were received from two separate councilmembers about if the language should be more specific by listing some specific projects. He stated any specifics listed could be construed as “binding” and future councils might want to fund other projects with funds received from the PARAT tax. He indicated it would be staffs’ position there was probably a better medium to convey or identify projects funded by the PARAT tax revenues. He emphasized the importance of providing the Council with as much flexibility for using the funds on future projects as could potentially be presented. He suggested proposed projects and additional information could be communicated in the voter information pamphlet.

Councilmember Jones stated he was satisfied with Mr. Lenhard’s proposal. Councilmember Bush also expressed agreement.

Councilmember Young expressed concern the resolution specifically stated funds would be used to develop the community park at Clearfield Station. Mayor Pro Tem LeBaron believed the language “may” allowed latitude on behalf of the City. Mr. Lenhard indicated staff had carefully considered the language in the resolution and desired to give some examples while at the same time not being too comprehensive in creating an actual list. Mayor Pro Tem LeBaron could see the value in referencing some projects.

Mr. Lenhard mentioned Councilmember Benson had questioned whether the City wanted to address the County’s possible implementation of a similar tax in the future. He continued one of the arguments for the City adopting the tax locally, as opposed to the County, was that the City would control the revenue. He stated the City’s tax would then be consistent and predictable aiding in creating an actual plan for its use. He added if the County implemented the tax; a board would be put in place that would determine the uses for the funds through a competitive process similar to how it administers CDBG funding. He stated the City would lose any control associated with the funds as well as consistency and predictability. He expressed his opinion the total revenue would be greater for the City as a whole compared to it receiving funds distributed from the County. He also mentioned the County Commission had already indicated it had no interest in imposing a similar tax. Brian Brower, City Attorney, added the City was required to

obtain a resolution from the County Commission indicating it had no plans to impose the tax prior to the City proceeding implementing the tax.

Councilmember Bush mentioned Weber County had implemented a similar tax and believed those funds were distributed to County facilities prior to them being available to participating municipalities.

Councilmember Benson inquired when the tax would be effective. Nancy Dean, City Recorder, responded the City would begin assessing purchases April 1, 2015, with the first disbursement being received by the City in July 2015. Councilmember Benson requested clarification regarding those items in which the tax would not be applicable. Mr. Lenhard explained prepared food wouldn't be exempt; however, grocery food and ingredient purchases would be exempt; however, prepared food would be taxed.

Councilmember Benson moved to approve the language for the Statewide Electronic Voter Information Website, City website, and the City newsletter in support of the proposed PARAT (Parks, Arts, Recreation, Aquatic, Trails) tax 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.

COMMUNICATION ITEMS

Councilmember LeBaron – nothing to report.

Councilmember Benson

1. Informed the Council that she had taken the opportunity to visit with City departments and indicated it had been very interesting and beneficial.
2. Stated she had participated in the tour with the Utah Water Conservation Forum visiting three dams. She mentioned it had been very educational and worthwhile. She added Weber Basin would be hosting a Garden Show on Saturday, September 20, 2014. She mentioned there would be different booths and information related to gardens and conserving water.
3. Reported she had toured the City with Councilmember Bush who had taken her to the City parks and had provided insight on different areas of the City. She mentioned she enjoyed learning from him.
5. Stated she was looking forward to the ULCT (Utah League of Cities and Towns) meetings beginning September 10, 2014.

Councilmember Bush

1. Informed the Council that he had attended the West Davis Corridor meeting on Thursday, September 4, 2014. He indicated all transportation and trails systems were discussed during that meeting and he had received a lot of information which he would be sharing at a future work session. Nancy Dean, City Recorder, stated that discussion would take place during the work session scheduled for Tuesday, September 23, 2014.
2. Reported residents living near the Youth Resource Center/Mabey property had contacted him regarding that area of the City. He believed there were misconceptions and rumors from residents which he believed to be of significance and suggested a neighborhood meeting take place. Adam Lenhard, City Manager, commented a neighborhood meeting was scheduled for Wednesday, September 17, 2014, 6:00 p.m. at the Youth Resource Center. Eric Howes, Community Services Director, indicated social media announcements would begin this week and door hangers notices would be distributed to the

neighborhood. He indicated it would take place prior to the Parks & Recreation Commission meeting scheduled for 7:00 p.m.

Councilmember Jones – nothing to report.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager

1. Stated his formal written report would be sent to the Council later in the evening.
2. Announced staff had met with the City's financial advisor and bond counsel earlier in the day regarding the refunding of the GO (General Obligation) Bonds. He reported it appeared the savings on interest would be in excess of \$600,000 over the remaining life of the bonds. He mentioned the City had received an upgrade to its bond rating from Standard and Poor's. He expressed appreciation to Rich Knapp, Administrative Services Director.
3. Reported staff met earlier in the day regarding the development of the property across the street from the City building and indicated a draft site plan would be emailed to the Council and expressed anticipation the project was moving forward.

STAFFS' REPORTS

Nancy Dean, City Recorder – Updated the Council of the following meeting schedule:

- No meeting on Tuesday, September 16, 2014
- Work Session beginning at 6:00 p.m. on Tuesday, September 23, 2014

There being no further business to come before the Council **Councilmember Benson moved to adjourn at 7:36 p.m., seconded by Councilmember Young. All voting AYE.**

**APPROVED AND ADOPTED
This 23rd 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, September 9, 2014.

/s/Nancy R. Dean, City Recorder