

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
October 13, 2015 – POLICY SESSION

Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.

Executive Conference Room
55 South State Street
Third Floor
Clearfield, Utah

6:00 P.M. WORK SESSION

Discussion on Council Communications
Discussion on the PARAT Tax Project List

*(TENTATIVE) The Council may consider a motion to enter into a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation.
Utah Code Ann. §52-4-205*

(Any items not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)

City Council Chambers
55 South State Street
Third Floor
Clearfield, Utah

7:00 P.M. POLICY SESSION

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Ryland Haney

APPROVAL OF MINUTES:

August 18, 2015 – Work Session

September 22, 2015 – Work Session

September 22, 2015 – Policy Session

October 6, 2015 – Special Session

PRESENTATION:

1. **PRESENTATION ON HOPE CENTER**

BACKGROUND: Ron Brown from Hope Church will be sharing information regarding the Hope Center in Clearfield.

SCHEDULED ITEMS:

2. **CITIZEN COMMENTS**

3. CONSIDER APPROVAL OF RESOLUTION 2015R-26 REQUESTING RECERTIFICATION OF THE CLEARFIELD JUSTICE COURT BY THE UTAH JUDICIAL COUNCIL AND THE JUSTICE COURT STANDARDS COMMITTEE

BACKGROUND: Utah law requires the City to apply for recertification of its Justice Court every four years. Part of that process includes a resolution from the sponsoring governmental entity requesting the recertification and committing to continue compliance with the applicable operational standards and requirements for the next four-year term.

RECOMMENDATION: Approve Resolution 2015R-26 requesting recertification of the Clearfield Justice Court by the Utah Judicial Council and the Justice Court Standards Committee and authorize the Mayor's signature to any necessary documents.

4. CONSIDER APPROVAL OF RESOLUTION 2015R-27 AUTHORIZING THE DISPOSAL OF PROPERTY HELD BY THE CLEARFIELD POLICE DEPARTMENT

BACKGROUND: The Clearfield Police Department has a need to dispose of unclaimed evidence and property that have exceeded the 90 day waiting period as required by law and for which the owners are unknown. Pursuant to Title 77, Chapter 24a of the Utah Code of Criminal Procedure, the police department is seeking permission from its legislative body to apply said property to a public interest or sell said property at public auction through Public Surplus and then apply the proceeds to a public interest use.

RECOMMENDATION: Approve Resolution 2015R-27 authorizing the disposal of unclaimed lost or mislaid property held by the Clearfield Police Department and authorize the Mayor's signature to any necessary documents.

5. CONSIDER APPROVAL OF RESOLUTION 2015R-28 APPOINTING POLL WORKERS FOR THE MUNICIPAL ELECTION

BACKGROUND: State Law (U.C.A. § 20A-5-602 and § 20A-5-301) requires the City Council to appoint poll workers prior to a municipal election. The Municipal General Election will be held on November 3, 2015.

RECOMMENDATION: Approve Resolution 2015R-28 appointing poll workers for the Municipal General Election as recommended by the City Recorder and allow the City Recorder to make additions and corrections as needed and authorize the Mayor's signature to any necessary documents.

COMMUNICATION ITEMS:

Mayor's Report
City Councils' Reports
City Manager's Report
Staffs' Reports

****COUNCIL MEETING ADJOURN****

Dated this 9th day of October, 2015.

/s/Kimberly S. Read, Deputy City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
August 18, 2015

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

VISITORS: Randy Jefferies – UDOT, Michael Romero – UDOT, Ahmad Jaber – UDOT, Tyler Stowe – Winger’s Restaurant, Pat & John Bradley – Fundaze and Holidaze, Dax Prantil – Techna Glass, Saraj Haq, Paul Taylor, ConWilcox

Mayor Shepherd called the meeting to order at 6:01 p.m.

Adam Lenhard, City Manager, announced there were representatives from the business community near the 650 North/North Main intersection in attendance.

PRESENTATION BY UDOT (UTAH DEPARTMENT OF TRANSPORTATION)
REGARDING INTERSECTION IMPROVEMENTS FOR THE 650 NORTH/NORTH MAIN
INTERSECTION AND FOR THE SR-193/I-15 INTERCHANGE

Randy Jefferies, UDOT, stated he would be the Project Manager for the SR193/I-15 Interchange project and introduced Michael Romero, Project Manager for the 650 North Project. He announced the main message for the meeting was that both projects were in the very early planning stages and indicated funding had just been announced. He stated the SR193/I-15 Interchange project was being designed by UDOT staff and wouldn’t be constructed until 2017 and the 650 North project was planned for next year.

Ahmad Jabar, UDOT, shared an illustration reflecting the current interchange located at SR193 and explained the need to eliminate traffic backup on the interstate and explained challenges being experienced at that interchange. He shared different interchange modifications which had been considered by UDOT and the proposed costs associated with each. He announced the Transportation Commission had funded the short term solution which would eliminate southbound traffic on the frontage road from Hill Field Elementary to SR193. He continued the northbound I-15 on-ramp would be combined with the frontage road and explained the benefits. He stated UDOT would further explore that alternative.

JJ Allen, Assistant City Manager, pointed out the elimination of southbound access on the frontage road would only allow one exit/entry point for the residents living in the Airline Drive area and expressed concern with that in an emergency scenario. The Council discussed the proposed closure of the frontage road to southbound traffic and other options/suggestions were shared. Mr. Lenhard pointed out the need for a secondary access near that location and stated the current proposal regarding the closure would violate the City's current ordinance.

Mr. Jabar mentioned communication with the Davis Weber Canal Company and UDOT would need to take place regarding access over the canal. Mayor Shepherd suggested there was adequate time for a solution to be realized prior to beginning work on the project.

Mike Romero, UDOT, announced he was the Project Manager assigned to the 650 North interchange project and stated it currently had funding. He continued the selection of a designer had been completed and indicated Avenue Engineering had been selected as the consultant on the project. He indicated the contract terms had been agreed upon and was now in the process of obtaining signatures. He announced there would be an active (PI) Public Information coordination for the project because it would be impacting residents on the west side of SR126 at 650 North and residents on the west side of 650 North. He emphasized the importance of allowing residents to express public comment associated with the project.

Mr. Romero explained the close proximity of SR126 in conjunction to the I-15 interchange and 650 North didn't allow for proper storage and enough space for the traffic flow and movements to occur as it should. He spoke to the back up of traffic on I-15 which took place nearly every afternoon in both directions. He stated a recent traffic study reflected a reduction in traffic numbers at the interchange since the opening of SR193. He added an additional study would be completed to justify the cost for the proposed improvements.

Mr. Romero explained the proposed improvement would include a dual left hand turn for southbound traffic movement, and dual right hand turn for northbound and eliminating through movement to the west through SR126 at the SR126 Main Street/650 North Intersection. He indicated the technical term for the improvement was a modified high T interchange. He explained it would allow traffic to flow at a faster rate and prevent traffic stacking.

He explained in addition to work at the 650 North intersection, improvements would also be needed at 800 North and SR126. He reminded the Council the intersection was considered a three legged interchange and announced it would be converted to a high T interchange. He explained northbound traffic would not have to stop at 800 North.

Adam Lenhard, City Manager, inquired if the new design allowed for U-turns. Mr. Romero responded that would be considered for smaller vehicles which would allow them the opportunity to then go south. He explained there would be no access for the businesses on the west side of North Main (SR126) from the northbound traffic because of the concrete median.

Mr. Romero mentioned rights-of-way easements would also need to be acquired from the Carl's Jr. and Taco Bell for the 650 North project. He also explained dual left hand turns for eastbound traffic under the interstate for the northbound I-15 on-ramp would be designed. He stated there were two different options which would accommodate that configuration and explained both to the Council. One of those would be removing the slope protection and making a westbound travel lane and the other option would be a modified CFI configuration and shared an illustration.

Mayor Shepherd inquired about the possibility of an interchange being planned for 1800 North in Sunset. Mr. Romero agreed that could alleviate some of the City's traffic congestion at 650 North.

Mr. Romero announced a public information effort would soon be launched to coordinate with affected businesses and residents followed by advertising for the project with a summer 2016 construction time frame.

Mayor Shepherd pointed out the eastbound traffic on 650 North would have a forced right turn and inquired if there would be a U-turn option for those motorists desiring to go north on SR 126. Mr. Romero responded a U-turn had not been planned for that location and stated those residents could go to 800 North to access SR126 for northbound travel.

Mr. Romero clarified the only way to 650 North from SR126 would be a right hand turn from southbound traffic in addition the only egress from 650 North would also be a right hand turn onto SR126. A discussion took place regarding how the design would affect the businesses in the area.

The City Council took a break at 6:44 p.m.
The meeting resumed at 6:55 p.m.

DISCUSSION OF THE GENERAL PLAN AMENDMENT SPECIFIC TO THE STREETS MASTER PLAN

JJ Allen, Assistant City Manager, explained the Master Street Plan was part of the City's General Plan and shared an illustration with the Council. He oriented the Council with the map which reflected 1700 South (Antelope Drive), 1000 West, 1600 South and the Wilcox Farms area. He pointed out where Rocky Mountain Power's service maintenance road was located and explained they had indicated there were no intentions to develop the surrounding property. He reported staff had submitted application to amend the Master Streets Plan to delete the dotted line (Rocky Mountain's service road) from the map. He explained the Planning Commission considered the recommendation and was now recommending to the City Council that the road be eliminated only north of 1600 South. He continued the Planning Commission believed it would be important to keep that connection to 1600 South. He reported the issue would come before the

Council for consideration at its meeting on Tuesday, August 25, 2015. Mr. Allen provided an aerial illustration to further illustrate the proposal and a discussion took place.

Mr. Allen informed the Council that the Planning Commission had discussed its concern with the connection of 750 West and 1600 South and the impact it would have on the intersection at 750 West and 1700 South, which was not signaled nor intended to be. Mayor Shepherd expressed concern about what purpose the road extension would serve.

Councilmember LeBaron mentioned the Planning Commission took into account the proposed new road could provide an alternate connection to 1000 West in the event of future development and a discussion took place specific to development in conjunction with Rocky Mountain Power's property.

Councilmember Bush suggested using the stubbed street near Rancherito's and the day care and connecting to the small identified road further north of 1600 South. Mayor Shepherd believed that made sense as it would provide an access to developable property. Councilmember LeBaron understood Councilmember Bush's perspective; however, he expressed concern about the suggested street's proximity to the 1000 West intersection and the negative impact it could have to traffic flow. The Council continued to discuss the options.

Con Wilcox, property owner, referred to the aerial illustration and pointed out there were recorded easements for the commercial subdivision existing from America First Credit Union as far west as Subway/Rancherito's. He explained a conceptual multi-family residential plan had been submitted to the City which reflected a road near his property accessing 1000 West. A discussion continued to take place.

JJ Allen, Assistant City Manager, pointed out the Council had requested Mr. Wilcox submit modifications relative to his rezone request and reported Mr. Wilcox had submitted a concept plan for the north area with the subsequent application packet. He added the concept plan reflected streets just as he had described to the Council which was consistent with the City's Master Street Plan. The Council continued to discuss the area and proposed street options.

Mr. Allen stated the Council had three options for consideration:

- The Planning Commissions' recommendation to keep the connection of 1600 South/750 West.
- Staff's recommendation to delete the extension north/south road completely.
- Draw a new line on the map from 900 West north curving to the west at approximately 1475 South which would connect to 1000 West.

Mr. Allen reported Spencer Brimley, Development Services Manager, would draft the staff report for Tuesday, August 25, 2015, policy session with those options.

DISCUSSION OF THE DISPOSITION OF PROPERTY LOCATED AT APPROXIMATELY 800 SOUTH DEPOT STREET

JJ Allen, Assistant City Manager, announced the project located at approximately 800 South Depot Street was known as West Square and the developer of the project was Ironwood Development from Cache Valley. He stated the final plat approval would come to the Council for consideration during its meeting on Tuesday, August 25, 2015. He indicated the Council had previously approved a final plat; however, changes were made which required a second consideration. He shared an aerial illustration which reflected the property lines and referred to a similar illustration which identified small parcels of vacant property owned by the City which the developer would like incorporated with the project.

He explained the vacant parcels were surplus property from the SR193 and Depot Street extension and identified the parcels on West Square's site plan. He emphasized the developer had volunteered to incorporate the property within the development and made an offer to purchase the parcel. He reminded the Council of the process to dispose of the property, which included a public hearing scheduled for Tuesday, September 8, 2015.

Mayor Shepherd asked how the development intended to use the property. Mr. Allen responded it would be a buffer between the parking and the street and pointed out it was an odd configuration and believed no other party would be interested in purchasing the property.

DISCUSSION OF A STREET VACATION IN THE VICINITY OF 50 SOUTH DEPOT, 70 SOUTH DEPOT AND 100 SOUTH DEPOT

JJ Allen, Assistant City Manager, introduced the developers of the Sandridge Luxury Apartments project to the Council.

Councilmember LeBaron announced he personally knew one of the developers and declared he had no vested interest in the development.

Mr. Allen reminded the Council of the development's location and stated it had been previously referenced as Clearfield Center; however, the developer had chosen the name of Sandridge Luxury Apartments as the project name. He identified the location of the three parcels (Taco Time, Clearfield Auto Parts, and the pine tree parcel) and stated they would be sold to the developer by the CDRA for the project and reviewed the specific components of the development. He indicated the project had recently received approval by the Planning Commission and pointed out a portion of the first floor commercial space would be used as a leasing office/community center.

Mr. Allen explained the Development Agreement called out the commercial component would consist of 3800 square feet; however, the current drawing reflected 4889 square feet for the commercial component. He continued to explain specifics about the apartments within the project. He emphasized the project wasn't much different than what had previously been discussed.

Mayor Shepherd expressed concern the leasing office and clubhouse would be taking away square footage which could be used for the commercial component.

Steve Terry, developer, stated he had built the Village on Main project in Bountiful which consisted of fifty thousand square feet commercial space and reported it had taken seven years to lease the commercial component. He suggested even the almost 5000 square feet of commercial space in the Sandridge project concerned him given the amount of traffic in the area. He added he would gladly give up the leasing office space to be used for commercial if it could be leased. He suggested the location might not be conducive for a successful commercial venture.

Mayor Shepherd emphasized the Clearfield Auto Parts store, which still had a clientele and was being forced to move, possibly to a neighboring city, and the Taco Time restaurant both thrived at that location and pointed out the commercial component included within the development was the main reason the City considered the project. He suggested without the commercial component the City was giving up some of its limited prime commercial property for apartments.

Councilmember LeBaron pointed out the City had turned down previous similar projects at various locations throughout the City because they lacked the commercial component and emphasized the mixed use component had been critical to the Sandridge consideration.

Mayor Shepherd also spoke to the Tax Increment Financing Agreement which would be considered later on by the Community Development and Renewal Agency (CDRA) in which tax increment funding would be contributed toward the development of apartments. He expressed concern about how it would be perceived by residents that the elected officials didn't ensure the final commercial component wasn't the same as what had been portrayed.

Councilmember Young expressed agreement with Mayor Shepherd's and Councilmember LeBaron's remarks about the Council approving a mixed use development and the commercial component was part of that consideration. Councilmember Bush commented he remembered the commercial component being 5000 square feet in previous discussions and expressed concern the current design for the project consisted mainly of apartments. Mr. Allen stated the 5000 square foot commercial component was initially an estimate. The developer explained how the square footage had previously been estimated and Mr. Allen added the leasing office met the City's qualifications as commercial use.

Brian Brower, City Attorney, clarified language in the Development Agreement which reflected "commercial" didn't necessarily mean "retail." Mr. Allen agreed that was an important distinction. He suggested the Council revisit that requirement during the discussion specific to the Development Agreement.

Mr. Allen clarified the Planning Commission had already expressed approvals and recommendations which were:

- Approving the Conditional Use Permit which was required in the D-R (Downtown Redevelopment) zone for the residential use.
- Site Plan has been approved.
- Preliminary Subdivision Plat has been approved.

He clarified the street vacation was an assembly of several parcels and portions of parcels to create one lot for the proposed project. He continued the Planning Commission had recommended approval of a partial vacation of the Depot Street right-of-way and recommended approval of the Final Subdivision Plat. He stated the City Council would be considering:

- Partial vacation of Depot Street during its meeting on Tuesday, August 25, 2015.
- Disposition of vacated property and remnant parcels during the meeting on Tuesday, September 8, 2015.
- Final Subdivision Plat during the meeting on Tuesday, August 25, 2015.
- Development Agreement during the meeting on Tuesday, August 25, 2015.

He mentioned the CDRA would also be considering the Tax Increment Financing Agreement during its meeting on Tuesday, August 25, 2015.

Mr. Allen shared an illustration which identified the parcels that would need to be vacated in order for the project to proceed and announced the Planning Commission had recommended approval of a partial street vacation for Depot Street with the following conditions:

- No on-street parking along that stretch of road.
- Right turn only by eastbound traffic at Depot Street to North Main (which was already existed).

He reported there was a lengthy discussion on the item by the Planning Commission and one commissioner expressed his reluctance for approving the possible street vacation.

Councilmember Bush inquired about the right-of-way width. Mr. Allen responded the pavement width for the street at that location would be 28 feet wide which would accommodate emergency vehicle access, although it would be smaller than what currently existed. A discussion took place regarding the street width and the City's current ordinance. Councilmember Bush expressed his opinion a sixty foot right-of-way wasn't necessary for all instances and suggested the City's ordinance be amended which would allow discretion by the City Engineer or Planning Department.

Mr. Allen also commented about how the road would be used in the future given its close proximity to the Center Street/Main Street intersection. He stated it was the City's desire for vehicles to use the 200 South signaled intersection at Main Street.

Councilmember LeBaron pointed out the Davis County Health Department had attended the Planning Commission meeting and representatives had expressed concern with the loss of the current on-street parking associated with the proposed development. Mr. Allen emphasized no property owner "owned" the on-street parking in conjunction with his/her property.

Mr. Allen requested if there were other concerns and none were expressed by the Council regarding the street vacation.

DISCUSSION ON THE DISPOSITION OF PROPERTY IN THE VICINITY OF 50 SOUTH DEPOT, 70 SOUTH DEPOT AND 100 SOUTH DEPOT

JJ Allen, Assistant City Manager, identified the parcels of property on a visual illustration which would also need to be vacated in order to facilitate the project and explained conveying these properties to the developer would clean up property ownership to match “on the ground” conditions. The Public Hearing required prior to the disposition of City property was scheduled for Tuesday, September 8, 2015, which would delay the property closing to Friday, September 11, 2015 as a result. He pointed out the parcels would be considered as part of the larger transaction and no additional funds were being requested for the miscellaneous parcels.

DISCUSSION ON THE FINAL SUBDIVISION PLAT FOR THE SANDRIDGE LUXURY APARTMENT DEVELOPMENT LOCATED IN THE VICINITY OF 50 SOUTH DEPOT, 70 SOUTH DEPOT AND 100 SOUTH DEPOT

JJ Allen, Assistant City Manager, explained the Final Plat was the same as the Preliminary Plat with the incorporated comments by the City’s reviewers: engineering, fire and planning. He indicated the drawings reflected all incorporated red lines, including the detention basin under the parking lot. He reported a small sliver of property would be going back to UDOT in conjunction with the Final Plat.

Councilmember LeBaron inquired about the underground detention basin. Mr. Terry responded the detention basin would be fully covered by 3 ½ foot tall domes which would diffuse outflow amongst a pebble bed.

Councilmember Bush inquired if the illustration of the south parking lot reflected the exact plot lines. Mr. Allen responded the developer had purchased an excess parking lot from Mr. Whittle, property owner in the area. Mr. Terry added discussions had taken place regarding the possible purchase of additional parking from Mr. Whittle at a future date. He mentioned the cross agreement with the existing parking lot had been revoked and indicated he preferred not having cross access because it would benefit the residents by discouraging vandalism.

DISCUSSION ON THE DEVELOPMENT AGREEMENT FOR THE SANDRIDGE LUXURY APARTMENT DEVELOPMENT LOCATED IN THE VICINITY OF 50 SOUTH DEPOT, 70 SOUTH DEPOT AND 100 SOUTH DEPOT

JJ Allen, Assistant City Manager, stated staff had started negotiations with the Sandridge developers with a standard development agreement and added more specific details associated with the project through those negotiations. He reviewed the following with the Council:

- It described the project which had been previously discussed during the meeting.
- Provided for Public improvements (modification to the street, curb, gutter and sidewalk).
- Provided for the development of the project (122 units, 3800 square feet of commercial space, a parking garage, amenities).

Mr. Allen requested the Council give him specific direction relevant to the commercial component. A discussion took place regarding the size of the commercial component and other

options for the leasing office. Mayor Shepherd pointed out typical retail/commercial ventures would desire space which could be used in 1200 square foot increments and shared the example that a typical Subway could usually fit within 1200 square feet but would quite often desire larger. Mr. Allen emphasized the square footage designated for the leasing office would most likely remain as the leasing office. Councilmember LeBaron suggested the developers surrender the square footage of an apartment unit to be used for the leasing office space.

Mr. Terry stated it had been his experience a commercial component between 1800 and 2200 square feet could accommodate a convenience store. He indicated the largest amount of commercial space he would be comfortable with would be the original 4500 square feet. Councilmember LeBaron stated he liked the idea of the project but pointed out the Council had recently denied some very nice apartment projects in other locations because they lacked the commercial component. He stated he would be in favor of the 4500 square feet of a commercial component exclusive of the leasing office. The Council expressed agreement with Councilmember LeBaron's suggestion.

Mr. Allen continued to review call outs included in the Development Agreement:

- The construction of 1.8 parking stalls per unit – total parking on site; 16 stalls dedicated for commercial use during business hours not reserved for any resident; 1 covered stall per unit (109 in the garage, 13 surface stalls with canopy).
- No on-street parking allowed on Depot Street for the project.
- Architecture and finishing consistent with Site Plan approved August 5, 2015.
- Vinyl fence to be installed along south edge of property.
- 10 percent open space developed consisting of a swimming pool, plaza, tot lot, or pergola.

Councilmember Jones moved to adjourn the work session and reconvene in a CDRA work session at 8:23 p.m., seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Jones, LeBaron and Young. Voting NO – None. Councilmember Benson was not present for the vote.

The minutes for the CDRA are in a separate location

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
September 22, 2015

PRESIDING: Mark Shepherd Mayor

PRESENT: Keri Benson Councilmember
Kent Bush Councilmember
Mike LeBaron Councilmember
Bruce Young Councilmember

EXCUSED: Ron Jones Councilmember

STAFF PRESENT: Adam Lenhard City Manager
JJ Allen Assistant City Manager
Brian Brower City Attorney
Scott Hodge Public Works Director
Greg Krusi Police Chief
Eric Howes Community Services Director
Curtis Dickson Community Services Deputy Dir.
Spencer Brimley Development Services Manager
Rich Knapp Administrative Services Director
Nancy Dean City Recorder
Summer Palmer Human Resource Manager

EXCUSED: Kim Read Deputy City Recorder

VISITORS: Doug Ahlstrom, Stuart Williams

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

INTERVIEWS WITH CITY ATTORNEY CANDIDATES

The Council interviewed Doug Ahlstrom and Stuart Williams for consideration to fill the City Attorney vacancy.

Councilmember LeBaron moved to adjourn to a Closed Session for the purpose of discussing the character, professional competence, or physical or mental health of an individual at 7:05 p.m. Utah Code Ann. § 52-4-204 and §52-4-205(1)(a), seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush and LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

The minutes for the Closed Session are kept in a separate location.

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
September 22, 2015

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

VISITORS: Sam Chelemes, Joseph Barber, Bill Hart, John Clarke, Colleen Pacheco, Bob Bercher, Vern Phipps, Rick Scadden, Boy Scout Troop 472, Buzz Zaugg, Kathryn Murray, Boy Scout Troop 572, Con L Wilcox, Steve Wilcox, Charlie Benson, Braelyn Benson, Brad Lasater, Nike Peterson

Mayor Shepherd called the meeting to order at 7:30 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 AUGUST 25, 2015 AND SEPTEMBER 8, 2015
WORK SESSIONS AND THE SEPTEMBER 8, 2015 POLICY SESSION

Councilmember Benson moved to approve the minutes from the August 25, 2015 and September 8, 2015 work sessions, and the September 8, 2015 policy session as written, seconded by Councilmember LeBaron . The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

PRESENTATION TO ANDREW BENSON FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Andrew Benson completed the requirements to receive the rank of Eagle Scout. Mayor Shepherd and the City Council desired to recognize Andrew and acknowledge his achievement.

Mayor Shepherd requested Andrew share something about his scouting experience and what he accomplished for his Eagle Scout project. Andrew mentioned the most difficult requirement of becoming an Eagle Scout was camping. He stated he made grave markers at the City's cemetery for his service project which he found to be very rewarding. Mayor Shepherd mentioned it took a great deal of dedication and commitment to complete all the requirements to become an Eagle Scout. He presented Andrew a certificate of achievement and a commemorative coin to acknowledge his achievement.

PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED REZONE FOR A PORTION OF PROPERTY LOCATED AT APPROXIMATELY 850 WEST 1600 SOUTH (TIN: 12-391-0014) FROM (C-2) COMMERCIAL TO (R-3) RESIDENTIAL

The proposal included a request for approximately 2.25 acres to be rezoned from (C-2) Commercial to (R-3) Multi-family Residential with the intent to construct 30 dwelling units, specifically designed as two 12-plexes and one 6-plex. This property was part of an overall development plan for the corner of Antelope Drive and 1000 West which already included 26 businesses developed over multiple phases. The remaining property was tucked back off of Antelope Drive with no frontage on a major commercial transportation corridor. The property owner indicated that the remaining property had been marketed as commercial for more than 17 years. The property owner believed that the parcel with this application had limited commercial viability and that multi-family residential represented the highest and best use for the property at this time. The Planning Commission recommended approval of the rezone, subject to certain conditions (site plan approval, subdivision plat approval, and execution/recording of a development agreement), during its meeting on Wednesday, September 2, 2015.

Spencer Brimley, Development Services Manager, pointed out previous recommendations by the Council specific to the development proceeding at this time:

- Additional information to be provided by the applicant relative to completion of the subdivision plat for the 2.25 acre portion of a larger parcel.
- Site Plan including elevations and additional design elements relative to the project to be provided.

He pointed out the applicant requested the public hearing be held as scheduled but asked the Council to hold off on a formal decision for the project until a later date so a development agreement could be negotiated with the City.

Mayor Shepherd opened the public hearing at 7:40 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENT:

IN FAVOR

Buzz Zaugg, business owner, expressed his support for the proposed residential development. He believed it would be an asset to the City in addition to being beneficial to the businesses in that area. He suggested the traffic design would be an important element for the area and believed the residential component would be a good fit for the area.

Joe Barber, Wilcox Farms, stated the developer would be responding to the City's request in negotiating a development agreement, site plan, etc. and inquired if the Council had any questions regarding the project to which he could respond. Brian Brower, City Attorney, suggested it would be more appropriate to discuss specifics of the development during the approval process and not during the public hearing.

OPPOSED

None.

Councilmember LeBaron moved to close the public hearing at 7:43 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED REZONE FOR PROPERTY LOCATED AT 1760 SOUTH MAIN STREET (TIN: 12-242-0002) FROM (C-2) COMMERCIAL TO (PF) PUBLIC FACILITIES

The site was currently vacant but had been the recipient of several code enforcement actions related to the maintenance of weeds. A public facility zoning designation was appropriate because the uses on the property directly south were public buildings and the rezone would facilitate the success of Antelope Elementary by assisting with a parking need. The Planning Commission recommended approval of the rezone during its meeting on Wednesday, September 2, 2015.

Spencer Brimley, Development Services Manager, pointed out the rezone request was being made by the Davis School District for the purpose of a parking lot to accommodate the off peak usage in the area. He indicated comments had been made during the Planning Commission's public hearing on the item on Wednesday, September 2, 2015. He reported the negative impact would be the lack of future economic development for the parcel; however, staff believed it could simply be repurposed for future opportunities. He shared an illustration which identified the location of the property and pointed out the remainder of the property in that location was owned by Mr. Chelemes, who had been involved in discussions with the School District. He emphasized the School District had opted to only rezone the area identified in red on the map provided to the Council and if the rezone was approved by the Council a site plan would be submitted for approval by the Planning Commission that met the City's ordinances.

Mayor Shepherd requested clarification the small parcel between the school and the proposed parking lot would be used for access to the remaining larger back parcel owned by Mr. Chelemes. Mr. Brimley responded in the affirmative.

Mayor Shepherd opened the public hearing at 7:45 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:46 p.m. seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

CITIZEN COMMENTS

Sam Chelemes, resident, requested the Davis School District be required to provide a retaining wall instead of a fence on the south side of the property being rezoned (1760 South Main) because there was a difference in elevation of four feet between his property and that property.

APPROVAL OF ORDINANCE 2015-16 AUTHORIZING THE REZONE OF PROPERTY LOCATED AT 1760 SOUTH MAIN STREET FROM (C-2) COMMERCIAL TO (PF) PUBLIC FACILITIES

Councilmember LeBaron stated he had received approximately ten social media contacts expressing support for the rezone and subsequent additional parking. He continued many of the residents in the area believed the parking lot was necessary to address safety concerns at Antelope Elementary.

Councilmember LeBaron moved to approve Ordinance 2015-16 authorizing the rezone of property located at 1760 South Main Street from (C-2) Commercial to (PF) Public Facilities 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, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

APPROVAL OF RESOLUTION 2015R-25 EXPRESSING SUPPORT FOR THE DAVIS SCHOOL DISTRICT BOND ELECTION

Adam Lenhard, City Manager, explained the Davis School District was proposing a bond election be put forth to the voters. He reminded the Council representatives from the District had shared a presentation during a previous work session explaining its needs and was requesting the Council’s support for it being placed on the ballot.

Councilmember Bush moved to approve Resolution 2015R-25 expressing support for the Davis School District Bond election and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. Councilmember LeBaron stated since Utah had so many children enrolled in public education and until there other avenues recognized to fund education; he believed the bond was necessary. **The motion carried upon the following vote: Voting AYE – Councilmembers Bush, LeBaron and Young. Voting NO – Benson.** Councilmember Jones was not present for the vote.

APPROVAL OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER) FOR PROGRAM YEAR JULY 1, 2014 TO JUNE 30, 2015

The Council received a copy of the 2014/2015 Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER). The public was given the opportunity to review the CAPER in the Community Development Office from August 20, 2015 to September 4, 2015. No public comments were received.

Spencer Brimley, Development Services Manager, informed the Council that the City was designated a small Entitlement City which received \$228,652 CDBG funds in 2014 which were appropriated toward the 400 West Infrastructure Project, Grant Administration, Family Connection Center, Davis Community Learning Center, and Safe Harbor. He mentioned all of these recipients had been included in the 5-year Consolidated Plan and additional detail had been listed in the CAPER report.

Councilmember Young moved to approve the Community Development Block Grant (CDBG) Consolidated Annual Performance Evaluation Report (CAPER) 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, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

APPROVAL OF ORDINANCE 2015-17 ENACTING A TEMPORARY LAND USE REGULATION REGARDING PAWN AND SECONDHAND BUSINESSES PURSUANT TO UTAH CODE ANN. § 10-9A-504 APPLICABLE TO ALL OF THE COMMERCIALY ZONED PROPERTIES LOCATED WITHIN THE CITY'S GEOGRAPHIC BOUNDARIES

Concern had been expressed to staff by residents, members of the City's Planning Commission and City Council about the number of pawn shops located in the City as well as the locations where they are permitted and proximity to other pawn shops. This Ordinance would temporarily prohibit accepting or approving applications for development, erection, construction, installation, expansion or relocation of any pawnbrokers, pawn and/or secondhand businesses (as defined in the City's land use ordinance or business license ordinance) on commercially zoned property throughout the City.

Adam Lenhard, City Manager, informed the Council that staff had been collecting feedback and comments for nearly a year regarding the process and the City ordinance which regulated pawn

and secondhand businesses. He continued staff believed it was the right time to enact a temporary land use ordinance which would allow the Council and staff up to six months to amend the current ordinance while at the same time postponing application and subsequent approval for those types of businesses.

Councilmember LeBaron mentioned approval of the ordinance was something residents in a certain geographical area of the City would welcome regarding a specific pawn shop which received approval through the currently permitted process. He believed it was a step in the right direction on behalf of the City.

Mayor Shepherd expressed agreement with Councilmember LeBaron's remarks and stated the ordinance was something which needed to be addressed by the City.

Councilmember LeBaron moved to approve Ordinance 2015-17 enacting a temporary land use regulation regarding pawn and secondhand businesses 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, LeBaron and Young. Voting NO – None. Councilmember Jones was not present for the vote.

COMMUNICATION ITEMS

Mayor Shepherd

1. Informed the Council that he would be out of town Tuesday, September 29, 2015 through Saturday, October 3, 2015.
2. Stated he had received a call from LDS Public Affairs Department and announced he would be receiving some tickets to the Saturday morning session of General Conference if members of the Council were interested in attending.
3. Commented on the Utah League of Cities and Towns (ULCT) meetings.

Councilmember Benson

1. Stated she enjoyed attending classes at the Utah League of Cities and Towns (ULCT) Conference and indicated it was worth attending.
- 2.

Councilmember Bush

1. Announced he had attended the ULCT Conference which took place the week of Monday, September 14, 2015 through Friday, September 18, 2015.
2. Stated he had also attended the Buy Local First meeting which took place at Lucky Slice pizza and expressed appreciation to the staff for its efforts in organizing the event. He announced there were 34 businesses which had registered with Local First. He stated representatives from three businesses were in attendance at the event and learned how social media could benefit their business.

Councilmember LeBaron – Mentioned the water year would be ending on September 30, 2015 and stated he would like to see the City look at ways to conserve water and set a suggested goal of ten percent reduction by a given date. He suggested the City begin thinking now of what it could do to conserve water next summer. Mayor Shepherd encouraged residents to visit Weber Basin Water District and take a tour which identified water conservation suggestions.

Councilmember Young – Informed the Council the Mosquito Abatement facilities were expanding.

Adam Lenhard, City Manager

1. Commented on Councilmember LeBaron's comments regarding water usage and expressed agreement there was room for improvement and it would be wise to focus on water conservation. He spoke to the need for providing recreational spaces to serve the residents as opposed to his own yard.

STAFFS' REPORTS

Nancy Dean, City Recorder – Reviewed the Council's calendar:

- No meeting on Tuesday, September 29, 2015
- Special Session scheduled for Tuesday, October 6, 2015 beginning at 7:00 p.m.
- Work and Policy Session scheduled for Tuesday, October 13, 2015.

There being no further business to come before the Council **Councilmember Benson moved to adjourn at 8:06 p.m., seconded by Councilmember LeBaron. Voting AYE – Councilmembers Benson, Bush, LeBaron and Young. Voting NO – None.** Councilmember Jones was not present for the vote.

DRAFT

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. SPECIAL SESSION
October 6, 2015

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
	Brian Brower	City Attorney
	Nancy Dean	City Recorder
EXCUSED:	JJ Allen	Assistant City Manager
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Spencer Brimley	Development Services Manager
	Rich Knapp	Administrative Services Director
	Kim Read	Deputy Recorder

VISITORS: Vern Phipps, Mark Becraft – North Davis Fire District (NDFD) Chief, Betty Young

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 the Public Hearing there were forms to fill out by the door.

PUBLIC HEARING TO RECEIVE COMMENT ON THE PROPOSED ANNEXATION OF CERTAIN AREAS TO THE NORTH DAVIS FIRE DISTRICT (NDFD)

In 2014, Clearfield City annexed the Military Installation Development Authority's (MIDA's) Falcon Hill Project Area into its boundaries. The North Davis Fire District also recognized a need to annex the same area into its boundaries. On August 25, 2015, the City Council, acting as both the legislative body for the municipality as well as the Governing Body of the North Davis Fire District adopted a resolution stating the NDFD's intent to annex MIDA's Falcon Hill Project Area in its boundaries for the purpose of providing fire protection, emergency medical and ambulance services and consolidated 911 services within the area. The City Council recognized the public health, convenience and necessity required the annexation of the proposed Annexed Area to the District.

Mayor Shepherd opened the public hearing at 7:03 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:04 p.m. seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

There being no further business to come before the Council **Councilmember Young moved to adjourn at 7:05 p.m., seconded by Councilmember Jones. Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.**

DRAFT

CLEARFIELD CITY RESOLUTION 2015R-26

A RESOLUTION REQUESTING THE UTAH JUDICIAL COUNCIL RECERTIFY THE CLEARFIELD MUNICIPAL JUSTICE COURT

WHEREAS, the Clearfield Municipal Justice Court has been serving the residents, businesses and property owners in this community since July of 1994; and

WHEREAS, Utah Code Ann. § 78A-7-103 (2015) indicates a presumption that existing Justice Courts shall be recertified at the end of each four-year term, provided that the Justice Court continues to meet the minimum requirements established by the Utah State Legislature and the Judicial Council; and

WHEREAS, the present term of the Clearfield Municipal Justice Court shall expire in February, 2016; and

WHEREAS, the members of the Clearfield City Council have received and reviewed an opinion letter from the City Attorney setting forth the requirements for the operation of the City's Justice Court and the feasibility of maintaining it; and

WHEREAS, the members of the Clearfield City Council have determined that it is in the best interests of Clearfield City, its residents and this community to continue to provide for, operate and maintain the City's Justice Court;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council, that Clearfield City hereby requests recertification of the Clearfield Municipal Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council;

BE IT FURTHER RESOLVED that the Clearfield City Council hereby affirms the City's willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the Clearfield Municipal Justice Court for the next four-year term, except as to any requirements waived by the Utah Judicial Council.

PASSED, APPROVED AND ADOPTED by the Clearfield City Council on this 13th day of October, 2015.

ATTEST:

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Mark R. Shepherd, Mayor

Vote of the Council

AYE:

NAY:



October 8, 2015

Mayor Mark Shepherd and the Clearfield City Council
55 S. State St.
Clearfield, UT 84015

Re: City Attorney's Opinion on Recertification of the Clearfield Municipal Justice Court

Dear Mayor Shepherd and Councilmembers,

Utah Code Ann. § 78A-7-103 (2015) requires recertification of Justice Courts at the end of each four-year term. The current term of the Clearfield Municipal Justice Court expires in February 2016. As part of the recertification process, this office is required to provide the City Council with a written opinion advising it of all requirements for the operation of the Justice Court as well as whether, in the opinion of this office, those requirements have been fully satisfied and if it is feasible to maintain the Justice Court.

Attached, for your review, are the following:

- a. The Statutory Requirements that must be met for the operation of the Justice Court.
- b. The minimum Operational Standards, as determined by the Justice Court Standards Committee, that must be met in the operation of any Justice Court as well as the specific standards for a Class I Justice Court (more than 500 filings per month on average) such as the Clearfield Municipal Justice Court.
- c. A copy of the Court Certification Affidavit which will be completed by the Clearfield Municipal Justice Court Judge after he has taken the bench on October 19, 2015.
- d. A Resolution for your review and consideration that requests recertification of the Clearfield Municipal Justice Court for another four-year term.

After reviewing the materials listed above, it is the opinion of this office that the Clearfield Municipal Justice Court either meets or exceeds all of the necessary statutory requirements and operational standards for Justice Court certification. It is also the opinion of this office, after consultation with City staff and management, that it remains feasible for Clearfield City to maintain a Justice Court.

If you have any questions regarding the Justice Court or its recertification, please feel free to contact me.

Sincerely,

Brian E. Brower
Clearfield City Attorney

Cc: Adam Lenhard, City Manager
JJ Allen, Assistant City Manager
Kodi Nelson, Justice Court Administrator

JUSTICE COURT STANDARDS
FOR RECERTIFICATION

AUGUST 2015

INSTRUCTIONS TO APPLICANT FOR RECERTIFICATION

As part of the recertification process, each entity should carefully review all requirements for the operation of Justice Courts. In order to aid governing bodies in obtaining the necessary information regarding the continuing obligations of an entity with respect to the operations of the Court, the governing body of each entity must request and review a written opinion from its attorney advising the entity of all requirements for the operation of a Justice Court, and the feasibility of maintaining a Justice Court. In addition, prior to submission of this application, each entity must duly pass a resolution requesting recertification. The resolution must also affirm that the entity is willing to meet all requirements for the operation of the Court during the period of certification. **A copy of the attorney's opinion and the resolution must accompany the application.** Please use the checklist on page 21 of this packet.

Statutes of the State of Utah require that certain standards be met in the operation of a Justice Court. These statutory requirements include:

1. All official court business shall be conducted in a courtroom or an office located in a public facility which is conducive and appropriate to the administration of justice (78A-7-213).
2. Each court shall be opened and judicial business shall be transacted every day as provided by law (78A-7-213), although the judge is not required to be present during all hours that the court is open.
3. The hours that the court will be open shall be posted conspicuously at the court and in local public buildings (78A-7-213).
4. The judge and the clerk of the court shall attend the court at regularly scheduled times (78A-7-213).
5. The entity creating the Justice Court shall provide and compensate a judge and clerical personnel to conduct the business of the court (78A-7-206 and 78A-7-207).
6. The entity creating a Justice Court shall assume the expenses of travel, meals, and lodging for the judge of that court to attend required judicial education and training (78A-7-205).
7. The entity creating a Justice Court shall assume the cost of travel and training expenses of clerical personnel at training sessions conducted by the Judicial Council (78A-7-103).

8. The entity creating the Justice Court shall provide a sufficient staff of public prosecutors to attend the court and perform the duties of prosecution (78A-7-103).

9. The entity creating the court shall provide adequate funding for attorneys where persons are indigent as provided by law (78A-7-103).

10. The entity creating the court shall provide sufficient local law enforcement officers to attend court when required and provide security for the court (78A-7-103).

11. Witnesses and jury fees as required by law shall be paid by the entity which creates the court (10-7-76 and 17-50-319).

12. Any fine, surcharge, or assessment which is payable to the State shall be forwarded to the State as required by law (78A-7-120 and 78A-7-121).

13. Every entity creating a court shall pay the judge of that court a fixed compensation, within the range provided by statute (78A-7-206).

14. Court shall be held within the jurisdiction of the court, except as provided by law (78A-7-212).

15. The entity creating the court shall provide and keep current for the court a copy of the Utah Code, the Justice Court Manual, state laws affecting local governments, Utah Court Rules Annotated, local ordinances, and other necessary legal reference material (78A-7-103).

16. All required reports and audits shall be filed as required by law or by rule of the Judicial Council pursuant to Section 78A-7-215.

17. All justice courts shall use a common case management system and disposition reporting system as specified by the Judicial Council (78A-7-213).

In addition to those requirements which are directly imposed by statute, section 78A-7-103 directs the Judicial Council to promulgate minimum requirements for the creation and certification of Justice Courts. Pursuant to statute, the Judicial Council has adopted the following minimum requirements:

- 1) That the Court be opened for at least one hour each day that the court is required to be open as provided by law. Additional hours of operation are specified in C.J.A. Rule 9-105.
- 2) That the judge be available to attend court and conduct court business as needed.
- 3) That the minimum furnishings for a courtroom include: a desk and chair for the judge (on a six inch riser), a desk and chair for the court clerk, chairs for witnesses,

separate tables and appropriate chairs for plaintiffs and defendants, a Utah State flag, a United States flag, a separate area and chairs for at least four jurors, a separate area with appropriate seating for the public, an appropriate room for jury deliberations, and an appropriate area or room for victims and witnesses which is separate from the public. (A suggested courtroom configuration is attached).

- 4) A judicial robe, a gavel, current bail schedules, a copy of the Code of Judicial Administration, and necessary forms and supplies.
- 5) Office space for the judge and clerk (under certain circumstances this space may be shared, but if shared, the judge and clerk must have priority to use the space whenever needed). The office space shall include a desk for the judge and a desk for the clerk, secure filing cabinets for the judge and the clerk, a telephone for the judge and a telephone for the clerk, appropriate office supplies to conduct court business, a cash register or secured cash box, a typewriter or word processor, and access to a copy machine.
- 6) A clerk must be present during the time the court is open each day and during court sessions, as required by the judge.
- 7) The entity must have at least one peace officer (which may be contracted).
- 8) A court security plan must be submitted consistent with C.J.A. Rule 3-414.
- 9) Each court must have at least one computer with access to the internet, and appropriate software and security/encryption technology to allow for electronic reporting and access to Driver License Division and the Bureau of Criminal Identification, as defined by the reporting and retrieval standards promulgated by the Department of Public Safety. Monthly reports must also be electronically submitted to the Administrative Office of the Courts monthly. Also note that all justice courts shall use the CORIS case management system. (78A-7-213).
- 10) Each court shall report required case disposition information to DLD, BCI and the Administrative Office of the Courts electronically, as described in number 9 above.

In establishing minimum requirements, the Judicial Council has determined that Justice Courts with higher case filings require greater support services. To accommodate the great differences in judicial activity between Justice Courts within the state, the Council has divided courts into four classes based upon the average monthly cases filed in that court. Minimum standards have been set for each classification. Courts which have an average of less than 61 cases filed each month are classified as Class IV Courts. The minimum requirements for a Class IV Court are stated above. (These requirements are also attached as Class IV minimum requirements).

These requirements include both the statutory requirements and requirements promulgated by the Judicial Council, and are sometimes hereinafter referred to as "base requirements."

Courts which have an average of more than 60 but less than 201 cases filed each month are classified as Class III Courts. In addition to the base requirements, a Class III Court must be open more hours each week (see attached Class III minimum requirements), and court must be scheduled at least every other week.

Courts which have an average of more than 200 but less than 501 cases filed each month are classified as Class II Courts. In addition to the base requirements, Class II Courts are required to be open additional hours (see attached Class II minimum requirements), the courtroom configuration is required to be permanent (although the courtroom may be used by another entity when the court is not in session), court must be scheduled at least weekly, the judge must be provided an appropriate office (chambers) for his own use, clerical space may not be shared, at least one full-time clerk must be provided (see attached Class II minimum requirements), and the courtroom, judge's chamber and clerk's office must be in the same building.

Courts which have an average monthly filing of more than 500 cases are classified as Class I Courts. Class I Courts are considered to be full-time courts. In addition to the base requirements, a Class I Court must have a full-time judge, at least three clerks, it must be open during regular business hours, it must have a courtroom which is dedicated for the exclusive use as a court and which meets the master plan guideline adopted by the Judicial Council, and the judge's chambers and clerk's office cannot be shared by another entity.

The State Legislature has provided that any Justice Court that continues to meet the minimum requirements for its class is entitled to be recertified. The Judicial Council also has authority to waive any minimum requirement imposed by rule of the Council rather than by statute. Waiver is at the discretion of the Judicial Council and will be based upon a demonstrated need for a court to conduct judicial business and upon public convenience. Any waiver will generally be for the entire term of the certification. A waiver must be obtained through the Judicial Council each time a court is recertified, and the fact that a waiver has been previously granted will not be determinative on the issue of waiver for any successive application.

There is a great diversity in the needs of the Justice Courts. The needs of a particular Court are affected by the type of cases filed (some courts have a high percentage of traffic matters, while others handle significant numbers of criminal and small claims matters), the location of the Court, the number of law enforcement agencies served, the policies and procedures followed by each judge with respect to the operation of the Court, and many other factors. Clerical resources and judicial time are particularly sensitive to local conditions.

In order to adequately function it is anticipated that some courts will exceed minimum requirements for clerical resources and judicial time. Similarly, the particular circumstances of a court may allow it to operate efficiently with less than the minimum requirements in the above areas; and in such circumstances waiver may be requested.

The statute also provides that the Judicial Council may grant an extension of time for any requirement which is not specifically required by statute. An extension may be granted at the discretion of the Judicial Council where individual circumstances temporarily prevent the entity from meeting a minimum requirement. An extension will be for a specific period of time and the certification of the court will terminate at the end of the extension period. In order for the court to continue to operate beyond the extension period, the court must be certified as meeting all requirements, obtain an additional extension, or obtain a waiver as provided above.

Applications for existing courts for recertification must be accompanied by an affidavit of the judge, on a form approved by the Judicial Council, certifying that the operational standards for the court have been met. Any exceptions to compliance with the minimum requirements or operational standards shall be noted on the above form. In addition, individual Justice Court Judges must meet with the governing body of the entity which created the court at least once a year to review the budget of the court, review compliance with the requirements and operational standards of the court, and discuss other items of common concern and shall certify that this meeting has been held and that the operational standards for the court have been met during the prior year.

Upon submission of an application, Judicial Council Staff will conduct an appropriate independent investigation and notify the entity of its initial recommendations, whether in favor or against certification. If staff intends to recommend against certification, it shall specify the minimum requirements that have not been met. The entity may then present additional information, request an extension, or request a waiver. After making an appropriate investigation based upon any additional information or request made by the entity, the staff will then submit its recommendations to the Judicial Council. The recommendations shall specify whether or not a waiver or extension should be granted, if either has been requested. If the recommendation is against recertification, or against waiver, or against extension, the entity may request that it be allowed to make an appearance before the Judicial Council. Any request to appear before the Judicial Council must be filed within 15 days of notification of the Committee's recommendations.

If you have any questions concerning this application, please contact Richard Schwermer, staff to the Judicial Council, at P. O. Box 140241, Salt Lake City, Utah 84114-0241, ricks@utcourts.gov or telephone: (801)578-3816.

OPERATIONAL STANDARDS

The following standards are intended to be applied in the recertification review by the Justice Court Standards Committee as operational standards. The justice courts are classified into four classes, based upon case filings. The case filing information is expressed in terms of filings per month, but courts will be classified on the basis of average monthly filings over a period of at least one year. The classification of a court is determined at creation and is subject to review and possible reclassification whenever the court is being recertified. While the standards for some areas of court operation are uniform for all levels of justice court, other standards are developed on a continuum, reflecting the difference in the time needed to competently manage caseloads of different levels.

CLASS I

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class I Court it may be necessary for your court to exceed the minimum requirements.]

- **FILINGS:**

501 or more citations or cases filed per month

- **HOURS:**

Court Open: Full Time

Judge: Full Time

- **FACILITY:**

Dedicated Courtroom (with juror deliberation room)

Judge's Chambers

Clerk Office

Co-located in the same facility

(Meet the Master Plan Guidelines adopted by the Judicial Council)

- **CLERICAL RESOURCES:**

At least three full time clerks

- **PROSECUTION:**

Prosecutor to screen cases and represent the county or municipality at trial.

- **INDIGENT DEFENSE:**

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

- a. Utah Code
- b. Local ordinances
- c. Justice Court Manual
- d. Code of Judicial Administration
- e. Uniform Bail Schedule
- f. Other legal resources as required under §78A-7-103.

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted consistent with C.J.A. Rule 3-414.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training - at least 30 hours per year for the judge, and 10 hours for clerks.

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically.

CLASS II

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class II Court it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

201 to 500 citations or cases a month.

- HOURS:

Court Open

201-300 filings	At least 4 hours per day
301-400 filings	At least 5 hours per day
401-500 filings	At least 6 hours per day

Judge available when needed. Trial calendar set at least weekly.

- FACILITY:

Courtroom (configuration is permanent but may be shared)

Judge's Office

Clerk Office

(Courtroom and office must be co-located in the same building)

- CLERICAL RESOURCES:

201-275 filings	At least one full time clerk
276-350 filings	1.5 FTEs
351-425 filings	2.0 FTEs
426-500 filings	2.5 FTEs

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

- a. Utah Code
- b. Local ordinances
- c. Justice Court Manual
- d. Code of Judicial Administration
- e. Uniform Bail Schedule
- f. Other legal resources as required under §78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted consistent with C.J.A. Rule 3-414.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training - at least 30 hours per year for the judge, and 10 hours for clerks..

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically.

CLASS III

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class III Court it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

61-200 citations or cases per month

- HOURS:

Court Open

61-150 filings

At least 2 hours a day

151-200 filings

At least 3 hours a day

Judge available as needed. Trial calendar set at least every other week.

- FACILITY:

Courtroom (access to public facility for trials, arraignments, etc.)

Judge's /clerk office

(Meets minimum requirements)

- CLERICAL RESOURCES:

At least one clerk required to be available daily during the scheduled hours of court operation and during court sessions as needed.

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

- a. Utah Code
- b. Local ordinances
- c. Justice Court Manual
- d. Code of Judicial Administration
- e. Uniform Bail Schedule
- f. Other legal resources as required under §78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted consistent with C.J.A. Rule 3-414.

- JURY/ WITNESS FEES:

Local government is responsible for payment of statutory juror and witness fees.

- EDUCATION:

Local government is responsible for costs of attendance at Judicial Council mandated training - at least 30 hours each year for the judge, and 10 hours for clerks.

- REPORTING:

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically.

CLASS IV

MINIMUM REQUIREMENTS [Note that the following are **minimum** requirements. In order to adequately function as a Class IV Court it may be necessary for your court to exceed the minimum requirements.]

- FILINGS:

0-60 citations and/or cases per month

- HOURS:

Court open at least one hour per day. Judge available as needed and trial calendar set at least monthly.

- FACILITY:

Courtroom (access to public facility for trials, arraignments, etc.)
Judge's/clerk office (can be a shared resource but court has priority when needed.)
(Meets minimum requirements)

- CLERICAL RESOURCES:

At least one clerk required to be available daily during the scheduled hours of court operation and during court sessions.

- PROSECUTION:

Prosecutor to screen cases and represent the county or municipality at trial.

- INDIGENT DEFENSE:

The municipality or county provides adequate funding to provide indigent defense counsel for any defendant who requests representation and qualifies.

- LEGAL RESOURCES:

The following must be available and kept current:

- a. Utah Code
- b. Local ordinances
- c. Justice Court Manual
- d. Code of Judicial Administration
- e. Uniform Bail Schedule
- f. Other legal resources as required under §78A-7-103

- LAW ENFORCEMENT:

The local government creating the court must have at least one employed or contracted peace officer.

- BAILIFF:

The local government creating the court must provide a sworn law enforcement officer to attend court when required and provide security for the court.

- SECURITY PLAN:

A court security plan must be submitted consistent with C.J.A. Rule 3-414.

- **JURY/ WITNESS FEES:**

Local government is responsible for payment of statutory juror and witness fees.

- **EDUCATION:**

Local government is responsible for costs of attendance at Judicial Council mandated training - at least 30 hours each year for the judge, and 10 hours for clerks.

- **REPORTING:**

All reports and audits shall be made and timely filed as provided by law or by rule of Judicial Council. Reports to the Driver License Division and the Bureau of Criminal Identification must be made electronically.

COURT CERTIFICATION AFFIDAVIT

Court Location: _____

Judge: _____

Address: _____

Telephone: _____

Level of Court (Circle one): I II III IV

Average Case Filings Per Month: _____

Daily Court Hours: _____

Number of Full-time Clerks: _____

Hours Worked Per Week Per Clerk: _____

Number of Part-time Clerks: _____

Hours Worked Per Week Per Clerk: _____

This form is divided into two parts. Section I contains those requirements that are statutory and are **not** waivable. Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived pursuant to the procedure set forth in the instructions to applicant included with the application for certification.

Comes now Judge _____,

Justice Court Judge for _____

_____ and,

except as specifically noted below, certifies as follows:

SECTION I

**THE FOLLOWING ITEMS ARE STATUTORY AND CANNOT BE WAIVED.
CERTIFICATION WILL NOT BE GRANTED UNLESS EACH REQUIREMENT IS MET.**

Please indicate **Yes or No** to each of the following:

1. All official court business is conducted in a public facility. _____
2. Court is open daily. _____
3. The hours of court operation are posted conspicuously. _____
4. The judge and the clerk attend court at regularly scheduled times based on the level of the court. _____
5. The judge is compensated at a fixed rate, within the statutory range. _____
6. The responsible governmental entity provides and compensates sufficient clerical personnel necessary to conduct the business of the court. _____
7. The responsible governmental entity assumes the expenses of the travel of the judge for purposes of required judicial education. _____
8. The responsible governmental entity assumes the expenses of the travel of each clerk for the purposes of attending training sessions conducted by the Judicial Council. _____
9. The responsible governmental entity provides the Court with:
 - a. Sufficient prosecutorial support _____
 - b. Funding for attorneys for indigent defendants, as appropriate _____
 - c. Sufficient local law enforcement officers to attend court as provided by statute _____
 - d. Security for the court as provided by statute _____
 - e. Witness and juror fees _____
 - f. Appropriate copies of the Utah Code, the Justice Court Manual, state laws affecting local governments, local ordinances and other necessary legal reference materials _____

10. Fines, surcharges and assessments which are payable to the state are forwarded as required by law. _____
11. Court is held within the jurisdiction of the court, except as provided by law (78A-7-212).

12. All required reports and audits are filed as required by law or Rule of the Judicial Council.

SECTION II

Section II contains minimum requirements established by the Judicial Council, and those requirements may be waived or an extension granted pursuant to the procedure set forth in the instructions to applicant included with this application for recertification.

Please indicate YES or NO to each of the following:

1. Court is open each day as appropriate for the classification of the court. _____
2. The judge is available to attend court and to conduct court business as needed. _____
3. Minimum furnishings in the courtroom include:
 - a. Desk and chair for the judge _____
 - b. A six inch riser _____
 - c. Desk and chair for the court clerk _____
 - d. Chairs for witnesses _____
 - e. Separate tables and appropriate chairs for plaintiffs and defendants _____
 - f. A Utah State flag _____
 - g. A United States flag _____
 - h. A separate area and chairs for at least four jurors _____
 - i. A separate area with appropriate seating for the public _____
 - j. An appropriate room for jury deliberations _____
 - k. An appropriate area or room for victims and witnesses which is separate from the public _____
 - l. A judicial robe _____
 - m. A gavel _____
 - n. Current bail schedules _____
 - o. A copy of the Code of Judicial Administration _____

- p. Necessary forms and supplies _____
 - q. Office space for the judge _____
 - r. Office space for the court clerk _____
 - s. Secure filing cabinets _____
 - t. Appropriate office supplies _____
 - u. A cash register or secured cash box _____
 - v. At least one computer with internet access _____
 - w. Access to a copy machine _____
4. The appropriate number of clerks as required by the classification of the court are present during the time court is open each day and as needed during court sessions. _____
 5. Does the applicant have a law enforcement department? _____
 6. If the applicant does not have a law enforcement department, identify the law enforcement agency which will provide law enforcement services for the applicant: _____

 7. A security plan has been filed consistent with C.J.A. Rule 3-414. _____
 8. The court electronically reports to the Driver License Division, the Bureau of Criminal Identification and the Administrative Office of the Courts as required. _____
 9. If the court is a **Class I** court:
 - a. Judge is employed on a full-time basis _____
 - b. Dedicated courtroom which meets the master plan guidelines adopted by the Judicial Council _____
 - c. Court has a jury deliberation room _____
 - d. Judge's chambers, clerk's office, and courtroom are in the same building _____
 - e. Judge has his or her own private chambers _____
 - f. Clerk's office is separate from any other entity _____

- g. Court is open during normal business hours _____
10. If the court is a **Class II** court:
- a. Court is open (check one)
- _____ 1. 201-300 average monthly filings: at least 4 hrs./day
 _____ 2. 301-400 average monthly filings: at least 5 hrs./day
 _____ 3. 401-500 average monthly filings: at least 6 hrs./day
- b. Trial calendar is set at least weekly _____
- c. Courtroom configuration is permanent _____
- d. Courtroom, judge's chambers, and clerk's office are within the same building _____
- e. Judge has his or her own private chambers _____
11. If the court is a **Class III** court:
- a. Trial calendar is set at least every other week _____
- b. Court is opened (check one):
- _____ 1. 61-150 average monthly filings: at least 2 hrs./day
 _____ 2. 151-200 average monthly filings: at least 3 hrs./day
12. If the court is a **Class IV** court:
- a. Trial calendar is set at least monthly _____
- b. Court is open at least 1 hour per day _____
13. **If you have responded with a "no" to any item in Section II above, you must request a waiver or extension below and justify that request.** If waiver or extension of any requirement is requested, please specify each requirement and indicate factors which demonstrate a need for the waiver or extension. For any requested extension, please include the requested extension period. (To receive a waiver or extension of any requirement, the information requested in this section must be provided. Remember that statutory requirements cannot be waived or extended).

I am familiar with the minimum operational standards for this court, and except as noted above, those standards are currently met or exceeded. During the current term of the court, I have met with the appropriate governing body of the City to review the budget of the court, review compliance with the minimum requirements and operational standards, and discuss other items of common concern.

DATED this _____ day of _____, 20_____.

Justice Court Judge

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Executed on this _____ day of _____, 20_____.

CLEARFIELD CITY RESOLUTION 2015R-26

A RESOLUTION REQUESTING THE UTAH JUDICIAL COUNCIL RECERTIFY THE CLEARFIELD MUNICIPAL JUSTICE COURT

WHEREAS, the Clearfield Municipal Justice Court has been serving the residents, businesses and property owners in this community since July of 1994; and

WHEREAS, Utah Code Ann. § 78A-7-103 (2015) indicates a presumption that existing Justice Courts shall be recertified at the end of each four-year term, provided that the Justice Court continues to meet the minimum requirements established by the Utah State Legislature and the Judicial Council; and

WHEREAS, the present term of the Clearfield Municipal Justice Court shall expire in February, 2016; and

WHEREAS, the members of the Clearfield City Council have received and reviewed an opinion letter from the City Attorney setting forth the requirements for the operation of the City's Justice Court and the feasibility of maintaining it; and

WHEREAS, the members of the Clearfield City Council have determined that it is in the best interests of Clearfield City, its residents and this community to continue to provide for, operate and maintain the City's Justice Court;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council, that Clearfield City hereby requests recertification of the Clearfield Municipal Justice Court by the Justice Courts Standards Committee and the Utah Judicial Council;

BE IT FURTHER RESOLVED that the Clearfield City Council hereby affirms the City's willingness to continue to meet all requirements set forth by the Judicial Council for continued operation of the Clearfield Municipal Justice Court for the next four-year term, except as to any requirements waived by the Utah Judicial Council.

PASSED, APPROVED AND ADOPTED by the Clearfield City Council on this 13th day of October, 2015.

ATTEST:

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Mark R. Shepherd, Mayor

CLEARFIELD CITY RESOLUTION 2015R-27

A RESOLUTION AUTHORIZING THE CLEARFIELD CITY POLICE DEPARTMENT TO APPROPRIATE UNCLAIMED CUSTODIAL AND PERSONAL PROPERTY TO PUBLIC INTEREST USE AND DESIGNATING AND APPROVING THE PUBLIC INTEREST USE OF THE PROPERTY

WHEREAS, the Clearfield City Police Department has in its possession certain unclaimed custodial and personal property which, after proper notice, remains unclaimed; and

WHEREAS, Title 77, Chapter 24a, of the Utah Code allows the City to either sell the property at public auction and then apply the proceeds of the sale to a public interest use, or to apply the property itself to a public interest use; and

WHEREAS, it is the desire of the Clearfield City Council to authorize the sale of such property and/or its application to a public interest use;

NOW, THEREFORE, be it resolved by the Clearfield City Council that:

The Clearfield City Police Department is hereby authorized and directed to dispose of the lost or unclaimed property listed in Exhibit "A" attached hereto as specifically directed in said exhibit by either selling the property at public auction and then applying the proceeds of said sale to a public interest use as detailed in Exhibit "A" attached hereto, or by applying the property to a public interest use as specified in Exhibit "A" attached hereto—namely for utilization by the City's Public Works Department in providing municipal services to Clearfield's residents and businesses.

Passed and adopted by the City Council at its regular meeting on the 13th day of October, 2015.

ATTEST

CLEARFIELD CITY CORPORATION

Nancy R. Dean, City Recorder

Mark R. Shepherd, Mayor

VOTE OF THE COUNCIL

AYE:

NAY:

EXHIBIT "A"

Police Department Disposal of Lost or Mislaid Property

All of these items were obtained by officers of the Clearfield Police Department through their normal course of business. Reasonable attempts were made to identify the owners without success. The finder of the Wheel chair was contacted but did not want the chair.

Items to be given to Public Works

The following items will be put to a public interest use by being utilized by the Clearfield City Public Works Department to help provide municipal services to Clearfield's residents and businesses:

1. Power saw
2. Bolt cutters
3. 2 ladders
4. Power saw, impact tools and charger

Items to be sold at auction on Public Surplus

The following items will be sold at public auction on Public Surplus and the proceeds shall be deposited into Clearfield City's general fund to be utilized as determined by the City Council through its budgeting process to help provide municipal services to Clearfield's residents and businesses:

1. Air compressor and hose
2. Leaf Blower and gas can
3. Telescope and tri-pod
4. Snowmobile
5. Chain lift
6. Garden Tiller
7. Bags of fertilizer, pump sprayer, liquid fertilizer
8. Wheel chair
9. Exercise chair

CLEARFIELD CITY RESOLUTION 2015R-28

A RESOLUTION APPOINTING POLL WORKERS FOR THE CITY'S VOTING CENTER OPEN FOR THE MUNICIPAL GENERAL ELECTION ON NOVEMBER 3, 2015

WHEREAS, Clearfield City Corporation (the "City") is holding its municipal general election by-mail; and

WHEREAS, State Law allows the City to provide a voting center on election day, November 3, 2015, for registered voters who choose to vote with another method; and,

WHEREAS, the City has designated Clearfield City Hall as its voting center; and

WHEREAS, State Law requires the City's governing body appoint or provide for the appointment of registered voters residing in the county as poll workers at each voting center;

NOW THEREFORE BE IT RESOLVED by the Clearfield City Council that pursuant to Title 20A, Chapter 5, Part 6 of the Utah Code:

- 1) the registered voters identified in 'Exhibit A' are hereby appointed to serve as poll workers assigned by the City Recorder for the municipal general election being held on Tuesday, November 3, 2015; and
- 2) the City Recorder is hereby authorized to make changes as needed to the list of approved/appointed poll workers to facilitate the operations of the elections.

Passed and adopted by the City Council at its regular meeting on the 13th day of October, 2015.

CLEARFIELD CITY CORPORATION:

ATTEST:

Mark R. Shepherd, Mayor

Nancy R. Dean, City Recorder

VOTE OF THE COUNCIL

AYE:

NAY:

POLL_NAME POSITION	SHORT_NAME	FIRST LAST	PHONE	MAILING_ADDRESS1	CITY	STATE	ZIP
G2015 Clearfield City Hall							
Clearfield City Hall 84015 Poll Manager		Katherine	Arave	(801)773-5442	661 W 600 N	Clearfield	UT
Clearfield City Hall 84015 Receiving Clerk		Tracy	Goertzen	(407)729-5154	921 S 1150 W	Clearfield	UT
Clearfield City Hall 84015 Technician		Peggy	Marston	(801)776-2214	1147 E 1150 S	Clearfield	UT
Clearfield City Hall 84015 Receiving Clerk		Crystal	Peterson	(801)774-8321	2277 S 300 W	Clearfield	UT
Clearfield City Hall 84015 Provisional Clerk		Joni	Phillips	(801)776-5845	1380 W 1045 S	Clearfield	UT
Clearfield City Hall 84015 Poll Book Clerk		Judy	Rickeberg	(801)771-4268	265 W 750 N	Clearfield	UT
Clearfield City Hall 84015 Poll Book Clerk		Nedra	Thomas	(801)825-4658	1440 S 1250 E	Clearfield	UT