

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
January 12, 2016

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Spencer Brimley	Development Services Manager
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Heather Christopherson – Ulrich & Associates, Chuck Ulrich – Ulrich & Associates, Brad Lasater – Wilcox Farms, Boy Scout Troop 584, Kathryn Murray, Amber Self, Con L. Wilcox – Wilcox Farms

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

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

Councilmember Benson conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 10, 2015 WORK SESSION AND APPEAL HEARING, THE NOVEMBER 24, 2015 WORK SESSION, AND THE DECEMBER 8, 2015 WORK AND POLICY SESSIONS

Councilmember Bush moved to approve the minutes from the November 10, 2015 work session and appeal hearing, the November 24, 2015 work session, and the December 8, 2015 work and policy sessions as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED FINAL SUBDIVISION PLAT AMENDMENT FOR THE WILCOX FARMS SUBDIVISION LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014)

Spencer Brimley, Development Services Manager, explained the proposed amendment to the plat was for the purpose of creating two lots to be sold for 1) the development of multi-family housing, and 2) the expansion of a day care operation west of the property. An engineering review was completed and determined that the request for the amended subdivision met the minimum City standards as set forth within the C-2 (Commercial) zoning district. He pointed out the southern portion of the property was under consideration for a rezone from C-2 (Commercial) to R-3 (Multi-family development) and the northern portion would be purchased from the daycare for expansion. Staff had included the North Davis Fire District (NDFD) letter and engineering letter in the Staff Report. The Planning Commission recommended approval based on the following conditions identified by staff during its meeting on Wednesday, December 2, 2015:

- Final engineering design (Improvement Plans) are set forth in a letter dated November 13, 2015.
- North Davis Fire District approval required as set forth in the letter dated January 4, 2016.
- All improvements are bonded prior to recordation of the plat.

Mayor Shepherd opened the public hearing at 7:06 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:07 p.m. seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

CITIZEN COMMENTS

Amber Self, realtor, distributed a handout reflecting statistics about the real estate market for Clearfield City for the 2015 calendar year and reviewed it with the Council. She mentioned Clearfield had been a popular location for homebuyers and pointed out there hadn't been a lot of inventory in the area.

PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2015

Chuck Ulrich and Heather Christopherson, Ulrich and Associates, P.C., presented the Clearfield City's draft Comprehensive Annual Financial Report (CAFR) for the year ending June 30, 2015 to the Council and pointed out the following:

- Page 19 – submitted letter from Ulrich and Associates expressing a “clean opinion” of the City's financial condition.

- Page 22-35 – Management’s discussion and analysis which had been prepared by Rich Knapp, Finance Manager.
- Page 43 – reflected the Fund Balance which was 36 percent of current revenues. He pointed out State Law only allowed the City to accumulate 25 percent; therefore, the City was 11 percent over the allowed amount. He stated the City would need to appropriate approximately \$1.5 million in expenditures for fiscal year 2017 to remedy the overage.
- Page 54 – reflected the City had underspent its budget by nearly two million dollars and indicated management had committed the funds for identified projects.
- Page 58 and 59 – identified the City’s Enterprise Funds and reported all accounts were functioning well.
- Page 59 - positive balance in Utility Balances.

Heather Christopherson spoke to the new requirement of accounting and reporting for pensions. She directed the Council to the following pages:

- Page 38 and 39 – the information had been provided by Utah Retirement System which had completed its own studies and audit. She clarified Ulrich and Associates was only required to include the information within its report. She reviewed the four line items with the Council. Adam Lenhard, City Manager, summarized the Utah State Retirement System was underfunded and the figure identified the City’s portion.

Ms. Christopherson indicated the Governance letter had been emailed which identified a few recommendations of controls to staff. She expressed appreciation to Rich Knapp, Finance Manager, and the finance staff for their assistance with the audit.

There were no additional questions of the Council.

APPROVAL OF A PROPOSED SUBDIVISION PLAT AMENDMENT FOR THE WILCOX FARMS DEVELOPMENT LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014)

Councilmember Phipps inquired about the Engineering review on page 3 of the Staff Report. Spencer Brimley, Development Services Manager, clarified that paragraph was stating the City’s engineer was requesting additional construction and infrastructure documents which would be reviewed following this approval of the boundary for the subdivision. He emphasized the Council was approving the subdivision upon the condition the City would receive all required documents for recordation.

Councilmember Young moved to approve the subdivision plat amendment for the Wilcox Farms Development located at 850 West 1600 South (TIN: 12-391-0014), as recommended by the Planning Commission, 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF THE AWARD OF BID FOR JANITORIAL SERVICES

Eric Howes, Community Services Director, stated staff solicited bids for janitorial services for City facilities. He explained four vendors submitted qualified bids and each bid was reviewed and ranked by a committee based on the guidelines included in the bid documents. He announced staff was recommending the bid be awarded to Coverall with a low bid of \$125,616. He explained the current contract was a one year contract with three one year additional options. He explained staff determined it would be best to go out for bid based on the performance of the current provider. He informed the Council that the current provider submitted the lowest bid; however, based on the grading criteria including cost and quality, staff was not recommending the lowest bid.

Councilmember Phipps moved to approve the award of bid to Coverall for janitorial services with a bid amount of \$125,616 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2016-01 AMENDING TITLE 1, CHAPTER 7, EMPLOYEE APPEAL BOARD OF THE CLEARFIELD CITY CODE

Adam Lenhard, City Manager, explained the City established an Employee Appeal Board to hear matters related to the discharge, suspension or involuntary transfer of employees. The current Board had five members consisting of employees and elected officials. State Law was amended to allow such appeals to be heard by a hearing officer. This ordinance amended the City's policy in such matters to be heard by a hearing officer as opposed to the current five-member board. He stated the committee had not convened at any time within the last eight years and emphasized there were currently no pending cases.

Councilmember Phipps clarified the hearing officer would be a hired position. Mr. Lenhard responded a contract would be drafted and awarded to numerous individuals to ensure availability at all times. He indicated the City would solicit contractors within the next few weeks. He emphasized the contractors would agree to a specified rate in the contract for services only paid if service was rendered.

Councilmember Bush asked about the qualifications of the individuals. Stuart Williams, City Attorney, responded the City would contract with attorneys which specialized or had experience with employment law. Councilmember Phipps pointed out employees would have to appear before an attorney and inquired about the language in the ordinance not being specific to qualifications. Mr. Williams responded language in the contract addressed qualifications as well as the job notification. Councilmember Peterson stated the exact language of the contract should be left to the executive staff otherwise any changes in the future would require approval by the City Council.

Councilmember Peterson moved to approve Ordinance 2016-01 amending Title 1, Chapter 7, Employee Appeal Board of the Clearfield City Code 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-02 APPOINTING “TEMPORARY JUSTICE COURT JUDGE(S)”

From time to time the Clearfield City Justice Court Judge may be absent from court or have a real or perceived conflict of interest that disqualified the judge from hearing a particular case. State Law allowed the City to appoint “Temporary Justice Court Judge(s)” to fill vacancies in such instances.

Stuart Williams, City Attorney, explained the current list of temporary judges was outdated and stated Code required the appointing body to provide for a temporary justice court judge to cover for vacations, illness or conflict of Judge Brower. He stated in addition to the proposed identified temporary judges, language had been included to allow Judge Brower to call upon anyone who met the State definition to fill in as a judge.

Councilmember Benson moved to approve Resolution 2016R-02 appointing “Temporary Justice Court Judge(s)” 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, Peterson, Phipps and Young. Voting NO – None.

CONFIRMATION OF THE CITY MANAGER’S APPOINTMENT OF SUMMER PALMER AS THE ADMINISTRATIVE SERVICES DIRECTOR

Mayor Shepherd stated the action before the Council was to confirm Adam Lenhard’s, City Manager, recommendation that Summer Palmer be appointed as the Administrative Services Director.

Councilmember Young moved to confirm the appointment of Summer Palmer as the Administrative Services Director, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

REAPPOINTMENT OF THE CITY RECORDER AND CITY TREASURER

State Law required the City Recorder and City Treasurer be appointed before the first Monday in February following a municipal election.

Mayor Shepherd stated it was his recommendation to reappoint Nancy Dean as the City Recorder and Rich Knapp as the City Treasurer.

Councilmember Bush moved to approve the Mayor Shepherd’s appointments of Nancy Dean, City Recorder and Rich Knapp, City Treasurer, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-01 MAKING APPOINTMENTS TO THE NORTH DAVIS FIRE DISTRICT'S ADMINISTRATIVE CONTROL BOARD

Councilmembers Mike LeBaron and Ron Jones had been representing Clearfield on the North Davis Fire District's Administrative Control Board. Due to results from the 2015 General Election Mayor Shepherd recommended appointing Councilmembers Keri Benson and Nike Peterson to serve as the City's representatives on the Board for terms expiring December 31, 2018.

Councilmember Peterson moved to approve Resolution 2016R-01 appointing Councilmembers Keri Benson and Nike Peterson to the North Davis Fire District's Administrative Control Board 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-03 APPOINTING VERN PHIPPS AS CLEARFIELD CITY'S REPRESENTATIVE ON THE ADMINISTRATIVE CONTROL BOARD OF WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

Clearfield City was a member of the Wasatch Integrated Waste Management District. Each member city of the District appointed one member to the Administrative Control Board.

Mayor Shepherd stated he had been serving in on the Board for the past two years but as he would soon be appointed as the Chair of the North Davis Fire District's Administrative Control Board believed it would be in his best interest to step down from the Wasatch Integrated Waste's Board. He announced his recommendation of Councilmember Vern Phipps to serve as the City's representative on the Administrative Control Board of Wasatch Integrated Waste Management District and expressed his confidence in Councilmember Phipps.

Councilmember Phipps moved to approve Resolution 2016R-03 appointing Councilmember Vern Phipps as Clearfield City's representative on the Administrative Control Board of Wasatch Integrated Waste Management District 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-04 APPOINTING REPRESENTATIVES TO SERVE AS ITS APPOINTEES ON THE TAXING ENTITY COMMITTEES FOR PROJECT AREAS ESTABLISHED BY THE CITY'S COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

Clearfield City had two appointments on the Taxing Entity Committee for any urban renewal, economic or community development project areas which either currently existed or which might henceforth be created by the Clearfield Community Development and Renewal Agency. Councilmember Bush currently served in one of those appointments but the other seat was vacant due to results from the 2015 General Election. Mayor Shepherd recommended appointing

Councilmember Vern Phipps to the Taxing Entity Committee to fill the vacancy and Councilmember Bruce Young as an alternate representative to the Taxing Entity Committee.

Councilmember Young moved to approve Resolution 2016R-04 appointing Councilmember Vern Phipps as a representative and Councilmember Bruce Young as an alternate representative to serve as appointees on any Taxing Entity Committee for project areas established by the City's Community Development and Renewal Agency and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

MAYORAL APPOINTMENTS

Due to the results of the 2015 Municipal Election it was necessary to make new assignments to various boards and commissions for members of the City Council. Mayor Shepherd pointed out he was recommending Councilmember Bush be appointed as Mayor Pro Tem.

Councilmember Young moved to approve and consent to the Mayor's appointments and authorize his signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Expressed appreciation to staff for its efforts in working with residents in the southern portion of the City regarding flooding issues and mentioned the City's insurance carrier had been notified.
2. Informed the Council that he would be out of town from Friday, February 5, 2016 through Thursday, February 11, 2016.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Mentioned it was great to see so many youth in attendance and invited those with questions to contact any of the elected body for clarification.
2. Informed the Council that the North Davis Sewer District Board had recently awarded the bid to complete the lining of sewer pipe. He announced there were no projects planned to take place within Clearfield City during the current year.

Councilmember Peterson – nothing to report.

Councilmember Phipps – nothing to report.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager

1. Announced the monthly report had been emailed to the Council.

2. Informed the Council that the New Year Kick-off meeting was scheduled for Friday, January 29, 2016.

STAFF REPORTS

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

- Tuesday, January 19, 2016 a photographer would be taking photos beginning at 5:30 p.m. with the work session following at 6:00 p.m. She stated interviews for Planning Commission and Parks & Recreations vacancies would be taking place.
- Policy session was scheduled for Tuesday, January 26, 2016.
- Friday, January 29, New Year Kick-off meeting.
- Local officials day at the Legislature was scheduled for Wednesday, January 27, 2016 and asked if those interested in attending would let her know. Staff would get them registered.

There being no further business to come before the Council, **Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 7:47 p.m., seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.**

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 26th day of January, 2016**

/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, January 12, 2016.

/s/Nancy R. Dean, City Recorder