

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
June 14, 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
	Spencer Brimley	Development Services Manager
	Greg Krusi	Police Chief
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Lee Naylor	Accountant/Budget Analyst
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder
EXCUSED:	Eric Howes	Community Services Director

VISITORS: Stephen Stanko – Utah Department of Agriculture & Food, Richard Homer – Davis County Beekeepers Association, Carl Marchant, Denise Hunsaker – Wasatch Beekeepers, Owen Parry – Wasatch Beekeepers, Rodney Marchant – Davis Beekeepers, Derrin Wissel – Davis Beekeepers, Robin Hamilton – Davis Beekeepers, Anna Wissel – Davis Beekeepers, Jerome Curran, Morgan Roberts, Ellen Middaugh – Davis Beekeeping, Andrew Smith – Davis Beekeeping, Bob Bercher, John Williamson, Dan & Lori Nelson – Davis County Beekeepers Association, Mike & Celise Herlin – Davis Beekeeping, Steve Silvester, Belle Silvester, M. Clint Bisbee, Dave Bouwhuis, Shirley

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 or Citizen Comments there were forms to fill out by the door.

Councilmember Benson conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE MAY 10, 2016 AND MAY 17, 2016 WORK SESSIONS AND THE MAY 24, 2016 POLICY SESSION

Councilmember Benson moved to approve the minutes from the May 10, 2016 and May 17, 2016 work sessions and the May 24, 2016 policy session as written, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE COMMENT ON THE 2016/2017 FISCAL YEAR BUDGET

Utah Code required cities to hold a public hearing regarding the adoption of the upcoming fiscal budget. The City staff had prepared and submitted to the Council a balanced tentative budget for the fiscal year 2016/2017 which would begin July 1, 2016 and end June 30, 2017. The submitted tentative budget was adopted on May 10, 2016 and included all funds.

Rich Knapp, Finance Manager, reminded the Council discussions regarding the 2016 budget began in January and a tentative budget had been approved in May. He announced the City would be holding Truth in Taxation which allowed the budget to be approved on August 9, 2016. He reviewed the following highlights of the proposed budget:

- Transportation revenue association with Proposition 1
- Increases in sales, gas and property taxes
- Merit increases
- Health insurance increase
- Wage increase identified in compensation study
- Personnel changes

He reported the City was healthy and reviewed Capital Expenditures.

- Public works maintenance and operations center phase II
- 700 South (1000 West to 1500 West) reconstruction
- Steed Park electrical upgrades
- Street maintenance
- Customer service center

He reviewed the items which had changed since approval of the tentative budget:

- Cancellation of Questival
- “Line of Duty” trust fund
- Traffic study at 1000 East near Clearfield High
- No increase for Liability Insurance
- Fleet changes for vehicle rental
- Public hearing for the water funds transfer. He announced that public hearing was part of the budget public hearing. He explained the State required the City to recognize its accounting for the water used by the City.

Councilmember Peterson asked what percentage of funds was in unreserved fund balance. Mr. Knapp responded approximately eighteen percent.

Councilmember Phipps asked about the PARAT Tax. Mr. Knapp responded the budget included revenue of approximately \$200,000 and mentioned specific expenditures had not yet been identified.

Mayor Shepherd opened the public hearing at 7:10 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Peterson moved to close the public hearing at 7:11 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

Anna Wissel, resident, requested the Council consider making an ordinance change specific to beekeeping. She believed neighborhood beekeeping was a great asset for the environment and believed the zoning restriction was prohibitive. She mentioned there were neighboring cities more densely populated which had adopted a more current beekeeping ordinance.

Denise Hunsaker, 1472 S 900 W, SLC, announced she had been a beekeeper for six seasons and was an active member of the Wasatch Beekeepers Association of Utah. She reported she had hives in her back yard and lived near downtown Salt Lake. She believed the City's current ordinance had been passed without adequate research and information. She suggested if the Council understood the importance of beekeeping within City limits it would appreciate their value to neighborhoods and suggested the bees were essential for pollination of fruit, vegetable and flower gardens. She stated bees will swarm during "swarm season" and without trained qualified beekeepers to take care of the swarms the public would panic. She requested the City reconsider its ordinance against beekeeping.

Councilmember Bush asked how Salt Lake City regulated bees. Ms. Hunsaker responded a representative from the Department of Agriculture was present and could respond to that question.

Steve Stanko, stated he was in attendance in an official capacity of the Utah Department of Agriculture and Food. He reported he was an inspector with the department and reported honeybees were the backbone of pollination services and were critical to the State's agriculture resources. He announced the Utah Department of Agriculture and Food was encouraging the City to adopt an ordinance which would allow for residential beekeeping. He suggested honeybees could safely be kept in urban environments and encouraged municipalities to adopt science based common sense rules. He continued ordinances which were too restrictive had unintended consequences which were peril to human health. He shared statistics specific to aggressive bees based on surveys and inspections. He expressed his opinion restrictive ordinances encouraged "hiding" from inspection programs and monitoring of hives.

Mayor Shepherd inquired how other cities had regulated beekeeping in their cities. Mr. Stanko reported Salt Lake City didn't require additional registration with the City, they only required the beekeepers be registered with the Department of Agriculture, which was already required per State Law.

Councilmember Peterson reported there were some Davis County cities which had patterned their beekeeping ordinance after Salt Lake City's which referred to the State's regulations.

Councilmember Young inquired about the State regulations. Mr. Stanko responded the primary focus of the state regulations were related to honeybee health as opposed to regulating nuisance issues such as designating the allowable number of hives allowed per property or identifying a water source. He further explained how designating a water source would be a good idea for residential beekeeping and indicated the State encouraged cities include language pertaining to that in their ordinance. He emphasized the State regulated temperament which didn't allow for aggressive bees and stated if those bees were identified via inspection, they were required to "re-queen" the hive and explained that process. He pointed out the State would work with the beekeeper in assisting with corrective measures as well as additional follow-up. He indicated all City health and nuisance regulations would also be applicable. He added the State required beekeepers to be registered with the Department of Agriculture as well as keeping an apiary of bee colonies which also had their own regulations. He emphasized inspections took place which ensured bees were in good health as well as determining compliance.

Mayor Shepherd responded the City would be addressing its beekeeping ordinance in the near future. Adam Lenhard, City Manager, clarified the City currently allowed beekeeping in its Agricultural zone and prior to 2009 wasn't addressed by ordinance. He reported beekeeping was allowed as a conditional use in the Agricultural Zone in 2009. He indicated this past legislative session legislation was proposed specific to beekeeping and reviewed the process and announced any recommendation would come through the Planning Commission. He introduced Spencer Brimley, Development Services Manager, and suggested interested individuals visit with him and announced the City would continue to move forward regarding the beekeeping ordinance.

Richard Homer, resident, Davis County Beekeeper's Association, distributed a handout reflecting neighboring ordinances and suggested the City implement an ordinance allowing residential beekeeping. He announced the Association had been instrumental in changing Layton City's ordinance and stated he would like to be involved with Clearfield City's process and indicated he would be in contact with Mr. Brimley. He reported on his experience with beekeeping and believed a hive could be kept appropriately in a backyard and indicated they only sought out pollen. He reported on Layton and Salt Lake City's ordinances and the benefits to neighborhoods.

Mr. Homer reported the need for the honeybees in the local area and suggested residential beekeepers need to be educated. He believed the State of Utah did an excellent job in regulating beekeepers and expressed concern regarding the lack of beehives in the local area. He suggested local beehives would result in flourishing gardens and fruit trees and believed educating residents was essential to successful neighborhood beekeeping.

David Bouwhuis, resident, shared his personal experience specific to the declining of the honeybee population locally and nationwide. He expressed concern with the hive collapse. He expressed a desire for education on behalf of the beekeeper and believed the hobby beekeepers would be instrumental in saving the bee population. He expressed confidence in Utah State's efforts in regulating bee colonies. He stated he had attempted to catch swarms of bees and reported he didn't get any activity on those located in Clearfield City and encouraged the hobby of beekeeping.

Jerome Curran, resident, expressed concern regarding required setbacks and height restrictions specific to garages. He explained how his home was situated on his property and indicated the current setback didn't allow for him to build a garage because of the required distance from the property line. He pointed out accessory buildings, sheds, were allowed to be constructed on the property line and many of barnlike sheds exceeded the height requirement. He reported on several of his neighbor's garages and believed there were inconsistencies of what was allowed. Mayor Shepherd suggested any ordinance change would need to proceed through the Planning Commission. Mr. Curran expressed displeasure at being required to pay an additional \$250 application fee to proceed through the Planning Commission and suggested there should be a simpler process.

Mr. Lenhard explained any accessory (detached) building, such as a shed, below 10 feet in height could be located two feet from the property line; anything taller than 10 feet tall would need to be eight feet off the property line. Mayor Shepherd informed Mr. Curran if he wanted to make a change for the entire city, such as an ordinance change, he should proceed through the Planning Commission but if he wanted something specific to his property, he should apply for a variance.

Councilmember Bush pointed out an ordinance change would also require public hearings. Mayor Shepherd emphasized the ordinance change would be a lengthy process and reviewed timing since the Planning Commission met only once a month as well as noticing requirements specific to public hearing notices with Mr. Curran. He suggested Mr. Curran visit with Mr. Brimley to further clarify the process and timing.

APPROVAL OF RESOLUTION 2016R-10 AUTHORIZING THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY TO PROVIDE ANIMAL CONTROL SERVICES

Davis County provided animal control services for the City under the direction of the Animal Control Director. The Interlocal Agreement was effective until December 31, 2020 and may be extended by approval of both parties in writing to the Agreement.

Adam Lenhard, City Manager, explained there were three components associated with the new Agreement:

- Usage fee
- Wildlife fee
- Capital Improvement fee

He reviewed changes to the Interlocal agreement and stated the total amount for this fiscal year was \$97,000. He reported staff had reviewed the agreement and was recommending approval.

Councilmember Young moved to approve Resolution 2016R-10 authorizing the Interlocal Agreement with Davis County to provide animal control services 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 REVISED STORM WATER SYSTEM CAPITAL FACILITY PLAN FOR CLEARFIELD CITY

The Storm Water System Capital Facility Plan was a city wide report to assist the City in planning and prioritizing capital improvement projects to the City's storm drainage system and to identify potential funding sources. The current Storm Water Capital Facility Plan was approved in August 2009.

Scott Hodge, Public Works Director, explained the Plan identified specific capital projects related to the City's storm water system. He informed the Council staff had recently reviewed the current plan which was approximately five years old and removed completed projects and added additional identified projects to The Plan. He reported the new plan now included 35 identified projects totaling approximately eleven million dollars. He added the new Plan encompassed twenty years; however, this Plan would also need to be revised in another five years. Mr. Lenhard explained six of the first identified projects had been included in the City's three year plan so fiscal years had been identified for completion. Councilmember Phipps asked what would happen with the Plan if an unanticipated event took place. Mr. Hodge responded the Plan should be considered something of a "road map" which would allow staff to readdress immediate needs if needed.

Councilmember Peterson moved to approve the revised Storm Water System Capital Facility Plan for Clearfield City 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 TO KAPP CONSTRUCTION TO COMPLETE THE WORK FOR THE 350 WEST COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IMPROVEMENT PROJECT

Bids were received from two construction companies for the 350 West Street Community Development Block Grant (CDBG) Project. The scope of work for the project would replace the existing six inch culinary water line with an eight inch waterline, install new fire hydrants, replaced the existing sanitary sewer pipeline with an eight inch sewer pipeline and install a new fifteen inch storm drain pipeline. The existing curb, gutter and sidewalk on 350 West Street from 300 West to 2300 South would be removed and replaced and new asphalt pavement would be installed on 350 West Street. The lowest responsible bid was received from Kapp Construction with the bid amount of \$581,855.50.

Scott Hodge, Public Works Director, explained two bids were submitted for this project and announced Kapp Construction was the lowest bid. He recommended awarding the project to Kapp Construction with a bid amount of \$58,855.50. He reported Kapp Construction had completed a project last year and expressed confidence in their abilities to complete this project.

Councilmember Phipps moved to approve the award of bid for the 350 West Street Community Development Block Grant (CDBG) Improvement Project to Kapp Construction for the bid amount of \$581,855.50 and approve funding for the project for the bid amount of \$581,855.50 with contingency and engineering of \$52,854.50 for a total project cost of \$634,710 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-12 AUTHORIZING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY AND THE MILITARY INSTALLATION DEVELOPMENT AREA (MIDA) FOR MUNICIPAL SERVICES AGREEMENT

The Military Installation Development Authority (MIDA) was an independent, nonprofit, separate body corporate and politic of the State of Utah. It had created the Falcon Hill Project Area which was located on the west side of Hill Air Force Base (HAFB). MIDA had authority to contract with another entity to provide necessary municipal services for the project area. The City was willing to provide some of those services as agreed upon. The MIDA board approved the Interlocal Agreement on June 4, 2013.

JJ Allen, Assistant City Manager, announced the City had been providing municipal services, such as police response, snow plowing, business licensing, etc. to the Falcon Hill Project Area at HAFB. He announced the current interlocal agreement would expire at the end of June and stated the city was required to approve a new agreement. He reviewed the identified changes:

- Annual pricing increases
- Clarification of how business licensing applications would be processed
- Extends the terms from three years to five years, and allows for some renewals
- Allows the parties to incorporate changes to the service area or pricing schedule without negotiating a new agreement

Councilmember Phipps clarified the agreement was flexible to accommodate for new growth in the service area. Mr. Allen responded that was specifically addressed in Section 16 of the Agreement.

Councilmember Young moved to approve Resolution 2016R-12 authorizing the Interlocal Agreement with the MIDA (Military Installation Development Area) to provide municipal services for the Falcon Hill Project Area 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.

Mayor Shepherd mentioned MIDA would be meeting on Tuesday, June 21, 2016.

APPROVAL OF THE CLASSIFICATION AND COMPENSATION STUDY EXECUTIVE REPORT AND BUDGET

The City contracted with McGrath Human Resource Group to conduct an employee classification and compensation plan study. The executive report and its subsequent budget had been presented to the City Council for its consideration.

Summer Palmer, Administrative Services Director, reminded the Council of those items discussed during previous work sessions included in the Report and asked if there any questions. Councilmember Phipps commented the Study and subsequent Report were well done and mentioned he liked making decisions based on hard facts. Mayor Shepherd stated the process was thorough and indicated he was impressed with the consultants and their work. Councilmember Young stated McGrath had done a great job completing the Study. He stated it was a balancing act taking care of employees while at the same time considering taxpayer's interest. Councilmember Peterson expressed appreciation to staff in addressing concerns and questions of the Council during the process. Councilmember Benson also expressed appreciation to staff for answering her questions during this process.

Ms. Palmer clarified their approval would implement the recommendations for this year as well as future years specific to the Policy and Procedure Manual in addition to pay schedule and indexes. She stated the compensation number was also included in this report.

Councilmember Benson moved to approve the Classification and Compensation Study Executive Report and budget 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.

COMMUNICATION ITEMS

Mayor Shepherd

1. Informed the Council he had attended and presented at Boys' State at Weber State University.
2. Expressed appreciation to those who attended the Memorial Day ceremony hosted by Syracuse City to honor local Veterans and suggested the City consider hosting its own event.
3. Reported he had attended Clearfield High's graduation ceremony and mentioned there was a significant amount of money awarded in scholarships. He mentioned Eric Howes' son had scored a 35 on the ACT and had accepted a full ride scholarship to BYU.
4. Announced he had participated in Inactivation Ceremony of the 388th EMS and CMS Groups which were combined to become the 388th Maintenance Squadron. He added with the addition of the F-35 aircraft coming to HAFB fewer individuals were needed.

Councilmember Benson

1. Commented on the great information provided during the meeting regarding bees and mentioned her fruit trees had no fruit on them. She was glad to learn and obtain provided information.
2. Announced We've Got Talent auditions were taking place on Friday, June 24, 2016, at North Davis Junior High, beginning at 7:00 p.m. She stated there would be no semi-finals, only finals

announced during the Fourth of July festivities on the Fourth. Mayor Shepherd requested she stop by and solicit participants from Rocky Mountain Tumbling gymnastic studio.

3. Stated she was also supportive of a Memorial Day Ceremony.

Councilmember Bush

1. Stated he would also support a Memorial Day event recognizing area Veterans.

2. Mentioned he was glad to see so many residents in attendance during this evening's meeting.

3. Reported the Kiwanis Club had presented Freedom Leadership and Hope of America awards at the end of the school year to students at several schools. He wished more schools within the City participated in those programs.

4. Reminder the Council of the North Davis Sewer District facility open house this Friday, June 17, 2016, from 10:00 a.m. to 2:00 p.m. He reported it was an interesting and complicated operation to process the sewage and encouraged attendance.

5. He inquired if any members of the Council were participating in the water tour scheduled for tomorrow, Wednesday, June 15, 2016.

Councilmember Peterson

1. Reminded the Council the assembling of the Fourth of July Parade float would be taking place on Saturday, June 18, 2016, beginning at 8:00 a.m. at the City's Public Works facility.

Councilmember Phipps

1. Mentioned he had attended Boys' State in 1975 and announced he had been elected as the Recorder.

2. Requested in addition to a Memorial Day ceremony suggested the City proceed with a Veteran's Monument.

3. Expressed appreciation to the mid-year planning session (work session) which took place on Thursday, June 9, 2016.

4. Reported he had attended Land Use training in Salt Lake City this past week.

Councilmember Young

1. Expressed agreement with previous suggestions regarding Clearfield City implementing its own Memorial Day celebration recognizing Veterans from Clearfield.

2. Announced mosquito abatement was in force and informed residents they could request their neighborhood be "fogged" if they were hosting a special event and explained the process.

STAFF REPORTS

Adam Lenhard, City Manager

1. Directed Curtis Dickson, Community Services Deputy Director, to implement a Memorial Day ceremony next year.

2. Announced his monthly report was completed and stated he would send it out later tonight.

3. He expressed appreciation to the Council for their support to the employees. He complimented staff in the professional, competent way they render service to the residents of the City.

4. Apologized for the conflict regarding the Summer Party and We've Got Talent auditions both being scheduled for Friday, June 24, 2016.

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

- No meeting next week, Tuesday, June 21, 2016
- Policy session on Tuesday, June 28, 2016
- No meeting scheduled for Tuesday, July 5, 2016

Reminded the Council the Employee Summer Picnic was scheduled for Friday, June 24, 2016 and requested RSVP to Kim Read, Deputy City Recorder.

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 8:15 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 28th day of June, 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, June 14, 2016.

/s/Nancy R. Dean, City Recorder