

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
May 10, 2016

PRESIDING:	Kent Bush	Mayor Pro Tem
PRESENT:	Keri Benson	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Bruce Young	Councilmember
PRESENT: VIA TELEPHONE:	Mark Shepherd	Mayor
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
	Eric Howes	Community Services Director
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Lee Naylor	Accountant/Budget Analyst
	Kim Read	Deputy City Recorder
EXCUSED:	Nancy Dean	City Recorder
VISITORS:	Kathryn Murray	

Mayor Pro Tem Bush called the meeting to order at 6:03 p.m.

Mayor Pro Tem Bush announced Mayor Shepherd would be participating in the City Council meeting via telephone.

DISCUSSION ON A PROPOSED PURCHASE OF A PARCEL LOCATED ADJACENT TO ISLAND VIEW PARK

JJ Allen, Assistant City Manager, shared a visual illustration identifying the parcel of property adjacent to Island View Park. He explained the City recently received notification from Davis County regarding a small parcel, 0.02 acres, of property adjacent to Island View Park that was scheduled to be sold at a tax sale for delinquent property taxes. He pointed out the proximity of the property in relation to the City park suggested the parcel was already being used by the City. He expressed his opinion that it would be in the best interest of the City to purchase the property. He explained the City could notify Davis County it would like to be considered a “preferential” buyer which would allow the City to purchase the property for the amount of the delinquent

taxes and any fees which was approximately \$349.82. He emphasized the park would not need to be re-platted and clarified the City would own all parcels involved in the Park. A discussion took place regarding the small parcel and the Council directed staff to proceed with the purchase.

#### DISCUSSION OF A FINAL SUBDIVISION PLAT FOR PROPERTY LOCATED AT APPROXIMATELY 1400 EAST 700 SOUTH (TAI PAN)

Spencer Brimley, Development Services Manager, explained staff had received a request from Tai Pan to subdivide two commercial lots adjacent to 700 South (SR 193) for retail development. He reported the item had advanced from the Planning Commission receiving preliminary subdivision plat approval and was recommending approval of the proposed subdivision.

He reported one particular item which needed to be rectified during the approval process was specific to storm water and indicated staff and the City Engineer had worked with the developer to create a detention area at the southern portion of the property for the drainage. He stated the applicant would be required to create an escrow to ensure completion of the improvement. He emphasized the subdivision would still need to proceed through the site plan approval process with the Planning Commission which would address parking and landscaping associated with the development. He pointed out the conditions of approval identified in the staff report.

Mr. Brimley identified where a cross access easement would be located allowing for continued access to Tai Pan. He clarified the entrance would remain where it was currently located which subsequently justified the need for the cross access easement. He emphasized there was adequate parking for all three establishments.

Councilmember Bush expressed concern regarding potential fencing surrounding each one of the two lots. Mr. Brimley believed connectivity would be a benefit to the commercial subdivision but suggested a restriction could be included as a condition to the Final Subdivision Plat. JJ Allen, Assistant City Manager, asked if there would be any CC&R's (Covenants, Conditions and Restrictions) with the subdivision. Mr. Brimley indicated the developer hadn't made mention of that inclusion. Councilmember Bush expressed his opinion something should be included restricting possible fencing of the lots in the future.

#### DISCUSSION ON THE DEPOT STREET DEDICATION PLAT IN THE VICINITY OF 450 EAST AND 700 SOUTH

Spencer Brimley, Development Services Manager, shared a visual illustration and reviewed the history of the property with the Council. He explained the parcel which was deeded to the City as a "parcel" rather than a "right of way". He continued Davis County was requiring "legal access" for the West Square development and the plat would formalize the access to West Square. He identified all parcels of property on the visual illustration pointing out the connection for Clearfield Station. He reported the Planning Commission recommended approval to the City Council.

## DISCUSSION ON THE FISCAL YEAR 2017 TENTATIVE BUDGET

Rich Knapp, Administrative Services Director, clarified State Code required the City to adopt a tentative budget and set the public hearing for adoption of the final budget by June 22, 2016. He added the City had until August 17, 2016 to adopt the final budget if it determined to hold a Truth in Taxation process. He pointed out the City hadn't yet received the certified tax rate from Davis County and was anticipating an increase in property values which would result in a decrease to the tax rate for the City. He stated since 2011 the City had maintained the rate and announced it was staff's recommendation to again proceed with the Truth in Taxation process allowing the City to adopt the final budget during its meeting on Tuesday, August 16, 2016. JJ Allen, Assistant City Manager, emphasized the City would want to maintain the rate in order to receive the same number of dollars as last year.

Councilmember Peterson arrived at 6:25 p.m.

Councilmember Phipps inquired if the tentative budget was based on current or new revenue. Adam Lenhard, City Manager, clarified it had been based on current revenue. Mr. Allen emphasized if the rate was maintained, the City would receive a little more revenue which would allow the City to use less fund balance in the 2017 budget.

Mr. Knapp directed the Council to page 4 of the tentative budget and reviewed changes made to it since the previous City Council work session:

- Roadways Overtime \$ 700.
- Roadways Clothing \$ 910.
- Added Attorney Travel \$ 2,635.
- Removed Manager Fleet Lease \$ 1,518.
- Increased ULCT Dues \$ 200.
- Reduced In State Lodging \$ (780).
- Reduced NLCT costs to 1 attendee \$ (10,935).
- CDRA Revenues Net Increase \$ 12,183.
- EDA 3 Incentive Change \$ (39,819).
- Delayed Sewer Project-Freeport "G" 3<sup>rd</sup> Street to 5th Street \$ (350,000).
- Liability insurance allocation all funds. Total is the same but more in Enterprise Funds and less in the General Fund.

He also mentioned items which hadn't yet been included in the final budget:

- Liability property insurance premium increase between five and ten percent due to the sewer incident.
- Employee health insurance premium increase.
- Questival costs – Mr. Allen highlighted specifics related to Questival expenditures and a discussion took place during which several members of the Council expressed concern whether there was sufficient time to publicize and put together a successful event. Councilmember Peterson expressed concern whether Cotopaxi would follow through with its commitment related to publicizing the event. Mayor Shepherd stated the City hadn't requested a signed contract since the new agreement had been reached, but believed the City needed something in writing clearly identifying its responsibility.

Councilmember Peterson expressed concern with the Cotopaxi branding on some level not being fully invested in the event. Councilmember Benson wondered if the City should put the Questival on hold until a signed contract was in place; however, she recognized there was little time for staff to get things in place.

Councilmember Peterson inquired how the “Wounded Warrior” charity would benefit from the event without Cotopaxi’s participation. Mayor Shepherd responded funds would be raised during the event challenges. He also believed the City couldn’t wait or hold-off until a contract was in place due to the time constraints. A discussion took place regarding if there was enough time to put together a successful event.

Councilmember Young asked how much money had already been committed in the form of sponsorships for a Cotopaxi event and expressed concern whether the sponsorships would remain if the City was without the branding of a “Cotopaxi” event. Mayor Shepherd believed the figure was close to \$15,000. Councilmember Phipps pointed out Cotopaxi had originally indicated at least 700 participants were required for a successful event. He expressed concern about whether the City could generate that amount of interest in the event without Cotopaxi’s involvement.

Mr. Allen announced registration was open and knew that one team was registered. Councilmember Phipps expressed his opinion the power of the Cotopaxi brand associated with the event would be critical to its success. Councilmember Peterson asked what the response had been once the sponsors were made aware it would no longer be a Cotopaxi event. Mr. Allen responded the City had not yet made the sponsors aware of that detail. Councilmember Bush announced there were only 51 days until July 1. Mayor Shepherd surmised it was the sentiment of the Council that the City couldn’t pull off a successful event on its own without Cotopaxi in that amount of time and stated if it was the Council’s decision to discontinue the planning of the event. He said he would support the Council’s decision. The Council discussed the risks involved in continuing with the event and Mr. Lenhard reported he would direct staff to proceed with discontinuing the event. Mr. Allen emphasized if staff would have known in December that Cotopaxi would not be involved it would have been easier for staff to make the event happen.

Mr. Lenhard pointed out the Council would be asked to approve the tentative budget during the policy session and asked if there were any questions which could briefly be addressed:

- Councilmember Bush asked what projects had been identified for PARAT tax revenue appropriations. Mr. Lenhard responded Eric Howes, Community Services Director, would be sharing a presentation with the Council on Tuesday, May 24, 2016.
- Councilmember Phipps inquired about the Freeport Center sewer project. Scott Hodge, Public Works Director, explained the City was currently completing the first phase of that project and indicated the second phase was still in the budget and reported the third phase was eliminated.
- Councilmember Benson asked about tuition reimbursement in the budget. Summer Palmer, Administrative Services Director, directed the Council to where it could be located in the budget document and reviewed the process used for distribution.

- Councilmember Phipps inquired about the employee compensation plan. Mr. Lenhard responded the consultants would share the results and recommendations during a work session on Tuesday, May 31, 2016. He indicated staff had already met with them and reviewed preliminary numbers. He reported the tentative budget included a 2.5 percent merit increase for all employees, subject to performance reviews. He continued an additional \$100,000 had been set aside for market adjustments. He expressed his opinion the consultants would identify if more funds were needed to fully fund a compensation plan long term.

**Councilmember Benson moved to adjourn the work session and reconvene in a City Council policy session at 6:57 p.m., seconded by Councilmember Peterson. All voting AYE.**

The work session reconvened at 7:52 p.m.

Mayor Shepherd did not participate in this portion of the work session via speaker phone.

#### CONTINUATION OF THE DISCUSSION ON THE FISCAL YEAR 2017 TENTATIVE BUDGET

JJ Allen, Assistant City Manager, stated the meeting was the Council's opportunity to ask questions and have discussions regarding the fiscal year 2017 budget. He stated the Council had until Tuesday, June 14, 2016 to make any desired corrections. Adam Lenhard, City Manager, requested feedback from the Council related to compensation. He reminded the Council that the City had recently commissioned a study to ensure employees were fairly compensated. He continued concern had been expressed by members of the Council regarding public safety employees' compensation in recent weeks. He briefly shared specifics regarding the turnover in the police department and requested direction from the Council and a discussion took place.

Councilmember Bush believed police officers should be above market because of the nature of their job. Councilmember Phipps suggested the objective should be to recruit and retain officers and believed there was real value to officers that had tenure. Councilmember Benson mentioned the process in hiring qualified officers and the length of time it took to train and gain experience as a police officer. She expressed concern the City might not ever gain the experience that was lost. Councilmember Young commented in theory he could agree in being slightly above market but expressed concern the current environment was creating a "race" in hiring officers and suggested other incentives should be considered. Councilmember Peterson liked the idea of creative incentives being included. Councilmember Phipps stated salary was only one component in retaining quality trained officers. Mr. Lenhard mentioned chain of command and seniority was extremely important to the police department. A discussion took place regarding options for consideration in recruiting officers. Mr. Lenhard reported staff would proceed with the consultants regarding the police department.

Mr. Allen mentioned some members of the Council had requested information specific to Fourth of July costs and inquired if there still remained concerns after the email he sent yesterday. Mr. Lenhard requested direction from the Council regarding the Fourth of July event. Councilmember Phipps believed the celebration should primarily benefit the residents of

Clearfield and expressed concern it had become a regional event. Councilmember Benson emphasized Clearfield taxpayers were paying for the celebration and she wanted them to enjoy it. Councilmember Young expressed concern the City was using tax dollars to pay for a regional event rather than something that would benefit Clearfield residents and suggested sponsors should help offset the growth (expense) of the event. Councilmember Peterson expressed agreement with what had already been mentioned. Councilmember Bush also wondered how many attendees were Clearfield residents and asked what the desired purpose for the event was. Mr. Allen reported there would be reserved seating for the headliner event available for sponsors of the event.

Mr. Lenhard asked questions and a discussion took place regarding the following:

- Parade
- 5K Run
- Fireworks
- Cotopaxi/Questival
- Entertainment

Councilmember Peterson suggested designating a specific dollar amount for the event. Mr. Allen responded he liked that idea as parameters would be designated prior to brainstorming or planning the event.

Following the discussion Mr. Lenhard clarified the Council's direction for the night of the Fourth of July:

- Concert
- Fireworks
- Vendors

The Council reaffirmed that direction and stated it wanted the event to cost less than the upcoming event. Mr. Lenhard requested the Council be prepared to provide an actual dollar amount it would be comfortable with for the event.

Councilmember Bush asked what the purpose was in hiring a videographer for the Fourth of July. Mr. Lenhard responded staff wanted to use the video or video clips as a marketing tool to be used for advertising, promoting future events, soliciting vendors, etc.

Councilmember Benson suggested the Council determine the number of days it wanted for the Fourth of July celebration and a discussion took place regarding upcoming planned events.

#### DISCUSSION OF A GENERAL PLAN AMENDMENT IN THE LEGEND HILLS AREA

Spencer Brimley, Development Services Manager, displayed a map illustrating the Legend Hills area and reported the City had received a request from Wayne Belleau, property owner, for a change in the General Land Use map requesting approximately seven and a half acres be changed from commercial to residential. He continued the reason for the request was the specified property had been marketed for over 10 years and nothing positive had been recognized. He reported the property owner/developers believed the best viability for the parcel would be residential.

Mr. Brimley identified one reason shared by the developers to the Planning Commission which was more rooftops were needed in that area to attract quality commercial uses. He informed the Council that staff had recommended denial of the request because it was inconsistent with the General Plan and the applicant had failed to provide substantive support for the request. He stated the Planning Commission subsequently recommended approval of the General Plan amendment by a split vote.

Councilmember Bush requested clarification of the acreage because there were no boundaries reflected on the illustration and inquired what type of residential was proposed. Mr. Brimley pointed out the acreage, He informed the Council that originally it appeared as if the Planning Commission would recommend denial of the request; however, there was a change in vote and the recommendation was approval of the request. He added the developers desired an R-3 density, 16 units to the acre, which would add approximately 120 units.

Councilmember Bush expressed concern regarding access to the development. Mr. Brimley responded access would be problematic and explained the developers' tentative site plan. He also reviewed the existing multi-family housing in the surrounding area and pointed out the Planning Commission had expressed concern with additional multi-family. He indicated the developers' argument focused on the need for additional residential to support the desired and proposed commercial development for the additional acreage.

Councilmember Young believed it was too early to see how the proposed current multi-family housing in the surrounding area would impact other development opportunities and stated he would like to take a wait and see approach. JJ Allen, Assistant City Manager, stated that was exactly the rationale behind staffs' recommendation to the Planning Commission for denial.

Councilmember Phipps inquired about the options available to the developer if the request was denied. Mr. Brimley responded the applicants had indicated they could market the property within the bounds of what was allowed in the City's current ordinance. Councilmember Benson believed the owners/developers knew firsthand how valuable the property was and suggested it would continue to be marketed for a quality commercial product because of things happening in the area.

Councilmember Bush pointed out the challenges in developing the western corner as commercial but expressed agreement with Councilmember Young that he didn't want to overbuild the area with multi-family housing. He also expressed concern with having only one access to the proposed multi-family housing unit and stated unless there were additional accesses to the east and south he wouldn't give it consideration. A discussion took place regarding the property and request.

Mr. Brimley reported the request would addressed by the Council during the policy session on May 24, 2016. Councilmember Phipps stated it was difficult for him to understand the logic that rooftops were needed before commercial development would happen in a specific area.

## DISCUSSION ON THE AWARD OF BID FOR THE 25 NORTH STREET WATERLINE IMPROVEMENT PROJECT

Scott Hodge, Public Works Director, informed the Council that one of the identified capital projects in the current budget was to repair a waterline on 25 North. He explained it was a small section and presented an illustration identifying the location and announced several water leaks occurred in the area during the past year. He reported \$85,000 had been appropriated for the replacement of the steel waterline with an eight inch plastic PVC waterline. He indicated the City had recently completed the bid process for the project with six bids being submitted. He announced the low bid was \$82,500 and distributed a handout reflecting the bid results to the Council. He stated additional funding of approximately \$20,000 would be needed to move forward with the project to cover engineering and contingency expenses. He reported he had visited with Rich Knapp, Finance Manager, who had indicated funds could be recognized in the water Enterprise Funds. He mentioned some savings of approximately \$3,000 could also be recognized by slightly scaling back the project and requested direction from the Council.

Mr. Hodge mentioned recent bids submitted for projects were coming in higher than anticipated and would affect future budgeting for projects. He mentioned the City wasn't familiar with the contractor and the engineer had made contact with their provided references which reflected they could provide a quality product. Councilmember Benson asked how long the project would take to complete and Mr. Hodge explained the process and believed once the contractor was on site it would take approximately one month. A discussion took place regarding the elimination of the small portion to reduce costs of the project and the scope of work in that area. The Council directed staff to complete the project as originally intended and not scale back because it would be a benefit to the area for such a small cost of approximately \$3,000 to \$4,000.

## DISCUSSION ON THE VILLAGE MOBILE APP

JJ Allen, Assistant City Manager, reminded the Council of the presentation shared during the April 26, 2016 work session regarding The Village Mobile App and requested direction from the Council. Councilmember Phipps expressed concern the City would be the experiment for the App. He continued that the product was too new and had not been fully implemented. Councilmember Young agreed and added it was a new company with no proven track record. He also expressed concern about what the benefit would be to the City. Councilmember Peterson agreed with both councilmembers and believed the City should use the tools that were currently available and shared Kaysville's example of live streaming its council meetings. Councilmember Benson was also agreed. A discussion took place regarding the App, other options available to the Council, and concerns associated with the App.

The Council directed staff to not proceed with The Village Mobile App at this time and Mr. Allen reported staff would contact Mr. Sechrest.

The meeting adjourned at 9:25 p.m.

**APPROVED AND ADOPTED**  
**This 14<sup>th</sup> 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, May 10, 2016.

/s/Nancy R. Dean, City Recorder