

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
December 12, 2017

PRESIDING:	Kent Bush	Mayor Pro Tem
EXCUSED:	Mark Shepherd	Mayor
PRESENT:	Nike Peterson Vern Phipps Tim Roper Bruce Young	Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Stuart Williams Scott Hodge Greg Krusi Eric Howes Curtis Dickson Rich Knapp Trevor Cahoon Nancy Dean Wendy Page	City Manager Assistant City Manager City Attorney Public Works Director Police Chief Community Services Director Community Services Deputy Dir. Finance Manager Communications Coordinator City Recorder Deputy Recorder

VISITORS: Ric and Suzie Leyba, Bob Bercher, Betty Young, Madelaine Tesori, Tony Belford, Cory Ellis, Jeff Vandertoolen, Anthony Solis, JJ Hastie, Ominae Toafe, Brodey Ellis, Kuwen Ren, Ryken Atkins, James Belford, Shawn Brushier, Leland Chavez, Julien Child, Brayden Dawson, Braxton Featherstone, Cohen Freeman, Synic Harvey, Zakary Hastie, Alyric Kelley, Hayden Knight, Jesse Lopez, Robert R. Magalong, Azavier McDaniel, Noah Medonis, Dash Simper, Jacob Sumpter, Blake Williamson, Matthew Morrill, Rylen Rude, Anthony Solis Jr., Marley Toafe, Giddoniah Vandertoolen, Kennie McDaniel, Heather Christopherson – Ulrich and Associates, Aaron Wade – Gilmore and Bell, Johnathan Ward – Zions Bank

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

Mayor Pro Tem Bush informed the audience that if they would like to comment during the Open Comment Period there were forms to fill out by the door.

Councilmember Peterson led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 28, 2017 POLICY SESSION

Mayor Pro Tem Bush advised the visitor section needed to include Kristi Bush who was present for the meeting.

**Councilmember Roper moved to approve the minutes from the November 28, 2017 policy session, as amended, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper and Young. Voting NO – None.**

RECOGNITION OF CLEARFIELD'S YOUTH FOOTBALL TEAM

Clearfield City's Mitey Mites Football Team consisting of eight, nine, and ten year olds had a successful season and advanced to the Wasatch Front Football League (WFFL) Mini-Bowl Championship game at Ogden High winning in double overtime with a score of 19 to 12 on Saturday, October 28, 2017. Mayor Pro Tem Bush and the City Council recognized the players and coaches for their achievement. Members of the team were presented with Certificates of Achievement and a City coin. Head Coach Tony Belford on behalf of the team presented the City with a plaque and game ball which was signed by the players.

APPROVE RESOLUTION 2017R-22 OF THE CITY COUNCIL OF CLEARFIELD CITY, UTAH AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$7,500,000 AGGREGATE PRINCIPAL AMOUNT OF SALES TAX REVENUE BONDS, SERIES 2018; AND RELATED MATTERS

JJ Allen, Assistant City Manager, explained the resolution would set the most conservative maximum parameter that could be possible relating to the issuance of bonds. He noted when the bonds were issued the amount would be within the parameters set but at the value of the time period. He indicated on the agenda the bonds were referred to as Sales Tax Revenue Bonds; however, after further edits were done to the Parameters Resolution it was determined it was more appropriate to call them Excise Tax Revenue Bonds. He acknowledged the intent was to service the debt through the tax revenue collected from utility taxes. He highlighted the parameters for the resolution which included the sale of a maximum of \$7,500,000 in bond funding to be serviced over a 25 year term with a maximum interest rate of seven percent. He explained the purpose would be to acquire property and make improvements that were for governmental purposes. He indicated the City's financial advisor Johnathan Ward, Zions Bank, and Aaron Wade, bond counsel from Gilmore and Bell, were also present to assist in answering any questions about the resolution.

Councilmember Young reasoned that seven percent for an interest rate seemed high even as a cap and recognized the economy would have to change significantly before such a cap would be realized. He suggested the Council would probably want to reconsider what it was intending should that be the interest rate when the time came for taking action. Mr. Allen responded should the resolution be passed it would still not commit the City to issuing the bonds; rather, it was just a necessary step in preparation for moving forward with that process. Mr. Ward agreed seven percent was a high interest rate. He anticipated the highest coupon would be five percent with a term of fifteen years. He clarified seven percent represented the maximum coupon at which the investor could buy the bonds but the actual cost to the City would be a blend of multiple coupons in an amortization schedule. He explained bond interest rates were distinctly different than mortgage interest rates. He indicated if the Council wanted to amend the interest rate from seven

percent to six percent it was unlikely that change would cause stress or concern from a marketing standpoint. He acknowledged five percent was a standard rate and the yield was worth three percent to the City. He commented the bond mathematics protected investor's liquidity to trade it later on. He noted the intent with including a cap at seven percent interest rate was to provide the maximum flexibility, but he didn't think reducing the maximum interest rate to six percent would be too limiting.

Councilmember Peterson expressed her concern with wording in relation to the committee of decision makers that would grant authority to individuals rather than a group. She asked if it was possible to change the scope to include a group of people rather than a specific individual. Mr. Ward responded about four years ago language was incorporated into State Statute to delegate authority from the Council to a collective body or individual(s) who, on behalf of the City, would be able to lock in terms or conditions. He explained the intent was to provide flexibility because timing of City Council meetings was not always favorable with buying and selling bonds. He remarked the group or individuals were not allowed to consummate and execute the issuance of the bonds. Mr. Ward noted there would be many documents which would need to be signed and attested in order to finalize any transactions.

Mr. Wade presented the option of having two persons or a committee as those authorized to commit on behalf of the City. He encouraged leaving flexibility so there would not be extraordinary measures necessary at a later date. Councilmember Phipps commented he liked the idea of having both an elected official and staff member as part of the committee, but having at least two individuals would be a prudent choice for holding that authority. Adam Lenhard, City Manager, offered insight from previous decisions that were made where there was similar language and it was a joint decision. He commented staff would be comfortable with the Council's decision on the composition of the committee. He added the committee would ultimately work for a decision that would get the best possible result for the City. Councilmember Young expressed his opinion that two individuals should be needed for authorization. Councilmember Peterson acknowledged even though there would be parameters in place a two member body would be the preferred method rather than one individual.

Council Peterson asked when Exhibits B and C would be available for review. Mr. Wade stated there were a Bond Indenture and a Bond Purchase Agreement ready for review. He said he brought the draft file copy of those documents. Nancy Dean, City Recorder, stated she would scan the provided documents and email those to the Council for review.

Mr. Ward explained the documents were not in final form; however, the resolution indicated the documents would be attached as an exhibit in substantially file form and would be held in the Recorder's office for a period of at least 30 days allowing the public to review. He identified the Indenture was the umbrella legal document which spelled out the relationship between the City and a trustee. He continued the trustee would act on behalf of multiple sets of bond holders or investors. He indicated if there were multiple sets of bonds it would align all of the "what if" scenarios. He stated every bond issue, whether there was one or multiple issuances, would be sold with the same provisions to insure all bond holders were treated the same way under the umbrella legal document. He commented the Bond Indenture; First Supplemental Indenture of Trust, which pertained to the specific transaction; and Bond Purchase Agreement would not be

finalized until after the 30 day public comment period, the transaction's approval, and obtaining all the necessary signatures. He acknowledged there may be a Second Supplemental Indenture of Trust needed if there was another series of bonds at some point in the future.

Councilmember Phipps requested to know the anticipated use for the total amount of money. Mr. Allen responded the money would be used for purchasing a piece of property that the Council had knowledge of the projected price, but additionally there could be opportunity to purchase ancillary properties which could cost another million. He acknowledged another way the bond proceeds could be used was for modifications to the property such as relocation or cleanup. He reminded the Council that during the work session on December 5, 2017 there was also a discussion about capitalizing interest costs. He commented it was determined the maximum amount the City should need for the project was \$7,500,000.

Councilmember Phipps recalled a discussion about having one sale of the bonds and wondered if that was still the plan or if there would be incremental sales. Mr. Ward answered there would be one sale and one bond issue; however, the document was set up so that if another series of bonds was desired the framework was already in place and governed those types of bonds now and in the future.

Councilmember Phipps asked if the City was obligated to take all of the \$7,500,000 at one time or if it could be taken incrementally as needed. Mr. Ward answered what was being contemplated with the parameters resolution would be for the City to receive an amount of \$7,500,000 or something less than that all at one time. He stated the concept of incremental advance had happened in rare cases, but it was not usually advantageous to the City unless it had multiple projects that needed a similar type security. He explained with incremental draws each time there could be a new interest rate. Mr. Ward concluded bonds were generally sold all at once for the desired project. Councilmember Bush confirmed an incremental advance could have different interest rates. Mr. Ward acknowledged potentially there could be a new interest rate with each advance which could be costly.

Councilmember Phipps expressed his concern about over extending the City so he requested to know what the City would be paying every year on the bonds if everything was favorable with minimal costs. Mr. Allen responded assuming the City was to acquire the property, it anticipated selling it and building into the bond issue flexibility for prepayment. He anticipated best case scenario a large sum could then be paid off within the first two or three years. He stated in the worst case scenario it had been discussed the City would carry a debt service of roughly \$750,000 per year. Councilmember Phipps clarified the worst case scenario would be if the City owned the property and could not do anything with it. Mr. Allen confirmed that was correct, but the point would be to have bond revenues that could secure the payment. He added if a large portion were paid off then any remaining debt which could be between a million and a half or two million dollars the City could carry for up to ten years. He indicated the debt payment could be structured based upon the annual debt service and length of term desired.

Councilmember Young mentioned the best case scenario did not include the possibility of recouping all costs to the City. Mr. Allen commented with the issuance of bonds the City would

have to be made whole so the CDRA would likely have a role with its revenue stream for the vision of what the City hoped to accomplish with the corridor.

Councilmember Young questioned if the market was foreseeable could the property appreciate through the cost of development so the City could recover the cost of at least the property. Mr. Lenhard expressed his opinion of optimism and cautioned about making a decision based on the best case scenario. He commented many had expressed interest in the property and its development so there was a possibility the City could choose from multiple development partners, any of which would do a good job. He stated he was optimistic for the City's pursuit of the property and anticipated it could recover a majority if not all of its investment. There was a discussion about having a range of expectations.

Councilmember Phipps asked for further explanation about the change in wording from sales to excise taxes. Mr. Ward noted it was his suggestion to change the wording because the City already had outstanding sales tax revenue bonds. He explained bonds were rated every couple of years and to avoid any financial confusion as to which bonds someone was referring to it was recommended to label the proposed series of bonds as excise tax revenue bonds. He noted the excise tax revenue bonds would pledge the energy sales tax which would be from a different revenue source than the sales tax revenue bonds still outstanding. He indicated clarification at a glance would be helpful and was the reason for the updated language.

Councilmember Phipps wondered if someone could briefly explain the meaning of the last sentence on Page 4, Section 7 in the Parameters Resolution. Mr. Wade said it talked about no provision of the Resolution creating a general obligation of the City of Clearfield or the State of Utah. He explained if there was a general obligation debt and payment could not be made, essentially the entire taxing authority of the City could be used to pay the debt. He commented that particular sentence was simply stating the only recourse that bond holders had to force collection of the debt would be the specific excise taxes that were mentioned.

Councilmember Phipps questioned Page 8 in Section 11, the last line which indicated "does not exceed \$10,000,000. Mr. Wade answered there were certain tax laws for issuers that issue bonds under ten million dollars in a given year. He explained if Clearfield City issued under \$10,000,000 of bonds in a given year, there was a special exemption for banks and there was the possibility of the bank purchasing the bonds to receive the special tax treatment. Mr. Ward commented it was a good question and noted that the beginning word in the paragraph was "if" these bonds are issued as tax exempt. He further explained that under the taxable structure this incentive would not apply. He continued that staff had asked about removing that section, but Mr. Wade requested it remain for additional flexibility. Mr. Ward explained if it were an option for the City to do this tax exempt it could save the City money. Councilmember Phipps recalled it was a slim possibility to have the bonds tax exempt, but it was nice to have the option available if it could save the City money. Mr. Ward agreed having the option with the uncertainty of tax reform would be good.

Councilmember Phipps asked if the concept of prepayment would be part of negotiations and included in the execution of the bond documents because he did not see it included within the Parameters Resolution. Mr. Ward indicated the concept of prepayment was included in the

General Indenture documents given to the City Recorder; however, it was not called prepayment but referred to as “optional redemption” or “extraordinary redemption.” He stated the redemption was addressed in the General Indenture and then in the Supplemental Indenture, and it would address the specific prepayment once negotiated that would be codified in the documents. Councilmember Phipps expressed his thanks to both Johnathan Ward and Aaron Wade for their expertise and help in understanding the Parameters Resolution.

There was a discussion about amending the resolution so the interest rate maximum was six percent. It was the consensus of the Council to amend the interest rate and have the ceiling or maximum amount updated to a maximum six percent interest rate.

**Councilmember Phipps moved to approve Resolution 2017R-22 of the City Council of Clearfield City, Utah authorizing the issuance and sale of not more than \$7,500,000 aggregate principal amount of Excise Tax Revenue Bonds, Series 2018; and related matters with the addendum wording change of having two people form the decision body and reducing the maximum interest rate to six percent; and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

#### PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2017

Heather Christopherson, Ulrich and Associates, P.C., presented Clearfield City’s Comprehensive Annual Financial Report (CAFR) for the year ending June 30, 2017 to the Council and highlighted the following:

- Page 15 – the Independent Auditors’ Report was important and briefly summarized that everything included was correct materially and was presented fairly.
- Pages 18 through 30 – the Management’s Discussion and Analysis section was an overview of how the City had done through the year and pointed out the key transactions.
- Pages 32 through 34 – the balance sheet and income statements were part of the reporting requirements, but not a reflection of how the City was managed. She cautioned it was good information but hard to dissect.
- Pages 36 – the best place to see how the City was managed and included the balance sheet for the governmental funds.

Ms. Christopherson pointed out the first column on the left of page 37 referred to the General Fund and those amounts were addressed as committed, assigned, and unassigned. She mentioned for State compliance purposes those amounts were asked to be reviewed to determine if it was above the amount allowed by State law. She acknowledged for the 2017 fiscal year the unassigned amount was about \$6,000,000 which meant the City was over its reserve revenue allowance of 25 percent by about \$2,000,000. Ms. Christopherson indicated the last ten fiscal years could be reviewed on page 127. She noted State law changed in 2013 raising the revenue allowance from 18 percent to 25 percent. The City had been above the allowed amount for multiple years which information was available in the report.

Adam Lenhard, City Manager, commented \$1,800,000 was allocated for expenditure in the Fiscal Year (FY) 2018 budget. He added the two million dollars over the allowed reserves was as of June 30, 2017.

Ms. Christopherson continued her review of the CAFR.

- Pages 40 through 41 – statement of revenues, expenditures, and changes in fund balances. She spoke to the odd issue during 2016/2017 year which occurred with refunding bonds. She noted the column with G.O. Bond Funds showed a 960,000 negative number, but explained it was just a function and the City did not spend \$960,000.
- Page 43 – included actual budget comparisons and the bottom line showed the City anticipated receiving less money, but actually received more.
- Page 47 – the City spent less than planned and throughout the pages it showed more detail of where the money was spent in the actual amount column.
- Page 50 through 51 – the Proprietary Funds listed the unrestricted amounts near the bottom of page 51 and those funds were available for future spending because they were unrestricted.
- Page 52 through 53 – the change in net position on the bottom of page 53 showed what was spent into that position and was more of a function of non-cash value rather than money spent out the door.
- Page 122 through 144 – the historical schedules compared the last ten years.

Ms. Christopherson expressed appreciation to Rich Knapp, Finance Manager, and the finance staff for their assistance with the audit. She asked if there were any additional questions.

Mayor Pro Tem Bush thanked Ms. Christopherson for her presentation.

#### PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE FISCAL YEAR 2017/2018 BUDGET

State Law required a public hearing before the City Council approved amendments to the City budget. Rich Knapp, Finance Manager, presented amendments for the Fiscal Year 2017/2018 budget. He stated the items were reviewed during work session on December 5, 2017 and the final numbers for the Council compensation were not available during that discussion. He added the tablets were moved to the Council compensation based on the discussion during work session. He pointed out that when moving numbers around it was discovered the tablets were under budgeted by about \$2,500. Mr. Knapp advised the net increase to the budget for Council compensation with the tablets and data plan would be about \$4,500 for the remaining portion of the year. He announced he would briefly summarize the other amendment items.

- Council expenditure of \$5,000 for the airshow sponsorship
- Contracted services of \$20,000 for the Americold mural project
- Contracted services of \$21,000 for Better City's redevelopment implementation of Mabey Place
- Contracted services of \$80,000 for the Station Area Plan at Clearfield Station which would be offset by revenues of \$40,000 from UTA's shared portion.
- Contracted services of \$2,300 for deposit transportation to the Bank

Mr. Knapp explained the net effect on the fund balance would be about \$95,000 which would increase the City's total used fund balance in in current budget to \$1.9 million. He pointed out that the FY18 budget planned \$1.8 million for capital projects and one time expenditures. He explained if the City were to cut those projects it would still have revenues of about \$800,000 which allowed stability if revenues started to go down because of the economy; additionally, if revenues went up the City could reserve more money for future capital projects or one time projects. He asked if there were any questions about the budget amendments.

Mayor Pro Tem Bush opened the public hearing at 8:04 p.m.

Mayor Pro Tem Bush asked for public comments.

There were no public comments.

**Councilmember Young moved to close the public hearing at 8:05 p.m. seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper and Young. Voting NO – None.**

#### OPEN COMMENT PERIOD

There were no public comments.

#### APPROVAL OF A PROCLAMATION DECLARING THE FIRST FULL WEEK OF MAY, STARTING ON THE FIRST SUNDAY, AS “BE KIND TO ANIMALS AND NATIONAL PET WEEK”

Adam Lenhard, City Manager, recalled Madelaine Tesori had attended a work session with the Council and requested it consider calling for the humane treatment of animals. He stated with the assistance of staff a proclamation was drafted which would coincide with the National week of recognition in May. He mentioned the proposed proclamation would declare the first full week of May, starting with the first Sunday, as “Be Kind to Animals and National Pet Week.”

Mayor Pro Tem Bush asked if Ms. Tesori wished to speak since she was in the audience. She had nothing further to discuss.

Councilmember Roper expressed his appreciation to Ms. Tesori for her effort and coordination in preparing the proposed proclamation. He recognized she put a lot of thought and preparation into the document. He stated through the process she had likely been educated on local government time constraints and formalities. Councilmember Roper indicated he was supportive of the proclamation and thought it was a good way to recognize something that was an issue in society.

**Councilmember Roper moved to approve the Proclamation declaring the first full week of May, starting on the first Sunday, as “Be Kind to Animals and National Pet Week” in Clearfield and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF RESOLUTION 2017R-20 AUTHORIZING THE COOPERATIVE AGREEMENT BETWEEN CLEARFIELD CITY AND UTAH TRANSIT AUTHORITY (UTA) FOR PREPARATION OF A STATION AREA PLAN FOR CLEARFIELD STATION

JJ Allen, Assistant City Manager, stated the cooperative agreement formalized the partnership between the City and Utah Transit Authority (UTA) for the Station Area Plan and its efforts for Clearfield Station. He identified the fiscal impact would be capped at \$80,000 and both the City and UTA would contribute \$40,000. He explained the request for proposals (RFP) had been released with a closing date of December 22, 2017. Mr. Allen continued both parties would have a plan manager as the point person for the plan development process. He suggested other stakeholders would also be organized with representation for the planning effort; specifically naming, Wasatch Front Regional Council and Utah Department of Transportation. He indicated the development of the plan would be an important effort moving forward with the Clearfield Station area and would likely be a process similar to the development of Clearfield's Small Area Plan.

Councilmember Phipps referenced the Transit Oriented Development (TOD) policy and asked if it could be reviewed and if the City was bound to that policy. Mr. Allen responded the TOD policy had been reviewed previously but it could be redistributed. He added the RFP was in harmony with UTA's general TOD guidelines but it was specific to Clearfield Station. He continued the cooperative agreement was intended to be bound by the RFP that was jointly created. Nancy Dean, City Recorder, noted the TOD policy was available to the Council in the archived documents of Dropbox.

Councilmember Phipps wondered if the reference to public art was also in harmony with UTA's standards. Mr. Allen answered the City staff felt it was important for the plan to address public art but it would have been absent from UTA's standard document. He emphasized it would not commit the City to anything but as a place setting for the corridor to address the inclusion of public art.

**Councilmember Young moved to approve Resolution 2017R-20 authorizing the Cooperative Agreement between Clearfield City and Utah Transit Authority (UTA) for preparation of a Station Area Plan for Clearfield Station and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF RESOLUTION 2017R-21 AUTHORIZING AMENDMENTS TO THE FISCAL YEAR 2017/2018 BUDGET

Councilmember Phipps reported he had done some additional review on Council compensations after the work session discussion on December 5, 2017. He compared various cities based on size or population, median household income, and included benefits if these were offered. He indicated Clearfield City was in the top 25 percentile of the state. He expressed his opinion based on those results there was not a need for an increase to the Council's compensation.

Councilmember Young acknowledged he had suggested compensation be reviewed but once benefits were added in the compensation, it became more substantial. Councilmember Roper agreed and thanked Councilmember Phipps for bringing it to the Council's attention.

Councilmember Young wondered if clarification was needed to distinguish between compensation and technology budget amendments. There was a discussion and the consensus of the Council was to remove Council compensation but the Council's technology and data plan increases would remain with the amended budget items for FY2018.

**Councilmember Phipps moved to approve Resolution 2017R-21 authorizing amendments to the fiscal year 2017/2018 budget with the removal of the budget increases for council compensation and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

APPROVAL OF THE AWARD OF BID FOR THE 700 SOUTH/1000 WEST TRAFFIC SIGNAL – 700 SOUTH STREET IMPROVEMENT PROJECT FROM 1000 WEST TO 1500 WEST TO WARDELL BROTHERS CONSTRUCTION

Scott Hodge, Public Works Director, stated the City held a bid opening on November 15, 2017 for the project which would make improvements to the road along 700 South Street from 1000 West to 1500 West. He explained the work would include the installation of a traffic signal at the intersection of 700 South and 1000 West, as well as curb, gutter, sidewalk, storm drain, waterline, and irrigation line improvements.

Councilmember Bush asked if a new irrigation line was being installed. Mr. Hodge responded there was an existing irrigation line; however, it was intended that a new section be installed under the new road. He noted the City had coordinated efforts with the irrigation company. Mr. Hodge reported the City had to acquire some properties on the corners to put in the sidewalk in preparation for the project. He indicated the City made arrangements to acquire the properties and the quit claim deeds had been recorded.

He noted four bids were received and the low bid was from Wardell Brothers Construction for \$1,097,890. Mr. Hodge pointed out the project bid previously in the summer and received only one bid at that time. He reminded the Council that it chose not to award the bid at that time and by so doing, saved over \$500,000. He acknowledged the City had not worked with the contractor previously, but the references were checked. He indicated the City engineers recommended the bid be awarded to Wardell Brothers Construction.

Councilmember Bush wondered how much work would be done along 1000 West. Mr. Hodge answered along 1000 West on the west side of the road the two properties south of the intersection at 700 South did not have curb, gutter, and sidewalk which would be added. He said on the north side of the intersection there was only one property on the west side and sidewalk would be added there. He continued there was not much work on 1000 West Street; however, several areas of bad pavement in the area would be improved with the project.

Councilmember Bush asked if the east side of 1000 West would need to be widened. Mr. Hodge stated curb and gutter were already in place on the east side and the road would follow the same alignment already there. He mentioned the pole for the signal would need to be installed on the east side; however, did not think it would interfere with the curb and gutter in the area.

Councilmember Phipps asked if there would be a left turn signal. Mr. Hodge responded currently there would be no left turn signal. He explained because it was a T intersection it was not a standard crossing and to put a controlled turn signal at the location there would need to be another warrant study completed. He reported the warrant study was done three times previously before it warranted adding a signal at that location.

Councilmember Phipps wondered if there would need to be some consideration during the construction for students that traveled by foot to the high school. Mr. Hodge stated he was uncertain how much foot traffic there was but vehicle traffic would be reduced during the project as needed. He explained the contractor planned to limit the amount of traffic along 700 South during the project. He reported the length of the project was project to be about 90 days. He commented the impact on the school traffic would depend upon when the project began. Councilmember Phipps asked if the project was anticipated to be done during the summer or early spring. Mr. Hodge said he would not know the contractor's schedule until after the preconstruction meeting

Mayor Pro Tem Bush asked if the City would have a neighborhood meeting before construction began. Mr. Hodge indicated it had not been discussed but that was a possibility. He commented the City usually notified residents in the area with flyers that included information about the project and contact numbers. Councilmember Young reported many residents were excited about the project. Councilmember Phipps expressed his opinion that residents should be notified about the restricted access to the neighborhood from the north side.

Adam Lenhard, City Manager, asked for confirmation that sidewalks on the west side along 1000 West on the north and south sides of 700 South would be connected. Mr. Hodge confirmed that was correct.

**Councilmember Young moved to approve the award of bid for the 700 South/1000 West Traffic Signal – 700 South Street Improvement Project from 1000 West to 1500 West to Wardell Brothers Construction for the bid amount of \$1,097,890; approve funding for the bid amount of \$1,097,890 with contingency and engineering costs of \$147,000 for a total project cost of \$1,244,890; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

**APPROVAL OF THE AWARD OF BID FOR THE 1000 EAST STREET CLEARFIELD HIGH SCHOOL PEDESTRIAN CROSSING SIGNAL INSTALLATION**

Scott Hodge, Public Works Director, stated the City received bids from three contractors to install a High Intensity Activated Crosswalk (HAWK) signal at approximately 900 South on

1000 East Street to improve the safety and efficiency for pedestrians. He explained a warrant study was done and there was enough traffic to warrant a control signal both for vehicles and those pedestrians seeking to cross 1000 East from Clearfield High School to the LDS Church Seminary and Fisher Park area. He reported the designs had been reviewed with Davis County School District and the LDS Church. He indicated both were in favor of adding the control signal and the City would continue to coordinate this project with both parties moving forward.

Mr. Hodge stated the low bid to install a new overhead HAWK signal at the current pedestrian crosswalk location and widen the crosswalk from approximately 20 feet to 65 feet was for \$84,446. He reported finding out there were mistakes with the specs in the bid documents and equipment changes would be necessary. He explained the HAWK crossing required a ground mounted cabinet for the control panel which was much larger than a pole mounted cabinet called for in the bid documents which would increase the cost about \$10,000. Mr. Hodge commented the change would be done up front by a change order with the contractor.

He stated staff had been in contact with the Davis County School District and the LDS Church and both had been given an agreement for sharing a portion of the project costs. He reported neither agreement had been returned to date. He mentioned the School District had acknowledged the agreement seemed fair and anticipated its cooperation but did not know about participation from the LDS Church. Councilmember Phipps asked if the cost reflected the total project cost in the event neither party contributed to the expenditure. Mr. Hodge confirmed the project cost was for the total and did not include any cost sharing from the school or church because it was uncertain if funding would be granted. He anticipated if funding were approved it would take time before the City received any reimbursement for the project.

Mr. Hodge mentioned the City was currently putting in a sidewalk along the north property line of the LDS seminary building and between the City skate park. He indicated the sidewalk would tie to the parking lot at Fisher Park which would provide students a direct route to the parking lot and hopefully help prevent jay walking.

Councilmember Phipps wondered what the schedule would be for the project. Mr. Hodge responded he was not certain until after meeting with the contractor, but anticipated work would begin as soon as possible. Councilmember Phipps asked if it could begin during the winter. Mr. Hodge indicated it could; however the Davis School District had expressed concern about the impact on students. Councilmember Bush questioned the expected length of the project. Mr. Hodge responded the project should be completed within 45 days once work began; however anticipated it would only take about three to four weeks to complete the work.

Councilmember Phipps acknowledged it could be more convenient to do the work when school was not in session; however, hoped the project was completed as soon as possible. Mr. Hodge agreed that the City would want the HAWK crossing sooner than later.

Councilmember Peterson asked if there were restrictions for striping in cold weather. Mr. Hodge confirmed to allow the striping to adhere to the ground warmer temperatures were needed. There was a discussion to determine if the additional cost of \$10,000 should be included with the

motion. Mr. Hodge said it did not need to be included but would be a change order to the contract.

**Councilmember Peterson moved to approve the award of bid for the 1000 East Street Clearfield High School Pedestrian Crossing Signal Installation to Craig F. Sorenson for the bid amount of \$84,446; approve funding for the bid amount of \$84,446 with contingency and engineering costs of \$23,000 for a total project cost of \$107,446; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

### COMMUNICATION ITEMS

#### *Mayor Pro Tem Bush*

1. Attended a luncheon at Job Corp with Mayor Shepherd and was able to talk with a representative from the construction program. He noted one of the skills within the program was building restrooms and there could be an opportunity for the City to work together with Job Corp for park projects. He mentioned giving the contact information to Mr. Howes, Community Services Director, for coordination.
2. Reported attending two new business open house events for Americold and Security Title.
3. Visited with Wasatch Elementary fifth grade students on Friday, December 8, 2017. He indicated students had done a project about sink holes because water was causing problems at the school. He shared photos from the City History book and explained there used to be a pond behind the school which had been filled. He recalled the students and teachers were not aware of a pond in that location and found it interesting to learn more.
4. Thanked Councilmember Young for his service to the City over the past eight years and wished him luck with any future endeavors.

**Councilmember Peterson** – expressed appreciation for Councilmember Young and recalled meeting him initially when he knocked on her door when he was campaigning for office. She thanked staff especially department heads who always answered questions, phone calls, and provided understanding. She expressed gratitude for the police, fire and road crews who spent hours taking care of the City and its residents even in the cold weather. She wished everyone a Merry Christmas.

#### *Councilmember Phipps*

1. Attended South Clearfield Elementary during a program sponsored by the School District where students and parents gathered once a month for dinner, activities, and/or discussions mostly relating to interpersonal skills. He had been invited to share ways the community could help parents and what tools were available. He mentioned talking about recreation opportunities and many were not aware of the scholarship opportunities for the City's recreation program.
2. Acknowledged Parks and Recreation had received 26 entries for the holiday lighting contest. He drove around the City with his wife to see the homes which were nominated and enjoyed seeing all the lights, even though he would not be voting for the winners.
3. Announced he would be out of town for the holidays from December 19<sup>th</sup> until the 26<sup>th</sup> of 2017.
4. Expressed how impressed he was with Councilmember Young and enjoyed the opportunity of serving with him over the years. He recognized Councilmember Young had been an asset to the City and appreciated his service.

#### *Councilmember Roper*

1. Thanked Mr. Howes for attending the Youth Commission meeting where he shared information about PARAT Tax projects.

2. Thanked Councilmember Young for all his training over the past year and wished him well in the future.
3. Expressed he was looking forward to working with everyone the next four years and wished everyone a Merry Christmas and a Happy New Year.

**Councilmember Young** – acknowledged it had been an honor and privilege to work with everyone in the City. He expressed appreciation for the things being done for the residents of the City and recognized the efforts of staff in accomplishing the work. He thanked the residents for allowing him to serve.

## STAFF REPORTS

**Adam Lenhard, City Manager** – mentioned the staff report was sent out to Council before the meeting. He expressed appreciation to Councilmember Young noting his high integrity. He shared how much he respected Bruce and wished him well. He thanked Betty Young for her support by giving him to the City. He reminded everyone 2018 was around the corner and he was looking forward to many great things. He invited the Council to attend the employee association Christmas party at Weber State on Friday, December 15, 2017. He concluded by thanking Staff for all its hard work and wished everyone a Merry Christmas.

**Nancy Dean, City Recorder** – reviewed the Council’s schedule:

- Employee Christmas Party December 15, 2017 at 6:30 at Weber State University
- Farewell Dinner for Councilmember Young December 26, 2017 at 6:00 p.m. at Roosters
- Oath of Office Ceremony on January 2, 2018 at 8:30 a.m. at City Hall where Governor Herbert would attend and administer the oaths. She announced photos would be taken afterwards and any unable to attend should schedule another time to get pictures taken.
- Work and Policy Session on January 9, 2018. The work session would begin at 6:00 p.m. with local legislators and the policy session would be held afterwards beginning at 7:30 p.m.
- Work Session on January 16, 2018.
- Work and Policy Session on January 23, 2018.

Ms. Dean expressed appreciation to Councilmember Young and his wife Betty for their service.

Mr. Lenhard mentioned former Mayor Wood’s mother passed away and flowers would be sent from the City. He announced the viewing would be December 13, 2017 and the funeral services would be Thursday, December 14, 2017. He expressed condolences to the Wood family.

**Eric Howes, Community Services Director** – Reported the information he was sharing was in the staff report. He indicated work on the wall for the playground at Central Park was underway and equipment would be installed shortly upon completion of the wall. He mentioned learning about another delay on the 200 South playground equipment from the manufacturer’s representative who reported not being able to get a part and the City could be waiting until January. He expressed frustration to the representative and said if the equipment did not arrive in January the City would likely cancel the order

**Councilmember Young moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 8:53 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Peterson, Phipps, Roper and Young. Voting NO – None.**

*\*\*The minutes for the CDRA are in a separate location\*\**

**APPROVED AND ADOPTED**  
**This 9<sup>th</sup> day of January, 2018**

**/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, December 12, 2017.

/s/Nancy R. Dean, City Recorder