

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
January 24, 2017

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	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
	Eric Howes	Community Services Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: David Greaves, Pam Crosbie, Mark & Yarnell Kemp, Josh Page, Brandee Page, Scott Carter, Vicki Carter, Joshua Harrison, Bob Bercher, CJ Caldwell, Linda Carpenter, Kathryn Murray, Brady Jugler, John & Josie Drake

Mayor Shepherd called the meeting to order at 7:01 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 Phipps conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE DECEMBER 13, 2016 WORK SESSION, THE JANUARY 3, 2017 SPECIAL SESSION AND THE JANUARY 10, 2017 WORK AND POLICY SESSIONS

Councilmember Peterson moved to approve the minutes from the December 13, 2016 work session, the January 3, 2017 special session and the January 10, 2017 work and policy sessions as written, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

PRESENTATION TO JOSHUA HARRISON FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Joshua Harrison completed the requirements to receive the rank of Eagle Scout. Councilmember Phipps mentioned Joshua had completed his Citizenship merit badges and encouraged him to continue his involvement with service in government. Joshua was presented with a certificate and a City coin to acknowledge his achievement.

Mayor Shepherd asked about Joshua’s Eagle Scout project as it benefitted Clearfield City. Joshua explained he had built a bench for visitors to use at Steed Pond in addition to making needed repairs on existing benches and cleaned up the pond area.

PUBLIC HEARING FOR AN AMENDMENT TO THE LEGEND HILLS PHASE 3 SUBDIVISION PLAT

Spencer Brimley, Development Services Manager, explained the request was to adjust the property line between lots 305 and 306 of the Legend Hills Subdivision Phase 3 amended plat. He shared a visual illustration which identified the parcel and stated the lot had long been an area used for detention. He explained the reason for the amendment to the subdivision plat was to more clearly identify the boundary line between the two properties, lots 305 and 306. He stated development of the parcel was consistent with plans for the area and would not have detrimental impacts on detention moving forward. The use that was being proposed in conjunction with the request was for a professional office building. He stated the Planning Commission recommended approval of the amended subdivision plat during its meeting on Wednesday, January 4, 2017. It also approved the site plan for the proposed office building during that same meeting and he reviewed the proposed project with the Council.

He shared a proposed visual illustration of the site plan.

Mayor Shepherd opened the public hearing at 7:12 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Peterson moved to close the public hearing at 7:13 p.m. seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

CITIZEN COMMENTS

Josh Page, resident, expressed concern regarding a recent investigation pertaining to a coaching/recreation investigation and final results. He explained he had been contacted by City staff who indicated he wouldn’t be allowed to volunteer as a football coach in the future due to his involvement with another football league. He explained the subsequent communication which took place between himself and Eric Howes, Community Services Director, and also expressed his concerns regarding another coach. He indicated an investigation had taken place in

November and believed the City supported the coach from the beginning. He expressed concern with how meetings were posted and suggested several individuals weren't informed when certain meetings were taking place. He also shared his knowledge and information specific to instruction and how he and other parents had been received by City staff specific to making complaints. He expressed concern future grievances on behalf of players by parents wouldn't be expressed based on the specific investigation that he was addressing. He asked why, following the investigation, City staff hadn't been disciplined, and why the City was eager to defend the coach and allowed him to continue coaching during the investigation when serious allegations had been made against him.

Mayor Shepherd responded the Council wasn't involved with the situation and stated any consequences to City staff was a personnel issue. He indicated he was also aware the Parks & Recreation Commission had made a decision regarding the investigation and the recommendation was forwarded to Eric Howes, Community Services Director, and the outcome had not yet been announced. He expressed his confidence the matter was being addressed.

Brandi Page, resident, read a statement to the Council regarding the investigation of a recreational football coach and City staff involved with the investigation requesting moral and ethical changes be made in the future.

Adam Lenhard, City Manager, responded the allegations made during the meeting needed to be addressed by administration and not elected officials. He stated he had read Mr. Howes' final report on the investigation and the outcome would be in proportion to what had been discovered through the investigation process. He suggested there would be individuals who would be unhappy with the investigation results and subsequent consequences. He announced he was unable to speak specifically about the City employee.

Mayor Shepherd mentioned he had discussed the specific issue with Councilmember Young last week and indicated he was also concerned about the allegations.

Councilmember Phipps explained he was the Council liaison to the Parks & Recreation Commission. He stated Councilmember Young's involvement was in his role as a resident and not as a member of the City Council. Councilmember Young clarified he became involved out of concern as a member of the Council that City programs needed to be administered appropriately. He didn't believe he would have been involved unless he was a member of the Council and viewed his involvement was part of his responsibility in representing residents of the City.

Ms. Page added once she found a safe, confidant and trustworthy individual in Councilmember Young to express her frustrations. She stated it made a difference because a number of parents had lost confidence in City staff. Mr. Lenhard responded the experience regarding the City's recreation programs was disappointing and agreed trust needed to be restored with a group of people. He pointed out the issue had consumed a significant amount of time on all levels and emphasized it had not been taken lightly by the City. He stated the final determination would be announced within the next few days and indicated the internal staff issue was also being addressed. Ms. Page asked what avenue was available for assistant coaches to use when there

were concerns with one of their own. Mr. Lenhard encouraged patience until a final decision was announced.

Yanell Kemp, previous resident, expressed concern about the coach in question being allowed to continue coaching. She read a statement written by Cassie Caldwell regarding her son's football and basketball participation.

Ms. Kemp shared her personal experience regarding the coach and subsequent instructions she received from City staff. She expressed her opinion the language and actions of the coach were not acceptable.

Mayor Shepherd announced the decision regarding the investigation would be made public within the next few days.

APPROVAL OF THE AMENDMENT TO THE LEGEND HILLS PHASE 3 SUBDIVISION PLAT

Councilmember Young moved to approve the amendment to the Legend Hills Subdivision Phase 3 amended plat 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 TO KAPP CONSTRUCTION FOR THE Z STREET CULINARY WATER AND SANITARY SEWER IMPROVEMENT PROJECT IN FREEPORT CENTER

Scott Hodge, Public Works Director, stated bids were received from seven companies to complete the work for the Z Street Culinary Water and Sanitary Sewer Improvement Project in Freeport Center. The lowest responsible bid was received from Kapp Construction with the bid amount of \$556,116.50. This bid amount exceeded the \$430,000 budgeted for the project. The Public Works staff and City Engineers reviewed the advertised scope of work for the project and were able to modify and/or remove the installation of 357 linear feet of 12-inch pipe and 263 linear feet of 6-inch culinary water pipe from the project reducing the bid amount by \$101,757.30. He stated the contractor was comfortable in moving forward with the reduced scope of work and subsequent decrease in costs associated with the project.

Councilmember Phipps asked if the items removed from the project would need to be completed in the future. Mr. Hodge responded the 6-inch waterline was for two fire hydrants and indicated it was determined a fire hydrant could be installed at a more convenient location eliminating the need for that line. He added the 12-inch waterline was located to the south of a pressure reducing station which wasn't critical to the project and stated it could be completed at a later date, but wasn't necessary at this time.

Councilmember Peterson clarified North Davis Fire District had been consulted and agreed with eliminating the fire hydrants as was originally intended. Mr. Hodge responded he had discussed the issue with the Chief Becraft.

Councilmember Young suggested using similar engineering initially to determine if cost reductions could be recognized for future projects. Mr. Hodge responded when the project was designed and advertised for bid the 6-inch waterline was initially part of a main water system that has since been dead ended; therefore, the entire waterline was no longer critical. He added this was pointed out by the City's water superintendent.

Councilmember Peterson moved to approve the award of bid to Kapp Construction for the Z Street Culinary Water and Sanitary Sewer Improvement Project in Freeport Center for the modified bid amount of \$454,359.20 and approve funding for the project for the modified bid amount of \$454,359.20 with contingency and engineering of \$60,000 for a total project cost of \$514,359.20; 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.

FINANCIAL UPDATE

Rich Knapp, Finance Manager, stated the City was half way through fiscal year 2017 and presented the financial update with the Council. He pointed out the following:

- Class C Road funds (motor fuel tax) were coming in as expected.
- Transportation Tax – averaged \$26,300 per month.
- PARAT Tax – was sixteen percent into the ten year period and totaled \$335,000.
- Amazon sales tax – impact yet to be determined.
- Currently more revenues received than expenditures made.
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He reviewed the General Fund – Draft Revenue Summary with the Council highlighting the following:

- Property tax was in line with what was estimated with the tax rate.
- There was a decrease in fines and forfeitures compared to previous years.

He reviewed the Draft Expenditure Summary regarding all funds and pointed out the following:

- All expense types were lower than budgeted.
- Energy efficiency expenses had not been included in Capital Outlay.
- Overall debt service decreased from previous year.

He reviewed other Funds: CDRA, Water Fund, Sewer, Storm and Garbage Fund.

He reviewed economic trends with the Council highlighting the following:

- Point of sale revenue
- Sales tax revenue
- Gross Domestic Product
- Employment growth and unemployment
- Inflation
- Consumer confidence
- Population growth

- Investments.

COMMUNICATION ITEMS:

Mayor Shepherd

1. Informed the Council that City staff was taking the allegations regarding the youth coach and staff members very seriously.
2. Reported the first Fourth of July planning meetings had started.
3. Announced he would be out of town for the meeting scheduled for Tuesday, February 7, 2017.

Councilmember Bush – nothing to report.

Councilmember Peterson – nothing to report.

Councilmember Phipps

1. Expressed appreciation to the City's snow plow drivers for their efforts in keeping the miles of roads within the City drivable.
2. Complimented staff members for their efforts on the offsite budget meeting which took place on Friday, January 20, 2017.
3. Announced he had attended a Wasatch Integrated Board meeting earlier in the day and informed the Council that there was a strong movement to close the burn plant. He reported there currently was no commitment that HAFB (Hill Air Force Base) would be purchasing future steam generated by the burn plant. He stated in order for the facility to meet EPA standards, approximately eight million dollars of improvements were needed. He continued since there was no guarantee HAFB would be purchasing the steam it was proposed to shut down the facility.

He mentioned the long term plan was to build a transfer station and then begin transferring garbage to Lakeview, south of Utah County. He indicated a decision would need to be made quickly regarding the improvements or shutting down of the facility.

Councilmember Bush inquired how the landfill would be affected if it was determined to close the burn plant. Councilmember Phipps responded due to the investment commitment to the Lakeview Landfill in southern Utah County, another repository for waste was available. He continued if the use of that was balanced with the local landfill the County would still recognize 26 to 27 years of life for the landfill. He clarified household trash which was normally burned at the burn plant would now go straight to the landfill. He added the transfer station would be built in about two years at which time the waste would be transferred down to that location. He informed the Council based on those participating in the Lakeview Landfill, it would have a 200 year capacity.

Councilmember Roper – nothing to report.

Councilmember Young – nothing to report.

STAFF REPORTS

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

- No meeting was scheduled for Tuesday, January 31, 2017
- Work and special session scheduled for Tuesday, February 7, 2016
- No policy session on February 14, 2017 – meeting cancelled

Informed the Council that the City had made the decision to continue with by-mail election in 2017. She reported the by-mail Municipal Election in 2015 almost doubled the number of ballots and Davis County

recognized an eighty-eight percent participation in the most recent presidential election. Mayor Shepherd believed if the City chose not to participate in the by-mail election it would be paper ballots with a check mark. She announced the filing for candidacy dates were June 1 through June 7, 2017.

There being no further business to come before the Council, **Councilmember Bush moved to adjourn the policy and reconvene as the City Council in a work session at 8:06 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

**APPROVED AND ADOPTED
This 21st day of February, 2017**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, January 24, 2017.

/s/Nancy R. Dean, City Recorder