

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
January 8, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
EXCUSED:	Vern Phipps	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Scott Hodge	Public Works Director
	Mark Baird	Deputy Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Deputy Community Services Dir.
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Kathryn Murray, Jared Hadley

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION ON THE APPOINTMENT OF TYLER SEAMANS TO THE MILITARY
INSTALLATION DEVELOPMENT AUTHORITY (MIDA) DEVELOPMENT REVIEW
COMMITTEE (DRC)

Spencer Brimley, Community Development Director, stated the Development Review Committee (DRC) for the Military Installation Development Authority (MIDA) reviewed projects or development at Falcon Hill and had requested the City appoint a member to be part of the committee. He reviewed the Enhanced Use Lease concept plan for the Falcon Hill project area adjacent to the City, and the development of the area to date. Mr. Brimley mentioned Michael McDonald, prior Building Official, had been serving on the DRC. He explained since Mr. McDonald was no longer employed by the City it was necessary to appoint a new regular

member and an alternate member to the DRC. He stated staff recommended Tyler Seaman, Building Official, be appointed as a regular member and Brad McIlrath, Senior Planner, be appointed as an alternate member. Mr. Brimley noted the Council would need to take action on the matter during its policy session.

Mayor Shepherd stated the MIDA board had already approved the recommendations and expounded on the involvement of the DRC in focusing efforts to revitalize areas not only in the City but throughout the State. He noted the current focus was on the area near Park City and next the DRC would turn its attention to project areas in Tooele and Washington counties.

DISCUSSION ON THE RATIFICATION OF THE AWARD OF BID FOR THE 30-INCH STEEL CASING INSTALLATION PROJECT UNDER THE DAVIS AND WEBER COUNTIES CANAL

Scott Hodge, Public Works Director, reviewed the project that the Davis and Weber Counties Canal Company (DWCCC) was working on in the area of 1500 East to 2000 East near SR 193. He mentioned the City had been working in the area as well completing Phases 1 and 2 of its 18-inch waterline replacement project. He indicated it had become necessary to expedite installation of a 30-inch steel casing under the canal in which the future continuation of the 18-inch waterline could be placed avoiding the need to bore under the new box culvert the DWCCC was installing.

Mr. Hodge stated the City solicited bids from four contractors, one of which was currently working for the DWCCC. He continued Leon Polson Construction was the low bidder with a bid amount of \$30,540. He added the timing of the project was critical to an immediate award of bid so the Council would be taking action during its policy session to ratify the bid award.

Councilmember Bush asked how soon the project would begin. Mr. Hodge responded it was scheduled to start immediately; however, the weather could cause a delay. He anticipated work would begin soon and it should take about two or three weeks to install the casing.

DISCUSSION ON THE REQUEST FROM THE NORTH DAVIS FIRE DISTRICT TO REORGANIZE THE DISTRICT FROM A SPECIAL SERVICE DISTRICT TO A LOCAL DISTRICT SERVICE AREA

Mayor Shepherd explained when the North Davis Fire District (NDFD) was organized in 2004 with West Point and Clearfield cities, it was set up as a special service district and the Clearfield City had acted as its governing body. He said Sunset City was in the process of joining the District permanently, therefore, the NDFD Board requested to be reorganized as a local district service area which would then govern itself. He continued if the reorganization was approved the Board would be restructured to include three representatives from each City.

Councilmember Thompson asked if the District's current structure allowed the City to appoint the fire chief. Mayor Shepherd answered that appointment had always been a decision of the NDFD's Administrative Board. There was a discussion about the City's responsibilities as the NDFD's governing body which included typically following through with items presented by the District and oversight of financial audits. Councilmember Peterson recalled only one time when

the Council overruled a decision of the District when it had requested to maintain its current tax rate several years ago.

DISCUSSION ON THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY TO ALLOW THE CITY TO USE THE COUNTY'S JUSTWARE API

Summer Palmer, Assistant City Manager, indicated the Interlocal Agreement with Davis County would allow the City to use the County's Justware API. She indicated the City used Spillman software for its police records and access to the County's software would allow the information to transfer from one system to the other when justice services were needed at the County level. There was a discussion about the agreement for sharing software services and its ability to streamline the process for records management of justice services, as well as the terms of the agreement being ongoing and without cost to the City.

DISCUSSION ON THE AWARD OF BID FOR JANITORIAL SERVICES

Curtis Dickson, Deputy Community Services Director, stated the City's current contract for janitorial services would expire on February 1, 2019 and totaled \$130,000 annually. He commented the City solicited proposals and received responses from six qualified companies. He explained the review committee was still scoring the proposals and each proposal would be judged based upon the criteria outlined in the solicitation rather than cost alone. Mr. Dickson noted the City's contract was for one year with the option for renewal for up to three years total. He indicated staff recognized the potential need to divide the contract between two companies for better services, so the solicitation included an hourly rate as well as breakouts for total costs of services at the various locations. Mr. Dickson continued staff should have a recommendation prepared for the Council soon so the award should be on an upcoming policy session agenda.

There was a discussion about the janitorial services including the City's current contract with Cleaning All; bidders the City had used previously; the seasonal nature of janitorial services for buildings at Fisher and Steed parks; factors compared when considering contracting services rather than providing services in-house; the bidders familiarity of the sites was required by participation in a mandatory walk-through of all the buildings; the daily, weekly, monthly, and quarterly expectations for services were clearly identified in the bid documents; the range of costs associated with cleaning the Aquatic and Fitness Center and the challenges of keeping the high traffic locker room areas clean, mold free and drains working properly.

DISCUSSION ON AN INTERLOCAL AGREEMENT WITH SYRACUSE CITY REGARDING THE DEVELOPMENT OF 500 WEST

Scott Hodge, Public Works Director, indicated the City in partnership with Syracuse City applied to Wasatch Front Regional Council (WFRC) and was awarded Surface Transportation Funding to extend 500 West from approximately 2000 South to Antelope Drive and then into Freeport Center to D Street. He mentioned part of the project would include relocating the traffic signal at 300 West to 500 West on Antelope Drive. He commented the typical waiting period for the grant funding was four to five years. Mr. Hodge reminded the Council that both cities in preparation for the project had contracted with CRS to complete an environmental study. He indicated the

Interlocal Agreement spelled out the terms for both cities regarding the 500 West expansion project.

He emphasized Clearfield City was the lead agency for the project and had paid for the environmental study upfront; however, if the Interlocal Agreement was approved the cost would be split equally between the cities. He explained once an agreement was in place, the City would bill Syracuse City for its half of the environmental study which had been completed and was in the review process with Utah's Department of Transportation (UDOT). He stated Syracuse City had already reviewed and approved the agreement, so it was planned for the agenda and the Council's consideration on January 22, 2019.

Councilmember Bush wondered if the power company had reviewed the expansion project and if there was any input on the roads of the project area. Mr. Hodge responded the power company was aware of the project and there were some steel poles the road would have to curve around. He added the power company's wooden posts in the road expansion area could just be moved to either side of the road. He said part of the environmental study was to advise all parties of interest about the project. Councilmember Bush asked if there was irrigation water in the area. Mr. Hodge replied yes.

Councilmember Peterson asked how much the City had spent to date of the \$316,017 planned for costs to be split between the cities. Mr. Hodge answered the City had spent \$80,000 for the environmental study. Councilmember Peterson asked when the federal funding would assist with project costs. Mr. Hodge explained there were some things that would be City funded before the required federal monies were available, which might help expedite the projects selection for an earlier funding allocation date. He explained the City planned to move forward with the design phase after the environmental study was approved keeping in contact with the WFRC to confirm all efforts met federal funding guidelines. He reported the federal funding would be available for the design construction process.

DISCUSSION ON A COST SHARING AGREEMENT BETWEEN THE CITY AND DAVIS AND WEBER COUNTIES CANAL COMPANY FOR THE REPLACEMENT OF THE BRIDGE AND ROAD IMPROVEMENTS AT THE CANAL CROSSING ON 1500 EAST STREET

Scott Hodge, Public Works Director, stated Davis Weber Counties Canal Company (DWCCC) advised the City of its project installing box culvert sections from 1500 East to 2000 East to enclose the canal. He explained the existing bridge structure at 1500 East would be removed and 64 feet of concrete box culvert would be installed through the road crossing and then road improvements replaced. He indicated there was an agreement in place with the DWCCC regarding the bridge; consequently, it committed the City to sharing equally in the cost of the improvements. Mr. Hodge reported once the bridge was removed it did not need to be replaced because the box culvert would provide the structural members for the area.

He identified the cost to install 64 feet of box culvert and replace road improvements would be \$75,205 so the City's portion was proposed as \$37,602. Mr. Hodge continued DWCCC was notified the expenditure was not planned as an expense in the budget for fiscal year 2019

(FY19), so it was added to the cost sharing agreement that reimbursement would be delayed until July 2019 so the City could program the funding in the fiscal year 2020 (FY20) budget.

DISCUSSION ON AMENDMENTS TO THE FISCAL YEAR 2018/2019 BUDGET

Rich Knapp, Finance Manager, indicated the current proposed amendments to the budget were the first to be considered for the fiscal year 2019 (FY19), and if passed funds of \$139,000 would be allocated from the unrestricted fund balance bringing the total remaining balance to just over \$1.6 million. He reminded the Council during the last audit the City was over the State's allowed reserve of 25 percent and received a "finding" for having its General Fund balance \$2.4 million above its allowed amount. He mentioned if the proposed budget amendments were approved the City would still be above the 25 percent if everything went according to budget by year end. He noted if the Council preferred not to receive the finding during the audit each year it could consider a policy of adopting a budget amendment to transfer any excess reserves from the General Fund to the Capital Projects Fund. Mr. Knapp explained those transferred funds would then be used first towards any one-time capital improvements rather than General Fund monies. He commented there was not a consequence for transferring the funds to or from the capital project fund balance; however, the benefit would be psychological in setting aside the funding for one-time capital projects and less likely it would be used for operations. JJ Allen, City Manager, commented the practice was common in cities throughout the State. He added historically the City had been careful to use those excess fund balances towards one-time uses and not for reoccurring expenditures.

Mr. Knapp mentioned the first budget amendment was to fund a part-time legal assistant position. Stuart Williams, City Attorney, pointed out the staff report gave an in-depth review of the current need for help. He explained there had been a reduction over the years of staff support provided for prosecution and yet the demand had increased. He indicated the support staff would assist with case management for the prosecution and the work needed to be high quality because it would reflect poorly on the City if it was not done well. There was a discussion about the nature of change in the justice system over the past five years and its impacts on prosecution and case load demands.

Councilmember Bush questioned if it was anticipated the position would increase to a full-time position in the future. Mr. Williams responded other agencies had been contacted with varying results; however, the staff efficiency and the justice system's evolution would be factors which ultimately determined the hours needed. He stated the budgeted amount was \$12,500 for a part-time position for the remainder of FY19 but he recognized the expenditure would increase the headcount and expenditures for future budgets. He commented costs related to office space set up were reduced by utilizing excess items so only \$500 was programmed into the FY19 budget. Mr. Williams continued if staff support could be obtained, the prosecutor would have increased job satisfaction and it would allow more time to focus on the cases or other areas of expertise.

Mr. Allen asked the Council if there were any concerns about adding the additional head count for the legal department. There were no concerns voiced about adding support staff; however, Councilmember Thompson wondered if keeping the excess reserve funding in the General Fund rather than transferring it to one-time capital projects might help ensure a cushion available to

offset any future increases if the justice system continued to evolve. There was a discussion about the need to balance revenues and operating costs which was reviewed annually during the budgeting process.

Mr. Knapp reviewed the proposed amendment to add \$20,000 to the FY19 budget for the creation of the Moderate Income Housing Plan. Councilmember Bush questioned if the City had already bid the project or had a particular company in mind to prepare the plan. Spencer Brimley, Community Development Director, answered the project had not already bid; but, the budgeted amount was comparable to what other municipalities had spent to complete a Moderate Income Housing Plan.

Mr. Knapp reported the next item was to amend the budget for the 700 South 1000 West to 1500 West roadway construction project. He explained it was a project already budgeted; yet there were four change orders which accounted for a majority of the \$98,000 amendment. Mr. Knapp stated the accounting appeared to be confusing, but the amendment identified a transfer of funds from the General Fund to the Capital Projects Fund for \$6,000. He noted a majority of the funds were coming from the Water and Storm Capital Project Funds to offset the increased cost of the project.

Mr. Knapp commented the next proposed budget amendment was to fill the recreation manager position from February through June of 2019. He indicated the position had been budgeted for during the FY19 year but the retirement of the previous manager created a vacancy. He indicated the position needed to be filled earlier than expected because of the upcoming spring recreation programs and would require an additional \$40,500 be added to the budget.

Mr. Knapp continued \$6,000 was proposed as a budget amendment for police vehicle replacement because the sedans were being phased out and the Ford Explorers were more expensive and had higher outfitting costs. He reported a budget amendment was also proposed for \$3,000 to outfit the streets vehicles. He explained outfitting costs were initially budgeted but needed to be increased because costs were significantly lower when done in-house, but due to a reduction in staff it had become necessary to outsource the lighting for the vehicles. He also noted the \$8,000 budget amendment for a fertilizer spreader was not included with the original budget.

Mr. Knapp commented another budget amendment proposed was for \$42,600 to contract services for the Mabey Place Community Revitalization Area (CRA) creation. Mr. Allen mentioned the scope of work included a blight study for the purpose of creating a CRA that would have the power of eminent domain. Summer Palmer, Assistant City Manager, added if the Council was comfortable with the budget amendment, staff would like to move forward with the CRA creation and have the contractor begin its preparations. Councilmember Peterson asked whether the expense would be paid from fund balance or bond proceeds. Mr. Knapp stated he was not sure the expense had been included in the list of items that could be funded by the bond proceeds but offered to check. Mr. Allen pointed out that the CDRA Fund annually transferred funds to the General Fund for administrative costs and CRA creations were administrative costs that could be paid for by tax increment proceeds.

Mr. Knapp acknowledged the proposed budget amendment for Mabey Place site clearing totaled \$450,000 but there had been \$100,000 budgeted previously so the new budget total would be \$550,000, if approved, and it would come from bond proceeds. He mentioned another budget amendment for relocation assistance was proposed to add \$20,000 to the funding needed from bond proceeds which would be for the FY19 portion of costs not the total.

Mr. Knapp summarized the budget amendments proposed for other funds including \$100,000 for a drain at Mabey Pond which would be funded by park impact fees. He indicated a new project not budgeted would cost \$24,000 to install the steel casing for future ease with the waterline replacement project. He stated it was proposed as a budget amendment so the work could be completed in FY19 to provide cost savings to the City while the Davis and Weber Counties Canal Company (DWCCC) was working in the same area. Mr. Knapp mentioned funds planned for purchasing a compressor would be repurposed for purchasing a new welder instead. He explained the City was able to sell its sweeper rather than trading it in as anticipated when budgeting. He reported the City received \$49,000 so it was net budget ahead \$32,000; consequently, the expense budget would be raised because it could not net the trade-in value.

DISCUSSION ON UPDATES TO THE TRAILS MASTER PLAN

Eric Howes, Community Services Director, indicated the maps had been reviewed about a year ago and had not changed. He explained the updates to the Trails Master Plan which was recently completed included the additions of the Rail Trail, 200 South Trail and other minor conditions that had changed from 2004 to 2018, as well as some of the plans drawn up in coordination with the County for areas surrounding the City. He acknowledged many of the trail development standards had not changed, but where there were changes the text was in blue for easy identification and had been included with the staff report. Mr. Howes confirmed there were some mistakes with the document which would be corrected such as page numbering and minor errors. He noted on page 37 the costs shown were from 2004; therefore, the updated information from 2018 would be provided for its inclusion in the final document.

Mr. Howes stated Councilmember Phipps had forwarded some comments and most of the items were minor; so rather than spending time to review each, adjustments would be made to update the document to address each item. He indicated one example Councilmember Phipps pointed out was the maps referred to the 200 South Trail connecting to Hill Air Force Base (HAFB); however, that gate was no longer operable so the maps would need to be adjusted to reflect that change.

Councilmember Bush asked if the Parks and Recreation Commission had reviewed the document. Mr. Howes answered the Parks and Recreation Commission (PRC) had reviewed all the maps back in 2014 and reviewed the updates in the fall of 2017 but very little had changed with the maps since it was reviewed except the closure of the HAFB gate.

Councilmember Bush pointed out there had been some concerns expressed by residents about the Canal Trail. Mr. Howes indicated there was an open house for that trail in fall of 2017, but the only two in attendance were Councilmember Bush and his wife, Kristi. He acknowledged the comments made in 2004 from the Ferry family were still included in the Plan notes. He added

the concerns may have changed since 2004 because at the time the canal had not been undergrounded. Mr. Howes explained the primary concerns expressed in 2004 were regarding the proximity of the trail to the property lines and privacy issues. He mentioned the narrowest area was south of 200 South and some accommodations could be made to help with screening or fencing along those residential areas if it was still a concern. Mr. Howes added before any further development was completed it would be wise to provide the residents an opportunity to have their voices heard again.

Mr. Howes commented the Davis and Weber Counties Canal Company (DWCCC) had approached the City about redoing the agreement with the City based on the work it was doing to underground the canal in the area between 1500 East and 2000 East. He noted the DWCCC had expressed interest in having the City develop the trail from 200 South to 300 North and would like the agreement to reflect those changes.

Councilmember Bush asked if there had been any response as to what could be done to further improve the area along the Rail Trail, such as adding benches. Mr. Howes answered there would be no problem with temporary items such as benches or signage; however landscaping might be restricted. Councilmember Bush asked if the same about the Canal Trail. Mr. Howes responded the landscaping could be restricted to shallow rooted types of plants so it did not interfere with the Canal, but thought benches or other temporary items should not be an issue because they could easily be removed, if necessary.

Councilmember Bush moved to adjourn at 6:58 p.m., seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Roper, and Thompson. Voting NO – None. Councilmember Phipps was not present for the vote.

**APPROVED AND ADOPTED
This 26th day of February, 2019**

/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 8, 2019.

/s/Nancy R. Dean, City Recorder