

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
October 22, 2019

City Building  
55 South State Street  
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Nancy Dean	City Recorder
EXCUSED:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager

VISITORS: Travis Taylor, Brian Brower, Bob Bercher, Jordan Mineer, Arianna Leigh, Annette Nielson, Brady Nielson, Kristi Bush, Ruth Jones, Joseph Jacobsen, Ethan Judkins

Mayor Shepherd called the meeting to order at 7:00 p.m.

Mayor Shepherd 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 SEPTEMBER 17, 2019 WORK SESSION;  
OCTOBER 1, 2019 WORK SESSION; AND THE OCTOBER 8, 2019 POLICY SESSION

**Councilmember Bush moved to approve the minutes from the September 17, 2019 work session; October 1, 2019 work session; and the October 8, 2019 policy session; as written, seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

## OPEN COMMENT PERIOD

There were no public comments.

## APPROVAL OF THE AWARD OF PROPOSAL FOR THE SANITARY SEWER CAPACITY STUDY

Adam Favero, Public Works Director, stated the City solicited proposals for a Sewer Capacity Study. He explained the study would assure the sewer lines servicing six different locations throughout the City were meeting current flow volumes and had the ability to meet future flow volume demands as a result of new development. He noted the City had received three proposals, which were reviewed by a selection committee. He indicated the committee recommended awarding the contract to CRS Engineers for \$31,766 with contingency funds of \$13,234. He pointed out the scope of work in the Request for Proposal (RFP) was a good starting point, however needs might arise that would require the study be expanded so staff was requesting contingency funds be higher than usual.

Councilmember Bush wondered how long the sewer study would take. Mr. Favero stated the study was estimated to take about three months to complete.

**Councilmember Peterson moved to approve the award of proposal for the Sewer Capacity Study to CRS Engineers for the bid amount of \$31,766 with an additional amount for contingency costs of \$13,234 for a total cost of \$45,000; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

## APPROVAL OF THE AWARD OF PROPOSAL FOR CONSULTING SERVICES TO DEVELOP A BUSINESS PLAN AND CONDUCT A FEE STUDY FOR ALL SERVICES OF THE COMMUNITY SERVICES DEPARTMENT, INCLUDING THE AQUATIC AND FITNESS CENTER, RECREATION, AND ARTS DIVISIONS

Eric Howes, Community Services Director, stated the City requested proposals to develop a business plan and conduct a fee study for all fees for services charged in the Community Services Department, including the Aquatic and Fitness Center, Recreation, and Arts Divisions. He mentioned the intent of the study was to complete a thorough evaluation of the actual costs for services provided within the department and utilize that information and the existing Cost Recovery Model as the basis for necessary fee changes. He indicated staff reviewed the proposals and recommended approving the award of proposal to Tom O'Rourke Consulting for \$21,000.

Councilmember Phipps wondered if comparisons to other communities with similar services would be a part of the study. Mr. Howes stated the study would compare Clearfield City with five surrounding communities.

**Councilmember Phipps moved to approve the award of proposal for consulting services to develop a business plan and conduct a fee study for all services of the Community Services Department, including the Aquatic and Fitness Center, Recreation, and Arts Divisions to Tom O'Rourke Consulting for \$21,000; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF THE AWARD OF BID FOR THE ARTS CENTER ELECTRICAL UPGRADE

Curtis Dickson, Community Services Deputy Director, reported the City solicited bids to upgrade the electrical service at the Community Arts Center. He noted the electrical upgrade was the next phase to the renovation of the Clearfield Community Arts Center. He explained this renovation would combine the two power services coming into the building into one service, update the main power panels, and add additional power capacity to the building. Mr. Dickson stated the City received one bid for the project with a bid amount of \$112,258. He pointed out the project was budgeted at \$85,000. He indicated staff presented three alternatives for completing the project during the City Council work session discussion on October 15, 2019.

Mr. Dickson acknowledged there appeared to be consensus from the Council that amending the budget so the entire electrical upgrade project could be completed was necessary in an effort to help mitigate any safety issues that might arise in the future. He said based on the feedback from the Council staff recommended the bid for the Clearfield Community Arts Center Electrical Upgrade be awarded to Northern Utah Electric, Inc. for the bid amount of \$112,258. He added it was recommended the Council approve funding for the project bid amount with engineering costs and contingency of \$12,742 for a total project cost of \$125,000.

**Councilmember Roper moved to approve the award of bid for the Clearfield Community Arts Center Electrical Upgrade to Northern Utah Electric, Inc. for the bid amount of \$112,258; approve funding for the project bid amount with engineering costs and contingency of \$12,742 for a total project cost of \$125,000; and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF RESOLUTION 2019R-20 REQUESTING RECERTIFICATION OF THE CLEARFIELD MUNICIPAL JUSTICE COURT

Judge Brian E. Brower, Clearfield Municipal Justice Court, explained Utah law required the City to apply for recertification of its Justice Court every four years. He stated part of the recertification process included a resolution from the sponsoring governmental entity requesting the recertification and committing to continued compliance with the applicable operational standards and requirements for the next four-year term.

Judge Brower, stated the Court's current certification would expire in February 2020 and reported part of the process required the City Council to approve a resolution applying for the

recertification. He reviewed other documents required for the recertification and asked if there were any other items of common concern.

Councilmember Peterson asked Judge Brower to explain what happened in the Justice Court. Judge Brower stated the most common cases heard were DUI and Domestic Violence cases. He added he also took care of routine traffic violations. He described the process for patrons who attend the court.

**Councilmember Thompson moved to approve Resolution 2019R-20 requesting recertification of the Clearfield Municipal Justice Court and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

CONSIDERATION OF THE DEVELOPMENT AGREEMENT AND FIRST ADDENDUM TO THE PUT/CALL AGREEMENT WITH LOTUS ACQUISITIONS, LLC, AND MEMORANDUM OF UNDERSTANDING (MOU) – 2 WITH THE COMMUNITY DEVELOPMENT AND RENEWAL AGENCY (CDRA) AND LOTUS COMPANY FOR REDEVELOPMENT OF PROPERTIES LOCATED AT APPROXIMATELY 442 AND 448 SOUTH STATE STREET (MABEY PLACE) - TABLED

Mayor Shepherd stated there was a lot of discussion regarding the need for more time to review the proposed Development Agreement, First Addendum to the Put/Call Agreement with Lotus Acquisitions LLC and Memorandum of Understanding (MOU) -2 with the Community Development and Renewal Agency (CDRA) and Lotus Company.

**Councilmember Thompson moved to table until Tuesday, October 29, 2019, the consideration of the Development Agreement and First Addendum to the Put/Call Agreement with Lotus Acquisitions, LLC, and Memorandum of Understanding (MOU) – 2 with the Community Development and Renewal Agency (CDRA) and Lotus Company 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, and Thompson. Voting NO – Councilmember Roper.**

#### COMMUNICATION ITEMS

##### *Mayor Shepherd*

1. Recognized the effort of City staff for the successful Trunk or Treat last week.

##### *Councilmember Bush*

1. Attended the Trunk or Treat and thought it was a great event.
2. Attended a meeting for the State Uniform Building Code.
3. Assisted the North Davis Sewer District with its tour for other governmental agencies.

##### *Councilmember Peterson*

1. Thanked those who put the Trunk or Treat together.
2. Attended an Interfaith Group meeting and thanked the Police Department for presenting.
3. Thanked the City recreation employees as they wrapped up a busy season.

4. Commented that the North Davis Fire District was recognized nationally. Thanked others who didn't get the recognition.

**Councilmember Phipps** - Attended the Emergency Preparedness Fair on October 12, 2019.

**Councilmember Roper** –stated I-15 would be closed October 25<sup>th</sup> from 10 p.m. to 8:00 a.m.

**Councilmember Thompson**

1. Recognized the holiday seasons were coming and urged residents to be safe.
2. Reported he would be attending the Tax Equalization Conference hosted by Weber State University on October 23, 2019.
3. Attended the Mosquito Abatement Conference in Bryce Canyon.
4. Commented youth were the City's future. He mentioned a student who did a study on mosquitos.

**STAFF REPORTS**

**Stuart Williams, City Attorney** – reported the City had currently serviced six individuals or families through the Housing Advocate program.

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

- Work Session on October 29, 2019
- No meeting on November 5, 2019 it is the General Election.
- Policy Session November 12, 2019
- Work Session November 19, 2019
- Policy Session November 26, 2019

**Curtis Dickson, Community Services Deputy Director** – stated Boonanza was Saturday, October 26, 2019.

**Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in policy session at 7:42 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.**

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

**APPROVED AND ADOPTED  
This 12<sup>th</sup> day of November, 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, October 22, 2019.

/s/Nancy R. Dean, City Recorder