

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
September 13, 2016

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson Kent Bush Nike Peterson Vern Phipps Bruce Young	Councilmember Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	Adam Lenhard JJ Allen Stuart Williams Scott Hodge Spencer Brimley Greg Krusi Eric Howes Curtis Dickson Summer Palmer Rich Knapp Kim Read Annie Bradshaw	City Manager Assistant City Manager City Attorney Public Works Director Development Services Manager Police Chief Community Services Director Community Services Deputy Dir. Administrative Services Director Finance Manager Deputy City Recorder Administrative Assistant
EXCUSED:	Nancy Dean	City Recorder

VISITORS: Warren Sellers – Pioneer Adult Rehabilitation Center (PARC), Colton Desmond, Bob Bercher, Kathryn Murray

Mayor Shepherd called the meeting to order at 7:00 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 Bush conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE AUGUST 9, 2016 WORK AND POLICY SESSIONS AND THE AUGUST 16, 2016 WORK SESSION

Councilmember Peterson moved to approve the minutes from the August 9, 2016 work and policy sessions and the August 16, 2016 work session as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

PUBLIC HEARING TO CONSIDER ADOPTION OF A PROPOSED IMPACT FEE FACILITIES PLAN AND THE IMPACT FEE ANALYSIS FOR THE CULINARY WATER, SANITARY SEWER AND STORM WATER SYSTEMS WITHIN CLEARFIELD CITY

Scott Hodge, Public Works Director, explained Clearfield City contracted with Horrocks Engineering to perform an Impact Fee Study for the culinary water, sanitary sewer and storm water utilities. The State of Utah Impact Fees Act required that impact fees be established in accordance with the conditions outlined in the Act. Horrocks Engineering had conducted the required evaluations and reviews concerning future growth within the City for the next six years and the improvements which would be necessary to the culinary water, sewer and storm water systems to support that growth. It had also prepared an Impact Fee Facilities Plan (IFFP) for Clearfield City reflecting the future development areas within the City and the capital improvement projects to support that growth. An Impact Fee Analysis (IFA) identifying the maximum impact fee allowable for each of the utilities (culinary water, sewer, storm water), based on the criteria in the State Impact Fees Act, was prepared by Zions Bank Public Finance.

Mayor Shepherd opened the public hearing at 7:07 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:08 p.m. seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF ORDINANCE 2016-05 ADOPTING THE PROPOSED IMPACT FEE FACILITIES PLAN AND THE IMPACT FEE ANALYSIS FOR THE CULINARY WATER, SANITARY SEWER, AND STORM WATER SYSTEMS WITHIN CLEARFIELD CITY AND APPROVAL OF THE IMPACT FEES AS OUTLINED IN THE IMPACT FEES ANALYSIS FOR EACH OF THE UTILITIES

Mayor Shepherd pointed out the proposed ordinance reflected a decrease in Impact Fees.

Councilmember Peterson moved to approve Ordinance 2016-05 adopting the Impact Fee Facilities Plan and Impact Fee Analysis for the culinary water, sanitary sewer, and storm water systems within Clearfield City with the following proposed changes:

- **The fee increase for the storm water utility rate be established at five percent annually to lower the bond principal amount expected in fiscal year 2021;**
- **The call out for the replacement of fire hydrant meters be identified as the actual costs;**

and, approve the Impact Fees as outlined in the Impact Fee Analysis for each of the utilities and authorize the Mayor's signature to any necessary documents, seconded by

Councilmember Benson. Councilmember Young stated the cost for the fire hydrant meters was included in Ordinance 2016-04, amending the Consolidated Fee Schedule.

Councilmember Peterson amended the previous motion by moving to approve Ordinance 2016-05 adopting the Impact Fee Facilities Plan and Impact Fee Analysis for the culinary water, sanitary sewer, and storm water systems within Clearfield City with the following proposed changes:

- **The fee increase for the storm water utility rate be established at five percent annually to lower the bond principal amount expected in fiscal year 2021;**

and, approve the Impact Fees as outlined in the Impact Fee Analysis for each of the utilities and authorize the Mayor's signature to any necessary documents, seconded by

Councilmember Benson. Councilmember Young stated the utility rates were also included in Ordinance 2016-04 as well. Adam Lenhard, City Manager, clarified the reference to utility rates and the bonding were included in Ordinance 2016-04.

Councilmember Young made an alternate motion to approve Ordinance 2016-05 adopting the Impact Fee Facilities Plan and the Impact Fee Analysis for the culinary water, sanitary sewer, and storm water systems within Clearfield City and approve the Impact Fees as outlined in the Impact Fees Analysis for each of the utilities and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2016-04 AMENDING THE CONSOLIDATED FEE SCHEDULE

Staff was recommending certain amendments to the City's Consolidated Fee Schedule as it related to Impact Fees, Utility Rates, Business Licenses for Fireworks Stands, Utility Shut Off Notices, Administrative Site Plan Reviews and Fire Hydrant Meters.

Rich Knapp, Finance Manager, shared a visual presentation identifying the following proposed changes to the Consolidated Fee Schedule:

- Utility rates for the next three years
- Fee for a Second Delinquent Notice for late utility payments
- Impact Fees based on the previously adopted Impact Fee Facilities Plan and Impact Fee Analysis
- Fire Hydrant Meter
- Fireworks Stands
- Administrative Site Plan Review

He explained the Utility Rate Study, completed by Zions Bank, was to determine what the rates needed to be for the City to meet operational expenses and to project capital projects for the next nine years. He stated the study recommended the City bond in fiscal year 2021 for water and storm water capital projects. He continued \$2.8 million would be needed for capital projects in the storm water utility if a five percent increase annually were approved. He also explained \$5.5 million would be needed for water capital projects if a three percent increase annual for single

family were approved. He stated the proposed increase for the storm water utility was \$0.83 per month based on a five percent increase. He pointed out the increase was not based on consumption.

Mr. Knapp explained how the \$10 second delinquent notice fee had been implemented on a “trial basis” and reported it had decreased the number of accounts shut off for non-payment. He emphasized the fee was to offset the cost for employees personally delivering a notice to the residents’ doors. He explained the late fee of \$10 and shut off fee of \$35 would remain intact.

Mr. Knapp reminded the Council the Impact Fees Facilities Plan and Impact Fee Analysis Plan completed by Zions Bank had been used to calculate the proposed decrease to the City’s impact fees.

Mr. Knapp explained the proposed fee increase specific to fire hydrant meters used by construction companies in completing construction projects within the City. He pointed out the new hydrants were more expensive because they contained backflow preventers. He explained the proposed increase would be to cover the actual cost of the meter in case it became damaged or was not returned.

Mr. Knapp clarified the change specific to fireworks stands was to have the City added as a certificate holder rather than an additional insured on the business insurance plans as well as clarify the liability insurance dollar amounts.

Mr. Knapp reported the change specific to Administrative Site Plan was to reduce the cost from \$400 to \$200.

There were no questions or further discussion on the proposed fee changes/increases.

Councilmember Peterson moved to approve Ordinance 2016-04 amending the Consolidated Fee Schedule with the following changes:

- **The fee increase for the storm water utility rate be established at five percent annually to lower the bond principal amount expected in fiscal year 2021;**
- **Fire hydrant meters fees reflect “actual costs” for replacement;**

and, authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Benson.

Councilmember Phipps expressed his opinion the Council should be sensitive in how increases, regardless of how small, impacted the taxpaying resident. He indicated that he understood but did not agree with the rationale behind the increase to five percent. Although he disagreed with the increase to five percent he indicated he would support the motion because he was in agreement with the other provisions. Councilmember Young stated although he agreed with Councilmember Phipps’ remarks, the City’s aging infrastructure necessitated the increases for future projects. He believed the fifteen percent identified in the Utility Rate Study to eliminate the need for bonding was unattainable. He stated he was not in favor of an increase of five percent because it was higher than the current rate of inflation; however, he believed the increase was the most conservative and prudent thing to do.

Councilmember Benson stated establishing the annual fee increase to the storm water utility rate at five percent would save nearly one million dollars of tax payer dollars. Councilmember Bush expressed his opinion the rate change from the three percent to five percent annually would not

be a significant impact to residents. He also believed it would have a more significant impact overall to the bonding. Councilmember Peterson pointed out the slight change would save the City approximately one million dollars. Councilmember Phipps suggested the predicted outcome would be significantly different than what was anticipated. **The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.**

APPROVAL OF THE AWARD OF BID FOR THE STEED PARK BALL FIELD ELECTRICAL UPGRADE PROJECT TO HIDDEN PEAK ELECTRIC

Eric Howes, Community Services Director, stated bids were received from two contractors for the Steed Park Ball Field Electrical Upgrade Project. The scope of work for the project included replacing the existing wiring from the score tower to the ball field lights, the wiring from the bottom to the top of the poles, and the electrical panel that controlled the ball field lights. He explained there were three parts to the bid and reviewed those with the Council:

- Base Bid.
- Alternate 1 – included new wiring from the ground to the top of the poles where the fixtures were located.
- Alternate 2 - upgrading the existing electrical panel.

He reported the budget for the project was \$125,000 and the lowest responsible bid was received from Hidden Peak Electric with a bid amount of \$76,300, for all three portions of the bid.

Councilmember Phipps moved to approve the award of bid for the Steed Park Ball Field Electrical Upgrade Project to Hidden Peak Electric for the bid amount of \$76,300, with contingency of \$10,000 for a total project cost of \$86,300 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-20 AUTHORIZING AN IN-KIND DONATION TO THE PIONEER ADULT REHABILITATION CENTER (PARC)

Mayor Shepherd explained Pioneer Adult Rehabilitation Center (PARC) was a non-profit organization in Clearfield City with the unique mission of advancing employment opportunities for individuals with disabilities and helping them achieve a high level of independence. The organization had asked for a waiver of deposit and room rental fees at the Clearfield Aquatic Center to hold a class for its students/clients.

Warren Sellers, PARC, explained the facility had been recognized nationally and received numerous grants for programs offered at the facility and explained some of the services provided. He reported one of the grants was provided by Lululemon providing meditation and yoga classes which benefitted students/clients. He indicated the program was so popular it had outgrown the current space at PARC so the City was approached for use of space at the Aquatic Center.

Mayor Shepherd clarified the request was for use of the facility twice a month and expressed his opinion it was an opportunity for the City to give back to a community partner and the School District.

Councilmember Phipps inquired how many students/clients participated in the yoga classes. Mr. Sellers reported there were currently 16 participants but believed by opening the facility to different hours, more students would have the opportunity to participate, as well as possibly become certified yoga instructors. He clarified the duration of the donation would be for one calendar year.

Councilmember Benson moved to approve Resolution 2016R-20 authorizing an in-kind donation to Pioneer Adult Rehabilitation Center (PARC) and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Shared two videos highlighting the City's Fourth of July celebration. Adam Lenhard, City Manager, explained the videos would be used as a tool to solicit sponsorships for future celebrations. He expressed appreciation to the Council for its support of the videos.
2. Announced representatives from the Utah Defense Alliance, which included representatives from every Air Force Base across the Country, came to Hill Air Force Base (HAFB) on two separate occasions within the last month. He mentioned the Defense Alliance had partnered with the Roosevelt Group, a DC lobbyist firm, who had met with representatives from the Base, city officials and community officials, regarding possible future base realignment and what could be done to get the west gate designated as a 24-hour operation. He reported MIDA was struggling to develop near the west gate because of the hours of operation.
3. Informed the Council that Culture Crash would again be having its event on Saturday, October 8, 2016 at Fisher Park. He stated he had been working with Eric Howes, Community Services Director, and the event was anticipated to highlight over 700 cars that would participate in a car show. He also announced a swap meet would be part of the event.
4. Informed the Council he would be out of town beginning tomorrow until Saturday, September 17, 2016.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Welcomed the scouts in attendance to the meeting.
2. Informed the Council that the Chancellor Gardens and Rocky Mountain Care car show and Carnival was scheduled for Friday, September 23, 2016 from 4 p.m. to 7 p.m. at Rocky Mountain Care Center. He stated it was free to the public and proceeds from raffle tickets would benefit Special Olympics.
3. Announced he would be attending the Water Conference in New Orleans on Tuesday, September 27, 2016.

Councilmember Peterson

1. Expressed appreciation to Laura Lewis, Emergency Preparedness Coordinator, for her efforts in coordinating the emergency preparedness fair which took place on Saturday, September 10, 2016.

2. She complimented the Parks/Recreation staff on the condition of the athletic fields used for soccer and football.

Councilmember Phipps

1. Announced the Wasatch Integrated Board was recently authorized to participate with the Bay View Landfill as part of its 20 to 200 year plan for disposal of trash.
2. Informed the Council that Layton City would begin to strictly enforce uncovered debris/trash on the road to the landfill and at the gate itself. He mentioned the fee for violation was \$200. He emphasized all loads must be covered.
3. Explained a bill had passed the House and the Senate on a National level which strictly limited how entities could define themselves as “recycling friendly.” He reported it would impact Wasatch Integrated because it sold steam to HAFB and had advertised the fact it received the steam as “renewable energy.” He clarified the bill would remove that language and District members had been encouraged to contact Congressman Bishop, he sits on that committee, requesting he eliminate that provision from the bill. He continued the revenue the District received from HAFB was substantial and if the Base no longer desired to purchase the steam it would have a negative impact on the District.
4. Stated he also attended the Emergency Preparedness Fair and mentioned it was a great event.

Councilmember Young

1. Informed the Council that mosquito abatement was coming to an end for the season.
2. Announced he had been attending functions associated with the Davis Chamber of Commerce. He mentioned the Chamber had expressed concern the City wasn't in favor of the transportation circulator and he had explained the City's position on that matter.
3. Announced a Meet the Candidates event was scheduled for Thursday, September 29, 2016, beginning at 6:30 p.m. at Clearfield City Hall.

STAFF REPORTS

Adam Lenhard, City Manager

1. Stated his formal report would be emailed later.
2. Announced UDOT had informed the City that the design process for improvements at 650 North were complete. He mentioned staff would be participating in a meeting soon after which the project was anticipated to go out for bid in the spring.
3. Mentioned the City had received requests for “Stop” signs to be placed at 2300 South Main. He reported Chief Krusi had completed a study on the matter which would also be emailed to the Council.

Kim Read, Deputy City Recorder

1. Informed the Council of the following meeting schedule:
 - No meeting was scheduled for Tuesday, September 20, 2016
 - Tuesday, September 27, 2016 – Policy Session

There being no further business to come before the Council, **Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 7:53 p.m., seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.**

The minutes for the CDRA are in a separate location

The City Council reconvened at 8:00 p.m.

Mayor Shepherd announced the need for the Council to adjourn to a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation and called for a motion.

Councilmember Young moved to adjourn to a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation at 8:01 p.m. Utah Code Ann. §52-4-205, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

The minutes for the Closed Session are kept in a separate location.

**APPROVED AND ADOPTED
This 25th day of October, 2016**

/s/Mark R. Shepherd, Mayor

ATTEST:

/s/Nancy R. Dean, City Recorder

I hereby certify that the foregoing represents a true, accurate, and complete record of the Clearfield City Council meeting held Tuesday, September 13, 2016.

/s/Nancy R. Dean, City Recorder