

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
December 15, 2020

City Building
55 South State Street
Clearfield City, Utah

No physical meeting location was available for the public due to the statewide public health emergency which might present a substantial risk to the health and safety of others. The meeting was held for the public electronically via Zoom Meeting address:

Zoom Meeting
<https://us02web.zoom.us/j/85193712900>
Meeting ID: 851 9371 2900

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
PRESENT VIA ZOOM:	Kent Bush	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Kelly Bennett	Police Chief
	Eric Howes	Community Services Director
	Adam Favero	Public Works Director
	Braden Felix	Engineer/PW Deputy Director
	Kenny England	Utility Superintendent
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder

VISITORS PRESENT VIA ZOOM: Greg Nelson

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

Pursuant to the State of Utah Public Health Order 2020-17, dated October 14, 2020, and in conjunction with the State of Utah's ongoing declaration of a statewide public health emergency, Mayor Shepherd read a declaration made on December 10, 2020 that resulted in the following: (1) the City would not be providing an anchor location for City Council or other board meetings for the next 30 days, (2) Although no other physical meeting location would be

available for the general public, the City Council or other board members might or might not appear in person at the City building subject to compliance of social distancing and mask requirements, (3) the public's participation in the City Council or other board meetings might present a substantial risk to the health and safety of others, and (4) the public's participation in the City Council or other board meetings would only be available through Zoom and/or Facebook Live.

UPDATE ON THE 700 SOUTH WELL

Adam Favero, Public Works Director, explained the 700 South Well had significant inefficiencies one of which was the pole-mounted electrical transformer which had not been functioning properly. He indicated the transformer replacement had been included with the capital improvement budget for fiscal year 2020 (FY20). He noted in October of 2020, the City Manager, JJ Allen, had advised the Council by email of some additional concerns due to some windstorm damage and the decreasing aquifer levels.

Mr. Favero updated the Council on the actions taken to date which included Rhino Pumps investigating the low levels in the well. He mentioned the pump and motor were found to be too large to go deep enough for the dropping water level. He stated a budget amendment would be necessary to do the repairs and would include the following items:

- New motor and pump assembly
- 240 feet for column pipe and fitting
- Reprogramming of the motor soft start

Mr. Favero indicated the proposed budget amendment would be \$125,000 to cover the additional expenses. Councilmember Bush asked if the cost for repairs would be \$125,000 or if those funds were needed in addition to the \$100,000 originally budgeted for the project. Mr. Favero responded the total repair costs were anticipated to be \$225,000.

Councilmember Thompson joined the meeting at 6:07 p.m.

Councilmember Phipps wondered if a smaller pump would be sufficient for the water needs. Mr. Favero explained the smaller pump should last the City another ten to twenty years. He mentioned there was a crack discovered in the casing. He added the new pump even though smaller was more efficient and should work with the other components that were in place. He noted the new efficient pump should produce as much water even though it was smaller. Mr. Favero added the well was a critical water supply used during the City's peak water season and it would be important to get it operational before the summer months to avoid possible fees from other water sources if allotments were exceeded.

Councilmember Phipps asked what the schedule would be to complete the work. Mr. Favero indicated the importance of ordering the pump as soon as possible to have adequate lead time for it to arrive and be installed in the spring before the summer season. He added the power company would be doing the work on the transformer separately.

DISCUSSION ON THE AWARD OF PROPOSAL FOR THE ENGINEERING SERVICES CONTRACT FOR THE CLEARFIELD STATION TRANSIT-ORIENTED DEVELOPMENT

Braden Felix, City Engineer/Public Works Deputy Director, stated staff had advertised a request for proposal (RFP) for an engineering consultant to perform the site engineering services of the Clearfield Station Transit-Oriented Development (TOD) project. He indicated the City received five proposals which were reviewed by a six-member panel. He reviewed the evaluation criteria that was considered. Mr. Felix acknowledged CRS Engineers was selected as the consultant with the highest scoring proposal based on the evaluation criteria. He noted the proposal total was \$342,564 which was the second lowest price, but it had the most aggressive timeline. He mentioned the City obtained funding to help with right-of-way acquisition and additional funds were anticipated through bonding to help cover the costs of the site design and engineering services for the project.

Councilmember Phipps stated CRS Engineers' proposal was well done and thorough. He asked if CRS would be actively engaged in the selection of a contractor for the building of infrastructure. Mr. Felix responded yes. He continued CRS was anticipated to begin work promptly and provide needed support, design services, and help as needed even post contract award for infrastructure improvements.

Mr. Felix pointed out that Greg Nelson, CRS Project Manager, was in attendance if there were any questions. Mr. Nelson stated CRS was excited to work with the City on the project which was in a great location.

Councilmember Phipps acknowledged the project was liable to have change orders. Mr. Felix indicated those were to be expected and costs were built into the project if necessary. He mentioned staff felt good about the scope; however, expected a change order might be necessary but did not feel those would be too concerning.

Councilmember Phipps wondered if the bid amount would not be exceeded and billed at an hourly rate. Mr. Felix answered yes, a vast majority of the costs were based on an hourly amount. Mayor Shepherd commented CRS had done great work in prior associations with the City.

JJ Allen, City Manager, stated the City had minimal potential for exposure should UTA not approve the Master Development Agreement (MDA). He indicated UTA would not be considering the MDA until January 13, 2021; yet, it was recommended by staff for the Council to award the engineering contract for site design so the work could begin to avoid another month delay in beginning the project. He explained time was of the essence and there was only minimal risk with the amount of design work that could be completed prior to the anticipated UTA approval.

Councilmember Peterson stated the engineering timeline was ambitious so delay in the award would move the completion date into May. She suggested it would be nice not to delay the award so things could get moving forward.

Councilmember Phipps pointed out that the UTA risk was minimal because it had been involved with the discussions all the way along. He expressed his delight in getting started with CRS which was highly qualified and had engineers that knew what they were doing.

Mr. Favero added the right-of-way acquisition was a critical piece and it would be helpful to get moving forward on that portion of the work. The consensus of the Council was to award the proposal to CRS Engineers so the work could begin as soon as possible.

REVIEW OF THE CITY'S 2020 FRAUD RISK ASSESSMENT

Rich Knapp, Finance Manager, explained the Office of the State Auditor had implemented a new program designed to help measure and reduce the risk of undetected fraud, abuse, and noncompliance in local government. He mentioned the reduction of fraud rested in effective internal controls. He indicated the State Auditor had developed a risk assessment model that provided a basic evaluation of an entity's fraud risk. He continued basic separation of duties was worth the most points and was one of the reasons utility billing was moved back to the finance department.

Mr. Knapp reviewed the City's risk assessment scores and recommended measures for implementation. He stated staff's goal was to implement the needed areas of the program by June 30, 2021. He acknowledged establishing an audit committee would help the City improve and reduce its risk level. There was a discussion about new processes or procedures which would not be too difficult that could help the City obtain a good score on the risk assessment so it was included in the very low risk category before June.

Mr. Knapp reported the City's financial policies were out of date and were something to be watched in the future. He mentioned there was not a hedgehog score for this item because it was a legal requirement to present the current score to the governing body before the final audit was completed.

Councilmember Peterson expressed her delight in having an audit committee and volunteered to be on it. Mr. Knapp responded he was uncertain the requirements for meetings but would provide additional information as it became available. Councilmember Phipps suggested the committee could be proactive and oversee the review of policies. He pointed out the audit had identified a process, and the committee could oversee the process improvements.

Mayor Shepherd thanked Mr. Knapp for reviewing the report.

Councilmember Peterson moved to close the meeting at 6:30 p.m. for the purpose of a strategy session to discuss the purchase, exchange or lease of real property Utah Code Ann. § 52-4-204 and § 52-4-205(1)(e), seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

The minutes for the closed session are kept in a separate location.

The Council adjourned the closed session at 6:57 p.m. and immediately reconvened in work session.

Councilmember Peterson moved to adjourn the work session and convene in special session at 6:57 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

The Council reconvened in closed session immediately following the policy session at 7:48 p.m.

The Council adjourned the closed session at 8:53 p.m. and immediately reconvened in work session.

Councilmember Peterson moved to adjourn at 8:53 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 26th day of January, 2021**

/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 15, 2020.

/s/Nancy R. Dean, City Recorder