

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
February 25, 2014

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Ron Jones	Councilmember
	Mike LeBaron	Councilmember
	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	Brian Brower	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Norah Baron – Planning Commission, Bob Bercher, Tim Roper – Planning Commission, Rob Dillen, Randell Metcalf, Robin Metcalf, 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 Public Hearings or Citizen Comments there were forms to fill out by the door.

Councilmember Bush conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE FEBRUARY 11, 2014 POLICY SESSION

Councilmember Bush moved to approve the minutes from the February 11, 2014 policy session as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PUBLIC HEARING ON A PROPOSED GENERAL PLAN AMENDMENT TO CHANGE FUTURE LAND USES AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE FROM COMMERCIAL TO RESIDENTIAL

Brian Brower, City Attorney, stated the City received a request from the current property owner of 0.47 acres located at 252 South and 256 South Marilyn Drive to have the properties reclassified in the General Plan's Future Land Use Map from Commercial to Residential with the intent to construct one single-family dwelling unit for the owner's family to own and live in. The property was formerly rezoned to Commercial with the intent to combine parcels and utilize a

previous owner's frontage on 200 South to maximize utility of the property in question. The utilization of this property as Commercial was never undertaken by the former owner, and as such had continued to sit vacant. The Planning Commission unanimously recommended approval.

Mayor Shepherd opened the public hearing at 7:05 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:06 p.m. seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PUBLIC HEARING FOR A REZONE TO CHANGE EXISTING LAND USES FROM (C-2) COMMERCIAL TO (R-1-8) RESIDENTIAL FOR TWO LOTS, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE, A COMBINED 0.47 ACRES WHICH WAS LOCATED IN THE (C-2) COMMERCIAL ZONING DISTRICT

This was a request from the current property owner to rezone two parcels located at 252 South and 256 South Marilyn Drive from (C-2) Commercial to (R-1-8) Single-family Residential with the intent to construct one single-family dwelling unit for the owner's family to own and live in. The property was currently two individual parcels, and the property owner desired to combine the two parcels into one. An application for subdivision amendment and plat vacation to the Manuel Subdivision 1 is included as item #3 in the February 25, 2014 City Council Packet. The Planning Commission unanimously recommended approval.

Mayor Shepherd opened the public hearing at 7:06 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:07 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PUBLIC HEARING TO AMEND THE MANUEL SUBDIVISION TO COMBINE LOT 1 AND LOT 2 LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE

This was a request by the current property owner to combine two existing lots in the Manuel Subdivision No. 1. This subdivision was originally approved in the year 2000 along with the property being rezoned from Residential to Commercial at that time. Combining the two lots would create one single lot with a total of 0.47 acres. This new, larger parcel would have a generous building footprint, and would allow the owner's family to situate a single level living home on the property while meeting all required setbacks and minimums for the R-1-8 zone. An

application for a General Plan amendment and rezone for the properties was included as items #1 and #2 in the February 25, 2014 City Council Packet. The Planning Commission unanimously recommended approval.

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

Mayor Shepherd asked for public comments.

Ronald Metcalf, resident, inquired if the combined lots could be eliminated from the Manuel Subdivision and be part of the Clearfield Heights Subdivision. Brian Brower, City Attorney, pointed out that was not reflected on the application and wasn't presented to or considered by the Planning Commission. He clarified the application requested the two lots be combined amending the Manuel Subdivision plat and stated the Council wasn't prepared to address that request at this setting. Councilmember Bush clarified the Manuel Subdivision only contained the original two lots. He continued the City, had in the past, eliminated small subdivisions. Mr. Brower commented if the owner of the property wanted it to be part of the Clearfield Heights Subdivision, that subdivision plat would need to be amended and those residents residing within the subdivision would need to agree to that inclusion.

Mayor Shepherd asked Mr. Metcalf why he would want to do that. Mr. Metcalf responded there was a ten foot easement around the entire perimeter of the lot. Mr. Brower responded that was the City's requirement for all building lots at this time. Councilmember Bush stated it would be a time consuming process to amend the Clearfield Heights or Marilyn Drive Subdivision plats. Mr. Brower added a new application would need to be submitted and reviewed by the Planning Commission which would provide for notification of existing residents of the Clearfield Heights Subdivision. Mayor Shepherd emphasized the Council would be considering what had been presented to the Planning Commission during the meeting.

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

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF ORDINANCE 2014-02 AUTHORIZING THE GENERAL PLAN AMENDMENT TO CHANGE FUTURE LAND USES AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE FROM COMMERCIAL TO RESIDENTIAL

Councilmember LeBaron stated he had noticed the illustration of the properties reflected the current location of power lines and power poles and inquired if the Metcalf's had considered the possibility of burying those prior to construction of the new home. Mr. Metcalf responded that had been his original intention until he was told the cost for that would be approximately \$24,000. He stated he would be meeting a representative of Rocky Mountain Power on the site to obtain more information regarding the power lines in the near future.

Mayor Shepherd asked Scott Hodge, Public Works Director, if he could speak about the feasibility of burying the power lines. Mr. Hodge responded he currently didn't have enough knowledge to provide any feedback on the proposal and believed the power company would have a better idea as to the feasibility. Brian Brower, City Attorney, referred to the City Engineer's letter regarding the power lines in which he inquired if they would be relocated and suggested the drawings would need to reflect the relocation. Mr. Brower mentioned the Council could make that a condition in combining the lots but didn't believe the power line issue had been discussed by the Planning Commission. Councilmember LeBaron confirmed the power line issue hadn't been addressed by the Planning Commission. Councilmember Bush pointed out the power line was directly over the middle of the lot and believed it would have to be re-routed prior to construction; hence the need for the ten foot easement around the perimeter of the lot.

Councilmember Benson moved to approve Ordinance 2014-02 authorizing the General Plan Amendment to change future land uses at 252 South and 256 South Marilyn Drive from Commercial to Residential and authorize the Mayor's signature to any necessary documents, seconded by Councilmember LeBaron. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2014-03 AUTHORIZING A REZONE TO CHANGE EXISTING LAND USES FROM (C-2) COMMERCIAL TO (R-1-8) RESIDENTIAL FOR TWO LOTS, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE, A COMBINED 0.47 ACRES WHICH WAS LOCATED IN THE C-2 (COMMERCIAL) ZONING DISTRICT

Councilmember LeBaron moved to approve Ordinance 2014-03 authorizing the rezone to change existing land uses from (C-2) Commercial to (R-1-8) Residential for two lots, located at 252 South and 256 South Marilyn Drive, a combined 0.47 acres which was located in the (C-2) Commercial zoning district, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL TO AMEND THE MANUEL SUBDIVISION TO COMBINE LOT 1 AND LOT 2, LOCATED AT 252 SOUTH AND 256 SOUTH MARILYN DRIVE

Councilmember Bush referred to the City Engineer's letter and complimented the Planning Commission for its thoroughness in reviewing and approval of the request with the City Engineer's recommendations and also complimented Commissioner Gaerte for the verbiage in his motion.

Councilmember Bush moved to approve the Amendment to the Manuel Subdivision to combine Lot 1 and Lot 2, located at 252 South and 256 South Marilyn Drive and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF AND CONSENT TO THE MAYOR’S PROPOSED APPOINTMENTS OF INDIVIDUALS TO THE PLANNING COMMISSION

The Planning Commission had vacancies for two regular members and three alternate members. Another member’s seat on the Commission would expire at the end of February. Residents were asked to submit letters of interest and interviews were conducted by the City Council during the work sessions on February 4, 2014 and February 18, 2014.

Councilmember LeBaron moved to approve and consent to the Mayor’s reappointment of Norah Baron as a regular member of the Planning Commission with a term expiring February 2019 and the Mayor’s appointment of Tim Roper from an alternate member to regular member of the Planning Commission with a term expiring February 2018, the appointment of Kathryn Murray as a regular member with a term expiring February 2019, Michael Millard as an alternate member with a term expiring February 2017, Robert Browning as an alternate member with a term expiring February 2018 and Robert Allen as an alternate member with a term expiring on February 2016, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

Mayor Shepherd acknowledged those individuals in the audience who had been appointed to the Planning Commission.

APPROVAL OF THE REAPPOINTMENT OF ADAM LENHARD AS THE CITY MANAGER

Adam Lenhard was appointed as the Clearfield City Manager on August 23, 2011. Pursuant to § 1-7-3 of the Clearfield City Code, the City Manager’s term of employment may be renewed by the City Council at any time. The Mayor and Council desired to reappoint Adam Lenhard as the City Manager for a three-year term from March 1, 2014, through February 28, 2017.

Councilmember Jones moved to reappoint Adam Lenhard as the City Manager through February 28, 2017, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF THE AWARD OF BID TO ASSOCIATED BRIGHAM CONTRACTORS FOR THE 450 WEST COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) INFRASTRUCTURE IMPROVEMENT PROJECT

Scott Hodge, Public Works Director, stated bids were received from 11 construction companies to complete the infrastructure improvements on 450 West Street from 2225 South to 2300 South. The project would include installation of new water and sanitary sewer and storm drain main pipelines, the installation of new curb, gutter and sidewalk and the installation of new asphalt pavement on 450 West from 2225 South to 2300 South. This project would be completed by utilizing Community Development Block Grant (CDBG) funding for a portion of the funding. He emphasized the City was an entitlement City and didn’t have to compete for the CDBG

funds. The lowest responsible bid was received from Associated Brigham Contractors with a bid of \$478,194.65.

Councilmember Bush inquired if the City had previous experience with Associated Brigham Contractors. Mr. Hodge responded the contractor had completed the installation of the sewer line on 700 South/State Street and worked with Staker Parsons on the 1450 South project. Councilmember Bush inquired about the timeframe for the project. Mr. Hodge stated it was anticipated for construction to begin sometime in April and was hopeful the project would be completed within 90 days. He indicated a meeting had taken place to inform residents regarding the project and no concerns had been expressed by residents.

Councilmember Young moved to approve the award of bid for the 450 West CDBG Improvement Project to Associated Brigham Contractors with a bid amount of \$478,194.65, and approve funding of the project for the bid amount of \$478,194.65 with contingency and engineering costs of \$111,805.35 for a total project cost of \$590,000.00; 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, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2014R-04 AFFIRMING THE CITY COUNCIL REVIEWED THE 2013 MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT FOR CLEARFIELD CITY

Utah Department of Environmental Quality had asked the City Council to review and consider Clearfield's Municipal Wastewater Planning Program Report for 2013. This Resolution affirmed the Council reviewed and considered the report.

Councilmember Bush requested clarification about one of the questions in which the City had answered a "no" in respect to funding. Mr. Hodge responded the question was whether there was sufficient funding to pay for all the capital improvements relative to the sewer system. He continued staff had to prioritize and complete projects as the budget allowed. He expressed his opinion the information could be used in obtaining funding for communities for that purpose.

Councilmember LeBaron moved to approve Resolution 2014 R-04 affirming that the City Council reviewed and considered the Municipal Wastewater Planning Program Report for Clearfield City and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd – reminded the Council he would be out of town next week and reported Councilmember LeBaron would host lunch with the Mayor. He mentioned he would be available via cell phone.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Announced the North Davis Sewer District Board approved the Interlocal Agreement with the Clearfield Community Development and Renewal Agency for the Clearfield Station project during its meeting on Thursday, February 13, 2014. He stated the public hearing for possible bonding was opened and continued until Thursday, March 13, 2014.
2. Informed the Council that the Parks & Recreation Commission met on Wednesday, February 19, 2014 and stated seven members were in attendance and indicated they had received assignments.
3. Stated he had also attended the Kiwanis and the Regional Transportation meetings on Monday, February 24, 2014.

Councilmember Jones – nothing to report

Councilmember LeBaron

1. Welcomed those individuals who had been appointed to the Planning Commission.
2. Acknowledged Kathryn Murray's, North Davis Fire District Board Chair, attendance and reported the Board had unanimously approved the Interlocal Agreement associated with Clearfield Station.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager – stated he was honored to work with the Council and be a part of the Clearfield City organization. He expressed appreciation for its support and his reappointment as City Manager. He also expressed appreciation to his staff for their commitment to Clearfield City.

STAFFS' REPORTS

Brian Brower, City Attorney – informed the Council the draft Development Agreement for Clearfield Station had been sent out for its review. He emphasized it was only a draft and reported staff was continuing to negotiate specifics; however, he suggested the Council begin reviewing it and become familiar with the document.

Nancy Dean, City Recorder – reviewed the City Council meeting schedule:

- Tuesday, March 4, 2014 – no meeting
- Tuesday, March 11, 2014 – work session prior to the policy session
- Tuesday, March 18, 2014 – work session
- Tuesday, March 25, 2014 – work session prior to the policy session

There being no further business to come before the Council **Councilmember Bush** moved to adjourn at 7:37 p.m., seconded by **Councilmember Benson**. All voting AYE.

APPROVED AND ADOPTED
This 11th day of March, 2014

/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, February 25, 2014.

/s/Nancy R. Dean, City Recorder