

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
August 25, 2015

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
	JJ Allen	Assistant City Manager
	Brian Brower	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Rich Knapp	Administrative Services Director
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Randy B. Elliott, Joseph Barber – Wilcox Farms, Steve Terry – Sandridge LLC, Bob Bercher, Craig Winder – Ironwood Development, Con L. Wilcox – Wilcox Farms, Kristi Bush, Rick Scadden – Wilcox Farms

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 Jones conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JULY 28, 2015 WORK SESSION

Councilmember Jones moved to approve the minutes from the July 28, 2015 work session, as written, 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 RECEIVE COMMENT ON THE PROPOSED STREET VACATION OF PORTIONS OF DEPOT STREET LOCATED IN THE VICINITY OF 50 SOUTH DEPOT (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 SOUTH DEPOT (TINs: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT (TIN: 12-001-0176)

The developer of the Sandridge Luxury Apartments Subdivision proposed reducing the right-of-way of Depot Street to 28 feet along the length of the project and around the access road that connected to State Street. The access road connecting Depot Street to State Street would continue to be ‘right-out’ only for turns from Depot Street to State Street.

Spencer Brimley, Development Services Manager, explained the proposal to the Council pointing out the following:

- Vacating a portion of Depot Street to reduce right-of-way width would not allow any on street parking.
- The intersection of Depot Street and State Street would be a right turn only.

Mr. Brimley shared a visual illustration which had not been included in the packet.

Mayor Shepherd opened the public hearing at 7:04 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:05 p.m. 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 TO RECEIVE COMMENT ON A PROPOSED GENERAL PLAN AMENDMENT AMENDING THE STREETS MASTER PLAN AND TRANSPORTATION MAP

Recent applications for development in the area near 1000 West and 1700 South, Clearfield, had caused City staff to analyze the Streets Master Plan and Transportation Map for that area. The Master Streets Plan and Transportation Map reflected 750 West extending farther north but the Rocky Mountain Power corridor passed diagonally through that location limiting future development potential. Staff recommended deleting the extension of 750 West from the Streets Master Plan and Transportation Map. The Planning Commission recommended maintaining the extension of 750 West to 1600 South but eliminating its designation any farther to the north to provide connectivity for the community. The City Council met in work session on August 18, 2015 to discuss the proposals and recommended creating the road extension at 900 West to a future connection to 1000 West at approximately 1475 South.

Mr. Brimley oriented the Council to the location of approximately 750 West and 1600 South and stated it was currently identified in the City’s Streets Master Plan and General Plan as a connection from 1700 South to 1600 South. He pointed out the Rocky Mountain Power corridor

on the illustration in addition to the Wilcox Farms property and announced it had been discovered the feasibility of the access was not ideal. He reported it was the recommendation of the Planning Commission to remove the extension of 750 West from 1600 South to the north from the Streets Master Plan; but keeping the connection between 1600 South and 750 West on the Plan.

He reminded the Council this item had been discussed during the work session on Tuesday, August 18, 2015 and at that time it decided to remove the extension of 750 West from the Streets Master Plan and that a new connection should be added at 900 West extending north from 1600 South to a future connection to 1000 West at approximately 1475 South and identified that proposal on the illustration.

Mayor Shepherd opened the public hearing at 7:08 p.m.

Mayor Shepherd asked for public comments.

Joe Barber, Wilcox Farms, clarified that Wilcox Farms believed there was no need to connect 1600 South to 750 West and expressed agreement with the 900 West proposal.

There being no further comments, **Councilmember Young moved to close the public hearing at 7:09 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.**

CITIZEN COMMENTS

There were no citizen comments.

ADOPTION OF RESOLUTION 2015R-22 OF THE CITY COUNCIL OF CLEARFIELD CITY, UTAH, AUTHORIZING THE ISSUANCE AND SALE OF ITS FEDERALLY TAXABLE/CONVERTIBLE TO TAX-EXEMPT SALES TAX REVENUE REFUNDING BONDS, SERIES 2015 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,950,000; DELEGATING TO CERTAIN OFFICERS OF THE CITY THE POWER TO APPROVE THE FINAL TERMS AND PROVISIONS OF THE SALES TAX REVENUE REFUNDING BONDS, SERIES 2015 WITHIN CERTAIN PARAMETERS PREVIOUSLY ADOPTED BY A RESOLUTION OF THE CITY; AND RELATED MATTERS

The City was pursuing the refunding of its 2006 Sales Tax Revenue Bonds in an effort to recognize savings to the taxpayers. On June 23, 2015, the City Council authorized the parameters resolution calling for the publication of a Notice of Bonds to be issued and the initiation of a 30-day contest period. The contest period had closed and the City then intended to refinance a portion of its 2006 Sales Tax Revenue Bonds.

Adam Lenhard, City Manager, explained the City bonded in 2003 to build the Aquatic Center and other infrastructure projects. He mentioned seventy six percent of the total bond was for the Aquatic Center and in 2006 the City refinanced a portion of those bonds in order to recognize a

lower interest rate and announced, nine years later the City finds favorable conditions in the market to refinance the remaining balance of the Sales Tax Revenue Bonds. He announced the Mayor and individuals from the executive staff traveled to San Francisco to present the City's financials to Standard and Poor's.

Jonathon Ward, Zions Bank, stated they would currently be taking a "wait and see" approach and mentioned the recent market turmoil was beneficial to the bond market. Mr. Lenhard clarified the purpose for the resolution was to grant the authority to staff to direct Zions to proceed with the bond refinancing at the most optimal time.

Brian Brower, City Attorney, informed the Council of a slight amendment to the resolution and directed the councilmembers to the copy provided on the dais. The amendment specifically referenced the parameters set on the parameters resolution which was approved on June 23, 2015.

Councilmember Young moved to approve the adoption of Resolution 2015R-22 of the City Council of Clearfield City, Utah, authorizing the issuance and sale of its Federally Taxable Convertible to Tax-Exempt Sales Tax Revenue Refunding Bonds, Series 2015 in an aggregate principal amount not to exceed \$9,950,000; delegating to certain officers of the City the power to approve the final terms and provisions of the Sales Tax Revenue Refunding Bonds, Series 2015 within certain parameters previously adopted by a Resolution of the City; and related matters; 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 2015-15 APPROVING THE GENERAL PLAN
AMENDMENT AMENDING THE STREETS MASTER PLAN AND TRANSPORTATION
MAP

Councilmember LeBaron clarified any changes made by the Council wouldn't obligate a future Council to those changes meaning a future Council could always amend the plan at some point in the future. Brian Brower, City Attorney, assured the Council the General Plan was a living document and could be amended at any time by any Council.

Councilmember LeBaron moved to approve Ordinance 2015-15 approving the General Plan Amendment amending the Streets Master Plan and Transportation Map and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Jones. Councilmember Bush expressed his opinion the Transportation Map should reflect 1600 South as a future cul-de-sac. Mayor Shepherd agreed and clarified Councilmember LeBaron was comfortable including language specific to that in the motion. Councilmember LeBaron expressed in the affirmative and Councilmember Jones concurred. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR WEST SQUARE LOCATED AT 850 SOUTH 490 EAST (TINs: 12-066-0089, 12-066-0090, 12-067-0023, 12-067-0019, 12-066-0120, and 12-066-0121)

The West Square Subdivision Plat consisted of two lots, Depot Street road dedication and a remnant parcel to the south. The subdivision was the location of a multi-family residential project with one of the lots being reserved for future commercial development along 700 South and Depot Street. The developer proposed to continue Depot Street at its current alignment as a 60 foot wide right-of-way. The plat would clean up property ownership and future maintenance concerns.

Spencer Brimley, Development Services Manager, informed the Council that the development was located at approximately 850 South 490 East. The preliminary subdivision plat was reviewed by the Planning Commission on Wednesday, August 5, 2015 and it recommended approval with the following conditions:

- A final clean copy of the Final Subdivision Plat needed to be filed with the Planning Department, with all changes and redlines corrected from Planning, Public Works, Engineering, and the North Davis Fire District.
- The Final Plat must include a note stating “Parcel A” shall be owned and maintained by the same property owner as “Lot 1.”
- 10 Foot public-utility-easements must be provided around Lot 1 and Lot 2 in the areas not identified with wider drainage and water easements. The East side of lot 2, would not require a 10 foot public-utility easement to provide for greater ease in developing future commercial in that area. Mr. Brimley reflected where this was located on an illustration.
- Future development of the site is subject to the Site Plan approved on Wednesday, June 3, 2015. Approval of the Preliminary Plat does not constitute approval or granting of a building permit.
- The applicant shall provide proof of having obtained and of having maintained, as may be periodically requested by the City, all applicable local, state, and federal permits.

Councilmember Jones moved to approve the Final Subdivision Plat for West Square located at 850 South 490 East (TINs: 12-066-0089, 12-066-0090, 12-067-0023, 12-067-0019, 12-066-0120, 12-066-0121), as conditioned and recommended by the Planning Commission, 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 THE DEVELOPMENT AGREEMENT WITH CLEARFIELD PROPERTIES, LLC, FOR THE SANDRIDGE LUXURY APARTMENTS SUBDIVISION LOCATED IN THE VICINITY OF 50 SOUTH DEPOT (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 SOUTH DEPOT (TINs: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT (TIN: 12-001-0176)

The Sandridge Luxury Apartments project was the culmination of the City’s efforts over several years to accomplish redevelopment downtown. The City/CDRA acquired several properties in the downtown area and after a year of marketing efforts, a buyer came forward in the summer of

2014. The proposed development was a four-story mixed use building, consisting of 122 residential units, 4,500 square feet of commercial space, a parking garage beneath the building and amenities for the residents. The property was zoned D-R (Downtown Redevelopment). The Planning Commission approved the Conditional Use Permit (CUP) and the Site Plan and had recommended approval of a partial vacation of Depot Street and the Final Subdivision Plat.

JJ Allen, Assistant City Manager, mentioned the item had been discussed during the work session held on Tuesday, August 18, 2015. He reminded the Council the project would be directly across the street from City Hall on properties which had been previously acquired for future development by the City.

He stated the Development Agreement would work hand in hand with the previous approvals from the Planning Commission; the Conditional Use Permit, Site Plan approval and the Preliminary Plat. He added the Council would also be considering the Final Subdivision Plat which would combine several parcels into one lot for the project. He reviewed items included in the Development Agreement:

- The developer would be responsible for completing all improvements to the property, both private and any public improvements including rights-of-way.
- Parking was one of the main points of the Development Agreement and flexibility was allowed in the DR zone. The Agreement would set the standard for parking, allowing 1.8 stalls per residential unit with no on-street parking allowed. He mentioned most of the parking would be underground in a single level parking garage.
- Building plans shall be consistent with the Site Plan, Elevations, and materials presented to the Planning Commission on August 5, 2015.
- The installation of a vinyl fence on the south edge of the property to separate it from the other commercial uses.
- Landscaping requirements.

Mr. Allen pointed out Section 2A of the Development Agreement spoke to the recording of the Final Plat and indicated that would be at the developer's expense and emphasized the City would have it recorded and pass that cost on to the developer. He also informed the Council of Councilmember Bush's suggestion that the developer be required to provide street lighting to match the City's decorative lighting on State Street and Depot Street. He suggested this requirement could be inserted in Section 1 between G and H and renumbered after that inclusion.

He reminded the Council of the discussion which took place during the work session specific to the commercial component and shared an illustration which identified the 4889 square feet retail/commercial space. He continued the developer intended to use 770 square feet of that for the purpose of a leasing office tied to the residential component.

Mr. Allen directed the Council to the Development Agreement included in the Council's packet, specifically 1B changing the commercial space from 3800 square feet to 4500 and 1E again reflecting 4500 square feet. He pointed out the added sentence which referenced 700 square feet of the commercial could be used by the developer as a leasing office for a maximum of 12 months, but the leasing office shall vacate the commercial space no later than the one-year mark

after certificate of occupancy. He suggested that added language probably currently warranted additional discussion.

Councilmember LeBaron stated he had expressed his comments during the work session.

Councilmember Young expressed his opinion the concession allowing the leasing for a 12 month period was acceptable.

Councilmember Bush expressed agreement that the leasing concession shouldn't be longer than one year. He suggested using one of the smaller apartments as a leasing office. He commented on his earlier request specific to the outdoor lighting and suggested consistency in outdoor lighting was critical for the City's downtown area and believed it would be more aesthetically pleasing.

Councilmember Jones expressed agreement with previous comments made by Councilmembers LeBaron and Young in addition to Councilmember Bush's lighting request.

Councilmember Benson also expressed agreement with the leasing component.

Steve Terry, Sandridge Development, stated a property management office was no different than any other professional office space because it would be leasing the space and paying rent and inquired asked the Council to help him better understand its concern. Councilmember Bush responded he wanted to see retail development as opposed to professional office space development. Mr. Terry also wanted to see retail at that location and expressed concern with finding retail business for that location and shared his experience with a similar project in Bountiful. He suggested revisiting the issue with staff in the future but believed it would be better to have some form of a commercial component as opposed to the space sitting vacant. He emphasized the focus would be for retail to locate in the space.

Mayor Shepherd responded a State Farm office would be bringing people in the City's downtown area to support the downtown project and indicated the Council had pictured a café/restaurant on the ground level which would not even be an option as proposed.

Adam Lenhard, City Manager, asked if the need for a leasing office would ever go away given the nature of the apartment complex. Mr. Terry responded a leasing office would always be needed and emphasized it was considered a business office. He suggested there would be approximately seventy percent turnover per year. Mr. Lenhard believed once the leasing office was allowed, the reality of it was that the leasing office would never be eliminated.

Mr. Terry explained initially he would need an office which could accommodate three employees for the first year and after that time could possibly scale back to one employee which could be feasible to locate in an apartment unit.

Mr. Lenhard asked the Council if it was willing to entertain a longer period of time, maybe eighteen months, before requiring the vacation of the leasing office at which time it would no longer be allowed in the commercial space.

Mayor Shepherd expressed concern that from a commercial real estate perspective, the unique size and configuration might be deemed unusable and requested Mr. Terry show him where he intended to place the leasing office. Mr. Terry referred to the illustration and pointed out an area closest to the street level parking. Mayor Shepherd indicated he would be comfortable with that location. Brian Brower, City Attorney, indicated language in the Development Agreement could be modified to specify where the leasing office could be located. Mr. Terry also explained the location for the proposed common area.

Councilmember Bush commented he could see the need for three to four people working in a leasing office until the time that ninety percent of the units were rented. He inquired if there would still be a need for a leasing office after the one year time frame and the vacancy rate was decreased.

Councilmember Jones expressed his concern that the leasing office would never leave and reminded Mr. Terry the Council had selected the project and developer based upon what had initially been presented. He expressed appreciation for Mr. Terry's clarification and explanation during the Council meeting.

Mayor Shepherd continued to express concern the 700 square foot use for the leasing office would create an odd configuration to be used for future leasing. Mr. Terry stated he also didn't want the retail space to sit vacant and indicated if a commercial entity desired to lease the 700 square feet in conjunction with other commercial space he would vacate the leasing office to make it happen.

Councilmember Bush inquired if Mr. Terry had concerns regarding the addition of the street light component. Mr. Terry responded he also liked the idea because it encouraged uniformity within the development; the only concern was how many and their correlating costs. Mayor Shepherd estimated four or five more street lights would be needed as the City already had some in the area.

Mr. Lenhard asked if the one year time frame was sufficient for the 700 square foot leasing office or if the Council needed to consider a longer time frame. Mr. Terry responded he did have concern with the one year time frame because at the end of that time they would have to relocate the leasing office regardless of whether the space was needed for another tenant. He mentioned there were so many variables which should be considered, and recommended revisiting the issue on an annual basis as opposed to establishing a termination date within the Development Agreement.

Councilmember Bush stated he didn't have a problem associated with an annual review and understood Mr. Terry's position since he wasn't able to predict how many units would be leased within the first year.

Mayor Shepherd stated he wasn't in favor of an annual review because nothing was specifically stated to justify allowing the leasing office to remain in the same location and indicated he would find it more favorable to initially allow a longer time frame.

Councilmember Bush inquired if language could be included which reflected both parties could agree for the leasing office to extend past the one year. Mr. Lenhard believed it would be best for the Agreement to reflect measureable language and suggested it could be tied to occupancy of the residential units.

Councilmember Jones liked that recommendation of designating a certain percentage of occupancy.

Mr. Brower suggested including both a time frame and percent of occupancy and language which reflected whichever occurred first.

Mayor Shepherd expressed his opinion the residency component would drive the commercial.

Mr. Allen proposed acceptable language would set the time deadline and occupancy percentage and add something to the effect that the section could be amended at the agreement of both parties, which would allow the Development Agreement to be amended.

Councilmember Young believed building the retail/commercial component with the inclusion of venting and a grease trap would allow for a restaurant/café in the lease space. Mayor Shepherd was in favor of including that requirement.

Mr. Lenhard clarified the following changes which needed to be included in the Development Agreement:

- identify where the leasing office would be located
- installation of venting and a grease trap to accommodate possible future restaurant space
- 2 year time frame allowing the leasing office based on 110 units initially leased and 3300 square feet of commercial square footage with a provision allowing renegotiation

Mr. Terry expressed appreciation for the changes to the Development Agreement following the discussion as summarized by Mr. Lenhard.

Councilmember Young moved to approve the Development Agreement with Clearfield Properties, LLC, for the Sandridge Luxury Apartments Subdivision located in the vicinity of 50 South Depot (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 South Depot (TINs: 12-001-0103, 12-001-0175) and 145 South Depot (TIN: 12-001-0176) with the amendments stated for lighting requirements, conditions of a grease trap and vent; two year time limit for leasing office; or the 90 percent occupancy for residential and 3300 square feet of commercial and identifying where the leasing office would be located, and recordation of plat at the developer's expense; 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.

APPROVAL OF ORDINANCE 2015-14 AUTHORIZING THE STREET VACATION OF PORTIONS OF DEPOT STREET LOCATED IN THE VICINITY OF 50 SOUTH DEPOT (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 SOUTH DEPOT (TINs: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT (TIN: 12-001-0176)

Councilmember Jones moved to approve Ordinance 2015-14 authorizing the street vacation of portions of Depot Street located in the vicinity of 50 South Depot (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 South Depot (TINs: 12-001-0103, 12-001-0175) and 145 South Depot (TIN: 12-001-0176) 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 THE FINAL SUBDIVISION PLAT FOR SANDRIDGE LUXURY APARTMENTS SUBDIVISION LOCATED IN THE VICINITY OF 50 SOUTH DEPOT (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 SOUTH DEPOT (TINs: 12-001-0103, 12-001-0175) AND 145 SOUTH DEPOT (TIN: 12-001-0176)

The Final Subdivision Plat for Sandridge Luxury Apartments was necessary to combine four relevant parcels into a single buildable lot. The plat consisted of one lot, a small area of road dedication (0.049 acres) within State Street and the Depot Street road vacation. The single lot would house a single building configured as a mixed-use project with four-story multi-family residential above a viable commercial space for future retail/commercial uses on the north end of the project. The site had direct pedestrian access from State Street with parking access from Depot Street to the west and north of the proposed lot. The Planning Commission recommended approval of the Final Subdivision Plat on August 5, 2015.

Spencer Brimley, Development Services Manager, stated the action was necessary to combine all lots into one single buildable lot for a mixed use development. He mentioned there was a small area to be vacated which was approved by the Council during the meeting and stated the single lot would house a single building configured as a mixed use project with four-story multi-family residential above a commercial space as previously discussed. He indicated the site had pedestrian access from State Street with parking access from Depot Street to the west and north of the proposed Lot 1. He announced the Planning Commission recommended approval during its meeting on Wednesday, August 5, 2015 on conditions identified in the staff report.

Councilmember Bush moved to approve the Final Subdivision Plat for Sandridge Luxury Apartments Subdivision located in the vicinity of 50 South Depot (TINs: 12-001-0193, 12-001-0196, 12-001-0197), 70 South Depot (TINs: 12-001-0103, 12-001-0175) and 145 South Depot (TIN: 12-001-0176), as conditioned and recommended by the Planning Commission, 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 RESOLUTION 2015R-21 APPROVING THE INTERLOCAL AGREEMENT WITH UDOT (UTAH DEPARTMENT OF TRANSPORTATION) PROVIDING FOR THE AESTHETIC UPGRADE TO THE SR-107 BRIDGE, ALSO KNOWN AS 300 NORTH OVERPASS

UDOT was rehabilitating its structure F-330 (300 North Overpass) over the Union Pacific Railroad and the Utah Transit Authority active rail corridor on SR-107 (300 North). The City desired to participate in the additional cost involved to upgrade the aesthetics treatments for the structure. The agreement authorized the terms and conditions necessary for the City's participation.

Adam Lenhard, City Manager, explained the City had requested UDOT to upgrade the 300 North overpass and stated this project had been appropriated during the budget process.

Councilmember Bush inquired if the concrete coating would be included and installed with the approval of the agreement. Mr. Lenhard responded that process was not part of this particular agreement.

Councilmember LeBaron moved to approve Resolution 2015R-21 authorizing the Interlocal Agreement with UDOT (Utah Department of Transportation) providing for the aesthetic upgrade to the SR-107 Bridge, also known as the 300 North Overpass 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.

APPROVAL OF RESOLUTION 2015R-20 AUTHORIZING AN INTERLOCAL AGREEMENT WITH UDOT (UTAH DEPARTMENT OF TRANSPORTATION) PROVIDING FOR THE TRANSFER OF MAINTENANCE AND JURISDICTIONAL RESPONSIBILITIES OF SR-107, ALSO KNOWN AS 300 NORTH

UDOT recently completed the SR-193 extension from State Street in Clearfield to 2000 West in West Point which would be maintained and operated by UDOT. Clearfield City previously committed to accept the transfer of maintenance and jurisdictional responsibilities for the Clearfield portion of the 300 North roadway upon completion of repairs to the existing overpass. The Interlocal Cooperative Agreement established the terms and conditions under which the transfer of road responsibilities would be performed by UDOT to the City.

Adam Lenhard, City Manager, reminded the Council the project had been discussed in conjunction with the SR 193 extension. He stated UDOT would be providing the City with funds to be used toward future maintenance on the road.

Councilmember LeBaron inquired if UDOT would be turning over all specifications associated with the bridge. Mr. Lenhard responded City officials and the engineer had completed necessary inspections throughout the construction process. Scott Hodge, Public Works Director, stated the City had also consulted with a third party structural engineer to inspect and approve all the materials.

Councilmember Benson moved to approve Resolution 2015R-20 authorizing an Interlocal Agreement with UDOT (Utah Department of Transportation) providing for the transfer of maintenance and jurisdictional responsibilities of SR-107, also known as 300 North, 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 RESOLUTION 2015R-19 ANNOUNCING THE INTENT TO ANNEX CERTAIN AREAS IN CLEARFIELD INTO THE NORTH DAVIS FIRE DISTRICT (NDFD)

Clearfield City annexed MIDA's Falcon Hill Project Area into its corporate boundaries in 2014. The North Davis Fire District (NDFD) services areas within the City's boundary and desired to annex the Project Area within its boundaries as well in order to maintain the continuity of the City's and the District's boundaries within Clearfield. The Clearfield City Council acted as the governing body for the North Davis Fire District and as such needed to initiate the process on behalf of NDFD.

Brian Brower, City Attorney, explained last year the City annexed MIDA's Falcon Hill property into City boundaries emphasizing the City didn't receive any tax revenue from the annexation and stated it was now necessary for the NDFD to annex the property into its jurisdiction. He pointed out as a "Special District" it would recognize a small financial revenue benefit. He indicated the boundary to be annexed matched what had been previously annexed by the City. He stated this was the initial step for the annexation to move forward.

Councilmember Young inquired about the small financial benefit. Brian Brower, City Attorney, responded MIDA would collect seventy five percent of the revenue and the District would receive twenty five percent of what it would normally receive. He indicated that was based upon State Statute.

Councilmember LeBaron moved to approve Resolution 2015R-19 announcing the intent to annex certain areas in Clearfield into the North Davis Fire District (NDFD) 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

1. Mentioned his recent trip to San Francisco on City business and expressed appreciation to Councilmember LeBaron for representing him with the Air Force.
2. Announced the exact arrival date for the F-35's was still in question and mentioned the dates of Thursday, September 3, 2015 or Friday, September 11, 2015 as possibilities.
3. Informed the Council that a large celebration for arrival of the F-35's was scheduled for Tuesday, October 13, 2015 and Wednesday, October 14, 2015.
4. Announced organizers were finalizing plans for the Culture Crash Car show scheduled for Saturday, October 10, 2015 at Fisher Park.
5. He mentioned a car show would also take place at Winegar's on Saturday, August 29, 2015.

6. Announced the development in the Falcon Hill Project Area would begin taking place outside of the fenced area and believed it was a positive thing.
7. Stated he would be out of town Monday, August 31, 2015 through Friday, September 4, 2015.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Informed the Council that the Parks & Recreation Commission would be looking for Yards of the Year candidates.
2. Stated the sewer pipeline project would soon begin on 1700 South from approximately 775 West to 2000 West. He wasn't aware of any planned closures but mentioned traffic might be diverted to one lane in certain areas.

Councilmember Jones – nothing to report.

Councilmember LeBaron

1. Mentioned his recent trip with the Air Force regarding the F-35 aircraft and complimented Lockheed Martin. He expressed his opinion the criticism regarding the aircraft was unfounded. He expressed appreciation to Mayor Shepherd for allowing him the opportunity to attend the event with the Air Force. He was so proud Hill Air Force Base (HAFB) had been selected for the F-35 fleet. He believed the planes wouldn't be any louder than what was currently being experienced with the F-16 aircraft.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager – nothing to report.

STAFFS' REPORTS

Nancy Dean, City Recorder

1. Reviewed the Council's calendar:
 - No meeting was scheduled for Tuesday, September 1, 2015.
 - Policy session scheduled for Tuesday, September 8, 2015.
 - Policy session scheduled for Tuesday, September 22, 2015.
 - No meeting scheduled for Tuesday, September 29, 2015.
 - Special session for Tuesday, October 6, 2015.
2. Announced election signage had begun being placed throughout the City.

JJ Allen, Assistant City Manager – mentioned he was pleased the Council and developer coming to a solution which was agreeable to both parties specific to the Sandridge Development. He believed the project would be catalyst for development in the downtown area. He indicated there were some small slivers of property which staff intended to convey to the developer as part of the plat. He stated the disposition of those particular parcels would come before the Council for approval on Tuesday, September 8, 2015.

Councilmember LeBaron moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 8:34 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.

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 8th day of September, 2015**

/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, August 25, 2015.

/s/Nancy R. Dean, City Recorder