

CLEARFIELD CITY COUNCIL  
AGENDA AND SUMMARY REPORT  
December 8, 2015 – POLICY SESSION

*Meetings of the City Council of Clearfield City may be conducted via electronic means pursuant to Utah Code Ann. § 52-4-207 as amended. In such circumstances, contact will be established and maintained via electronic means and the meetings will be conducted pursuant to the Electronic Meetings Policy established by the City Council for electronic meetings.*

Executive Conference Room  
55 South State Street  
Third Floor  
Clearfield, Utah

**6:00 P.M. WORK SESSION**

Discussion on Title 11, Chapters 1, 2, 4, 5, 6, 11, 13, 14 – Land Use Authority and Outdoor Storage  
Discussion on West Square Development Agreement  
Discussion on West Square Reimbursement Agreement  
Discussion on the Consolidated Fee Schedule

**\*\*ADJOURN AS THE CITY COUNCIL AND IMMEDIATELY RECONVENE  
AS THE CDRA IN A WORK SESSION \*\***

**CDRA WORK SESSION**

Discussion on Policies and Procedures

*(Any items not fully addressed prior to the Policy Session will be addressed in a Work Session immediately following the Policy Session)*

City Council Chambers  
55 South State Street  
Third Floor  
Clearfield, Utah

**7:00 P.M. POLICY SESSION**

CALL TO ORDER:

Mayor Shepherd

OPENING CEREMONY:

Councilmember Young

APPROVAL OF MINUTES:

November 10, 2015 – Appeal Hearing

November 24, 2015 – Policy Session

December 1, 2015 – Work Session

**PRESENTATIONS:**

1. **PRESENTATION TO NIKE PETERSON FOR HER SERVICE AS A MEMBER OF THE PLANNING COMMISSION**

**BACKGROUND:** Nike Peterson has served the City as a member of the Planning Commission since 2009 and has served as the Chair since June of 2010. During the General Municipal Election in November she was elected to the City Council; therefore, she will no longer continue serving on the Planning Commission. The Mayor and City Council desire to recognize Ms. Peterson for her service to the City.

***PUBLIC HEARING:***

2. PUBLIC HEARING TO RECEIVE COMMENT ON TITLE 11, CHAPTERS 1, 2, 4, 5, 6, 11, 13, 14 – MINOR AMENDMENTS, APPEAL AUTHORITY, AND OUTDOOR STORAGE

**BACKGROUND:** City staff has recommended corrections specific to the proposed changes of the title of “Director of Community Development” to “Planning and Zoning Administrator” and the removal of the term “Community Development Department” to be replaced with “City” or “Building Official” within Title 11 Land Use, Chapters 1, 2, 4, 5, 6, 11, 13 and 14. Additionally, the removal of the City Council as the Appeal Authority in specific instances, supplemental regulations for outdoor storage as well as regulations for parking lot landscape to be consistent with recent changes to Clearfield parking area and parking lot requirements are included in the amendments. These changes would be effective across all applicable parcels of property and zones within the City.

**RECOMMENDATION:** Receive public comment and close the public hearing.

***SCHEDULED ITEMS:***

3. CITIZEN COMMENTS
4. CONSIDER APPROVAL OF ORDINANCE 2015-19 AMENDING TITLE 11, CHAPTERS 1, 2, 4, 5, 6, 11, 13, 14 – MINOR AMENDMENTS, APPEAL AUTHORITY, AND OUTDOOR STORAGE

**RECOMMENDATION:** Approve Ordinance 2015-19 Amending Title 11, Chapters 1, 2, 4, 5, 6, 13, 14 – Minor Amendments, Appeal Authority, and Outdoor Storage and authorize the Mayor’s signature to any necessary documents.

5. CONSIDER APPROVAL OF THE WEST SQUARE DEVELOPMENT AGREEMENT WITH IRONWOOD DEVELOPMENT GROUP

**BACKGROUND:** The West Square Subdivision, a 141-unit apartment complex on 8.82 acres located at 850 South 490 East, received land use approval earlier this year. This Development Agreement is one of the final items needed prior to construction of the project. The Development Agreement sets forth the obligations of the Developer (Ironwood), especially concerning public improvements, and requires the City to reimburse the Developer for certain offsite improvements. It also reaffirms the architectural and landscaping elements of the previously approved site plan, and the purchase of surplus City property to be incorporated into the project.

**RECOMMENDATION:** Approve the West Square Development Agreement with Ironwood Development Group, L.C. and authorize the Mayor’s signature to any necessary documents.

6. CONSIDER APPROVAL OF THE DEPOT STREET REIMBURSEMENT AGREEMENT WITH IRONWOOD DEVELOPMENT GROUP

**BACKGROUND:** The plat for the West Square Subdivision includes the extension of Depot Street for the length of the West Square property. However, West Square is not the only property which will benefit from this street, especially when it connects to Clearfield Station. Consequently, the Developer (Ironwood) has requested that a reimbursement agreement be

utilized to collect a payment from the future developers of the properties which will benefit from the improvements. The Agreement sets West Square's share of the total water and street improvements costs at 35%, leaving 65% to be reimbursed by the developers of the benefited properties at the time that they develop, most of which would be borne by Clearfield Station.

RECOMMENDATION: Approve the Depot Street Reimbursement Agreement with Ironwood Development Group, L.C., and authorize the Mayor's signature to any necessary documents.

7. CONSIDER APPROVAL OF ORDINANCE 2015-20 AMENDING THE CONSOLIDATED FEE SCHEDULE

BACKGROUND: Staff is recommending amendment to the City's Consolidated Fee Schedule specific to building rental fees.

RECOMMENDATION: Approve Ordinance 2015-20 amending the Consolidated Fee Schedule and authorize the Mayor's signature to any necessary documents.

8. CONSIDER APPROVAL OF THE FINDINGS, CONCLUSIONS AND DETERMINATION OF THE APPEAL AUTHORITY REGARDING THE PLANNING COMMISSION'S DECISION TO ISSUE A CONDITIONAL USE PERMIT (CUP 1509-0003) FOR DAMON PEARSON ON BEHALF OF PEARSON SPECIALTIES LLC ON PROPERTY LOCATED AT 1964 SOUTH 275 EAST

BACKGROUND: On November 10, 2015, acting in a quasi-judicial capacity as the land use appeal authority, the City Council heard an appeal regarding the Planning Commission's decision to grant a Conditional Use Permit (CUP 1509-0003) for Damon Pearson on behalf of Pearson Specialties LLC on property located at 1964 South 275 East.

RECOMMENDATION: Approve and adopt the Findings, Conclusions and Determination of the Appeal Authority regarding the Planning Commission's decision to grant a Conditional Use Permit (CUP 1509-0003) for Damon Pearson on behalf of Pearson Specialties LLC on property located at 1964 South 275 East and authorize the Mayor's signature to any necessary documents.

9. CONSIDER THE AWARD OF BID TO BRINKERHOFF EXCAVATING FOR THE PUBLIC WORKS AND PARKS FACILITIES UPGRADE PHASE 1B

BACKGROUND: Bids were received from four construction companies to install the utilities and construct the new 575 South roadway from South Main Street to Jennmar, work to be completed as part of the Public Works and Parks Facilities Upgrade Phase 1B project. The lowest responsible bid was received from Brinkerhoff Excavating with the bid of \$585,989.45.

RECOMMENDATION: Approve the award of bid to Brinkerhoff Excavating for the Public Works and Parks Facilities Upgrade Phase 1B for the bid amount of \$585,989.45 and approve funding for the project for the bid amount of \$585,989.45 with contingency and engineering costs of \$90,010.55 for a total project cost of \$676,000.00; and authorize the Mayor's signature to any necessary documents.

10. CONSIDER APPROVAL OF RESOLUTION 2015R-30 AUTHORIZING THE NORTH DAVIS FIRE DISTRICT (NDFD) ANNEXATION

BACKGROUND: In 2014, Clearfield City annexed a portion of the Military Installation Development Authority's (MIDA's) Falcon Hill Project Area into its boundaries. The North Davis Fire District also recognized a need to annex the same area into its boundaries. On August 25, 2015, the City Council, acting as both the legislative body for the municipality as well as the Governing Body of the North Davis Fire District adopted a resolution stating the NDFD's intent to annex MIDA's Falcon Hill Project Area in its boundaries for the purpose of providing fire protection, emergency medical and ambulance services and consolidated 911 services within the area. The City Council recognizes that public health, convenience and necessity require the annexation of the proposed Annexed Area to the District. On October 6, 2015 a public hearing was held on the annexation which also started a 60-day comment period which ended December 7, 2015. No comments were received.

RECOMMENDATION: Approve Resolution 2015R-30 authorizing the North Davis Fire District (NDFD) Annexation and authorize the Mayor's signature to any necessary documents.

***COMMUNICATION ITEMS:***

Mayor's Report  
City Councils' Reports  
City Manager's Report  
Staffs' Reports

***\*\*COUNCIL MEETING ADJOURN\*\****

Dated this 4<sup>th</sup> day of December, 2015.

/s/Nancy R. Dean, City Recorder

The City of Clearfield, in accordance with the 'Americans with Disabilities Act' provides accommodations and auxiliary communicative aids and services for all those citizens needing assistance. Persons requesting these accommodations for City sponsored public meetings, service programs or events should call Nancy Dean at 525-2714, giving her 48-hour notice.