

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
February 24, 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
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Scott Hess	Development Services Manager
	Kim Dabb	Operations Manager
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Rich Knapp	Administrative Services Director
	Terrence Jackson	IT Manager
	Jessica Hardy	Accountant
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Brad Lasater, Bob Bercher, Kathryn Murray, Con L Wilcox, Amber Self

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 JANUARY 13, 2015 WORK SESSION AND THE FEBRUARY 10, 2015 WORK AND POLICY SESSIONS

Councilmember Bush moved to approve the minutes from the January 13, 2015 work session and the February 10, 2015 work and policy sessions, as written, seconded by Councilmember Jones. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones, LeBaron and Young. Voting NO – None.

PRESENTATION BY WEBER BASIN WATER REGARDING CURRENT WATER CONDITIONS

Tage Flint, Weber Basin Water, shared a visual presentation regarding water planning in Utah highlighting the following:

- A map reflecting the service area
- Recipients of water supply from Weber Basin Water conservancy district
- Water level of the weber river at Oakley
- Water indicator at Chalk Creek – anticipated run-off will not recover
- Snow pack information – substantially below normal
- Information reflecting percentage of total storage
He believed the culinary water needs will be met but expressed concern regarding irrigation water
- Graph relating to future population figures
- The amount of estimated water investment over the next 50 years
- Projects specific to repair & replacement
- Identified areas of new infrastructure for water treatment completed within the past 10 years
- 371,000 acre-feet of new water needed through 2060
- Information specific to the Bear River development project

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED ZONING TEXT AMENDMENT TO TITLE 11, CHAPTERS 3, 11B AND 13 – LIMITED DISTRIBUTION AND LIGHT MANUFACTURING

The City's Planning Department reviewed land uses that did not necessarily fit within the permitted or conditional uses of the C-2, Commercial Zone, but that might be compatible with appropriate supplemental regulations. During the Planning Commission's special session on October 2014, it recommended approval of a rezone of property from C-2 to M-1, Manufacturing, with the inclusion of the recordation of a "Limitation of Uses" document which removed specific permitted and conditional uses in the M-1 zone from being allowed within the area rezoned from C-2 to M-1. The City Council subsequently approved the Planning Commission's recommendation and conditionally approved the rezone application. Both the Planning Commission and the City Council directed staff to draft land use regulations which would allow some forms of light manufacturing uses for properties zoned C-2, Commercial, under appropriate conditions. Staff has drafted those regulations and they have presented to the City Council for consideration.

Scott Hess, Development Services Manager, explained the amendments would add new definitions to be added were "Limited Distribution" and "Light Manufacturing" both of which would be identified as permitted conditionally within the C-2 zone and both would be required in a single structure less than 30,000 square feet and housed entirely within the structure. He pointed out the provisions which would be added to Chapter 13 – Supplemental Regulations identifying where these types of businesses could be located within the City. He mentioned they would be prohibited along the main corridors. He also explained the structures housing the Light Manufacturing or Limited Distribution uses must be less than 30,000 square feet in size and

contained within a single enclosed structure in one parcel of land. Mr. Hess reported this was a recommendation from the Planning Commission.

Councilmember LeBaron suggested language be modified from “less than” to reflect “buildings no more than” so there would be absolutely no question with respect to the 30,000 square feet in size.

Mayor Shepherd opened the public hearing at 7:35 p.m.

Mayor Shepherd asked for public comments.

Con Wilcox, resident, expressed appreciation to staff, Planning Commission and the City Council for addressing the Zoning Text Amendment to provide a viable option for future development in some areas of the city which had development challenges due to visibility. He expressed his opinion the 30,000 square feet was a good maximum usage and the other restrictions would be compatible for these types of businesses.

Councilmember Bush moved to close the public hearing at 7:36 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 PUBLIC COMMENT ON A GENERAL PLAN AMENDMENT OF THE FUTURE LAND USE DESIGNATION FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM MIXED-USE TO RESIDENTIAL

The request, by John Hansen, on behalf of Thomas Rosenberg, was to amend the General Plan map to change the future land use designation for the western 5.517 acres of the property located at 938 South 2000 East (TIN: 09-302-0008) from Mixed Use to Residential. The entire parcel was approximately 7.09 acres and is currently zoned C-2, Commercial.

Scott Hess, Development Services Manager, shared a map illustrating the parcel and explained it was master planned to be Mixed Use and the request was for a rezone to Residential which would necessitate a change to the General Plan to Residential as the Mixed Use future land use category didn't accept single use residential.

Mayor Shepherd opened the public hearing at 7:37 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember LeBaron moved to close the public hearing at 7:38 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 TO RECEIVE PUBLIC COMMENT ON A PROPOSED REZONE FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM C-2, COMMERCIAL, TO R-2, MULTI-FAMILY RESIDENTIAL

The applicant had a pending rezone application for Commercial Residential C-R on the property, which he asked to have held from final consideration in order to submit this alternative request. That original proposal included a request for approximately 7.09 acres to be rezoned from C-2, Commercial to C-R, Commercial Residential, with the intent to construct Commercial buildings fronting University Park Boulevard, and twin homes on the west side (rear) of the parcel. A minimum requirement of the C-R zone was that 20% of the total finished floor area of the buildings must be Commercial. In addition to the square footage requirement, the C-R zone further required that the commercial portions of each phase be developed prior to the development of residential phases. The applicant believed the current market conditions in this area do not support the construction of the commercial property prior to the construction of the residential portions. For this reason, as an alternative they have chosen to make an application to amend the General Plan future land use designation on the property, and apply for a rezone for the western 5.517 acres of the property to R-2, Residential, in order to facilitate the proposed development without the requirement that the commercial development be completed prior to the residential.

Scott Hess, Development Services Manager, explained this was the follow up application which would require the General Plan Amendment first be approved prior to the Rezone being accepted. He clarified both the General Plan Amendment request and the Rezone would only be applicable to the 5.517 acres on the west side of the property leaving the commercial component along University Park Boulevard. He stated the current zoning on the property was C-2, Commercial, and the applicant was requesting a R-2, Residential, zoning designation which would come with the following provisions:

- A fully executed, approved, recorded Development Agreement against the entire parcel as currently configured
- The commercial businesses proposed along University Park Boulevard be constructed in such a way that they front the street with the parking behind them
- The rezone would come in with substantial conformance with a submitted preliminary site plan that reflects residential twin homes with a public street down the center with the provision of an east/west transportation corridor exiting on the west side

Mayor Shepherd opened the public hearing at 7:39 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:40 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 RECEIVE PUBLIC COMMENT ON AMENDMENTS TO THE FISCAL YEAR 2015 BUDGET

Staff had identified expenditures necessary for City operations which were not included in its current budget. State Code allowed the City to make adjustments to the budget and a public hearing was part of that process.

Rich Knapp reviewed the proposed amendments with the Council:

- storage, backup and connectivity
- server replacement
- neighborhood meetings
- software upgrade for North Davis Fire District interface
- recognition of city water costs
- carpet replacement project
- City Hall UPS bypass switch and capacitor replacement
- SR 193 landscaping

Mayor Shepherd opened the public hearing at 7:41 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Jones moved to close the public hearing at 7:42 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

Amber Self, resident and local realtor, provided information relative to the housing market within Clearfield City. She reported there were currently 99 active properties on the market within the City at this time priced between \$22,000 and \$171,000 resulting in an average price of \$120,000. She announced interest rates had decreased substantially and stated it was a good time to sell. She mentioned there was a low inventory of homes for sale within the area.

APPROVAL OF ORDINANCE 2015-01 APPROVING A ZONING TEXT AMENDMENT TO TITLE 11, CHAPTERS 3, 11B AND 13 – LIMITED DISTRIBUTION AND LIGHT MANUFACTURING

Councilmember Benson moved to approve Ordinance 2015-01 approving the Zoning Text Amendment to Title 11, Chapters 3, 11B and 13 – Limited Distribution and Light Manufacturing, as conditioned by the Planning Commission, creating standards for limited distribution and light manufacturing uses in areas zoned C-2 which are not located directly on or within view from a major transportation corridor in the City; with Councilmember LeBaron’s language modification “no more than 30,000 square feet in size”, 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 2015-02 AUTHORIZING A GENERAL PLAN AMENDMENT TO THE FUTURE LAND USE DESIGNATION FOR A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: (09-302-0008) FROM MIXED-USE TO RESIDENTIAL

Councilmember LeBaron stated he had additional modifications pertaining to the language in the Ordinance and stated he was prepared to make a motion reflecting as such.

Councilmember LeBaron moved to approve Ordinance 2015-02 approving a General Plan Amendment to the future land use designation for the western 5.517 acres of property located at 938 South 2000 East (TIN: 09-302-0008) from Mixed-Use to Residential based on the discussion and findings in the staff report and as recommended and conditioned by the Planning Commission including but not limited to the following: 1) the site plan being in substantial conformance with the submitted site plan, except that parking on the commercial structures will be placed behind the buildings, with the commercial buildings fronting 2000 East/University Park Boulevard and stormwater must be detained on-site as per City ordinances; and 2) a development agreement with the City shall be approved, fully executed, and recorded against the entire parcel as currently configured (governing both the commercial and residential development on the property) and that said change in incorporated into and reflected by the City’s General Plan and its Future Land Use Map once the conditions precedent have been met; 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 ORDINANCE 2015-03 AUTHORIZING A REZONE OF A PORTION OF THE PROPERTY LOCATED AT 938 SOUTH 2000 EAST (TIN: 09-302-0008) FROM C-2, COMMERCIAL, TO R-2, MULTI-FAMILY RESIDENTIAL

Councilmember LeBaron moved to approve Ordinance 2015-03 authorizing a rezone of the western 5.517 acres of property located at 938 South 2000 East (TIN: 09-302-0008) from C-2, Commercial to R-2, Multi-Family Residential, based on the discussion and findings in the staff report as recommended and conditioned by the Planning Commission including, but not limited to, the following: 1) the site plan shall be in substantial conformance with the submitted site plan, except that parking on the commercial structures will be placed behind the buildings, with the commercial buildings fronting 2000 East/University Park Boulevard, and stormwater must be detained on-site as per City ordinances and 2) a development agreement with the City shall be approved, fully executed and recorded against the entire parcel as currently configured (governing both the commercial and residential development on the property), then the western 5.517 acres of the property located at 928 South 2000 East will be rezoned from (C-2) Commercial to (R-2) medium density Residential, as a condition precedent to the rezone taking effect; 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 2015R-04 ADOPTING AMENDMENTS TO THE FISCAL YEAR 2015 BUDGET

Councilmember Young moved to approve Resolution 2015R-04 adopting amendments to the Fiscal Year 2015 budget 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 THE AWARD OF BID TO BRINKERHOFF EXCAVATION TO PERFORM THE CONSTRUCTION OF THE 550 EAST ROADWAY IMPROVEMENT PROJECT

Bids were received from five construction companies to construct the infrastructure improvements on 550 East Street from State Street to 1000 South. The work consists of the installation of new culinary water and sanitary sewer lines, making some adjustments to an existing irrigation pipeline to allow for installing curb, gutter and sidewalk on both sides of the road and to install new asphalt paving. The lowest responsible bid was received from Brinkerhoff Excavation with the bid amount of \$511,261.25.

Scott Hodge, Public Works Director, explained this project had completed the bid process last summer and all bids received at that time exceeded what had been appropriated for the project. He directed the Council to the Bid Tabulation in the packet and announced the City had chosen option A which slightly increased the cost by \$600 and explained option B was to line an existing irrigation ditch and option A allowed the City to replace the irrigation line and believed this would be money well spent.

Councilmember Bush asked when construction would begin. Mr. Hodge explained how the process to award the bid would take place and believed construction would begin in approximately three or four weeks. Councilmember Bush inquired if the residents would be notified. Mr. Hodge stated prior to Brinkerhoff mobilizing on the site, a door notice would be distributed reflecting when construction would begin contact information.

Councilmember Bush moved to approve the award of bid to Brinkerhoff Excavation to perform the work for the 550 East Roadway Improvement Project for the bid amount of \$511,261.25; and approve funding of the project for the bid amount of \$511,261.25 with contingency and engineering costs of \$128,738.75 for a total project cost of \$640,000; 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 THE AWARD OF BID TO KAPP CONSTRUCTION AND DEVELOPMENT COMPANY INC. TO PERFORM THE CONSTRUCTION OF THE FREEPORT 5th STREET WATERLINE REPLACEMENT PROJECT

Bids were received from 13 construction companies to construct a 10-inch waterline in 5th Street between buildings J-5 and J-6 in the Freeport Center. The lowest responsible bid was received from Kapp Construction and Development Company Inc. with a bid amount of \$84,575.

Scott Hodge, Public Works Director, informed the Council the water lines within the Freeport Center were extremely old leaks had been experienced in this area which necessitated the priority of the project. He mentioned the project had been facilitated by Freeport Center by granting an easement to the City.

Councilmember Young moved to approve the award of bid to Kapp Construction and Development Company Inc. to construct a 10-inch waterline in the Freeport Center between Buildings J-5 and J-6 for the bid amount of \$84,575; and approve funding of the project for the bid amount of \$84,575 with contingency and engineering costs of \$38,925 for a total project cost of \$123,500; 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.

COMMUNICATION ITEMS

Mayor Shepherd

1. Read the letter announcing an open house hosted by HAFB scheduled for Thursday, March 5, 2015 from 5:00-7:00 p.m., at Clearfield City Hall, to discuss clean up options proposed for contamination originating from the Base and impacting both Sunset and Clearfield Cities. He stated the purpose of the open house was to solicit public comment. He mentioned he had a copy of the proposed plan.
2. Announced he had attended the 388th Fighter Wing Awards and the Chief's Recognition Dinner at HAFB.
3. Informed the Council City staff had met with representatives from Lifetime Products soliciting its assistance with Fourth of July celebration.
4. Stated he had attended the Head Start program at Holt Elementary earlier today.
5. Announced the Council the Utah Defense Alliance would be hosting breakfast with Legislature tomorrow, Wednesday, February 25, 2015, at the Capitol informing the members of the importance of the Base as well as the need for future engineering employees.
6. Informed the Council he would also be having lunch at Job Corps tomorrow, Wednesday, February 25, 2015, afternoon.
7. Announced he and Adam Lenhard, City Manager, would be out of town beginning Friday, March 6, 2015, with Air Force Red Flag training taking place at Nellis Air Force Base.
8. Stated he would be out of town from Friday, February 27, 2015 through Sunday, March 1, 2015 and indicated Councilmember LeBaron would act in his stead.

Councilmember Benson

1. Announced she had been invited to sit on the floor with Representative Curt Oda at the Legislature and mentioned it had been a great educational opportunity to witness the process of how laws come about.

Councilmember Bush

1. Stated he had attended the Community Band on Tuesday, February 17, 2015.
2. Announced the Parks & Recreation Commission met on Wednesday, February 18, 2015.
3. Informed the Council he had attended the Kiwanis meeting Monday, February 23, 2015 and stated it would be making efforts to involve the Student Government and other high school students in the Community.
4. Announced he would be out of town beginning Friday, February 27, 2015 through Friday, March 6, 2015.

Councilmember Jones – nothing to report

Councilmember LeBaron – stated he was glad to be back in the United States.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager

1. Directed the Council to the handout referencing the Davis County Gala regarding nominating a resident or staff member to participate in the Gala Committee, as well as nominating a Hometown Hero. He announced staff had a resident in mind for her service to the community in providing a food pantry service, Patricia Herdman.
2. Informed the Council a work session was scheduled for Tuesday, March 3, 2015 for the purpose of discussing a Shared Solution Alternative specific to the North Davis Corridor.
3. Stated the Neighborhood Council Meetings had been scheduled and requested they get them on their calendar.
4. Announced a Vision Statement had been compiled and indicated it would be a key component to the neighborhood meetings.

STAFFS' REPORTS

Nancy Dean, City Recorder – Announced the next policy session was scheduled for Tuesday, March 10, 2015.

Councilmember LeBaron moved to adjourn the regular session and reconvene in a work session at 8:10 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.

**APPROVED AND ADOPTED
This 10th day of March, 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, February 24, 2015.

/s/Nancy R. Dean, City Recorder