

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
August 16, 2016

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Bruce Young	Councilmember
EXCUSED:	Kent Bush	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Spencer Brimley	Development Services Manager
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Terrence Jackson	IT Manager
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Adam Hughes – Better City, Nathan Rich – Wasatch Integrated Waste, Jason Evans Scott P. Evans (SPE) Architect, Scott Evans – SPE Architect, Greg Evans – SPE Architect, Rob Vanleemput – Western Care Construction, William Terburg – ACM Architects

Mayor Shepherd called the meeting to order at 6:01 p.m.

DISCUSSION ON THE DESIGN FOR THE PUBLIC WORKS AND PARKS
MAINTENANCE OPERATIONS BUILDING

Scott Hodge, Public Works Director, announced representatives from Scott P. Evans Architects had been invited to present the design for the maintenance operations building. Scott Evans shared a visual presentation illustrating the facilities and buildings of the new public works and shops maintenance operations building. He asked if there were any questions from the Council and there were none.

Mr. Hodge stated one of the first things which would need to take place was the removal of the current fueling station. Greg Krusi, Police Chief, inquired if the radio antenna station currently located at the shops facility would be accommodated with the new facility and Mr. Hodge

indicated it was included. Mr. Hodge pointed out the appropriated \$3.9 million for the project didn't include furniture.

Councilmember Benson inquired if new equipment would be needed for the vehicle bays. Mr. Evans pointed out a lawn mower lift was included. Mr. Hodge emphasized the wash bay would include an oil and water separator which had originally been planned for the next phase and explained the need and benefit for that to be completed with the current design phase. A discussion took place regarding an estimated timeline for completion.

Representatives from Scott P. Evans Architecture left the meeting at 6:25 p.m.

DISCUSSION ON LAND USE IN THE VICINITY OF 1500 EAST AND 1450 SOUTH

Spencer Brimley, Development Services Manager, oriented the Council on a location near Rocky Mountain Care Center being considered for development and reviewed the history associated with the vacant property in that area. He stated the owner of the vacant property, also the owner of Rocky Mountain, had submitted a proposal for a convalescent facility on the north end of the property with medical offices at the front along 1450 South. He explained the challenges with the current proposal and shared a visual illustration of the conceptual idea:

- Master Streets Plan identified a street which was not reflected in the proposed development which would require the City to amend the General Plan
- A lot consolidation would be required to accommodate the proposal

Mr. Brimley explained the proposal was for 40,000 to 50,000 square feet of medical offices and 164 residential units and emphasized those would be in addition to the units at Rocky Mountain. He reviewed issues the Council should consider about the proposed development and emphasized the streets plan would need to be amended to accommodate the proposed development.

Mr. Brimley reviewed the history of the property and current facility and reported in 2014 discussions took place regarding the remaining property and there was concern at that time about the high density residential component proposed for the development. He continued the property was currently zoned C-1, Commercial, which would require a Conditional Use for the proposed type of use and added the development would also need to go through the Site Plan process. He shared a visual illustration of the proposed development.

He emphasized the General Plan, specifically the transportation plan, was the most critical issue for the north/south corridor in the area and a discussion took place regarding a future proposed road.

Mayor Shepherd believed when the owner approached the City in 2014 the Council was concerned about the encroachment from the three story buildings of the proposed facility on the residential development to the north. Councilmember Phipps inquired as to what a convalescent center was. Mr. Brimley responded the facility was for people who could function on their own to an extent but would need some additional help similar to Chancellor Gardens.

Mr. Lenhard mentioned when the proposal previously came to the City in 2014 there was concern the development was too similar to apartments. JJ Allen, Assistant City Manager, added there was also the issue of how the City Code defined “convalescent” and “nursing home” verses “assisted living” and how the owner defined such uses, He asked whether the City needed to amend its ordinance or if the owner would be required to apply for a zoning text amendment.

Mr. Brimley pointed out the proposal included three story apartments with interior hallways and elevators. Mayor Shepherd pointed out if the project was allowed with a “conditional” use the City would have some control and believed the proposal resembled a three story walk up apartment complex that the developer was calling “senior living” or convalescent care”. Councilmember Benson expressed concern there was no guarantee the development would never become apartments in the future. Mr. Brimley pointed out the C-1 zoning on the property prohibited straight multi-family housing and explained the multi-family designation referred to a specific use on the property currently not allowed in the C-1 zone. A discussion took place regarding density for the development.

Mr. Brimley stated the intent was to inform the Council of the proposal as staff would be looking for direction from the Council and a discussion followed. Mayor Shepherd stated he didn’t disagree with the proposed use; however, he expressed concern with three story residential in that specific area. Councilmember Phipps was confused about how a three story residential facility would be enticing as senior citizen living.

Rob Vanleemput – Western Care Construction, William Terburg – ACM Architects arrived at 6:36 p.m.

Mr. Allen reviewed the City’s current ordinance specific to the C-1, Commercial, zone and announced assisted living was not allowed as a conditional use and clarified the proposed facility wouldn’t have skilled nursing employees required for a convalescent or skilled nursing facility. He suggested the applicant might not agree with the City’s definitions of senior residential facilities. Rob Vanleemput, Western Care Construction, explained the difference between a skilled nursing facility and an assisted living facility to the Council. He continued it was the developer’s intent to build a campus concept which included the Rocky Mountain skilled nursing facility, an assisted living facility in addition to senior living. He further explained the proposal included the medical office component.

Mr. Lenhard stated the applicant’s definition of assisted living matched the City’s definition of assisted living but emphasized it wasn’t allowed in the C-1 zone as either a permitted or conditional use. He informed the developers they would need to request an ordinance change allowing that use. He indicated that process would begin with the Planning Commission.

Councilmember Phipps believed an assisted living facility would fit the area and suggested any development would need to blend with the nearby residential neighborhood. Councilmember Benson inquired if the proposed development included the Rocky Mountain name and Mr. Vanleemput responded it would not as it would be operated by another entity, although they would be owned by the same owner. He continued to present options regarding how the existing dental building/practice could potentially be incorporated with the development. Mr. Terburg

informed the Council that Sterling Court, a senior living/assisted living facility had been built in St. George. He explained the concept would allow a senior couple to live in a facility while only one needed assisted living services and pointed out it would allow the couple to remain living together. Mayor Shepherd emphasized assisted living wasn't a permitted or conditional use in the C-1 or R-2 zone and informed the representatives it was only allowed in the R-3 zone. He stated the only way the project could be allowed in the current ordinance was to rezone the property to R-3, multi-family residential, because the proposal was a high density project specifically for the elderly.

Mr. Brimley clarified the property was identified as commercial in the General Plan and suggested a rezone request would also require a General Plan amendment prior to the rezone. Mayor Shepherd expressed concern regarding the medical office space and a discussion took place regarding the traffic impacts to the existing road and suggested there were several issues which needed to be evaluated with the site and proposal.

Councilmember Young stated he liked the business model; however, the Council had to consider the impact to the neighborhood. Mayor Shepherd suggested the applicant would need to determine whether it wanted to pursue the development.

Mr. Vanleemput and Mr. Terburg left the meeting at 7:00 p.m.

Mayor Shepherd also shared a concept of climate controlled storage on the vacant triangular parcel currently occupied in the vicinity of 1500 East 1450 South near Chancellor Gardens and owned by Saunders Advertising for the billboard. He shared a visual illustration which further portrayed the concept of climate controlled storage. He explained Saunders' representatives had approached the City with the proposal of the indoor storage facility. He indicated this would also require a zoning text amendment to allow this use.

Adam Lenhard, City Manager, stated storage units weren't currently allowed in any zone within the City so the use would first need to be defined. A discussion took place during which the following suggestions were shared about the proposed facility: accessible indoors, climate controlled, secured, multiple levels. Councilmember Young believed climate control would be important to include because of the internal nature of the proposed facility.

Mayor Shepherd suggested defining the use in the C-1 (Commercial) zone only and rezone the property in order to limit where that type of business could locate. Mayor Shepherd suggested placing the burden of the Title 11 change and the rezone upon the applicant.

Mayor Shepherd pointed out the developer was looking to have another enterprise on the upper floor/rooftop.

DISCUSSION ON THE BETTER CITY PROPOSAL

JJ Allen, Assistant City Manager, reminded the Council of a previous discussion regarding the Better City proposal for Lakeside Square, Mabey pond, the mobile home park and the downtown area. He shared a visual illustration which identified the area. He reminded the Council staff had

been working on a Small Area Plan, separate from Better City, for that area and reviewed it with the Council. He shared Better City's concept plan for the area and reported there were similarities. He reviewed Better City's scope of work for the area which identified a feasibility study in Phase I and Phase II consisted of the implementation. He reviewed specific tasks associated with each phase with the Council which further identified potential tenants, funding sources for development/redevelopment, schedule and timeline with scope of work and costs. He emphasized Phase II specifically identified Better City's role in engaging developers to undertake the project. Mr. Allen reviewed the fees associated with the contract with the Council.

Mr. Allen introduced Adam Hughes, Better City, to the Council and he emphasized the cost to bring a developer/project would be much higher than Better City proposed. Mr. Allen pointed out the expense wasn't included in the 2017 budget and indicated it would need a budget amendment. He requested direction from the Council and Mayor Shepherd inquired if the expense would be specific to the CDRA budget. Mr. Allen responded in the affirmative. Mayor Shepherd stated he was in full support of the proposal and a discussion followed. Councilmember Peterson pointed out two separate independent bodies were proposing almost the same concept.

Mr. Hughes mentioned the challenge in creating a downtown or center of activity was the necessity to have uses that refreshed or would constantly and consistently bring people in. He emphasized Better City would focus on those types of uses and cautioned the Council that would be difficult with only 10 acres. He suggested other areas nearby would benefit from the initial phase.

Mr. Allen stated he would like Better City's initial concept to mirror more of what had been included in the Small Area Plan and shared specifics and a discussion followed. Mr. Hughes again emphasized the importance of fresh development which would bring people in on a nightly bases creating vibrancy for the development that was continually "refreshing".

Mr. Allen reported he would move forward with the details and bring an agreement to the Council for consideration.

Mr. Hughes left the meeting at 7:45 p.m.

UPDATE ON THE WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

Nathan Rich, Wasatch Integrated Waste Management District, reminded the Council the special service district operated the waste energy facility, known as the burn plant, which provided steam to HAFB (Hill Air Force Base) for renewable energy and the Davis Landfill including the green waste, recycling, and the landfill thrift store.

He reported the waste energy facility had recently completed a reinvestment project within the past two years and it was anticipated to operate for an additional 10 to 20 years, depending on the Base's desire to continue purchasing the energy. He reported the landfill currently had approximately 27 years of remaining capacity assuming it was used at today's current rate of use.

He mentioned as new technologies became available it was the goal to replace the waste energy facility sometime in the future. He stated the landfill supported the ash residue coming from the waste energy facility in addition to the customer/residential drop off. He reported plans to build a transfer station within the next 10 to 15 years to transfer garbage to a regional landfill. He announced New Era was an interlocal entity similar to a special service district comprised of several counties for the purpose of combining efforts specific to managing garbage. He emphasized landfills were a high fixed cost business and believed it would provide an opportunity for a joint project with the other entities. Councilmember Phipps suggested the concept was a well thought out proposal and Mayor Shepherd believed it was a good proposal and made sense.

Mr. Rich mentioned the mixed waste facility had been implemented to remove grass, glass, dirt and rocks from residential trash. He continued a proposal was in the works to build the first phase of a transfer station, by an increase in the household use fee by approximately \$2, which would remove remaining recyclables from residential curbside garbage. Councilmember Benson mentioned she could fill her recycle receptacle in one week and many recyclable items then had to be disposed of in her regular trash. Mr. Rich emphasized the recyclable can was separate from Wasatch Integrated or the landfill. He continued the City's recycling program was being administered independently of the County's facility and explained the process. Ms. Benson believed education would benefit residents.

DISCUSSION ON TITLE 11, YARD AND SETBACK REQUIREMENTS

Spencer Brimley, Development Services Manager, explained staff had recently received a concern regarding setback requirements for accessory buildings. He explained in 2009 the ordinance was amended requiring the following:

- Buildings less than 10 feet in height could be no less than 3 feet from the property line.
- Any building over 10 feet in height would have to be 8 feet from the property line.
- There were exceptions for carports, cornices, eaves and overhangs.
- No accessory building could exceed 20 feet in height.

He reminded the Council the issue came in June when a resident requested information regarding an accessory building for his property for the utilization of parking vehicles. He emphasized prior to 2009 there was a one foot allowance from the property line and heights weren't defined.

JJ Allen, Assistant City Manager, mentioned Mr. Brimley had completed research to determine the reason for the change in 2009 and was unable to determine what was behind the change.

Mr. Brimley reviewed options for consideration by the Council:

- No change in current ordinance.
- Reducing rear and side yard setbacks, allowing for incremental increases based on maximum height.
- Change minimum height for setback of accessory buildings.
- Require conditional use permits for accessory buildings over a certain square footage.

Adam Lenhard, City Manager, remembered two specific issues related to accessory buildings. He indicated the first was to maintain property near property lines and the second was keeping water on property specific to eaves rather than directing water to neighboring properties.

Mr. Brimley mentioned anything less than five feet required fire rating; and therefore, three feet off the property line would incur additional expenses in building materials. He also mentioned the issue regarding the maintenance between the accessory building and the property line and the City's ordinance which required residents to maintain all drainage on property. He emphasized there was no standard as to setbacks in any specific area and suggested other municipalities were still requiring adherence to their ordinances in those areas.

Councilmember Phipps shared an example regarding a personal circumstance regarding a neighbor's accessory building. Councilmember Peterson suggested setting a specific design standard which allowed for the typical ready-made type of shed which could potentially benefit the property and the City as a place of storage as opposed to open storage in someone's backyard. Mayor Shepherd pointed out the difficulty he had in maintaining a small sliver of property at the side of his garage and the property line.

Mr. Lenhard suggested changing the height requirement of 10 feet to a higher number. Councilmember Young stated he wouldn't change the three foot setback from the property line and suggested allowing the 10 feet height at the edge or square of the building. Mr. Brimley stated measurements were generally taken at the apex or midpoint of the roof.

Councilmember Peterson stated if a shed could be purchased at Home Depot, it should be allowed via ordinance. Mayor Shepherd suggested if a car could be parked in the structure it shouldn't be considered an accessory building; rather, it then should be considered a garage. Councilmember Peterson believed there was probably a height "standard" for sheds which could be purchased from Lifetime or another vendor and didn't want to discourage residents from using those to store "stuff" as opposed to leaving items in the yard. Mr. Brimley stated there was a distinction in the ordinance between an accessory building and garage.

Mayor Shepherd mentioned setbacks as a whole needed to be considered as there were often easements for utilities. Mr. Brimley mentioned other municipalities' ordinances spoke directly to not allowing the building in a utility easement.

Mr. Brimley informed the Council that some municipalities required conditional use permits for structures over 200 square feet and explained how that would impact staff and a discussion took place. Mr. Brimley cautioned the Council that it wouldn't want to create a new definition for regulation.

Councilmember Peterson believed the current ordinance required a building permit for an accessory building when it exceeded 200 square feet. Mr. Brimley responded it wasn't that simple, there were percentage regulations based on the size of the structure and size of lot. Councilmember Peterson shared an example of an accessory building which was legally built based on the current ordinance and suggested it could negatively impact surrounding residents as opposed to something under 200 square feet but one foot higher.

Mayor Shepherd directed staff to initiate an ordinance change and have it proceed through the Planning Commission and ultimately before the Council. Mr. Lenhard mentioned there were several Title 11 items which needed to be addressed and asked about timing. He suggested staff move forward with that specific issue for the Planning Commission meeting in October.

DISCUSSION ON THE MARKETING AND COMMUNICATIONS JOB DESCRIPTION

JJ Allen, Assistant City Manager, shared a brief history regarding the two part time Community Relations (Marketing and Public Relations) positions emphasizing the responsibilities had consistently changed over time and highlighting those changes specifically. He reminded the Council of the survey it recently completed to determine how the City was doing and reviewed the results. He announced the three most important functions of the position identified by the Council:

- Social Media
- Marketing
- Reporting to the Community/Transparency

Mr. Allen reviewed some of the councilmembers' notes associated with the above three functions. He stated the questionnaire also requested items which the Council believed could be eliminated from the job description:

- 4th of July celebration coordination
- Full spread monthly newsletter – send out articles/information separately
- Mobile based video

Adam Lenhard, City Manager, reported Councilmember Bush believed a segment of the City's population didn't care about social media and would rather have a paper newsletter as opposed to an electronic newsletter. Mr. Allen specifically requested the Council's input regarding splitting up the newsletter and using social media to distribute small articles. A discussion took place regarding the importance of a traditional newsletter and social media. Mayor Shepherd suggested sending a one page newsletter with the utility bill providing information in short paragraphs ultimately directing the residents to the website, or staff, and the Council discussed that option.

Mr. Allen provided the Council's answers to the social media question in the survey. Councilmember Peterson believed if the City chose to use certain social media platforms there was an expectation of understanding the pace of said platform. Mr. Allen pointed out the consensus of the Council expressed a desire for the various sites to be checked periodically throughout the day. He also shared the results of how the Council wanted the City to interact with people via social media.

He reminded the Council of the question in the survey regarding social media and a major event happening in the City and shared the members' comments which concluded "on a regular basis or as the situation warranted".

Mr. Allen shared the recommendation of one full-time Communications Coordinator in the Executive Department with responsibilities specific to the three key areas. He emphasized the

current part-time staff hadn't been provided with cell phones and therefore hadn't been able to respond after hours. He also suggested the position be "exempt" as opposed to "hourly" allowing the individual to work as needed without overtime pay. He continued the other part-time position would be in Community Services as Marketing Specialist/Events Coordinator for the purpose of coordinating the 4th of July celebration and marketing Recreation and Aquatics programs. Councilmember Young suggested providing a phone to this position as well. Mr. Allen informed the Council the implementation of the positions would have a budgetary impact as the full-time position would have additional wages and benefits.

He shared the results of the suggestions qualifications for the position and mentioned the following:

- Videography
- Website
- Fund Raising

He asked how important these three qualifications were to the Council.

Councilmember Peterson expressed her opinion fundraising should be a separate position. She believed the marketing position should be responsible for providing materials to whomever solicits support from the public sector. Mayor Shepherd stated it would be important for the individual to know how to produce a pamphlet which could be used to sell the City. Mr. Allen concluded the Council desired the position provide a marketing piece and not necessarily perform the act of soliciting.

Councilmember Peterson added she wanted the position to work closely with the IT side of the City's website, providing materials/information to be placed on the website not actually uploading the information. Mr. Lenhard responded the City used a separate vendor for the website. A discussion took place regarding the City's website.

Mr. Lenhard suggested the Council consider what it wanted to accomplish as an end result and a discussion took place. Councilmember Phipps responded the City should provide information residents want to know as well as information they should know. He also wanted an individual that could bring suggestion and ideas for the City to implement. Councilmember Peterson believed the City's current social media posts get buried because they consist of texts and a link.

Mr. Lenhard believed the City would need to look for a skill set that currently didn't exist within the organization at this time and indicated he would also like to find roles within the organization for the individuals currently in the two part-time positions. Councilmember Benson inquired if they had been made aware of the change. Mr. Lenhard responded in the affirmative.

Mr. Allen announced staff would create a job description and benchmark the position. Summer Palmer, Administrative Services Director, stated she would be spending time on Linked In attempting to seek a qualified individual. She continued it would be difficult to find someone that met the expectations in a price point agreeable to the City. Mayor Shepherd suggested creating an internship for a social media student attending Weber State University. Mr. Allen pointed out an individual right out of college would be affordable but wouldn't have the desired experience. Councilmember Peterson expressed her opinion a degree was not be the primary factor for the

position. Mr. Allen emphasized both individuals currently in the positions at this time had marketing degrees and significant experience. Councilmember Peterson suggested having candidates provide a “sample” campaign during the interview process.

Mr. Lenhard reported once the titles and job descriptions were finalized staff would move forward with recruiting and amending the budget. Mr. Allen mentioned the current employees in the positions were in limbo and believed the City owed it to them to move forward quickly. There were no objections from the Council.

The meeting adjourned at 9:05 p.m.

**APPROVED AND ADOPTED
This 13th day of September, 2016**

/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 16, 2016.

/s/Nancy R. Dean, City Recorder