

CLEARFIELD CITY COUNCIL
AGENDA AND SUMMARY REPORT
January 26, 2016 – 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

Parks and Recreation Commission Interview
Discussion on Appointments to the Parks and Recreation Commission
Discussion on CDBG Programming

(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 Bush

APPROVAL OF MINUTES:

January 6, 2016 – Work Session

January 12, 2016 – Policy Session

PUBLIC HEARING:

1. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT FOR THE PROPOSED AMENDED FINAL SUBDIVISION PLAT FOR THE NINIGRET FIELD SUBDIVISION PLAT LOCATED AT APPROXIMATELY 700 SOUTH 1360 WEST (TIN: 12-766-0004)**

BACKGROUND: This two-lot subdivision will allow for the development of a public trailhead on 700 South, south of the Ninigret development in Syracuse. The Planning Commission recommended approval during its meeting on Wednesday, January 6, 2016.

RECOMMENDATION: Open the public hearing, receive public comment and close the public hearing.

SCHEDULED ITEMS:

2. **CITIZEN COMMENTS**

3. CONSIDER APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENTS OF INDIVIDUALS TO THE PLANNING COMMISSION

BACKGROUND: The Planning Commission currently has vacancies for two regular members. Residents were asked to submit letters of interest and interviews were conducted by the City Council during the work session on Tuesday, January 19, 2016 and during the work session prior to this meeting.

RECOMMENDATION: Approve and consent to the Mayor's reappointment of Amy Mabey as a regular member of the Planning Commission with a term expiring February 2021 and the Mayor's appointment of Ron Jones as a regular member of the Planning Commission with a term expiring February 2020 and the Mayor's appointment of Chris Uccardi as a regular member with a term expiring February 2021, and authorize the Mayor's signature to any necessary documents.

4. CONSIDER APPROVAL OF AND CONSENT TO THE MAYOR'S PROPOSED APPOINTMENT OF INDIVIDUALS TO THE CITY'S PARKS AND RECREATION COMMISSION

BACKGROUND: The Parks and Recreation Commission currently has vacancies for three members. Residents were asked to submit letters of interest and interviews were conducted by the City Council during the work session on Tuesday, January 19, 2016 and during the work session prior to this meeting.

RECOMMENDATION: Approve and consent to the Mayor's appointments for the Parks and Recreation Commission and authorize the Mayor's signature to any necessary documents.

5. CONSIDER APPROVAL OF A PROPOSED SUBDIVISION PLAT AMENDMENT FOR THE NINIGRET FIELD FINAL SUBDIVISION LOCATED AT APPROXIMATELY 700 SOUTH 1360 WEST (TIN: 12-766-0004)

RECOMMENDATION: Approve the subdivision plat amendment for the Ninigret Field subdivision located at approximately 700 South 1360 West (TIN: 12-766-0004) as conditioned and recommended by the Planning Commission and authorize the Mayor's signature to any necessary documents.

6. UPDATE ON THE FISCAL YEAR 2016 FINANCIAL STATUS

COMMUNICATION ITEMS:

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

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

Dated this 21st day of January, 2016.

/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.

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

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Keri Benson	Councilmember
	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
EXCUSED:	Bruce Young	Councilmember
STAFF PRESENT:	Adam Lenhard	City Manager
	JJ Allen	Assistant City Manager
	Stuart Williams	City Attorney
	Nancy Dean	City Recorder

VISITORS: Burk Benton, Kalli Benton, Tracy Forsling

Mayor Shepherd called the meeting to order at 6:17 p.m.

CITIZEN COMMENTS

Tracy Forsling, Clearfield, stated she was representing all the residents who had been affected by the City's recent broken waterline in her neighborhood. She expressed a desire for the Council to know the extent of the damage to homes affected by the problem. She informed the Council that the basements in several homes were completely destroyed and ripped up due to the damage caused by raw sewage and water. She explained she understood the City had a Goodwill Program to help residents that had been affected by problems similar to the current situation. She acknowledged that governmental immunity existed for instances similar to the one her neighborhood was currently experiencing but the residents felt strongly that the damage was the City's responsibility and the City had liability insurance for a reason. She expressed the hope of all the residents affected by the incident that the City would take every step available to it to remedy the situation. She acknowledged the best case scenario for residents would be no out of pocket expenses resulting from the incident. She reiterated that the damage was extensive and residents were missing work and had interrupted lives because of it. She continued the residents were not looking to make money but rather looking for relief from the costs associated with scope of the incident. She stated residents did not want to make a claim on their personal home owner's insurance for the incident because it would affect their rates and status for years to come. She explained the residents needed a lot of help and hoped the City would work with its insurance company to take care of its residents affected by the incident. She expressed appreciation for Mayor Shepherd, Adam Lenhard and other staff who attended the neighborhood meeting on the issue.

Burk Benton, Clearfield, wanted to make the Council aware that the broken waterline had been repaired within in the last few years. He asked the City to consider there might be fault associated with the last repair. He also expressed his hope that the City would do everything possible to make residents whole from the incident.

Adam Lenhard, City Manager, stated staff had been working very hard to understand what might have caused the failure of the waterline. He stated the City had been in contact with its insurance company on possible solutions. He added the City would be offering to clean every sewer lateral along that waterline to ensure there was no sediment left in the line. He explained residents were concerned about preventing a similar incident in the future. He stated to address those concerns the City would immediately begin the replacement of the waterline in the cul-de-sac through its emergency procurement procedures. He explained staff was updating residents as new information became available and another update would be sent at the end of the evening with additional details.

Councilmember Benson commented she had experienced a sewer backup in her home a few years earlier. She explained her insurance company had informed her that there were ways to prevent future backups in her home. She indicated a sewer backflow could be installed to prevent future incidents. Ms. Forsling asked if the City's mainline had a backflow installed. Mr. Lenhard explained that backflow prevention was not normally part of a main sewer line. He continued the backflows were usually installed at individual laterals or drains.

Ms. Forsling asked if the City had reviewed what took place when the waterline was repaired a few years ago. Mr. Lenhard explained the line had previously been repaired and the extent of that repair was still being reviewed. He continued the City wanted to make sure its review was complete. He stated he would keep residents up to date as additional information became available.

Ms. Forsling expressed her appreciation for the Council taking the time to discuss the issue.

There being no further business to come before the Council, **Councilmember Bush moved to adjourn to a Closed Session for the purpose of a strategy session to discuss pending or reasonably imminent litigation at 8:22 p.m. in accordance with Utah Code § 52-4-205, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Jones and LeBaron. Voting NO – None.** Councilmember Young was not present for the vote.

The minutes for the Closed Session are kept in a separate location.

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
January 12, 2016

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
	Stuart Williams	City Attorney
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Spencer Brimley	Development Services Manager
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Heather Christopherson – Ulrich & Associates, Chuck Ulrich – Ulrich & Associates, Brad Lasater – Wilcox Farms, Boy Scout Troop 584, Kathryn Murray, Amber Self, Con L. Wilcox – 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 Benson conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE NOVEMBER 10, 2015 WORK SESSION AND APPEAL HEARING, THE NOVEMBER 24, 2015 WORK SESSION, AND THE DECEMBER 8, 2015 WORK AND POLICY SESSIONS

Councilmember Bush moved to approve the minutes from the November 10, 2015 work session and appeal hearing, the November 24, 2015 work session, and the December 8, 2015 work and policy sessions as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A PROPOSED FINAL SUBDIVISION PLAT AMENDMENT FOR THE WILCOX FARMS SUBDIVISION LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014)

Spencer Brimley, Development Services Manager, explained the proposed amendment to the plat was for the purpose of creating two lots to be sold for 1) the development of multi-family housing, and 2) the expansion of a day care operation west of the property. An engineering review was completed and determined that the request for the amended subdivision met the minimum City standards as set forth within the C-2 (Commercial) zoning district. He pointed out the southern portion of the property was under consideration for a rezone from C-2 (Commercial) to R-3 (Multi-family development) and the northern portion would be purchased from the daycare for expansion. Staff had included the North Davis Fire District (NDFD) letter and engineering letter in the Staff Report. The Planning Commission recommended approval based on the following conditions identified by staff during its meeting on Wednesday, December 2, 2015:

- Final engineering design (Improvement Plans) are set forth in a letter dated November 13, 2015.
- North Davis Fire District approval required as set forth in the letter dated January 4, 2016.
- All improvements are bonded prior to recordation of the plat.

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

Mayor Shepherd asked for public comments.

There were no public comments.

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

CITIZEN COMMENTS

Amber Self, realtor, distributed a handout reflecting statistics about the real estate market for Clearfield City for the 2015 calendar year and reviewed it with the Council. She mentioned Clearfield had been a popular location for homebuyers and pointed out there hadn't been a lot of inventory in the area.

PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2015

Chuck Ulrich and Heather Christopherson, Ulrich and Associates, P.C., presented the Clearfield City's draft Comprehensive Annual Financial Report (CAFR) for the year ending June 30, 2015 to the Council and pointed out the following:

- Page 19 – submitted letter from Ulrich and Associates expressing a “clean opinion” of the City's financial condition.

- Page 22-35 – Management’s discussion and analysis which had been prepared by Rich Knapp, Finance Manager.
- Page 43 – reflected the Fund Balance which was 36 percent of current revenues. He pointed out State Law only allowed the City to accumulate 25 percent; therefore, the City was 11 percent over the allowed amount. He stated the City would need to appropriate approximately \$1.5 million in expenditures for fiscal year 2017 to remedy the overage.
- Page 54 – reflected the City had underspent its budget by nearly two million dollars and indicated management had committed the funds for identified projects.
- Page 58 and 59 – identified the City’s Enterprise Funds and reported all accounts were functioning well.
- Page 59 - positive balance in Utility Balances.

Heather Christopherson spoke to the new requirement of accounting and reporting for pensions. She directed the Council to the following pages:

- Page 38 and 39 – the information had been provided by Utah Retirement System which had completed its own studies and audit. She clarified Ulrich and Associates was only required to include the information within its report. She reviewed the four line items with the Council. Adam Lenhard, City Manager, summarized the Utah State Retirement System was underfunded and the figure identified the City’s portion.

Ms. Christopherson indicated the Governance letter had been emailed which identified a few recommendations of controls to staff. She expressed appreciation to Rich Knapp, Finance Manager, and the finance staff for their assistance with the audit.

There were no additional questions of the Council.

APPROVAL OF A PROPOSED SUBDIVISION PLAT AMENDMENT FOR THE WILCOX FARMS DEVELOPMENT LOCATED AT 850 WEST 1600 SOUTH (TIN: 12-391-0014)

Councilmember Phipps inquired about the Engineering review on page 3 of the Staff Report. Spencer Brimley, Development Services Manager, clarified that paragraph was stating the City’s engineer was requesting additional construction and infrastructure documents which would be reviewed following this approval of the boundary for the subdivision. He emphasized the Council was approving the subdivision upon the condition the City would receive all required documents for recordation.

Councilmember Young moved to approve the subdivision plat amendment for the Wilcox Farms Development located at 850 West 1600 South (TIN: 12-391-0014), as recommended by the Planning Commission, 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF THE AWARD OF BID FOR JANITORIAL SERVICES

Eric Howes, Community Services Director, stated staff solicited bids for janitorial services for City facilities. He explained four vendors submitted qualified bids and each bid was reviewed and ranked by a committee based on the guidelines included in the bid documents. He announced staff was recommending the bid be awarded to Coverall with a low bid of \$125,616. He explained the current contract was a one year contract with three one year additional options. He explained staff determined it would be best to go out for bid based on the performance of the current provider. He informed the Council that the current provider submitted the lowest bid; however, based on the grading criteria including cost and quality, staff was not recommending the lowest bid.

Councilmember Phipps moved to approve the award of bid to Coverall for janitorial services with a bid amount of \$125,616 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2016-01 AMENDING TITLE 1, CHAPTER 7, EMPLOYEE APPEAL BOARD OF THE CLEARFIELD CITY CODE

Adam Lenhard, City Manager, explained the City established an Employee Appeal Board to hear matters related to the discharge, suspension or involuntary transfer of employees. The current Board had five members consisting of employees and elected officials. State Law was amended to allow such appeals to be heard by a hearing officer. This ordinance amended the City's policy in such matters to be heard by a hearing officer as opposed to the current five-member board. He stated the committee had not convened at any time within the last eight years and emphasized there were currently no pending cases.

Councilmember Phipps clarified the hearing officer would be a hired position. Mr. Lenhard responded a contract would be drafted and awarded to numerous individuals to ensure availability at all times. He indicated the City would solicit contractors within the next few weeks. He emphasized the contractors would agree to a specified rate in the contract for services only paid if service was rendered.

Councilmember Bush asked about the qualifications of the individuals. Stuart Williams, City Attorney, responded the City would contract with attorneys which specialized or had experience with employment law. Councilmember Phipps pointed out employees would have to appear before an attorney and inquired about the language in the ordinance not being specific to qualifications. Mr. Williams responded language in the contract addressed qualifications as well as the job notification. Councilmember Peterson stated the exact language of the contract should be left to the executive staff otherwise any changes in the future would require approval by the City Council.

Councilmember Peterson moved to approve Ordinance 2016-01 amending Title 1, Chapter 7, Employee Appeal Board of the Clearfield City Code 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-02 APPOINTING “TEMPORARY JUSTICE COURT JUDGE(S)”

From time to time the Clearfield City Justice Court Judge may be absent from court or have a real or perceived conflict of interest that disqualified the judge from hearing a particular case. State Law allowed the City to appoint “Temporary Justice Court Judge(s)” to fill vacancies in such instances.

Stuart Williams, City Attorney, explained the current list of temporary judges was outdated and stated Code required the appointing body to provide for a temporary justice court judge to cover for vacations, illness or conflict of Judge Brower. He stated in addition to the proposed identified temporary judges, language had been included to allow Judge Brower to call upon anyone who met the State definition to fill in as a judge.

Councilmember Benson moved to approve Resolution 2016R-02 appointing “Temporary Justice Court Judge(s)” 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, Peterson, Phipps and Young. Voting NO – None.

CONFIRMATION OF THE CITY MANAGER’S APPOINTMENT OF SUMMER PALMER AS THE ADMINISTRATIVE SERVICES DIRECTOR

Mayor Shepherd stated the action before the Council was to confirm Adam Lenhard’s, City Manager, recommendation that Summer Palmer be appointed as the Administrative Services Director.

Councilmember Young moved to confirm the appointment of Summer Palmer as the Administrative Services Director, seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

REAPPOINTMENT OF THE CITY RECORDER AND CITY TREASURER

State Law required the City Recorder and City Treasurer be appointed before the first Monday in February following a municipal election.

Mayor Shepherd stated it was his recommendation to reappoint Nancy Dean as the City Recorder and Rich Knapp as the City Treasurer.

Councilmember Bush moved to approve the Mayor Shepherd’s appointments of Nancy Dean, City Recorder and Rich Knapp, City Treasurer, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-01 MAKING APPOINTMENTS TO THE NORTH DAVIS FIRE DISTRICT'S ADMINISTRATIVE CONTROL BOARD

Councilmembers Mike LeBaron and Ron Jones had been representing Clearfield on the North Davis Fire District's Administrative Control Board. Due to results from the 2015 General Election Mayor Shepherd recommended appointing Councilmembers Keri Benson and Nike Peterson to serve as the City's representatives on the Board for terms expiring December 31, 2018.

Councilmember Peterson moved to approve Resolution 2016R-01 appointing Councilmembers Keri Benson and Nike Peterson to the North Davis Fire District's Administrative Control Board 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-03 APPOINTING VERN PHIPPS AS CLEARFIELD CITY'S REPRESENTATIVE ON THE ADMINISTRATIVE CONTROL BOARD OF WASATCH INTEGRATED WASTE MANAGEMENT DISTRICT

Clearfield City was a member of the Wasatch Integrated Waste Management District. Each member city of the District appointed one member to the Administrative Control Board.

Mayor Shepherd stated he had been serving in on the Board for the past two years but as he would soon be appointed as the Chair of the North Davis Fire District's Administrative Control Board believed it would be in his best interest to step down from the Wasatch Integrated Waste's Board. He announced his recommendation of Councilmember Vern Phipps to serve as the City's representative on the Administrative Control Board of Wasatch Integrated Waste Management District and expressed his confidence in Councilmember Phipps.

Councilmember Phipps moved to approve Resolution 2016R-03 appointing Councilmember Vern Phipps as Clearfield City's representative on the Administrative Control Board of Wasatch Integrated Waste Management District 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, Peterson, Phipps and Young. Voting NO – None.

APPROVAL OF RESOLUTION 2016R-04 APPOINTING REPRESENTATIVES TO SERVE AS ITS APPOINTEES ON THE TAXING ENTITY COMMITTEES FOR PROJECT AREAS ESTABLISHED BY THE CITY'S COMMUNITY DEVELOPMENT AND RENEWAL AGENCY

Clearfield City had two appointments on the Taxing Entity Committee for any urban renewal, economic or community development project areas which either currently existed or which might henceforth be created by the Clearfield Community Development and Renewal Agency. Councilmember Bush currently served in one of those appointments but the other seat was vacant due to results from the 2015 General Election. Mayor Shepherd recommended appointing

Councilmember Vern Phipps to the Taxing Entity Committee to fill the vacancy and Councilmember Bruce Young as an alternate representative to the Taxing Entity Committee.

Councilmember Young moved to approve Resolution 2016R-04 appointing Councilmember Vern Phipps as a representative and Councilmember Bruce Young as an alternate representative to serve as appointees on any Taxing Entity Committee for project areas established by the City's Community Development and Renewal Agency and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

MAYORAL APPOINTMENTS

Due to the results of the 2015 Municipal Election it was necessary to make new assignments to various boards and commissions for members of the City Council. Mayor Shepherd pointed out he was recommending Councilmember Bush be appointed as Mayor Pro Tem.

Councilmember Young moved to approve and consent to the Mayor's appointments and authorize his signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Expressed appreciation to staff for its efforts in working with residents in the southern portion of the City regarding flooding issues and mentioned the City's insurance carrier had been notified.
2. Informed the Council that he would be out of town from Friday, February 5, 2016 through Thursday, February 11, 2016.

Councilmember Benson – nothing to report.

Councilmember Bush

1. Mentioned it was great to see so many youth in attendance and invited those with questions to contact any of the elected body for clarification.
2. Informed the Council that the North Davis Sewer District Board had recently awarded the bid to complete it lining of sewer pipe. He announced there were no projects planned to take place within Clearfield City during the current year.

Councilmember Peterson – nothing to report.

Councilmember Phipps – nothing to report.

Councilmember Young – nothing to report.

Adam Lenhard, City Manager

1. Announced the monthly report had been emailed to the Council.

2. Informed the Council that the New Year Kick-off meeting was scheduled for Friday, January 29, 2016.

STAFF REPORTS

Nancy Dean, City Recorder – Reviewed the Council’s calendar:

- Tuesday, January 19, 2016 a photographer would be taking photos beginning at 5:30 p.m. with the work session following at 6:00 p.m. She stated interviews for Planning Commission and Parks & Recreations vacancies would be taking place.
- Policy session was scheduled for Tuesday, January 26, 2016.
- Friday, January 29, New Year Kick-off meeting.
- Local officials day at the Legislature was scheduled for Wednesday, January 27, 2016 and asked if those interested in attending would let her know. Staff would get them registered.

There being no further business to come before the Council, **Councilmember Bush moved to adjourn as the City Council and reconvene as the Community Development and Renewal Agency (CDRA) at 7:47 p.m., seconded by Councilmember Benson. The motion carried upon the following vote: Voting AYE – Councilmembers Benson, Bush, Peterson, Phipps and Young. Voting NO – None.**

The minutes for the CDRA are in a separate location



City Council

STAFF REPORT

TO: Mayor Shepherd, City Council, and Executive Staff

FROM: Spencer W. Brimley
Development Services Manager
Spencer.Brimley@clearfieldcity.org (801) 525-2785

MEETING DATE: January 26, 2016

SUBJECT: Public Hearing, Discussion and Possible Action on Public Hearing on **FSP 1512-0003**, a request by Syracuse City for an amendment to the Ninigret Field Subdivision Plat, for a 1.02 acre parcel. The site is located in the vicinity of the Clearfield and Syracuse city limits, at approximately 700 South and 1360 West (TIN: 12-766-0004). The property is in the A-1 (Agricultural) zoning district.

RECOMMENDATIONS

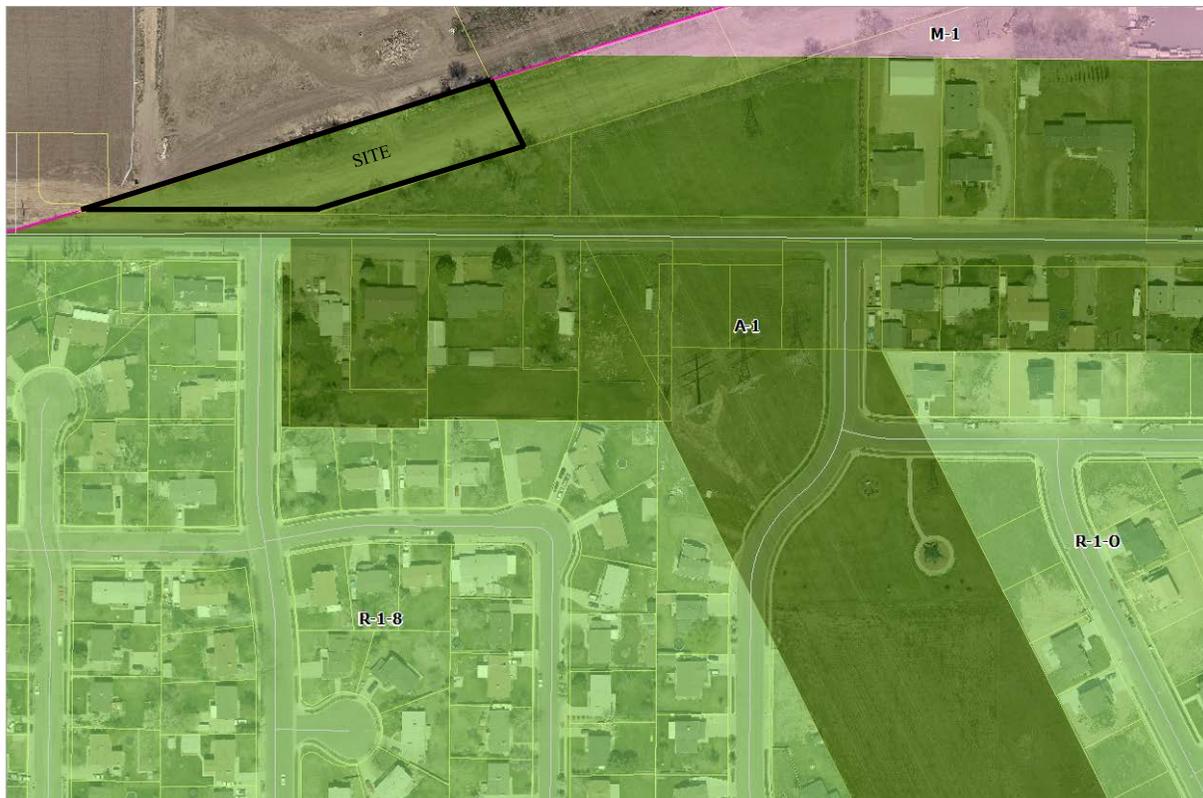
Move to approve **FSP 1512-0003**, a request by Syracuse City for an amendment to the Ninigret Field Subdivision Plat, for a 1.02 acre parcel. The site is located in the vicinity of the Clearfield and Syracuse city limits, at approximately 700 South and 1360 West (TIN: 12-766-0004), based on the discussion and findings provided in the Staff Report.

PROJECT SUMMARY

Project Information	
Project Name	Ninigret Field Amended Plat
Site Location	Vicinity of the Clearfield and Syracuse City at approx. 1360 West and 700 South
Tax ID Number	12-766-0004
Applicant	Syracuse City
Owner	Ivory Development
Proposed Actions	Amended Subdivision
Current Zoning	A-1 (Agricultural)
Land Use Classification	Manufacturing
Site Acreage	1.02 acres

Surrounding Properties and Uses:		Current Zoning District	Comprehensive Plan Land Use Classification
North	Syracuse City	Syracuse City	Syracuse City
East	Single Family Residences	A-1 (Agricultural)	Industrial
South	Single Family Residences	A-1 (Agricultural) and R-1-8 (Residential)	Residential
West	Syracuse City	Syracuse City	Syracuse City

Vicinity and Zoning Map



ANALYSIS

Planning Commission Recommendation

The Commission recommended to the City Council approval of **FSP 1512-0003**, a request by Syracuse City for an amendment to the Ninigret Field Subdivision Plat, for a 1.02 acre parcel. The site is located in the vicinity of the Clearfield and Syracuse city limits, at approximately 700 South and 1360 West (TIN: 12-766-0004).

Background

The request is for an amendment to an existing plat for the creation of a parcel of land located on the Clearfield and Syracuse municipal boundary. The parcel is within Clearfield City and is proposed to be approximately 1.02 acres in size. The parcel under consideration is part of a larger subdivision located in Syracuse City limits. The site was illegally subdivided (by recording a deed) at some point prior to this request. The illegal subdivision was not accomplished by Syracuse City, but was done prior to their involvement with this property. Prior to the illegal split, the parcel consisted of 1.73 acres, now the parcel is a parcel of 1.02 acres and 0.71 acres. The site plan being considered does not change any lot lines, but staff feels that an application for new entitlements on this property provides a trigger for correcting the illegal lot split. This application for an amended plat will resolve the parcel division and allow for the approval of the new 1.02 acre parcel and 0.71 acre parcel as legal lots.

Comprehensive Plan and Zoning

The future land use map shows the parcels are master planned industrial. The zoning is A-1 (Agriculture). There is no documentation or adopted Ordinance that indicates the property has ever been rezoned for any other use. The property was previously a railroad right-of-way.

Regardless of its zoning, the property may be subdivided with its existing zoning, subject to meeting the agricultural standards. The proposal meets the minimum A-1 zoning standards. The purposes for which this property is being reviewed as a subdivision does not require a rezone approval since it is consistent with the uses allowed in the A-1 zone.

Subdivision Plat Approval

The proposed parcels meet minimum lot size requirements in the A-1 zoning districts. An Engineering review was completed and determined the request meets minimum City standards. The parcel has received Site Plan approval for the intended use, as a Trailhead. Impacts on the City's infrastructure and services, setbacks, and other development standards have been reviewed through the Site Plan approval process through subsequent permits and other required drawings. The applicant will be required to develop the site in accordance with Clearfield City codes and ensure that all necessary improvements along the frontage, as well as replacing any missing or damaged areas are accomplished, prior to final plat recordation.

Public Comment

No public comment has been received to date.

CONDITIONS OF APPROVAL

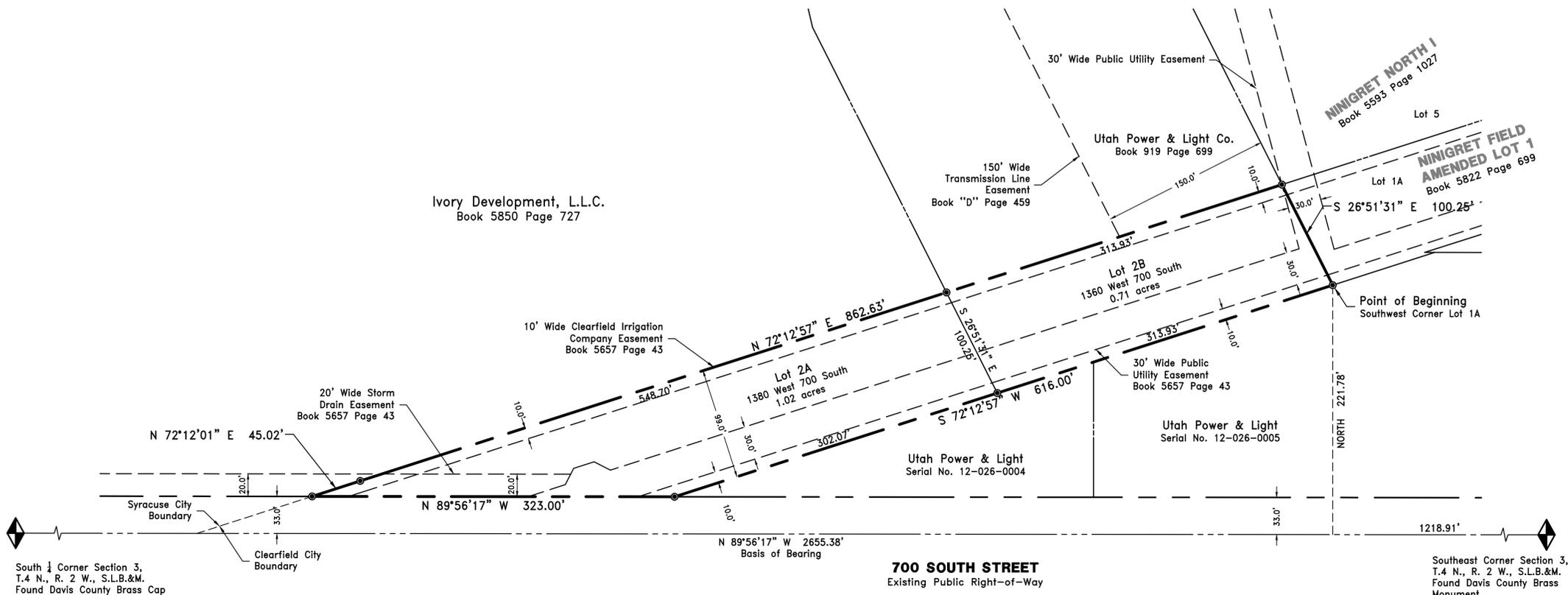
- 1) The final engineering design (Improvement Plans) shall meet City standards and be to the satisfaction of the City Engineer, by meeting the requirements set forth in the letter dated December 8, 2015.
- 2) Pursuant to the Subdivision Ordinance 12-4-5, an estimate of public improvements (as outlined in 12-4-6), shall be submitted, reviewed and approved by the City Engineer prior to obtaining building permits. An Escrow agreement will be subject to approval by the City Engineer and City Attorney.
- 3) Site will be maintained by property owner, in accordance with Clearfield City code.
- 4) Deteriorated or damaged sidewalk and concrete will need to be replaced or installed.

- 5) Installation of required improvements or an escrow account shall be established prior to recordation of the Final Plat as outlined in 12-4-6.

ATTACHMENTS

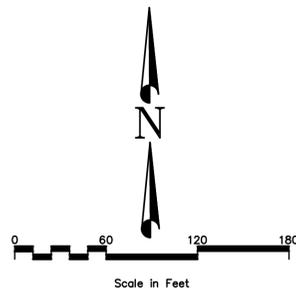
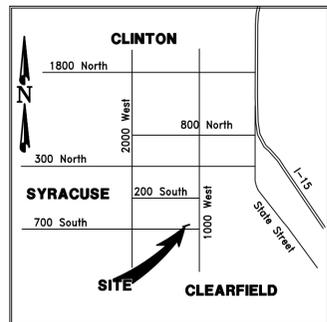
1. Ninigret Field Amended Plat

NINIGRET FIELD AMENDED LOT 2
 An Commercial Subdivision Amending Lot 2, Ninigret Field Subdivision
 Located in the Southeast Quarter of Section 3, Township 4 North, Range 2 West,
 Salt Lake Base & Meridian
 Clearfield City, Davis County, Utah



LEGEND

	Section Corner Monument (As Noted)
	Subdivision Boundary Line
	Right-of-Way Line
	Section Line
	Easement Line (As Noted)
	Set Rebar W/ Cap Stamped "DOMINION ENGINEERING"



NINIGRET FIELD AMENDED LOT 2
 An Commercial Subdivision Amending Lot 2, Ninigret Field Subdivision
 Located in the Southeast Quarter of Section 3, Township 4 North,
 Range 2 West, Salt Lake Base & Meridian
 Clearfield City, Davis County, Utah

Sheet 1 of 1

SURVEYOR'S CERTIFICATE

I, Mark N Gregory, do hereby certify that I am a Professional Land Surveyor in the State of Utah holding certificate number 334576, as prescribed by Title 56, Chapter 22 of the Utah Professional Engineers and Land Surveyors Licensing Act. I further certify that by the authority of the owners, I have made an accurate survey of the tract of land shown and described hereon in accordance with Section 17-23-17 of the Utah State Code, have verified all measurements shown and have subdivided said property into lots hereafter to be known as **NINIGRET FIELD AMENDED LOT 2** and that the same has been surveyed and monuments have been placed on the ground as represented on this plat.

BOUNDARY DESCRIPTION

All of Lot 2, Ninigret Field a subdivision recorded November 29, 2012 as Entry No. 2703467 in Book 5657 at Page 43 of the Davis County records.

ALSO DESCRIBED IN METES AND BOUNDS AS:

A parcel of land located in the Southeast Quarter of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian, Davis County, Utah, described as follows:

BEGINNING at the Southwest Corner of Lot 1A, Ninigret Field Amended Lot 1, said point being North 89°56'17" West 1,218.91 feet along the south line of Section 3, Township 4 North, Range 2 West, Salt Lake Base and Meridian and North 221.78 feet from the Southeast Corner of said Section 3, and thence South 72°12'57" West 616.00 feet to the north line of 700 South Street; thence along said line North 89°56'17" West 323.00 feet; thence North 72°12'01" East 45.02 feet; thence North 72°12'57" East 862.63 feet; thence South 26°51'31" East 100.25 feet to the POINT OF BEGINNING. Said parcel contains 75,422 square feet or 1.73 acres, more or less.

Date December 18, 2015



Mark N Gregory
 P.L.S. No. 334576

OWNERS DEDICATION AND CERTIFICATION

Know to all persons that this document presents, that Ninigret Construction Company North L.C., a Utah limited liability company and Ivory Development, L.L.C. the owners of the above described tract of land, having caused same to be subdivided into lots, hereby set apart and subdivide the same tract into lots as shown on this plat, hereafter known as Ninigret Field Amended Lot 2, and do hereby dedicate for the public use all those portions of said tract of land designated as public utility easements forever, for the public access and public utility use, and warrant, defend and save the City harmless against any encumbrances on the easements, which interfere with the City's use, operation, and maintenance.

Ninigret Construction Company North L.C.

Print Name: _____

Ivory Development, L.L.C.

Print Name: _____

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF _____)ss

On this _____ day of _____, 20____ personally appeared before me, _____, the signer of the foregoing instrument, who duly acknowledged to me that (s)he is a _____ of Ninigret Construction Company North L.C., a Utah limited liability company, and and is authorized to execute the foregoing Agreement in its behalf and that he or she executed it in such capacity.

WITNESS my hand and official seal.

Signature of Notary

My Commission Expires _____

Notary Seal

ACKNOWLEDGMENT

STATE OF UTAH)
 COUNTY OF _____)ss

On this _____ day of _____, 20____ personally appeared before me, _____, the signer of the foregoing instrument, who duly acknowledged to me that (s)he is a _____ of Ivory Development, L.L.C., a Utah limited liability company, and and is authorized to execute the foregoing Agreement in its behalf and that he or she executed it in such capacity.

WITNESS my hand and official seal.

Signature of Notary

My Commission Expires _____

Notary Seal

PREPARED BY:	SUBDIVIDER	ROCKY MOUNTAIN POWER	CLEARFIELD CITY ATTORNEY	CLEARFIELD CITY PLANNING COMMISSION	CLEARFIELD CITY ENGINEER	CLEARFIELD CITY COUNCIL	DAVIS COUNTY RECORDER # _____
	Ninigret Construction Company North L.C. 1700 South 4650 West Salt Lake City, UT 84104 (801) 973-9090	Approved this _____ day of _____, 20____ by _____ Rocky Mountain Power.	Approved this as to form this _____ day of _____, 20____. Clearfield City Attorney	Approved this _____ day of _____, 20____ by the _____ Clearfield City Planning Commission.	This is to certify that the requirements of all applicable statutes and Ordinances prerequisite to City Engineering's approval of the foregoing plat and dedications have been complied with. Clearfield City Engineer Date _____	This is to certify that his plat and the dedication of all easements were duly approved and accepted by the City Council of Clearfield this _____ day of _____, 20____. Attest: _____ Clearfield City Mayor City Recorder	State of Utah, County of Davis, recorded and filed at the request of _____ Date _____ Time _____ Book _____ Page _____ Davis County Recorder