

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
April 25, 2017

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Nike Peterson Vern Phipps Tim Roper Bruce Young	Councilmember Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	JJ Allen Stuart Williams Scott Hodge Spencer Brimley Greg Krusi Eric Howes Curtis Dickson Summer Palmer Rich Knapp Stacy Millgate Nancy Dean Wendy Page	Assistant City Manager City Attorney Public Works Director Development Services Manager Police Chief Community Services Director Community Services Deputy Dir. Administrative Services Director Finance Manager Customer Service Manager City Recorder Deputy Recorder
EXCUSED:	Adam Lenhard	City Manager

VISITORS: Michael Relow, Pat Maurer, MJ Malan, Sandy Covea, Jim Johnson, Bob Bercher, Koral Vasquez, Brett Wiggill, Brady Jugler – Planning Commission Chair, Savannah R. Peterson, Kathryn Murray, Makayla Reel, Mindy Rice, Rio Rice, Jerome Curran and CERT Graduates: Scott Caron, Anthony Colon, Annalicia Jose, Roy Zettel, George Adams, Kristena Porambo, Justine Quiver, Hezekiah Comer, April Pino, Alfredo Rodriguez, Chandler Barrie, Stephanie Young, Bob Wall, Jason Mareno

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 the Public Hearings or Citizen Comments there were forms to fill out by the door.

Councilmember Phipps conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE MARCH 21, 2017 WORK SESSION, MARCH 28, 2017 POLICY SESSION AND APRIL 11, 2017 POLICY SESSION

Councilmember Young referred to the March 21, 2017 work session minutes and asked that the minutes be amended to note he was not on the City Council at the time he attended the Council

meeting that was mentioned on the second page of the minutes. The minutes were updated to include the following clarification, “*Councilmember Young explained he had attended the Council meeting the last time the issue was addressed prior to being elected to sit on the Council and there were residents who were against allowing the use.*”

Councilmember Phipps moved to approve the minutes from the March 21, 2017 work session, as amended, and March 28, 2017 and April 11, 2017 policy sessions, as written, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

PRESENTATION FOR CERT (COMMUNITY EMERGENCY RESPONSE TEAM) GRADUATION

The City recently provided CERT training to some residents interested in providing aid to their neighborhood and community in the event of an emergency. Upon completion of the required training a graduation ceremony took place. Mayor Shepherd and the City Council recognized the graduates’ efforts in completing the training.

PUBLIC HEARING TO REVIEW AND ADOPT THE 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN

The One-Year Action Plan was necessary for Clearfield City to qualify for Community Development Block Grant (CDBG) funds through the Department of Housing and Urban Development (HUD). The plan covered the program year July 1, 2017 to June 30, 2018. A 30-day comment period commenced March 15, 2017, and no written comments were received.

Stacy Millgate, Customer Service Manager, informed the Council that the final funding amount for the grant hadn’t been received to date but the program would be adjusted to match the allotted funding when it was received. Ms. Millgate also expressed her opinion there was a great need for the CDBG funding in the City. Mayor Shepherd cautioned that the current political environment in Washington could affect the total grant funding. He indicated the City would adapt its program accordingly.

Mayor Shepherd opened the public hearing at 7:13 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

Councilmember Young moved to close the public hearing at 7:13 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE COMMENT ON A ZONING TEXT AMENDMENT TO CITY CODE § 11-8A-11, AGRICULTURAL ZONE (A-1), AND § 11-8B-11, AGRICULTURAL ZONE (A-2) TO ALLOW FOR THE KEEPING OF CHICKENS IN THE A-1 AND A-2 ZONES

The City Council recently approved changes to the Land Use Ordinance which allowed chickens to be kept on residential lots. During the public hearings, interested parties asked the Council to consider allowing the keeping of chickens on A-1 and A-2 parcels that did not meet the minimum lot size standards in the agricultural zoning districts.

Spencer Brimley, Development Services Manager, explained the proposed changes to the ordinance would allow for the keeping of fowls on smaller sized lots in agricultural zones. Mr. Brimley clarified the ordinance would not amend the Code for other animals, just for the fowl units. The current A-1 and A-2 zones allowed for chickens (one fowl unit = 30 chickens) on lots that were greater than one-half acre.

The proposed changes were detailed by Mr. Brimley as follows:

- Parcels that are less than one-half acre and no less than one-third acre shall be allowed to have one-half of a fowl unit (fifteen chickens).
- Parcels that are less than one-third acre and no less than one-fourth acre shall be allowed to have one-third of a fowl units (ten chickens).
- Parcels that are less than one-fourth acre and no less than sixty-five hundred square feet (approximately 0.15 acres) shall be allowed to have one-fifth of a fowl unit (six chickens).

Mayor Shepherd opened the public hearing at 7:17 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENT

In Favor

Mindy Rice, resident, expressed that she owned a smaller parcel of property that fell within agricultural zone. She liked the proposal to allow fowl units on those smaller properties.

Jerome Curran, resident, questioned if there was a fee for having chickens. Mr. Brimley stated there would not be a fee for keeping fowls if the resident owned property that was agriculturally zoned. He also briefly explained fees and regulations associated with keeping chickens in residentially zoned areas.

Rio J. Rice, resident, wondered if the agriculturally zoned properties would be allowed to have bigger coops and runs than those specified in the residential zones. Mr. Brimley stated the regulations already in place in the agricultural zones allowed for more flexibility.

Opposed

There were none.

Councilmember Bush moved to close the public hearing at 7:20 p.m. seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE COMMENT ON A ZONING TEXT AMENDMENT TO CITY CODE, TITLE 11 – LAND USE FOR THE REGULATIONS OF ACCESSORY BUILDINGS AND STRUCTURES IN ALL A-1, A-2, AND R-1 ZONING DISTRICTS

A request for amendments to the regulations governing accessory buildings and structures was first heard by the City Council in October 2016. At that time, the Council directed staff to conduct additional study on the matter which included a review of neighboring municipalities' regulations. Staff studied the matter and made recommendations to have the regulation of accessory buildings moved to Supplemental Regulations in Title 11 of the City Code as well as changes to height requirements, building design, and other requirements. The proposed amendments were meant to allow residents to make better use of their properties related to the construction and use of accessory buildings.

Spencer Brimley, Development Services Manager, discussed a brief history of the accessory building regulations and reviewed the proposed changes to the ordinance.

Mayor Shepherd opened the public hearing at 7:30 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENT

In Favor

Brett Wiggle, resident, indicated he was happy and grateful to see the proposed changes.

Jerome Curran, resident, voiced his support for the new changes.

Opposed

There were none.

Councilmember Peterson moved to close the public hearing at 7:31 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

PUBLIC HEARING TO RECEIVE COMMENT ON AN AMENDED FINAL SUBDIVISION PLAT FOR MIDTOWN VILLAGE AT LEGEND HILLS SUBDIVISION LOCATED AT APPROXIMATELY 1850, 1900 AND 1950 EAST 700 SOUTH

The request for the amended Final Subdivision Plat was to reconfigure the lots in the Midtown Village at Legend Hills Subdivision by consolidating the existing three lots into two lots. The site was being considered for a mixed-use development.

Spencer Brimley, Development Services Manager, discussed the plat reconfiguration proposal which would allow for a larger lot of about 9.391 acres on the south and west area of the parcel and a smaller lot of 1.484 acres lot on the northeast corner of the parcel. He stated the proposed plat amendment was consistent with both the General Plan and zoning within the City. Mr. Brimley informed the Council that during the review process for the plat a concern was expressed about the plat needing easements for infrastructure and utility lines along the north and west sides of the parcel. He indicated the amended final plat would include those easements. He also commented staff would be expecting additional applications from the owner related to the development of the property in the near future.

Mayor Shepherd opened the public hearing at 7:33 p.m.

Mayor Shepherd asked for public comments.

PUBLIC COMMENT

Patricia Mower, resident, was concerned with the development of the property and wondered how close buildings would be built near the fence which bordered the Sundowner Condominiums. Mayor Shepherd explained that nothing had been proposed yet for developing the site. He indicated the current request from the developer was mainly to enlarge the parcel on the northeast corner of the site. Mr. Brimley added the easements on the north and the west sides of the parcel would create some separation along those sides of the property. Ms. Mower questioned whether or not homes would be built on the property. Mr. Brimley stated a proposal had not yet been submitted by the developer.

Councilmember Peterson 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 Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

CITIZEN COMMENTS

There were no citizen comments.

APPROVAL OF THE 2017/2018 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN

Councilmember Phipps asked about the individual who made public comment at the last public hearing and whether staff had been able to address his concerns about the City providing CDBG

funding for the Homeowners Association (HOA) to make improvement to its property. JJ Allen, Assistant City Manager, reported staff had met with the individual and discussed the challenges facing the HOA. He continued staff had explained that CDBG funding was not a viable avenue for a solution to those challenges. He explained the City may want to study if there were other ways it could assist with similar challenges being experienced on private properties managed by HOAs.

Councilmember Roper moved to approve the 2017/2018 Community Development Block Grant (CDBG) One-Year Action Plan and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2017-06 AMENDING THE CLEARFIELD CITY CODE, TITLE 11 – LAND USE FOR THE REGULATIONS OF ACCESSORY BUILDINGS AND STRUCTURES IN ALL A-1, A-2, AND R-1 ZONING DISTRICTS

Councilmember Phipps asked for clarification on the requirement for a 12-foot distance between the accessory and principal buildings and structures. Mr. Brimley explained that there was already a regulation in place addressing the distance of the accessory building from the primary building on the owner's property. He continued staff determined it was appropriate to include a requirement of distance from the primary structure for an adjacent property.

Councilmember Bush wondered why only R-1 (single-family) zoned properties were addressed in the proposed ordinance and not R-2 or R-3 (multi-family) zoned properties. Mr. Brimley explained the proposed ordinance stepped away from the zoning of the property and addressed parcel size. He reported staff would look at those zones and make sure the regulations were appropriate and would amend them if necessary.

Councilmember Peterson moved to approve Ordinance 2017-06 amending the Clearfield City Code, Title 11 – Land use for the regulations of accessory buildings and structures in all A-1, A-2, and R-1 zoning districts, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2017-07 AMENDING THE CLEARFIELD CITY CODE § 11-8A-11, AGRICULTURAL ZONE (A-1), AND § 11-8B-11, AGRICULTURAL ZONE (A-2) TO ALLOW FOR THE KEEPING OF CHICKENS IN THE A-1 AND A-2 ZONES

Councilmember Bush moved to approve Ordinance 2017-07 amending the Clearfield City Code § 11-8A-11, Agricultural Zone (A-1), and § 11-8B-11, Agricultural Zone (A-2) to allow for the keeping of chickens in the A-1 and A-2 zones, and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

APPROVAL OF THE AMENDED FINAL SUBDIVISION PLAT FOR THE MIDTOWN VILLAGE AT LEGEND HILLS SUBDIVISION LOCATED AT APPROXIMATELY 1850, 1900, AND 1950 EAST 700 SOUTH

Councilmember Phipps asked if the plat would retain the name Midtown Village at Legend Hills. Mr. Brimley explained that was the name on the original plat and typically the name would remain the same unless the new owner wanted to change it.

Councilmember Young moved to approve the amended Final Subdivision Plat for the Midtown Village at Legend Hills Subdivision located at approximately 1850, 1900, and 1950 East and 700 South, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE MORGAN PAVEMENT SUBDIVISION PLAT LOCATED AT 600 AND 624 SOUTH MAIN

Morgan Pavement purchased three lots intending to expand its current operations. The request was to combine the three lots into one which had previously been used as a single family home and demolish two of the buildings while keeping the third for its operations. Site Plan approval would be necessary by the Planning Commission before the site could be developed.

Councilmember Bush moved to approve the Final Subdivision Plat for the Morgan Pavement Subdivision located at 600 and 624 South Main, and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

APPROVAL OF A PROCLAMATION DECLARING APRIL 28, 2016 AS ARBOR DAY IN CLEARFIELD CITY

Clearfield City was preparing to celebrate Arbor Day on Friday, April 28, 2017. The City supported all efforts of planting and protecting trees within its boundaries because trees were valuable to the City’s environment. Clearfield had received the “Tree City USA” designation for the past 20 years.

Councilmember Phipps mentioned the Arbor Day celebration scheduled for April 28, 2017 at 10:00 a.m. at Fisher Park and extended an invitation for all to attend and help plant trees.

Councilmember Phipps moved to approve the Proclamation officially declaring April 28, 2017 as Arbor Day” in the City of Clearfield and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Reported he attended the Davis Education Foundation Gala and enjoyed the associations the City has established with the Davis School District, specifically Clearfield High School and North Davis Junior High School.
2. Thanked staff for its efforts on organizing the Neighborhood Open House at Holt Elementary on April 18, 2017.
3. Reported plans for the Fourth of July celebration were underway and going well.
4. Reported he and JJ Allen, Assistant City Manager, attended a Utah Transit Authority (UTA) Transit Oriented Development Committee meeting. He referred to an article in the Salt Lake Tribune that was critical of UTA which also referenced Clearfield Station. He acknowledged the criticism was a challenge to the City's efforts to bring Stadler Rail to the site. He reported the City made a presentation to the Committee on the development and the Committee appeared positive about the proposal. He stated the City was working toward getting the Stadler Rail project moving forward because it proposed to bring 1,000 good-paying jobs to the community and region. He emphasized the City had been working to get the property known as Clearfield Station developed for at least ten years. He explained the City was never able to find a developer willing to build a project similar to the Farmington Station project so far off the freeway which limited the properties prospects. He continued the City had worked with UTA and Thackeray Garn for the past five years to develop the property as mixed-use that would include light industrial, commercial/office and housing, but that project stalled out as well. Mayor Shepherd explained the proposal was to replace what was designed to be multiple buildings of light industrial and flex space on a portion of the project with one light manufacturer, Stadler Rail. He emphasized both the State of Utah and Davis County supported the proposal. He indicated there had been negative comments about the City's involvement with the property. He reiterated Stadler Rail would be a good project for Clearfield and the region. He suggested media coverage on the property and its future would continue and there would be some opposing the project but he wanted to emphasize the benefit of creating 1,000 new high-paying jobs in Clearfield that would benefit UTA's ridership while trying to avoid additional low-income housing.
5. Announced the new Dollar Tree on North Main Street would be having a ribbon cutting ceremony on Saturday, April 29, 2017.
6. Updated Council about UDOT plans regarding its 650 North Construction Project. He stated travelers could be affected on 650 North because of eastbound lane closures during May 1-12, 2017. He continued the neighborhood west of Main Street would need to exit the neighborhood from either 300 North or 800 North roads.

Councilmember Bush

1. Stated he had enjoyed the Open House at Holt Elementary.
2. Reported he had attended the water conference in St. George and it was good.
3. Reported Take Pride in Clearfield Day would be held Saturday, April 29, 2017 at Fisher Park and would begin with a light breakfast at 7:30 a.m. and continue with projects in various locations around the City.

Councilmember Peterson –attended the Utah Crime Victims Conference and gained a better understanding of the long term toll that repeatedly impacted police officers, growing suicide rates, and mass casualties. She stated she would provide more details during the work session scheduled for May 9, 2017.

Councilmember Phipps

1. Echoed the comments by others about the Neighborhood Open House meeting.

2. Expressed appreciation to staff for the time and effort in making everything happen behind the scenes for the agenda items. He specifically thanked staff for the extra work on the accessory building proposal.
3. Reported Wasatch Integrated Waste Facility was continuing its work to close the burn plant by the end of May 2017.

Councilmember Roper

1. Reported he attended the Davis Education Foundation Gala and appreciated being a part of it. He stated the event garnered about \$300,000 for the Foundation.
2. Expressed a big thanks to residents who attended the Neighborhood Open House at Holt Elementary. He appreciated meeting many who approached him at that meeting.

Councilmember Young –nothing to report.

STAFF REPORTS

JJ Allen, Assistant City Manager – mentioned that Wednesday, April 26, 2017 would be Administrative Assistant's Day. He expressed appreciation to all the administrative professionals throughout the organization.

Eric Howes, Community Services Director –provided more information about the Arbor Day Celebration on Friday, April 28, 2017 at 10:00 a.m. at Fisher Park which would include planting of trees, reading of books by Davis County Library staff, and eating of pizza donated by Lucky Slice. He also encouraged participation on Saturday, April 29, 2017 with the annual Take Pride in Clearfield event which would begin at 7:30 a.m. at Fisher Park. Mr. Howes stated the City would be providing dumpsters in neighborhoods for projects and have additional projects at Fisher and Bicentennial Parks. He said a light breakfast with muffins and juice would be available and encouraged everyone to attend.

Greg Krusi, Police Chief – announced the Community Outreach for Cultural Diversity event scheduled for Friday, May 5, 2017 at the Aquatic Center from 6:00 p.m. to 8:00 p.m. He explained the Police Department was working with Latinos in Action, Azteca De Oro Market, North Davis Fire District, Davis County Sheriff's Department, AirMed, Clearfield Aquatic Center, and several other local businesses to provide free swimming, prizes, food, and entertainment for the community at the event.

Stuart Williams, City Attorney – thanked Councilmember Peterson for attending the Utah Crime Victims Conference and thought it was worth noting that Clearfield City had an elected official in attendance.

Nancy Dean, City Recorder – reviewed the Council's schedule:

- Work session scheduled for Tuesday, May 2, 2017
- Work and policy session scheduled for Tuesday, May 9, 2017
- Joint work session with the Planning Commission scheduled for Tuesday, May 16, 2017 (Mayor will be out of town)
- Work and policy session scheduled for Tuesday, May 23, 2017
- Neighborhood open house at Wasatch Elementary scheduled for Tuesday, May 30, 2017

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 8:08 p.m., seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

**APPROVED AND ADOPTED
This 23rd day of May, 2017**

/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, April 25, 2017.

/s/Nancy R. Dean, City Recorder