

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
February 28, 2017

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Bruce Young	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
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder

VISITORS: Boy Scout Troop 482, Boy Scout Troop 582, Con Wilcox, Ruth Jones, Anita Smith, Sheena – Weber State, Bob Bercher, Kathryn Murray, Brady Jugler – Planning Commission Chair, Jason Wheller – Assist Corp, T. Jackson – Phoenix Services, Rayne Swallow – Phoenix Services, Dawn Dauber – Phoenix Services, Carrie Brambrough – Phoenix Services, Tracy Dutson – Phoenix Services, Jeana Forthman – Phoenix Services

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 Roper conducted the Opening Ceremony.

APPROVAL OF THE MINUTES FROM THE JANUARY 24, 2017 WORK SESSION

**Councilmember Bush moved to approve the minutes from the January 24, 2017 work session, as written, seconded by Councilmember Young. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

PUBLIC HEARING FOR A GENERAL PLAN AMENDMENT TO CHANGE THE FUTURE LAND USE DESIGNATION FOR PROPERTY LOCATED AT 1129 SOUTH STATE STREET (TIN: 12-309-0001) FROM COMMERCIAL TO MIXED-USE

The request was for approximately 0.31 acres to be reclassified in the General Plan Future Land Use Map from Commercial to Mixed-Use with the intent to construct a new structure containing ground floor commercial office space and a second floor for residential use. The property was undeveloped and owned by Phoenix Services. The applicant provided a conceptual site plan for the proposed use for the property should the request be approved. The Planning Commission recommended approval during its meeting on Wednesday, February 1, 2017.

Spencer Brimley, Development Services Manager, explained the amendment was to construct some commercial office space and additional residential units for Phoenix Services to be able to expand its services for disabled adults. He added the property had not seen opportunities for development in the past. He stated staff recommended approval and noted it reflected the objectives in the City's Downtown Small Area Plan although the property is only adjacent to the identified area of the Plan.

Mayor Shepherd declared the public hearing open at 7:09 p.m.

IN FAVOR

*Carrie Bambrough*, Phoenix Services representative, stated Phoenix Services was excited to be able to expand its services on the property.

OPPOSED

None.

**Councilmember Bush moved to close the public hearing at 7:10 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.**

PUBLIC HEARING FOR A REZONE REQUEST FOR PROPERTY LOCATED AT 1129 SOUTH STATE STREET (TIN: 12-309-0001) FROM COMMERCIAL (C-2) TO COMMERCIAL-RESIDENTIAL (C-R)

The request was to rezone 0.31 acres located at 1129 South State Street (TIN: 12-309-0001) from Commercial (C-2) to Commercial-Residential (C-R). The intent of the request was to accommodate a new structure containing approximately 3,200 square feet of ground floor commercial and a second floor for residential use at approximately 3,160 square feet. The applicant provided a conceptual site plan for the proposed use of the property. The Planning Commission would be considering Site Plan and a Conditional Use request for the residential component at a future date, if the Council approved the rezone.

Councilmember Peterson asked if the residential portion of the development would be exclusive to individuals being served by Phoenix Services. Spencer Brimley, Development Services Manager, confirmed it would be for those individuals only.

Councilmember Phipps asked if the commercial portion of the development would be associated with Phoenix Services' operations. Mr. Brimley confirmed it would be specific to Phoenix Services' operational needs. He explained Phoenix Services was currently using a portion of one of its adjacent buildings for office space but the new building would provide the opportunity to operate in a more appropriate office setting. He added Phoenix Services currently had no intention of leasing the building space to another entity. Mayor Shepherd asked if the space would be a leasing office. Mr. Brimley responded it would be used for the operational needs of Phoenix Services.

Councilmember Bush asked how many residential units were part of the development. Mr. Brimley responded there would be six residential units. He added the building was proposed to be 50 percent commercial use and 50 percent residential use, which was consistent with the percentages required in the Commercial-Residential (C-R) zone.

Councilmember Phipps commented he liked the setback and landscaping proposals. Mayor Shepherd agreed and commented the look of the development was crucial to enhancing State Street's appearance.

Councilmember Phipps asked if Phoenix Services would be vacating the part of the building currently housing the operational needs for the facility. Mr. Brimley suggested the applicant was better equipped to address that question. He explained the applicant indicated it would be using the first floor of the new building for its offices.

Mayor Shepherd declared the public hearing open at 7:18 p.m. He invited the applicant to address the Council and also asked if there were any public comments.

#### IN FAVOR

*Tracy Dutson*, Phoenix Services representative, explained Phoenix Services was currently using an apartment for its offices and by building the new facility it would be able to get the apartment currently being used for office space back to assisting an additional disabled individual plus increase the square feet needed for real offices. He continued the project would allow the facility to expand its services and help more people.

*Carrie Bambrough*, Phoenix Services representative, stated Phoenix Services was excited with the prospect of expanding its services.

*Anita Smith*, resident, explained Clearfield was the only city that allowed the type of home occupation license needed to operate the facility when it was first established. She acknowledged she cared a lot about the facility and the services it rendered for disabled adults. She thanked the City for its past support and encouraged it to continue to support the facility.

## OPPOSED

None.

**Councilmember Young moved to close the public hearing at 7:22 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.**

## CITIZEN COMMENTS

*Ruth Jones*, resident, asked the Council to consider placing two four-way stops in the ChrisSam Meadows neighborhood. She reported drivers were using the neighborhood as a pass through street and nothing was making a difference in slowing the traffic down. She expressed concern for the safety of the neighborhood children.

Councilmember Bush asked if the bicycle lane had slowed traffic down. Ms. Jones responded the bike lane had not helped. Councilmember Bush asked if there was a crossing guard at the crosswalk. Ms. Jones responded there was no crossing guard assigned to that crosswalk because it was too far away from the school. She added the crosswalk was well used after school hours because of the park to the east. Councilmember Peterson responded the neighborhood had heavy pedestrian traffic especially in the summer.

Ms. Jones also commented on the City's animal control ordinance. She expressed her opinion it was difficult to find animal regulations in the City Code. She suggested the City Code was inadequate on the subject and how it referred the matter to the Davis County animal control ordinance. She stated the Davis County animal control ordinance made no reference to what animals were appropriate in neighborhoods. She commented she was in favor of allowing chickens on residential lots. She stated there were families in her neighborhood wanting to have a few chickens. She asked the Council to look at the animal control ordinance and consider regulations that would be reasonable for everyone.

Mayor Shepherd explained the City Code and Davis County animal control ordinance only addressed animals that were allowed. Ms. Jones expressed her concern about the language in the Code being unenforceable. She suggested residents believed they could do whatever they wanted if the Code didn't specify what was allowed. She asked the City to make its code more clear. Mayor Shepherd explained the Council would be considering the permissibility of chickens on residential lots at its meeting on Tuesday, March 28, 2017.

## APPROVAL OF ORDINANCE 2017-01 AUTHORIZING A GENERAL PLAN FUTURE LAND USE MAP AMENDMENT CHANGING THE LAND USE DESIGNATION FROM COMMERCIAL TO MIXED-USE FOR PROPERTY LOCATED AT 1129 SOUTH STATE STREET (TIN: 12-309-0001)

**Councilmember Phipps moved to approve Ordinance 2017-01 authorizing a General Plan Future Land Use Map Amendment changing the land use designation from Commercial to Mixed-Use for property located at 1129 South State (TIN: 12-309-0001) 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 2017-02 AUTHORIZING A REZONE REQUEST FOR PROPERTY LOCATED AT 1129 SOUTH STATE (TIN: 12-309-0001) FROM COMMERCIAL (C-2) TO COMMERCIAL-RESIDENTIAL (C-R)

**Councilmember Bush moved to approve Ordinance 2017-02 authorizing a rezone request for property located at 1129 South State Street (TIN: 12-309-0001) from Commercial (C-2) to Commercial-Residential (C-R) 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 THE AWARD OF BIDS FOR PLAYGROUND EQUIPMENT

Staff solicited proposals from vendors interested in designing playground equipment in eight locations throughout the City. Seven of the playgrounds were being funded by the PARAT Tax and the eighth playground would be funded through the General Fund. Six vendors submitted proposals to complete the work and a selection committee reviewed and scored those proposals. Staff recommended that six of the projects be awarded to Big T Recreation and two be awarded to Garrett and Company. The total cost for the projects was \$350,000.

Councilmember Bush expressed his opinion that eight new playgrounds mostly funded by the PARAT Tax were a great asset for the City. He looked forward to community builds on some of the playgrounds. He added there would be a lot of improvements coming to City parks through the PARAT Tax. Eric Howes, Community Services Director, added the PARAT Tax was based on sales and was applied to all purchases made in the City by residents and non-residents alike.

Mayor Shepherd asked how many swing sets were being installed. Mr. Howes responded swing sets would be installed at the 200 South Park and Island View Park.

Councilmember Peterson confirmed the equipment for Train Watch Park was the playground being funded through the General Fund. Mr. Howes responded that was correct.

Councilmember Phipps expressed his excitement for the project. Mayor Shepherd added it was nice to have the PARAT Tax revenue benefit so many parks in the City at once.

**Councilmember Roper moved to approve the award of bids for playground design and purchase to Big T Recreation for North Steed Park, Train Watch Park, Fisher Park, Barlow Park, Island View Park, and Central Park; and to Garrett and Company for the 200 South Park and Cornerstone Park for a total project cost of \$350,000 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 THE LICENSE AGREEMENT WITH THE UNITED STATES AIR FORCE FOR MONITORING WELLS

The United States Air Force had monitoring wells throughout the City to conduct groundwater and soil testing in connection with the groundwater monitoring project. The agreement allowed the Air Force to locate and maintain the groundwater monitoring wells. The Air Force proposed adding two additional wells within the City and abandoning one of the injection wells.

*Councilmember Phipps stated he was the City's representative on the Hill Air Force Base Restoration Advisory Board. He commended Hill Air Force Base (HAFB) for its proactive efforts to find and clean up the environmental issues associated with its operations from the past.*

**Councilmember Young moved to approve the License Agreement with the US Air Force for monitoring wells 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 RESOLUTION 2017R-03 AUTHORIZING AN INTERLOCAL AGREEMENT WITH DAVIS COUNTY TO ADMINISTER A BY-MAIL ELECTION FOR THE 2017 MUNICIPAL PRIMARY AND GENERAL ELECTIONS

The City planned to conduct its 2017 Municipal Election as a by-mail election creating a need to contract with the Davis County Clerk's office for assistance in administering it.

**Councilmember Peterson moved to approve Resolution 2017R-03 authorizing an Interlocal Agreement with Davis County to administer a by-mail election for the 2017 Municipal Primary and General Elections and authorize the Mayor's signature to any necessary documents, seconded Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Young. Voting NO – None.**

COMMUNICATION ITEMS

*Mayor Shepherd*

1. Informed the Council that the Stadler Rail proposal for Clearfield Station would be considered by Stadler's full Board on Saturday, March 4, 2017. He expressed appreciation to City staff members and Davis County staff members for their efforts on the proposal for the development.
2. Stated he attended Americold's groundbreaking for the expansion of its facilities off 1700 South. He expressed appreciation for Americold's investment in Clearfield without being offered any incentives.

*Councilmember Bush* – stated the City Council would be holding its annual neighborhood open houses and he was looking forward to getting out to neighborhoods and meeting with residents.

*Councilmember Peterson*

1. Reported she attended the open house for the Circles organization. She stated the organization helped families to break the cycle of poverty. She noted the new session would be starting

Thursday, March 2, 2017. She stated the organization provided dinner and child care for attendees and then provided coaching for the families participating in the program. She announced the organization was still accepting individuals for that session

2. She commended the North Davis Fire District (NDFD) for taking steps to be better prepared to handle emergencies in the community. She stated the District was purchasing apparatus for the firefighter packs that would assist in assessing cardiac incidents on scene and aid in the treatments associated with those incidents.

*Councilmember Phipps* – nothing to report.

*Councilmember Roper* – publicly honored the former mayor of Sunset and his wife who recently passed away incident to a fire in their home. He stated it was an honor to be there as a family member but also as a representative of Clearfield City.

*Councilmember Young* – nothing to report.

### STAFF REPORTS

*Adam Lenhard, City Manager* – Happy Birthday to Councilmember Phipps.

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

- Work and special session scheduled for Tuesday, March 7, 2017
- Work and policy session on March 14, 2017
- Neighborhood Open House on March 21, 2017 at Antelope Elementary
- Work and Policy Session on March 28, 2017

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 7:55 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.**

**APPROVED AND ADOPTED  
This 14<sup>th</sup> day of March, 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, February 28, 2017.

**/s/Nancy R. Dean, City Recorder**

