

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
July 25, 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
	Scott Hodge	Public Works Director
	Greg Krusi	Police Chief
	Eric Howes	Community Services Director
	Spencer Brimley	Development Services Manager
	Brie Brass	Assistant City Attorney
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy City Recorder
EXCUSED:	Stuart Williams	City Attorney
	Summer Palmer	Administrative Services Director

VISITORS: Koral Vasquez, Craig Winder, Bob Bercher, Kathryn Murray, Brady Jugler – Planning Commission Chairman, Joseph Goff, Samuel Goff

Mayor Shepherd called the meeting to order at 7:01 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 led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE MAY 23, 2017 WORK SESSION, JUNE 13, 2017 WORK SESSION, JUNE 20, 2017 WORK SESSION, JUNE 27, 2017 WORK SESSION, AND JUNE 27, 2017 POLICY SESSION

Councilmember Young moved to approve the minutes from the May 23, 2017 work session, June 13, 2017 work session, June 20, 2017 work session, June 27, 2017 work session, and June 27, 2017 policy session, 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.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON AN AMENDMENT TO THE WILCOX FARMS AMENDED FINAL SUBDIVISION PLAT LOCATED AT APPROXIMATELY 823 WEST 1600 SOUTH

Spencer Brimley, Development Services Manager, stated the request to amend the Wilcox Farms Subdivision Plat would create 29 individually owned lots for a townhome project called Oakmont Townhomes. He continued the proposed design would be for four buildings, a single 9-unit building, two 7-unit buildings, and a single 6-unit building. Mr. Brimley described the design materials proposed for the townhome project as hardie board, stone and high end architecture. He explained the site was 1.88 acres and the allowed density would be 16 units per acre. Mr. Brimley said the applicant was proposing a density of 15.4 units to the acre. He noted the Planning Commission reviewed the request at its meeting on July 5, 2017 and recommended approval.

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

There were no public comments.

Councilmember Peterson moved to close the public hearing at 7:07 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 TO RECEIVE PUBLIC COMMENT ON AMENDMENTS TO CITY CODE, TITLE 11, CHAPTER 13 – SUPPLEMENTARY REGULATIONS REGARDING MOBILE FOOD VENDORS

Spencer Brimley, Development Services Manager, indicated staff proposed to remove all references to mobile food vendors in Title 11, Chapter 13 – Supplementary Regulations of the City Code due to changes made during the most recent legislative session. He stated removing mobile food vendors from that portion of the Code would still allow the City to require a license when needed while making the regulation consistent with new State Law. Mr. Brimley added the amendments would also require changes to the City Code, Title 4, Chapter 9 – Business License Regulations.

Mayor Shepherd declared the public hearing open at 7:08 p.m.

There were no public comments.

Councilmember Roper moved to close the public hearing at 7:09 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 PUBLIC COMMENT ON AMENDMENTS TO CITY CODE, TITLE 11, CHAPTER 15 – SIGN REGULATIONS REGARDING BALLFIELD SIGNS AND POLITICAL OR CAMPAIGN SIGNS

Spencer Brimley, Development Services Manager, stated the proposed amendments to the sign regulation would permit advertising on the interior fence at Steed and Fisher Parks’ ballfields, allow political or campaign signs to be posted sooner when a primary election was held due to the impact created with by-mail elections, and regulate flag banner use in the City.

Mr. Brimley commented the Planning Commission had recommended campaign signs be allowed 45 days prior to election dates; however, after discussing campaign signs in work session on July 18, 2017, an adjustment to the proposed City Code language was made to allow political or campaign signs to be displayed 30 days prior to the mailing of ballots rather than referencing election dates.

Mr. Brimley noted the proposed five types of flag banner signs were feather flags, tear drop flags, blade flags, shark fin flags and concave flags. He continued definitions were added to the code for both flag banners and municipal field signs.

Mayor Shepherd declared the public hearing open at 7:12 p.m.

There were no public comments.

Councilmember Bush moved to close the public hearing at 7:13 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

There were no citizen comments.

APPROVAL OF THE AMENDMENT TO THE WILCOX FARMS AMENDED SUBDIVISION PLAT LOCATED AT APPROXIMATELY 823 WEST 1600 SOUTH

Councilmember Peterson referenced item H in the development agreement on page 35 of the agenda packet. She questioned if the language stating “this Agreement as covenants running with the lots and land” was specific enough or if it should be more specific to address the intent of having a Homeowners Association (HOA). She asked if the intent of the developer was to have open space maintained by the HOA. Mr. Brimley stated it was the intent of the developer to have the common areas maintained by the HOA and they’d be comfortable with changes to the development agreement being more specific to include the intent of having a Homeowners Association recorded against the plat.

Councilmember Young moved to approve the amendments to the Wilcox Farms Amended Subdivision Plat located at 823 West 1600 South and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon

the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF THE DEVELOPMENT AGREEMENT WITH IRONWOOD DEVELOPMENT GROUP, L.C. FOR THE OAKMONT TOWNHOME SUBDIVISION LOCATED AT APPROXIMATELY 823 WEST 1600 SOUTH

Mayor Shepherd asked if there were any additional concerns with the development agreement other than the question that was asked by Councilmember Peterson in the previous item regarding the Homeowners Association.

Councilmember Peterson noted there was a word missing from the last sentence of item E in the development agreement on page 35 of the agenda packet as well. She continued the sentence began “Rear elevations for each building shall” which needed a word inserted afterwards to fix that item. Mr. Brimley stated he also had noticed the missing language upon review and the word “include” would be added to that sentence which should clarify the agreement.

Councilmember Phipps moved to approve the Development Agreement with Ironwood Development Group, L.C. for the Oakmont Townhome Subdivision located at approximately 823 West 1600 South with an amendment to require the creation of a Homeowners Association that would be recorded against the plat and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2017-13 AMENDING THE CITY CODE, TITLE 4 BUSINESS LICENSE REGULATIONS; TITLE 11, CHAPTER 13 – SUPPLEMENTARY REGULATIONS REGARDING MOBILE FOOD VENDORS; AND, TITLE 11, CHAPTER 15 – SIGN REGULATIONS REGARDING BALLFIELD SIGNS AND POLITICAL AND CAMPAIGN SIGNS

Councilmember Phipps questioned if the advertising ballfield signs would be allowed on practice fields at Steed Park and Fisher Park. Mr. Brimley responded the intent was for ballfield signs to be displayed only at fields with permanent fencing. He indicated the signs would be required to face the sporting event spectators and not the City streets.

Councilmember Peterson expressed concern about the proposed language for the flag banner sign regulations. She felt the language as written was not business friendly or enforceable. There was a discussion about the flag banner portion of the ordinance and its enforceability, time period regulations, and undue burdens experienced by businesses because of the restrictions as currently proposed. The consensus of the Council was to omit the flag banner regulations from the ordinance. It was recommended that staff continue to draft language for flag banner sign regulations that would allow for regulatory standards without being burdensome on businesses that use that type of temporary sign.

Councilmember Phipps moved to approve Ordinance 2017-13 amending the City Code, Title 4 Business License Regulations; Title 11, Chapter 13 – Supplementary Regulations

regarding Mobile Food Vendors; Title 11, Chapter 15 – Sign Regulations regarding ballfield signs and political or campaign signs and remove proposed subparagraph 3 Flag Banners in Title 11, Chapter 15, Section 9, Paragraph C; and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF ORDINANCE 2017-14 AMENDING THE CITY’S CONSOLIDATED FEE SCHEDULE REGARDING MOBILE FOOD VENDORS

Spencer Brimley, Development Services Manager, stated Ordinance 2017-14 would keep the City’s regulations consistent with State Law. He continued the proposed changes to the consolidated fee schedule would be to maintain the \$120 fee for mobile food vendors but extend the time frame for the license from 180 days to 365 days and remove the \$100.00 cleaning deposit because it was no longer applicable.

Councilmember Young moved to approve Ordinance 2017-14 amending the City’s Consolidated Fee Schedule regarding mobile food vendors and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF THE AWARD OF BID FOR THE 700 SOUTH AND 1000 WEST INTERSECTION SIGNAL AND RECONSTRUCTION OF 700 SOUTH FROM 1000 WEST TO 1500 WEST PROJECT TO STAKER/PARSON COMPANIES

Scott Hodge, Public Works Director, stated staff solicited bids for the installation of a traffic signal at the intersection of 700 South and 1000 West and to reconstruct a portion of 700 South. He indicated the reconstruction would upgrade the culinary water and storm drain pipelines in 700 South from 1000 West to 1500 West. Mr. Hodge remarked only one bid was received from Staker Parson Companies with a bid amount of \$1,644,022.15 which was more than the budgeted \$1,200,000. He expressed the need to begin promptly if the project was desired to be completed prior to the end of the construction season. He also indicated the City could choose to delay the project and rebid it later in the year to perhaps allow for a more competitive bid that might be closer to the budget for the project.

Councilmember Phipps moved to reject the award of bid and have staff rebid at a future time when pricing might be more favorable (Winter of 2017) for the 700 South and 1000 West Intersection Signal and Reconstruction of 700 South from 1000 West to 1500 West Project, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

APPROVAL OF THE AWARD OF PROPOSAL FOR THE CLEARFIELD AQUATIC AND FITNESS CENTER TREADMILLS PURCHASE TO PACIFIC FITNESS PRODUCTS AND UPPER LIMIT FITNESS

Eric Howes, Community Services Director, stated the 2017/2018 fiscal year budget included \$80,000 to purchase new treadmills for the Clearfield Aquatic and Fitness Center. He explained the funding would come from the Aquatic Center's equipment replacement fund which was revenue collected from first time membership purchase fees. Mr. Howes noted proposals were received from four companies highlighting nine different treadmills. He continued the selection committee rated the proposed treadmills based on a wide variety of important criteria that included visits to other sites where the proposed treadmills had been used in order to more fully evaluate the performance and mechanics of the equipment. Mr. Howes proposed purchasing ten (10) Precor 835 treadmills from Pacific Fitness Products for a combined purchase price of \$56,700, and two (2) True Alpine Runner treadmills which had a steeper incline from Upper Limit Fitness for a combined purchase price of \$10,540. He said the total cost for the purchase of all twelve treadmills was \$67,240.

Councilmember Phipps wondered if the recommendation to purchase two with the steeper incline and ten of the standard incline was based upon anticipated demands. Mr. Howes answered there were a limited number of patrons that would desire the intensity of the two machines with the additional incline, but staff felt it would be a reasonable addition for those doing specialized training.

Councilmember Phipps inquired about the retail or trade in value of the old treadmills. Mr. Howes indicated generally there was some trade in value for the old equipment and he approximated savings would be about five to six thousand dollars by trading in the old treadmills.

Councilmember Roper moved to approve the award of proposal for the Clearfield Aquatic and Fitness Center treadmills purchase to Pacific Fitness Products and Upper Limit Fitness for a total cost of \$67,240 and authorize the Mayor's signature to any necessary documents, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE - Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.

COMMUNICATION ITEMS

Mayor Shepherd

1. Attended the Defenders Picnic at Hill Air Force Base (HAFB) and served lunch to the airmen.
2. Reported having a meeting with the developers of the old Midtown Village project and expected a presentation for its development in the near future.
3. Announced General Bleymaier was having a farewell party and would be leaving soon after his short term as Commander of the Depot on HAFB.
4. Noted he would be out of town from September 5, 2017 through September 15, 2017.
5. Thanked Councilmember Peterson for accepting the assignment to prepare the float for the 2017 Fourth of July parade and reported receiving many positive comments.
6. Requested a volunteer to speak for just a few minutes to kick off the New Hope Backpack Party on August 12, 2017 beginning at 4:00 p.m. and attend in his absence throughout the evening until 7:00

p.m. Councilmember Roper accepted the assignment and was given information to contact the publicity manager for the event.

7. Advised the Utah Department of Transportation would be wrapping up the 650 North project soon and then heavily focus on the 700 South/State Road (SR) 193 project.

8. Recognized and thanked Trevor Cahoon, Communications Coordinator, for finding and posting photos of old City businesses on the City's Facebook page. The post stirred emotions and stories which were shared from longtime residents.

Councilmember Bush – Thanked all those who helped with the Fourth of July events in the City.

Councilmember Peterson

1. Reported reviewing photos of the Fourth of July and counting thirteen staff members who had a direct impact with the success of the Council's float which was such a minimal part of the celebration. She received great feedback even though there were some unexpected things that happened during the evening events. She acknowledged it was a great day requiring a lot of effort to make it successful.

2. Recognized Trevor Cahoon, Communications Coordinator, for spending long hours and using social media to share the events of the Fourth of July all throughout the day and night.

3. Requested adjustments to the audio system in Council Chambers because she'd received complaints that it was difficult to hear in the back of the room when comments were made from the podium and the dais.

Councilmember Phipps

1. Thanked all those who assisted with the City's Fourth of July celebration which added another good year to the City's legacy.

2. Announced he would be out of town beginning July 27, 2017 through August 5, 2017 and most of that time would be without electronic communication.

Councilmember Roper – Expressed gratitude for the professionalism of those who performed at the Fourth of July events, specifically recognizing Steven Neal who had taken time after the performance to meet with a boy who had disabilities and couldn't get on stage during the show. He also thanked City staff for all its efforts with the Fourth of July activities.

Councilmember Young – Acknowledged all the time, efforts, and sacrifice of staff who worked on the Fourth of July rather than having a day off to enjoy the holiday. He expressed his appreciation to those who made the Fourth of July celebration possible from Code Enforcement Officers to Park and Recreation staff members.

STAFF REPORTS

Adam Lenhard, City Manager

1. Thanked the Council for making big decisions and giving staff direction on difficult topics facing the City and its future. He noted it was a pleasure to work with the City's elected officials.

2. Reported meeting with Layton City staff to review data from a study done because of growing concerns about street parking along University Park Boulevard. City staff determined to assist with safety by painting curbs red on the west side. Additionally, the speed limit would be raised from 30 miles per hour (MPH) to 35 MPH to be consistent with Layton City who owned the right-of-way on a majority of that road.

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

- August 1, 2017 Night Out Against Crime event at Clearfield Aquatic and Fitness Center from 6:00 p.m. to 8:00 p.m.

- August 8, 2017 Work and Policy Session
- August 15, 2017 No meeting scheduled
- August 22, 2017 Work and Policy Session

Eric Howes, Community Services Director – reported the new playground equipment was being installed at Cornerstone, 200 South, and Island View Parks and by mid-August all the projects should be completed. He stated a new sign was being installed at the cemetery.

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 7:51 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 22nd day of August, 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, July 25, 2017.

/s/Nancy R. Dean, City Recorder