

CLEARFIELD CITY COUNCIL MEETING MINUTES  
6:00 P.M. WORK SESSION  
March 7, 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
	Dan Schuler	Storm Water Manager
	Spencer Brimley	Development Services Manager
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Eric Howes	Community Services Director
	Curtis Dickson	Community Services Deputy Dir.
	Summer Palmer	Administrative Services Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Kim Read	Deputy City Recorder

VISITORS: Amber Hansen-Thackeray Garn, Dean Smith-Thackeray Garn

Mayor Shepherd called the meeting to order at 6:00 p.m.

DISCUSSION ON THE 2016 MUNICIPAL WASTEWATER PLANNING PROGRAM REPORT

Scott Hodge, Public Works Director, explained the State required the City to submit a Municipal Wastewater Report annually. He indicated the report needed to be reviewed and approved by resolution by the City Council. He stated the report included information on infrastructure improvements made by the City and also identified the two major sewer backups in the City during 2016. He added the report required a management program for sanitary sewer and staff was currently working on putting that program together.

DISCUSSION ON THE DEVELOPMENT AGREEMENT WITH CLEARFIELD STATION APARTMENTS, LLC, LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET

JJ Allen, Assistant City Manager, explained the special session noticed for later in the evening included a rezone request by Thackeray Garn Company for a portion of the property located at approximately 1250 South State Street. He informed the Council that the request to rezone the property to R-3 (SP), multi-family with a Special Purpose Overlay, allowed for the parties to negotiate exceptions to the R-3 zone requirements that would enable the City to reapprove the Clearfield Station Apartments as previously determined. He explained the City used the SP Overlay to identify and extract specific requirements for the development from the previously approved Master Development Plan in a new development agreement that articulated those points. He indicated the Planning Commission had been involved in the process and recommended approval of the rezone to the City Council.

Mr. Allen reviewed the key points of the development agreement with the Council. He noted the on-street parking would be privately maintained even though it was in the City's right-of-way. He explained the City would have easements in place to facilitate infrastructure work it might need to perform in the future. He also explained the building identified as R213 needed a pump station for sewage because of gravity flow issues so it would be tied into the City lines.

Councilmember Phipps asked if the development had been configured in such a way that it would tie into any other development on the property. Mr. Allen responded there had been some redesign but all of the infrastructure might not need to tie together. He indicated it would depend on what the other development needed. Amber Hansen, Thackeray Garn Company, added the new design included increases to the size of pipes needed for the utilities so they could handle the capacity of the entire site.

Councilmember Peterson asked whether the proposed waterline on the south of the site by 1000 East would need to be moved for future development. Scott Hodge, Public Works Director, responded the engineers were reviewing the placement of that waterline and looking to put it in the street at some point.

Mr. Allen also reviewed the infrastructure maps and identified which lines would be public infrastructure and which ones would be considered private. He also reviewed the Impact Fee Schedule for the project.

Councilmember Bush asked if there had been any discussion about the design of the proposed streetlights for the public streets. Ms. Hansen explained all lighting for the project was designed to meet lighting specifications and would provide adequate light. Councilmember Bush asked if the City could designate the fixtures to be used for the streetlights. Mr. Allen stated the design standards didn't call out what the streetlights should look like. Ms. Hansen directed the Council to Section 5.10(K) Pedestrian Lighting in the Design Guidelines and stated the streetlights would look similar to that representation. Mayor Shepherd added the City should work to make sure the lighting for the entire project matched. Mr. Allen agreed.

DISCUSSION ON AN INTERSECTION IMPROVEMENTS AGREEMENT WITH TGC CLEARFIELD STATION APARTMENTS, LLC (“TGC”) LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET

JJ Allen, Assistant City Manager, explained the Intersection Improvement Agreement was being required by the City as part of the zone designation for the property. He continued the purpose of the agreement was to address the requirements for the realignment of 1000 East that had been previously designated and the intersection of State Street and Station Boulevard. He stated the Intersection Improvement Agreement was separated from the Development Agreement so it wouldn't interfere with Thackeray Garn Company closing on its HUD loan for the development. Mr. Allen informed the Council that the City did not yet have a traffic study that supported the reconfiguration of 1000 East so it would likely not be realigned. He explained the agreement was necessary until such a time as the final decision on the realignment was made by all the interested parties.

Mr. Allen explained the apartment project was approximately 14 percent of the total acreage of the entire 70-acre site so the developer of the apartment project would need to share in a proportionate share of the costs associated with any intersection improvements that would benefit the entire site, if deemed necessary at a future date. He outlined the mutual covenants contained in the agreement.

Councilmember Phipps asked if the agreement would need to be renegotiated if the traffic study supported no realignment of 1000 East. Mr. Allen directed the Council to Section 7 of the agreement that specifically addressed that scenario. He explained the developer of the apartment project would need to pay the development's fair share of whatever costs were identified as necessary improvements but the costs would then be less than those identified for the realignment of both intersections.

Councilmember Young asked what the timing risk was for the fulfillment of the agreement. Mr. Allen responded the term of the agreement was ten years. Councilmember Young expressed concern the cost of the improvements might be inflated over time. Adam Lenhard, City Manager, explained the decision was either realign the 1000 East intersection or create a new intersection at State Street and Station Park. Mr. Allen explained the cost of improvements would be specifically defined once that decision was made and the City would not be able to require more of the developer five years later.

Councilmember Bush asked what type of a traffic study needed to be performed. Mr. Allen stated the current traffic study was three years old and based on different uses for the property so it needed to be updated. He commented the new uses would likely be less traffic for the site. Mr. Lenhard expressed his opinion that UDOT never took the position that the reconfiguration of the 1000 East intersection was ever warranted. Mr. Allen explained the study currently being conducted would address traffic for the entire 70-acre site.

DISCUSSION ON A REIMBURSEMENT AGREEMENT FOR PROJECT IMPROVEMENTS WITH CLEARFIELD STATION APARTMENTS, LLC, LOCATED AT APPROXIMATELY 1250 SOUTH STATE STREET

JJ Allen, Assistant City Manager, explained the purpose of the Reimbursement Agreement for Project Improvements addressed reimbursement to Thackeray Garn Company for site improvements that would benefit the entire site's development. He continued when the other side of the street developed, Thackeray Garn would be reimbursed up to 50 percent for its initial investment. He indicated the City would collect those funds from any future developer and turn those over to Thackeray Garn Company.

Councilmember Phipps commented it was important for the City to get those funds from future developers; otherwise, the City would be responsible for those reimbursements. Mr. Allen agreed. He also indicated there was the possibility that tax increment could be another source of funding for the reimbursement of those improvements. He continued those details would be addressed in a future Tax Increment Participation agreement with Thackeray Garn Company. He explained if tax increment were used to reimburse the developer a future developer wouldn't need to reimburse those particular costs.

Mr. Allen explained Thackeray would install the improvements and provide the City with evidence of its costs for installing them. He noted the reimbursement agreement was valid for twenty years. He also stated the three agreements discussed during the work session addressed the development and would allow Thackeray Garn Company to close on its HUD loan as planned.

DISCUSSION ON ESTABLISHING A CLEARFIELD CITY YOUTH ADVISORY COMMISSION

Councilmember Roper explained he had been working on establishing a Clearfield City Youth Advisory Commission. He indicated the commission would be different than the average youth city council because an effort would be made to create special assignments and responsibilities for those participating. He suggested the City could involve such a commission in its Fourth of July preparations, social media campaigns, Take Pride in Clearfield Day, and other similar activities. There was a discussion about what type of activities would be appropriate for a commission and how it would be organized.

Mayor Shepherd commented the City wanted to involve as many youth as possible. He also suggested allocating some funding for the commission's operations. Councilmember Peterson suggested the City create firm direction and expectations for the commission before it was organized. Councilmember Young agreed. Councilmember Peterson commented the program needed to be highly structured. Councilmember Young suggested it needed a specific agenda. Adam Lenhard, City Manager, suggested the commission could focus on service opportunities.

Councilmember Roper also stated the commission would need some adult volunteers who were committed to its success. He indicated he had reached out to Mike LeBaron who indicated he was willing to volunteer to work with the commission. He also explained the commission would

reach out to youth from ninth grade through twelfth grade. Mayor Shepherd commented the City would not want the makeup of the commission to be too exclusive, allowing an opportunity for a variety of individuals to participate. Councilmember Phipps commented the success of the commission would depend on the motivation and attitude of the youth who participated.

**Councilmember Bush moved to adjourn and reconvene in special session at 6:59 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Young. Voting NO – None.**

**APPROVED AND ADOPTED  
This 11<sup>th</sup> day of April, 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, March 7, 2017.

/s/Nancy R. Dean, City Recorder