

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
March 22, 2018

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush	Councilmember
	Nike Peterson	Councilmember
	Vern Phipps	Councilmember
	Tim Roper	Councilmember
	Karece Thompson	Councilmember
STAFF PRESENT:	JJ Allen	City Manager
	Summer Palmer	Assistant City Manager
	Stuart Williams	City Attorney
	Greg Krusi	Police Chief
	Scott Hodge	Public Works Director
	Kamilla Schultz	Engineer
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Rich Knapp	Finance Manager
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Mike LeBaron, Mason LeBaron

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

DISCUSSION ON A REQUEST BY CHAD BUCK TO AMEND THE CITY'S GENERAL PLAN FROM COMMERCIAL TO RESIDENTIAL FOR PROPERTY LOCATED AT APPROXIMATELY 1215 SOUTH 1000 EAST (TIN: 09-22-0151)

Spencer Brimley, Community Development Director, stated a request was made to change the Future Land Use Map of the General Plan for property located at approximately 1215 South 1000 East its current designation of commercial to residential. He indicated the request was accompanied by the request for a rezone of the property as well. He mentioned the purpose for the General Plan amendment and rezone was for the development of an eight unit townhome project. He indicated the request was consistent with the area which had both residential and commercial along the property borders. Mr. Brimley reviewed the guidelines which were consistent with the request for a General Plan amendment and acknowledged the Planning Commission was recommending approval of the request.

Councilmember Bush asked if the proposed townhomes would be for sale products. Mr. Brimley responded it was intended to be an individually owned townhome. Councilmember Bush questioned what the requirements were for visitor parking and if there was an area which could

be used for visitor parking. Mr. Brimley indicated the proposal was for a two car garage and the driveway could be used for visitor parking. He stated the parking requirement for R-3 (Residential) was for 2.125 parking stalls so the two car garage with driveway space would meet the requirement for guest parking and no additional areas for visitor parking were included with the current configuration. Councilmember Bush expressed his opinion the development seemed to be a good use for the space.

Councilmember Phipps wondered if there was any green space or landscaping requirements for the project. Mr. Brimley answered there would be a requirement for open space of at least 25 percent. He acknowledged the conceptual plan currently was proposing 43 percent open space.

Councilmember Peterson asked if the developer had indicated if some type of screening would be done by either fencing or landscaping along the two rights-of-way. Mr. Brimley responded any concerns would be addressed in a development agreement which was included as a condition of approval. There was a discussion about the possibility of screening, flipping the design to create more of a yard, possibly having access points along 1000 East, and the desire for articulation of the buildings along the rights-of-way. Mr. Brimley stated he would express the thoughts shared by the Council with the developer about the property's configuration and orientation of the site.

He added the Planning Commission had recommended the approval of the General Plan amendment with the following conditions: approval of the site plan; approval of the subdivision; execution of any development agreement, if applicable; execution and completion of the project, including site and building improvements; and the applicant provide proof of having obtained and maintained all applicable local, state, and federal permits. Mr. Brimley asked if there were any questions about the General Plan amendment. He concluded the item was planned for consideration of approval, denying, or tabling during the March 27, 2018 policy session.

DISCUSSION ON A REZONE REQUEST BY CHAD BUCK TO REZONE PROPERTY LOCATED AT APPROXIMATELY 1215 SOUTH 1000 EAST (TIN: 09-22-0151) FROM COMMERCIAL (C-2) TO RESIDENTIAL (R-3)

Spencer Brimley, Community Development Director, explained a request had been received for a rezone of the parcel located at 1215 South 1000 East from C-2 (Commercial) to R-3 (Residential). He stated the applicant was requesting a rezone of the parcel in order to proceed with Site Plan and Subdivision application approvals to construct an eight unit townhome project as previously discussed regarding the General Plan amendment. He asked if there were any questions specific to the rezone request.

Councilmember Bush wondered if there were any public comments during the Planning Commission meeting regarding the rezone request. Mr. Brimley indicated no public comments were made on Wednesday, March 7, 2018 during the Planning Commission meeting.

DISCUSSION ON PARTICIPATION IN THE SYRACUSE CITY YOUTH COURT

JJ Allen, City Manager, stated there was a work session discussion on January 30, 2018 with Syracuse City Council about joining efforts for a combined Youth Court. He mentioned staff had received instruction to move forward in negotiating a Memorandum of Understanding with Syracuse regarding the Youth Court. He indicated a review of the agreement had prompted questions about the Youth Court and its purposes for leadership development as well as case adjudication, case load volumes being minimal, required adult volunteers and weekly time commitments for the youth and adults should the City participate. Mr. Allen expressed his desire for further direction prior to responding to Syracuse City about joining efforts with a Youth Court. There was a discussion about the Youth Commission's participation with Youth Court in addition to its many other responsibilities which included involvement with the Planning Commission and Parks and Recreation Commission.

The consensus of the Council was to not participate jointly with Syracuse City's Youth Court. There was a discussion about allowing time for the Youth Commission to get firmly established, potentially organizing a Youth Court in the future which met less frequently, and the need to have additional adults involved with the Youth Commission, specifically those which might have an interest in contributing or mentoring youth.

Mr. Allen stated he would let Syracuse City know the City was not interested in participating jointly with the Youth Court.

DISCUSSION ON AN INTERLOCAL AGREEMENT WITH UTOPIA ALLOWING FOR ACCESS TO THE CITY'S RIGHT-OF-WAY FOR THE INSTALLATION OF A FIBER NETWORK

Stuart Williams, City Attorney, explained UTOPIA needed access to the City's rights-of-way as it installed its fiber network for the area schools. He acknowledged having UTOPIA Fiber in the city would allow for other potential fiber opportunities for businesses or residents and the City itself.

Councilmember Bush asked if it would be installed in the park strip areas. Mr. Williams responded the agreement didn't specify where in the right-of-way, but confirmed it would be installed underground. He noted the typical municipal telecommunication taxes applied to applicable services delivered across the UTOPIA Fiber system. There was a discussion about the potential benefits for the City of having a faster network option available.

Mr. Williams indicated the Interlocal Agreement with UTOPIA would be on the March 27, 2018 policy session agenda for consideration.

DISCUSSION ON AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH DAVIS COUNTY FOR ANIMAL CONTROL SERVICES

Greg Krusi, Police Chief, indicated Davis County supplied animal control services for the City. He explained the fee for services was evaluated each calendar year and an amendment to the

Interlocal Agreement were adjusted as needed for animal control services, wildlife services, and a portion of building expenses associated with capital projects. He noted the fees were based off the average of the previous two years billable calls and usage rates. Chief Krusi explained the City's 2018 Calendar Year obligation would be \$99,762.90; however, the budgeted amount was slightly higher since the City budgeted on a fiscal year and had anticipated the annual increase. There was a discussion about budgeting strategies for animal control services, provided services, facility fees for improvements, cost increases, and alternatives for helping to keep costs at reasonable levels for the provided services.

Councilmember Peterson wondered if nuisance animals could be handled through code enforcement rather than generating a billable call. Chief Krusi responded barking dog calls were handled internally first, but some were referred to the County. He noted the City didn't have control over calls made by residents directly to Davis County Animal Control. Mayor Shepherd reported contracted services appeared to be less expensive than using City resources to respond to calls on its own.

Councilmember Bush asked how often the County raised the license fees. Mr. Allen responded a discussion about revenues and expenditures for animal control services years ago resulted in the creation of an advisory board. He acknowledged the board was responsible to review the budget and determine both the cities and the pet owner's portions of fees were reasonable; however, he was not certain how often the licensing fees were raised.

Councilmember Phipps asked if there was any impact to the number of calls from the previous year relating to chickens. Chief Krusi answered he was unsure, but would check with the County to see if there were calls associated with chickens. Mr. Brimley added the City had not received any calls regarding nuisance chickens.

Chief Krusi wondered if the Council was ready to consider the Interlocal Agreement for animal control services during the policy session March 27, 2018. The consensus of the Council was to prepare the agenda so the item could be considered during the next policy session.

DISCUSSION ON THE AWARD OF BID FOR THE 500 WEST ENVIRONMENTAL STUDY FOR A FUTURE PROJECT ALONG 500 WEST STREET FROM APPROXIMATELY 1950 SOUTH EXTENDING TO 1700 SOUTH (SR-108) AND THEN TO D STREET IN THE FREEPORT CENTER

Scott Hodge, Public Works Director, stated recently the City advertised for a qualified consultant to submit proposals for an environmental study. He explained the study would help prepare the City for a future project to extend 500 West Street from approximately 1950 South to 1700 South (SR-108) and then into Freeport Center to D Street. He indicated there was a joint effort with Syracuse City to apply for federal funding to extend 500 West; however, an environmental study would need to be completed prior to allocation of funds for the project.

Mr. Hodge indicated there was a proposal review committee comprised of representatives from both Syracuse and Clearfield staff members. He shared the review scores, associated costs, and mentioned Syracuse City Council had approved the proposal award contingent upon Clearfield

City Council's approval. He noted CRS Engineers scored the highest but was not the cheapest; however, it was the recommended company which should be able to do the job required as proposed for a total of \$78,885. Mr. Hodge explained the proposals had expenses broken out into the various aspects of the job and CRS comparative to others appeared to have adequate funding and time allotted to perform the various tasks, where others bids did not.

Councilmember Bush confirmed the project had not yet been designed. Mr. Hodge explained the rough design had to be in place to submit the application for federal grant money, so there was only a preliminary design completed initially. Councilmember Bush asked if the portion of the road going into Freeport Center would become a City street. Mr. Hodge indicated it would be a City street.

Councilmember Bush wondered if the grant money would account for acquisition of rights-of-way. Mr. Hodge answered the application did consider right-of-way and other land acquisition that would be necessary to complete the project.

Councilmember Phipps asked what the schedule would be for the environmental study. Mr. Hodge recalled it would be a three to four month process for the study which would then be submitted to Utah Department of Transportation (UDOT) for approval. He continued to review the process in preparation for grant funding allocation which included approval from UDOT that all elements of environmental study were met, notification to Wasatch Front Regional Council (WFRC), allocation of funds from WFRC planned for year 2021 or 2022, and the possibility of receiving funding sooner if the City were ready and funds became available. There was a discussion about the 500 West project which entailed road widening, utilizing the land along homes in Syracuse on the west side of 500 West for the project, and buildings in Freeport that were over 50 years old and considered to have historical value.

JJ Allen, City Manager, noted UDOT had directed staff the project should be a documented as a categorical exclusion. Mr. Hodge indicated UDOT environmental staff had reviewed the project previous to the City's application for funding. Mike LeBaron, resident, advised the City should make sure the reasoning for a categorical exclusion was sound, because the proponent would be held liable for the decision. Mr. Hodge mentioned the environmental study would need to be completed to determine the scope of the project. He validated the importance of awarding the proposal to the most qualified consultant. He advised the award of proposal was planned for the Council's consideration during policy session on March 27, 2018.

There being no further business to come before the Council, **Councilmember Peterson moved to adjourn at 6:52 p.m., seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED
This 24th day of April, 2018**

/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 Thursday, March 22, 2018.

/s/Nancy R. Dean, City Recorder