

CLEARFIELD CITY COUNCIL MEETING MINUTES  
7:00 P.M. POLICY SESSION  
April 23, 2019

City Building  
55 South State Street  
Clearfield City, Utah

PRESIDING:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Nike Peterson Vern Phipps Tim Roper Karece Thompson	Councilmember Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	Stuart Williams Kelly Bennett Scott Hodge Mark Baird Curtis Dickson Spencer Brimley Trevor Cahoon Nancy Dean Wendy Page	City Attorney Police Chief Public Works Director Public Works Deputy Director Community Services Deputy Dir. Community Development Director Communications Coordinator City Recorder Deputy Recorder
EXCUSED:	JJ Allen Summer Palmer Eric Howes	City Manager Assistant City Manager Community Services Director

VISITORS: Ruth Jones, Todd Goff, John K. Ryan, Jolene Goff, Bob Bercher, Jason Hamblin

Mayor Shepherd called the meeting to order at 7:00 p.m.

Mayor Shepherd informed the audience that if they would like to comment during the Public Hearing or Open Comment Period there were forms to fill out by the door.

Councilmember Bush led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE APRIL 2, 2019 WORK SESSION AND THE APRIL 9, 2019 POLICY SESSION

**Councilmember Phipps moved to approve the minutes from the April 2, 2019 work session and the April 9, 2019 policy session; as written, seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTIES LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TIN: 12-019-0103 AND 12-711-0112) FROM A-1 (AGRICULTURAL) TO R-1-OPEN (RESIDENTIAL)

Spencer Brimley, Community Development Director, stated the request was to rezone properties located at approximately 875 West 200 North from A-1 (Agricultural) to R-1-Open (Residential). He explained the developer planned to subdivide and complete the fifth and final phase of the Autumn Ridge single-family development. He noted the purpose for the rezone was to match the zoning classification of all the other phases of the Autumn Ridge development. Mr. Brimley mentioned on April 3, 2019, the Planning Commission reviewed the request and recommended its approval. He added it was reviewed by the Council during work session on April 16, 2019.

Mayor Shepherd opened the public hearing at 7:04 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Roper moved to close the public hearing at 7:05 p.m. seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTY LOCATED AT APPROXIMATELY 49 WEST 300 NORTH (TIN: 12-020-0007) FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL)

Spencer Brimley, Community Development Director, indicated the request was to rezone the property located at 49 West 300 North from R-1-8 (Residential) to C-2 (Commercial). He noted the home was previously used as a residence with a home preschool, but currently it was solely used as a commercial preschool. He explained the proposed zone change was consistent with the City's General Plan and was supported by the Future Land Use Map designation of Mixed-Use.

Mr. Brimley commented the City received a letter opposing the rezone by John Elwin Stapley, resident. He read the letter. He noted Mr. Stapley lived to the north of the property requesting the rezone.

Mr. Brimley informed the Council that the Planning Commission reviewed the request on April 3, 2019, and recommended its approval. He continued the Council discussed the request in its work session on April 16, 2019.

Mayor Shepherd opened the public hearing at 7:07 p.m.

Mayor Shepherd asked for public comments and questioned if the applicant would like to comment on the letter or the rezone request.

*Todd Goff*, applicant, commented the business operated as a preschool not a daycare as indicated in the letter that was read.

**Councilmember Bush moved to close the public hearing at 7:08 p.m. seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST FOR AN AMENDMENT TO THE KENSINGTON PLACE PHASE 2 SUBDIVISION PLAT LOCATED AT APPROXIMATELY 852 AND 880 SOUTH 550 EAST (TIN: 12-815-0001 AND 12-815-0002)

Spencer Brimley, Community Development Director, acknowledged the City received a request to amend the Kensington Place Phase 2 Subdivision Plat located at approximately 852 and 880 South 550 East. He stated the developer was proposing to add six additional townhome properties and an office/garage property to the subdivision. He mentioned there was a development agreement in place for the original plat that had not been recorded so the amended plat would require an amendment to the development agreement also. Mr. Brimley reviewed the proposed plat amendment. He commented the Planning Commission heard the request on April 3, 2019, and recommended approval subject to five conditions included with the staff report. He noted the Council had reviewed the request at its work session on April 16, 2019.

Mayor Shepherd opened the public hearing at 7:10 p.m.

Mayor Shepherd asked for public comments.

There were no public comments.

**Councilmember Peterson moved to close the public hearing at 7:10 p.m. seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.**

PUBLIC HEARING TO REVIEW AND ADOPT THE 2019/2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN

Spencer Brimley, Community Development Director, commented the draft 2019/2020 Community Development Block Grant (CDBG) One-Year Action Plan was presented to the Council and the public comment period was opened on March 12, 2019. He indicated the plan was necessary for the City to qualify for CDBG funds through the Department of Housing and Urban Development (HUD). He stated the plan covered the program year July 1, 2019 to June 30, 2020. Mr. Brimley acknowledged the 30-day comment period would conclude with the public hearing. He noted residents were given the opportunity to review the draft plan and comment; however, no written comments had been received.

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

Mayor Shepherd asked for public comments.

There were no public comments.

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

OPEN COMMENT PERIOD

There were no public comments.

APPROVAL OF ORDINANCE 2019-12 REZONING PROPERTIES LOCATED AT APPROXIMATELY 875 WEST 200 NORTH (TIN: 12-019-0103 AND 12-711-0112) FROM A-1 (AGRICULTURAL) TO R-1-OPEN (RESIDENTIAL)

**Councilmember Peterson moved to approve Ordinance 2019-12 rezoning properties located at approximately 875 West 200 North from A-1 (Agricultural) to R-1-Open (Residential) 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 Thompson. Voting NO – None.**

APPROVAL OF ORDINANCE 2019-11 REZONING PROPERTY LOCATED AT 49 WEST 300 NORTH (TIN: 12-020-0007) FROM R-1-8 (RESIDENTIAL) TO C-2 (COMMERCIAL)

Councilmember Bush mentioned the property lines shown on the plat included area to the center of the street on 300 North. He advised the property owner if the property from the sidewalk to the street were deeded through a quit claim process it would reduce the square footage of the property and slightly reduce the property taxes. There was a discussion on the process needed for a quit claim deed. Spencer Brimley, Community Development Director, offered to meet with the applicant to discuss it in further detail following the meeting.

**Councilmember Phipps moved to approve Ordinance 2019-11 rezoning property located at 49 West 300 North (TIN: 12-020-0007) from R-1-8 (Residential) to C-2 (Commercial) 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 Thompson. Voting NO – None.**

APPROVAL OF AN AMENDMENT TO THE KENSINGTON PLACE PHASE 2 SUBDIVISION PLAT LOCATED AT APPROXIMATELY 852 AND 880 SOUTH 550 EAST (TIN: 12-815-0001 AND 12-815-0002)

**Councilmember Thompson moved to approve an amendment to the Kensington Place Phase 2 Subdivision Plat located at approximately 852 and 880 South 550 East (TIN: 12-815-0001 and 12-815-0002) with the five conditions recommended by the Planning Commission 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 Thompson. Voting NO – None.**

APPROVAL OF THE 2019/2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ONE-YEAR ACTION PLAN

Mayor Shepherd asked how much money was available for a lot purchase. Spencer Brimley, Community Development Director, stated it was increased for the plan year to \$70,000. Mayor Shepherd indicated if the City could not locate a lot, a justifiable use for the CDBG funding was a library. He noted using the funds to assist with the library planned for Clearfield Junction could be an alternate consideration.

**Councilmember Roper moved to approve the 2019/2020 Community Development Block Grant (CDBG) One-Year Action Plan and authorize the Mayor’s signature to any necessary documents, seconded by Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

APPROVAL OF AND CONSENT TO THE MAYOR’S PROPOSED APPOINTMENT OF INDIVIDUALS TO THE PLANNING COMMISSION

Mayor Shepherd stated Planning Commissioner Levi Lloyd resigned and was moving from the City, creating a vacancy for a regular member. Mayor Shepherd and the City Council conducted interviews for Planning Commission vacancies during work session on March 19, 2019. Mayor Shepherd recommended appointing Brett McAllister, alternate member, to fill the regular member vacancy and Jacoby Marston to serve as an alternate member.

**Councilmember Peterson moved to approve and consent to the Mayor’s appointment of Brett McAllister as a regular member of the Planning Commission filling the vacancy of Levi Lloyd with a term expiring February 2020 and Jacoby Marston as an alternate member filling the vacancy of Brett McAllister with a term expiring in February 2023 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 Thompson. Voting NO – None.**

APPROVAL OF A PROCLAMATION DECLARING APRIL 26, 2019 AS ARBOR DAY IN CLEARFIELD CITY

Mayor Shepherd explained Clearfield City was preparing to celebrate Arbor Day on Friday, April 26, 2019. Curtis Dickson, Community Services Deputy Director, explained the City supported all efforts to plant and protect trees within its boundaries because trees were valuable to the City’s environment. He noted the City had received the “Tree City USA” designation for the past 24 years which was a tribute to the City’s parks department staff. He announced on Friday, April 26, 2019 the City would have an event to plant trees at Fox Hollow Park beginning at 10:00 a.m. Mayor Shepherd reviewed the proclamation and declared April 26, 2019 as “Arbor Day” in the City of Clearfield.

**Councilmember Bush moved to approve the Proclamation officially declaring April 26, 2019 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 Thompson. Voting NO – None.**

## COMMUNICATION ITEMS

### *Mayor Shepherd*

1. Held meetings with the National Veterans Intermediary group during the past couple of weeks to collaborate on how to make 211 work for the veterans in the local area.
2. Reported the final “Lunch with the Mayor” for the school year was held on April 10, 2019. He stated there were amazing kids in the City and thanked Allegiant Nonstop, formerly G4CE, for hosting the event and providing the entertainment for the kids.
3. Attended the final lunch with the President’s Council at Clearfield High School on April 19, 2019. He mentioned there was a 5K planned for April 27, 2019 and any proceeds from the event would assist the food pantry at CHS.
4. Announced Clearfield High School’s graduation was May 30, 2019 at 9:00 a.m. at the Weber State University Dee Event Center.
5. Met with the Wasatch Front Regional Council (WFRC) to review projects. He mentioned there were projects presented for approval of congestion mitigation and air quality (CMAQ) funding. He expressed his concern only one of the four presented projects may have an effect on congestion mitigation or air quality improvement. He conveyed his disappointment projects were approved which had not met the qualifications and suggested it was a poor use of taxpayer funds to allow projects that would not assist in congestion mitigation or air quality improvement. He expressed his concern the City did not have any projects on the list for consideration. He voiced his desire to find a qualified project in the City that would meet the qualifications for that type of funding.
6. Thanked staff, the American Legion, the Utah Military Academy, and Country Pines for its efforts in providing over 16,000 eggs for the City’s Easter egg hunt held on April 20, 2019. He thanked Winegars and Kent’s Market for providing the donuts and hot chocolate as well.
7. Attended the Children’s Justice Center open house in Farmington. He requested a tour of the facility be arranged for the Council.
8. Provided a proclamation to AAA Northern California, Nevada and Utah on April 19, 2019 at its safety event held at the AAA Member Services Center in Clearfield. He thanked AAA for its commitment to the community.
9. Met with the County Library Board on April 22, 2019, to discuss potential donations to the library. He mentioned the new library building could be two stories and was intended to be a technology hub. He noted any fundraising efforts would help offset costs for equipment and allow for improvements for the library building itself.
10. Recognized an employee for assisting Robert Stotts, resident, who had crashed on his bicycle.

### *Councilmember Bush*

1. Reported attending the water conference with the Sewer District Board the week of April 9, 2019. He mentioned there were many classes and innovative ideas shared about sewer, irrigation, and storm water.
2. Recently attended a luncheon for Job Corp at the Davis Technical College (DTC). He mentioned good partnerships were forming between the schools and students.
3. Attended the United Way event on April 9, 2019, recognizing Wasatch Elementary with its award for being one of the most improved Title I schools in the Nation.

4. Participated in the open house at Chancellor Gardens on April 16, 2019, for its 20<sup>th</sup> anniversary luncheon.
5. Attended the Davis Education Foundation Gala on April 18, 2019.
6. Thanked the Park's Department staff for its efforts with the City's Easter egg hunt on April 20, 2019.

**Councilmember Peterson** – reported the North Davis Fire District (NDFD) presented its tentative budget for the year which was available for review on its website. She indicated NDFD had about a \$4.6 million operations budget which included an upgrade to the Clearfield station's doors as a safety improvement. She noted there would be an open comment period for the next 60 days for the public to comment before its final adoption.

**Councilmember Phipps** – reported the Wasatch Integrated Waste Management District Board was in its budgeting process and planned to consider approval of its tentative budget in May. He explained funds were well managed and with the \$2 per can increase not only would Wasatch Integrated be able to cover the bond as planned, but be able to put some aside for operating expenses. He noted the transfer station was nearly completed. He stated the contract award for the materials recovery facility would be considered in May and construction would follow immediately after its approval. He acknowledged the intended completion date was March 2020. He indicated in May the landfill would begin charging a fee for mattress disposal to cover the costs associated with its recycling.

#### **Councilmember Roper**

1. Reported the North Davis Fire District had a historic moment at its Board meeting last week when Sunset City was able to vote. He welcomed Sunset City to the Fire District and mentioned there was an in depth discussion on how the Board would be organized.
2. Thanked the City Council for allowing the Youth Commission to have time during work session on April 16, 2019, to present its survey results from high school students. Mayor Shepherd commented he was able to discuss the results with the student body officers at Clearfield High School on April 19, 2019.

#### **Councilmember Thompson**

1. Reported on updates from the Mosquito Abatement District. He mentioned there were continuous meetings to discuss keeping the drone regulations updated and consistent. He commented in-house safety inspections would be done on the foggers. He continued larvae spraying began in April. He noted the District had received an award.
2. Encouraged participation in the Census 2020. He acknowledged its importance in helping the City to obtain federal funding opportunities. He stated many were concerned about impacts from answering the citizenship question. He indicated the Census Bureau would process incomplete surveys but completed information was preferred because it provided a more accurate accounting of the population needing services. He continued laws were in place to protect individual identities for 72 years, committee meetings would be held during the upcoming year in preparation for the Census, and messaging would begin to encourage participation and dispel myths.

### **STAFF REPORTS**

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

- Work Session on April 30, 2019
- Joint Work Session with the Planning Commission on May 7, 2019
- Policy Session on May 14, 2019
- Work Session on May 21, 2019
- Policy Session on May 28, 2019

**Trevor Cahoon, Communications Coordinator** – reviewed upcoming events with the Council and indicated there should be good attendance at many of the celebrate Clearfield events planned for the upcoming week due to the postcard that went by mail to all residents. He highlighted the following events for the Council’s participation:

- April 27, 2019 – Take Pride in Clearfield Day and dumpster drop
- April 29, 2019 – Everyone Matters Event at City Hall
- May 2, 2019 – Police Outreach event at the Clearfield Aquatic and Fitness Center
- May 21, 2019 – Dedication ceremony planned for Hamblin Park would be at 5:00 p.m.

Mr. Cahoon stated in mid-May the promotions would begin for the City’s Fourth of July celebration.

Councilmember Bush indicated many from the North Davis Utah Kiwanis Club would be participating in the cleanup efforts at Kiwanis Park at 7:30 a.m. on Saturday, April 27, 2019. Mr. Cahoon noted City staff would be at Mabey Pond to take part in the Take Pride in Clearfield cleanup project that same morning.

Mayor Shepherd announced he and the City Council would be attending the Utah League of Cities and Towns (ULCT) meetings April 23 through April 26, 2019 in St. George.

**Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in policy session at 7:52 p.m., seconded by Councilmember Phipps. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Phipps, Roper, Shepherd and Thompson. Voting NO – None.**

*\*\*The minutes for the CDRA are in a separate location\*\**

**APPROVED AND ADOPTED  
This 14<sup>th</sup> day of May, 2019**

**/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 23, 2019.

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