

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
August 27, 2019

City Building
55 South State Street
Clearfield City, Utah

PRESIDING:	Nike Peterson	Mayor Pro Tem
EXCUSED:	Mark Shepherd	Mayor
PRESENT:	Kent Bush Vern Phipps Tim Roper Karece Thompson	Councilmember Councilmember Councilmember Councilmember
STAFF PRESENT:	JJ Allen Summer Palmer Stuart Williams Kelly Bennett Adam Favero Eric Howes Curtis Dickson Spencer Brimley Brad McIlrath Rich Knapp Trevor Cahoon Nancy Dean Wendy Page	City Manager Assistant City Manager City Attorney Police Chief Public Works Director Community Services Director Community Services Deputy Dir. Community Development Director Senior Planner Finance Manager Communications Manager City Recorder Deputy Recorder

VISITORS: Chris Uccardi, Ruth Jones, Devin Prouty, Kathryn Murray, Samuel Jacobsen, Bob Bercher, Matthew Jacobsen, Harrisen Arave, Mike Arave, Archie R. Gomez

Mayor Pro Tem Peterson called the meeting to order at 7:00 p.m.

Mayor Pro Tem Peterson informed the audience that if they would like to comment during the Open Comment Period there were forms to fill out by the door.

Councilmember Phipps invited Sam Jacobsen, Boy Scout, to participate in the open ceremony.

APPROVAL OF THE MINUTES FROM THE JUNE 18, 2019 WORK SESSION; JUNE 25, 2019 WORK SESSION; JUNE 25, 2019 POLICY SESSION; JULY 9, 2019 WORK SESSION; JULY 16, 2019 JOINT WORK SESSION; JULY 16, 2019 WORK SESSION; JULY 23, 2019 POLICY SESSION; JULY 30, 2019 JOINT WORK SESSION AND THE AUGUST 6, 2019 WORK SESSION

Councilmember Phipps moved to approve the minutes from the June 18, 2019 work session; June 25, 2019 work session; June 25, 2019 policy session; July 9, 2019 work session; July 16, 2019 joint work session; July 16, 2109 work session; July 23, 2019 policy session; July 30, 2019 joint work session and the August 6, 2019 work session; as written, seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

PRESENTATION TO TED JONES FOR RECOGNITION OF RECEIVING THE RANK OF EAGLE SCOUT

Mayor Pro Tem Peterson invited Ted Jones who had recently completed the requirements to receive the rank of Eagle Scout to tell the Council about his Eagle Scout project. Ted Jones stated his project involved helping to clean up and beautify the veterans' section of the Ogden cemetery. He reported it had taken months to prepare and worked with many volunteers for about six hours on site. Ted Jones was presented with a certificate, BSA medallion, and City coin to acknowledge his achievements.

OPEN COMMENT PERIOD

Archie Gomez, resident, stated he lived in close proximity to the Days Inn Hotel. He expressed his opinion the lights on the building were excessively bright. He reported his efforts to be neighborly and had requested the lights be subdued. He expressed his support of businesses, yet requested the Council consider if there was something that could be done to mitigate the impacts of the bright lights for the neighboring residents. Mayor Pro Tem Peterson thanked Mr. Gomez for bringing his concern to the attention of the Council.

JJ Allen, City Manager, explained there was some precedent in regards to lighting and encouraged him to work with Spencer Brimley, Community Development Director, to address his concern.

APPROVAL OF RESOLUTION 2019R-19 AUTHORIZING THE CLEARFIELD CITY COUNCIL RULES OF ORDER AND PROCEDURE

Nancy Dean, City Recorder, indicated the Utah Code Annotated § 10-3-606 required the City Council to adopt Rules of Order and Procedures. She explained the purpose of the policy was intended to govern and prescribe rules for parliamentary order and procedures, ethical behavior, and civil discourse. She pointed out the document had been discussed on prior occasions and adjustments had been made per those discussions.

Councilmember Roper questioned the social media portion regarding the Council having separate social media pages for campaigning. Ms. Dean agreed the Council should utilize separate social media pages for campaigning purposes.

Councilmember Phipps acknowledged the great work put into the Rules of Order and Procedures document and stated future councils would benefit from having the document in place.

Councilmember Phipps moved to approve Resolution 2019R-19 authorizing the Clearfield City Council Rules of Order and Procedure 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 2019-18 ENACTING A TEMPORARY LAND USE REGULATION REGARDING MOTOR VEHICLE SALES ESTABLISHMENTS APPLICABLE TO COMMERCIAL ZONED PROPERTIES

Spencer Brimley, Community Development Director, mentioned the process for a temporary land use regulation. He stated motor vehicle sales were a conditional use in the C-2 (Commercial) zone. He acknowledged there were approximately 15 licensed motor vehicle dealership businesses located within the City and a majority were found on older properties that had transitioned from non-auto dealership businesses. He mentioned in an effort to improve Clearfield's image, livability and economy, staff was recommending a land use moratorium to allow time to perform a review of existing standards and determine if the establishment of new development standards and requirements for motor vehicle dealerships were necessary to promote the revitalization of commercial districts and deteriorating neighborhoods and to serve the best interests of the City's residents, visitors, property and business owners. Mr. Brimley stated the ordinance would establish a temporary land use regulation prohibiting the approval, development, erection, construction, reconstruction, installation, alteration, licensing, or relocation of any motor vehicle sales establishments on commercially zoned property throughout the City.

Mr. Brimley mentioned the temporary land use regulation would be for a six month time period after which time if no new regulations were established the regulations would revert back to what was in place prior to the moratorium.

Councilmember Roper asked if there were current applications for motor vehicle sales and how the regulations would affect them. Mr. Brimley stated anyone who applied for a new motor vehicle sales business would be limited within the City however there were no current applications pending.

Councilmember Bush moved to approve Ordinance 2019-18 enacting a temporary land use regulation regarding motor vehicle sales establishments applicable to commercially zoned properties 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.

CANVASS THE RESULTS OF THE MUNICIPAL PRIMARY ELECTION HELD ON AUGUST 13, 2019

Nancy Dean, City Recorder, stated State Law required the governing body to verify the results of the Primary Election, which was held on Tuesday, August 13, 2019. Ms. Dean distributed a packet to the Council which included the results from the 2019 Primary Election provided by the Davis County Elections Official and reviewed the results with the Council. She noted the County had record of 9,906 registered voters for the City. She continued from those registered voters 1,996 voted by mail, 44 came to the voting center at City Hall, and two were provisional votes with a total of 2,042 ballots counted.

She explained the County had received 40 ballots which were not counted in the 2019 Municipal Primary Election for the City. She noted the reasons ballots from the City could not be counted were based on the following: (1) already voted (1) deceased persons, (4) no signature, (1) no proof of identity, (12) the signature did not match the registered voter signatures on file, and (21) not postmarked timely. Ms. Dean assured the Council that the County attempted to collect affidavits from the voters where the signature did not match so each vote could be counted.

Clearfield City Council

	Total	
Number of Precincts	17	
Precincts Reporting	17	100.0%
Times Counted	2042/9906	20.61%
<u>Total Votes</u>	<u>5175</u>	
Kent Bush	897	17.33%
Nike Peterson	879	16.99%
Vern R Phipps	824	15.92%
Ruth K Jones	793	15.32%
Chris Uccardi	639	12.35%
Devin Prouty	585	11.30%
Jaden Rosencrans	241	4.66%
Bryan Hoag	172	3.32%
Michael D Rolow	145	2.80%

Ms. Dean reviewed the precinct votes and percentages with the Council.

Ms. Dean pointed out the Council would need to recognize with a motion that the returns had been reviewed and each councilmember would need to sign a certification of such so the results could be reported to the Lieutenant Governor's Office.

Councilmember Roper moved to verify the official Primary Election results and authorize the City Recorder to report those results to the Lieutenant Governor's office, seconded by

Councilmember Thompson. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

Ms. Dean recognized those candidates that were nominated to participate in the General Election and invited each to stand.

AWARD THE BID FOR THE SOUTH MAIN RECONSTRUCTION AND 300 NORTH MAINTENANCE PROJECT

Adam Favero, Public Works Director, stated the City solicited bids for the South Main Reconstruction and 300 North Maintenance Project. He noted the City received four bids and the lowest responsible bidder was Morgan Industries Inc. with the bid amount of \$366,786.95. He mentioned staff recommended contingency and engineering costs of \$73,360, which would provide a total project cost of \$440,146.95. He reviewed the scope of the project along South Main from 150 West to approximately 700 South. He pointed out it also included mill and overlay from State Street to approximately 300 East on 300 North. Mr. Favero stated staff recommended the Council approve the award of bid to Morgan Industries Inc.

Councilmember Bush mentioned during a prior work session it was suggested there might be a possibility to continue the work along 300 North extending beyond 300 East. He asked if there were any new information about it. Mr. Favero responded it would depend on the amount of change orders that might become necessary, but contingency funding could be used if it was available to complete the work along the road.

Councilmember Thompson moved to approve the award of bid for the South Main Reconstruction and 300 North Maintenance Project to Morgan Industries Inc. for the bid amount of \$366,768.95; approve funding for the project bid amount with contingency and engineering costs of \$73,360 for a total project cost of \$440,146.95; 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.

UPDATE ON THE FISCAL YEAR 2019 YEAR END FINANCIAL STATUS

Rich Knapp, Finance Manager, reviewed the year-end revenues and expenditures for fiscal year 2019. He informed the Council that the audit was starting and the results would be back in December.

Mr. Knapp stated there was excess in the fund balance due to an increase in some revenues and conservative budgeting. He pointed out the funds could be used for one-time projects and would not be used for operations. He reported the Clearfield Aquatic and Fitness Center saw an eight percent decrease in revenue, and the City was continuing to see a reduction in the Telecom Tax. He reviewed the specifics of the Utah and Clearfield Point of Sales Tax revenue received. He reported the US economy was seeing a slow down in its Gross Domestic Product (GDP) growth, business investment, and exporting; but consumer spending and job growth appeared to still be strong and growing

Mayor Pro Tem Peterson asked for clarification on why the City had more in the expenditures than revenue for water. Mr. Knapp explained the City had saved up money for one-time capital projects. JJ Allen, City Manager, further clarified the City saved up over the years to pay for projects rather than debt funding for future projects.

Mayor Pro Tem Peterson thanked Mr. Knapp for keeping the Council updated on the City's financial status.

COMMUNICATION ITEMS

Mayor Pro Tem Peterson

1. Participated with Open Doors and the Police Department in a backpack giveaway event.
2. Attended the Inter-faith community meeting. She reported eight dominations were represented and discussed how to increase relationships and remove barriers within the community.
3. Expressed appreciation to Mark Baird for his years of service.

Councilmember Bush

1. Attended the Circles backpack giveaway event and other Circles meetings.
2. Attended the Utah League of Cities and Towns (ULCT) Uniform Building Code Commission meeting on July 31, 2019 and discussed changes.

Councilmember Phipps

1. Reported Wasatch Integrated had a fire in the mattress facility. The mattress shredding and recycling would be suspended for a while. The fee would be waived until the program started back up.
2. Stated Hurhough Recycling Technology Company was making its presence known in the State. He requested to be in the discussion if the company approached the City.

Councilmember Roper

1. Congratulated the candidates for their hard work in the election.
2. Thanked JJ Allen, City Manager, and staff for the mid-year retreat.
3. Reported the Youth Commission meeting was scheduled for September 5, 2019 at City Hall in the Executive Conference Room at 6:00 p.m. and Mayor Shepherd would speak and invited youth to attend.

Councilmember Thompson

1. Informed the Council that he would be attending a Census meeting.
2. Met with partners in round table and discussed economic development along the Wasatch Front.
3. Thanked police for vigilance in the City.

STAFF REPORTS

JJ Allen, City Manager

1. Congratulated the candidates who moved on from the Primary Election.
2. Thanked Council for joining Staff at the mid-year retreat.
3. Asked Council for items to be discussed with the Legislature before the upcoming legislative sessions.
4. Reminded the Council that ULCT Conference in Salt Lake City would be September 12, 2019.
5. Announced City Hall would be closed Monday September 2, 2019 for Labor Day.
6. Met with Davis School District about South Clearfield Elementary rebuild.
7. Thanked Mark Baird for a great career with the City.

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

- Work Session on September 3, 2019
- Policy Session on September 10, 2019

Trevor Cahoon, Communications Manager, reviewed upcoming events with the Council:

- September 3-10, 2019 Pools closed at the Clearfield Aquatic and Fitness Center (CAFC) for annual maintenance.
- September 3-15, 2019 Cardio floor closed at the CAFC for annual maintenance.
- September 7, 2019 Splash and Dash dog event in outdoor pool at the CAFC. Reservations required.
- September 12, 2019 Employee Association Tailgate Party and Night Out Against Crime Event
- Monthly themed party on the third Thursday of every month.
 - Sept. 19th talk like a pirate day and search the city treasure hunt
 - October 16th tailgate party and hot dog contest
 - November 21st little thanksgiving party
 - December 19th ginger bread decorating party

There being no further business to come before the Council, **Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in policy session at 8:07 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.**

The minutes for the CDRA are in a separate location

**APPROVED AND ADOPTED
This 10th day of September, 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, August 27, 2019.

/s/Nancy R. Dean, City Recorder