

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
December 10, 2019

City Building
55 South State Street
Clearfield City, Utah

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
	Kelly Bennett	Police Chief
	Adam Favero	Public Works Director
	Eric Howes	Community Services Director
	Spencer Brimley	Community Development Director
	Brad McIlrath	Senior Planner
	Rich Knapp	Finance Manager
	Lee Naylor	Accountant
	Trevor Cahoon	Communications Manager
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Marcus Stark, Lamont Hampton – Open Doors, L.D. Hampton, Cheridee Barker – Open Doors, Beth Young – Open Doors, Craig Young – Open Doors, Cameron Lyman, Jess Lyman, Stuart Smith, Brady Jugler, Ruth Jones, Bob Bercher, Angie Van Leer, Emily Dalpias, Ashley Gus – Open Doors, Heather Christopherson – Ulrich and Associates, P.C., Kimber Brasher – Open Doors, Orion Hoag – Open Doors, Julie Burgie – Open Doors, Alyssa Belford

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 Hearings or Open Comment Period there were forms to fill out by the door.

Councilmember Thompson led the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE OCTOBER 22, 2019 WORK SESSION;
NOVEMBER 12, 2019 WORK SESSION; NOVEMBER 12, 2019 POLICY SESSION; AND
THE NOVEMBER 19, 2019 SPECIAL SESSION

Councilmember Phipps requested the minutes for the November 12, 2019 policy session be amended in his comments from “*Updated the Council on Wasatch Integrated and the construction of a transfer station, which would come online in approximately March.*” to “*Updated the Council on Wasatch Integrated and the construction of the Materials Recovery Facility which would come online in approximately March.*”

Councilmember Phipps moved to approve the minutes from the November 12, 2019 policy session as amended; and the October 22, 2019 work session; November 12, 2019 work session; and the November 19, 2019 special session; as written, seconded by Councilmember Roper. The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper and Thompson. Voting NO – None.

PRESENTATION TO BRADY JUGLER FOR HIS SERVICE AS A MEMBER AND CHAIR
OF THE PLANNING COMMISSION

Mayor Shepherd thanked Brady Jugler for his service to the City as a member of the Planning Commission since 2014. He mentioned Mr. Jugler had recently moved but had been serving as Planning Commission Chair since January of 2017. The Mayor and City Council presented Mr. Jugler with a plaque to recognize him for his service to the City.

PRESENTATION TO OPEN DOORS – CIRCLES PROGRAM IN CLEARFIELD AS THE
RECIPIENTS OF NATIONAL AWARDS FOR BEST ALLY, BEST VIDEO, AND BEST
CIRCLE LEADER SUCCESS STORY

Councilmember Peterson acknowledged there was a Circles program located in Clearfield. She stated the program offered a hand up rather than a hand out to families within the City. She pointed out the program offered a twelve week best practices class aimed at helping low-income individuals break the cycle of poverty. She explained one of the great things about Circles was the quantifiable results of the program. Councilmember Peterson invited Lamont Hampton and others representing Open Doors to the front of the room to be recognized for the success of the program in the City.

Lamont Hampton, Open Doors, stated at the national conference in 2019, the local Circles program received three awards. He spotlighted those in the program that had received awards at the national level for best ally, best video, and best circle leader success story.

Mr. Hampton thanked Councilmember Peterson and Mayor Shepherd for being such big supporters. He commented other communities with Circles programs wondered how the Clearfield program had so much success. He reported it was in large part due to the commitment and support from City officials, the Police Department, and a great team of people at Open Doors. Councilmember Peterson noted the Lyman family, residents of Clearfield, who were the success story of the year, were recognized nationally. She congratulated the award recipients for their efforts and thanked Mr. Hampton for sharing the success of the program with the Council.

Mayor Shepherd recognized Mr. Hampton for his efforts with the program.

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTY LOCATED AT APPROXIMATELY 1100 SOUTH 1000 WEST (TIN: 12-051-0046 & 12-051-0034) FROM A-1 (AGRICULTURAL) TO R-1-6 (RESIDENTIAL)

Spencer Brimley, Community Development Director, stated the applicant, Syracuse City, requested a rezone for its property located at approximately 1100 South 1000 West. He explained the request would rezone the property from A-1 (Agricultural) to R-1-6 (Residential). He noted Syracuse City and Clearfield City had been discussing and working towards a solution for the development of approximately for 24 acres of property that was owned by Syracuse, some of which Syracuse desired to use to expand its cemetery space. He mentioned staff had been working towards a boundary adjustment between the two cities that should be completed in January of 2020. He reviewed the boundary adjustment with Syracuse City, and the proposed plans to sell the remaining land for private development following the boundary adjustments.

Mr. Brimley noted the Planning Commission had a split vote at its meeting on November 20, 2019, but the Chair, Chris Uccardi, broke the tie and consequently recommended approval of the proposed rezone.

Mayor Shepherd opened the public hearing at 7:18 p.m.

Mayor Shepherd asked for public comments.

IN FAVOR

Chris Uccardi, Planning Commission Chair, indicated when the item was discussed during the Planning Commission meeting there were two commissioners not in attendance, so he broke the tie by voting to approve. He said the consensus of the Planning Commission was the best land use for the property would be residential. He stated the Planning Commission wondered why the lots would need to be so small. He noted if the property was rezoned to R-1-6 (Residential) it would allow for homes to be built on smaller lots but the overall unit count for the area was not very different. He reviewed other concerns expressed by the commissioners, which were related to lot size and traffic impacts. He reported what had swayed his decision was the opportunity to improve connectivity between 1000 West and 2000 West, which he felt would be a great benefit for both cities. Mr. Uccardi reported the Youth Council Ambassador was present at the meeting and also favorable to the rezone because it would offer a smaller lot size, which could provide more affordability for future development.

OPPOSED

Angie Van Leer, resident, stated she was opposed to the rezone due to concerns about the impacts to wildlife, population, schools, and property values. She requested, if the rezone were approved, it be considered as R-1-8 rather than R-1-6 so there would not be as many houses crammed into the area.

Councilmember Roper moved to close the public hearing at 7:24 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 RECEIVE PUBLIC COMMENT ON A REQUEST TO REZONE THE PROPERTY LOCATED AT APPROXIMATELY 1950 SOUTH MAIN STREET (TIN: 12-080-0030) FROM R-1-8 (RESIDENTIAL) TO R-1-6 (RESIDENTIAL)

Brad McIlrath, Senior Planner, stated the applicant was requesting a rezone of the property located at approximately 1950 South Main Street (TIN: 12-080-0030) from R-1-8 (Residential) to R-1-6 (Residential). He mentioned the applicant wanted to accommodate a three lot subdivision, with two of the lots being flag lots and the third the existing single-family home on the property. He stated the need to rezone was so the subdivision would meet the minimum lot width requirements of the zone. He explained the General Plan (GP) for the area was residential. He noted with recent changes to the GP that allowed the R-1-6 zone, the rezone request could be supported by the GP. He reviewed the General Plan, zoning maps, and the Outback Subdivision Plat. He said staff reviewed policies and goals and recommended the Planning Commission (PC) forward a recommendation of approval to the Council. He stated the Planning Commission reviewed the request on November 20, 2019 and recommended its approval.

Mr. McIlrath reviewed the previous work session discussions about possibilities with the subdivision and zoning.

Mayor Shepherd asked if the request were denied would the zoning remain R-1-8. He also asked if the R-1-8 zoning could still be subdivided. Mr. McIlrath stated R-1-8 zoning would only allow for one lot at the back because of the width of the roadway needed to accommodate the lot.

Mayor Shepherd opened the public hearing at 7:30 p.m.

Mayor Shepherd asked for public comments.

IN FAVOR

Stuart Smith, applicant, stated his desire was to create reasonably priced lots and build affordable housing. He explained his anticipated price point would be under \$300,000 per home, which was in line with the current market.

OPPOSED

None.

Councilmember Thompson moved to close the public hearing at 7:31 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.

OPEN COMMENT PERIOD

Ruth Jones, resident, expressed her opinion the City's Code needed to have better description and depth for better enforcement. She related examples of problem areas and felt the fines were minimal for those continually in violation and worried it could be compared to an annual fee rather than compelling owners to make an effort to keep properties in compliance. She requested the Council prioritize code enforcement as a top concern and make necessary changes to the system to help keep property value equality within the City.

Brady Jugler, non-resident, expressed his gratitude for the opportunity to serve on the Planning Commission. He mentioned the City would be in good hands because those currently serving on the Planning Commission and Council were dedicated individuals. He thanked staff for their efforts in the City and Mayor Shepherd for appointing him originally.

Marcus Stark, resident, explained he was new to the City because of his work at the US Embassy in Afghanistan. He indicated his work required him to maintain his fitness and hoped the City would consider providing an outdoor fitness area in one of the City's parks in the future. Mayor Shepherd wondered what type of things would be desired for an outdoor fitness amenity. Mr. Stark stated pull up bars and stick bars would be a great addition and not take up much space.

Mayor Shepherd reported the City was currently exploring this type of equipment and thanked those who had commented.

APPROVAL OF ORDINANCE 2019-28 REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1100 SOUTH 1000 WEST (TINs: 12-051-0046 AND 12-051-0034) FROM A-1 (AGRICULTURAL) TO R-1-6 (RESIDENTIAL)

The description can be found above under "Public Hearing to Receive Public Comment on a Request to Rezone the Property located at Approximately 1100 South 1000 West".

Mayor Shepherd stated it was unique for one city to own property in another city and that many have asked why the City was making the change. He explained as the landowner Syracuse City had the right to develop their property, so it came down to figuring out the best use for the land. He stated the one complaint he had received the most regarded the City not building single family residences, and this is one place the City can still build single family residences. Mayor Shepherd stated he could not speak for the market but felt if lots were built to suit the R-1-8 size requirements people would come that wanted larger lots sizes, however if the lots were built for the R-1-6 lot requirements others would come that desired smaller lots sizes.

Councilmember Bush appreciated the concern presented by the resident wanting to keep the field, but the idea of a City is to develop and not keep open fields forever. He pointed out the discussion in work session about lot sizes and stated there was not a huge difference in the amount of houses. He stated his opinion that the R-1-6 zoning would provide the most affordable homes and would be the best zoning choice for the area.

Councilmember Roper pointed out there was a limited amount of land to develop single-family homes within the City.

Councilmember Phipps also stated his appreciation for wanting to keep the open land, but said the reality was the Wasatch Front was changing and the City could not prevent the change, what the City could do was guide what would be built there. He stated the change was inevitable and felt that if the City held off there could be something less attractive presented in the future for the property. He expressed his struggle with the R-1-8 versus R-1-6 zoning but overall desired to see the R-1-8 zone for the proposed development.

Councilmember Thompson stated the property was one of the few areas within the City that fit the requirements for Senate Bill 34 regarding Moderate-Income housing that was not higher density multi-family developments. He stated the lot sizes presented created more affordability for the future residents.

Councilmember Roper moved to approve Ordinance 2019-28 rezoning the property located at approximately 1100 South 1000 West (TINs: 12-051-0046 and 12-051-0034) from A-1 (Agricultural) to R-1-6 (Residential) 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, Roper, and Thompson. Voting NO – Councilmember Phipps.

APPROVAL OF ORDINANCE 2019-29 REZONING THE PROPERTY LOCATED AT APPROXIMATELY 1950 SOUTH MAIN STREET (TIN: 12-080-0030) FROM R-1-8 (RESIDENTIAL) TO R-1-6 (RESIDENTIAL)

Mayor Shepherd expressed his opposition to flag lots but realized the City Code allowed them.

Councilmember Phipps appreciated the owner coming, which gave him more confidence in the proposed project. He stated there were few options available outside rezoning the property to R-1-6.

Councilmember Peterson agreed with Mayor Shepherd about flag lots and shared her concern for the impact the proposed project might have on the general area. She expressed appreciation for the conversations had in a previous work session about the unintended consequences of the proposed project. She stated the proposed project had a feel related to Additional Dwelling Units (ADU). She acknowledged residential development was changing and growth was coming. She stated her deciding factor rested on the idea of the proposed project having a look and feel that would fit into the neighborhood without disrupting it. She brought up the work session discussion regarding a handful of agricultural lots in the area. She expressed concern about the how the neighborhood looked like a traditional neighborhood with deep rear yards and how the proposed project could impact future development of other similar properties.

Mayor Shepherd expressed his desire to see a requirement for a breakaway fence on the shared portions of the drive approaches if the proposed project were approved. Councilmembers Peterson and Roper agreed with Mayor Shepherd.

Councilmember Phipps moved to approve Ordinance 2019-29 rezoning the property located at approximately 1950 South Main Street (TIN: 12-080-0030) from R-1-8 (Residential) to R-1-6 (Residential) 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.

Mayor Shepherd stated the motion did not require a breakaway fence requirement.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE OUTBACK SUBDIVISION LOCATED AT APPROXIMATELY 1950 SOUTH MAIN STREET

Brad McIlrath, Senior Planner, explained the existing home would stay as well as the detached garage.

Councilmember Roper moved to approve the Final Subdivision Plat for the Outback Subdivision located at approximately 1950 South Main Street 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 RESOLUTION 2019R-22 ESTABLISHING VOTER PARTICIPATION AREAS

Nancy Dean, City Recorder, stated the State Legislature recently made substantial changes to the election code regarding ballot propositions, initiatives, and referendums. She pointed out one of the issues addressed in the legislation was the threshold for petition signatures for those types of actions. She noted the new law also required the creation of Voter Participation Areas within municipalities and other governmental entities to clarify the application of the signature thresholds. She said the City would need to have four voter participation areas. She said Davis County had helped identify the areas and during the work session discussion on December 3, 2019 there was a question whether or not the participation areas were identified along precinct lines. Ms. Dean reported the County had divided the voter participation areas along the precinct lines. Councilmember Roper asked if those areas would be used specifically when something was being placed on the ballot. Ms. Dean responded they would be used if signatures were required to place an item on a ballot.

Councilmember Bush moved to approve Resolution 2019R-22 establishing Voter Participation Areas in Clearfield City 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 RESOLUTION 2019R-23 MAKING APPOINTMENTS TO THE NORTH DAVIS FIRE DISTRICT ADMINISTRATIVE BOARD OF TRUSTEES

Mayor Shepherd explained the North Davis Fire District (NDFD) recently reorganized as a Local District Service Area. He noted the change created the need to restructure its Administrative Board of Trustees to include elected officials from Sunset City. He mentioned the new structure included nine members, three from each participating city. Mayor Shepherd indicated each of the board members would need to be appointed to the new board in January but the terms for its members would be staggered in future years. He recommended the Council reappoint Mark Shepherd, Nike Peterson, and Tim Roper to the NDFD administrative board of trustees.

Councilmember Thompson moved to approve Resolution 2019R-23 reappointing Mayor Shepherd, Councilmember Peterson, and Councilmember Roper to the North Davis Fire District Administrative Board of Trustees 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.

PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2019

Heather Christopherson, Ulrich and Associates, P.C, reviewed Clearfield City’s Comprehensive Annual Financial Report (CAFR) for the fiscal year ending June 30, 2019. She discussed key topics and pages within the report reviewed. She stated there had been 18 auditors assigned to the report which all stated the financial statements were presented fairly in all respects in their opinion.

Ms. Christopherson pointed out the unassigned General Fund (GF) balance was at approximately 7 million and State Law required no more than 25 percent of the current year revenues in the unassigned General Fund and currently it was around 41 percent. She stated it would be a State compliance finding.

Ms. Christopherson highlighted the net change in fund balances and noted they were all in a positive position indicating the City made more than it spent within the year.

Ms. Christopherson brought up the desire to have two Councilmembers on an Audit Committee to be part of the draft process, to ask questions, and if problem arose with management, the auditors would have somewhere to turn for consultation. She explained the approximate time requirement for a committee member would generally consist of a meeting when the audit began and one at its conclusion and requested Council consider committee members for next year.

COMMUNICATION ITEMS

Mayor Shepherd

1. Had the opportunity to serve airmen before the holidays and spend time with those before their deployment. Hill Air Force Base was the only active F-35 base. He asked to keep the airmen and their families in prayers and thoughts for the holidays.

2. Attended Lunch with the Mayor and enjoyed his time spent with the children.
3. Attended the Job Corp breakfast. He stated good things were happening with leadership and they were maxing their capacity. He also stated there was room for non-resident enrollees that could go home each night. He commented they could get paid a bit and go home while receiving an education.
4. Thanked Councilmember Roper for his participation in the Communities That Care meeting of which he is now Chair.
5. Recognized Alyssa Belford for participating in Communities That Care as well.
6. Met with United Way and discussed forced evictions.
7. Reminded the Council about the following events planned for Thursday December 19, 2019:
 - Third Thursday Soiree – Gingerbread Decorating at City Hall
 - Fire District Board of Trustees Meeting
 - Clearfield Community Band Concert 7 p.m.
 - Circles event at 6:00 p.m.

He requested that the Council divide its attendance so as to make an appearance at all of the events scheduled. Councilmember Peterson stated there were two community choir concerts Saturday December 21, 2019 at the Community Church: one at 3 p.m. and the other at 6 p.m.

Councilmember Bush – attended the Job Corp breakfast as mentioned. He said the Clearfield Job Corps Center was one of the top in the nation and he was glad to have them in the City.

Councilmember Peterson – expressed she and Councilmember Bush participated with the Children of Hope event headed by Pastor Ron Brown with the New Hope Fellowship Church where they helped put together between 500 and 700 Christmas presents to fill the needs for some families in the community. It helped to provide Christmas for families that were working poor. She stated the service was provided for those 13 years and younger.

Councilmember Phipps – stated he would be out of town December 18 through 30, 2019.

Councilmember Roper

1. Reported Communities that Care had great staff involved and it was growing in the area.
2. Announced the Youth Commission was collecting donations for its Sub for Santa project and could use some help with those efforts.

Councilmember Thompson

1. Planned to meet with the Utah Black Roundtable (UBR) equity group on Saturday, December 14, 2019 for re-election of board members. He mentioned again he would be meeting with UBR on December 21, 2019 for collaboration on the UBR complete count committee plan to obtain the minority impact for the census. He commented the State of Utah was generally not seen as diverse on a national level so only one slot had been provided for an African American to attend the conference to be trained for the census.
2. Made contact with one of the committee members of the Stella H. Oaks Foundation which was a foundation that helped provide scholarships for single mothers raising kids on their own to help them with childcare and educational assistance. He planned to coordinate with the Foundation and bring them in contact with the local Circles program.

STAFF REPORTS

JJ Allen, City Manager

1. Stated the monthly report had been sent out earlier in the day.

2. Invited the Mayor and Council to attend the fourth quarter all employee meeting on December 12, 2019 at noon where nominated staff would be presented recognition awards.

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

- Joint Work Session with Planning Commission on December 17, 2019
- Oath of Office Ceremony on January 2, 2020 at 6 p.m.
- Work Session on January 7, 2020
- Policy Session on January 14, 2020
- Employee Holiday Party on January 11, 2020
- Retreat meeting planned for February 7, 2020.

Trevor Cahoon, Communications Manager, reviewed the following activities:

- Swim with Santa – Saturday December 21, 2019 – spots were still available for registration.
- Employee Party - January 11, 2020 at 6 p.m. – at Warehouse 22 - registration for the party would be announced soon. Located close by so the on duty police officers could stop and participate.

Councilmember Thompson moved to adjourn as the City Council and reconvene as the CDRA in work session at 8:26 p.m., seconded by Councilmember Peterson. 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 14th day of January, 2020**

/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, December 10, 2019.

/s/Nancy R. Dean, City Recorder