

CLEARFIELD CITY COUNCIL MEETING MINUTES
7:00 P.M. POLICY SESSION
July 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:	JJ Allen Summer Palmer Kelly Bennett Adam Favero Curtis Dickson Spencer Brimley Brad McIlrath Jenn Wiggins Nancy Dean Wendy Page	City Manager Assistant City Manager Police Chief Public Works Director Community Services Deputy Dir. Community Development Director Senior Planner Digital Marketing Specialist City Recorder Deputy Recorder
EXCUSED:	Stuart Williams Eric Howes	City Attorney Community Services Director
VISITORS:	Michael Rolow, Kathryn Murray, Bob Bercher, Ruth Jones,	

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

Councilmember Peterson invited Josh Carrion, Legacy Roofing, resident and local business owner to lead the opening ceremonies.

APPROVAL OF THE MINUTES FROM THE JANUARY 17, 2019 WORK SESSION; THE MARCH 26, 2019 WORK SESSION; AND THE APRIL 9, 2019 WORK SESSION

Councilmember Peterson requested the minutes from the January 17, 2019 work session be amended on page 5, 8 and 11 from “*Staff Identified Priorities*” to “*Ongoing Identified Priorities.*”

Councilmember Peterson moved to approve the minutes from the January 17, 2019 work session; as amended, the March 26, 2019 work session and the April 9, 2019 work session; as written, seconded by Councilmember Thompson. 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

This item was rescheduled for August 27, 2019.

OPEN COMMENT PERIOD

There were no public comments.

CONFIRM THE CITY MANAGER’S APPOINTMENT OF ADAM FAVERO AS THE PUBLIC WORKS DIRECTOR

JJ Allen, City Manager, stated there were three internal candidates for the Public Works Director position and there was an extensive evaluation process which made for a difficult decision. He explained there was a moment of clarity that Adam Favero should be the Public Works Director. He requested the Council’s confirmation of his appointment of Adam Favero as the Public Works Director.

Councilmember Phipps moved to confirm the City Manager’s appointment of Adam Favero as the Public Works Director and authorized the Mayor’s signature to any necessary documents, seconded by Councilmember Roper. Mayor Shepherd stated he had received a letter from a resident about raccoons in the storm drain, which was a problem. He provided the new director with the letter requesting the issue be addressed. Mr. Favero expressed his appreciation for the opportunity and felt optimistic with the direction of the City. He voiced his excitement for being able to work with the management team to help departments and projects come together. **The motion carried upon the following vote: Voting AYE – Councilmembers Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

Adam Favero was sworn in as the Clearfield City Public Works Director by City Recorder, Nancy Dean.

APPROVAL OF THE FINAL SUBDIVISION PLAT FOR THE MODA CLEARFIELD TOWNHOMES LOCATED AT APPROXIMATELY 180 SOUTH STATE STREET

Brad McIlrath, Senior Planner, indicated JF Capital was proposing to develop a 41-unit townhome subdivision called MODA Clearfield Townhomes located at approximately 180 South State Street. He reviewed the plat. He noted the Planning Commission recommended approval of final subdivision plat based on the following seven conditions outlined in the July 10, 2019 meeting:

1. Plans shall be revised to address Clearfield City Engineering requirements prior to obtaining final signatures on the plat and recording of that plat.
2. The applicant shall record the Covenants, Conditions, and Restrictions (CC&R's) for the homeowner's association (HOA) with the final subdivision plat.
3. The developer shall install of the public right of way improvements required by the Downtown Clearfield Form-Based Code (FBC) for the frontages along 200 South and State Street.
4. The final subdivision plat shall dedicate all sidewalk and park strip improvements as part of the public right of ways for 200 South and State Street. All sidewalks required as part of the street improvements shall be located within a public right of way.
5. The subdivision civil and improvement drawings shall be revised to match the final approved site plan drawings once that approval is granted. This includes all streetscape designs, private amenities, landscaping plans, etc.
6. The applicant is responsible for the replacement or repair of deteriorated, damaged or missing surface improvements surrounding the perimeter of the subdivision. This includes, but is not limited to: curb and gutter, sidewalks, landscaping park strip improvements, driveways, etc.
7. An escrow or bond agreement for the public improvements will be subject to approval by the City Engineer and City Attorney and be established prior to any permits being issued for the property or plat being recorded. The financial security shall be established prior to recordation of the Final Plat as outlined in Section 12-4-6 of the Subdivision Ordinance.

Mr. McIlrath stated the developer's plan was to own the project, but in the future when the return on investment was captured possibly sell off the individual units.

Councilmember Phipps asked what the consequences would be if the subdivision plat were denied. Mr. McIlrath explained that the applicant could appeal the decision with the district court because it was an administrative decision by the City or the applicant could reapply with the City. JJ Allen, City Manager, added if it were to be denied and appealed to district court the odds for the City losing the case would be very high.

Councilmember Phipps was concerned about the lack of open space but noted it was in compliance with City Code. Councilmember Roper replied it was hard to process because growing up he wanted a big yard but many people were now looking for a little green space and less yard to maintain. Councilmember Peterson, regarding Councilmember Phipps' concern, pointed out that when looking at open space was it just there to be there or was it usable was a valid concern. She continued saying that the Form-Based Code (FBC), which would be reviewed in future sessions, would be a great place to make revisions that enhanced the entire corridor and helped open spaces include more amenities rather than just grass.

Mayor Shepherd said he looked at the requirements of a tenth of an acre park and wondered if it could be increased, however his concern with the proposed project was the decorative corner piece, viewable by the public, would be lost entering into the subdivision if the requirement were increased. He concluded, for the proposed project, he would choose the corner aesthetics over the other. Mayor Shepherd affirmed the piece did meet the current codes.

Councilmember Thompson expressed his concern with the proposed project because there wasn't continuity within the zoning. He continued he felt residents wanted balance and wasn't sure the proposed project exhibited that. He stated if the action before the council was not administrative, he would probably not support it. He expressed a desire to see more commercial aspects to it.

Councilmember Bush expressed his opinion that the parcel of land would be hard to redevelop as discussed during work session on July 16, 2019, as it was a bank and had a vault section that would be difficult to remove, so selling the existing building to another commercial business would be difficult. He agreed that residential use of the property was not his first choice either.

Councilmember Peterson said it meets the requirements of the City Code and to deny it stepped outside the ability of the governing body, the appropriate venue to address concerns was in the FBC revisions. Councilmember Bush added it would be wasting residents' money by going to court.

Councilmember Roper moved to approve the Final Subdivision Plat for the MODA Clearfield Townhomes located at approximately 180 South State Street with the seven conditions as recommended by the Planning Commission on July 10, 2019 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-18 APPROVING VOTING CENTERS AND APPOINTING POLL WORKERS FOR THOSE VOTING CENTERS FOR THE MUNICIPAL ELECTIONS TO BE HELD ON AUGUST 13, 2019 AND NOVEMBER 5, 2019

Nancy Dean, City Recorder, explained Clearfield City was holding its Municipal Elections primarily by mail. She noted Utah State Law allowed the City to provide voting centers on election days for registered voters who might choose to vote with another method. She stated the City needed to designate its voting centers and poll workers prior to the election and formally approve them by resolution. Ms. Dean mentioned there was a clause in the resolution to allow for a change if there was an unforeseen issue with one of the poll workers on election day so there could be a replacement, if necessary.

Councilmember Thompson moved to approve Resolution 2019R-18 approving voting centers and appointing poll workers for those voting centers for the Municipal Elections to be held August 13, 2019 and November 5, 2019 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.

COMMUNICATION ITEMS

Mayor Shepherd

1. Attended the change in command ceremony for Ogden Air Logistics Complex where General Stacy Hawkins had moved on and would be replaced by Callie VonHoffman.
2. Announced the Clearfield Community Band would be participating with a multi-community performance in North Ogden on July 24, 2019. He explained he would not be able to attend due to other commitments. He asked if there was a member of the Council who could attend and introduce the band in his absence. Councilmember Peterson volunteered.
3. Asked by David Pearson, a representative of the Church of Jesus Christ of Latter-day Saints to start up an interfaith council and needed a liaison. Councilmember Peterson requested to assist with it. She felt it was an opportunity to help all faiths work together and welcome them into the community. JJ Allen, City Manager, mentioned if there was a need for any funding it should be brought to staff and Council's attention during the next budgeting cycle.

Councilmember Bush – updated the Council on the last Sewer Board meeting where it was discussed to move water from Farmington Bay to Gilbert Bay to help reduce costs for taking phosphorus out of the water. This would help save money in the long run even with the high initial cost.

Councilmember Peterson

1. Acknowledged it had been a busy fire season and glad all of the Fire District personnel came home safe.
2. Thanked staff for its efforts with the Fourth of July celebration.
3. Welcomed Adam Favero as the Public Works Director.
4. Reported the prefabricated bathroom at Cornerstone Park was moved into place and thanked the Parks department for its efforts.

Councilmember Phipps

1. Indicated the Fourth of July went off well despite facing adversity.
2. Wasatch Integrated did not meet in July.
3. Reported on the Restoration Advisory Board quarterly meeting. The extraction of methane near the north end of Clearfield was still ongoing and not a risk to Clearfield. Emerging contaminants Perfluorooctanesulfonic acid (PFOS) and Perfluorooctanoic acid (PFOA) prevalent in the groundwater around Hill Air Force Base - implication was it could end up in culinary water. The City's well is not within the area of risk but it might be a benefit to the City to test the City's well.

Councilmember Roper

1. Congratulated Adam Favero on new position with the City.
2. Thanked staff for the Fourth of July.
3. Expressed appreciation for a resident being willing to conduct the opening ceremony.

Councilmember Thompson

1. Thanked staff for the many hours put into place with the Fourth of July.
2. Mosquito Abatement District needed qualified drone pilots to help keep drones in the sky. There had been issues with the granular distributor clogging. The District was in the process of increasing the weight limit for the drone to help cover the acreage. The District was finding better ways to do things.
3. Reported on his attendance at the Weber State University Community Development and Reinvestment Areas (CDRA) conference.
4. Lights Out Boxing announcement for show on Saturday, July 27, 2019

STAFF REPORTS

JJ Allen, City Manager

1. Expressed congratulations to Adam Favero as the City's new Public Works Director.
2. Announced the City offices would be closed on Pioneer Day, July 24, 2019.
3. Thanked the Council for allowing him to take a vacation.
3. Shared a letter from Ben Frye, Parks and Open Space Manager, about a landscaping project on Center Street and SR 193.

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

- Joint Work Session with the Planning Commission on July 30, 2019
- No meeting on August 13, 2019 – Primary Election Day
- Mid-year Retreat on August 23, 2019
- Policy Session on August 27, 2019

There being no further business to come before the Council, **Councilmember Bush moved to adjourn at 7:51 p.m., seconded by Councilmember Peterson. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.**

**APPROVED AND ADOPTED
This 28th day of August, 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, July 23, 2019.