

CLEARFIELD CITY COUNCIL MEETING MINUTES
6:00 P.M. WORK SESSION
September 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
	Trevor Cahoon	Communications Coordinator
	Nancy Dean	City Recorder
	Wendy Page	Deputy Recorder

VISITORS: Chris Uccardi, Devin Prouty, Ruth Jones

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

DISCUSSION ON ENACTING TITLE 4, CHAPTER 12 – MASSAGE BUSINESSES

Stuart Williams, City Attorney, stated there were nine comments received regarding the proposed language for Title 4, Chapter 12 – Massage Businesses. He indicated staff reviewed the comments and some edits were made; however, others necessitated further discussion and direction from the Council. Councilmember Phipps apologized to have the item on the agenda again, but when planning to discuss the ordinance at the work session on September 3, 2019, he realized the agenda item only made reference to the proposed fee schedule amendments.

Mr. Williams reviewed the sections of the proposed ordinance where comments were addressed. There was a discussion about the following sections:

- 4-12-1: Findings and Purpose – Consensus of the Council was to leave that section included with the Ordinance.
- 4-12-4 – Mr. Williams indicated the language “by operation of law” could be removed from three places in this section, because it was not necessary.

- 4-12-7 - Typo was fixed in section A part 2.
- 4-12-7: Section E – There was a discussion and further clarification about the process and the stage of the application at that point was simply for the business license official to determine if the application was complete or incomplete. The consensus of the Council was that no changes to the drafted language would be necessary.
- 4-12-8: Requirement for Massage Facilities – There was a discussion about whether or not the large amount of detail should be included. The consensus of the Council was to keep the proposed language due to the nature of the licensing.
- 4-12-10-B-3 and 4 – Mr. Williams clarified the proposed language referred to different application types; one addressed prior applications for any type of business and the other was specific to prior applications related to the practice of massage. The Council was comfortable leaving the language as written.
- 4-12-12: Inspection – Mr. Williams explained the term “department” was defined for the proposed ordinance in the definitions section. He stated in practice, the member of the “department” doing an inspection would most likely include either a police officer, fireman, building inspector, code enforcement officer, or the building license official. The consensus of the Council was to not make any changes in the language.
- 4-12-18 – Typo with the improper sequencing of the alphabet had been corrected.
- 4-12-21 – Mr. Williams explained that section purposefully used legal language and was included to potentially support a future defense by the City, if necessary. The consensus of the Council was to include this section as written.

Councilmember Peterson mentioned 4-12-11 of the proposed ordinance had several items listed as operating requirements and asked if there would now be a proactive inspection of massage businesses. Kelly Bennett, Police Chief, stated it could be done that way, but previously inspections were complaint based.

Councilmember Peterson wondered if fingerprinting was a new requirement. Mr. Williams said it was not new and had been done previously. Councilmember Peterson questioned whether or not it was arbitrary to include language that the building official could request anything else that was deemed necessary. Mr. Williams responded it would be better to have a basis for requesting something, but the applicant would always have a right to appeal.

Mr. Williams stated the Council would consider approving Ordinance 2019-24 during the upcoming policy session. He indicated it was his understanding the language would remain as proposed other than the three corrections related to typographical errors.

DISCUSSION ON TIERED PRIORITIES AND ACTION ITEMS

Mayor Shepherd explained the remaining time in work session would be used for discussion of some of the Tier 2 priorities. He pointed out some were discussed at the mid-year retreat on August 23, 2019, but additional time was scheduled on the agenda so others could be discussed. Staff updated the Mayor and Council on the progress and on-going efforts towards the following Tier 2 priorities:

- Emergency Operations Plan (EOP) and Related Documents

- Code Enforcement – JJ Allen, City Manager, asked if the Council would prefer to have more frequent updates on code enforcement efforts similar to the quarterly communication updates. The consensus of the Council was more frequent reporting would be a preferred approach.
- Community Resource Officer
- UTOPIA
- Inclusion of and Coordination with Commissions – Councilmember Bush pointed out he felt crossing guards were an often forgotten group. There was a discussion on efforts to help crossing guards feel appreciated.
- Recreation/Clearfield Aquatic and Fitness Center (CAFC) Goals
- Changing Nature Of Clearfield – messaging

Councilmember Thompson moved to adjourn at 6:55 p.m., seconded by Councilmember Bush. The motion carried upon the following vote: Voting AYE – Councilmember Bush, Peterson, Phipps, Roper, and Thompson. Voting NO – None.

**APPROVED AND ADOPTED
This 8th day of October, 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, September 10, 2019.

/s/Nancy R. Dean, City Recorder